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## Appeal Decision

Inquiry held on 2-5 and 9 December 2014, 11 and 12 March 2015

Site visit made on 8 December 2014

**by John Woolcock BNatRes(Hons) MURP DipLaw MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 27 May 2015**

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**Appeal Ref: APP/Z3825/A/14/2216102**

**Land adjacent The Orchard Restaurant, Cowfold Road, West Grinstead RH13 8LU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Peacebound Ltd against the decision of Horsham District Council.
  - The application Number:DC/12/1092, dated 1 June 2012, was refused by notice dated 18 December 2013.
  - The development proposed is a "crematorium facility within a parkland setting, including a grounds maintenance and secure equipment store and a total of 63 car parking spaces. Proposals include an upgraded access onto the A272 to be shared with the existing restaurant which adjoins the site".
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### Decision

1. The appeal is dismissed.

### Application for costs

2. At the Inquiry an application for costs was made by Peacebound Ltd against Horsham District Council. This application is the subject of a separate Decision.

### Preliminary matters

3. The planning application was accompanied by an Environmental Impact Assessment & Environmental Statement dated April 2011 (ES). The ES reasonably complies with the relevant provisions of the EIA Regulations, and the Environmental Information, as defined in the EIA Regulations, has been taken into account in this decision. The crematorium would require an Environmental Permit, but no application had been made at the time of the Inquiry.
4. The Council considered an amendment to the proposed development which included provision for overspill parking.<sup>1</sup> The parties agree that the description of the proposal should not now refer to 63 parking spaces, as cited in the application and listed in the above bullet points. I have dealt with the appeal on the basis of a proposal for a crematorium facility within a parkland setting, including a grounds maintenance and secure equipment store and car parking spaces, to include an upgraded access onto the A272 to be shared with the

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<sup>1</sup> Drawing No.10-01-228C and ID36. The amended scheme shows 4 spaces for waiting limousines, 8 spaces for staff parking, 51 spaces in the main car park and 69 overspill spaces (grasscrete with plastic reinforcement). In addition to the 132 spaces for the proposed crematorium the scheme includes some additional parking for the existing restaurant.

- existing restaurant which adjoins the site. At the Inquiry an area of 1,234 m<sup>2</sup> was identified for the burial or strewing of ashes.<sup>2</sup> A correction was also made to amend a drafting error on the drawing showing visibility splays.<sup>3</sup> A revised plan indicating trees to be removed was also submitted at the Inquiry.<sup>4</sup>
5. The Council refused the application, against officer recommendation for conditional approval, for three reasons. The first reason for refusal states that the development would result in inappropriate, unsustainable development in the countryside, and that it had not been demonstrated that there is sufficient need to outweigh the harmful impact. Secondly, that the proposed layout and size of the site is insufficient to perform its required function as a crematorium. The third reason for refusal concerned provision towards mitigation measures to offset any increase in local pollutant emissions in the Cowfold Air Quality Management Area (AQMA).
  6. On application the No Crematorium Here Group (abbreviated to NCHG in this decision) was granted Rule 6(6) status pursuant to the Town and Country Planning (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000. NCHG participated fully in the Inquiry, opposing the proposed development.
  7. A unilateral planning obligation, dated 26 November 2014, provides for a contribution towards air quality monitoring costs and reducing nitrogen dioxide concentration within the AQMA on commencement of the development that is the subject of this appeal. The Council indicated at the Inquiry that the obligation overcame its third reason for refusal.
  8. I visited existing crematoria at Crawley (Surrey and Sussex Crematorium), Worthing, Brighton (Downs and Woodvale Crematoria) and Banbury on unaccompanied site visits.<sup>5</sup> The London Cremation Company (LCC) operates the Banbury Crematorium, along with others, and indicated by a Statement of Commitment, dated 13 February 2012, that it had concluded an option agreement to develop the new facility on the appeal site on the granting of planning permission.<sup>6</sup>

### **Main issues**

9. The main issues in this appeal are:
  - (a) The effects of the proposed development on the character and appearance of the area, having particular regard to policies for development in the countryside.
  - (b) The effects of the proposed development on highway safety.
  - (c) Whether the proposal would result in any harm, and if so, whether there is a quantitative or a qualitative need for a crematorium in this location, and the extent to which the proposal would meet that need.
  - (d) Whether the benefits of the scheme would be sufficient to outweigh any harm that might be caused.

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<sup>2</sup> Drawing No.10-01-229C.

<sup>3</sup> Drawing No.80808-09F.

<sup>4</sup> Drawing No.10-01-197D.

<sup>5</sup> Information about Banbury Crematorium is at ID32 and ID33, Worthing at ID29.

<sup>6</sup> CD2/35 and reiterated 23 October 2014.

## Planning policy

10. The development plan for the area includes the Horsham District Local Development Framework Core Strategy (2007), and the Horsham District Council Local Development Framework: General Development Control Policies (2007).
11. Policy CP1 seeks to maintain and enhance the landscape character of the District. It adds that activities which may influence character should only take place where, amongst other things, the landscape is protected, conserved or enhanced taking into account key landscape characteristics. Policy CP15 encourages sustainable rural economic development. It supports in principle development in the countryside which maintains the quality and character of the area, but adds that development should not harm the rural character of the area by virtue of the nature and level of activity involved and the type and amount of traffic generated, or by other effects such as noise and pollution.
12. Policy DC1 states that development outside built-up area boundaries would not be permitted unless it was essential to its countryside location and met one of certain criteria. These include (c) provides for quiet informal recreational use, and (d) ensures the sustainable development of rural areas. In addition, it states that permitted development must be of appropriate scale and must not lead to a significant increase in the overall level of activity in the countryside. Policy DC2 permits development where it would protect and/or conserves and/or enhances the key characteristics of the landscape character. Policy DC9 sets out development principles, and permits development which would, amongst other things, make efficient use of land, not cause unacceptable harm to the amenity of nearby property, and be of a high standard of design and layout. Policy DC40 permits development if it provides a safe and adequate means of access, is appropriate in scale to the transport infrastructure, and includes, where appropriate, provision for public transport.
13. I have taken into account the *National Planning Policy Framework* (hereinafter the *Framework*) and have also had regard to the *Planning Practice Guidance* (hereinafter the *Guidance*). At the time of the Inquiry the Horsham District Planning Framework was yet to be examined, and this limits the weight which can be given to the emerging plan in determining this appeal.

