

MID SUSSEX DISTRICT COUNCIL

District Wide Committee

17 DEC 2020

RECOMMENDED FOR REFUSAL

Turners Hill

DM/20/2877

**LAND NORTH OF TURNERS HILL ROAD TURNERS HILL WEST SUSSEX
OUTLINE APPLICATION FOR SINGLE CHAPEL CREMATORIUM WITH A
SINGLE ABATED CREMATOR AND NATURAL BURIAL SITE WITH
ASSOCIATED ACCESS, CAR PARKING, LANDSCAPING AND
DRAINAGE. ALL MATTERS RESERVED APART FROM ACCESS.
HARTMIRE INVESTMENTS LTD**

POLICY: Area of Special Control of Adverts / Ashdown Forest SPA/SAC /
Aerodrome Safeguarding (CAA) / Radar Safeguarding (NATS) /

ODPM CODE: Smallscale Major Other

8 WEEK DATE: 4th November 2020

WARD MEMBERS: Cllr Phillip Coote / Cllr Ian Gibson / Cllr Roger Webb /

CASE OFFICER: Andrew Watt

PURPOSE OF REPORT

To consider the recommendation of the Divisional Leader for Planning and Economy on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Outline planning permission is sought for a single chapel crematorium with a single abated cremator and natural burial site with associated access. Matters relating to the appearance, layout, scale and landscaping of the development are reserved for future consideration.

The application has been referred to committee for determination by officers given the planning history of this site, in line with the council's Constitution. Under the General Provisions it states: 'Officers to whom a matter is delegated may refer that matter to the Council, Cabinet or a Committee (as appropriate) rather than exercise

the delegation.'

Planning legislation requires the application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF.

National planning policy states that planning should be genuinely plan-led. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

As this site is within a countryside location, development proposals will only be permitted where they maintain or enhance the quality of the rural and landscape character of the District. Provision of new community facilities and local services that contribute to creating sustainable communities are supported where they meet local needs. Development proposals must also provide safe access and suitable facilities for parking and opportunities for use of more sustainable modes of transport, whilst avoiding severe additional traffic congestion.

The site has a lawful consent as a natural burial ground, with subsequent approvals for a chapel building, maintenance building and additional car parking spaces.

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA). The overall conclusion is that the significance of effect on overall landscape character would be MODERATE ADVERSE EFFECT in the short term falling to SLIGHT ADVERSE EFFECT in the medium to longer term.

This LVIA has been assessed by the council's Landscape consultant, who considers that it understates the level of change that would occur due to the proposed development. The introduction of a complex access road and car parking would be a considerable change to this countryside side, which would require extensive levelling and re-profiling of the site topography. The crematorium building would have a floor area considerably larger than the combined footprint of the permitted chapel and reception building. She considers that the change to the character of the landscape would be more likely to have a medium-high adverse magnitude effect on a landscape of high sensitivity which would result in a SUBSTANTIAL ADVERSE EFFECT on completion reducing to MAJOR ADVERSE in the longer term. In other words, "the proposals are very damaging to overall landscape / townscape character in that they would cause major loss of, or major alteration to, key components of the baseline landscape / townscape." (based on the LVIA methodology, criteria for assessing magnitude of landscape effects on overall landscape character).

The council's Landscape consultant further considers that the impact on tranquillity of at least two funerals a day would introduce considerably more vehicle and people movements than the permitted development. Whilst the LVIA suggests that these components would not be uncharacteristic of the surrounding landscape, she believes that this is an underassessment of the potential impact of large numbers of people, cars and activity around the crematorium building. This increased activity adjacent to the AONB boundary

could have an adverse impact on the tranquillity of the AONB in the vicinity of the site.

The council's Landscape consultant notes that the effects of the development are not simply confined to the site itself. The application site is elevated and sits on an open ridgetop which is an integral part of the surrounding rolling landscape, so in this context the potential adverse impact of the development on the site and immediate surroundings would be locally significant.

The proposed mitigation would mask the character of the existing open fieldscape and would not maintain the historic landscape pattern. The LVIA suggests that this planting is primarily intended to screen the proposed development from the surrounding areas. But structural screen planting is distinctly different from memorial planting (as per the permitted landscape schemes on this site) which would normally extend across a site over time, and would result in a much denser pattern of trees which would all be planted at the start of development, which would not allow clear views through the trees and across the site.

Whilst acknowledging that such mitigation planting could be controlled through condition of any planning permission, it is the LVIA itself that identifies that the assessed landscape and visual effects rely heavily on the provision of woodland planting to screen the development.

Overall, therefore, it is considered that the proposed development would have an adverse impact on the intrinsic character and beauty of the local countryside, including the setting of the High Weald Area of Outstanding Natural Beauty. This would be further harmed by the necessary woodland mitigation screen planting, which would not be characteristic of this landscape.

The application is accompanied by a Crematorium Need Assessment, which concludes that 'there is a compelling quantitative and qualitative need for this new crematorium, located at Turners Hill in Mid Sussex.'

The council has commissioned an independent consultant to critique this Assessment and overall, it is not considered that the need for this crematorium facility has been overwhelmingly demonstrated.

Your officers consider that the harm to landscape character is not outweighed by an overriding need for this development. These factors weigh heavily against the proposal.

On the positive side, the provision of a crematorium on this site will result in construction jobs over the life of the build and employ 4 people (full time), as well as provide greater choice for the general population for crematoria facilities.

There will be a neutral impact in respect of a number of issues such as neighbouring amenity, highways, drainage, land contamination, archaeology, biodiversity, air pollution and minerals.

There will be no likely significant effect on the Ashdown Forest SPA and SAC.

Overall the planning balance is considered to fall significantly in favour of refusing planning permission, being contrary to Policies DP12, DP16, DP25, DP26 and DP37 of the Mid Sussex District Plan, Policies THP8 and THP13 of the Neighbourhood Plan, the provisions of the NPPF, in particular, paragraphs 8, 11, 124, 127, 130 and 170, Objectives FH2 and FH3 of the High Weald AONB Management Plan 2019-2024 and Design Principles DG3, DG7 and DG11 of the Mid Sussex Design Guide SPD.

RECOMMENDATION

It is recommended that the application be refused for the reason set out in Appendix A.

CONSULTATIONS

(Full responses from Consultees are included at the end of this report as Appendix B)

MSDC Consultant Archaeologist

Recommend archaeological condition.

MSDC Consultant Ecologist

No objection, subject to conditions.

MSDC Consultant Landscapes Officer - East Sussex County Council Landscape Architect

Recommend for refusal.

MSDC Contaminated Land Officer

Condition requested.

MSDC Drainage Engineer

No objection, subject to condition.

MSDC Environmental Protection Officer

No objection, subject to condition and informative.

WSSC Drainage Strategy Team

Detailed comments relating to surface water drainage and flood risk for the proposed development.

WSSC Highways

No objection, subject to conditions.

WSSC Materials & Waste Planning Authority

Further information requested regarding mineral resources and comments on waste matters.

West Sussex Fire & Rescue Service

No objection, subject to conditions.

Environment Agency

No objection, subject to conditions.

Worth Parish Council

Suggests that an EIA is necessary, as emissions could affect the residents of Crawley Down and beyond.

TURNERS HILL PARISH COUNCIL OBSERVATIONS

The Parish Council objects to this application especially as it is outline only apart from the access. Such an application offers no guarantees to our community as to the eventual use of the site but would provide a larger access point and removal of more hedgerow.

To say "The basic principle is that for the prospect to be a real prospect it does not have to be probable or likely, a possibility will suffice" does not provide any certainty for residents nor for the Parish Council to be able to comment. Planning applications for this site have been on-going for over six years with six applications being granted and to date only the hedge has moved and scalping's laid. Apparently, more work was to be carried out in August this year, it has not.

We note that the land is referred to as a brown field site but, as it has never had any buildings on the land it is not.

Constantly referring to this application as a community facility is misleading to those not au fait with planning, it is community only in terms of the far wider community than that of Turners Hill. Saying that the site is near Turners Hill is also misleading, it is part of Turners Hill and affects the residents of Turners Hill.

"Given the limitations on large gatherings and social distancing requirements during the Covid-19 pandemic, the applicants have been unable to carry out community involvement prior to submission of the application. The Parish Council have made it clear in the past that they will not engage in pre-application discussions with the applicant, so it has not been possible to pre-empt any response from the local community." This is blatantly untrue. Turners Hill Parish Council has never been

contacted by the applicant. The applicant has a very good idea of the likely response from the community based on the numerous previous applications. No contact was made regarding this application to see how community responses could be made in advance and considered for this application.

NPPF 84 states that "it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploit any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well related to existing settlements should be encouraged where suitable opportunities exist".

This application does not fulfil the criteria, it is not sensitive to its surroundings and most certainly will have an unacceptable impact on our local roads. The provision for access on foot cannot be safely achieved and public transport is extremely limited. It is not a previously developed site and not appropriate in this rural area. It is not socially or environmentally sustainable, we question that it will be economically sustainable either.

The application states that there is compelling and qualitative need for another crematorium so close to the Surrey and Sussex Crematorium which is under five miles distance from the site. We do not agree that the need is proven. IF there is a need for another crematorium to better serve the Mid Sussex area then it needs to be more central within the district so that it provides for the whole district at both 15 and 30 minutes distance. Placing it near the edge of the area and so close to the Surrey and Sussex Crematorium does not benefit the whole community and cannot be seen as sustainable.

The Federation of Burial and Cremation Authority (FBCA) states that careful consideration should be given to the siting of a crematorium to see if it is close to a school, sports ground or other facility which it may be deemed incompatible with. If residents of Mid Sussex are to make use of a facility in Turners Hill and substantial number of them will travel along residential roads, past our Primary School as well as it being directly opposite the village cricket ground and adjacent to Tulleys family fun park. They also emphasise the need for community support from the general public to demonstrate the local need, no attempt has been made to gather this information locally.

Traffic impact is greatly underestimated in our opinion and this is of great concern to us. The documents state that on average 19 vehicles attend for each cremation and 22 for a natural burial. Based on the information provided there would be 6 services a day, 5 days per week 52 weeks of the year. When we multiply this out it equates to 29,640 movements a year for the crematorium alone. If we use the information provided which states that approximately 877 cremations will be undertaken in a year when established, vehicle movements amount to 16,663 when calculated on the same basis. Traffic is already approaching 110% of capacity in Turners Hill during the morning and evening peak times, and the strategic transport study for the Mid Sussex District Plan shows this rising to 115% by 2031.

Additionally, there will be natural burials, visitors, possibly some weekend services, and workers. Many services will have far more in attendance. This is most definitely not suitable for the local roads, is a danger to residents and is an underestimate in our opinion.

We are concerned that the Transport Assessment is based on 2013 survey and therefore does not provide a fair starting point for any analysis.

Much is made of the permitted path to St. Leonard's Church, but it does not take the walker to the Church. It does take them to an unofficial lay-by and on the busy road. There is no safe crossing area and no path immediately opposite.

A path to the western corner of the site is to be provided so that people can make use of the bus service. The service to Crawley is on the opposite side of the road and the one from Crawley further to the west. For visitors it might be of use on occasions but it's unlikely that the times are convenient to attend a timed service.

We have always wanted to protect the area of High Weald Area of Outstanding Natural Beauty and this land is separated by the road only. It will have an impact on the AONB especially from associated traffic and car parking. Providing 112 car parking spaces will be a scar on the landscape.

Such a large building together with the car parking area and a far greater number of vehicle movements will undermine the rural character of the surrounding countryside and be a constant blight on our community. The building is 40 m x 40 m wide and long and 4.5 m high with a flat roof while the chimney is 7 m high.

Presumably as this is an outline application only the answers to questions on the application form are vague, although some were answered on previous applications. Foul sewage disposal method - unknown; waste storage and disposal - unknown; non residential floor space - no change at 500 sq.m; full time employees - 4 but elsewhere speaks of 6; hours of opening - unknown.

We can find no reference to the provision of water or gas to the site, both very important elements of any development. Liquid Petroleum Gas (LPG) would require its own safe store.

Using the northern field, previously marked on phase 3, for natural burials needs to be carefully considered as it is closer to the River Medway.

LETTERS OF REPRESENTATIONS

36 letters of objection:

- unsightly addition to the countryside ruining an area of outstanding natural beauty and wildlife and views of the county;
- high volumes of traffic coming out onto an already fast road that gets extremely congested; countryside should not be impacted environmentally by this development;
- used by walkers;

- treacherous roads in bad weather;
- school adds to congestion already;
- noise and pollution; so many parking spaces;
- there would be capacity for services every 30 minutes, which would increase traffic in the village considerably;
- village much too small for a crematorium of this size;
- ultimately the applicant wants permission for a housing estate;
- what evidence is there to show the need for a crematorium when there is already one 4.5 miles away;
- burning of bodies too close to an AONB site;
- true aim for these continuous bogus planning applications for the site is really to have houses;
- obviously a property developer on the road to building a full blown housing estate;
- orange hoarding is an eyesore;
- funeral traffic several times a day is unwanted;
- a smelly smoking chimney several times a day is really unwanted;
- significant number of wild orchids in the field which are protected;
- crematorium will be seen for miles;
- ashes will contaminate the ground, village air and River Medway which has its source in the next field;
- we do not need more facilities round here;
- new crematoria are now obliged to harness waste heat to help provide local energy, which could not be done from this rural spot;
- loss of air quality, particularly to the school and next to Tulleys Farm which run events year round;
- currently 30,000 daily movements of traffic which shows no signs of easing;
- village is losing its identity, with every road gridlocked during many periods of the day;
- increased pollution;
- a crematorium should be sited closer to a major town;
- blatantly an application to circumvent planning regulations rather than a genuine intention for an unwanted crematorium;
- birds of prey and other wildlife in Butchers Wood will disappear if this is allowed to be built;
- would not want to have a crematorium next to the noise from Tulleys Shocktoberfest in the background;
- cars turning in and out from this entrance will cause injury to cyclists and other road users;
- applicant has claimed this is on a brown [field] site when it is not;
- not inclusive to only access in a car, which is discrimination;
- frequent hearses and funeral processions is not appropriate close to a primary school;
- so many supporting statements have come from London and villages in Sussex that have no business on what happens in Turners Hill;
- highly inappropriate for developers to keep putting in applications and not completing work, meaning they are deceiving us;

- area is recorded in the Domesday book and would be savage to grant permission for this enterprise at the sake of the locale;
- no evidence of this being a brownfield site as no buildings have ever been on the site;
- site cannot be accessed by foot, so with limited public transport to Turners Hill, visitors will only have the option to drive;
- extra 246 cars a day, 1230 minimum cars per week will cripple the village;
- should be protecting the high weald landscape not tainting it for business opportunists;
- developer has not at all engaged with the local community;
- substantial noise from clay pigeon shooting, all terrain vehicles and leisure hovercraft;
- surrounding activities will have a material impact on the crematoria;
- little support for the application locally as it is seen as further leverage to a housing development;
- not sensitive to its surroundings;
- evidence presented in the Crematorium Need Assessment shows that if further crematoria are required, a site in Turners Hill is sub-optimal and a site located between Haywards Heath and Uckfield would better serve the need;
- leading questions are asked to the funeral directors in this need report, and a small sample is not representative;
- sample of obituaries to demonstrate a delay is not reliable evidence, as other factors apply so is statistically inept;
- fails to provide credible evidence for a crematorium located at Turners Hill;
- fact that Local Plan is silent on provision of crematoria is not evidence of an inconsistency with the NPPF;
- proposal does not maintain or enhance the character of the countryside;
- development plainly unsustainable due to proximity to an existing crematorium and heavy reliance on the private car;
- fallback approach is misconceived;
- extensive difference in footprint between consented schemes and this one;
- would cause far more harm;
- assertion from applicant that the proposal would alleviate significant overtrading at neighbouring crematoria is both misleading and inaccurate;
- figures are disputed;
- no alternative sites have been undertaken as part of the application;
- contrary to development plan.

Letter signed by 68 residents strongly objecting to this cynical application to destroy an Area of Outstanding Natural Beauty on the High Weald.

