

Town and Country Planning Act 1990

Section 78 Appeal

CD 8.1

Proof of Evidence on Landscape and Visual Matters

Produced by Stuart Ryder BA (Hons) CMLI
on behalf of Mid-Sussex District Council.

April 2021

Appellant: Hartmires Investment Ltd

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

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

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



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Illustrations in LVIA Appendix B and bound separately

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1.0 Introduction, Authorship and Instruction

- 1.1 My name is Stuart Ryder and I am a Chartered Landscape Architect and Director of Ryder Landscape Consultants Ltd (RLC). I have been a Chartered Member of the Landscape Institute since 1995.
- 1.2 I hold an Honours Degree and Post Graduate Diploma with Distinction in Landscape Architecture from Leeds Metropolitan University and I have been working in private practice since 1993 completing numerous Landscape and Visual Impact Assessments (LVIA) and design proposals for housing, commercial, mixed use and major infrastructure schemes.
- 1.3 During my career I have been seconded into a Development Control Team of a Local Authority and into the Environment Agency National Environmental Advisory Service.
- 1.4 I have sat on the Landscape Institute's Technical Committee reviewing and guiding technical matters that affect the wider profession. I also mentor and examine Graduate Landscape Architects as they progress along the Landscape Institute's Pathway to Chartership process. Other education work has included being a visiting lecturer to the Landscape Architecture Department at Manchester Metropolitan University.
- 1.5 I have sat on the North East Design Review Panel and written design guidance documents for the Environment Agency including their Landscape and Environmental Design Guide and their Access for All Guide. I am also the author of Chapter 5 of Defra's current Fluvial Design Guide that addresses the topics of landscape and heritage.
- 1.6 I have prepared proposals for new crematoria of this scale and for the refurbishment of others and cemeteries. I have acted as an Expert Landscape Witness at Planning Inquiries, providing evidence on landscape, visual and land management matters.
- 1.7 I have been appointed by Mid-Sussex District Council (hereafter referred to as MSDC) to produce evidence for this Inquiry. After satisfying myself of the nature of the application, the applicable Reason for Refusal (RfR) and character of the Site, I accepted the commission to produce this Proof and an associated Landscape and Visual Impact Assessment (LVIA).
- 1.8 I confine my evidence to landscape and visual matters. My evidence should be read in conjunction with that of Mr Andy Watt who provides evidence on planning and planning balance matters and Mr John Dodsworth who addresses need for the proposed development.
- 1.9 My Expert's Declaration and statement of truth are at Section 11 below.

2.0 Scope of Evidence

- 2.1 This Proof of Evidence (Proof) has been prepared to consider the landscape and visual effects of the proposed construction of a crematorium facility including a new building, car park, parkland, garden of remembrance and associated ancillary facilities such as paths and access roads. These proposed works are hereafter referred to as the 'Proposed Development.
- 2.2 The Proposed Development would be located to the north of Turners Hill Road to the west of the main village of Turners Hill. The application was made by Hartmires Investment Ltd and it was given the MSDC Planning Application reference DM/20/2877.
- 2.3 The application was refused by Elected Members at a MSDC Planning Committee held remotely on 17th December 2020. The refusal was in line with the Planning Officer's recommendation and contained a single Reasons for Refusal (RfR);
- a) *The proposed development would have an adverse impact on the intrinsic character and beauty of the local countryside, including the setting of the High Weald Area of Outstanding Natural Beauty, which would be further harmed by the necessary woodland mitigation screen planting. This harm is not considered to be outweighed by an overriding need for this development and is therefore contrary to Policies DPI2, DPI6, DP25, DP26 and DP37 of the Mid Sussex District Plan, Policies THP8 and THP13 of the Neighbourhood Plan, the provisions of the NPPF, in particular, paragraphs 8, 11, 124, 127, 130 and 170, Objectives FH2 and FH3 of the High Weald AONB Management Plan 2019-2024 and Design Principles DG3, DG7 and DG11 of the Mid Sussex Design Guide SPD.*
- 2.4 In unpacking the RfR the following three adverse landscape and visual effects are identified by MSDC as being caused by the development if it was granted consent;
1. Adverse impact on the intrinsic character and beauty of the local countryside;
 2. Adverse effects on the setting of the High Weald Area of Outstanding Natural Beauty; and
 3. Harm arising from the necessary woodland mitigation screen planting.
- 2.5 The identified landscape and visual harm would lead to conflict with the following four Mid Sussex District Plan (CD4.1) landscape orientated planning policies;
- Policy DPI2: Protection and Enhancement of Countryside
 - Policy DPI6: High Weald Area of Outstanding Natural Beauty
 - Policy DP26: Character and Design

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- 2.6 The Turners Hill Neighbourhood Plan 2014-2031 (CD4.2) was 'made' in March 2016. Policy THP8 – Countryside Protection is cited in the RfR.
- 2.7 Reference is also made to the following National Planning Policy Framework (NPPF) paragraphs with a landscape dimension;
- Paragraph 8 c) – Overarching environmental objective;
 - Paragraph 124 – Good Design and landscape treatment as part of it;
 - Paragraph 127 b) and c) – Good design and sympathetic to local character;
 - Paragraph 130 – Improving the character of an area; and
 - Paragraph 170 a) – Protecting and enhancing valued landscapes.
- 2.8 The proposals are considered to be contrary to the two following management plan policies from the High Weald AONB Management Plan (2019-24) (CD9.1);
- Field and Heath Objective 2 (FH2) – Maintaining small and irregular field patterns; and
 - Field and Heath Objective 3 (FH3) – To enhance the mosaic of High Weald habitats.
- 2.9 The final cited conflict is with the following design principles of the Mid-Sussex Design Guide (CD5.2), adopted recently in November 2020;
- DG3 – Work with the Site's natural features and resources
 - DG7 – Respond to topography and strategic views
 - DG11 – Respond to the existing townscape, heritage assets and historic landscapes.

Existing planning consents

- 2.10 A string of planning applications, consents, refusals and Appeals are associated with the Site and these are summarised in the MSDC Statement of Case (SoC), they are not repeated here but the list of consented elements is along with their current status;
- Change of use of the land to a natural burial ground and the erection of a reception building with associated access, parking and landscaping (DM/15/1035). *Implemented, but not operational.*
 - Construction of a barn/workshop for the storage and maintenance of operational vehicles (DM/19/5100 and DM/20/1557). *Implemented, but not operational.*

- Re-siting and construction of a staff car parking area comprising 8 car parking spaces (DM/19/5107). *Extant until 14 February 2023.*
- Re-siting of the consented chapel building with excavation and construction of new basement, internal site access road and associated landscaping (DM/18/0677). *Extant until 29 May 2021. New permission (DM/21/0014) until 8 March 2024.*

Structure of Evidence

2.11 The landscape and visual effects of the proposed development are presented in the following sections:

- Section 3 considers the proposed development concentrating on the illustrative site layout and landscape strategy proposed by the Appellant and the previous consented schemes that have and will form the character of the Site;
- Section 4 provides a chronology of previous landscape comments made by MSDC including those made in connection with the crematorium application;
- Section 5 seeks to establish what is the landscape baseline for the Site and contextual landscape to judge the effects of the Proposed Development against;
- Section 6 discusses the visual baseline for the agreed viewpoints that would experience visual change as a result of the proposals ;
- Section 7 considers landscape effects arising from the proposals;
- Section 8 undertakes the same exercise but for visual effects;
- Section 9 undertakes a review of the previously identified landscape and visual elements of the planning policies, design guidance and landscape management cited in the reason for refusal;
- Section 10 presents my conclusions and is repeated as my Summary Proof (**CD 8.1a**); and
- Section 11 is my Expert's Declaration.

2.12 At times during this Proof I will make reference to the separate LVIA (Appendix A) to save repeating extensive or baseline information.

Methodology

- 2.13 I have attended the Appeal Site on two separate occasions;
- 8th March, 2021 in the late afternoon and evening; and
 - 9th March, 2021 to conduct a photographic survey for this PoE and my own LVIA.
- 2.14 This has provided me with a good understanding of the area's landscape character and views to the Site from publically accessible locations. I have only had chance to consider the Site and its setting in winter conditions. The Appellant's landscape advisors – Indigo Landscape Architects present summer views which have been useful in considering seasonal changes.
- 2.15 I have used site photography, studied relevant OS Mapping information, aerial photography and published landscape character information before compiling my Proof as presented.
- 2.16 Where possible I have attempted to tabulate information to save space and provide summary boxes at the end of lengthier sections.

Subject exclusions

- 2.17 I do not address spatial planning matters or planning balance which is the remit of Mr Andy Watt as a Chartered Town Planner and Case Officer for the original application. I do however consider aspects of planning policy with direct relevance to landscape and visual matters.
- 2.18 Likewise I do not consider details of need for this crematorium which is addressed by Mr John Dodsworth, Director of Beacon Dodsworth, Location and Geo-Demographic Information Provider.

3.0 The proposed development and existing consents

The Appeal Site

3.1 The Site is as described in Section 2 of the MSDC Statement of Case (SoC) (CD6.3) and consists of two field parcels totalling 7.2ha in area, located to the north of Turners Hill Road and some 660m west of the main village centre crossroads. For the sake of this descriptive section these two fields are referred to as the southern field where the proposed crematorium facility would be sited and the northern field where the already consented natural burial internments would occur.

Crematorium proposals

3.2 The full list of considered drawings is listed in the Statement of Common Ground (SoCG) (CD6.1). Whilst it is recognised that the current proposals are in Outline, and if consented could be the subject of change and control through reserved matters, they show the intent of the proposals sufficiently to allow an opinion on their landscape and visual effects at this Site to be expressed.

3.3 The proposals as illustrated on Indigo Landscape Architects drawing 917-SK-01 titled Illustrative Layout Plan Rev I dated 27-7-20 (**AP2.5**) are best thought of as a complex in the landscape with the crematorium building at its centre and supporting elements around it. For crematoria design these elements can typically be split into three broad groups;

- Access elements;
- Ceremonial and setting elements; and
- Functional elements.

Access elements

3.4 The process of arrival and entry to the crematorium for ceremonies appears as follows;

- Entry off Turners Hill Road via a bell mouth highway turning approximately 25m wide (**AP2.10**);
- An initial two way section of tarmac access road taking site users to different parts of the Site;

- Mourners' vehicles will carry on turning right to use the main curved car park area on a one way loop system. After parking they would walk down a central spine path to reach the southern door of the crematorium building.
- There is a further overflow car park 15 spaces near to the Site entrance which is accessed by turning left after entering Site rather than curving to the right to the main car park of 80 spaces. The walking route from the overflow car park to the crematorium building is unclear.
- The main funeral cortege would turn left just before the main car park to process to the crematorium building's porte cochere for transferal of the deceased's coffin or casket to the crematorium building; and
- After the service the principal mourners would leave in the cortege on the loop road system to the east of the car park and other mourners would return to the main car park to do the same.