## Legislation and other publications

14. The Cremations Act 1902 (hereinafter the 1902 Act) provides, amongst other things, that no crematorium shall be constructed nearer to any dwelling-house than two hundred yards (182.9 m), except with the consent, in writing of the owner, lessee and occupier of such house, nor within fifty yards (45.7 m) of any public highway. The expression "crematorium" here means any building fitted with appliances for the purposes of burning human remains, and includes everything incidental or ancillary thereto.<sup>7</sup>
15. *The Siting and Planning of Crematoria*, which was published by the former Department of Environment (DoE) in 1978 remains extant, albeit not as planning policy or guidance. However, it was evident at the Inquiry that the principles set out in this document continue to be cited as useful information by

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<sup>7</sup> What comprises a "crematorium" for the purposes of the 1902 Act is ultimately a matter for the Courts. However, the 1978 DoE publication states that the crematorium buildings, chapels and parts of the grounds used for the disposal of ashes come within this definition, but not ornamental gardens or carriageways.

those involved in designing and establishing crematoria. So too are the *Recommendations on the Establishment of Crematoria*, which was published by The Federation of Burial and Cremation Authorities (FBCA) in 2007. These were published because the FBCA "is approached frequently by persons, companies and local authorities requesting information that will assist them in the task of establishing a crematorium". The FBCA's recommendations have not been endorsed by Government, but contain advice which appears to be valued by the industry.

16. I have given these publications some weight, as material considerations, but not as planning policy or guidance. Included at Annex A to this decision is a brief summary of relevant considerations raised in the DoE and FBCA publications.

### **Planning history**

17. In 2011 the Council refused an earlier application for a crematorium on this site against officer recommendation for conditional approval. This scheme included a manager's lodge house on the site.<sup>8</sup>
18. There is an extant planning permission for an eco holiday centre on the appeal site.<sup>9</sup> This would comprise eight holiday lodges with a total of 24 holiday units, a campsite, a rangers' office, local retail unit, and associated parking and access, along with the retention of the existing restaurant and bar. Throughout the Inquiry comparative references, on particular points or issues, were made to a fall-back position. I deal with this in more detail later, but on the basis of comparing whole schemes, rather than their individual components. My reasons for doing so are set out in my conclusions.

### **Reasons**

#### *Character and appearance*

19. The 4.6 ha site lies to the north of the A272, about 1.1 miles to the east of its junction with the A24. It adjoins the Orchard Restaurant, which marks the western edge here of the cluster of development that comprises the hamlet of West Grinstead. The settlement includes some commercial properties and dwellings. The Downs Link public bridleway, which here follows the alignment of a disused railway line, lies to the east of the appeal site.<sup>10</sup> This includes the former West Grinstead railway station, where an old railway coach is used as an information centre. The Downs Link is a popular and well used route, which has a car park accessed off the A272 to the east of the Orchard Restaurant. The nearby dwellings, located to the south-east of the appeal site, are former railway cottages. There are other dwellings off Kennel Lane to the east and north-east of the appeal site, the nearest is about 210 m from the proposed 9 m high stack within the crematorium building.
20. In terms of driving distances, Horsham is 6.7 miles to the north, Haywards Heath and Burgess Hill are, respectively, 9.6 miles and 10 miles to the east. Henfield is 5.4 miles to the south and Billingshurst 7.2 miles to the west. The site lies in the countryside well outside any built-up area boundary.

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<sup>8</sup> DC/11/0783.

<sup>9</sup> DC/12/1851 granted in June 2013.

<sup>10</sup> The path lies about 3 m from the appeal site boundary at its closest point.

21. The site is wooded and contains remnants of buildings associated with previous uses. It is described as an early mature pine plantation. There is a woodland belt adjoining most of the western boundary of the site, with an open field beyond. To the north, the site is bounded by Freeman's Wood. The eastern boundary is defined by land associated with the former railway and now the Downs Link, except for the south-eastern corner where the restaurant and several dwellings are located.
22. The ES refers to the landscape value of this site deriving from the plantation woodland in a semi-rural area.<sup>11</sup> *A Landscape Character Assessment for Mid Sussex 2005* includes the appeal site within Landscape Character Area 5 Upper Adur Valley. The management objective for this area is to conserve and enhance the tranquil, secluded character of the valleys and their setting, and the land management guidelines to conserve and enhance the undeveloped character and pastoral qualities of the valley.<sup>12</sup> In terms of landscape character, I consider that the wooded appeal site has a strong relationship with the adjoining woodlands and the open countryside beyond, which form a tranquil and secluded local context for this small settlement. I consider that the site has high sensitivity to the change that would result from the proposed crematorium building and activity that would be associated with it. A large building, with a long access road, and extensive parking areas, would detract from the undeveloped character of the area. The proposed development would generate considerable activity and movement at times, which along with the physical changes proposed to the landscape, would significantly erode the sense of rural tranquillity and local distinctiveness that the existing wooded area provides. With high sensitivity to the proposed change, along with a high magnitude of change, I consider that the proposal would have an adverse effect on the landscape character of the area of moderate/major significance. I turn next to the likely visual effects and the effect of the scheme on the visual amenity of the area.
23. The site slopes to the north so that at its northern side it is some 10 m below the ground level of the site near to the A272. The local topography, along with the wooded frontage to the site, would effectively screen views of the proposed development from the A272. There might be filtered views of the crematorium from footpaths located to the west of the site, but given the separation distance and likely effects of existing and proposed vegetation, I do not consider that this would result in significant harm to the visual amenity of the area. However, given the proximity and popularity of the Downs Link, I share the concerns of the Council and NCHG about views from the former railway line.
24. From my site visit it was apparent that it would be very difficult to fully screen, at all times, the proposed building with its stack, or parked and manoeuvring cars within the site, from those using the Downs Link. The built development, along with the particular characteristics of the use, would certainly attract notice, and so would be conspicuous in this woodland context. I have no doubt that this is a much valued landscape by those enjoying the Downs Link long distance route through the surrounding attractive countryside.<sup>13</sup> The wooded appeal site makes an important contribution in this regard. Any views of the

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<sup>11</sup> ES paragraph 6.3.4.

<sup>12</sup> ID8.

<sup>13</sup> ID15 and ID19.

crematorium and activity associated with it would be seen in the context of a quiet wooded locality, set well outside the built part of the settlement, and so would appear as a discordant feature.

25. Suggested planning conditions would provide for additional planting and management of the woodland, which would be beneficial.<sup>14</sup> But even with such new tree planting and appropriate management, I consider that the scheme would have a medium magnitude of visual effect. With high sensitivity receptors using the Downs Link, I find that the proposal would have an adverse effect of moderate significance on the visual amenity of the area.
26. The ES found that the proposal would have slight negative impacts in terms of the effects on landscape and visual impact.<sup>15</sup> I consider that this understates the likely effects on both the landscape resource and the visual amenity of the area. On the first main issue, I consider that the proposal would have an adverse effect on the character and appearance of the area of moderate/major significance. The proposed development would be contrary to Policies CP1, CP15, DC1 and DC2.