27 letters of support:

- Will be a great community asset; architecture well considered for the surrounding; low impact; will allow for contemplation;
- easy access to local community in Mid Sussex;
- just an extension of community facilities with no environmental impact;
- logical place for a crematorium as an existing burial ground;

- need is clear;
 - complies with policy relating to extending existing community facilities;
 - current wait times for funerals are excessive;
 - provision of new crematorium will assist this;
 - economic benefits;
 - need more facilities like this because of Covid;
 - employment opportunities;
 - location clearly suitable;
 - supported by Highways;
 - height is greatly reduced from enormous Chapel approved by the inspectorate;
 - fall back position is a cemetery;
 - usually extremely well landscaped and discreet businesses;
 - strong support from a commercial and agents viewpoint;
 - need is unarguable;
 - all faiths should be given a choice of burial or cremation;
 - widespread support from our faith group;
 - no valid or reasonable reason for refusal apart from localism;
 - my community is in support of this new facility;
 - Dignity are running a monopoly and trying to restrict competition.
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INTRODUCTION

Outline planning permission is sought for a single chapel crematorium with a single abated cremator and natural burial site with associated access. Matters relating to the appearance, layout, scale and landscaping of the development are reserved for future consideration.

The application has been referred to committee for determination by officers given the planning history of this site, in line with the council's Constitution. Under the General Provisions it states: 'Officers to whom a matter is delegated may refer that matter to the Council, Cabinet or a Committee (as appropriate) rather than exercise the delegation.'

RELEVANT PLANNING HISTORY

A hedgerow application for the removal of the frontage hedgerow was refused on 12 May 2014 (14/01227/HEDGE) and a prior notification application for the erection of a proposed agricultural building on a field parcel to the north of that which adjoins the highway was refused in May 2014.

Full planning permission was refused on 23 May 2014 for the construction of a new access to two field parcels on the site, including removal of a boundary hedgerow and replanting of a replacement boundary hedgerow (14/01226/FUL). The reason for refusal stated:

'In the opinion of the Local Planning Authority, the proposed access is considered to be too large for the intended use of the land such that it would have an unacceptably harmful impact on the rural character of the area, contrary to paragraphs 7, 14, 17,

56 and 58 of the National Planning Policy Framework and policies C1 and C10 of the Mid Sussex Local Plan.'

An appeal was lodged against this decision and dismissed in September 2014.

In September 2015, planning permission was granted for a change of use of the land to a natural burial ground and the erection of a reception building with associated access, parking and landscaping (DM/15/1035). This permission has been lawfully implemented.

In August 2016, outline planning permission was refused for the development of 22 affordable dwellings with new footway and means of access (DM/16/1887). The reasons for refusal were as follows:

1. The proposed development lies within a relatively isolated and unsustainable rural location and would be unacceptable in principle, as the extent of the built form would result in harm to the rural character of the area and setting of the High Weald Area of Outstanding Natural Beauty, which would not be contiguous with the built-up area boundary of the village and the existing scattered settlement pattern of housing in the immediate vicinity. Future residents would be more dependent upon the car to access day-to-day services as the footpath link to the village would be largely unlit and consequently unsafe. The proposed development would therefore be socially and environmentally unsustainable and these adverse impacts would significantly and demonstrably outweigh the benefits (in terms of helping to meet a District-wide need for housing, including provision of affordable housing, and economic benefits through the construction phase and spending in the local area from future residents). Moreover, the site is not allocated for housing in the 'made' Turners Hill Neighbourhood Plan. Accordingly the application would conflict with Policies C1, C4, B1 and T4 of the Mid Sussex Local Plan, Policy THP8 of the 'made' Turners Hill Neighbourhood Plan, Policies DP10, DP14, DP19 and DP24 of the draft Mid Sussex District Plan and paragraphs 7, 8, 14, 17, 29, 35, 115 and 198 of the National Planning Policy Framework.

2. The proposal does not adequately mitigate the potential impact on the Ashdown Forest SPA and SAC and therefore would be contrary to the Conservation of Habitats and Species Regulations 2010, Policy C5 of the Mid Sussex Local Plan, Policy DP15 of the draft Mid Sussex District Plan and paragraph 118 of the National Planning Policy Framework.

3. The application fails to comply with Policies G3 and H4 of the Mid Sussex Local Plan, Policy THP19 of the 'made' Turners Hill Neighbourhood Plan, Policies DP18 and DP29 of the draft Mid Sussex District Plan and paragraphs 203 and 204 of the National Planning Policy Framework in respect of the infrastructure and affordable housing required to serve the development.

An appeal was lodged against this decision and dismissed in June 2017.

In June 2017, planning permission was refused for the construction of a new chapel building with associated landscaping within the approved burial ground and enlarged car parking area for 37 cars (DM/17/1167). The reason for refusal was as follows:

1. 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.

An appeal was lodged against this decision and allowed in December 2017. This has not been implemented.

In May 2018, full planning permission was granted for the re-siting of the consented chapel building with excavation and construction of new basement, internal site access road and associated landscaping (DM/18/0677). This has not been implemented.

In September 2018, outline planning permission was refused for the construction of a new barn/workshop, hard standing area, internal site access road and footway, crossing to an existing public right of way and associated works - on the northern field (DM/18/2675). The reasons for refusal were as follows:

1. The proposed development lies in a Countryside Area of Development Restraint, where planning policies seek to protect the countryside for its own sake by minimising the amount of land taken for development and preventing development that does not need to be there. The proposed access would have an urbanising effect on the rural character of the area and the proposed scale of the building (and its siting within the tightly-drawn red-lined area) would be harmful to the landscape quality of the area, particularly in views from the public right of way. The need for this building in relation to the small-scale, low intensity lawful use of the site has not been demonstrated, and neither has its siting at some distance from the previously approved cluster of buildings and car parking areas. As such, the proposal would not comply with Policies DP12, DP25 and DP26 of the Mid Sussex District Plan, Policy THP8 and THP13 of the Turners Hill Neighbourhood Plan and paragraphs 11, 12, 130 and 170 of the NPPF.

2. Insufficient information has been submitted to justify the loss of good quality trees that the proposed development would entail, so the application would be contrary to Policy DP37 of the Mid Sussex District Plan.

An appeal was lodged against this decision and dismissed in April 2019.

In February 2019, planning permission was granted for a staff car park comprising 8 car parking spaces (DM/18/5092). This has not been implemented.

In February 2020, planning permission was granted for the re-siting and construction of a staff car parking area comprising 8 car parking spaces (DM/19/5107). This has not been implemented.

In March 2020, outline planning permission was granted for the construction of a barn/workshop for the storage and maintenance of operational vehicles with all matters reserved except for access, appearance, layout and scale (DM/19/5100). The remaining reserved matters application (for landscaping) was granted in July

2020 (DM/20/1557). Groundworks to implement this permission begun in late November 2020.

SITE AND SURROUNDINGS

The site consists of two field parcels totalling 7.2ha in area, located to the north of Turners Hill Road and some 660m west of the main village centre crossroads (at its nearest point). The site has had a lawful use as a natural burial ground since 2016, which has been implemented but never operational.

The larger southern field adjoins the highway and contains an unsurfaced vehicular access located fairly centrally, formed around 4 years ago by the translocation of a lengthy section of the boundary hedgerow. Within are some overgrown remnants of implemented planning permissions, marking out unsurfaced areas for the original car park and reception building, the car park spur extension to the north and the siting of the original chapel building. This land is elevated with long views to the north and west in particular. It is separated from the east by a mature tree belt, which links to Butcher's Wood to the north-east, designated as ancient woodland. To the east is an arable field, the front strip of which contains a footpath linking the site to opposite the church (which was implemented as part of the original planning permission DM/15/1035). The west and north-west boundaries are marked by a public footpath (68W), near to which is an extensive array of young deciduous saplings.

The northern field parcel has been formed from subdividing a field in two and is smaller and sits on lower ground, which slopes down more sharply towards the fields beyond, which rise on the opposite side of the valley bottom. Apart from the felling of some trees within the central section of the boundary with the southern field parcel some 2 years ago, this land remains overgrown and undeveloped.

The site lies adjacent to an access to Tulleys Farm to the west and land to the south (but not within the site) is designated as the High Weald Area of Outstanding Natural Beauty.

In policy terms, the site is located within the countryside.

APPLICATION DETAILS

Outline planning permission is sought for a single chapel crematorium with a single abated cremator and natural burial site with associated access. Matters relating to the appearance, layout, scale and landscaping of the development are reserved for future consideration.

An indicative plan shows the existing vehicular access being utilised, curving round to the east with the main car park to the south of the crematorium building, some 85m from the highway. The existing original car parking area to the west will be used as an overflow parking area, also providing access to the maintenance building (which was permitted under ref: DM/19/5100). Between these structures will be the proposed garden of remembrance, and natural burials will be provided in the northern field parcel, accessed via a path, which will cross the public footpath. A further permissive footpath will be provided along the frontage of the site, linking the

south-west section of the public footpath 68W with the existing footpath link to opposite the church.

POLICY CONTEXT

Mid Sussex District Plan (Mar 2018)

The Mid Sussex District Plan 2014-2031 was adopted by Full Council on 28 March 2018. Relevant policies include:

Policy DP1: Sustainable Economic Development
Policy DP12: Protection and Enhancement of Countryside
Policy DP14: Sustainable Rural Development and the Rural Economy
Policy DP16: High Weald Area of Outstanding Natural Beauty
Policy DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)
Policy DP21: Transport
Policy DP22: Rights of Way and other Recreational Routes
Policy DP25: Community Facilities and Local Services
Policy DP26: Character and Design
Policy DP29: Noise, Air and Light Pollution
Policy DP37: Trees, Woodland and Hedgerows
Policy DP38: Biodiversity
Policy DP41: Flood Risk and Drainage

Turners Hill Neighbourhood Plan (Mar 2016)

Mid Sussex District Council formally 'made' the Turners Hill Neighbourhood Plan part of the Local Development Plan for the Parish of Turners Hill as of 24 March 2016. The policies contained therein carry full weight as part of the Development Plan for planning decisions within Turners Hill.

Relevant policies include:

Policy THP8: Countryside Protection
Policy THP13: Business Development
Policy THP17: Rights of Way

Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Policy and Other Documents

National Planning Policy Framework (NPPF) (Feb 2019)

The National Planning Policy Framework (NPPF) 2019 is also a material consideration and paragraphs 8 (overarching objectives), 11 (presumption in favour of sustainable development), 12 (status of development plan), 38 (decision-making), 47 (determining applications), 54 and 55 (use of conditions), 80 (building a strong, competitive economy), 83 and 84 (supporting a prosperous rural economy), 102 and 103 (promoting sustainable transport), 108 and 109 (highways matters), 124 and 127 (design), 130 (refusal on design grounds), 148 (transition to low carbon future), 153 and 154 (sustainability), 155, 158, 159, 160, 161 and 163 (flood risk), 170 (enhancing the natural and local environment), 175 (biodiversity and ancient woodland), 177 (habitats sites), 178 and 179 (land contamination) and 180 (noise and light pollution) are considered to be relevant to this application.

Planning Practice Guidance

High Weald Area of Outstanding Natural Beauty Management Plan 2019-2024 (4th ed, Feb 2019)

This Plan has been prepared by the High Weald Joint Advisory Committee (including representatives from 15 local authorities, including Mid Sussex District Council) and sets out the long-term objectives for conserving this nationally important landscape.

West Sussex County Council: Guidance on Parking at New Developments (Aug 2019)

Air quality and emissions mitigation guidance for Sussex (2019)

Relevant legislation and other publications

The Cremation Act 1902 stipulates that a crematorium should not be built within 182.88m (200 yards) of a dwellinghouse nor within 45.72m (50 yards) of a public highway. The proposed indicative layout has been designed with this legislation in mind.

'The Siting and Planning of Crematoria' was published by the former Department of Environment in 1978 and remains extant, albeit not as planning policy or guidance.

'Recommendations on the Establishment of Crematoria' was published by The Federation of Burial and Cremation Authorities (FBCA) in 2007. These recommendations have not been endorsed by Government.

This legislation and these publications are material considerations in the determination of this application.

ASSESSMENT

The main issues for consideration are:

- Principle of development
- Impact on landscape character (including setting of the AONB);
- Need for the development;
- Impact on neighbouring amenity;
- Highways matters;
- Flood Risk and Drainage;
- Land contamination;
- Archaeology;
- Biodiversity;
- Habitats Regulations;
- Air Quality;
- Minerals and Waste;
- Fire Hydrants; and
- Planning Balance and Conclusion

Principle of development

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically Section 70(2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- *The provisions of the development plan, so far as material to application,*
- *Any local finance considerations, so far as material to the application, and*
- *Any other material considerations.'*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

Under Section 38(5) of the Planning and Compulsory Purchase Act 2004, if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point, the development plan in this part of Mid Sussex consists of the Mid Sussex District Plan (2018) together with the Turners Hill Neighbourhood Plan (2016).

As the site is located in the countryside, Policy DP12 of the Mid Sussex District Plan is relevant and states (in part):

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- *it is necessary for the purposes of agriculture; or*
- *it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.'*

Policy THP8 of the Neighbourhood Plan is similar in intent.

Policy DP25 of the Mid Sussex District Plan refers to community facilities and local services and includes 'cemeteries and burial grounds'. It states (in part):

The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.

Community facilities and local services to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.

In principle, a crematorium could be considered as a community facility or local service and could be acceptable in the countryside. However, it is necessary to consider the merits of the proposal on landscape character, other planning issues and whether there is a need for the development, which are set out in the following sections.

Impact on Landscape Character

The supporting text to Policy DP12 of the Mid Sussex District Plan sets out the following:

'The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there. At the same time, it seeks to enhance the countryside, support the rural economy by accommodating well-designed, appropriate new forms of development and changes in land use where a countryside location is required and where it does not adversely affect the rural environment. It is therefore necessary that all development in the countryside, defined as the area outside of built up area boundaries, must seek to maintain or enhance the intrinsic beauty and tranquillity of the countryside.'

Policy THP8 of the Neighbourhood Plan states:

'Outside the Built up Area Boundary (which is shown on the proposals map on page 24), priority will be given to protecting and enhancing the countryside from inappropriate development. A proposal for development will only be permitted where:

- a) It is allocated for development in Policy THP1 or would be in accordance with Policies THP7 and THP14 of this Plan or other relevant planning policies applying to the area; and:*
- b) It must not have a detrimental impact on, and would enhance, areas of substantial landscape value or sensitivity, and*
- c) It must not have an adverse impact on the landscape setting of Turners Hill and*
- d) It must maintain the distinctive views of the surrounding countryside from public vantage points within, and adjacent to, the built up area; and*
- e) Within the High Weald Area of Outstanding Natural Beauty it must conserve and enhance the natural beauty and would have regard to the High Weald AONB Management Plan.*
- f) It is essential to meet specific necessary utility infrastructure needs and no alternative feasible site is available.*

Our Strategic Gaps are identified in MSDC Local Plan policy C2 and the High Weald Area of Outstanding Natural Beauty by Local Plan policy C4.

Policies in the emerging District Plan will provide protection and enhancement in relation to trees, woodland and hedgerows as well as biodiversity.'

The site is separated from the High Weald Area of Outstanding Natural Beauty by the highway (Turners Hill Road) to the south. Any development on this site therefore has the potential to impact on the setting of the AONB.

Policy DP16 of the Mid Sussex District Plan states (in part):

'Development on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular should not adversely affect the views into and out of the AONB by virtue of its location or design.'

The High Weald AONB Management Plan 2019-2024 defines the AONB 'setting' thus:

'The term 'setting' is used to refer to areas outside the AONB where development and other activities may affect land within an AONB. Its extent will vary depending upon the issues considered but some can be mapped, for example, the impact of development on views into and out of the AONB. Section 85 of the CROW Act 2000 requires public bodies to consider whether any activities outside the AONB may affect land in an AONB, and Planning Practice Guidance (Natural Environment: 003) emphasises that this duty is relevant in considering development proposals that are situated outside the AONB boundary. Not all activities will be detrimental; conservation practices and economic ties outside the AONB can support AONB purpose.'