3.5 Members of staff would also take the cortege turning to park their vehicles to the west of the crematorium building; in a service yard area and presumably access through a service entrance to the west of the building.

3.6 There is a string of informal footpaths indicated through the southern field to allow movement around the Site for visitors who may be attending funeral ceremonies or attending for their own private acts of remembrance.

3.7 There is a single reinforced grass track leading from the approved barn / workshop consented under DM19/5100 directly to the north to skirt the northern boundary of the southern field before turning more directly north through a gap in proposed and existing hedgerows to access the natural burial area in the north field.

3.8 Public access through the Site is retained on Footpath 68W that follows the southern field's north boundary and effectively separates the two fields. The proposals show this footpath route hedged on both sides where currently it is only partially hedged on its northern side.

Ceremonial and setting elements

3.9 The porte cochere to the front of the building is part of the ceremony and allows a dignified transfer of the body from the hearse to the crematorium building in all weather conditions.

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- 3.10 Whatever service is undertaken will take place in the crematorium building and the mourners will exit via a double door in the east side of the building to pass by the floral tributes laid out for display. At some crematoria this is under cover to protect the displays but also to provide shelters for mourners after the ceremony particularly if there is a 'receiving line' formed by the principal mourners. There is no such shelter indicated on the proposals.
- 3.11 The two door system also assists in keeping the mourners of separate funerals apart should there be delays or mourners for a later funeral arrive early.
- 3.12 Parkland to the east of the crematorium building is indicated to provide a backdrop to look out onto during the ceremony itself albeit there do not appear to be any picture windows in the crematorium building to maximise sight to the scenic view indicated on the illustrative layout plan. The parkland is also indicated as providing scenic views from the floral tribute area again as a backdrop for mourners to gather after the actual ceremony.
- 3.13 Crematoria also act as a location for acts of private remembrance with visitors choosing to mark the death of a loved one on significant days such as birthdays or anniversaries. Such acts of private remembrance usually take place away from the main crematorium building as is the case with these proposals with a circular hedged garden of remembrance approximately 40m in diameter positioned 40m to the west of the crematorium building. There are no formal paths around or through the garden indicated at this moment.
- 3.14 The natural burial area can also be classed as an area of remembrance with any planted trees as a living commemoration of the person naturally interred. The planting of remembrance trees in natural burial areas is not mandatory with some people choosing plaques or stones to physically mark the burial position or simply recording the position with GPS co-ordinates.

Functional elements

- 3.15 Like any piece of landscape that is managed for its pleasant amenity and as a place to receive visitors there is a need for operational areas to support the wider maintenance of the Site.
- 3.16 One such facility is the maintenance barn and workshop already partly constructed on Site and visible in many of the photographs of Site held in Appendix B - Illustrations. This was consented under DM/19/5100.
- 3.17 This barn appears large, functional and incongruous in its current setting and was proposed to service the consented natural burial area activities. The original natural burial ground was

proposed for both the northern and southern fields but with the current application is set only in the northern field – Phase 3 of the original consent.

- 3.18 The natural burial ground consented under DM/15/1305 is not operational and does not appear on the burial ground list of the Association of Natural Burial Grounds (ANBG)¹ which is effectively a ‘trade organisation’ with its own code of conduct seeking to ensure the highest professional and environmental standards are achieved by its members. Nor does it appear in the list of upcoming natural burial grounds proceeding through the planning system and development². Membership of the ANBG is not mandatory for operators of natural burial grounds.
- 3.19 The crematorium building itself has a service yard of a similar footprint to the building directly to its west. As explained in the summary of access this service yard holds four staff parking spaces and provides a turning area for waste collection lorries, deliveries or equipment required to service the cremator equipment.
- 3.20 Cemeteries and crematoria generate a surprising amount of waste products with floral tributes being a prime source of non-recyclable waste. To this can be added green waste from cutting of lawns, hedges and general upkeep of a more intensively managed park-like landscape. There will likely be wheeled commercial waste ‘dumper-bins’ stored in the service yard. There is currently no marked or obvious green waste deposit location on the illustrative layout plan.
- 3.21 On the Illustrative Layout Plan (**AP2.5**) there is a row of five rectangles with smaller black squares in them set on unpaved ground to the west of the service yard, it is unclear what function these perform or suggest.
- 3.22 Within the car park there are two functional areas associated with rainwater management. The first is annotated as attenuation basin 1 to the north west of the larger tarmac surfaced car park. It is unclear whether this would be a basin kept entirely in the dry, or with water permanently at its base. The second functional areas in the car park are the two rain gardens set between the unbound smaller portion of the car park and the larger tarmac section.
- 3.23 A small bike park is shown situated to the south east of the crematorium building on one of the path routes back from the floral tribute area to the main car park.

¹ <http://www.naturaldeath.org.uk/index.php?page=find-a-natural-burial-site> – accessed 9/4/21

² Ibid

Crematorium building

- 3.24 As indicated on the parameters plan (**AP2.2**) and other supporting material the crematorium building itself is proposed to be a single storey, predominately flat roof building set towards the centre of the southern field to be in compliance with the stand-off distance contained in the Crematorium Act 1902.
- 3.25 Its design is a reserved matter but the proposals as presented are set at a ground level of 164.00m AOD partway down the sloping field, the roof line of the building set at 168.50m AOD makes the effective height of the building 4.5m. Above this stands a sloping skylight over the aisle of the ceremonial room, at 171.00m AOD this increases the height to 7.0m. The cremator chimney also reaches up to 171.00m AOD at the north west corner of the building.
- 3.26 The architecture of the proposed crematorium building appears simple as presented. The ceremony room is shown as holding 96 chairs.
- 3.27 The overall floor space for the proposed ground floor footprint of the crematorium building is approximately 515m². This increases to approximately 830m² when the porte cochere is included.
- 3.28 If the building's service yard (approximately 360m²) and floral tribute area (390m²) are included in the building's footprint as hard spaces who uses are directly associated with the crematorium building this increases again to 1,580m². The SoCG (**CD6.1**) provides an overall figure of 1,600m².

Car park proposals


- 3.29 The proposed main car park contains 80 spaces and is arranged on a curving alignment generally set with the Site's contours in a broadly east to west orientation. It sits in the position between Turners Hill Road and the crematorium building. The car park needs to be at this scale to accommodate larger funerals.
- 3.30 There are two curving searchways with spaces arrayed off both sides of the searchways. The larger northerly searchway is indicated as being in a tarmac material and the other is hatched in a buff colour suggesting a different material, possibly unbound.
- 3.31 There are six disabled parking bays positioned centrally to the larger searchway in the easiest position for people with mobility difficulties to access the crematorium building.




- 3.32 The curving nature of the twin searchways are accentuated by three rows of hedgerows set to the same curve and effectively separating the two searchways. The hedgerows are missing in front of the six disabled parking bays as the space has been used to form the additional access room at the rear of the space.
- 3.33 Further formalisation of the main car park is achieved through proposed curving tree lines behind two of the three hedgerows and other amenity tree planting in the open space around the car park.
- 3.34 Rain gardens are indicated to collect surface water run-off from the southern, possibly unbound surface car park and attenuation basin No. 1 from the northern, bound half of the car park. There is no immediate reference to other numbered attenuation basins on the Illustrative Layout Plan.
- 3.35 Taking into account the searchways, parking spaces, associated landscape and drainage areas the approximate space taken by the car park is 4,000m². There is no indication of the cut and fill works required to form the car park and achieve accessible grades to allow low mobility users to use it safely.

The existing consented schemes

- 3.36 The four consented schemes are summarised in RLC Table I below, their current status described and illustrative photograph provided. These photographs were taken on Site with the express consent of the Appellant.

RLC Table I – Status of current consented proposals

Consent ref and purpose	Current status on Site	Illustrative photograph
Change of use of the land to a natural burial ground and the erection of a reception building with associated access, parking and landscaping (DM/15/1035).	Implemented, but not operational. Some landscape planting has taken place, one gravel path formed and a permissive path to St. Leonards Church layby formed. The small reception building is not built.	

Consent ref and purpose	Current status on Site	Illustrative photograph
Construction of a barn/workshop for the storage and maintenance of operational vehicles (DM/19/5100 and DM/20/1557).	Implemented, but not operational. The barn is constructed but not in use, there were drainage works ongoing near it on 9 March 2021.	
Re-siting and construction of a staff car parking area comprising 8 car parking spaces (DM/19/5107). Extant until 14 February 2023.	The car park area has been constructed in part but does not appear finished, it is the general area of the proposed overflow car park for this crematorium proposal.	
Re-siting of the consented chapel building with excavation and construction of new basement, internal site access road and associated landscaping (DM/18/0677). Extant until 29 May 2021. New permission (DM/21/0014) until 8 March 2024.	The consented chapel has not been started in a meaningful way and no structure is apparently 'out of the ground' yet. The position of the approved chapel is marked on Site by a square of orange painted site hoardings. The hoardings appear to enclose a larger area than the consented chapel's footprint.	

DM/15/1035 – Natural burial ground landscape proposals

3.37 The landscape proposals for the consented natural burial scheme were prepared by Lizard Landscape Design and Ecology (LLDE) and as found as **CDI0.20**. The natural burial was to be phased in three parts;

- Phase 1 – Western half of the southern field around the reception building and chapel;
- Phase 2 – Eastern half of the southern field; and
- Phase 3 – The northern field.

3.38 The crematorium proposals retains the Phase 3 northern field area as the only natural burial area foregoing Phases 1 & 2 for the crematorium development.

3.39 The landscape proposals prepared LLDE address Phase I – the western half of the southern field and show a much more naturalistic scheme concentrating on a mix of wildflower meadow and native woodland than the current proposals as indicated on the landscape proposals (CD10.21).

DM/17/1167 & DM/18/0677 (renewed as DM/21/0014) - Chapel with basement and access

3.40 The next planning application chronologically DM/17/1167 was for the chapel building. It is considered here with the subsequent application DM/18/0677 that sought to add a basement to it. The DM/18/0677 application has been renewed by planning application DM/21/0014 which is the most recent approval the Site has received.

3.41 The first chapel planning application was supported by further work from LLDE including;

- A Landscape Character and Visual Impact Assessment;
- A Landscape Strategy; and
- An Ecological and Landscape Masterplan Strategy.