#### *Highway safety*

27. Highway safety is not an issue for the Council, but is of concern to NCHG and to local residents.<sup>16</sup> In terms of the number of parking spaces proposed the scheme would include appropriate provision for staff and limousines. The proposed 51 spaces in the main visitor car park, along with the 30 nearby overspill parking spaces, would probably adequately provide for most services at the crematorium, given that the proposed chapel would accommodate 105 mourners.<sup>17</sup> I am satisfied that this would be so, even allowing for some longer stays because of the two proposed hospitality suites, and having regard to the poor public transport provision in the area, about which I say more later. A further 39 overspill spaces would also be available, if needed, along parts of the access road and the forest gravel track that leads to the proposed ground maintenance and secure equipment store. These 39 spaces would not be very convenient for mourners to use, but would nonetheless provide some reserve parking for services attended by very large numbers of mourners. Overall, I consider that the proposed parking provision would make reasonable provision for this use in this location, and that the facility would be unlikely to result in any off-site parking problems or related highway safety considerations.
28. There is also local concern about the access and the risk to those using the A272, which is a busy route, albeit not a designated trunk road. The proposed access would replace an existing access that serves the car park to the Orchard Restaurant, but would significantly increase the number of vehicles using it. Even so, traffic generated by the proposed crematorium would represent an insignificant increase in the total number of vehicles using this part of the A272.<sup>18</sup> A 50 mph speed restriction applies to the stretch of the A272 that

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<sup>14</sup> Suggested conditions 5 and 6 at ID35.2.

<sup>15</sup> ES paragraph 6.6.

<sup>16</sup> ID16, ID18 and ID22.

<sup>17</sup> The 1978 DoE publication states that space for at least one car should be provided for every two places in the chapel (this would require 53 spaces). The 2007 FBCA publication provides that the size of the car park can be estimated by equating it to approximately two thirds of the total seating capacity of the chapel (this would require 70 spaces).

<sup>18</sup> The traffic assessment predicted that there would be an increase in traffic on the A272 during the hours when the crematorium was in operation of 0.9% and during peak hours of 0.3%.

- passes through West Grinstead and along the frontage to the appeal site.<sup>19</sup>
29. The proposed access would include visibility splays of 2.4 m x 160 m to the west and 2.4 m x 140 m to the centre line of the road to the east.<sup>20</sup> There would be a hatched central road marking leading to the right turn lane into Park Lane along this part of the A272, which would deter vehicles from crossing into the oncoming lane. I am satisfied, with appropriate management of roadside vegetation, and removal of any obstructions, that these visibility splays could be achieved and maintained.<sup>21</sup> Enforcement would be a matter for the local planning authority and there is nothing to indicate that this would be problematic.
30. However, these visibility splays would not accord with the standards in the Design Manual for Roads and Bridges. But in this case they would not be required to do so. The new access would improve visibility to the east because it would be sited to the west of the existing access. It would also significantly increase the length of the existing right turn lane into the appeal site. I am satisfied that the access would provide reasonable visibility. I note that there is no objection from the Highway Authority. There would also be some benefits in permanently closing an existing access from the appeal site onto the A272 and removing the substandard informal layby created by it.
31. The *Framework* provides that account should be taken of whether safe and suitable access to the site can be achieved for all people, and that improvements could be undertaken to the network that would limit the significant impacts of the development. It adds that development should only be refused on transport grounds where the residual cumulative impacts would be severe. That would not be so here.
32. On the second main issue, I find, overall, that the proposal would have a neutral effect on highway safety. I find no conflict with that part of Policy DC40 which concerns a safe and adequate means of access. I deal later with the other parts of this policy.

#### *Other matters*

33. A number of dwellings would be downwind of the prevailing south-westerly air flow from the proposed stack. Given the nature of the proposed use the sensitivities of nearby residents is understandable.<sup>22</sup> However, modern pollution abatement technology, which would be required by an Environmental Permit, is far more efficient than that which was available in 1978 when the DoE publication was written. The *Framework* states that it should be assumed that the pollution control regime would operate effectively. Local anxiety about emissions or fear of malfunction or breakdown of the cremator is a material consideration here, but not one that should, in my judgement, be given much weight. I find no conflict with that part of Policy DC9 that concerns unacceptable harm to the amenity of nearby property.
34. The adjoining farmer is concerned that noise from the adjoining working farm and shooting enterprise would be incompatible with the quiet needed for a

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<sup>19</sup> ID23.

<sup>20</sup> Drawing No.80808-09 Rev F also shows visibility splays of 3 m x 139 m to the east and 3 m x 143 m to the west.

<sup>21</sup> I note at ID21 that the adjoining landowner would not agree to remove any of his hedges along the A272.

<sup>22</sup> ID17 and ID20.

crematorium. However, it seems to me that the construction and design of the building, along with its boundary treatment and landscaping, would minimise any conflict between the adjoining uses to an acceptable level.

35. NCHG estimated that the scheme would result in emissions of carbon dioxide between 77 tonnes and 84 tonnes annually, which was not challenged at the Inquiry. The appellant acknowledges that the increase in carbon dioxide emissions would comprise a negative factor associated with the development. However, devising an accurate carbon dioxide budget here would involve many factors and considerable difficulty in dealing fully with all relevant aspects. The submitted assessment relies on many assumptions and there is a danger of spurious precision in the outcome. I note that the *Framework* states that seeking to reduce carbon dioxide emissions is a key aspect of sustainability, but I do not consider that much weight can be given in this case to predictions about the net effects of the appeal scheme on greenhouse gas emissions.
36. The evidence indicates that nature conservation interests on site could be safeguarded by the imposition of appropriate planning conditions. There would be no significant effect on protected species with the implementation of the recommended mitigation measures. The proposal would not have a significant effect on the setting of the listed buildings in the locality.
37. In addition to construction jobs, the operational crematorium would provide 3 full time jobs and 3 part time jobs. The proposed catering facilities would also generate employment. Some visitors to the crematorium would use local shops and services.<sup>23</sup> The proposed development would, therefore, have some local economic benefits.

#### *Need*

38. I have found that the proposal would harm the character and appearance of the area, and consider next whether there is a need for the facility, which should properly be balanced against this harm. Furthermore, the core planning principles set out in the *Framework* include delivering sufficient community and cultural facilities and services to meet local needs. The *Framework* also provides that to deliver the social, recreational and cultural facilities and services the community needs, planning policy and decisions should, amongst other things, ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. The quantitative and qualitative need for a crematorium in this location, along with the extent to which the proposal would meet that need, is a material consideration in determining this appeal.
39. In terms of a quantitative need, adequate provision for cremation is an important consideration, which should properly be given a high priority, to ensure that sufficient capacity exists for funerals to be arranged within a reasonable distance without undue delay. However, there is no recognised and applied methodology to assess need, and no planning policy to indicate what would constitute an acceptable level of provision. In the absence of any such guidelines a variety of measures and indicators have been used in the past to address this question. Some of these have gained status as 'rules of thumb' or industry 'benchmarks', but that does not mean that they should go untested.

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<sup>23</sup> At ID20 the owner of the next nearest pub, other than the Orchard Restaruant, considers that his business would profit from the proposed development.