Two objectives within this Plan are helpful (for context), in order to assess the impact of development or other changes on the AONB:

Objective FH2: *To maintain the pattern of small irregularly shaped fields bounded by hedgerows and woodland*

Rationale: To maintain fields and field boundaries that form a part of the habitat mosaic of the High Weald; and to maintain this key component of what is a rare UK survival of an essentially Medieval landscape.

Two of the Proposed Actions by Public bodies are to:

- *Give great weight to medieval field systems in planning decisions especially where there is a high degree of intactness and strong presence or relationship with other notable landscape and heritage features;*
- *Require development masterplans to protect and enhance existing field patterns including hedges, ditches or other boundary features, and where possible to restore them when lost, particularly within retained public spaces*

Objective FH3: *To enhance the ecological function of field and heath as part of the complex mosaic of High Weald habitats.*

Rationale: To improve the condition, landscape permeability and connectivity of fields and heaths and their associated and interrelated habitats (such as hedges, woodlands, ditches, ponds and water systems) for wildlife.

One of the Proposed Actions by Public bodies is to:

- *Avoid large-scale new tree planting and avoid planting trees on species-rich grassland or heathland and promote natural regeneration for small woodland expansion/creation schemes*

The Government's Planning Practice Guidance (PPG) advises how these Management Plans should be considered in determining planning applications:

Do planning policies and decisions need to take account of management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty?

Management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty do not form part of the statutory development plan, but they help to set out the strategic context for development. They provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.

Paragraph: 040 Reference ID: 8-040-20190721

Revision date: 21 07 2019

Paragraph 042 of the PPG is particularly relevant to this application:

How should development within the setting of National Parks, the Broads and Areas of Outstanding Natural Beauty be dealt with?

Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.

Paragraph: 042 Reference ID: 8-042-20190721

Revision date: 21 07 2019

In respect of design matters, Policy DP26 of the Mid Sussex District Plan states:

'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 active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- 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 and sunlight, and noise, air and light pollution (see Policy DP29);*
- 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;*
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- optimises the potential of the site to accommodate development.'*

The Mid Sussex Design Guide SPD is intended to inform and guide the quality of design for all development across Mid Sussex District. It sets out a number of design principles to deliver high quality new development that responds appropriately to its context and is inclusive and sustainable.

The following Design Principles are relevant to this application:

DG3: Work with the site's natural features and resources

'The landscape characteristics should be considered from the outset of the design process. The existing natural landscape informs the existing character of most sites. It should be retained as much as possible so that it shapes the form of new development and is incorporated to enhance its setting while reducing its impact on the wider landscape.'

This includes the consideration of the topography, trees and vegetation, orientation, landform, watercourses/drainage, field patterns, boundaries and ecology.

The integration of the natural features provides the basis for a green infrastructure network that should underlie new schemes and enable them to contribute positively to the sustainability agenda and give them a sense of place, while also reducing the impact of the built form on the wider landscape.

The provision of green infrastructure is increasingly important in addressing the effects of climate change as it can help mitigate flooding, maintain biodiversity and play a role in reducing urban air temperatures. Green infrastructure also encourages healthy lifestyles by enabling outdoor activities.'

DG7: Respond to topography and strategic views

'Views across the open countryside from elevated locations in the District, especially in the High Weald and South Downs National Park, are an important part of the District's character and must be retained. Developments, particularly at a larger scale, must be carefully managed to minimise adverse impacts. New buildings should not obscure or cause adverse impact on these existing views and attention must be given to reduce the impact of development against the skyline or ridgelines of hills.'

Development proposals should soften their appearance within the landscape by minimising their visual impact through integrating them within the existing landform and with the careful siting of buildings and landscape.

Applicants should identify important views into and out of their site. This may include long distance views to landscape features or buildings or shorter distance views to attractive or distinctive townscape. Where appropriate development should be laid out so that these views are retained and where possible enhanced to improve legibility whilst ensuring that new development is appropriately screened so as not to impact on views towards the site.'

DG11: Respond to the existing townscape, heritage assets and historic landscapes

'Heritage assets and historic landscapes should be celebrated, enhanced and preserved where appropriate, for the enjoyment of existing and future residents. Where appropriate and providing it does not cause harm to the heritage assets or their setting, they should be carefully integrated into development proposals as they help to reinforce a sense of place and local identity.'

In respect of tree matters, Policy DP37 of the Mid Sussex District Plan states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- *prevents damage to root systems and takes account of expected future growth; and*
- *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- *has appropriate protection measures throughout the development process; and*
- *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- *does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- *the condition and health of the trees; and*
- *the contribution of the trees to the character and visual amenity of the local area; and*
- *the amenity and nature conservation value of the trees; and*
- *the extent and impact of the works; and*
- *any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

Although in outline form, the indicative plans show a crematorium building measuring a maximum of 40m square to a maximum height of 7m and sited some 85m from the highway to the north-east of the main entrance. In front of this building, covering much of this part of the field, will be the circulation roads with space for 82 cars to park. West of the access will be the overspill car parking area with 26 spaces plus 4 staff spaces (112 in total, according to the application form and the applicant's Supporting Planning Statement). This is the area already permitted as part of the original permission DM/15/1035 and implemented, albeit without surfacing). To the immediate north-west of this will be the maintenance building (permitted under DM/19/5100). Between the two buildings will be a floral tribute area. Natural burials will occupy most of the northern field parcel. Woodland planting will be provided to all boundaries of this field and across much of the remaining southern field, excluding only a small meadow area to the north-east.

For comparison, the permitted schemes consist of a reception building (measuring 13.1m in width by 7.5m in depth to a maximum ridge height of 4m), a chapel building with basement (measuring 24.4m in width by 10.4 in depth to a maximum height of 13m) and a maintenance/storage barn (measuring 10m in width by 10m in depth to a maximum height of 4.95m), with linked parking areas (including a spur road) adjacent to these buildings totalling 45 spaces. The permitted landscape schemes retained the existing wildflower/rough grassland as a 'base', with more individual and formal planting in relation to natural burials. Only very limited screen planting was deemed to be necessary around or close by the buildings.

It can be seen from comparing the proposed crematorium with the permitted schemes that there is a much greater site coverage of hard landscaped development in the former, effectively developing the south-east section of the lower field and much further within the site. In general, the permitted schemes were confined to a smaller area close to the north and north-west of the site entrance.

Applicant's Landscape and Visual Impact Assessment

The application has been accompanied by an extensive Landscape and Visual Impact Appraisal (LVIA). The purpose of this document is to identify significant landscape features and landscape quality of both the site and surrounding area and to assess the likely landscape and visual effects of the proposal taking account of any mitigation proposed.

The LVIA confirms that its assessments are made based on the principles contained within the description of the development, so includes the uses and elements of the

proposed scheme and key parameters on the scale of the built development assuming a 'worst case scenario'. The assessment process is meant to be as objective as possible, considering the impacts of built form (size, shape, broad materials, etc.) not a judgement of design quality. The author makes the point in para 1.4.8 that 'some Landscape and Visual effects are an almost inevitable consequence of development.'

The LVIA starts out with a desk top study centred on the site and including all areas within a 5km radius. The detailed field survey work was then undertaken in May and June 2020 (trees in leaf), with 18 viewpoints chosen for analysis, illustrating the nature of views experienced in each location. Viewpoints have predominantly focused on public areas, in particular public footpaths to the south (within the AONB) 69W and 70W; west (71W); north-east (73W) and east/within the site (68W). From this is estimated a Zone of Visual Influence (ZVI) to be established, which sets out the extent of the potential impact.

The LVIA explains that the process of assessment considers the **susceptibility** to change of the 'receptor' and the **value** attached to the view / landscape element to determine **sensitivity**; and weighs this against the **magnitude of effect** to determine the **Significance** (or level) **of effect**.

i.e. Sensitivity x Magnitude = Significance of effect

The LVIA makes the distinction between Landscape assessment and Visual assessment thus:

Landscape effects are concerned with changes to the landscape, including the effect on its character as a whole and on the individual elements contributing to this character. 'Receptors' can therefore include physical influences (e.g. vegetation or water bodies); influences of human activity; or aesthetic or perceptual factors (such as tranquillity or wildness).

Visual effects are the effects on 'receptors' of changes (resulting from development). In this case the 'receptors' are people experiencing the view, such as users of Public Rights of Way (PRoW) or occupants of residential properties.

Assumptions are made in the LVIA that:

- the crematorium building would be no more than 7m in height
- the maintenance building would be as already permitted (planning ref: DM/19/5100)
- the proposed planting would consist of:
 - mixed native hedgerow planting around the site boundaries fully established in Year 15 (following completion of development) maintained at 2.5-3.0 in height
 - single species native hedgerow planting within the car park and around the Garden of Remembrance fully established in Year 7 and maintained at a 1.2m height within the car park and 2m to the west of the crematorium building and around the Garden of Remembrance

- native woodland mix planting fully established as woodland in Year 15, forming a solid barrier at ground level in summer and good filtering to screening of views in winter, with heights varying from 4m-8m
- tree planting within the car park would be 6.5m-9m tall in Year 15
- specimen tree planting within the parkland area NE of the crematorium building would be 6.5m-8m tall in Year 15.

Para 6.2.26 clarifies in the proposed development that 'Significant structural woodland planting would be undertaken on the crematorium (south of Footpath 68W) as part of the establishment phase of the scheme. Structural woodland planting would also be undertaken on the natural burial area as part of the establishment phase of the scheme, however the majority of 'memorial' planting would be undertaken in a phased approach over a number of years.'

Based on the nature of surrounding topography and vegetation, the Zone of Visual Influence is estimated to be contained within an area of surrounding countryside within 0.6km of the centre of the site. The area in summer is restricted to land north of Turners Hill Road only, including the entire site and land to the west and north-west. The area in winter is greater, including a section between the site and Butcher's Wood immediately north-east, a small section to the south-west but east of public footpath 71W and most of the field within the AONB to the south of Turners Hill Road including the cricket ground, both public footpaths 69W and 70W and dwellings at 40, 41 and 42 Grove Farm Cottages and 43 and 44 Pump Street Cottages.

Visual receptors are identified as:

- users of Turners Hill Road
- users of public footpath 68W which runs through the site
- users of public footpath 69W which crosses the field to the south of the site
- users of public footpath 70W to the south-west of the site

From the private domain, potential receptors include:

- people at Tulleys Farm to the west
- people within Grove Buildings and Pumpstreet Farmhouse to the south-west

The LVIA makes the point that the majority of this ZVI consists of agricultural fields where there is no public access.

The LVIA confirms in para 4.4.1 (and 5.4.1) that the site is considered to be within the 'setting' of the AONB and in para 4.4.2 that in summer, the proposals would not be visible from within the AONB but in winter there may be glimpses of the development from within the AONB on the public footpaths that cross the field immediately to the south of Turners Hill Road.

The LVIA judges that the site and study area are in a landscape of HIGH VALUE with a MODERATE SUSCEPTIBILITY to change of the nature proposed, resulting in HIGH SENSITIVITY.

The LVIA then sets out the Likely Landscape Effects.

Physical influences:

- No geological features likely to be affected
- Soils retained on site for re-use
- Minimal effects on the drainage ditch that passes between the two fields of the site
- No potential harm to nearby offsite water bodies
- Some gentle ground reprofiling would take place with levels formed to blend in with existing topography such that changes would be imperceptible from outside the site boundaries
- No trees affected

Influences of human activity:

- Whilst land use/management would inevitably change on Site, this is an inevitable consequence of development and given the fairly restricted extent of the ZVI, not one that would have significant effects on the wider landscape
- Whilst built form would be different to that seen in the immediately surrounding landscape, the effects on the wider landscape would be similarly limited. On this basis whilst the building would represent a change to the character of buildings / built form in the area, it would not necessarily be an adverse one
- No heritage assets affected
- Landscape and settlement pattern: whilst the pattern of boundary features would change in the med-long term and more woodland planting on the site as a whole, there would be no loss of vegetation along the field boundaries, and in the wider context these changes would not be out of character with the surrounding landscape
- Existing roads/footpaths would not be adversely affected, and an additional public access would be created in the site itself (to the front)
- No impact upon any known cultural elements or community spaces

Aesthetic and perceptual factors:

- Nature of development would add complexity to the landscape immediately around the site but this would be very localised. Any perception of this from the nearby AONB would be negligible (given the lack of intervisibility between the site and AONB)
- Minimal effect on overall scale of the landscape
- Openness/enclosure would change on site itself, but the intimate character of the landscape would be maintained and enhanced by proposed woodland planting. Effects would be very localised and not out of keeping with the wider landscape character
- In terms of tranquillity, whilst there would be a limited increase in traffic to the site, noise levels on the site are likely to be very low; and whilst there would be some short term and very localised effects associated with views of the chapel and parking area from footpath 68W, the landscape around the site is already affected by the presence of traffic on Turners Hill Road, activities at Tulleys Farm

and power lines and pylons to the north. In the medium to longer term the effects on visual tranquillity would be largely dissipated by the woodland planting which would screen/filter views of the development from the surrounding landscape

- No effect on the sense of place

The LVIA then makes a judgement on the Effect of Overall Landscape Character in para 7.4.1:

'It is judged that the proposals would cause some short term damage to overall landscape character, but in the medium to longer term damage would be minimal, in that the proposals would incorporate measures for mitigation that largely balance any adverse effects'.

The LVIA advises that the majority of the key components would experience neutral effects, with long term beneficial effects created by the proposed footpath across the site frontage and enhancements to vegetative cover.

The LVIA therefore concludes that the **SIGNIFICANCE OF EFFECT ON OVERALL LANDSCAPE CHARACTER** would be **MODERATE ADVERSE EFFECT IN THE SHORT TERM FALLING TO SLIGHT ADVERSE EFFECT IN THE MEDIUM TO LONGER TERM**

The LVIA considers that there would be no effects on the AONB itself and minimal (largely short term) effects on its setting. In the long term only the limited increase in traffic caused by the proposals would have any potential for effects on the setting of the AONB.

The LVIA then considers the Likely Visual Effects of the development in both summer and winter and the significance of the effects after Year 1, Year 7 and Year 15 (following completion of the development) in order to inform its conclusions. The significance of visual effects is judged to be Neutral at all stages post-completion at Viewpoints 1, 2, 7, 8, 9, 10, 13, 14, 15, 16, 17 and 18. Viewpoint 11 (the northernmost point of public footpath 69W where it meets Turners Hill Road (within the AONB) will experience a Moderate Adverse Effect in both summer and winter after Year 1 but reducing to Neutral at Year 7. Viewpoint 12 (looking NE slightly further to the south of Viewpoint 11, and also along footpath 69W within the AONB) will experience a Slight Adverse Effect in winter at both Year 1 and Year 7 but a Neutral effect in summer and a Neutral effect for both seasons by Year 15.

The key viewpoints that identify harm caused to landscape character by this development are Viewpoints 3, 4, 5 and 6:

Viewpoint 3 is looking west from the edge of Butcher's Wood along public footpath 68W within the site. The LVIA notes that the impact of the development will be 'Substantial Adverse' in Year 1 in both summer and winter, reducing to Neutral in summer Year 7 and Slight Adverse in winter in Year 7 and Neutral in both in Year 15.

Viewpoint 4 is looking south-east along public footpath 68W within the site, looking directly towards the crematorium building. The LVIA notes that there is a Substantial

Adverse effect in Year 1 (both summer and winter) reducing to Neutral in Year 7 (both summer and winter).

Viewpoint 5 is looking north-east along public footpath 68W within the site at its far south-western entrance off Turners Hill Road and at the gated entrance to Tully's Farm. The LVIA notes that there will be a Major Adverse effect in Year 1 (both summer and winter) reducing to neutral in Year 7.

Viewpoint 6 is looking north from the site access / entrance (within the site). The LVIA notes that there will be a Slight Adverse effect in Year 1 (both summer and winter) reducing to Very Slight Adverse in Year 7 and Year 15 (both summer and winter).

