

Email only

October 7, 2020

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Dear Andy

Outline Planning 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. Turners Hill Burial Ground, Turners Hill Road, Turners Hill, RH10 4PB Reference DM/20/2877

I refer to the letter of 29/09/20 from Clyde & Co submitted in objection to the above application. I set out below a rebuttal to the objection.

CMA Funerals Market Investigation (CMA Report)

Given the relatively small number of operators in the cremation market, rivalry between operators is highly apparent in the consideration of planning applications across the country as new operators are challenging the virtually monopolised, dominant positions of the more established operators.

The provisional decision report of the Competitions and Market Authority dated 13 August 2020 supports this analysis.¹ The report concluded that

"We therefore provisionally conclude that the markets for funeral director services at the point of need and crematoria services are not functioning well."

The report looks at factors which distort competition and found a number of factors are relevant and I highlight two issues from the report

- (d) *High barriers to entry in the supply of crematoria services*
- (e) *High levels of local concentration in the supply of crematoria services.*

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https://assets.publishing.service.gov.uk/media/5f33c62b8fa8f57acebf6845/Funerals_Provisional_decision_report_120820.pdf

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The report also considers why this is the case and found:

“On the crematoria side, in addition to lack of competitive constraints arising from customers’ tendency to choose a crematorium on the basis of location or familiarity, there are two significant barriers to entry by new crematoria, which have contributed to the high level of concentration of the sector: the planning regime, and the high sunk and fixed costs associated with the opening and operation of a crematorium

As a result, today, crematoria are generally few and far between. Many people have ready access to only one local crematorium, and few have access to more than three. We have therefore found that competition is very muted here as well.”

The objection submitted on behalf of Dignity must be viewed in this context. It is clear that it is in their interest to suppress the supply of alternatives given the conclusions above and it should be noted that amongst other findings the report concluded *“that the two largest funeral directors Co-op and Dignity, account for 30% of branches and are often significantly more expensive (which we estimate to be by approximately £800 and £1,400 respectively).”* Given the vast majority (78% of deceased) are cremated as set out in the report, it is not surprising that Dignity would choose to robustly challenge a potential market operator who would inevitably compete with their established unchallenged market position in this area.

Planning History

Clyde & Co question the planning history and reliance on fallback. Case law establishes the test for fall-back. This was set out in the Planning Statement and does not need to be repeated.

The objectors make particular observations on three applications and I comment in response below.

a) DM/15/1035 The work to construct the car park and access for application have secured the implementation of this application. This has been confirmed as lawfully implemented by the Council.

b) DM/17/1167- this established the acceptability of a built facility for services to support the operation of the consent for natural burial. This establishes that the development of such a community facility was considered sustainable development to overcome the normal policy objections on this site.

c)DM/18/0677 – as above this consent confirms the acceptability of a built facility for services to support the operation of the consent for natural burial. This establishes that the development of such a community facility was considered sustainable development to overcome the normal policy objections on this site. The pre-commencement conditions have been discharged, and implementation of this proposal will proceed before the permission expires on 21 May 2021, although it is hoped that this application will be consented and proceeding instead.

Planning Policy Interpretation

The objection letter sets out a planning policy interpretation that is misguided. The Mid Sussex District Plan of course is the key development plan document, but each of the policies must be examined in the context of the degree to which they are consistent with the framework. It is not appropriate to simply assert as Clyde & Co do *“it is up to date in all material respects”* without examining each policy (and post-adoption events such as a demonstration of need for a new community facility) and then considering them as a basket of policies against which the development is judged.

Furthermore, Clyde & Co suggest that a countryside location is not necessary without any evidence to show how suitable alternative sites within an urban area can be secured given the limitation of the 1902 Cremation Act which generally precludes built up areas. It is noted that neither Dignity nor Clyde & Co put forward some alternative location, no doubt reflecting the anti-competitive purpose of their objection letter.