In particular, much reliance has been placed by the industry on a judgement in a non-planning case, which cited a 10 mile catchment based upon a 30 minute drive at an average speed of 20 mph.<sup>24</sup>

40. Evidence was submitted about current waiting times for funerals. However, in the data before the Inquiry, there is considerable variability in the recorded length of time between the date of death and the date of the funeral. But not much insight into the reasons for the intervening period. The time delay might be attributable to a whole host of factors relevant to the specific circumstances of the bereaved and the families involved. It is difficult, therefore, to draw any meaningful conclusions about capacity from the waiting time evidence.
41. It is also difficult to determine the current capacities of existing crematoria. This in part is dependent upon how the facility is operated. What are considered to be core hour times or slots for services can depend upon the pricing structure, where cheaper slots are made available at times of reduced demand. Furthermore, the level of fees currently charged by operators might be influenced by many factors, and by itself does not throw much light on the supply/demand question. I find no convincing evidence on this basis of an existing capacity shortfall of any significance.
42. No new crematorium has been built in Sussex for over 40 years. There is some evidence that in the UK there is an increase in the number of people choosing cremation in planning their funerals.<sup>25</sup> However, cremation rates, the ratio of cremations to deaths, for West Sussex has shown little change for the period from 1997 to 2013.<sup>26</sup> There is nothing to indicate that there will be any substantial increase in the cremation rate in the future for the area in which the appeal site lies. An increase in the number of funeral directors offering services in the area does not give any reliable indication of the need for additional facilities for cremation.<sup>27</sup>
43. There is considerable provision, both existing and in emerging plans, for new housing development in the locality. This will add to the local population. But this is a factor that is built into the projections and predictions relied upon by both the Council and the appellant in modelling catchments.
44. The rule of thumb that derives from the *Burgess* case is not a very refined measure. In practice much would depend on the type of roads used. The evidence before the Inquiry is that cortege speeds on dual carriageways are likely to be well in excess of a 20 mph average. Given the location of the appeal site, many users would be likely to reach the site at least in part via the A23 or A24, which are fast routes. I find the Council's evidence about cortege speed to be more likely to be representative of what actually occurs, with its modelling based on a speed of 20 mph in urban areas and comparable to that of an HGV on rural roads. I do not consider that the catchment areas relied on by the Council are unrealistically large.
45. The strengths of the Council's model are that the catchment is derived from the smallest areas for which census data is available. It calculates the average number of annual deaths within these areas. The drive time estimates

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<sup>24</sup> *Burgess v OFT and W Austin & Sons* Competition Appeal Tribunal [2005] CAT 25 Case No:1044/2/1/04.

<sup>25</sup> ID34.

<sup>26</sup> ID11.

<sup>27</sup> The appellant argues that the funeral industry has expanded significantly with 14 new funeral directors' offices opening in the three local districts over the past 15 years.

reasonably reflect cortege speeds that are likely to occur on these rural roads. The model determines, using a similar drive time, which of these smaller areas could be served by existing crematoria. By doing so, the unmet need is predicted from the number and percentage of deaths that fall outside those smaller areas which are so served. There is also some evidence that the model provides a relatively good fit when tested against the number of cremations at existing crematoria. The only other aspect seriously challenged at the Inquiry by the appellant was the estimates for the rate of increases in life expectancy. There is no dispute that the decline in Standardised Mortality Rates (SMR) should be taken into account. If the percentage fall in SMR exceeded the percentage increase in population then the number of deaths would decrease. What is at issue is the rate of decline. ONS predictions incorporate adjustments to the Standardised Mortality Rate to allow for projected future increases in life expectancy. However, there is strong evidence that increasing life expectancy is a significant compensatory factor for an increasing population.

46. Modelling is dependent upon the assumptions on which it is based, but I find the Council's approach to be realistic. The Council's model predicts that only a limited population do not currently lie within 30 minutes drive time to existing crematoria.<sup>28</sup> It is also likely that of those residing beyond the 30 minutes drive time, only a proportion would be part of a cortege. The outcome of this analysis does not indicate a need for an additional facility to ensure that a crematorium is available within a reasonable distance. I find no convincing evidence of a significant unmet local or community quantitative need for an additional crematorium in this area, and turn next to consider qualitative need.
47. The appellant considers that some of the existing facilities are outdated and not conducive to a satisfactory experience for mourners. Cited in this regard are intrusive noise from Gatwick airport at Surrey and Sussex Crematorium, the position of the car park in relation to the cremators, and that the operation of the two chapels can cause confusion between different groups of mourners. A similar criticism is directed at Worthing Crematorium because it has two chapels, but which it is acknowledged has more modern facilities and a more tranquil setting. The crematoria at Worthing and Brighton are considered by the appellant to be too distant to be a viable option for residents of Horsham. Inadequate parking is also cited as a disadvantage of the Brighton crematoria.
48. It was clear from the evidence before the Inquiry and from my site visits that the existing crematoria provide a range of services and facilities that is in part influenced by their location, facilities and operation. I do not accept that those operating with two chapels necessarily result in muddling and confusion of mourners. The administrative and organisation controls available to operators provide for the effective management of different funerals, so as to minimise the likelihood of confusion. Such measures currently employed include staggering service times and management of parking. Some of the older facilities do not have up-to-date facilities, but there is no compelling evidence that any deficiencies are considered to be serious disadvantages. Parking may be an issue for larger funerals at the Brighton crematoria, but these are located close to public transport connections. Parking at busy times along the access drive at Worthing is not ideal, but a similar arrangement is proposed for

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<sup>28</sup> The model predicts that 99% of mourners within the catchment area of the proposed development can reach an existing crematorium within 30 minutes, with the remaining 1% able to do so within an additional 6 minutes.

overspill parking in the appeal scheme. Some of the existing crematoria might be considered by some mourners to be distant from the homes of deceased. However, it is necessary to evaluate travel times and catchment areas in a realistic and comprehensive way. It is not appropriate to consider only distances from Horsham.

49. I find that the existing crematoria function adequately, but that additional choice and variety in the type of facilities and services available in the area would be beneficial. I find that there is, on the basis of providing more choice and competition, some qualitative need for an additional crematorium in the locality. The proposal would provide a modern facility with some features not offered by existing crematoria. These would include catering facilities, which should not be considered to be a negative aspect of the design because some mourners might welcome such a facility. On the evidence adduced, I find, at its highest, a marginal need for an additional crematorium, which derives primarily from the benefits of providing bereaved families and mourners with a greater choice of facilities and more competition.
50. It is also necessary to consider the extent to which the proposal would meet this marginal need, including the matters raised in the Council's second reason for refusal. In doing so, I note that the *Guidance* provides that achieving good design is about creating places that work well for everyone, look good, last well and will adapt to the needs of future generations, and puts land and other resources to the best possible use – over the long as well as the short term. The *Guidance* adds that a building or place should be fit for purpose, designed and delivered in a way that delivers the intended function.
51. I deal first with the need to travel, the accessibility of the site and provision of public transport, noting that the *Framework* states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, having regard to policies that apply to rural areas.
52. The nearest bus stops would be over a mile from the appeal site, with very poor or unsafe pedestrian links. In addition, services are not very frequent. Access by public transport to the proposed facility would be a very unattractive prospect. It is argued that most people attending a funeral use private cars. But the lack of public transport would mean that staff would most likely also have to use cars, and those visiting remembrance gardens would also be denied the option of using public transport. The scheme would not provide satisfactory accessibility for all users and would not maximise the use of sustainable transport modes.
53. The appellant acknowledged at the Inquiry that accessibility by public transport was a negative aspect of the scheme. The proposal would not be appropriate in scale to the transport infrastructure, or include appropriate provision for public transport, and so would conflict with the aims of Policy DC40. The proposal would not actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and to focus significant development in locations which are or can be made sustainable, or support the transition to a low carbon future, which are core principles of the *Framework*. It would also be at odds with paragraph 35 of the *Framework*, which states that developments should be located and designed where practical to have access to high quality public transport facilities.