The LVIA determines that there is no potential for effects on receptors at properties in Tulleys Farm and that potential glimpses of the chimney and skylight of the crematorium building in winter would be scarcely appreciated by people in properties at Grove Buildings and Pump Street Farmhouse.

Summary and conclusion of applicant's LVIA

The LVIA judges (in para 9.2.3) that the proposals would cause some short term damage to overall landscape character, but in the medium to longer term damage would be minimal, in that the proposals would incorporate measures for mitigation that largely balance any adverse effects.

The LVIA therefore concludes that the **SIGNIFICANCE OF EFFECT ON OVERALL LANDSCAPE CHARACTER** would be **MODERATE ADVERSE EFFECT IN THE SHORT TERM FALLING TO SLIGHT ADVERSE EFFECT IN THE MEDIUM TO LONGER TERM**

The LVIA notes in para 9.3.3 'During construction effects would be significant for receptors using the footpath that passes through the Site (although these effects are relatively short term and could be minimised by the use of good (printed) construction hoardings adjacent to the path).'

Para 9.3.4 states: 'Following construction, substantial adverse effects are predicted in both summer and winter for viewpoints 3 and 4 and major adverse effects are predicted for viewpoint 5 in the short term (all on Footpath 68W where it passes directly through the site). These are all considered to be "significant".'

Para 9.3.5 states: 'Moderate adverse effects are also predicted in both summer and winter for viewpoint 11 (where Footpath 69W emerges from the vegetation south of Turner Hill Road directly opposite the southwest corner of the site); and slight adverse effect are predicted in both summer and winter for viewpoint 6 (opposite the site entrance) and in winter only for viewpoint 12 (crossing the field to the south of the site). Effects from all other viewpoints are judged to be neutral.'

Para 9.3.6 states (in part): 'As mitigation planting establishes, however, and additional screening / filtering of the proposals is provided, the majority of these effects identified would also reduce to Neutral in the medium term.'

Para 9.3.7 states: 'The only long term effects would be at the site entrance where drivers passing the site would experience very slight adverse effects in both summer and winter. In the longer term (Year 15+) all other effects would be Neutral.'

Para 9.3.8 states (in part): 'Effects on the wider AONB are so minimal as to be considered negligible.'

Overall, the LVIA concludes that 'in considering the development as a whole it is clear that the effects are limited and are focussed primarily on a few locations in the public domain, which pass directly through the site. In the wider context the effects on overall visual amenity are very small.'

In making a comparison between the consented schemes and the proposed development, the LVIA considers that 'overall the effects on landscape character would be very similar' and that 'over time both proposals would integrate effectively into their surroundings and neither would undermine the rural character of the surrounding countryside.'

Council's Assessment of LVIA

The council's Landscape Consultant has assessed this Report and her comments are set out in full in Appendix B. In short, she objects to the proposed development. Additionally, the case officer has walked each of these public footpaths in order to confirm these findings.

The council's Landscape Consultant confirms that the LVIA provides an accurate description of the baseline landscape and visual context for the site and surrounding area and that the methodology for assessment is based on recognised good practice.

The council's Landscape consultant considers that the LVIA understates the level of change that would occur due to the proposed development. The introduction of a complex access road and car parking would be a considerable change to this countryside side, which would require extensive levelling and re-profiling of the site topography. The crematorium building would have a floor area considerably larger than the combined footprint of the permitted chapel and reception building. She considers that the change to the character of the landscape would be more likely to have a medium-high adverse magnitude effect on a landscape of high sensitivity which would result in a SUBSTANTIAL ADVERSE EFFECT on completion reducing to MAJOR ADVERSE in the longer term. In other words, "the proposals are very damaging to overall landscape / townscape character in that they would cause major loss of, or major alteration to, key components of the baseline landscape / townscape." (based on the LVIA methodology, criteria for assessing magnitude of landscape effects on overall landscape character).

The council's Landscape consultant further considers that the impact on tranquillity of at least two funerals a day would introduce considerably more vehicle and people movements than the permitted development. Whilst the LVIA suggests that these components would not be uncharacteristic of the surrounding landscape, she believes that this is an underassessment of the potential impact of large numbers of

people, cars and activity around the crematorium building. This increased activity adjacent to the AONB boundary could have an adverse impact on the tranquillity of the AONB in the vicinity of the site.

The council's Landscape Consultant notes that although the site is not located within the AONB, it is nevertheless similar in character, which is not surprising as they are both located within the High Weald landscape character area (Mid Sussex Landscape Character Assessment). This landscape supports key components of an AONB landscape, including ghyll woodland, the strong field pattern of irregularly shaped fields bounded by hedgerows and a rolling topography. An important point is made that in this context, users of the public footpaths would not notice this transition.

She agrees with the LVIA to the degree that there would be significant and long term adverse visual effects from public footpath 68W where it crosses the site between Viewpoints 3 and 5. She goes on to say that there would be close views to the crematorium building and other parts of the proposed development including access roads and car parking. It is therefore the development itself and the associated activity that would result in this impact.

The council's Landscape consultant notes that the effects of the development are not simply confined to the site itself. The application site is elevated and sits on an open ridgetop which is an integral part of the surrounding rolling landscape, so in this context the potential adverse impact of the development on the site and immediate surroundings would be locally significant.

She acknowledges that the visual impacts would be restricted to the local area, as indicated by the Zone of Visual Influence mapping. There are likely to be long terms adverse visual impacts on the AONB immediately to the south of the site from Turners Hill Road, although negligible visual impacts on the wider AONB landscape.

She notes that the LVIA concludes that the overall visual effects of the proposed development would be substantial and major adverse on completion of the development reducing to slight adverse/neutral by Year 15 on maturation of the proposed mitigating planting.

These impacts would be greater in scale and extent than the previous permissions on this site, as highlighted above.

She notes that the LVIA concludes that the overall impact on local landscape character would be moderate adverse on completion reducing to slight adverse in Year 15.

Her conclusion in para 2.20 is that **'the proposed development would have an adverse impact on the intrinsic character and beauty of the local countryside'**.

Assessment of mitigation (planting) strategy

The council's Landscape consultant turns next to the proposed mitigation strategy, referencing back to previously approved landscape masterplans on this site.

The proposed mitigation would mask the character of the existing open fieldscape and would not maintain the historic landscape pattern. The LVIA suggests that this planting is primarily intended to screen the proposed development from the surrounding areas. But structural screen planting is distinctly different from memorial planting (as per the permitted landscape schemes on this site) which would normally extend across a site over time, and would result in a much denser pattern of trees which would all be planted at the start of development, which would not allow clear views through the trees and across the site.

The proposed mitigation woodland planting (along the extent of this path through the site) would change the experience of walkers from open views across countryside to enclosed woodland, which could be oppressive compared to the experience of open and enclosed views for users.

Whilst acknowledging that such mitigation planting could be controlled through condition of any planning permission, it is the LVIA itself that identifies that the assessed landscape and visual effects rely heavily on the provision of woodland planting to screen the development.

In short, this mitigation is necessary to be relied upon to screen the proposed development. It is interesting to note that an Appeal Inspector in dismissing appeal DM/16/1887 for 22 affordable houses on this site concluded that landscaping should not be used to hide an otherwise unacceptable large-scale development.

Overall landscape conclusion

Your officers agree with this assessment that the proposed scale of development and intensity of use would have an unacceptable impact on local character and views, including on the setting of the AONB. As highlighted above, the proposed scheme is completely different from the permitted schemes (in totality and in relation to their associated activity). Accordingly, it is considered that the proposal would fail to comply with Policies DP12, DP16, DP26 and DP37 of the Mid Sussex District Plan and Policy THP8 of the Neighbourhood Plan, the provisions of the NPPF, in particular, paragraphs 8, 11, 124, 127, 130 and 170, Objectives FH2 and FH3 of the High Weald AONB Management Plan 2019-2024 and Design Principles DG3, DG7 and DG11 of the Mid Sussex Design Guide SPD.

Need for the development: the applicant's case

Policy DP25 of the Mid Sussex District Plan refers to community facilities and local services and includes 'cemeteries and burial grounds'. It states (in part):

The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.

Community facilities and local services to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.

Policy THP13 of the Neighbourhood Plan states:

'The conversion of existing buildings and the small-scale expansion of existing employment premises across the parish will be supported. Development of this nature must meet all the following criteria:

*Respect the character of the area;
Not harm the surrounding landscape; and
Safeguard residential amenity and road safety.'*

The application has been accompanied by a detailed Crematorium Need Assessment (CNA), which examines the quantitative and qualitative need for a new crematorium in this location. To assist Members, this section is necessarily lengthy but highlights the key points made in this report in support of this facility.

The CNA explains the distinction thus: **Quantitative need** focuses on the population and numbers of deaths within crematoria catchment areas and the capacity of existing crematoria to accommodate current and future demand for cremation. **Qualitative need** focuses on the current and future capacity of existing crematoria in the area to meet demand for funerals at preferred (core) times; the length of time between death and being able to arrange a cremation at a convenient time; the journey time to the crematorium; and the experience of bereaved people once they are at the crematorium.

Quantitative need

Population data

The CNA notes that cremation accounted for 81.3% of all funerals in England, having risen dramatically since 1940, with a corresponding decline in burials. There has been a decline in deaths since the 1980s but this has risen since 2012, as have cremations.

The CNA illustrates a close link between the availability of crematoria in the UK and the number of cremations, noting booms in crematoria construction during the 1930s, 1950s, 1960s and 2010s. Population data combines actual deaths with projected deaths beyond 2018, concluding that additional new crematoria are required to meet the sustained and increasing demand for cremation in the UK.

The CNA illustrates a projected growth in Mid Sussex of people aged 65 or over between 2020 and 2043 (which is the age band at which most (89%) deaths occur) and a corresponding projected number of deaths during this period. It therefore underlines the need for a new crematorium at Turners Hill.

Funeral drive-times

A key finding in the CNA is a 'rule of thumb' that the funeral industry works on the basis that a funeral party should not have to undergo more than 30 minutes' drive to a crematorium, based on a cortege travelling at 60% of normal road traffic speeds. This emerged from an Office of Fair Trading judgement in 2005 (Office of Fair

Trading v W. Austin & Sons & Ors [2005] CAT 25 (6 July 2005)). It is fully caveated that this is neither enshrined in statute nor planning policy, but it has been used as a reference point in various appeal cases since.

The CNA includes the identification of funeral travel times by road traffic and its graphical representation as isochrones, based on population statistics. These are presented as different drive-time catchments, 15-minutes; 30-minutes; and 45-minutes, all at 60% of normal traffic speeds. Then as two different scenarios: 1) existing provision; 2) proposed provision, which includes the new Turners Hill crematorium.

The plans show there are 6 existing crematoria surrounding Mid Sussex, although none are within the District itself. To the south-west is Worthing; to the west, Surrey and Sussex (Worthing, Crawley), some 6.5km from the site; to the north-east, Tunbridge Wells; to the south-east, Horam (Wealden), which opened in May 2019 and data is not yet available; and to the south, Brighton (Woodvale) and Brighton (The Downs).

The 45-minute drive-time catchment shows that the entire Mid Sussex district is served by these existing crematoria, but there are increasingly larger gaps as this drive-time figure reduces to 30 minutes then 15 minutes (as would be expected). When the proposed Turners Hill Crematorium is included, it still ensures that all parts of Mid Sussex are served by crematoria (existing and proposed) at 45-minutes. However, at a 30-minute drive-time, areas of Mid Sussex north of and including most of Haywards Heath are included, bringing these areas for the first time in being served by crematoria at this lesser drive-time.

Thus there is no difference between the population and numbers of deaths when a 45-minute drive time is applied to the existing and proposed provision (122,916 people live within this drive-time to a crematorium). However, at 30-minutes, an additional 43,532 people and 432 deaths are served for the first time by a crematorium and at 15-minutes, an additional 10,008 people and 92 deaths are served for the first time. The majority of people benefiting from this new proximity would be in the Mid Sussex district. Additionally, the greatest impact would be on the Surrey and Sussex Crematorium, which would in effect lose significant levels of custom, if proximity is the overriding factor.

The CNA states in para 8.41 that 'It is entirely logical that people will generally choose their nearest crematorium.'

Capacity

The CNA makes a distinction between the 'technical' capacity of each crematorium (which is the theoretical maximum number of funerals that each crematorium can accommodate) and the 'core' or 'practical' capacity (which is based on the number of core slots available).

The technical capacity is calculated by multiplying the number of funeral slots per day by 252 working days per year (i.e. Mon-Fri, excluding public holidays). The CNA

advises that weekend funeral service times at crematoria are not the norm, being offered on mornings only and on a limited basis.

The CNA states in para 9.15 that 'it is widely accepted and understood in the bereavement services sector that there are 'core' funeral times in the middle part of the day, that are generally preferred by bereaved people. This is certainly evident to me through my experience as a crematorium manager and my work as a consultant. Core times at crematoria lie between 10.30am and 3.30pm on weekdays.' The CNA goes on to advise that these slots are ones most likely to be booked first and if not available, a later day is often selected instead.

The number of core times available is referred to as the 'core capacity' or 'practical capacity' of a crematorium. This issue is commonly raised in planning appeals.

The CNA includes several examples of funeral service times from published crematoria, which vary from 30 minutes to 60 minutes. It identifies a distinction between the funeral service duration and the funeral service interval, which allows for the time taken for mourners to enter and leave the chapel and enables the crematorium staff to prepare the chapel for the next service. The funeral service interval has increased between 2007 and 2019, with a significant fall from 30 minute intervals and corresponding increase in 60 minute intervals (possibly due to the Chartered Institute's instruction in 2014 to increase the minimum time allocated for funeral services to 40 or 45 minutes wherever possible). Regardless of the length of intervals or number of chapels, the core slots are identified as forming between 68% and 75% of the total slots.

The CNA makes clear there is a link between service interval and both technical and core capacity (i.e. it is obvious that the greatest technical capacity is achieved through offering the shortest funeral service interval). 'However, this has direct consequences upon the qualitative experience of users.' (para 9.39).

Seasonal fluctuation in demand

The CNA notes the importance of taking account of seasonal fluctuations in mortality, which affect levels of demand. Using ONS population data over a 5-year period between 2015-2019, the highest number of average weekly deaths took place in January and the lowest in July, with peak weekly deaths 26% more than average. The CNA takes account of key appeal decisions, noting that the 'best measure for assessing whether a crematorium is meeting a quantitative standard is its practical capacity in a peak month.' During this period, the proportion of annual deaths occurring in the peak month (usually January) in Sussex local authorities was between 9% and 14.5%, generally around 10%.

Direct cremation

The CNA advises that this is a simple, low-cost funeral option whereby the deceased is brought to a crematorium and cremated without any ceremony. They are not allocated core slots, so do not affect the technical or core capacity of a crematorium to hold standard funeral services.

Assessing current capacity

Based on all the above, the CNA assesses the current capacity of the surrounding crematoria. Averaging out the data from the past 4 year period 2016-2019, the respective level of technical capacity, level of core capacity and level of core capacity in the peak month is as follows:

Surrey and Sussex Crematorium, Crawley (estimated 50/50 split between chapels) - 59% / 85% / 108%

Woodvale Crematorium, Brighton (estimated 50/50 split between chapels) - 50% / 68% / 87%

The Downs Crematorium, Brighton (estimated 50/50 split between chapels) - 53% / 73% / 95%

Kent and Sussex Crematorium, Tunbridge Wells (estimated 50/50 split between chapels) - 44% / 66% / 82%

Based on a non-equal share of chapel usage, these figures are as follows:

Surrey and Sussex Crematorium, Crawley - 71% / 102% / 130%

Woodvale Crematorium, Brighton - 55% / 89% / 115%

The Downs Crematorium, Brighton - 60% / 96% / 125%

Kent and Sussex Crematorium, Tunbridge Wells - 62% / 107% / 133%

The CNA does not consider that Worthing Crematorium is a realistic choice for people within Turners Hill Crematorium's catchment area.

Based on limited extrapolated data from 2019 only at the Wealden Crematorium, these figures are as follows: 36% / 51% / 64% - i.e. that this crematorium can be expected to operate at 64% of core capacity in the peak month.