DPI6 is not engaged – despite some significant confusion in the County Landscape Architect’s response there would appear to be agreement that there is no adverse effect on the essential characteristics or views in and out of AONB

DP25 is engaged. It is clear from the CMA report that funerals play a crucial role in society as they fulfil critical social, psychological and (for many) religious functions, thereby the crematorium forms an important part of sustainable development of communities and society more generally. I explain further below why the Site is a sustainable location for this development, but in short, the Site is already consented as a natural burial site, together with a chapel (c11m above FFL to ridge), other buildings and c45 parking spaces, and the proposed use is consistent with this establishment of principle. Further, the Site brings over 43,000 people into a 30-minute catchment for the first time, and will alleviate manifest over-trading at (in particular) the Surrey & Sussex crematorium operated by Dignity.

DP26 – The objectors have chosen to emphasise the policy requiring well designed development. This is of course relevant but given the Council have complete control over design as a reserved matter there is no conflict with this policy, nor will there be.

DP37 – The objectors have included this policy without any particular reference to it. Whilst we agree it is relevant there is no conflict with this policy.

The reliance on the NDP in particular is erroneous, the key policies in relation to this application are out of date, this is discussed below, although many of the matters arising are clearly addressed in the Planning Statement, to which the Council is referred.

NPPF

Clyde & Co attempt to seek support from the NPPF to support their objection. They underline the sections of paragraph 84 that support this proposal namely that this serves a community need. It is by virtue of other legislation that it must be located beyond an existing settlement. This is what Dignity has argued on (no doubt) countless occasions when promoting a new greenfield crematorium – the Essington case (cited in Mr Mitchell’s report) being a key example.

The objector cites Paragraph 170 – and highlights ‘valued landscape’. However, as discussed in my previous letter this is not a valued landscape in the terms set out in the NPPF and the County Landscape Architect has confirmed that this is the case. It is a mark of the anti-competitive nature of Clyde & Co’s letter that the Site is asserted to be “valued landscape”, without any analysis, explanation or expert landscape input, and apparently ignoring the common ground on this issue with Ms Pullan.

Paragraph 172 – the objector highlights the NPPF protection of the AONB. However, as discussed previously the site is outside the AONB and this paragraph of the NPPF is therefore not engaged in the determination of this application. Further, as the LVIA makes clear, there will be no impact on views from the AONB towards the Site during summer, and at most glimpses in winter while new planting grows in. Views of the approved chapel (which is higher to ridge, and closer to the AONB) will be more extensive, but even these were described by the Inspector for appeal 3179872 as not material.

Consistency with NPPF

Local Plan

While Clyde & Co seek to take issue with arguments more fully explained in the Planning Statement regarding the weight to be attached to individual policies, the most striking point about their letter is that nowhere is it disputed that, if a need for the proposal is established, this would not in principle outweigh any alleged policy conflict.

At 4.3 of Clyde & Co’s letter, it is suggested that the applicant claims that the fact the local plan is silent on the provision of crematoria does not evidence inconsistency with the NPPF. This is a “Aunt Sally” argument. Indeed, that is not the applicant’s assertion. It is the introduction of the need for a crematorium which is a new material factor that renders the policy out of date and thereby introduces a new material consideration to be judged in the balance with the policies of the relevant development plans.

At 4.4 of the Clyde & Co letter, it is suggested that the positive wording in other policies is equivalent to the exceptions now required by NPPF84. This is not the case. Policy DPI2 restricting countryside development does

not contain the now required acceptance that development beyond settlement boundaries can and will be acceptable. It is the lack of a positive policy in this regard that acknowledges exceptions outside settlements that renders the policy out of date. See the Planning Statement at paragraph 6.19.

At 4.5 Clyde & Co suggest that the applicant fails to articulate why the policy is inconsistent with the NPPF. The application makes it very clear at 6.22 of the supporting planning statement.

