

Email only – Copies Nick Rogers, Sally Blomfield, Jennifer Bale

November 19, 2020

Andy Watt  
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RH16 QSS



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 -Landscape Matters**

I write in response to the report by Beacon Dodsworth with regard to the critique of the Need Assessment by Peter Mitchell Associates (PMA) and the counter statement by Clyde & Co on behalf of Dignity Funerals Ltd.

**Assessment**

The Beacon Dodsworth critique confirms that there is a need for additional Crematorium capacity, and that the application proposal will largely serve Mid Sussex. The Beacon Dodsworth report is entirely supportive of the need case for the above application. In summary the report confirms:

- No substantive disagreement- there is an acknowledged quantitative need for additional crematorium capacity to serve Mid Sussex.
- The assessment does not support the objection by Clyde & Co on behalf of Dignity Funerals Ltd, and it demonstrates (see the 2019 calculations on page 19) that Surrey & Sussex Crematorium is already over-trading on accepted measures, a position which is bound to worsen with increasing numbers of deaths in years to come.
- The modelling for journey times has used a different methodology, but has reached broadly the same conclusions (slightly more favourable than the applicant's case).
- The report does not demonstrate any material flaw in the need case made by applicants that would lead to a different conclusion.

## **Limitations**

Whilst helpful in some regards the Beacon Dodsworth report, it is fair to point out, is limited in its scope in other regards:

- It did not consider the Jackson Planning Rebuttal to Clyde & Co objection dated 7 October 2020 which is available on the application file.
- It did not seek to identify any alternative site or the scope for additional capacity at existing facilities, so makes no assertion that alternative capacity is available
- At no point in the assessment is there any evaluation or commentary of qualitative need or issues of quantitative need arising from qualitative issues. The questions posed at 10.5 (page 17) about other choices demonstrate a misunderstanding of the assessment of need in the present context, or the manner in which certain quantitative issues inevitably lead to qualitative deficiencies. Similarly, the comment on 9.49 (page 17) referring to use of peak month figures as “extreme” is a mischaracterisation of the applicant’s case and decided appeals (which are both to the effect that core capacity in both peak and average months are the fundamental indicators to consider). These passages also fail to take into account Dignity’s own approach, to the effect that the key measures to assess are core capacity in both peak and average months - see our 7 October 2020 letter. We believe these comments arise largely as a result of the particular expertise of the report’s author (general data analytics).

## **Speed of Funeral Traffic**

We are somewhat bemused by this assessment as it is a discussion that does not reflect the now well established ‘rule of thumb’(through planning appeals and case law) where 60% of normal speeds are consistently relied upon as the necessary speed for drivetime catchment to support need cases for crematoria.

The Vectos software used for the PMA report already reduces the travel speeds of some roads depending on the real-time information. Therefore, this eliminates the risk of limiting speeds by plotting via distance, this would produce an average fluctuation across all road types. Our model is more sophisticated than implied by the critique.

For what it’s worth, our modelling using Lower Super Output Areas eliminates any overlapping. This is achieved using centroid catchment; therefore, our analysis would probably be considered conservative in comparison to using an overlapping methodology using the Output Areas.

In addition, we would add that our assessments have proven in large measure to be under-assessments of population in the drivetime catchments using the approach canvassed by Beacon Dodsworth, which further underpins the need case of the applicants. It is perhaps unnecessary to say more about the minutiae of two different statistical modelling exercises, the outputs of which essentially agree.

The Beacon Dodsworth critique confirms that substantial additional population is brought into a 30 minute catchment for the first time, and that substantial population will live nearer to the application site than to any other crematorium – see 8.35-6 (page 15). This is all in the context of proven over-trading at the Surrey & Sussex Crematorium, using the accepted measures to judge this question and existing “throughput”. Further, the Beacon Dodsworth report confirms that the drivetime catchment generates enough deaths to justify the development of an additional Crematorium – see figures 21 and 22 (again, using current numbers of deaths and not factoring in increased death rates, per ONS projections).

### **Office of National Statistics Data (ONS)**

We fail to understand why the author appears to question the use of official statistics governed by the Code of Practice by the Office for Statistics Regulation<sup>1</sup>. In particular, the code advises that: *“Official statistics are an essential public asset. They provide a window on society, the economy and on the work and performance of government. They are fundamental to the judgements and decisions made by the public, by government and by an enormous range of other organisations”*. The report goes on to say: *“Government statistics produced in compliance with this Code are called “official statistics”*.