The CNA suggests that this is a great qualitative benefit for those who will use this crematorium; however, its relatively distant location means that it does not serve the population who would use the Turners Hill Crematorium.

The CNA projects the hypothetical core capacity in the peak month at Turners Hill Crematorium, as if it were already established. These figures are 39% / 52% / 66% - i.e. that this crematorium would be expected to operate at 66% of core capacity in the peak month. This is described as 'significantly lower than the existing crematoria serving the population of the area ... [which] would be a significant qualitative benefit to the users of the crematorium.'

Qualitative need

Availability of preferred slots

The CNA notes that a key factor contributing to delays between death and funeral is the availability of the family's preferred date and time for the funeral at the crematorium. The author undertook a survey of obituaries published online, seeking 50 obituaries relating to each of the four crematoria as a reasonable sample size (i.e. 200 in total). The minimum was always 10 days and the maximum ranged from 35

at Woodvale to 62 at Sussex and Surrey, with an average of between 21 days at The Downs and 25 at both Sussex and Surrey and at Kent and Sussex.

Journey times to crematoria

The CNA notes that 'minimising travel time ... has qualitative impacts upon the bereaved, Funeral Directors and those officiating at funerals.' It goes on to state that 'It is entirely logical ... that ... people would wish to gather together for the funeral in a location that is convenient for most of them' and that 'Enduring unnecessarily long journeys, often involving traffic congestion and the challenge of keeping a group of vehicles together, is altogether undesirable for a group of mourners on their way to the crematorium for an emotional life event.'

Congestion at crematoria

The CNA acknowledges that the number and types of vehicles attending funerals at crematoria varies, such that access and parking is insufficient to cope; or more commonly, where there are too many funerals on site at the same time. Additionally, a funeral can arrive too early or too late which can result in vehicles and mourners becoming mixed up. This can easily have a knock-on effect on all subsequent funerals that day, resulting in a qualitative impact upon the experience of the bereaved.

Qualitative aspects of crematoria provision include avoiding a 'conveyor-belt' experience; making sure everyone who wishes to attend can attend; finding a convenient slot; not seeing other mourners; keeping to budget; value (primarily about having sufficient time); and personalisation. The CNA states that 'at a twin chapel crematorium, working at over 80% of core capacity during peak months, it is extremely unlikely that these ... identified needs can be met.'

The applicant's report concludes that 'there is a compelling qualitative need for the new Turners Hill Crematorium.'

Need for the development: assessment of the applicant's case

In response to this Assessment, the council commissioned an independent consultant to critique the assumptions made in this report relating to the quantitative need. It notes that the case is based on two sources: data and models.

Demographic data

The CNA claims that an increase in population over 65 years old means a larger increase in deaths. The consultant argues that this is not necessarily the case, as it assumes that the death rate by age band remains constant, which is hasn't done for several decades. One of the reasons for an increasing median age is a lower mortality rate. Therefore the projected increase of deaths in all ages is the only relevant statistic.

The consultant points out that demographic data does not show the qualitative need. It demonstrates the need for overall capacity but not the configuration. It is possible

that capacity could be realised by expanding existing crematoria or new crematoria in a different location. This is not examined in the applicant's CNA.

Drive-time catchment analysis

The consultant does not agree that proximity to a crematorium is the most important criterion. In particular, relative proximity alone is not a factor when considering drive times of less than 30 minutes. There would be a qualitative improvement in that for some people a shorter journey would be more convenient.

In respect of the applicant's assumption that cortege drive time is based on being at 60% of full speeds, the consultant states that it is unknown what the source of the 60% factor is. There is no agreed definition of normal road traffic speeds, or 'full' speeds, as these are affected by legal limits, time of day and local weather conditions. However, the 30 minutes drive time is generally accepted with the understanding that greater times might be expected in rural areas. It seems to be generally agreed that the 30 minute limit is applied to urban areas in particular, but longer times are acceptable in rural areas. The consultant notes that 'clearly the effect of drive times is not binary: 29 mins is ok but 31 mins is not'.

Funeral drive-time catchment mapping

The consultant could find no data about cortege speeds, therefore a model is built based on the 'industry standard' set out in the applicant's report, which is simplified because:

- a) it is acknowledged that cortèges do not behave like a single private vehicle. The surrounding traffic behaves differently, often not overtaking. Cortège continuity is preserved. Acceleration/deceleration will be reduced. Some funeral directors avoid motorways.
- b) We have to assume a time of day. Speeds in peak hours will be lower than the most required (core) slot times during the middle of the day (off-peak).
- c) We will have to reduce speeds on larger roads in the model (e.g. motorways and dual carriageways) partly because the 60% rule would mean using speeds in excess of 40mph and partly to "discourage" the model from using those road types. This is important because there are such roads in the area (e.g. M23). If these roads are used by local funeral directors then the speed they travel at will affect the catchment area significantly (because they will form the majority of the journey's length). According to government figures for average speeds, the average peak-time speed on the section of M23 north of Gatwick Airport is in the range of 21-30mph. Off-peak speeds will be greater even for this very busy stretch of motorway.
- d) Many funeral directors' web sites indicate that a cortège will travel at about 20mph. This is probably a good rule of thumb in urban and suburban areas. It is to be expected that this will increase outside these areas and on larger roads.

The consultant analyses population data at a finer granular level than the applicant does, using Census Output Areas (OAs) which is the smallest level at which demographic data is published, about 5 times more detailed than the applicant's use

of Lower Super Output Areas. This is considered significant in the catchment analysis and can be seen to model settlements much more closely.

Whereas the coarser grain of the population data identified that the whole Mid Sussex district was served by existing crematoria (at Worthing, Crawley, Horam and Brighton) within a 45 minute drive time, the consultant has found that this reduced to 41 minutes based on finer data based on existing provision and 37 minutes based on the Turners Hill Crematorium being provided.

The consultant makes the following comparisons between the CNA and their assessment:

It is claimed that 11,755 people live within 15 minutes' drive-time of Turners Hill. Our analysis shows a significantly higher figure of 40,489.

It is claimed that 10,008 people would be within 15 minutes' drive-time of a crematorium for the first time. Our analysis shows 29,753.

It is claimed that 88,305 people live within 30 minutes' drive-time of Turners Hill. Our analysis shows 114,978.

The table also shows that Surrey and Sussex will "lose" 44,773 people. Our analysis shows 75,920.

The most significant figure is 43,532 for the population brought into a 30 minute drive time of any crematorium for the first time. According to our analysis this figure should be 38,847. 29,856 (77%) of this is contributed by the east and south of Haywards Heath.

In addition, according to our analysis there are still 112,159 people not within a 30 minutes' drive-time of any crematorium, including the proposed one. Of these, 26,801 are in the area surrounded by the ring of existing and proposed crematoria between Haywards Heath and Uckfield.

Seasonal fluctuation in demand

The consultant points out in relation to the peak month of January for deaths, no other month has more than 5% above the average. January could be exceptional for many reasons, as it is unclear whether these statistics relate to date of death or date of registration of death, and that the effect of the larger January death total could be exacerbated by delays due to the holiday season. For winter deaths, it is possible that a funeral might be arranged later than normal because of easier weather conditions.

The consultant is unclear why the CNA uses weeks rather than months in averaging seasonal variation (particularly when a cited appeal decision refers to months). This would give a smaller peak to average ratio from 26% to 24%, which is significant in calculating practical capacity.

The consultant is clear that the variation in deaths should be considered when assessing capacity, as 'to use the peak month to calculate all capacity measures appears to be extreme given the volatility of the figures'.

Assessing current capacity

The consultant notes that the headline figures ('Level of practical (core) capacity in peak month') are dependent on the 'percentage of annual deaths occurring in peak month'. As mentioned above, there is a large variance in the ratio of peak to average, and two of the years had high excess winter death (EWD) values. The consultant illustrates this point by using Surrey and Sussex as an example, and questioning 'what does running at 119% (2018) capacity in the peak month mean in practice?'

- a) A less-preferred slot is taken?
- b) A funeral is delayed? If so, by how much?
- c) A less-preferred chapel is taken?'

The consultant challenges whether the 80% mentioned in the Essington appeal decision ('The Council accepts that operating above 80% of practical capacity places a crematorium under pressure to offer a cremation service that meets an acceptable quantitative standard') relates purely to core or practical capacity outside the context of the extensive qualitative issues there. This is because the CNA applies this same figure to the existing core capacity at the Surrey and Sussex Crematorium and projected core capacity during peak months in 2043 in order to make the point that this significantly exceeds the figure accepted in that appeal decision.

Obituaries data

The consultant finds no explicit linkage between the established factors which contribute to delays between death and funeral and the data presented. This is not distributed among the months evenly (or in proportion to deaths), and in all cases there is little correlation between the months of high average delay and the peak month for deaths. The admittedly small sample of the Survey of Funeral Directors in the CNA suggest lower delays.

Consultant's conclusions

The method for calculating drive-time catchments

1. We agree with the methodology used to model 'natural' catchments at 30 minutes' drive-time for each crematorium. The figures for longer drive-times are in rough agreement although even using conservative speeds our population coverage figures are mostly higher.
2. The model for speeds is critical to developing these catchments and we are not given the speed model used other than 60% of 'normal' speeds.
3. We believe that the use of LSOAs is at too coarse a level of geography to provide accurate figures for population and we are not given the methodology for allocating LSOAs to the drive-time isochrones. We have used Output Areas.

4. The projections of population and number of deaths is based on the 'standard' ONS published data. However, the ONS publish different projections with different assumptions.
5. We have not used separate projections for male/female split even though mortality rates differ. The difference achieved would be much smaller than the margin for error from other factors.
6. The sensitivity of the models and projections to assumptions either unknown or unknowable mean that there is a large degree of uncertainty attached to the populations (and hence deaths), perhaps up to a factor of 2.

The method for calculating capacity

1. There seems to be agreement that over-trading (where core capacity exceeds 80%) can lead to qualitative issues.
2. There seems to be little agreement about the formula for accounting for variability of deaths across months. Using the ratio of peak month deaths to average month deaths poses difficulties because of the variability in peak month deaths across years.

There may well be a need for more crematorium capacity. The existing provision highlights a 'gap' of 66,148 people inside the ring.

We have shown that 122,000+ people live closer to the proposed Turners Hill crematorium than any existing crematorium. It is interesting that this figure is the focus (indeed, "critical") rather than the population unreached within 30 mins or the 38,847 (our analysis) brought within 30 mins for the first time (43,532, CNA).

Of the 112,310 that are made nearer to Turners Hill than the Surrey and Sussex Crematorium, the breakdown, based on the 2018 population is 33,031 between 0 and 5 minutes improvement; 52,340 between 5 and 10 minutes improvement; and 26,939 between 10 and 15 minutes improvement.

Overall conclusion on need

Despite being well-established, the drive-time 'industry standard' is not referred to in any planning policy or guidance. It therefore does not appear unreasonable for residents of Mid Sussex to drive further to an existing crematorium if part of a cortege for an 'additional' 11 minutes beyond this standard - particularly as not everyone will be part of a cortege.

This finding does not indicate a significantly unmet quantitative need for an additional crematorium within this district that is overwhelming. Additionally, the council's consultant dismisses the assumption that proximity to a crematorium is the most important criterion for users.

There is furthermore no evidence that existing crematoria in the area do not function adequately, so the main benefit of an additional crematorium would be providing bereaved families and mourners with a greater choice of facilities and more competition. This does not represent an overwhelming qualitative need.

Overall, it is not considered that the need for this crematorium facility has been overwhelmingly demonstrated, and hence the proposal is considered to be contrary to Policy DP25 of the Mid Sussex District Plan and Policy THP13 of the Neighbourhood Plan.

Impact on neighbouring amenity

Policy DP26 of the Mid Sussex District Plan states (in part):

'All applicants will be required to demonstrate that development:

- *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 and sunlight, and noise, air and light pollution (see Policy DP29)'*

The nearest dwellings to the site are approximately 260m to the north-east (1 and 2 Miswells Cottages); approximately 290m to the south-east (St Leonard's Vicarage); approximately 360m to the west (Tulleys Farmhouse and 1 and 2 Tulleys Farm Cottages); approximately 370m to the east (Ryders); and approximately 420m to the south-west (40, 41 and 42 Grove Farm Cottages and 43 and 44 Pump Street Cottages). Although there may be some noise and disturbance during the construction phase and noise and traffic generation arising from the resultant usage, neither are considered to be significantly harmful to neighbouring amenity, given these distances.

On this basis, the scheme would comply with Policy DP26 of the Mid Sussex District Plan.

Highways matters

Policy DP21 of the Mid Sussex District Plan states (in part):

'... Decisions on development proposals will take account of whether:

- *The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- *Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- *The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages;*
- *The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*

- *Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- *The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- *The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- *The scheme protects the safety of road users and pedestrians; and*
- *The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.

Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so.'

Additionally, Policy THP17 of the Neighbourhood Plan states:

'Every opportunity to improve and protect existing Public Rights of Way will be explored. Opportunities to provide extended Public Rights of Way including provision of new Bridleways will be sought via S106 / CIL especially where they can provide direct links to the Worth Way.'

As set out in the section under 'Relevant legislation and other publications', the Federation of Burial and Cremation Authorities (FBCA) publication from 2007, 'Recommendations on the Establishment of Crematoria' would be deemed a material consideration, even though the recommendations have not been endorsed by Government. As the Parish Council highlight in their comments, this publication states that:

'Careful consideration should be given to the siting or subsequent development of crematorium facilities in close proximity to any schools, factories, trading estates, sports grounds or other facility which may be deemed incompatible within the vicinity of a crematorium. The immediate approach to a crematorium through a residential road, resulting in the constant passage of funeral processions or traffic congestion, would almost certainly attract objection on road safety grounds and may require the commissioning of a traffic impact survey, and upon completion, a Road Safety Audit.'

It is acknowledged that several local residents have objected to the scheme on the basis of the proximity to the village primary school, which is located some 700m to the south-east (entrance to entrance). However, the application has been accompanied by a Transport Assessment (TA), which notes that the site is accessed via the 'C' class Turners Hill Road, subject to the national speed limit of 60mph. Whilst there are verges both sides, there are no footways and the area is unlit.

The TA draws upon analysis of traffic impact on other crematoria in the UK and shows an up to 5% increase in predicted traffic each weekday hour on Turners Hill

Road, which the Highway Authority considers to be the worst-case scenario. The Highway Authority furthermore does not consider that this estimated increase will be noticeable in the context of daily variations in traffic along this road.

The existing access will be utilized but will be amended to form a bellmouth access arrangement with 10km kerb radii either side and a carriageway width of 5.5m. Vehicle swept paths (tracking diagrams) of a hearse and refuse vehicle are shown. As per the permitted (existing) access, visibility splays of 2.4m x 160m in both directions are provided, albeit with some regrading of the banks within these verges, in order to keep them clear. The Highway Authority confirms that adequate visibility is available, subject to a separate Section 278 highways agreement to implement the access.

No issues of concern have been highlighted regarding road safety, which has been measured by way of a Stage 1 Road Safety Audit and Designers' Response. The Highway Authority accepts these proposals.

It is recognised that that, although there is a modest level of bus service provision near the site (to the south-west), the likelihood is that most visitors and staff will arrive and depart by car. There is a dedicated footpath link to the village, albeit with some difficult crossing points, so there are some limited options for non-car usage of this proposed facility.

Finally, the Highway Authority considers that the proposed parking provision of 112 spaces appears reasonable for the use, although the exact number will be subject to a reserved matters application. Subject to conditions requiring provision for cycle parking provision and mobility impaired vehicle users, as well as ensuring that the vehicle access is constructed according to the submitted plan, no objection is raised on highway grounds.

The Parish Council has raised significant concerns in highway terms, which are set out in full at the start of this report. They consider that the traffic impact is greatly under-estimated, such that it equates to 29,640 movements a year for the crematorium alone. Given that traffic is already approaching 110% of capacity in Turners Hill during the morning and evening peak times, and the strategic transport study for the Mid Sussex District Plan shows this rising to 115% by 2031, they consider that this facility is not suitable for the local roads and is a danger to residents. These concerns are acknowledged.