The applicant contends that the objectors' interpretation of DP13 is totally wrong. Clyde & Co claim that this policy is engaged as the site is located within the strategic gap in the NDP and the emerging plan Sites Allocation Document. There is no longer a policy in the adopted development plan for a strategic gap.

The so called 'strategic gap' in the Neighbourhood Plan relied on the former policy C2 of the expired Mid Sussex District Council Local plan. When the 2018 Local Plan was adopted this policy was superseded by DP13. It can no longer apply to the site.

DP13 requires an exercise by the NDP process to assess 'Local Gaps' not 'Strategic Gaps'. The Turner's Hill neighbourhood plan has not carried out that exercise and it has not provided the evidence required in policy DP13 that must demonstrate that existing local and national policies cannot provide the necessary protection. See Planning Statement, paragraphs 6.20-6.22 and 6.42.

No weight can be afforded to the emerging policy map, the reason for this is that there is an outstanding objection to this policy duly made by Hartmires Investments Ltd. The strategic gap annotation in the emerging plan is most probably a drafting error that has failed to be corrected as there is no evidence to support it in any part of the emerging plan evidence base.

There is no strategic gap policy within the relevant development plans for consideration of this application.

Conflict with Policy

Comments on landscape / countryside impact are made below.

At 4.9 (ii) Clyde & Co-suggest that the attempt to find support in policy DP 25 is hopeless. Clearly this is in marked contrast with the findings of the CMA report set out above and the fact that faith communities that are not well represented in traditional crematoria such as at Surrey and Sussex have written in support of a facility that would support the diverse types of funeral in a modern multicultural society.

It is clear that the Surrey and Sussex Crematorium does not meet the complete needs of the community. Further, the evidence clearly establishes that it has exceeded its practical capacity (let alone the 80% of practical capacity benchmark which Dignity argued to the Secretary of State in the Essington appeals was the point after which qualitative concerns arise). (These matters are further considered in Appendix A to this letter which contains a Note from Peter Mitchell.) In addition, the need for this crematorium is drawn from a wider area that has not been considered by the objectors.

Neighbourhood Plan

At 4.12 the objectors suggest various reasons for the application being contrary to the neighbourhood plan. These reasons are all made in error.

a) whilst the site is not allocated for development it has planning permission for natural burials, a chapel, a reception building, a maintenance building, and a carpark. These are significant material considerations that override the lack of a site allocation.

b) there is no evidence for an unacceptable detrimental impact on landscape sensitivity in the long term over and above that already consented

c) the County landscape architect has accepted that visual impact will be very localised, and restricted to the local area. The applicant's expert assessment has demonstrated that there is very limited detrimental impact on the sensitivity of the area of outstanding natural beauty

d) the Site is not located within a strategic gap, and the scheme will not contribute to coalescence (whether when compared with the Fallback or otherwise). This policy was superseded, and the NDP policy is inconsistent with the Local Plan which takes precedence given its more recent adoption (see above).

Fallback

Section C of the objection letter considers fallback: however, the objectors show a complete misunderstanding to the concept a 'fall back' in planning decisions.

The objectors are wrong to compare footprints as this is not a reasonable metric to consider the relative impact of the proposals. A better metric would be to consider volume, as this is the three-dimensional quantum which shows the relative impact of built form as it considers scale. However, this alone is insufficient as the relative position of buildings and the extent of landscape mitigation are necessary considerations in comparing impacts.

The best illustration of this is in the cross-section drawing numbered 917-MP-05B. This demonstrates how this proposal compares to the fallback in that it is a lower building set further down the slope and away from the boundary with the area of outstanding natural beauty.

The objector's contention that the proposal would cause far more harm than the fallback including the introduction of a new use is misguided. The detailed assessment in the landscape and visual impact appraisal has demonstrated this (discussed below). In addition, the new use is an extension to the funeral services already permitted on this site, rather than a new use in its entirety.