3.42 The proposals comprised of a new chapel constructed in a traditional rural vernacular and an additional 15 car parking bays with 12 of the bays in a separate adjunct to the approved carpark and three as an extension to the north east corner of the consented car park. The description on the plan changed from ‘Proposed Tarmacadam Resin-bonded Gravel Car Park Surface Treatment’ to ‘Proposed Gravel Car Park Surface Treatment.’

3.43 The landscape strategy (CD10.22) at §3.3 explains the landscape and ecological mitigation proposals associated with the chapel. They are presented as a digital extract below and are repeated on the LLDE’s Ecological and Landscape Masterplan drawing.

-
- *Make advantage of local topography; reduce ridgeline height through partial submersion / siting of proposals below site brow / plateau;*
 - *New hedgerow and tree planting to soften and filter internal views across the Site;*
 - *The proposed building should be enhanced with native tree and shrub planting to reinforce landscape structure and visually break ridgeline / building mass potentially made in passing views by vehicle users along Turners Hill Road;*
 - *The proposed car park should incorporate planting bays within the layout to further soften and diffuse views to the proposed building from the south;*
 - *Accelerate some grouped tree planting / shrub planting south of the public footpath as it emerges from the adjacent woodland block of Butchers Wood;*
 - *Northern and western boundary should be strengthened and defined through native tree and shrub planting to integrate built development into surrounding landscape structure and soften views of built form for users of public footpath;*
 - *Utilise natural materials within proposals to provide local contextuality (i.e. chapel building, parking area)*

3.44 Again like the initial natural burial ground application (DM/15/1035) the landscape mitigation proposals are seeking to minimise visual impact, diffuse views, break up the apparent scale of the car park and integrate the built development into the surrounding landscape structure.

3.45 The proposed chapel is shown closely associated physically with the consented reception building. There are two short connecting paths approximately 10m long from the car park and reception building to access the chapel. The chapel proposals were refused by MSDC but allowed at Appeal.

3.46 Between the original chapel application and the most recent extension to the chapel basement consent the maintenance shed has been largely constructed on Site as discussed under DM/19/1500 below.

3.47 Further landscape documents were provided in connection with the chapel basement application including the following;

- Hard Landscape Materials Plan by Ecotecture the architects designing the chapel (**CD 10.23**);
- Site constraints and opportunities plan by LLDE – dated 10th March 2017 (**CD 10.24**);
- Landscape Character and Visual Matters Report by Harper Landscape Architects – dated June 2017 (**CD 10.25**);
- Landscape Plan by Harper Landscape Architects – hla281 101 dated 8th October 2018 (**CD 10.26**); and

- Landscape Planting Plan near Chapel by Harper Landscape Architects – dated 10th October 2018 (**CD 10.27**).

- 3.48 The final approved plans have moved the reception building and the chapel further apart and they now require a connecting path of approximately 20m length instead of 10m. There is also a curving service road running through the separate car park extension up to the east elevation of the chapel building. This is presumed to allow hearses and service vehicles to gain closer access to the chapel. A turning head at the chapel's east end allows vehicles to manoeuvre.
- 3.49 The surfacing for the car park and service road has been defined further as a golden Cotswold gravel bound within plastic geogrids. The connecting paths would be laid in permeable tegula paving block – bracken in colour. The unbound gravel 'held' within geogrids is a low-key paving system able to provide a naturalistic surface for rural locations with the geogrids providing support for people with mobility difficulties who would normally struggle with a loose gravel surface.
- 3.50 The Landscape Plan by Harper Landscape Architects – hla281 101 dated 8th October 2018 (**CD 10.26**) is the closest representation of what recent landscape planting is visible on site. It summarises two phases of advanced planting - Phase 1 which concentrated on planting to the west end of the southern boundary in February 2017 (slight discrepancy between key that states 2016 and drawing 2017) and Phase 2 that planted in February 2018 and concentrated on the route of public Footpath 68W that runs to the north boundary of the southern field.
- 3.51 It is believed that it is this 'advanced planting' that is visible in parts on the Site at the moment and as included in some of the site panoramic photographs contained in RLC Appendix B - Illustrations.
- 3.52 The overall effect of these combined proposals was to increase the size of the developed area with its two buildings, 37 car parking spaces and interconnecting paths and service roads. The planting as instigated appears naturalistic in style and spread out along the north and south boundaries of the southern field. The landscape treatment is attempting to assimilate the buildings with the rural landscape character of the area.

DM/19/5100 – Barn / Workshop

- 3.53 This outline application was approved by MSDC on 2 March 2020 with a landscape Reserved Matter being placed as the first of six Reserved Matters. The landscape Reserved Matter was subsequently discharged through application DM/20/1557 approved by MSDC on 6th July 2020.
- 3.54 The original planning application for the barn was supported by a landscape statement prepared by Harper Landscape Architects (CD 10.27) to update the LVIA assessments made by Lizard Landscape Design as they considered the landscape and visual effects of the chapel and modified car parking. It concluded at §6.3 of its Final Statement that the addition of the barn would,
- ‘Barn/workshop there would be incremental adverse impact as a result of the increased built form although this would be seen in the context of the Chapel and in time would be screened from PRoW 68 by the as-planted 600 trees located along the Site’s northern and western perimeter. The landscape character and visual change as a result of the barn would be not significant and therefore would not alter the previous landscape character and visual impact judgements put forward by LLDE (Lizard Landscape Design and Ecology) and HLA (Harper Landscape Architects).’*
- 3.55 The previous LLDE landscape and visual impact judgements suggested that there would be a short term, moderate, adverse landscape effects reducing to a long term, minor landscape effect.
- 3.56 The landscape proposals were considered by the MSDC Landscape Consultee – Mrs Virginia Pullan of West Sussex County Council who acts as landscape consultee on schemes that may have overt landscape effects. She passed two sets of comments with the first concluding that the maintenance barn and workshop would be acceptable subject to planning conditions.
- 3.57 Detailed planting proposals prepared by Harper Landscape Architects and were submitted as part of DM/20/1557 and comprised a planting plan HLA 359/01 Rev B (CD 10.28) dated 29th April 2020 that showed naturalistic planting around the wider complex of barn, chapel, reception building and associated car park.
- 3.58 The planting species indicated are predominately smaller scrubber stock such as hazel, holly and hawthorn with a fewer number of larger canopy trees of hornbeam and oak set around the consented complex. This planting would not have screened out the buildings from view from the wider Site or from Footpath 68W.

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- 3.59 The treatment of Footpath 68W is also indicated on HLA 359/01 Rev B (**CD 10.28**) with it marked as receiving two types of wildflower seed mix and patches of indigenous mixed planting to reinforce the existing advanced planting from February 2017 and 2018 (shown as blue blocks on the plan).
- 3.60 It is unclear if any of this approved planting has yet been undertaken.

DM/19/5107 – Movement of staff parking area

- 3.61 The movement of the staff car parking area application was consented on 14 February 2020 and was fully titled as 're-siting and construction of staff car parking comprising 8 parking spaces' on the decision notice.
- 3.62 In effect it is an extension by eight parking lots to the existing consented 37 car capacity of the car park associated with the chapel and reception building taking the final approved total to 45 spaces. Eight staff spaces seems a high number for a natural burial ground facility that was anticipated to employ three people³. It is twice the staff parking for the proposed crematorium.
- 3.63 The car park extension would be set to the west of the consented reception building which removes the building from being at the very end of the car park. It also extends the car parking closer to the southern hedged boundary of the Site.
- 3.64 The car park surfacing would be an extension to the geo-grid fixed unbound gravel system that is used in the rest of the car park. This is described as a sensitive, permeable surface in the supporting landscape statement.
- 3.65 Likewise the same landscape statement at §2.11 Bullet 2 describes the car park extension as having '*indigenous species screening planting (with a high evergreen content) to the whole perimeter of the relocated car parking spaces.*' These evergreen species are not evident on the Harper Landscape Architecture plan hla 359 01 Rev B (**CD10.30**) as it describes a mix of species stating 123m² Indigenous Mix Planting.
- 3.66 The landscape effects of extending the car park for the eight staff spaces were covered off in the same Harper Landscape Architect's landscape statement (**CD10.27**) provided to jointly address the maintenance barn/workshop application (DM/19/5100). They were concluded as

³ Application form for DM/17/1167 – Chapel building

not changing the landscape and visual effects for the area as considered in the LLDE LVIA (**CD 10.21**).

Comparison of consented and proposed schemes

- 3.67 The consented change of land use to a natural burial ground is clearly Site wide. However the existing consented buildings and surfacing elements are grouped together in a small area to the immediate west of the Site entrance. They would all fit within a rectangular space approximately 60m long by 50m or 3,000m². If just the consented building and surfacing schemes were measured this equates to a total area of development of approximately 1,036m².
- 3.68 The overall space that the proposed crematorium building and associated car parking would fit into it equates to a trapezium 95m by 95m or just over 9,000m². The combination of increased car park surfacing (4,000m²) and larger crematorium building (1,580m²) totals to 5,580m².
- 3.69 In simple scale comparison terms the complex formed by the crematorium building and hard surfacing is three times larger than the consented proposals (9,000m² to 3,000m²). If a more concise measure of building footprints and surfacing is taken then the crematorium building and car park is at least five times the size of the existing consented schemes (1,036m² to 5,580m²).
- 3.70 As I reviewed the original landscape plans for the natural burial ground (CD10.20) landscape proposals compared to the current crematorium scheme many differences became apparent;
- Car parking - Single smaller, more discrete car park to take a total of 22 cars for the natural burial ground instead of the 80 lot main car park of the crematorium;
 - Car park surfacing - in a resin bonded gravel for the natural burial ground which is more low key and rural in character than the crematorium's tarmac access roads and car park;
 - Parking searchways - No need for separate access roads and searchways for the natural burial ground with the reception building being positioned at the end of the car park, the crematorium car park shows searchways and more connecting paths;

- Scale difference - between the burial ground's reception building and the crematorium building with or without its porte cochere. The natural burial ground does now benefit from the chapel consent but the chapel was not illustrated on the first proposals;
- Building position - The burial ground's reception building and latterly the chapel are set more discretely on the Site rather than in a position half way down the slope to maximise scenic views as per the crematorium building;
- Building styling - The reception building's construction is described as a traditional rural vernacular whereas the crematorium is flat roofed with a large skylight;
- Planting styles - The style of the burial ground's planting proposals are considerably more natural in character with a greater emphasis on wildflower meadow planting and more open, diffused tree planting rather than the crematorium's large blocks of structural woodland planting required to screen the larger complex;
- Formal planting – The burial ground has no formally laid out landscape proposals whereas the crematorium has the circular garden of remembrance and floral tribute areas that are expected as part of the ceremonial elements of crematoria;
- Footpath screening - The burial grounds implemented treatment of Footpath 68W is decidedly more open with tree and shrub planting to diffuse and filter views rather than screen sight entirely that would occur with the twin hedgerows indicated on the crematorium proposals;
- Pace of landscape change – For the burial ground there would be a gradual landscape change as the wildflower meadow and tree planting establishes and the small car park and reception building are screened out. This is in comparison to the crematorium building and supporting infrastructure that would require developing as a single phase to be functional. The crematorium change to the landscape would be quicker and more absolute.