However, these concerns (and those of local residents objecting to the proximity of the proposed development to the primary school) are not supported by the Highway Authority and therefore your officers do not consider that an objection can be raised to this development on highways grounds. There is no robust technical evidence to support an objection on highway grounds.

Although there is a proposed footpath crossing the existing public footpath (between the two fields), it should be possible to ensure that no obstruction of the public right of way occurs and that the primacy of the latter is retained. Additionally, the proposed extension of the dedicated footpath along the site frontage to connect the

south-west edge of the public footpath to land immediately opposite the church, raises no concerns.

Accordingly, it is considered that the above policies would be met by this proposal.

Flood Risk and Drainage

Policy DP41 of the Mid Sussex District Plan states:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

Sustainable Drainage Systems (SuDS) should be implemented in all new developments of 10 dwellings or more, or equivalent non-residential or mixed development unless demonstrated to be inappropriate, to avoid any increase in flood risk and protect surface and ground water quality. Arrangements for the long term maintenance and management of SuDS should also be identified.

For the redevelopment of brownfield sites, any surface water draining to the foul sewer must be disconnected and managed through SuDS following the remediation of any previously contaminated land.

SuDS should be sensitively designed and located to promote improved biodiversity, an enhanced landscape and good quality spaces that improve public amenities in the area, where possible.

The preferred hierarchy of managing surface water drainage from any development is:

- 1. Infiltration Measures*
- 2. Attenuation and discharge to watercourses; and if these cannot be met,*
- 3. Discharge to surface water only sewers.*

Land that is considered to be required for current and future flood management will be safeguarded from development and proposals will have regard to relevant flood risk plans and strategies.'

The application has been accompanied by a Flood Risk Assessment and Surface Water Drainage Strategy (SWDS). This states that the food risk to the proposed development is very low. It advises that post-development, the total area of newly introduced impermeable surfacing will amount to approximately 6279 sq m,

comprising the crematorium roof area, 112 car parking spaces, access road and paved areas.

The council's Drainage Engineer has confirmed that the site is within Flood Zone 1 and at low fluvial flood risk. Due to the unsuitability of infiltration, discharge of surface water to an existing watercourse within the site is proposed instead. The SWDS states that attenuation will be provided within a pond and tanked permeable paving with a restricted discharge to the watercourse. The council's Drainage Engineer confirms that this information is comprehensive but is based on an outline plan, therefore a detailed drainage design will be required at a reserved matters stage. This assessment is backed up by West Sussex County Council's Flood Risk Management Team.

In respect of foul water drainage, the council's Drainage Engineer considers that this could be achieved on the site, which could be secured by means of a planning condition. The Environment Agency concurs with this assessment.

The Environment Agency goes on to advise that further conditions are necessary in respect of avoiding risk to groundwater supplies from contaminants. With these safeguards, it is considered that the above policy would be met.

Land contamination

The NPPF Glossary defines Site investigation information as:

'Includes a risk assessment of land potentially affected by contamination, or ground stability and slope stability reports, as appropriate. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures (such as BS10175 (2001) Code of Practice for the Investigation of Potentially Contaminated Sites). The minimum information that should be provided by an applicant is the report of a desk study and site reconnaissance.'

The application has been accompanied by a Phase 1 Preliminary Risk Assessment and Exploratory Investigation report. The Council's Contaminated Land Officer confirms that the findings of this report are agreed with and no further investigation of the site is required at this time. However, it is recommended that a condition is applied to any consent, which sets out a discovery strategy in case any otherwise unsuspected contamination is found during development. With such a condition in place, compliance with the NPPF requirements would be achieved.

Archaeology

Paragraph 189 of the NPPF states:

'Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'

The Glossary to the National Planning Policy Framework defines Archaeological interest as follows:

'There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point.'

An Archaeological Desk-Based Assessment has been submitted in support of the application, which has been reviewed by the council's Archaeological consultant. The Report concludes that the site retains 'potential for the presence of buried archaeological remains, in particular relating to the medieval and Post-medieval periods. This includes the historic field boundary illustrated upon historic mapping from the 18th century and potential quarrying activity observed during the walkover survey.' It is recognized that the theoretical potential of the site is largely unknown, and the significance of any potential surviving archaeological assets is undetermined.

The council's Archaeological consultant therefore recommends that a condition will be necessary, in order to carry out further archaeological work, comprising an evaluation trial trenching exercise in areas where groundworks have potential to impact on archaeological assets. If this condition is applied, the above guidance would be met.

Biodiversity

Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) lists species of animal (other than birds) which are provided special protection under the Act. Under Section 13 of the Wildlife and Countryside Act 1981 (as amended), all wild plants are protected from being uprooted without the consent of the landowner. In addition to the protection afforded by the Wildlife and Countryside Act 1981 (as amended), certain species are also covered by European legislation. These species are listed in Schedule 2 of the Conservation (Natural Habitats, 7c.) Regulations 1994 (as amended).

Policy DP38 of the Mid Sussex District Plan states:

'Biodiversity will be protected and enhanced by ensuring development:

- *Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- *Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- *Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*

- *Promotes the restoration, management and expansion of priority habitats in the District; and*
- *Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.'

Chapter 15 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value by minimising impacts on and providing net gains for biodiversity. In particular, paragraph 175 states:

'When determining planning applications, local planning authorities should apply the following principles:

- *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.'*

A Preliminary Ecological Appraisal Report has been submitted as part of this application, together with a Reptile Survey. Recommendations are made to remove bird habitats outside of the bird nesting season, which runs from 1 March to 31 August (i.e. between September and February), together with a site check prior to construction works taking place during the bird nesting season, to ensure no disturbance to active bird nests occur. Additional protection measures include an undeveloped buffer zone of at least 15m to the ancient woodland; retaining all hedgerows on the site and protecting them during construction works; avoiding or reducing the use of external lighting, during both construction and operation, to benefit nocturnal species, such as Bats. Any external lighting will be low-level and directional with minimal spill and glare; provision of small access gaps at the base of all new fence boundaries to enable dispersal of Hedgehogs and other small mammals across the site.

Recommendations are also made for biodiversity net gain, which include creation of habitat piles within areas of retained grassland close to boundary hedgerows and woodland; installing a range of artificial nest boxes for Birds (2 in total) and installing a range of artificial roost boxes for Bats (3 in total), all to be placed on mature trees within the development or at the site boundaries.

In respect of Reptiles, recommendations are made to translocate reptiles from the construction zone to a suitable receptor site, to avoid killing or injury; retaining corridors of less intensively managed vegetation to maintain ecological connectivity, particularly adjacent to off-site woodland; and creating additional hibernation and breeding habitats by installing hibernacula and compost heaps, particularly along the eastern boundary.

The Council's Ecological consultant has considered the proposal and raises no objection to the scheme. Subject to compliance with suitably worded conditions, it is considered that the proposal would comply with Policy DP38 of the Mid Sussex District Plan, Chapter 15 of the NPPF (including paragraph 175) and the legislation outlined above.

Impact on Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment process for the Mid Sussex District Plan. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

A Habitats Regulations Assessment screening report has been undertaken for the proposed development.

Recreational disturbance

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan, and as detailed in the District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application does not result in a net increase in dwellings within the 7km zone of influence and so **mitigation is not required**.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Site Allocations DPD, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment screening report

The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.

No mitigation is required in relation to the Ashdown Forest SPA or SAC.

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

Air Quality

Policy DP29 of the Mid Sussex District Plan states (in part):

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Air Pollution:

- *It does not cause unacceptable levels of air pollution;*
- *Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;*
- *Development proposals (where appropriate) are consistent with Air Quality Management Plans.'*

The application has been accompanied by an Air Quality Assessment, which predicts the impacts associated with stack emissions from the cremator. This assessment concludes that predicted maximum process concentrations of emissions at sensitive receptor locations are well within the relevant air quality standards for all pollutants considered and therefore the impact on air quality in these locations will be negligible.

The council's Environmental Protection Officer has reviewed this report and note that crematoria require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, and are required to control emissions to air. Emissions from traffic generated during operational use should also be considered. On this basis, no objection is raised to the proposed development, subject to imposition of a condition detailing a scheme of mitigation measures to improve air quality.

Minerals and Waste

The County Council's Minerals and Waste Planning Authority were consulted on this application and, following additional analysis of the underlying mineral horizon (by way of the boreholes dug when assessing the viability of the site for natural burial methods), confirms that the immediate demand for sandstone in the local area is low and that the nature of extraction in the area has historically been via localised quarries and sandpits. The nearest Quarry (at West Hoathly) is the closest operator of the sandstone resource and the operator demonstrates a 15-25 year landbank of this resource, so would continue to supply worked sandstone to surrounding architecture where demand dictates.

The Report concludes that overall, the site would not be viable for extraction and that the extraction of sandstone would be incompatible with the already consented burial ground use. As the demand for Ardingly Sandstone is currently being met, the viability of this site for stone extraction is low and accordingly no objection is raised to the proposal.

Fire Hydrants

The County Council's Water and Access Manager has requested the provision of 1 fire hydrant on this site to service this development. This could be achieved through a condition of any consent.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF.

National planning policy states that planning should be genuinely plan-led. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

Based on the LVIA methodology (criteria for assessing magnitude of landscape effects on overall landscape character), the council's Landscape consultant considers that the "proposals are very damaging to overall landscape / townscape character in that they would cause major loss of, or major alteration to, key components of the baseline landscape / townscape". She also considers that this increased activity adjacent to the AONB boundary could have an adverse impact on the tranquillity of the AONB in the vicinity of the site.

The council's Landscape consultant notes that the effects of the development are not simply confined to the site itself. The application site is elevated and sits on an open ridgetop which is an integral part of the surrounding rolling landscape, so in this context the potential adverse impact of the development on the site and immediate surroundings would be locally significant.

The proposed mitigation would mask the character of the existing open fieldscape and would not maintain the historic landscape pattern. The LVIA suggests that this planting is primarily intended to screen the proposed development from the surrounding areas. But structural screen planting is distinctly different from memorial planting (as per the permitted landscape schemes on this site) which would normally extend across a site over time, and would result in a much denser pattern of trees which would all be planted at the start of development, which would not allow clear views through the trees and across the site.

Whilst acknowledging that such mitigation planting could be controlled through condition of any planning permission, it is the LVIA itself that identifies that the assessed landscape and visual effects rely heavily on the provision of woodland planting to screen the development.

Overall, therefore, it is considered that the proposed development would have an adverse impact on the intrinsic character and beauty of the local countryside, including the setting of the High Weald Area of Outstanding Natural Beauty. This

would be further harmed by the necessary woodland mitigation screen planting, which would not be characteristic of this landscape.

The application is accompanied by a Crematorium Need Assessment, which concludes that 'there is a compelling quantitative and qualitative need for this new crematorium, located at Turners Hill in Mid Sussex.'

The council has commissioned an independent consultant to critique this Assessment and overall, it is not considered that the need for this crematorium facility has been overwhelmingly demonstrated.

Your officers consider that the harm to landscape character is not outweighed by an overriding need for this development. These factors weigh heavily against the proposal.

On the positive side, the provision of a crematorium on this site will result in construction jobs over the life of the build and employ 4 people (full time), as well as provide greater choice for the general population for crematoria facilities.

There will be a neutral impact in respect of a number of issues such as neighbouring amenity, highways, drainage, land contamination, archaeology, biodiversity, air pollution and minerals.

There will be no likely significant effect on the Ashdown Forest SPA and SAC.

Overall the planning balance is considered to fall significantly in favour of refusing planning permission, being contrary to Policies DP12, DP16, DP25, DP26 and DP37 of the Mid Sussex District Plan, Policies THP8 and THP13 of the Neighbourhood Plan, the provisions of the NPPF, in particular, paragraphs 8, 11, 124, 127, 130 and 170, Objectives FH2 and FH3 of the High Weald AONB Management Plan 2019-2024 and Design Principles DG3, DG7 and DG11 of the Mid Sussex Design Guide SPD.

APPENDIX A – REASONS FOR REFUSAL

1. The proposed development would have an adverse impact on the intrinsic character and beauty of the local countryside, including the setting of the High Weald Area of Outstanding Natural Beauty, which would be further harmed by the necessary woodland mitigation screen planting. This harm is not considered to be outweighed by an overriding need for this development and is therefore contrary to Policies DP12, DP16, DP25, DP26 and DP37 of the Mid Sussex District Plan, Policies THP8 and THP13 of the Neighbourhood Plan, the provisions of the NPPF, in particular, paragraphs 8, 11, 124, 127, 130 and 170, Objectives FH2 and FH3 of the High Weald AONB Management Plan 2019-2024 and Design Principles DG3, DG7 and DG11 of the Mid Sussex Design Guide SPD.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Site Plan	917-GA-01	C	05.08.2020
Site Plan	917-GA-02	A	05.08.2020
Location Plan	917-GA-03	-	05.08.2020
Site Plan	917-GA-04	A	05.08.2020
Landscaping Details	917-MP-01	A	05.08.2020
Landscaping Details	917-MP-02	A	05.08.2020
Landscaping Details	917-MP-03	A	05.08.2020
Proposed Sections	917-MP-05	B	05.08.2020
Site Plan	917-SK-01	I	05.08.2020

APPENDIX B – CONSULTATIONS

Parish Consultation

The Parish Council objects to this application especially as it is outline only apart from the access. Such an application offers no guarantees to our community as to the eventual use of the site but would provide a larger access point and removal of more hedgerow.

To say 'The basic principle is that for the prospect to be a real prospect it does not have to be probable or likely, a possibility will suffice' does not provide any certainty for residents nor for the Parish Council to be able to comment. Planning applications for this site have been on-going for over six years with six applications being granted and to date only the hedge has moved and scalping's laid. Apparently, more work was to be carried out in August this year, it has not.

We note that the land is referred to as a brown field site but, as it has never had any buildings on the land it is not.

Constantly referring to this application as a community facility is misleading to those not au fait with planning, it is community only in terms of the far wider community than that of Turners Hill. Saying that the site is near Turners Hill is also misleading, it is part of Turners Hill and affects the residents of Turners Hill.

'Given the limitations on large gatherings and social distancing requirements during the Covid-19 pandemic, the applicants have been unable to carry out community involvement prior to submission of the application. The Parish Council have made it clear in the past that they will not engage in pre-application discussions with the applicant, so it has not been possible to pre-empt any response from the local community.' This is blatantly untrue. Turners Hill Parish Council has never been contacted by the applicant. The applicant has a very good idea of the likely response from the community based on the numerous previous

applications. No contact was made regarding this application to see how community responses could be made in advance and considered for this application.

NPPF 84 states that 'it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploit any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well related to existing settlements should be encouraged where suitable opportunities exist'.

This application does not fulfil the criteria, it is not sensitive to its surroundings and most certainly will have an unacceptable impact on our local roads. The provision for access on foot cannot be safely achieved and public transport is extremely limited. It is not a previously developed site and not appropriate in this rural area. It is not socially or environmentally sustainable, we question that it will be economically sustainable either.

The application states that there is compelling and qualitative need for another crematorium so close to the Surrey and Sussex Crematorium which is under five miles distance from the site. We do not agree that the need is proven IF there is a need for another crematorium to better serve the Mid Sussex area then it needs to be more central within the district so that it provides for the whole district at both 15 and 30 minutes distance. Placing it near the edge of the area and so close to the Surrey and Sussex Crematorium does not benefit the whole community and cannot be seen as sustainable.

The Federation of Burial and Cremation Authority (FBCA) states that careful consideration should be given to the siting of a crematorium to see if it is close to a school, sports ground or other facility which it may be deemed incompatible with. If residents of Mid Sussex are to make use of a facility in Turners Hill and substantial number of them will travel along residential roads, past our Primary School as well as it being directly opposite the village cricket ground and adjacent to Tulleys family fun park. They also emphasise the need for community support from the general public to demonstrate the local need, no attempt has been made to gather this information locally.