Impacts on footpath 68W are not materially different when comparing the proposal to the Fallback. It makes no sensible difference that the crematorium may be somewhat wider, though less high to ridge, and in both scenarios views of built development will be obscured in just a few years when the new planting grows in.

“Unsubstantiated” Need Case?

The objector suggests that they speak authoritatively about need for crematorium services based on the operation of the Surrey and Sussex crematorium and the Downs crematorium however they have not examined need in a fair and balanced manner. As evidenced from the CMA report competition between crematoria is muted as a result of a lack of supply and choice.

A fuller assessment by the independent need expert Peter Mitchell of section D of the letter is included below as appendix A.

This demonstrates a fundamental misunderstanding by Clyde & Co and manipulation of their stated case by using total (technical) capacity rather than practical/ core capacity. In addition, the objectors are entirely silent on the qualitative elements to the need case. Indeed, this is a powerful part of the need case for the current proposal.

Alternative Sites

There is generally no requirement in policy or planning law to consider alternative sites. See **Trusthouse Forte Hotels Ltd v SSE** [1986] 53 P&CR 293.

The consideration of alternative sites would take place if the site was within greenbelt where there needs to be demonstration of exceptional circumstances that are fully evidenced and justified to overcome the greenbelt requirement. Additionally, if the site is located within flood zone two or three sequential test would be necessary to consider alternative sites.

This proposal is not in greenbelt and is not within flood zone two or three therefore there is no requirement to assess alternative sites.

Be that as it may, the applicant did make an assessment of alternative sites. This exercise was considered within Turner's Hill and this is explained in Appendix B to the planning statement. This was completed to satisfy Policy THP8 of the Turner's Hill neighbourhood plan, and whilst acknowledging that the policy had limited weight, the applicant nevertheless included an assessment of suitable sites for the proposed use in line with the policy. The

SHLEAA 2018 strategic housing economic land availability assessment 2018 was used as a basis of the most up-to-date public data on possible alternatives. The table in appendix B considered alternative sites within Turner's Hill and found no other suitable site. The contention of the objectors no alternative assessment was completed is patently incorrect.

At 4.29 of the objector's letter they suggest that it is incumbent on the Council to ensure that if there is a need for the development it is necessary to secure a sustainable location. This location has been chosen for its sustainable credentials. In particular it has avoided the need to develop within the High Weald area of outstanding natural beauty and to avoid impacts on the Ashdown Forest SPA. In addition, given that the site was already deemed as suitable for a chapel and for natural burial and given its confirmed and assessed suitability for funerals through previous planning assessments it must be then also be sustainable location for additional services to provide a wider choice of funerals for the local community. As you are aware, there is no highways objection from the relevant statutory consultee, whether on sustainability grounds or otherwise.

Landscape Impacts

In terms of landscape and visual impacts the applicant's landscape architects have prepared a thorough and impartial assessment of the effects on the visual resource, and on the character of the surrounding landscape.

Whilst the objector's letter in Section F only refers to "Landscape Impact", the LVIA demonstrates that both landscape and visual effects of the proposed development would be very limited.

It is disingenuous to suggest that some landscape and visual effects would not occur as a consequence of development, and any landscape consultant suggesting otherwise would not be making a fair and balanced assessment, however, as set out in paragraph 1.4.8 of the LVIA "*it is important to bear in mind that some Landscape and Visual effects are an almost inevitable consequence of development [and] It is up to the decision makers (in this case Mid Sussex District Council's Planning Department) to consider any adverse effects identified in the context of beneficial effects that may also exist in other areas (in this case the provision of needed crematoria facilities) and to strike a balance in making a decision on the application.*" In addition it is not appropriate for the planning authority to consider individual policies in total isolation as suggested by Clyde & Co.