3.71 In summary the consented natural burial ground landscape proposals are more naturalistic, low-key and with its buildings set in a discrete location with associated screening. The consented proposals remain subservient to the landscape character of the Site and in keeping with the wider rural landscape that it is set in. It is doubtful whether the crematorium complex with a larger main car park and bigger crematorium building footprint could be placed as discretely on the Site.

Section 3 Crematorium and consented proposals summary box

3.72 As the discussion of the proposed development and the existing consented works is lengthy a summary box is provided.

- a. The crematorium proposals are considerably larger than the consented works and would take up a larger part of the Site's southern field.
- b. The crematorium proposal has been analysed to understand its access elements, ceremonial and setting elements and functional elements.
- c. Further comments have been given on the car parking which is understood to total 115 spaces and building arrangements.
- d. Given its size and associated external spaces the crematorium complex would be imposing its own development form and style on the Site rather than working with the Site's existing character as the natural burial ground proposals seek to do.
- e. There has been an extensive number of applications since the granting of the original planning consent for the natural burial site. All these applications have increased the scale of development and associated infrastructure on the Site.
- f. In simple numeric terms the original natural burial site proposal has increased by;
 - Buildings – From one to three;
 - Building Size – Both subsequent buildings are much larger than the first reception building;
 - Car parking spaces – From 22 to 37 and finally at 45 number, twice that original consented;
 - Number of car parks – From one to three; and
 - Number of service roads – From one to three.
- g. This type of consented incremental change has increased the scale and extent of development within the wider natural burial site but it is still relatively compact and small in overall size. Its position and landscape treatment across the various proposals have been low-key and allows the remainder of the southern field to be rough grassland until required for natural burials. The proposals are considered as acceptable in the surrounding rural landscape.
- h. The crematorium's external spaces have a more formalised landscape arrangement, are larger in scale and would deliver a more intensively developed landscape than the current consented natural burial proposals.

4.0 Chronology of previous landscape comments

- 4.1 MSDC do not have their own landscape architect within their organisation so for planning applications where landscape and visual matters are key factors in determining an application they utilise the professional landscape advice of East Sussex County Council's (ESCC) landscape architects.
- 4.2 The Landscape Officer who has acted as a landscape consultee to some of the Site's applications is Ms. Virginia Pullan. She is a Chartered Member of the Landscape Institute and experienced at acting in the realm of development control.
- 4.3 For the purpose of clarity I have not provided landscape consultation remarks on any of the Site's planning applications.

DM/15/1035 – Natural Burial Ground change of land use application

- 4.4 The MSDC Tree and Landscape Officer's comments as recorded in the Planning Officer's Committee Report for DM/15/1035 are that they '*have no objection to previous application (14/01226/FUL).*' 14/01226/FUL was the reference of the application to form the access into the southern field of the Site.
- 4.5 The MSDC Tree and Landscape Officer at the time was Donald Newling who restricted his comments to tree, hedgerow and bat protection matters as his professional experience was as an arboriculturalist. It appears no landscape architects passed comments on the change of landscape character that the proposals would bring about.
- 4.6 Landscape comments were given in the Committee Report as prepared by Mr Andy Watt as contained in the digital extract taken from page 9 of the report and set below;

The site area does not reveal any evidence of current agricultural activity, there being no agricultural unit as such, no farm dwelling or farm workers relating to this very small site. However, the proposed change of use to a natural burial ground is considered to be acceptable in principle. The land take for development (associated with the car park, access and reception building) is deemed fairly modest in scale, leaving the remainder of the land to be landscaped or planted. While this is a rural area, the site is nevertheless adjacent to Tulleys Farm and its associated leisure/recreational facilities (maze, fun park, accesses, car parking, etc.) to the west. Immediately opposite that is the cricket ground and pavilion. As such, it is considered that the proposal would be read in context with the scattering of other buildings and uses in this area and hence would not be out of place.

There would not be any adverse impact to the setting of the AONB on the southern side of Turners Hill Road and the translocation of the frontage hedgerow (and area of loss at the proposed point of access) is considered to be an appropriate and sensitive solution to overcome the council's and Inspector's previous concerns from a visual amenity point of view - subject to conditions ensuring that it be implemented in accordance with the methodology accompanying the application, which would also ensure the protection of the biodiversity of the site. The surfacing and enclosure of both the proposed car parking area and footpath would also be acceptable in this context.

- 4.7 I consider this to be a fair assessment of the landscape effects of the first natural burial ground proposals with the land taken being 'fairly modest' and agree that given their scale that there would not be any significant adverse impact on the setting of the neighbouring AONB.

DM/18/0677 (now replaced by DM/21/0014) - First Chapel Application

- 4.8 The MSDC Case Officer for this application was Mr Andy Watt again. The Committee Report he prepared for this application shows an officer recommendation for Approval but it was refused by Planning Committee A. This in turn led to the Appellants taking the decision to Appeal.
- 4.9 There was no consultation with the MSDC Tree and Landscape Officer presumably as the proposed location of the chapel did not affect any trees or hedgerows. Instead Mr Watt relied on his previous thinking with regard to the chapel being read in the landscape '*as one of a scattering of buildings*'.
- 4.10 The Committee Report also addressed the proposed increased level of landscaping on Page 11 as extracted below in full. They show that Mr Watt considered that the proposals complied with the then MSDC landscape policies B1 and C1.

Landscaping

The proposed development incorporates additional shrub and tree planting within and around the site boundaries, in order to further mitigate the visual impact of the built development on the wider landscape. The strategy that has been adopted is set out on the file but the planting proposed is considered to be appropriate and suitable for the site, so would comply with Policies B1 and C1 of the Mid Sussex Local Plan.

DM/19/5100 – Barn / Workshop application

- 4.11 This is the first application where a landscape architect, in this case Ms Pullan of East Sussex County Council, commented on the proposals. The conclusions on landscape matters presented by Mr Watt acting as the Case Officer once again are set below as a digital extract;

The need for this building for secure covered storage was identified by the most recent appeal Inspector. The location of the building has been changed and the scale significantly reduced from the previous scheme. It is considered that the siting is acceptable, due to being between two previously consented buildings, rather than isolated in the landscape. It is considered that the scale of the building is reasonable for the purposes to which the building will be put and would not be harmful to the landscape character of the area. Subject to a condition requiring details of the facing materials to be agreed, it is considered that the appearance of the building could blend in more sympathetically with the naturalistic materials used on the consented buildings adjoining it. The means of access remains as it is and the Highway Authority raise no objection to the proposal.

- 4.12 The previous refused scheme that Mr Watt refers to is DM/18/2675 which was for a larger barn set away from the final approved position. It was refused by MSDC and dismissed at Appeal on grounds of it being too urbanising.
- 4.13 Mr Watt reported Ms Pullan's comments as they related to the NPPF and Paragraphs 170 and 172 in the main body of the Committee Report and her more detailed consultation response in the Committee Reports Appendix B. Her overall judgement was one of support subject to appropriate planning conditions.
- 4.14 At §2.7 of her comments Ms Pullan suggests three matters that she feels should be addressed through conditions. This paragraph reads;

2.7 Should the planning authority be minded to permit the development it is recommended that the following are required as conditions:

- a. Revisions to the proposed building design as suggested above
 - b. An updated landscape masterplan
 - c. A long term management plan for the successful establishment and care of the landscaped areas.
- 4.15 The revisions she suggests for the building design included timber cladding instead of exposed concrete block that she considers too urbanising, this has been undertaken. Her suggestion of a flat roof, or a green meadow roof have not been followed. An updated landscape masterplan

– further iterations have been made. The long term management plan for the Site’s landscape does not appear to have been submitted to MSDC.

DM/19/5107 – Staff car park extension.

4.16 This application was considered too small to require further comments from a landscape or tree officer.

DM/20/2877 – This crematorium application

4.17 Ms Pullan was again asked to provide landscape consultation advice given the sensitivity of the wider Site and the rich planning history that it held.

4.18 The MSDC planning portal shows she made five sets of consultation remarks as scheduled in Table 2 below. The SoCG suggests that there are six sets of comments from Ms Pullan but in correspondence with her she explained her third set of comments VP3 was initially issued with the incorrect date which she corrected and reissued, these became her fourth set VP4.

RLC Table 2 – Schedule of landscape consultation responses from Ms Pullan

Ref No	Date / Pages / Para’s	Nature of consultation remarks
VP6.1	1/9/20 – 4 pages – 15 numbered paragraphs	First consultation remarks that recommend refusal citing non-compliance with NPPF §170 a) & b) and §172. Concludes proposals would have an unacceptable impact on local landscape character and views.
VP6.2	28/10/20 – 5 pages – 23 numbered paragraphs	Updated consultation remarks after being challenged on the use of NPPF §170 a) & b) and §172 by the then Applicant. Summary recommendation concentrates on the scale of development and intensity of use. Her conclusions remain the same with the clarifying words ‘of the development’ added to confirm that it is the development that is inappropriate in scale and intensity.
VP6.3	28/10/20 – 5 pages – 24 numbered paragraphs	This was initially sent out with the incorrect date and Ms Pullan corrected it to the 2/11/20 to save confusion and it became VP4.
VP6.4	2/11/20 – 5 pages – 24 numbered paragraphs	Largely the same as her remarks of VP3 but with the confirmation that the weight to be given to the content is a matter for the Local Planning Authority. New paragraph added at §2.7 explaining why she considers the area between Turners

Ref No	Date / Pages / Para's	Nature of consultation remarks
		Hill Road and the village that contains the Site contains key components which are representative of the AONB. Re-writes §2.16 to provide further detail on why she thinks there is a greater adverse effect on the landscape character of the Site. Adds §2.17 as a new paragraph considering the proposed position of the crematorium building compared to the consented chapel. Her conclusions remain unchanged.
VP6.5	12/11/20 – 2 pages – 3 numbered points	Response to Indigo Landscape Architect's letter of 5/11/20 that was passing comments on her consultation response of the 2/11/20. The letter contains three numbered points addressing; <ol style="list-style-type: none"> 1. Landscape character and visibility. 2. Differences between current woodland planting proposals and previously consented memorial planting. 3. Purpose of the current planting proposals with reference to Figure 6 of the application LVIA. No new conclusions or recommendations are presented.
VP6.6	25/11/20 – 7 pages – 30 paragraphs	This is an amalgam of VP3 and VP4 with the first two additional points of VP4 added at §2.19, §2.24 to §2.26. A new paragraph at §2.27 is inserted to recognise that ' <i>detailed landscape planting schemes can be dealt with by condition</i> ' but then continues to explain that ' <i>the assessed landscape and visual effects rely heavily on the provision of woodland planting to screen the development.</i> ' Ms Pullan's summary recommendation and conclusions remain unchanged.