54. Considerable time was taken at the Inquiry about the proposed provisions for the disposal of ashes, and it is necessary to outline some of the background to this issue. In the 2011 application no area was shown for the burial and strewing of ashes on the drawings. The grounds cited by objectors, as listed in the officer's report, include "no space for disposal of ashes due to the 200ft [sic] restriction". However, this matter was not mentioned in the officer's planning assessment on the 2011 application. In the application that is the subject of this appeal, the officer's report notes that the submitted plan indicated a columbarium wall and where the disposal of ashes could be undertaken.<sup>29</sup> Objectors again raised concerns about insufficient space for the burial and scattering of ashes, that no reasonable garden of remembrance was provided, and that the site was too small. These points were not specifically addressed in the officer's report. However, the Minutes of the meeting record that Members were concerned that the size and layout of the site would not allow for the long term scattering and burial of ashes.<sup>30</sup>
55. The constraints of the 1902 Act confine the crematorium, as defined in the Act, to part of the north-western quadrant of the appeal site. The scheme identifies a wooded area of 1,234 m<sup>2</sup> for the burial of ashes, which is located to the immediate south of the proposed area for bins, bicycle storage area and parking and turning area for limousines. At the Inquiry the appellant suggested that an alternative site could be found for the bins and bicycles, but no specific area was identified for this purpose, nor was it suggested that the parking for limousines and vehicle turning area could be relocated. The appellant argued that this would be a matter to be left for determination by discharge of a planning condition. I am not convinced that it would be reasonable to do so. The bins would most likely to be stored close to the hospitality suites and where bin lorries could easily manoeuvre. The turning area for limousines would remain an area of some activity close to the area proposed for disposal of cremated remains. The proposed area for the burial of ashes would not, by reason of its size and siting, accord with the 1978 DoE advice about providing sufficient space for the disposal of ashes in a pleasant part of the grounds. Furthermore, it is a wooded area, whereas the advice refers to lightly covering strewn ashes to help maintain the fertility of lawns, as grounds will sour from the continuing application of ash. There is no compelling evidence that the 1,234 m<sup>2</sup> for the burial of ashes would provide for the long term needs of the crematorium without an adverse effect on the woodland.
56. The FBCA's reported figures for the disposition of cremated remains indicate that in 2013 20.08% were strewn in crematoria grounds and 6.73% interred in crematoria grounds, both slightly reduced from the respective 2012 figures.<sup>31</sup> This is an average and the proportion of relatives that choose to dispose of cremated remains other than within a crematorium will vary depending upon many factors. However, it was evident from my visits to other crematoria that gardens of remembrance for the burial and scattering of ashes are a significant feature of these establishments. In most cases such gardens

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<sup>29</sup> The designated area for the burial of ashes shown on the drawing that was before the Council when it determined the application indicated an area of 1,306 m<sup>2</sup>. This was amended to 1,234 m<sup>2</sup> at the Inquiry. A columbarium wall for the storage of cremated remains is proposed to be sited adjacent to the immediate approach to the crematorium building, to the north of the porte cochere. From the drawings this appears to have a total length of about 22 m.

<sup>30</sup> ID36.

<sup>31</sup> ID14.

occupied extensive areas. They also appeared to be much valued by those visiting the crematoria, as was evidenced by the care and attention with which memorials were maintained and the recent addition of flowers. It was evident from my site visits that memorialisation is an important element of the service provided by crematoria. My observations accord with FBCA advice that gardens of remembrance are essential, as a place of quietness and beauty, which should not be overlooked, but with most of the area available for the strewing or burial of cremated remains.

57. LCC are convinced of the proposed facility's long term viability and consider that it has been designed to meet the needs of the bereaved and their families both now and in the future.<sup>32</sup> However, given my observations above, this is not a design that would work for everyone. Furthermore, I have reservations about the extent to which it would last well and adapt to the needs of future generations, because of the siting of the crematorium in relation to nearby dwelling-houses and the restrictions this would impose on the disposal of ashes.
58. The appeal scheme would provide more choice, but for some the poor public transport to the site, and limited provisions for burial and scattering of ashes within a garden of remembrance, might be considered to be significant deficiencies. On the third main issue, I consider that the overall need for this scheme is a matter that should only be given slight weight in the planning balance.

#### *Planning balance and policy*

59. The proposed crematorium would provide local employment and would have some social benefits in terms of providing more choice for bereaved families and mourners. However, in my judgement, there is no demonstrable need which is sufficient to outweigh the adverse effects of the appeal scheme on the character and appearance of the area. This finding, by itself, weighs heavily against the proposal. Furthermore, poor accessibility by public transport and the limited provisions proposed for the burial and scattering of ashes in a garden of remembrance, suggest to me that this scheme might not appropriately meet any need which does exist. This is a consideration which tips the balance even further against allowing the appeal. I find that the planning balance falls against the proposal.
60. I am required to decide this appeal having regard to the development plan, and to make my determination in accordance with it, unless material considerations indicate otherwise. The proposal would conflict with Policy CP1 and would not accord with Policy CP15 because of its adverse impact on the rural character of the area and due to the level of traffic and activity it would generate. It would also conflict with Policy DC1 because it is not essential to its countryside location and would lead to a significant increase in the overall level of activity in the countryside. It would also be at odds with the aims of Policy DC2 by reason of its effects on the key characteristics of the landscape character and the development pattern of the area, its tranquillity and sensitivity to change. The poor public transport provision brings the proposal into conflict with parts of Policy DC40. The proposal would not be at odds with the aims of Policy DC9 concerning the amenity of neighbours, but overall I find that it would conflict with the development plan, when taken as a whole.

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<sup>32</sup> Statement of Commitment dated 23 October 2014 included as Appendix 9 to Mr Gallagher's evidence.