The applicant does not contend that no adverse effects would occur as a consequence of the development, but in this case both the effects on landscape character and visual effects would be extremely small. As set out in the conclusions of the LVIA:

Whilst the significance of effect on overall landscape character has been judged to be a "moderate adverse effect in the short term falling to a slight adverse effect the medium to longer term", the "comprehensive mitigation planting proposed would ensure that the proposals would integrate effectively into their surroundings, responding to both the existing natural burial use and to the surrounding woodlands, and would not undermine the rural character of the surrounding countryside." (LVIA para 9.2.4).

and

Visual effects on receptors (people) in the surrounding landscape would be "contained within a very small area of the surrounding countryside" (para 9.3.1); "the only long term effects [from the public domain] 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 9.3.7); and 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." (para 9.3.14).

In terms of effects on the High Weald AONB the LVIA demonstrates that visual effects on receptors (people) in the AONB would be limited to short term moderate adverse effects from Viewpoint 11 (on the AONB's northern boundary opposite the Site's southwestern corner), and short to medium term slight adverse effects in winter (only) from viewpoint 12 (on footpath 69VV just south of the northern boundary); and concludes that "effects on the wider AONB are so minimal as to be considered negligible" (para 9.3.8).

In terms of the fall-back position Section 10 of the LVIA has compared the existing approvals with the current proposals and at paragraph 10.3.2 highlighted broad differences in visual terms; and any differences in the effects

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on the 20 or so landscape receptors considered in the assessment. Paragraph 10.3.3 and 10.3.4 then conclude as follows:

“Overall the effects on landscape character would be very similar. Both the crematorium and chapel proposals would result in some short to mid-term adverse effects on both visual receptors and on landscape character, but the geographical extent of these is extremely small, would have negligible effects on the adjacent AONB, and in the long term these effects would be largely dissipated as the proposed planting matures.

Although the crematorium proposals would involve a larger building on plan, a larger area of parking and more vehicular movements, over time both proposals would integrate effectively into their surroundings, and neither would undermine the rural character of the surrounding countryside.”

The suggestion at paragraph 4.45 the visual impacts of the proposal are difficult to assess as the application is in outline is contested. The clear scale parameters set the defined limits of built development and all other matters are entirely within the control of the Council through the reserved matters application. Planning conditions will limit activity to levels consistent with the type of operation, the previous consents and the location.

Conclusion

Despite the lengthy and detailed objection by Clyde & Co, this rebuttal shows that there is no substance to the claims and indeed has shown numerous errors that have been made on behalf of Dignity as set out in detail above. In reporting this objection, we trust you will also reference this rebuttal in your report.

Yours sincerely

Lisa Jackson MA BSc MRTPI

Appendix A

Rebuttal of Need Assessment Criticism -Peter Mitchell Associates

Response to Clyde & Co letter on behalf of Dignity, dated 29/9/2020.

1.1 Clyde & Co have sent a letter objecting to the proposed Turners Hill Crematorium. They represent Dignity Funerals Ltd, who operate Surrey and Sussex Crematorium at Crawley and The Downs Crematorium at Brighton. Dignity Funerals Ltd are not a statutory consultee, but crematorium operators whose business would be affected by the development of a new crematorium at Turners Hill.

1.2 Before commenting on some of the specifics of the Clyde & Co letter, it is convenient to draw attention to some of the many aspects of my Crematorium Need Assessment which are not disputed (and which must presumably be taken as agreed):

- There is no dispute by Clyde & Co that the key question on quantitative need is to assess whether a crematorium is exceeding 80% of practical capacity both on average and in particular during the peak month. It is not surprising this is agreed, as Dignity has advocated this approach in planning appeals, for example at Essington.
- There is no contradiction of my projections for future deaths either nationally (Figures 5 and 6) or locally (Figure 12), all of which show significant increases in the medium term.
- My analysis on Qualitative need in the local area is not questioned. There is no dispute about the evidence I have summarised relating to 3+ week delays, with 44% of cases waiting longer.
- The relevance in principle of the 30 minute drive time (at cortege speeds) is not questioned as the starting-point.
- It is not in dispute that weekend slots, even if theoretically available, are rarely used.