4.19 I have personally spoken with Ms Pullan to ask why there was a need for so many consultation responses and she explained that they were required in response to the queries and comments received from the Appellant's advisors who were actively managing the then live planning application. She further added that she 'wrapped up' all her previous remarks with the sixth and final set of comments (**VP6.6**) as used by Mr Watt in preparation of his Committee Report dated 17th December 2020.

4.20 Ms Pullan's final **VP6.6** comments are presented in full at Appendix B of the Committee report. They run to six pages of detailed points and discussion across 30 paragraphs in her Section 2. I do not repeat them here and recommend that they are read in entirety to fully understand her reaction to the proposed scheme.

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- 4.21 Key parts of Ms Pullan's comments are copied by Mr Watt into his executive summary with seven parts of her comments including her conclusions repeated;
1. Reports on the findings of landscape effects from the Appellant's LVIA;
 2. Expresses Ms Pullan's concern that there is an understatement of effects;
 3. Impact on tranquillity from at least two funerals a day and on the setting of the AONB;
 4. How the landscape effects are not restricted to the Site itself but to the wider rolling landscape;
 5. Explains how the proposed mitigation is not characteristic to the local landscape area;
 6. Acknowledges that landscape matters are controllable through Planning Conditions but identifies that the landscape and visual effects assessed in the LVIA rely on the denser planting type; and
 7. Gives Ms Pullan's overall conclusions about the adverse impact on the intrinsic character and beauty of the local countryside, on the setting of the High Weald AONB and how the Site would be harmed by the necessary woodland screen planting that she considered uncharacteristic of the local landscape character.
- 4.22 I find these to be a fair presentation of the overall consultation remarks and the concerns expressed by Ms Pullan as the landscape consultee to the planning application.

In summary

- 4.23 The landscape comments for the group of consented elements show that both Mr Watt as Planning Case Officer and Ms Pullan as a Chartered Landscape Architect found the proposals to be acceptable within the local landscape and the buildings would be read with the 'scattering' of other buildings in the area. Reference is made to the initial natural burial ground built development proposal's land take being 'modest in scale' allowing the remainder of the Site to be 'landscaped or planted'.
- 4.24 Ms Pullan has engaged with the Appellant's active representative during the determination period and provided a series of six consultation responses. Her conclusion and resulting recommendation for refusal have not changed throughout this process. After challenge by the Appellant she has changed her reason for recommendation from relying entirely on the NPPF §170 a) and §172 to the effects the scale and intensity of development would have on the local

landscape character and views. Ms Pullan's final landscape consultation remarks are presented in full in the MSDC Committee Report (**M3.1**) and have been summarised fairly.



5.0 Landscape character baseline

Landscape character baseline

- 5.1 The landscape baseline involves the identification and evaluation of existing landscape receptors. The term receptor is used to describe recognised character areas, the contextual area to the Site, the Site itself and individual landscape characteristics of the Site such as existing trees and boundaries.
- 5.2 After their identification, landscape receptors are assessed to determine their sensitivity. This is determined by combining judgements of their susceptibility to change brought about by development of this specific type and the value which is attributed to the receptor. The full methodology is presented in Appendix A to the RLC LVIA.

Sources of landscape character information

- 5.3 There is a geographical hierarchy of published landscape character information starting at National Character Area (NCA) working down to County or Local Authority character assessments and possibly as detailed as village or parish character assessments as part of Neighbourhood Plan preparation or Village Design Statements. In addition given the Site's proximity to the High Weald AONB there is landscape character information prepared on behalf of the High Weald Joint Advisory Committee (JAC). There is also the Sussex Historic Landscape Characterisation study and two district wide landscape capacity studies.
- 5.4 In addition to the published information there is the professional judgement of the landscape architect viewing the Site, judging its condition, qualities and how it relates to the associated landscape context.
- 5.5 The LVA or a fuller Landscape and Visual Impact Assessment (LVIA) is the document where this research and applicability of published character information and Site survey is recorded.
- 5.6 There has been a number of landscape architecture firms advising the Appellant at different stages of the Site's planning history, these are summarised to the best of my knowledge below;
- Lizard Landscape Design and Ecology (LLDE) who advised on the initial site access formation and natural burial ground applications (**CD10.21**);

- Harper Landscape Architects (HLA) who advised on the subsequent chapel and storage barn applications by providing statements to update LLDE's work (**CD's 10.25 & 10.27**); and
- Indigo Landscape Architects (ILA) who are acting as the Appellant's current landscape advisors (**AD 1.5 in full**).

5.7 Each have produced landscape and visual assessment reports or statements. To this can be added my own Landscape and Visual Impact Assessment contained at Appendix A and referred to as the RLC LVIA.

Published landscape character information

5.8 The schedule below is the summary of published landscape character information from my LVIA starting at a largescale and working to more local character assessments.

RLC Table 3 – List of published landscape character information sources

Document / Publisher	Applicable Area / Type	Publication date
NCA 122 – High Weald by Natural England (CD9.1)	Site lies within overall High Weald national character area along with the adjacent High Weald AONB.	December 2013
A Strategy for the West Sussex Landscape by West Sussex County Council (CD9.8)	The Site falls within the HWI – High Weald with this document providing more strategic landscape management guidance than baseline character information.	October 2005
A Landscape Character Assessment for Mid Sussex by MSDC (CD9.2)	The Site falls within Area 6 – titled High Weald. The landscape type is Wooded Ridges and Valleys.	November 2005
Capacity of Mid Sussex District to Accommodate Development Study – Hankinson Duckett (CD 9.3)	The Site falls within Area 5 – Majors Hill High Weald and is ranked as having Substantial value and sensitivity leading to an overall assessment of Low/Negligible capacity for strategic development.	July 2007
Turners Hill Neighbourhood Plan (Made Version) by Turners Hill Parish Council. (CD4.2)	No landscape characterisation information but a useful map of Ancient Woodland and plantation woodland on previous Ancient Woodland is included.	March 2016

Document / Publisher	Applicable Area / Type	Publication date
Turners Hill Village Design Statement by Turners Hill Parish Council (CD5.1)	No specific landscape characterisation material but useful historic background to the village and wider Parish.	2011
High Weald AONB Landscape Character Assessment (CD9.9)	Site appears on the cusp between the Western High Weald and Upper Medway landscape character areas.	November 1994

- 5.9 Common themes run through all the landscape characterisation information but are most concisely put in the 'A Landscape Character Assessment for Mid Sussex – November 2005 (CD 9.2). At page 74 of the description of Landscape Character Area No.6 – High Weald it provides the following brief character summary included in entirety as a digital extract below.

Landscape Character Area 6

High Weald

CHARACTERISATION

Summary and key characteristics

The High Weald Forest Ridge. Numerous gill streams have carved out a landscape of twisting ridges and secluded valleys. The ancient, densely-wooded landscape of the High Weald is seen to perfection in the area. Includes the township of East Grinstead.

- 5.10 This summary is followed by 16 key characteristics of the High Weald that have been listed in RLC LVIA Table 3 to test whether the Site fits into this character area. This review table finds that it does and that the Site and surrounding landscape display sufficient of the key characteristics to consider this characterisation information as applicable.

Landscape characteristics of the Site and surrounding contextual area

- 5.11 RLC LVIA Table 5 was prepared after my visit to Site in March 2021. It addresses the physical features, land cover, man-made element and perceptual qualities of the Site and surrounding area that combine to make up the overall landscape character of both.
- 5.12 The analysis in the RLC LVIA indicates that the Site appears as an area of rural landscape even though its land use is not agricultural. When considered as a whole the Site's two fields contribute positively to the surrounding landscape and appear in keeping with the immediate and wider contextual High Weald landscape that is of national importance.

Landscape condition

- 5.13 The Site's southern field currently appears disturbed with the sense of stalled development. This disturbed character comes from the half-finished maintenance shed, the obvious site hoardings, the unsurfaced car parks and concrete 'lego' blocks that are restricting vehicle access at the Site's main access. This sense of inactivity is increased by the fact that there is no apparent agricultural management of the land compared to nearby working fields. The Site is no longer classed as agricultural land but the general public are likely to perceive it to be when viewed in its landscape context that predominately is agricultural.
- 5.14 The apparent landscape condition of the Site's southern field should be remembered is a temporary, transitional state and the fundamental landscape characteristics of topography, boundary hedges and tree cover, rough grass land and relationship to the surrounding landscape are still clearly evident. The disturbed landscape condition would be reversed on completion of the consented developments and more active management of the Site as a natural burial ground.
- 5.15 The Site's northern field that is consented for Phase 3 of the natural burial ground still appears as an agricultural field set between the working fields next to Tulleys Farm car park and Butchers Wood. It does not hold any of the incomplete development forms which adds to its rural appearance.