61. Policies DC9 and DC40 are broadly in line with the core principles and policies of the *Framework*. However, Policies CP1, CP15 and DC2 would not permit sustainable development, where such development resulted in any adverse effect on, respectively, landscape character, rural character and the key characteristics of the landscape character. This would not accord with the balancing exercise implicit in the economic, social and environmental dimensions to sustainable development. Policies CP1, CP15 and DC2 are not, therefore, consistent with the *Framework* and this diminishes the weight that they may be given. Similar considerations apply to Policy DC1, regarding a significant increase in the overall level of activity in the countryside. More weight should, therefore, be given to national policy in determining this appeal.
62. The *Framework* states that the purpose of the planning system is to contribute to the achievement of sustainable development. The economic, social and environmental roles for the planning system, which derive from the three dimensions to sustainable development in the *Framework*, require in this case that a balancing exercise be performed to weigh the benefits of the proposed crematorium against its disadvantages. The scheme would make a contribution towards building a competitive economy and would provide local employment. However, only limited weight should be given the social benefits of the proposal insofar as it would provide accessible local services that reflect the community's needs and support its health, social and cultural well-being. In terms of the environmental dimension to sustainability, the scheme would not contribute to protecting and enhancing the natural environment. Furthermore, there is no convincing evidence that it would use natural resources prudently. Balancing these various roles, I find overall that the appeal scheme would not contribute to the achievement of sustainable development. I conclude, having regard to the policies in paragraphs 18 to 219, taken as a whole, that the proposal would not accord with the requirements for sustainable development set out in the *Framework*, and so the presumption in favour of such development in paragraph 14 does not apply.<sup>33</sup>

## Conclusions

63. There is considerable local opposition to the proposed development, which is evident from the written representations and the submissions made at the Inquiry, but also some support for the scheme.<sup>34</sup> One of the aims of national planning policy is to strengthen local decision making.<sup>35</sup> However, local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid planning reasons. The proposal therefore falls to be determined on its planning merits.
64. I have found that the proposed development would harm the character and appearance of the area, and that no quantitative or qualitative need has been demonstrated to outweigh the harm I have identified. The proposal conflicts with the development plan, and is at odds with national policy and guidance.

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<sup>33</sup> In accordance with the judgment in *William Davis Limited, Jelson Limited v SSCLG, North West Leicestershire DC* [2013] EWHC 3058 (Admin), and *Dartford Borough Council v SSCLG* [2014] EWHC 2636 (Admin).

<sup>34</sup> West Grinstead and Cowfold Parish Council both objected to the proposal. The Council received 163 letters of objection and 66 letters of support. A petition of 94 signatures in objection to the proposal was also submitted to the Council. The proprietors and staff of the Orchard Restaurant indicated that they have no objections to the proposal, and gathered a total of 175 signatures in support of the application. ID17 refers to local objections to the scheme.

<sup>35</sup> *National Planning Policy Framework Annex 1: Implementation*.

The planning balance here falls against the proposal. However, chief amongst the other considerations that apply in this case is the fall-back position, which I turn to next.

65. For the fall-back position to amount to a consideration that would weigh in favour of allowing the appeal it would be necessary to conclude that, on balance, the harm from the fall-back scheme would be worse than, or at least comparable to, that which would be likely to result from the appeal scheme. So that if the appeal were to be dismissed there would be a reasonable prospect of the same outcome in terms of harm, or a less desirable outcome than the appeal proposal, and that this would then become a relevant factor to be weighed in the planning balance in favour of permitting the appeal scheme.
66. I have no reason to find that the implementation of the extant permission for holiday lodges and a campsite would not be a realistic prospect in the event that the appeal was dismissed. In terms of the effect on the openness of this part of the countryside the permitted development and the appeal scheme would have a comparable impact insofar as the overall footprint of buildings is concerned. However, the low profile lodges and other proposed service buildings would be dispersed throughout the site, and so would not have the apparent bulk and scale of the proposed crematorium building.<sup>36</sup> The permitted scheme proposed the removal of 56 trees compared to the proposed removal of 151 trees in the appeal scheme.<sup>37</sup> I consider that the proposed crematorium would have a significantly greater adverse impact on the appearance of this part of the countryside than would the permitted scheme.
67. There would also be a substantial difference in the number of car parking spaces proposed. The approved drawing for the holiday lodge and campsite shows a total of 41 spaces in small car parks with up to a maximum of 6 cars in each of 12 parking areas dispersed throughout the site. The provision of 132 car parking spaces in the appeal scheme would provide for a substantial increase in movement and activity within the site, over and above that likely to be associated with the permitted use. The restrictions on the shop permitted as part of the holiday and camping development would mean that it would not be likely to generate much activity on the site. However, the nature of the crematorium use, with funerals throughout the day, would result in concentrated activity at times. This would result in a very different pattern of use for this countryside location than would be likely from the site's development as a holiday and camping destination. I find that the appeal scheme would have a more harmful impact on the character of the area than would the permitted development. Taking all these considerations into account, I find that the fall-back scheme would be likely to result in less overall harm than would the appeal scheme, and so find that the fall-back position is not a consideration that weighs in favour of allowing the appeal.
68. I have taken into account all the other matters raised in the evidence, including the other appeal decisions to which I was referred. These decisions turned on the specific circumstances which applied, and so are not of much use in determining this appeal on its own merits. Neither these, nor any of the other matters raised, are sufficient to outweigh my conclusions on the main issues, which have led to my decision on this appeal.

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<sup>36</sup> Plan at Appendix 1 of Mr Parr's evidence.

<sup>37</sup> The committee report at ID12.1 and Drawing No.10 – 01 – 197D.

69. I have found that the proposal would conflict with national policy in the *Framework*. This weighs heavily against allowing the appeal. There are no material considerations here that would indicate that a determination other than in accordance with the development plan was justified. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*John Woolcock*  
Inspector



## **Annex A**

### Summary of relevant points arising from *The Siting and Planning of Crematoria, DoE 1978*

The main principles which should be observed include;

- that the site is well suited to the building, accessible by public transport, and, normally, that all main services are provided,
- siting so as not to have any material effect on the immediate neighbourhood,
- layout provides easy movement of vehicles and adequate parking space,
- building allows convenient circulation, with proper amenities.

#### The site

Sufficient land for the setting of the crematorium, access road, parking and space for disposal of ashes. A well wooded piece of ground with natural undulations and good views is ideal, but this must go along with easy access by public transport and private car. Modern cremators should not cause any nuisance or inconvenience to houses in the vicinity, but to allow for any possible emissions of fumes, the direction of the prevailing wind should be taken into account. Entrances and exits should be from or to local distributor roads with appropriate sight lines. Space for at least one car should be provided for every two places in the chapel. The area for strewing or burial of ashes should form a pleasantly treated part of the grounds. Grounds will sour from the continuing application of ash and the plans should include more than one plot, if space for them can be provided. Plots can then be used in turn to give others time to recover. After strewing, the ashes should be lightly covered with earth to help maintain the fertility of lawns.

### Summary of relevant points arising from *Recommendations on the establishment of crematoria, FBCA 2007*

#### Planning

The length of journey, its duration and the availability of service times at neighbouring crematoria can influence the strength of local support. Plans should take into account the proximity and capacity of neighbouring crematoria, and, where relevant, the future capacity of local cemeteries.

#### Siting of crematoria

Site selection should be aimed at achieving quietness and seclusion. A woodland or parkland setting or an area of undulating ground with good natural features and mature trees would enable the establishment of a good natural setting. The site should be reasonably accessible by public transport and should have adequate services. Ideal sites are rarely to be located in urban areas and it is emphasised that suitability of setting is of greater importance than its location in close proximity to population centres. One of the most intrusive elements of any new crematorium is the chimney stack. Entrances and exits from the crematorium grounds must be carefully planned. The successful operation of a crematorium is dependent on the adequate separation of funeral corteges in both time and space. Each funeral party must be provided with as much privacy as possible. The flow of traffic to the building should be in one direction only. An adequate car park is essential. The size can be estimated by equating it to approximately two thirds of the total seating capacity of the chapel. A minimum of two hectares per estimated 1,000 cremations per annum is recommended to include space needed for traffic

circulation, parking, a modest amount of space around the building, and the crematorium and gardens of remembrance. The long term needs of the area should be carefully assessed at the outset and sufficient land acquired initially to allow for future extensions due to increased demand for cremation.