- 1.3 In paragraph 4.23 of their letter, Clyde & Co dispute my paragraph 1.2 (and 8.35) in my Crematorium Need Assessment, which states that 43,532 people would be brought within 30-minutes' drive-time of a crematorium for the first time. Clyde & Co offer no reasons or justification for disputing the 43,532 figure. To be clear, I derived this figure of 43,532 people from the data illustrated in Figure 22 of my report, showing the variation between Scenarios 1 and 2, i.e. the existing situation and the development of Turners Hill Crematorium.
- 1.4 My Figure 20 illustrates that Surrey & Sussex Crematorium currently has 281,988 people living within its 30-minute drive-time catchment. Figure 21 illustrates that, if Turners Hill Crematorium were developed, the population living within the 30-minute drive-time catchment of the Surrey & Sussex Crematorium would decrease to 237,215, a difference of 44,779. These people would find themselves living closer to Turners Hill Crematorium than to the Surrey and Sussex Crematorium.
- 1.5 Turners Hill would have a total of 88,305 people living within its 30-minute drive-time catchment. However, 44,779 of these people currently live within the 30-minute drive-time catchment of the Surrey & Sussex Crematorium.
- 1.6 Therefore, out of a total of 88,305 people living within the 30-minute drive-time catchment of Turners Hill Crematorium, 43,532 people would be brought within 30-minutes' drive-time of a crematorium for the first time. These people do not currently live within the 30-minute drive-time catchment of any existing crematorium, including the Surrey & Sussex Crematorium.
- 1.7 Figure 22 illustrates that Turners Hill Crematorium would not impact at all upon the 30-minute drive-time catchment populations of any other existing crematoria, only that of Surrey & Sussex Crematorium. This further demonstrates that the other crematoria are not especially relevant, as there

would be no substantial competition with a new Turners Hill Crematorium (at least in locational terms).

1.8 Clyde & Co's paragraph 4.25 disputes my approach and calculations for the capacity levels at Surrey and Sussex and The Downs crematoria. Clyde & Co have, presumably deliberately, provided very little data and no detailed breakdowns. They have focused on "theoretical capacity" percentages, and only made passing reference to "practical capacity" notwithstanding that (as Dignity have argued elsewhere), the key question is to assess whether "practical capacity" (both on average and in the peak month) is exceeding 80%. If so, qualitative difficulties will follow. It is not clear to me why Clyde & Co have elected to provide figures for 2018 and 2019 only (when my Assessment considered the period 2016 – 2019) – I infer that this was regarded as allowing Dignity to present a more favourable position. Although Clyde & Co are not specific, I proceed to address their figures on the basis that direct cremations and weekend slots are all excluded from their calculations (as from mine).

1.9 **Surrey & Sussex crematorium.** I have sourced my figures for numbers of cremations from detailed national data, reported by all UK crematoria and published annually by the Cremation Society of Great Britain. As far as I am aware, these figures remain reliable. For Surrey & Sussex crematorium, the figures for cremations (excluding direct cremations) are (my Figure 38) 3027 and 2841 for 2018 and 2019 respectively. On the basis (as supported by my Figure 37) that the two chapels have equal capacity, Clyde & Co refer to theoretical capacity achieved of 52.5% $(48+57/2)$ and 50% $(43+57/2)$ for 2018 and 2019 respectively. As we know (see above) the number of cremations, this indicates that Dignity take into account around 5700 slots, a little over 10% higher than my assumptions and based (presumably) on more detailed information as to the availability of non-core slots (ie, late or early). Fundamentally, though, core slot availability does not change, being 7 a day in each chapel (my Figure 37). In consequence, there is nothing in Clyde & Co's

letter which undermines the analysis in my Figure 38 to the effect that average “practical capacity” over the last 4 years is at 85% and peak month “practical capacity” in this period is 108%.