Landscape management at Site

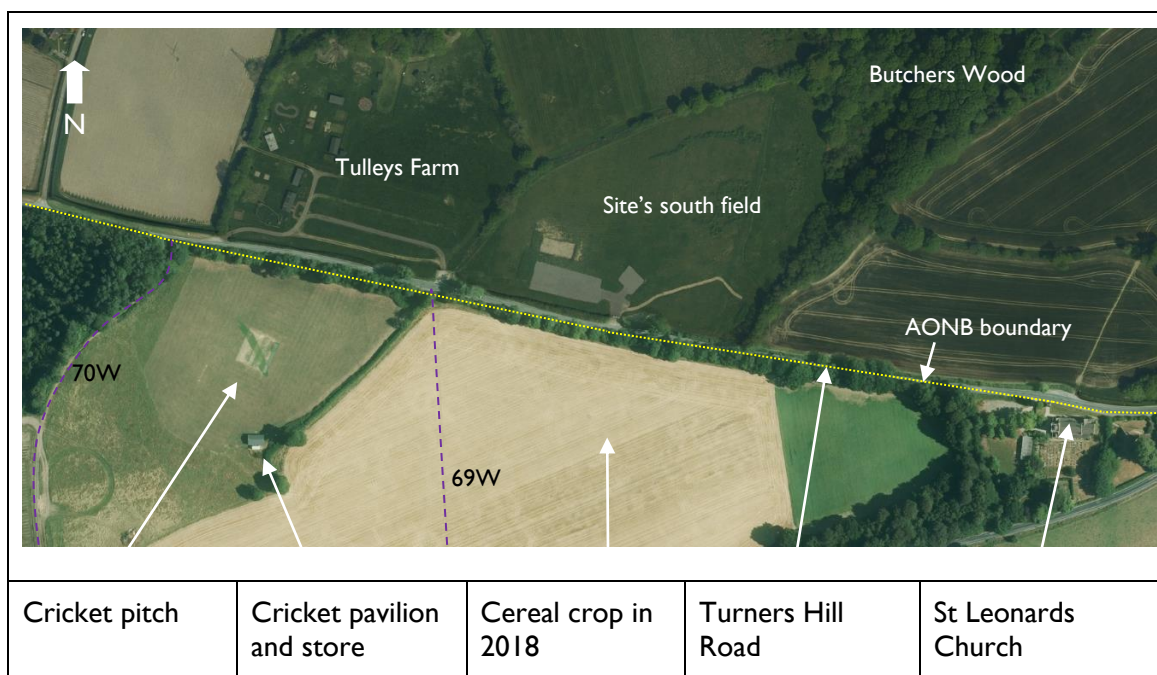
- 5.16 Landscape condition and quality is intrinsically linked to its ongoing management. At the time of the Site visit there appeared to have been no active landscape management on the Site for some time.
- 5.17 This observation was based on the facts that natural regeneration scrub had started to colonise the centre of the southern field suggesting that there had been no grass land management. It was also noted that the areas of planting on Site from February 2017 and 2018 appear not to be actively managed through obvious weeding, gapping up or re-fixing of tree guards. The planting did not appear to be thriving after at least three years in the ground with competition from the surrounding grass sward the most likely the reason why.
- 5.18 Hedge management is a typical agricultural practice completed in cycles so that a hedge does not start to take over productive land in a field or become too high to easily manage. With mechanisation and tractor mounted flails there has been a tendency to overcut hedges which

reduces their contribution to both landscape character and ecology. When land falls out of agricultural production the cycle of hedge management tends to cease and the quality of hedges decline.

- 5.19 There currently does not appear to be any active hedgerow management around the Site's hedged boundaries which are most notable in its southern field. There are gaps and open sections and the hedges, particularly the one in between the Site's fields and next to Footpath 68W is losing its presence in the landscape. It is noted that hedges are proposed to be reinstated either side of Footpath 68W by the proposed crematorium development.
- 5.20 It is acknowledged that the level of landscape management activities can be increased at any time by the landowner. A considerably more active management regime would be required to initially establish and then maintain the crematorium's landscape proposals as shown.

Character of the nearby AONB landscape

- 5.21 The High Weald AONB literally lies on the other side of Turners Hill Road from the Site's southern field.
- 5.22 AONB and other national designated landscape such as National Parks require a 'hard boundary' on a map for planning and other management purposes. Boundaries tend to be drawn at recognisable and immovable boundaries such as roads, footpaths and rivers. Their landscape character rarely changes at their boundary but rather flows out into the surrounding area which shares many, if not all of the designated landscape's characteristics. These surrounding areas then become the important setting to the designated landscape as discussed below.
- 5.23 The AONB land near to the Site is illustrated on the aerial photograph below. It is set to the south of the dashed yellow boundary line following Turners Hill Road. The points show the land-use and activity present in the AONB indicating it is largely agricultural in landscape character terms even with the cricket pitch to the south west.



- 5.24 The topography keeps rising up to the south offering longer elevated views to the north. The immediate AONB field shown on the aerial photograph planted with a cereal crop in 2018 is larger compared to many in the High Weald landscape. It's largely triangular form is shaped by the two roads Turners Hill Road and Paddockhurst Road running to an apex just beyond St Leonards Church.
- 5.25 This placing of roads, settlements and especially churches on ridgelines in the High Weald is key characteristic of the High Weald landscape.
- 5.26 The Turners Hill Road boundary has a banked tree line running along it giving the road a slightly buried, holloway character which again is a characteristic of routes through the High Weald. The Paddockhurst Road is set with a strong beech tree line as a shaw woodland to its north.
- 5.27 The tree line set on the bank on the south side of Turners Hill Road acts as a separating feature between the AONB and the Site and other areas to the north of the road. This is illustrated in the Appellant's LVIA summer photography from Footpath 69W shown as VP 12 and VPI3 in the Indigo LVIA.
- 5.28 The tree line is also relatively full in winter months as well as illustrated on photographs held in the RLC LVIA – VPI2, VPI2a and VPI3. There are a few gaps in the tree line and glimpsed views to the Site are possible but no open views exist.

AONB setting

- 5.29 The Site's and particularly its southern field act as the immediate setting to the High Weald AONB. Also in the immediate setting are Tulleys Farm seasonal events area and car park and the arable field to the east of Butchers Wood. This is a statement of simple geographic fact.
- 5.30 AONB setting also extends wider to take in the landscape of the rest of the valley that runs up to the north of the Site and Tulleys Farm. These setting extents are shown on the landscape survey and analysis drawing at Figure 3 in RLC Appendix B.

Comparison of the Site and the AONB's landscape character

- 5.31 There is little difference in terms of character between the AONB and the Site. Land-use may be different but overall landscape character is not.
- 5.32 They share similar characteristics including;
- Being part of the same valley side running down to the north;
 - Similar tree lines either side of Turners Hill Road;
 - Strings and ribbons of woodland shaws and small blocks of woodland;
 - Presence of open fields albeit used for different purposes;
 - The gill woodland of Butchers Wood with land falling away to the east; and
 - Views out to the open aspect to the north.
- 5.33 A theoretical walker on Footpath 69W crossing over Turners Hill Road from the AONB onto the Site and following Footpath 68W will not notice a fundamental difference in landscape character. They will notice a difference in land-use with Tulleys Farm car park and the Site's maintenance shed building but not a whole different landscape character.
- 5.34 If the walker crosses Turners Hill Road in the opposite direction they will not suddenly experience a dramatic new landscape character, or more impressive landscape walking into the AONB.
- 5.35 As expected there is no sign saying, 'You Are Now Leaving / Entering the High Weald AONB.' They appear and are understood as one landscape with the AONB boundary drawn along a convenient geographic feature.

Valued landscape as defined in current NPPF

- 5.36 Currently the Site is not considered a valued landscape, but its landscape context namely the High Weald AONB is a ‘valued landscape’ as per the reference at §170 a) because of its national landscape designation. This is a matter of common ground between parties.
- 5.37 The Site was not considered a valued landscape in the landscape consultation response provided by Ms Pullan to this application or during the previous consented planning applications. She did caveat her comments slightly at her §2.14 of her final consultation response (**VP6.6**) by stating, ‘*Whilst the site would be unlikely to be considered valued landscape in the context of the NPPF it is assessed to be of high sensitivity by the LVIA*’ (LVIA by Indigo Landscape Architects **ADI.5**– author’s note).’
- 5.38 There is no prescribed process to define whether a non-nationally designated landscape is a valued landscape. Although the Landscape Institute has recently published for consultation draft guidance to assist landscape practitioners and planning authorities alike to understand what a valued landscape is and how to define one in the English planning system. This document is Technical Guidance Note (TGN) 02/21 – titled ‘Landscape Value and Valued Landscapes’ and was put out to consultation in January 2021. It is not yet adopted as either guidance or best practice by the Landscape Institute and not referenced further in this Proof given its unadopted status.
- 5.39 Following High Court clarification a valued landscape is generally considered to require ‘demonstrable physical attributes’ to lift it above the ordinary and not just popularity.
- 5.40 In addition a site that benefits from views to and from an AONB does not immediately become a valued landscape as this would act to unduly restrict development across wide tracts of visible land.
- 5.41 There appears to be three interpretations to determining whether a non-nationally designated landscape is valued under NPPF 170a;
- *Subjective interpretation* – through the use of a GLVIA3 Box 5.1 (and the emerging Table I of TGN 02/21) assessment to establish if any demonstrable physical or cultural landscape features apply at a site to make it a valued landscape;
 - *Objective interpretation* – automatically applies given a landscape designation which is easy to understand and acts as sometimes referred to as a ‘closed list’, this includes both national landscape designations such as National Parks and AONB’s but possibly

also local planning authority landscape designations applied to landscapes for their quality; or a

- *Cumulative interpretation* – where a designated landscape area is required to also demonstrate landscape attributes to lift it above the ordinary.

5.42 I have undertaken a GLVIA3 Box 5.1 subjective assessment as part of the RLC LVIA and found that the Site is not a valued landscape if relying on its own physical and cultural attributes.

5.43 Whatever interpretation this Inspector chooses to base their decision upon regarding the value of the Site's landscape I would draw their attention to three facts.

- Firstly two fields such as the Site are difficult to class as a 'landscape' in their own right but rather they are a piece of the wider fabric of this attractive rural landscape. They have landscape characteristics of their own and these might be lesser or greater in quality terms or notability than the surrounding land but they play a part in the overall character and appreciation of the wider area. The Site is a single jigsaw piece contributing to the quality of the larger landscape jigsaw picture;
- Secondly the landscape has been ascribed value by MSDC in their landscape capacity studies (**CD's 9.3 & 9.4**) not only for its own intrinsic beauty as a piece of countryside but also as the setting for the AONB; and
- Thirdly that development in none valued landscapes can still have a landscape effect in a nearby valued landscape. The type of effect can be positive, adverse or neutral.



Cumulative landscape effects with Tulleys Farm

5.44 The Site in landscape terms has a relationship with Tulleys Farm to the west of the southern field. Tulleys Farm is a popular attraction and after reading about its activities and events online⁴ will appear considerably different during school holidays and at the time of its seasonal events.

5.45 The landscape relationship exists because there is only a partial hedgerow between the Site's southern field and Tulleys Farm events car park as pictured below. The two areas are not separated from each other in either landscape or visual terms. The hedge and particularly its veteran tree stock offers some sense of separation when seen from a distance but closer to

⁴ www.tulleysfarm.com – accessed 5/3/21 and 2/4/21

there is visibility from the Site to the car park and vice versa. This connection appears to have been recently physical as well with rutted tracks running between the two fields.

	
<p>View from Footpath 68W across absent hedge to car park and seasonal pavilions at Tulleys Farm.</p>	<p>Gap in hedgerow between car park and Site. Photograph taken from Footpath 68W</p>

5.46 The seasonal car park at Tulleys Farm has denuded the base landscape condition of the pasture field with its rows of rolled stone searchways and resulting strips of grass to park on. It is recognised that it is a low key, unbound form of surfacing and it would be ‘relatively’ easy to revert back to a productive field but its appears as an unsightly area when not in use. Given its size and the popularity of events at Tulleys Farm when in use it will appear as a large area of car parking in the countryside near to the AONB. It is not a positive feature within the rural landscape and detracts from the character of the area and erodes the wider landscape quality along this part of the route into Turners Hill village.