#### Methods of disposal

Interment in gardens of remembrance is often carried out as an alternative to surface strewing. If the latter is followed, a range of alternative sites for strewing should be provided to provide time for the turf to recover. When cremated remains are dispersed in the grounds of crematoria many relatives require some form of memorial.

#### Garden of remembrance

An essential part of any scheme will be the garden of remembrance as a place of quietness and beauty. The main purpose of the garden must not be overlooked and most of the area should be available for the strewing or burial of cremated remains. Memorial areas should be screened and separated from those parts of the grounds used by mourners attending funerals or viewing floral tributes.

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

David Lintott  
of Counsel

Instructed by Horsham District Council.

He called

Simon Perry BA(Oxon) MSc  
James Hutchison BA(Hons) MA  
MRTPI

Geomatrix.  
Consultant Principal Planner, Major  
Development Team, Horsham District Council.

### FOR THE APPELLANT:

John Hobson QC

Instructed by Savills.

He called

Steven Parsons MCIHT  
Patrick Gallagher

Technical Director of Motion Consultants Ltd.  
Director Peacebound Ltd and Managing  
Director of P&S Gallagher Ltd and Bowley &  
Gallagher Ltd Funeral Directors.  
Director Goldray Ltd.  
Planning Director Savills.

Richard Barradell DMS  
Duncan Parr BA(Hons) DipUPI  
DipTP FRGS MRTPI CGeog MEWI

### FOR THE RULE 6 PARTY:

David Tidey and Peter Freeman

No Crematorium Here Group.

They called

Ben Meekings MCIHT

Head of Transport and Development Planning,  
Project Centre.

Peter Freeman MA (Cantab)

Funeral Director.

### INTERESTED PERSONS:

Cllr David Green  
Gerry Martin  
Helen Tinner  
Nick Hall  
Charles New  
Cllr Peter Kanabus

West Grinstead Parish Council.  
Local resident.  
Local resident.  
Local resident.  
Local resident and pub owner.  
Local farmer and Chairman of West Grinstead  
Parish Council.  
Local resident.  
Local resident.  
Resident Burgess Hill.  
Communications Director of Golden Charter  
Ltd.

## DOCUMENTS SUBMITTED AT THE INQUIRY

Document	1	Unilateral undertaking dated 26 November 2014, covering letter and Appeal Ref:APP/C3105/A/13/2203995.
Document	2	Opening statement on behalf of Peacebound Limited.
Document	3	Opening submissions on behalf of Horsham District Council.
Document	4	Opening statement by No Crematorium Here Group.
Document	5	Statement of Common Ground.
Document	6	Appellant's note on capacity of existing crematoria.
Document	7	Appeal Ref:APP/Z3825/A/13/2202943.
Document	8	Landscape Character Area 5 Upper Adur Valley.
Document	9	<i>The Siting and Planning of Crematoria</i> Department of Environment 1978.
Document	10	Death Notices Daily Telegraph 25-27 June 2014.
Document	11	West Sussex Deaths and Cremations 1997-2013.
Document	12.1	Eco holiday and ranger centre Development Management Report 2009.
	12.2	Development Management Report 2013.
Document	13	Table of Cremations carried out in the UK 2012 and 2013.
Document	14	Table showing Disposition of Cremated Remains 2012 and 2013.
Document	15	Statement by David Gordon Green.
Document	16	Statement by Mr GJ Martin.
Document	17	Statement by Helen Tinner.
Document	18	Written statement by Di Holman.
Document	19	Statement by Nick Hall.
Document	20	Statement by Charles new.
Document	21	Statement by Peter Kanabus.
Document	22	Statement by David Tidey.
Document	23	50 mph speed limit order dated February 2009.
Document	24	Statement by Colin Wilson.
Document	25	Appellant's notes on Mr Perry's Appendix 6 – Table of Capacity.
Document	26	P&S Gallagher and Bowley's Funerals with a cortege.
Document	27	Appeal Ref:APP/T2405/A/14/2223675.
Document	28	Appeal Ref:APP/B0230/A/12/2184128.
Document	29	Extracts from Worthing Crematorium website including bus information.
Document	30	Location plan for Havant Crematorium.
Document	31	Circular 02/2013 <i>The Strategic Road Network and the Delivery of Sustainable Development</i> , Department for Transport.
Document	32	Aerial photographs of Banbury Crematorium.
Document	33	Extracts from The London Cremation Company website concerning Banbury and Garden of England Crematoria.
Document	34	Transcript of statement by Gordon Swan.
Document	35.1	Suggested planning conditions and comments from NCHG.
	35.2	Revised planning conditions.
Document	36	Minutes for Development Control (South) Committee 17 December 2013.
Document	37	Closing submissions on behalf No Crematorium Here Group.
Document	38	Closing submissions on behalf of Horsham District Council.
Document	39.1	Closing submissions on behalf of Peacebound Limited.
	39.1	<i>Westerleigh Group Limited and SoSCLG</i> [2014] EWHC 4313 (Admin)
Document	40	Application for costs on behalf of the appellant.

CORE DOCUMENTS

CD1/1	Appeal Application Form submitted to PINS (25 March 2014)
CD1/2	LPA Appeal Questionnaire, including supporting documents.
CD1/3	LPA's Statement of Case (3 June 2014)
CD1/4	Appellant's Statement of Case (25 March 2014) (as submitted with the Appeal Application – CD1/1)
CD1/5	Appellant/LPA Draft Statement of Common Ground (as submitted with the Appeal Application – CD1/1)
CD1/6	LPA's Planning Proof of Evidence - James Hutchison, Horsham District Council (November 2014)
CD1/7	LPA's Expert Witness Proof of Evidence - Simon Perry, Beacon Dodsworth Ltd (November 2014)
CD1/8	Appellant's Planning Proof of Evidence - Duncan Neil Parr, Savills (November 2014)
CD1/9	Appellant's Appendices to accompany Planning Proof of Evidence - Duncan Neil Parr, Savills (November 2014)
CD1/10	Appellant's Need Proof of Evidence - Richard Barradell, Goldray Ltd (November 2014)
CD1/11	Appellant's Appendices to accompany Need Proof of Evidence - Richard Barradell, Goldray Ltd (November 2014)
CD1/12	Appellant's User Proof of Evidence - Patrick Gallagher, Peacebound Ltd (November 2014)
CD1/13	Appellant's Appendices to accompany User Proof of Evidence - Patrick Gallagher, Peacebound Ltd (November 2014)
CD1/14	"No Crematorium Here" Rule 6 Party Summary Proof of Evidence - Peter Freeman, Freeman Brothers Funeral Directors (October 2014)
CD1/15	"No Crematorium Here" Rule 6 Party Proof of Evidence - Peter Freeman, Freeman Brothers Funeral Directors (October 2014)
CD1/16	"No Crematorium Here" Basingstoke Crematorium Traffic Survey Data to accompany Proof of Evidence - Peter Freeman, Freeman Brothers Funeral Directors (Nov 2014)
CD1/17	"No Crematorium Here" Transportation Proof of Evidence - Ben Meekings, Project Centre (Nov 2014)
CD1/18	"No Crematorium Here" Appendices to accompany Transportation Proof of Evidence - Ben Meekings, Project Centre (Nov 2014)