1.10 Further, for Surrey & Sussex Crematorium, Clyde & Co have indicated that one chapel is materially more “popular” than the other. The more popular chapel is used for 55%-57% of cremations. This is only a little different from the 60/40 split I considered in my Assessment (Figure 39), and adjustments to reflect the actual split would not show a materially different picture than Figure 39 in terms of worse average and peak month practical capacity percentages for the more “popular” chapel.

1.11 Clyde & Co state that they “dispute” the 2043 projection shown at my Figure 41, but no reasoning is advanced in support of this disagreement.

1.12 In short, nothing in Clyde & Co’s letter regarding Surrey & Sussex crematorium, or its careful presentation under guise of “theoretical capacity” figures, changes the position clearly articulated in my Crematorium Need Assessment, that the Surrey & Sussex crematorium is already overtrading, in particular in “peak months”, and the significant additional local needs projected to arise in this area over the medium term will plainly make matters worse.

1.13 The Downs crematorium is one of two in Brighton. The isochrones and my Figure 22 (as already observed above) indicate that the Turners Hill crematorium will not materially compete with it, and in truth it therefore has little present relevance. However, for what it is worth, I comment on Clyde & Co’s observations:

- The figures attributed to me are not correct. These are the figures in my original Figure 48, but the numbers given for actual cremations was (as a result of a spreadsheet error) wrong. The corrected position was set out in the Errata Sheet, pages 4 and 5.

- As above, the figures for actual cremations are derived from nationally published data, and so far as I am aware remain correct. Utilising such figures, and Clyde's reference to a 56% theoretical capacity figure for 2018 and 2019 suggests that there are around 2160 slots at The Downs. This allows for a further important comment. The Downs has two chapels – pictured at p92 of my Assessment – one of which is very much smaller than the other. Unlike with Surrey & Sussex crematorium, Clyde & Co has deliberately chosen not to present a breakdown between the two chapels. It would appear that it is one of the chapels (presumably the “Main” chapel) where the vast bulks of the theoretical slots are available. This can be inferred from the fact that there are 2160 theoretical slots at the Downs, and not the substantially greater figure I had extrapolated (see my Figure 47, and used in the Errata Sheet). Once again, however, the point can be made that core slots in the most used chapel will not be any greater than shown on my Figure 47. It is inevitable that the more popular chapel will have a very high average and peak month “practical capacity” use percentage.

1.14 Clyde & Co do not comment on my analysis of Woodvale or Kent & Sussex crematoria. The figures summarised at Figures 56 and 57 of the Errata Sheet summarise the position here, worsening over-trading at both when the key measures of average and peak month practical capacity are considered, in particular taking into account an unequal share of funerals per chapel.

1.15 In summary, the evidence clearly establishing a quantitative need for a new crematorium at Turners Hill. There is or will be significant over-trading at the crematoria considered in my Assessment, most importantly at Surrey & Sussex crematorium. Despite the selective offering of theoretical capacity figures in Clyde & Co's letter, on proper analysis that letter supports my overall conclusions.

- 1.16 I am pleased to note the support for the need for the new crematorium expressed within comments upon the Planning Application made by members of the general public and by faith groups. Over 60 representation letters have been submitted and, as one would naturally expect, a significant number of people strongly object to the new crematorium. However, a significant proportion of those writing representation letters support the application and they recognise the need for this development and the extension of community facilities.
- 1.17 I understand Dignity's concerns about the threat posed to their business at the Surrey and Sussex Crematorium by a potential new Turners Hill Crematorium. However, I consider that my independent Crematorium Need Assessment report dated August 2020 (corrected in the Errata Sheet) does demonstrate a quantitative and qualitative need for the new crematorium to meet both current and future projected levels of demand for cremation funerals.
- 1.18 I do not regard Clyde & Co's comments as undermining my report in any way. I note they focused upon quantitative need and made no attempt to discredit my analysis of qualitative need for the new Turners Hill Crematorium.

Peter Mitchell

7/10/2020