Traffic impact is greatly underestimated in our opinion and this is of great concern to us. The documents state that on average 19 vehicles attend for each cremation and 22 for a natural burial. Based on the information provided there would be 6 services a day, 5 days per week 52 weeks of the year. When we multiply this out it equates to 29,640 movements a year for the crematorium alone. If we use the information provided which states that approximately 877 cremations will be undertaken in a year when established, vehicle movements amount to 16,663 when calculated on the same basis. Traffic is already approaching 110% of capacity in Turners Hill during the morning and evening peak times, and the strategic transport study for the Mid Sussex District Plan shows this rising to 115% by 2031.

Additionally, there will be natural burials, visitors, possibly some weekend services, and workers. Many services will have far more in attendance. This is most definitely not suitable for the local roads, is a danger to residents and is an underestimate in our opinion.

We are concerned that the Transport Assessment is based on 2013 survey and therefore does not provide a fair starting point for any analysis.

Much is made of the permitted path to St. Leonard's Church, but it does not take the walker to the Church. It does take them to an unofficial lay-by and on the busy road. There is no safe crossing area and no path immediately opposite.

A path to the western corner of the site is to be provided so that people can make use of the bus service. The service to Crawley is on the opposite side of the road and the one from Crawley further to the west. For visitors it might be of use on occasions but it's unlikely that the times are convenient to attend a timed service.

We have always wanted to protect the area of High Weald Area of Outstanding Natural Beauty and this land is separated by the road only. It will have an impact on the AONB especially from associated traffic and car parking. Providing 112 car parking spaces will be a scar on the landscape.

Such a large building together with the car parking area and a far greater number of vehicle movements will undermine the rural character of the surrounding countryside and be a constant blight on our community. The building is 40 m x 40 m wide and long and 4.5 m high with a flat roof while the chimney is 7 m high.

Presumably as this is an outline application only the answers to questions on the application form are vague, although some were answered on previous applications. Foul sewage disposal method ' unknown; waste storage and disposal ' unknown; non residential floor space ' no change at 500 sq.m; full time employees ' 4 but elsewhere speaks of 6; hours of opening - unknown.

We can find no reference to the provision of water or gas to the site, both very important elements of any development. Liquid Petroleum Gas (LPG) would require its own safe store.

Using the northern field, previously marked on phase 3, for natural burials needs to be carefully considered as it is closer to the River Medway.

MSDC Consultant Archaeologist

Recommend Archaeological Condition:

The Heritage Conservation Team, Surrey County Council provides advice to Mid Sussex District Council in accordance with the Mid Sussex Local Plan and the National Planning Policy Framework. The district council is located within the County Council of West Sussex.

The National Planning Policy Framework (Revised 2018 - Section 16) places the conservation of archaeological interest as a material consideration in the planning process. Paragraph 189 of the NPPF says that: 'Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.' This information should be supplied to inform the planning decision.

The application site covers a large area (c. 6.9ha), of an undeveloped nature, and as such has an enhanced potential to contain either known or previously unknown below ground Heritage Assets. Therefore I am pleased to note that in accordance with previous recommendations, an Archaeological Desk Based Assessment (produced by Wessex Archaeology, dated June 2020) has been produced to in support of this application. The Assessment provides a useful archaeological background to the site, and conforms to industry standards. The Assessment concludes that the site retains "potential for the presence of buried archaeological remains, in particular relating to the medieval and Post-medieval periods. This includes the historic field boundary illustrated upon historic mapping from the 18th century and potential quarrying activity observed during the walkover survey". The Assessment also indicates there may be an enhanced potential for remains of early prehistoric date, based on baseline data. However, it is also acknowledged that due to a

generally low level of previous archaeological investigation in the area, the theoretical potential is also largely unknown, and the significance of any potential surviving archaeological Assets is undetermined.

Cartographic research undertaken as part of the Assessment has identified a potential historic hedgerow within the site. I am pleased to note that the proposal submitted, largely retains and minimises impact to this feature. With the exception of this, no known Heritage Assets have been identified which are likely to be impacted by these proposals.

Given the high potential for previously unknown heritage assets to be present on the site, that the site is of a significant size, and that the proposed development will lead to the destruction of any archaeological assets that may be present, in line with the National Planning Policy Framework and policy DP34 of the Mid Sussex Local Plan, I recommend further archaeological work is required. In the first instance, the archaeological work should comprise an archaeological evaluation trial trenching exercise within those areas of the site where groundworks proposed as part of the development have the potential to impact on archaeological assets. This may include areas proposed for the chapel, landscaping, attenuation pond, services, parking, and access, as well as the wider areas proposed for natural burials, due to the cumulative loss of any archaeological horizons as a result of excavations for individual grave sites, as well as the impact from new planting and landscaping. The evaluation will aim to establish rapidly what archaeological assets are and may be present, and the results of the evaluation will enable suitable mitigation measures to be developed. I will need to agree a specification for the evaluation before the trenching can begin.

To allow for the implementation of suitable mitigation measures appropriate to the archaeological significance of the Assets that may be present, I would recommend that any detailed reserved matters application(s) to follow be accompanied by the results of such an appropriately scaled field evaluation. This will provide for the opportunity to influence the design and logistics of the development and accommodate any Archaeological Assets worthy of preservation in situ that may be revealed within the detailed development proposal. To ensure the required archaeological work is secured satisfactorily, the following condition is appropriate and I would recommend that it be attached to any outline planning permission that may be granted:

"No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority."

Please do not hesitate to contact the Historic Environment Planning, Surrey County Council should you require further information.

This response relates solely to archaeological issues.

MSDC Consultant Ecologist

In my opinion, there are no biodiversity policy reasons for refusal or amendment of the proposals, subject to the following conditions:

the reserved matters layout shall include a minimum buffer of 15m from the edge of adjacent ancient woodland, to comprise semi-natural habitat / new naturalistic planting to create wildlife habitat;

no development shall commence until the following details have been submitted to, and approved by, the local planning authority:

avoidance and mitigation measures to prevent harm / damage to wildlife and habitats (these may be incorporated into a construction environmental management plan CEMP or separate working document for using during site management);

detailed proposals for wildlife habitat enhancement and long-term management including ecologically-appropriate species mixes and stock of native provenance and origin for naturalistic planting (this may be incorporated into a combined landscape and ecology management plan LEMP);

Reason: To prevent loss of, and contribute to, a net gain in, biodiversity, in accordance with policies DP37 and DP38 of the Mid Sussex District Plan and 175 of the NPPF.

Additional comments on Reptile Report:

The reptile report is fine and will be needed to inform the mitigation compensation measures as per my recommended conditions. Early consideration should be given by the applicant to the timescales needed for habitat works to improve suitability in the northern site as well as corresponding habitat manipulation within areas to be cleared to discourage reptiles from using them. Manual relocation / translocation should only be used as a last resort to prevent direct killing or injury of individual animals. The results of research published this year(1) casts considerable doubt about any conservation benefit from translocating reptiles, although any adult grass snakes are already likely to be using the wider area in any case.

1 D. J. Nash, N. Humphries & R. A. Griffiths (2020) . Effectiveness of translocation in mitigating reptile-development conflict in the UK. Conservation Evidence 17, 7-11 7

MSDC Consultant Landscapes Officer - East Sussex County Council Landscape Architect

1.0 Summary Recommendation

Recommend for refusal

It is recommended that the application is not supported as the proposed scale of the development and intensity of use would have an unacceptable impact on local landscape character and views.

2.0 Reason for Recommendation

2.1 The NPPF Section 15 provides policies for conserving and enhancing the natural environment. Paragraph 170 states that:

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*

- d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.'*

2.2 The NPPF Section 12, Paragraph 130 requires that:

'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents'

If permitted the proposed development would need to incorporate suitable landscape mitigation measures to ensure that it would meet the design requirements of the NPPF. This would include appropriate design details for the building as well as external hard works and planting.

2.3 The site is not within the High Weald AONB however, it is immediately adjacent to the boundary which is Turners Hill Road.

2.4 The Mid Sussex District Plan does not designate specific areas for their landscape character and qualities. In accordance with Natural England guidance the district does have a Landscape Character Assessment which identifies areas of distinct character across the district. Development proposals for the site would need to be assessed for the impact on the key landscape characteristics and sensitivities of the site and surrounding area.

Landscape and Visual Context

2.5 The proposed development is supported by a Landscape and Visual Impact Assessment or LVIA (Indigo Landscape Architects, August 2020). This report provides an accurate description of the baseline landscape and visual context for the site and surrounding area. The methodology for the assessment is based on recognised good practice.

2.6 The site and surrounding area are located within the High Weald National Character Area (HWNCA) and the key characteristics of this area are contained within the LVIA Appendix F. The HWNCA encompasses the High Weald AONB and in places the HWNCA extends beyond the boundaries of the AONB, this is the case with the application site. These areas of the HWNCA are of similar geology, topography and land cover to areas within the AONB and provide the setting and a landscape buffer to the AONB landscape.

2.7 The Mid Sussex Landscape Character Assessment (MSLCA) places the site within the High Weald landscape character area and the key characteristics of this area are contained within the LVIA Appendix F. As with the HWNCA this character area extends beyond the boundaries of the AONB and incorporates the site and surrounding area. The character of the area between Turners Hill Road and the village is very similar to that of the adjacent AONB. This landscape does support key components which are representative of the AONB, such as the ghyll woodland of Butchers Wood, the strong field pattern of irregularly shaped fields bounded by hedgerows and a rolling topography. In this context walkers on the local footpaths and users of the road network would not notice the transition from the AONB landscape into that of the site and surrounding area.

2.8 The LVIA does note that the assessment of potential effects is based on assumptions regarding the detailed design and layout. This would presumably include the design and scale of the building, the layout of parking areas and earthworks. The final detailed scheme could be significantly different to that described in the submitted plans and this would bring into question the conclusions regarding potential landscape and visual effects on local views and specific elements of landscape character such as topography, sense of place and tranquillity. As the proposed development is in outline these landscape comments are based on the worst-case scenario.

Potential landscape and visual effects

2.9 There would be significant and long term adverse visual effects from Public footpath 68w where it crosses the site between viewpoints 3 and 5. The LVIA identifies that the visual effect on viewpoint 3 would be substantial adverse in year 1 reducing to neutral adverse on maturation of the proposed planting. The assessment of viewpoint 4 is substantial adverse year one reducing to neutral and viewpoint 5 major adverse reducing to neutral. A neutral visual effect assumes that the magnitude of effect (LVIA Table D: Visual effect significance matrix) would be neutral by year 15. Sections of the footpath would have permanent views towards the development through access routes and clearings. From these areas the visual impact is likely to be significant and adverse in the long term. There would be close views to the crematorium building and other parts of the proposed development including access roads and car parking.

2.10 The proposed mitigating woodland planting for the extent of this path through the site would change the experience of walkers from open views across countryside to enclosed woodland. This could be oppressive compared with the experience of a mosaic of open and enclosed views for users of this path. This assessment does not consider the impact of completely enclosing the footpath with vegetation and concealing the open vistas currently enjoyed across the site.

2.11 It is acknowledged that the visual impacts would be restricted to the local area, as indicated by the zone of visual influence mapping and viewpoint panoramas. There are likely to be long term adverse visual impacts on the AONB immediately to the south of the site from Turners Hill Road. There would be negligible visual impacts on the wider AONB landscape.

2.12 The LVIA concludes that the overall visual effects of the proposed development would be substantial and major adverse on completion of the development reducing to slight adverse/neutral by year 15 when the proposed mitigating planting has matured. This is relying on the implementation of a landscape masterplan which would provide heavily wooded areas to the north and west of the proposed development. Detailed comments regarding the appropriateness of the proposed landscape mitigation are provided below.

2.13 The proposed development would be greater in scale and extent than the extant permissions. The proposed crematorium would require a larger building set deeper into the countryside with extensive hard surfaced areas for car parking and access roads. The requirement for a larger building and a much larger car park would suggest that the activity associated with a crematorium would be more intense than that for the consented natural burial ground and chapel. The impact on relative tranquillity and local sense of place would be greater than the consented development.

2.14 The LVIA concludes that the overall impact on local landscape character would be moderate adverse on completion reducing to slight adverse at year 15. This assessment identifies that the site is of high landscape sensitivity (section 5.4) and that the magnitude of effect would be medium to low. Policy THP8 of the Neighbourhood Plan seeks to ensure that

development does not have a detrimental impact on areas of substantial landscape value and sensitivity. Whilst the site would be unlikely to be considered valued landscape in the context of the NPPF it is assessed to be of high sensitivity by the LVIA.

2.15 The LVIA methodology, Table Y: Overall effect on landscape character, sets out the following:

Magnitude of Effect - Criteria for assessing magnitude of landscape effects on overall landscape character

Medium-High adverse - The proposals are very damaging to overall landscape / townscape character in that they would cause major loss of, or major alteration to, key components of the baseline landscape / townscape.

Medium adverse - The proposals are damaging to overall landscape / townscape character in that they would cause partial loss of, or moderate alteration to, key components of the baseline landscape / townscape.

Medium-Low adverse - The proposals are slightly damaging to overall landscape / townscape character in that they would cause minor loss of, or slight alteration to, key components of the baseline landscape / townscape.

Low Adverse - The proposals cause minimal damage to overall landscape / townscape character in that they would cause very minor loss or alteration to key components of the baseline landscape / townscape.

2.16 Paragraph 7.4.3 of the LVIA concludes that the magnitude of effect would be medium to low adverse in the short term reducing to low adverse in the medium to long term. The significance of effect on a landscape of high sensitivity is assessed as moderate adverse reducing to slight adverse in the long term (using the application of Table Z: Landscape effect significance matrix). This assessment understates the level of change that would occur due to the proposed development. The introduction of a complex access road and car parking for 109 vehicles would be a considerable change to this countryside site. The creation of 109 car parking spaces and the associated access roads would require extensive levelling and re-profiling of the site topography. The crematorium building would have a floor area considerably larger than the combined footprint of the permitted chapel and reception building. The LVIA conclusions do not fully assess the impact of the development on the sense of place of a relatively tranquil green field site which is rural in character. The change to the character of the landscape would therefore be more likely to have a medium-high adverse magnitude of effect on a landscape of high sensitivity which would result in a substantial adverse effect on completion reducing to major adverse in the longer term.

2.17 The LVIA concludes that as the crematorium building would be set back further from the road than the approved chapel the therefore overall impacts would be lower than for the permitted development. In the previous permitted appeal decision (DM/17/1167) the Inspector concluded that the proposed development would be acceptable as it would concentrate development close to the road and permitted carpark.

2.18 The impact on tranquillity of at least two funerals a day would introduce considerably more vehicle and people movements than the permitted development. The LVIA suggests that these components would not be uncharacteristic of the surrounding landscape. This is an underassessment of the potential impact of large numbers of people, cars and activity around the crematorium building. This increased activity adjacent to the AONB boundary could have an adverse impact on the tranquillity of the AONB in the vicinity of the site.

2.19 The site area is part of the landscape character of the surrounding countryside and the High Weald character area. The scale and significance of effects on the site itself are relevant to the potential impact on the local landscape character. The fact that a development cannot be seen from public vantage points in the wider area should not be considered a reason for development. Much of the Wealden countryside is enclosed as a network of small-scale fields in a strong hedgerow framework. The assumption that because a site is not widely visible or that the proposed development would not impact on the character of the wider landscape should not be a presumption in favour of development. The application site is in fact elevated and sits on an open ridgetop which is an integral part of the surrounding rolling landscape. In this context the potential adverse impact of the development on the site and immediate surroundings would be locally significant.

2.20 The proposed development would have an adverse impact on the intrinsic character and beauty of the local countryside. It is for the Local Planning Authority to consider the weight that this is given in relation to other considerations including need.

Proposed mitigation

2.21 The Mid Sussex Landscape Character Assessment (MSLCA) places the site within the High Weald Forest Ridge landscape character area. One of the key issues identified for this area is the lack of management of existing woodland areas.