5.47 The consented development at the Site and any further consented development has the potential to be perceived cumulatively with Tulleys Farm’s seasonal events area and car park.

The Site and its landscape relationship to Turners Hill village

5.48 The Site is set on the approach to Turners Hill village for road users travelling east on Turners Hill Road and walkers on Footpath 68W. It is sufficiently distant from Turners Hill to not currently form a gateway or entry point into the village.

5.49 The approach to Turners Hill on this road initially climbs up Major’s Hill with the sense of climbing continuing past the turning to Tulleys Farm on your left, on past their seasonal car park with the road starting to level off near to the Site. There is still an incline on the ridge past the Site until the first built indication of the village is reached which is the Church of St Leonard set at the junction of Turners Hill Road and Paddockhurst Road. The church is the

current gateway point into the village for both these roads with built development including the village school constant to the east running down to the cross roads and village green at the heart of the village.

- 5.50 Effectively there is one field of open countryside between the Site and the church as the entry point to the village. This is the field to the east of Butchers Wood that a permissive path runs through and as pictured on Viewpoint 10 in the RLC LVIA.
- 5.51 For walkers on Footpath 68W they enter into Butchers Wood and then continue along the edges of fields before arriving at the Lions Lane allotments and buildings in the village. The sense of separation between the Site and the village for walkers is greater than road users as there is the wood to pass through and a ninety degree change in path direction.

Field patterns

- 5.52 The historical map pack generated by Groundsure (**AP2.11**) and submitted in support of the application shows an unchanged field pattern structure at the Site and in the immediate vicinity with Butchers Wood being evident in its approximate current shape on the 1895-96 edition which is the earliest map in the series. This is not surprising as Butchers Wood is classified as Ancient Woodland.
- 5.53 The field pattern that has changed more noticeably is that of the nearby AONB field that currently contains beet. Its larger triangular shape and scale has come about through amalgamation of fields in between 1938 and 1963 most probably driven by a post war desire for increased food production and for ease of use of larger farm machinery.
- 5.54 More recent field use change has come about from Tulleys Farm diversification with the creation of the Maize Maze, seasonal events area and associated car parking in the two fields to the west of the Site. These are new land uses but still within the existing historic field boundaries.

Final landscape sensitivity judgements

- 5.55 As explained in the RLC LVIA landscape sensitivity is defined by considering two factors;
- Landscape value; and
 - Landscape susceptibility to change from these particular development proposals.

- 5.56 The Site's landscape value is considered to be **High** as it is a rural area providing the immediate setting to the High Weald AONB and Butchers Wood Ancient Woodland. The analysis is explained in fuller detail in RLC LVIA Table 7 where the value of the individual landscape receptors on and around the Site is presented.
- 5.57 Landscape susceptibility to change from this particular type of development proposal is considered to be **Medium/High** given the fact that the landscape has already changed from agricultural land and has the presence of the maintenance barn's built form on part of the Site. This within the RLC LVIA Appendix A Methodology look-up Table 7 computes through to a give a **High** landscape sensitivity judgement.
- 5.58 For the surrounding landscape context the landscape value is also considered to be **High** as it is made up of the nationally designated High Weald AONB, Butchers Wood Ancient Woodland and an attractive small valley to the north of the Site. More detracting features such as Tulleys Farm's car park and overhead pylons do not reduce its value. The susceptibility to change from this form of development is considered to be **Medium** as there are already buildings scattered in the contextual landscape but not large formal complexes. Combined this leads to a judgement of **Medium/High** landscape sensitivity.

Section 5 landscape baseline summary box

- 5.59 As this section is lengthy a summary box of the key points is provided.

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

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

6.0 Landscape planning policy

Cited policies and guidance from the Reason for Refusal

- 6.1 The Local Development Plan policies, national policies and local design guidance points that the proposals are considered to be in conflict with were set down in the single RfR. They are listed at §2.5 to §2.9 above.
- 6.2 Mr Watt in his planning Proof addresses why he considers there to be conflict with these policies and guidance points and how he has weighed this in the planning balance before making his recommendation to Planning Committee to refuse the application. He lists the various policies out and helpfully embolden those that he considers the Appeal scheme to be in breach of.
- 6.3 Mr Watt relies upon evidence contained in this Proof where he has had to base a compliance or conflict decision on for the landscape aspects of the development policies and guidance points. These are summarised below in RLC Table 4 along with the parts that are in alleged conflict.

RLC Table 4 – Landscape Planning Policies and design guidance that the proposals are considered in alleged conflict with

Document, Policy Ref and Name	Summary of Policy or Guidance	Parts in alleged conflict
Mid Sussex District Plan (Adopted March 2018)		
DPI2 – Protection and enhancement of countryside	Countryside protected for intrinsic value. Development allowed where it maintains or enhances rural or landscape quality. Necessary to support agriculture or another specific Plan Policy. Uses landscape character and management policies.	Not protecting countryside’s intrinsic value. Does not maintain or enhance quality. Not necessary for agriculture. No crematoria need identified.
DPI6 – High Weald AONB	Development in setting of AONB only permitted where it does not detract from the visual qualities and essential	Affects to essential landscape characteristics. Visual effects when looking to

Document, Policy Ref and Name	Summary of Policy or Guidance	Parts in alleged conflict
	characteristics of AONB. Not adversely affect views into or out of AONB.	the AONB and when leaving the AONB.
DP26 – Character and Design	All development and surrounding spaces... will be well designed and ... sensitive to the countryside. Development needs to create a sense of place while addressing the character and scale of the surrounding buildings and landscape.	Both built form and its surrounding space is not sensitive to countryside. Sense of place is out of character and scale with landscape.
Turners Hill Neighbourhood Plan 2014-2031 (Made March 2016)		
THP8 – Countryside Protection	Outside the Built Up Area (BUA) boundary priority will be given to protecting and enhancing the countryside from inappropriate development. Development will only be permitted where specific sub-points can be met.	The Site is clearly outside of the BUA. No protection or enhancement of countryside. Does not comply with sub-points a-c, with sub-points d-f not applicable.
National Planning Policy Framework (2019)		
§130 (in part) – Design quality	Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. ..taking into account any local design standards or style guides in plans or supplementary planning documents.	Proposals are of poor design and do not improve the character and quality of the area. Proposals do not comply with Mid-Sussex Design Guide SPD.
§ 170 a) & b) – Landscape character and intrinsic quality of countryside	a) Protect and enhance valued landscapes. b) Recognising the intrinsic character and beauty of the countryside	b – The proposals do not recognise the intrinsic character of the countryside.
Mid Sussex Design Guide Supplementary Planning Document (Nov 2020)		
Design Principle DG3 – Work with the Site’s natural features and	The design proposal should use the physical characteristics of the site to influence the form and layout of new	The proposals do not retain the Site’s existing natural landscape or rural appearance,

Document, Policy Ref and Name	Summary of Policy or Guidance	Parts in alleged conflict
resources	development? The proposals should maximise the site resources in response to Principles DG3 and DG4?	it does however retain boundary trees and hedges..
Design Principle DG7 – Respond to topography and strategic views	The design should work with the topography and integrate the buildings within the landscape? Have important views been identified and does the layout of development respond appropriately to these?	Potential impacts on Site’s topography and the building is not integrated within the landscape. Scenic views have been identified and proposals try to use them.
Design Principle DG11 - Respond to the existing townscape, heritage assets and historic landscapes	The design should respond to, celebrate, enhance and preserve any heritage assets and historic landscapes within the proposals?	The proposals are able to retain historic boundary hedges but will lose the small irregular shaped fields that typify the High Weald landscape.
High Weald Area of Outstanding Natural Beauty Management Plan 2019-2024 (4th edition, Feb 2019)		
Management Objective FH2 – Maintain Pattern of Small Irregular Fields	To maintain the pattern of small irregularly shaped fields bounded by hedgerows and woodland.	Does not retain the small irregular shaped field pattern typical of the High Weald landscape.



7.0 Summary of landscape effects

RLC Landscape and Visual Impact Assessment (LVIA)

- 7.1 A separate LVIA (Appendix A to this Proof) has been produced to consider both the landscape and visual effects associated with the crematorium proposals. The summary of landscape effects presented in this section is based upon it.
- 7.2 In making the judgements within the LVIA it has been important to recognise a series of points about the Site that make it different from a typical green field location, these are;
- The Site should not be considered as agricultural land as its lawful use is as a natural burial ground;
 - The Site should be judged not in its current disturbed state but with the started developments complete; and
 - The started developments have been consented and will influence the end character of the Site when they are complete.
 - It has been assumed that the consented chapel building would be replaced by the proposed crematorium building and not built out.

Form of landscape assessment

- 7.3 The assessment is based upon understanding the effects the development would have on the individual landscape characteristics of the Site before amalgamating all those points to understand what the overall landscape effect would be on the Site as a single entity.
- 7.4 Secondly landscape effects are considered on the contextual landscape to the Site, the setting to the AONB and the nearby part of the AONB and other local landscape receptors before amalgamating the points to understand the overall landscape effects on the contextual landscape.
- 7.5 Both sets of amalgamated results are discussed after RLC Table 5.
- 7.6 Lastly a discussion of cumulative landscape effects taking into account the neighbouring Tulleys Farm is provided.

RLC Table 5 – Landscape Effects Summary Table

Element or Entity	Sensitivity	Magnitude	Significance & Type of Effect at Year 1	Significance & Type of Effect at Year 7	Significance & Type of Effect at Year 15	Narrative Summary
On-Site Elements						
Rough grassland	Medium	Large	Major/Moderate, Adverse	Reduces to Moderate Adverse	Remains at Moderate Adverse and Permanent	Large-scale replacement in southern field with the new crematorium complex and more gradual change as consented in northern field.
Field pattern	Medium	Medium	Moderate, Adverse	Remains at Moderate, Adverse	Remains at Moderate, Adverse	The southern field's shape will remain with new development but sense of a rural field would be removed from overall field pattern. Northern field would change from field to woodland.
Existing hedges and trees	Medium / High	Small / None	Minor, Adverse	Changes to Minor, Positive	Changes to Moderate, Positive	The existing trees and hedges can be largely be retained. Proposed hedge planting would improve condition of existing hedgerows.
Existing natural burial ground planting	Medium / High	Medium / Large	Major / Moderate, Adverse in southern field.	Moderate Adverse in the southern field.	Moderate Adverse in the southern field.	The implemented natural burial landscape planting aims to create a fringe of woodland understorey meadow around the consented development. This open woodland scheme would be subsumed into the larger structural planting.