There can be no basis for questioning the reliance of ONS data which is produced in accordance with the code and would be considered official statistics.

For the avoidance of doubt the PMA report uses Standard Data from the ONS. This is good practice in preparing projections for town planning purposes as evidenced by use of ONS data in household projections, which form the basis of standard method for strategic policy making as identified in NPPF60.

We believe that the use of standard ONS data is an entirely reasonable approach and shows a fair and pragmatic assessment of need.

### **Peak Months**

As already noted, the suggestion by Beacon Dodsworth that it is ‘extreme’ to use the peak month to calculate capacity measures demonstrates a misunderstanding of the qualitative need case. In the Essington appeal decision<sup>2</sup> referenced in the PMA report, the Inspector stated that a crematorium operating above 80% of its practical capacity makes it difficult to offer a cremation service that meets an acceptable quantitative standard. He commented: *“need is not simply demonstrated by a blackletter calculation ... qualitative issues are a manifestation of quantitative deficiencies”*

### **Qualitative Need**

We have demonstrated above that the assessment has not addressed qualitative need, this is a critical part of any need case and it is not appropriate to set this aside given the interconnection of the two parts of the need case as expressed succinctly in the Essington appeal, where the Inspector described that where issues arise from qualitative need as being ‘clearly deficient given the sensitives which surround the grieving process.’ Letters from local residents in support of the application have echoed the problem with wait time for funerals.

Support from faith communities also speak to qualitative need and the ability for a new facility to appeal to all faiths rather than the more traditional overtly ‘church’ like facilities that currently serve the local population.

### **Alternatives**

The applicant was not duty bound to consider alternatives<sup>3</sup> the site is not in Green Belt and does not require very special circumstances, neither is it necessary to carry out a sequential test to consider all other alternatives and in particular they are not required to consider whether expansion at existing facilities would be more achievable, let alone appropriate.

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<sup>1</sup> Office for Statistics Regulation *Code of Practice for Statistics* Edition 2.0 February 2018

<sup>2</sup> APP/C3430/W/15/3039163 Land off Broad Lane, Essington, South Staffordshire para 215

<sup>3</sup> See *Trusthouse Forte Hotels Ltd v SSE* [1986] 53 P&CR 293.

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We have considered the theoretical possibility that Surrey and Sussex Crematorium could expand at its existing site because Beacon Dodsworth do not examine it. We have found this to be misleading and wholly unrealistic, as expansion is not possible at the site. A planning report by Crawley Borough Council into an application for a single storey side extension in 2009 at the site confirmed in the delegated report (planning reference CR/2009/0328/FUL) “*The site is surrounded by ancient wood land.*” The site is further constrained by access roads and memorials and buried ashes that completely surround the existing buildings. There is no scope for a further chapel with sufficient car parking, circulation and servicing without seriously impacting on the qualitative service provided by the existing two chapels at the site and it would lead to unacceptable congestion and confusion.

Further, there is no available evidence of a more suitable site elsewhere which is capable of meeting the relevant need as set out in our application. The application documents explain why locational requirements of the Crematorium Act make a new urban site unrealistic, and in any event, there is no suitable and available previously developed site. A scheme such as this must (as Inspectors and the Secretary of State have accepted in past crematorium cases) come forward outside settlement boundaries.

We would respectfully suggest that the application site is the perfect location to meet the relevant need, not just in terms of the population that would be served and the absence of any development control issue being identified during the consultation exercise; but also because the site has been consented for broadly comparable uses, can come forward without (as is agreed) any material off-site landscape/visual impact, and where on-site impacts are not fundamentally different than the “fall-back” position and can in any event be satisfactorily mitigated in a short period.

## **Conclusion**

Despite different methodologies one of the main conclusions from Beacon Dodsworth that is critical to this application is that their analysis shows that 122,234 people live closer to Turners Hill than any other crematorium, this is very close to the PMA assessment that puts this figure at 122,916 people. This underpins the quantitative need for the development, given current journey times to the alternatives and this would bring about a significant qualitative improvement to all 120,000+ people. This is all entirely consistent with Policy DP25 and offers a sustainable solution to a community need in Mid Sussex.

The objection by Dignity Funerals Ltd has not been verified by the critique by Beacon Dodsworth. Our assessment in our letter of 7 October 2020 stands.

I hope this response is helpful to you in further supporting the clear qualitative and quantitative need for the development. If you need any further help with interpretation of our case in the light of the critique we would be happy to attend a virtual meeting to discuss this.

Yours sincerely

Lisa Jackson MA BSc MRTPI