2.22 The following Land Management Guidelines, taken from the MSLCA, for this character area are relevant to the site and surrounding area:

- Maintain and restore the historic pattern and fabric of the woodland and agricultural landscape for scenic, nature conservation and recreational purposes.
- Extend existing woodland areas rather than creating new woodland features, reinforcing existing, distinctive landscape patterns.

2.23 The LVIA Appendix G contains landscape masterplans for the extant permissions. These include Illustrative landscape proposals for the permitted developments associated with the natural burial ground, Lizard Landscapes LLD787/02, and planting plan hla 359 01, associated with the chapel. The latter is the more recent permission and indicates woodland planting around the periphery of the site and groups of trees around the chapel and car parks. The landscape masterplan for the permitted development would provide a more varied mosaic of tree planting to the site boundaries and retain open meadow areas. In both extant permissions the proposed woodland planting is less extensive than in the current application. In the current application the woodland planting would extend further east across the site to the north of the proposed crematorium. This would mask the character of the existing open fieldscape and would not maintain the historic landscape pattern. The LVIA visual assessment suggests that this planting is primarily intended to screen the proposed development from the surrounding areas. The long-term management of these woodland areas would need to be secured so as not to add to the issue of inadequately managed woodland in the LCA outlined above.

2.24 With reference to the proposed woodland planting as mitigation and screening enclosure from wider views and the local footpath network. The LVIA describes the proposed planting in Paragraph 6.2.26/27 as follows:

Significant structural woodland planting would be undertaken on the crematorium site (south of footpath 68W) as part of the establishment part of the scheme. Structural woodland planting would also be undertaken as part of the natural burial part of the establishment phase of the scheme, however the majority of 'memorial' planting would be undertaken in a phased approach over a number of years.

The descriptions for implementation of woodland planting and memorial planting are distinctly different. The woodland planting is of smaller feathered native trees or whips about 2.5 m in height planted one per square metre. This is very dense and would usually be specified to create a woodland screen, as is suggested for the Turners Road frontage. The proposed memorial planting is of larger specimens planted at 4.5 and 6m in height and no spacing is indicated for how far apart they would be planted.

2.25 The approved landscape drawing for application DM/15/1035 and drawing LLD787/04 indicates trees planted 3m apart and in a matrix with gaps between the groups of trees. The Landscape Design Strategy and Outline Plant Specification (Lizard Landscapes, December 2014) states that:

'The proposals should include the planting of native species tree group trees and intermittent scattered trees to the southern and western boundaries. Native species tree planting should be implemented to the car park planting bays further diffusing and containing views made toward the proposed development.' The annotation on this drawing is that *'The Natural Burial Ground proposals include the planting of a woodland extending across the site over time.'*

The implication for the memorial planting associated with the natural burial ground is that the planting would extend across the site over time and would not be planted at day 1. This is not consistent with the typical specification for woodland planting which is intended to provide a landscape screen. Woodland screen planting as mitigation would usually be comprised of trees and understorey shrubs. By contrast the memorial tree planting associated with the natural burial ground would be individual specimen trees.

2.26 The Phase 1 drawing (917-MP-02) for the current application indicates woodland planting across phase 1 and 2 of the site which would appear much denser than the memorial planting of individual trees spaced apart. The memorial type of planting can be seen in the aerial views of both Clayton Wood and Ham Down natural burial grounds. On the ground at Clayton Wood there are clear views through the trees and across the site. This is of a different character to that of the proposed woodland screen planting.

2.27 It is appreciated that the detailed landscape planting scheme can be dealt with by condition. However, the conclusions of the LVIA regarding the assessed landscape and visual effects rely heavily on the provision of woodland planting to screen the development.

Previous Appeal Decisions DM/17/1167

2.28 The Inspector for the above appeal concluded that the chapel located close to and parallel to the road would concentrate activity close to the permitted car park. The current application would push the development deep into the site. He also considered that the modest scale of the chapel would not undermine the rural landscape character of the site and surroundings.

2.29 The Inspector for the earlier dismissed appeal DM/16/1887 for houses on this site concluded that landscaping should not be used to hide an otherwise unacceptable largescale development.

Conclusion

2.30 It is recommended that the application is not supported as the proposed scale of the development and intensity of use would have an unacceptable impact on local landscape character and views.

MSDC Contaminated Land Officer

The Preliminary Risk Assessment by Terragen has been assessed. Given the findings of this report it is agreed that no further investigation of the site is required at this time.

It is agreed however that it is appropriate to apply a contaminated land discovery strategy for this development just in case otherwise unsuspected contamination is found during the development of the site.

Recommendation: Approve with conditions

1) If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to proposed coming into use a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.

MSDC Drainage Engineer

INITIAL COMMENTS

The Flood Risk and Drainage Team acknowledges that this is an outline application with all matters reserved except for access. However, our comments are based on the Flood Risk Assessment and Drainage Strategy for Planning report (Unda, August 2020) which has been submitted in support of the outline application.

FLOOD RISK

The site is within flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). Most of the site is not within an area identified as having possible surface water (pluvial) flood risk. However, some areas of increased surface water flood risk are located on site.

There are not any historic records of flooding occurring on this site and in this area. This does not mean that flooding has never occurred here, instead, that flooding has just never been reported.

The application is supported by a Flood Risk Assessment and Drainage Strategy for Planning report. This report states that the flood risk to the proposed development is very low. The report also confirms that the type of development is considered acceptable in flood zone 1.

SURFACE WATER DRAINAGE

The Flood Risk Assessment and Drainage Strategy for Planning report identifies that infiltration is likely to be possible on site. However, due to the proposed use of the site the report states that infiltration is not suitable. Therefore, discharge of surface water to an existing watercourse within the site has been proposed.

The report states that attenuation will be provided within a pond and tanked permeable paving. Surface water discharge shall be limited to the 1 in 1-year Greenfield runoff rate for

the positively drained area for all events up to and including the 1 in 100-year event with an additional 40% allowance for climate change.

The surface water drainage strategy provided within the report is comprehensive, however it is based on the outline development plan. As such a detailed drainage design will be required at a later stage in planning utilising the finalised development layout plans.

Further information into our general requirements for surface water drainage is included within the 'General Drainage Requirement Guidance' section.

FOUL WATER DRAINAGE

The Flood Risk Assessment and Drainage Strategy for Planning report does not cover foul water drainage and the application form states the means of managing foul drainage is unknown.

Due to the scale of the development it is considered that foul water drainage could be achieved on the site and details of this can be covered by a planning condition.

Further information into our general requirements for foul water drainage is included within the 'General Drainage Requirement Guidance' section.

SUGGESTED CONDITIONS

FOUL AND SURFACE WATER DRAINAGE

The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be brought into use until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy CS13 of the Mid Sussex Local Plan, Policy DP41 of the Pre-Submission District Plan (2014 - 2031) and Policy ...'z'... of the Neighbourhood Plan.

MSDC Environmental Protection Officer

This site currently has extant planning permission and part implemented consents for use as a natural burial site. In addition, the site has various other permissions for a chapel, reception building, barn/workshop and associated parking. This application proposes a scheme to rationalise these permissions to provide a crematorium to complement the natural burial function.

An air quality assessment has been carried out by Entran Limited and detailed air quality modelling using the AERMOD 7 dispersion model has been undertaken to predict the impacts associated with stack emissions from the cremator. This assessment concluded that predicted maximum process concentrations of emissions at sensitive receptor locations are well within the relevant air quality standards for all pollutants considered and therefore the impact on air quality in these locations will be negligible.

It is worth noting that Environmental Protection at Mid Sussex District Council will have a regulatory role at the site if the proposal is approved. Crematoria are one of the activities that

require an environmental permit in accordance with the Environmental Permitting (England & Wales) Regulations 2016. Environmental permits contain conditions which ensure that best available techniques are being applied to minimise and control pollution. As a Part B regulated facility, Crematoria operators are required to control emissions to air and, as a new installation, would be required to meet the most up-to-date abatement technology.

Therefore, if permission were to be granted for this planning proposal then an application would be required for an environmental permit to fulfil the pollution prevention and control legislative requirements. DEFRA has produced guidance on what is deemed best available technology and, as a new process, the requirements for arrestment plant for mercury and dioxins would be required at the outset. The guidance is found in Process Guidance Note 5/2 (12) produced by DEFRA.

In addition to the impact of emissions from the crematorium stack, emissions from traffic generated during operation of the proposed development should also be considered. Although the site is not in or close to an Air Quality Management Area, given the site area, an emissions mitigation assessment would be required. Should this development be granted planning permission, I recommend that a condition be applied requiring the mitigation of emissions.

Air Quality: Prior to the commencement of construction of any part of the development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with, and to a value derived in accordance with, the Air Quality and Emissions Mitigation Guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Informative - In order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer.

Reason: To preserve the amenity of local residents regarding air quality and emissions.

WSSC Drainage Strategy Team

West Sussex County Council (WSSC), 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 30 year and 100 year events: Low risk

Comments: Current surface water mapping shows that the majority of the proposed site is at low risk from surface water flooding.

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: Moderate risk

Comments: The area of the proposed development is shown to be at moderate 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.

Ground water contamination and Source Protection Zones.

The potential for ground water 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.

Ordinary Watercourses nearby? Yes

Comments: Current Ordnance Survey mapping shows an ordinary watercourse running near to 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.

Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development.

Records of any historic flooding within the site? No

Comments: We do not have any records of historic 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 Surface Water Drainage Strategy for this application proposes that a pond and permeable paving with a restricted discharge to the watercourse would be used to control the surface water from 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.

WSCC Highways

Having examined in detail the transport assessment (TA) dated August 2020, the County Council as local highway authority (LHA) has no objection to the proposed use.

The traffic impact of the proposal is illustrated in Table 5.1 of the TA, shown below. The traffic impact has been estimated through a careful and thorough analysis of traffic related to other crematoria in the UK.

Table 5.1: Predicted increase in traffic on Turners Hill Road

Weekday inter-peak hour	2013 observed flow	NTEM/NTM Growth factor 2013>2025	2025 predicted Base flow	Crematorium – predicted average hourly flow (assumed 50:50 directional split at access)	Total	Increase
	<i>Two-way</i>		<i>Two-way</i>		<i>Two-way</i>	
0900-1000	473	1.1706	554	2	556	0%
1000-1100	315	1.2298	388	19	407	5%
1100-1200	299	1.2298	368	19	387	5%
1200-1300	293	1.2298	360	19	379	5%
1300-1400	292	1.2298	359	19	378	5%
1400-1500	303	1.2298	372	19	391	5%
1500-1600	312	1.2298	383	19	402	5%
1600-1700	338	1.1843	400	19	419	5%

(NTEM is the National Trip End Model and NTM is the National Transport Model. These are widely accepted tools for future traffic estimation.)

The analysis shows up to a 5% increase in predicted traffic each weekday hour on Turners Hill Road. The LHA considers this to be a worst-case scenario in the light of current traffic trends. We do not consider that the estimated increase in flows will be noticeable in the context of daily variations in traffic along the road. The TA has estimated the traffic capacity of the proposed revised site junction and this does not highlight any issues.

Adequate visibility is available (with some modifications to the roadside verges and control of vegetation) at the proposed site access. A Section 278 highways agreement will be needed in order to implement the access.

As far as road safety is concerned, the consultant has carried out an analysis of traffic accidents nearby, which again does not highlight any issues of concern.

A road safety audit has been carried out for the new junction. The issues highlighted within the audit are commonplace and the solutions within the audit have been accepted by the junction designer. Signed and dated actions are agreed within the audit and the LHA accepts the proposals. A road safety audit log is not therefore required in this specific case.

The TA accepts that, given the modest level of bus service provision near to the site and the likelihood that most site visitors will arrive and depart by car, the site is unlikely to be attractive for non-car access. A brief overview of the likely interaction between the site and other facilities within the village does not raise any potential problems. A dedicated footway is available between the site and St Leonards Church.

The proposed parking provision appears reasonable for the use, although we acknowledge that this matter will be addressed in full under a reserved matters application. We expect an appropriate level of covered and secure parking for cycles, and provision for mobility impaired vehicle users and powered two-wheelers.

Conditions

Road access

No part of the development shall be put into use until such time as the vehicular access to Turners Hill Road has been constructed in accordance with the details shown on drawing 190561-001 F.

Reason: In the interests of road safety.

Access closure

No part of the development shall be put into use until such time as the existing vehicular access onto Turners Hill Road has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

WSSC Materials & Waste Planning Authority

West Sussex Joint Minerals Local Plan (July 2018)

The site is within a Building Stone Mineral Safeguarding Area and would occupy some 7ha of land. Policy M9 of the JMLP notes that proposals for non-mineral development within these areas will not be permitted unless:

- i. "Mineral sterilisation will not occur; or
- ii. It is appropriate and practicable to extract the mineral prior to the development taking place, having regards to the other policies in this Plan; or
- iii. the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible."

Sterilisation of the mineral resources will occur as a result of the change of use of the land. The applicant has not confirmed whether the extraction of the mineral is appropriate, environmentally feasible, or practicable; or if prior extraction is not possible, whether there is an overriding need for the development.

Building stone is a locally significant resource for the renovation of historic buildings and so it is important that potential sites for extraction are considered with regard to existing infrastructure and local demand (see 2.5 of the guidance for more information). This should be assessed within a Mineral Resource Assessment, alongside the potential for use of the resource within the proposed development or by other 'users' of the resource where practicable.

We would therefore ask that this additional information is provided prior to the determination of the application.

West Sussex Waste Local Plan (April 2014)

The decision maker should be satisfied that the proposals minimise waste generation, maximise opportunities for re-using and recycling waste, and where necessary include waste management facilities of an appropriate type and scale (Policy W23).

West Sussex Fire & Rescue Service

This proposal has been considered by means of desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC mapping and Fire and Rescue Service information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments:

- 1) Prior to the commencement of the development details showing the proposed location of [1] one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.
- 2) Prior to the first occupation of any dwelling/unit forming part of the proposed development that they will at their own expense install the fire hydrant (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Fire and Rescue Service.

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented.

Reason: In the interests of amenity and in accordance with Mid Sussex District Plan (2014 - 2031) Key Policies DP18 and DP19 and in accordance with The Fire & Rescue Service Act 2004.

Environment Agency

Thank you for consulting the Environment Agency on the above application.
Environment Agency Position

We have no objection to the proposed development as submitted, subject to the inclusion of the following 3 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

Development here by approved shall not commence until a foul drainage strategy, detailing how the developer intends to ensure that appropriate foul drainage is implemented, has been submitted to and approved by the local planning authority in consultation with the Environment Agency. The development shall be constructed in line with the agreed detailed design and recommendations of the strategy.

Reason for condition 1

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

Condition 2

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason for condition 2

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

Condition 3

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 for condition 3

To ensure that the development does not contribute to, or 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 in line with paragraph 170 of the National Planning Policy Framework.

Advice to Local Planning Authority/Applicant

Any foul system discharging to ground in this area may require an environmental permit, unless it is discharging via a BS drainage field and meets the General binding rules for small scale sewage discharges.

<https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-the-ground>

If a permit is required the applicant should submit sufficient information to the Environment Agency to show that a permit could be achieved for this design of foul drainage in this locality. Discharges are not normally allowed in an SPZ1 or direct to groundwater in areas of shallow water tables. The information required to submit and achieve a successful permit application is on the www.gov.uk website under Environmental Permits, discharges to ground.

<https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-b6-new-bespoke-water-discharge-activity-and-groundwater-point-source-activity>

Foul system discharges to ground in areas where there is a high water table will always be precluded and in these areas alternative arrangements for discharges to any available

watercourses may be considered, if proposals meet the general binding rules. Where this is not possible an environmental permit may be required or foul arrangements will have to involve modern sealed cess pits, with tankering away of effluents on a regular basis.

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system.

Worth Parish Council

Worth Parish Council monitors applications in neighbouring parishes, and the above application was discussed last night at a Planning & Highways Committee meeting.

The Committee understands that no requirement for an Environmental Impact Assessment has been identified. It suggests that an EIA is necessary, as it raised concerns that emissions could affect the residents of Crawley Down and beyond.

I would be grateful if you could take our comments into account when considering this application.