CD2 Planning Application Documents

CD2/1	Planning Application (1 June 2012)
CD2/2	Design and Access Statement (May 2012) – Savills
CD2/3	Location Plan – Drawing No 10-01-199 REV C (6 June 2012) – Douglas J P Edwards
CD2/4	Location Plan – Drawing No 10-01-200 REV D (6 June 2012) – Douglas J P Edwards

CD2/5	Block and Site Plan – Drawing No 10-01-201 REV D (6 June 2012) – Douglas J P Edwards
CD2/6	Proposed Section Plan – Drawing No 10-01-202 REV D (6 June 2012) – Douglas J P Edwards
CD2/7	Tree Survey Plan – Drawing No 10-01-197 REV C (6 June 2012) – Douglas J P Edwards
CD2/8	Proposed Section Plan – Drawing No 10-01-198 REV D (6 June 2012) – Douglas J P Edwards
CD2/9	Proposed Roof Plan – Drawing No 10-01-203 REV C (6 June 2012) – Douglas P Edwards
CD2/10	Proposed Ground Floor Plan – Drawing No 10-01-204 REV C (6 June 2012) – Douglas J P Edwards
CD2/11	Proposed First Floor Plan – Drawing No 10-01-208 REV C (6 June 2012) – Douglas J P Edwards
CD2/12	Proposed Elevations East/West – Drawing No 10-01-205 REV C (6 June 2012) – Douglas J P Edwards
CD2/13	Proposed Elevations South/North – Drawing No 10-01-206 REV C (6 June 2012) – Douglas J P Edwards
CD2/14	Proposed Sections Plan – Drawing No 10-01-207 REV C (6 June 2012) – Douglas J P Edwards
CD2/15	Details of Crematory in Crematorium Building Plan – Drawing No 10-01-209 REV C (6 June 2012) – Douglas J P Edwards
CD2/16	Proposed Site/Roof/ Ground Floor Plan – Drawing No 10-01-210 REV D (6 June 2012) – Douglas J P Edwards
CD2/17	3D Views of Courtyard - Drawing No 10-01-225 REV C (6 June 2012) – Douglas J P Edwards
CD2/18	Visualisation – Approach to the Crematorium - Drawing No 10-01-227 (6 June 2012) – Douglas J P Edwards
CD2/19	Access Road Construction Details – Drawing No SK1/P1 (6 June 2012 ) – Douglas J P Edwards
CD2/20	Proposed Parking Layout Plan – Drawing No 10-01-228 REV C (Received 2 July 2013) – Douglas J P Edwards
CD2/21	Phase 1 Investigation (Desk Study) Report (Aug 2009) – Southern Testing
CD2/22	Preliminary Site Investigation Report (July 2010 ) Southern Testing
CD2/23	Proof of Need Report (April 2011 – as updated May 2012) – Peacebound Ltd
CD2/24	Supplementary information in relation to Proof of Need Report – Peacebound Ltd
CD2/25	Planning Statement (May 2012) – Savills
CD2/26	Environmental Impact Assessment & Environmental Statement (April 2011) – Paul Walker Consultancy
CD2/27	Transport Statement (30 March 2012) – Motion Consultants Ltd
CD2/28	Arboricultural Implications Assessment (Sep 2010) – Peter Harris, Landscape Planning Ltd
CD2/29	Landscape Visual Impacts Assessment (Aug 2010) – Landscape Planning Ltd

CD2/30	Measurement of Existing Noise Levels & Assessment of New Plant Machinery Noise Report (10 February 2011) – Pradeep Mistry, Acoustic Associates Sussex Limited
CD2/31	Flood Risk Assessment (Sep 2010) – Gyoury Self Partnership
CD2/32	Site Waste Management Plan - Douglas J P Edwards
CD2/33	Extended Phase 1 Habitat Survey - Landscape Planning Ltd
CD2/34	Reptile & Great Crested Newt Survey Report (Aug2010 ) - Landscape Planning Ltd
CD2/35	Statement of Commitment (13 February 2012) – The London Cremation Company Plc
	Documents Not Part Of Original Application
CD2/36	Design Audit & Covering Letter – Motion Consultants Ltd
CD2/37	Letter to Nicola Mason (with appendices) dated 23 May 2013
CD2/38	Letter to Nicola Mason dated 20 November 2013 - Savills
CD2/39	Letter to Nicola Mason dated 21 November 2013 - Savills
CD/2/40	Ecology Report – Walkover and HIS Re-screening dated 5 December 2012 – Greenlink Ecology
CD2/41	Protected Species Survey and Data Report dated 17 October 2013 - Greenlink Ecology
CD2/42	Response to further Highways queries dated 5 July 2013 (with accompanying sightline plan ref. 80808-09c and January 2013 Automated Traffic Counter data survey results - Motion Consultants Ltd

CD3 Horsham District Council Committee Documents and Decision Letters with Reasons for Refusal (extracts where appropriate)

CD3/1	HDC Decision Letter for extant eco-holiday lodge scheme (Ref: DC/12/1851) and approved site layout plan (12 June 2013)
CD3/2	Officer’s Report to HDC Development Control Committee (20 September 2011) and HDC Decision Letter (6 October 2011) for previous planning application for a crematorium on the appeal site (Ref: DC/11/0783 )
CD3/3	Officer’s Report to HDC Development Control Committee (17 December 2013) and HDC Decision Letter (18 December 2013) of refusal for the application subject to appeal (DC/12/1092)

CD 4 National Planning Policies and Guidance (extracts where appropriate)

CD4/1	National Planning Policy Framework (27 March 2012)
CD4/2	National Planning Practice Guidance (March 2014)

CD5 Guidance, Circulars, Regulations and Acts (extracts where appropriate)

CD5/1	The Siting and Design of Crematoria – DoE Guidance LG1/232/36 (1978)
CD5/2	Cremation Act 1902
CD5/3	Cremation Act 1952

CD6 Horsham District Council Local Planning Policies and Guidance

CD6/1	HDC Core Strategy (February 2007)
CD6/2	HDC Proposals Map (2007)
CD6/3	HDC General Development Control Policies (December 2007)
CD6/4	Horsham District Planning Framework Preferred Strategy (July 2013)
CD6/5	HDC Planning Obligations SPD (June 2007)
CD6/6	Horsham District Planning Framework Proposed Submission (May 2014)

PLANS

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