Element or Entity	Sensitivity	Magnitude	Significance & Type of Effect at Year 1	Significance & Type of Effect at Year 7	Significance & Type of Effect at Year 15	Narrative Summary
Footpath 68W – landscape character not views from path that are considered in Visual Effects	Medium / High	Small	Moderate / Minor, Adverse	Moderate, Adverse	Major, Adverse	The hedgerow planting to both sides of the route will change the appearance of the path corridor from one that is relatively open to one that is totally enclosed to both sides.
Perceptual qualities	Medium Medium / High	Medium Small	Moderate, Adverse n southern field. Moderate / Minor Adverse in northern field.	Moderate, Adverse n southern field.	Minor, Adverse n southern field.	The perceptual changes will be more noticeable in the southern field rather than the northern field where the complex's increased activity and built form is more influential. The structure planting in the southern field starts to reduce some of the adverse perceptual effects on establishment around Year 15.
Overall Site landscape character	High across both parts of Site.	Medium / Large in south Medium to north	Major, Adverse in southern field. Major / Moderate in northern field.	Major/Moderate, Adverse in south. Moderate, Adverse in northern field.	Moderate, Adverse in south Minor, Adverse in northern field.	Judged against either the approved natural burial ground treatment baseline or the current rough grassland field baseline the change to the southern field's landscape character will be Major/ Moderate Adverse. In the northern field where the landscape change is less dramatic



Element or Entity	Sensitivity	Magnitude	Significance & Type of Effect at Year 1	Significance & Type of Effect at Year 7	Significance & Type of Effect at Year 15	Narrative Summary
						it is considered Minor, Adverse . Combined together this would lead to a Site wide Moderate, Adverse and Permanent effect on its landscape character.
Contextual Landscape Areas						
Setting to High Weald AONB	High	Medium / Small	Moderate, Adverse	Reducing magnitude of effect leads to Moderate / Minor Adverse.	Remains at Moderate / Minor, Adverse even with established mitigation.	The change to the AONB's setting is greatest at construction but the long term change is judged from the low key natural burial ground changing to the more intensely developed crematorium complex.
High Weald AONB itself – limited to opposite field and cricket pitch	High	Small	Moderate, Adverse	Minor, Adverse	Negligible, Adverse	To confirm there is no direct physical change to the AONB but rather change in landscape character through proximity to the proposed crematorium complex.
Road corridor	Medium / High	Medium	Moderate, Adverse	Reduces to Minor, Adverse	Remains at Minor Adverse and Permanent	Judging increased effects from wider access bell-mouth, increased road network and sense of larger development adjacent to road corridor.
Turners Hill Cricket	High as in	Small/None	Moderate / Minor,	Negligible, Adverse	No Effect	Cricket club is set away from main



Element or Entity	Sensitivity	Magnitude	Significance & Type of Effect at Year 1	Significance & Type of Effect at Year 7	Significance & Type of Effect at Year 15	Narrative Summary
Club Ground	AONB.		Adverse			proposed development activity and is already heavily screened.
Butchers Wood	High	Medium	Major / Moderate, Adverse	Reducing to Moderate, Adverse	Further reducing to Minor, Adverse	Butchers Wood would have a new, developed neighbour to its west. The notability of its neighbour will reduce with time but activity and contrast in the southern field will continue to adversely affect its character. The Site's northern field would be more in keeping with Butchers Wood.
Tulleys Farm	Medium	Medium	Moderate, Adverse	Reducing to Minor, Adverse	Changing to a Minor, Positive, effect predominately from the hedge to 68W	Tulleys Farm car park and events area would initially be influenced by the unscreened crematorium proposals. This would reduce with the proposed screen planting and eventually arrive at a similar position as the proposed natural burial ground.
Northern Valley	Medium / High	Medium	Moderate, Adverse	Remaining at Moderate, Adverse	Reducing to a Minor, Adverse	The crematorium complex will initially contrast starkly with the agricultural north side of valley until mitigation planting establishes. The natural burial ground in the northern field would assist.



Element or Entity	Sensitivity	Magnitude	Significance & Type of Effect at Year 1	Significance & Type of Effect at Year 7	Significance & Type of Effect at Year 15	Narrative Summary
Whole contextual Landscape	Medium / High	Medium	Moderate, Adverse	Moderate, Adverse	Moderate / Minor, Adverse	An amalgam of the above results with some reduction in harm at semi-maturity.



Overall Site Landscape Effects Assessments

- 7.7 In looking at the change to the Site there is a notable difference between the effects in the southern and northern fields. However the entire Site is judged to have a **High** landscape sensitivity rating.
- 7.8 In the southern field where the crematorium complex is proposed the current rural character would be changed immediately to one of new built form and extensive car park with ornamental planting. On completion of the construction and before any planting can establish the magnitude of these landscape changes is judged to be **Medium / Large** in the southern field.
- 7.9 For the northern field the magnitude of change would not be as large and is judged to be **Medium** as the crematorium complex is set to its side and influences landscape character through association and immediate change of context.
- 7.10 In using the RLC LVIA Table 9 - Significance of landscape effects rating the southern fields' **High** landscape sensitivity, combined with a **Medium / Large** magnitude of effects returns a **Major** landscape effect rating. This is considered an **Adverse** type of effect with the new development reducing the character of the existing rural field, or the future open woodland of the consented natural burial site.
- 7.11 For the northern field the same look-up exercise returns a **Major / Moderate** landscape effect rating, again considered as an **Adverse** change.
- 7.12 If the two landscape effects for the fields are combined they can be effectively be rated as a **Major / Moderate, Adverse** landscape effect at Year 1 and before any mitigation planting matures, or the landscape form of the wider development establishes. In the RLC LVIA methodology Major and Moderate Adverse landscape effect are defined as below. The Year 1 effect falls between these two definitions;
- **Major, Adverse** - The proposals will result in a large negative change in the key characteristics of the landscape receptor arising from either their loss, reduction or introduction of uncharacteristic elements to it so as to destroy it or seriously degrade the integrity of the landscape receptor. The proposals may also be in conflict with adopted planning objectives for the landscape.
 - **Moderate, Adverse** – The proposals will result in a partial change in the key characteristics of the landscape receptor arising from either their partial loss, reduction or introduction of some uncharacteristic elements to it so as to moderately

reduce or degrade the integrity of the landscape receptor. The proposals may also be partly in conflict with adopted planning objectives for the landscape.

- 7.13 The effects of the mitigation planting are acknowledged in the landscape effects assessment following the same 7 year and 15 years post completion durations as proposed by Indigo Landscape Architects in their LVIA (**ADI.5**).
- 7.14 After 7 years the amenity planting such as curved hedges and tree lines in the car park and remembrance garden would have established but not reached an appearance of maturity unless advanced stock was used. The proposed native boundary hedges and structure planting would be more noticeable but again not at a state of maturity.
- 7.15 After 15 years the amenity planting would be at a fully established state, as would the native boundary hedges. The structure planting would be at a semi-mature state and be giving an increased sense of enclosure to the areas of the Site where planted.
- 7.16 With this planting in place it would reduce the sense of change to the Site's landscape character to **Moderate** but would still remain an **Adverse** landscape effect with a more uncharacteristic woodland screen combined with amenity planting, parkland planting and a greater intensity of use which are not characteristic to the Site's immediate contextual landscape or this part of the High Weald landscape character area.
- 7.17 The intrinsic character of the countryside would not be protected but rather replaced with a more intensively developed group of proposals that do not complement the local rural scene but rather imposes its own style upon it.

Landscape effects on the contextual area

- 7.18 The contextual area will experience diminishing landscape effects caused by the presence of the crematorium complex. It diminishes due to the increased screening effects of the structure planting associated with the proposed development. Initially the landscape effects on the contextual area is considered to be **Moderate, Adverse**.
- 7.19 The setting of the AONB will in the long term experience a **Moderate to Minor, Adverse** and **Permanent** effect. This is caused by the greater extent and more noticeable form of development of the crematorium complex (including its external area) being a greater adverse landscape change adjacent to the AONB when compared to either the current rough grass field or the consented natural burial ground (with chapel) landscape character.

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- 7.20 The High Weald AONB itself experiences negligible, adverse landscape change as does the Turners Hill Cricket Club which is also located in the AONB.
- 7.21 Butchers Wood Ancient Woodland initially experience notable adverse effects from the reduction of rural character to its west. This would reduce with the establishment of the mitigation structure planting and the development of the natural burial ground in the northern field. However it would not be totally removed and remain a Minor, Adverse character change due to its changed context. The remainder of the local valley to the north of the crematorium complex would experience a similar Minor, Adverse landscape character change.
- 7.22 The relationship of the proposed development with Tulleys Farm will lead to a long-term Minor, Positive landscape effect derived from increased landscape separation between the two sites. Starting initially with a Moderate, Adverse effect due to the cumulative sense of two denuded countryside areas the separation caused by the double hedgerow along 68W and structure planting on the Site will lead to a Minor, Positive landscape effect.
- 7.23 Taken overall the crematorium's built form and associated external realm is uncharacteristic in the local High Weald landscape. This judgement is common to whether it is compared to its current rough grassland field appearance or the consented natural burial ground proposal with its cluster of buildings and smaller scale car park. The initial **Moderate, Adverse** effects decline with the mitigation planting to become **Moderate / Minor** but still **Adverse** landscape effects.

Cumulative landscape effects

- 7.24 Cumulative landscape effects are those that come about in combination with other developments, existing or planned. The cumulative landscape effect identified with regard to the crematorium proposals is the increased sense of landscape character change brought about with Tulleys Farm.
- 7.25 Both sites do not appear as high quality fields in the countryside under agricultural production but rather as disturbed areas of activity with their intrinsic rural character considerably reduced.
- 7.26 As there is currently ineffective landscape separation between the two areas they can be perceived as interlinked or part of a wider whole. The proposed twin hedgerows to 68W and the structure planting to the west of the existing maintenance barn should it establish

successfully will help to re-introduce separation between the two sites. However this structure planting is not anticipated to be effective for at least ten years.

7.27 Without it the proposals would be perceived as an extending sprawl of development in the rural landscape taking over more fields next to the AONB and reducing the quality of its setting.

7.28 This cumulative landscape effect also influences the quality of the approach to the village of Turners Hill. At the moment the approach has sufficient undeveloped land along the Turners Hill Road corridor so that Tulleys Farm appears as a rural enterprise set some distance from the village. If development of the crematorium complex occurs this would reduce the effective undeveloped break between Tulleys Farm and the village to the single field opposite to the Church of St Leonard.

Landscape benefits

7.29 There are few obvious landscape benefits to identify with these proposals particularly in comparison to the consented natural burial ground proposals. However the following benefits to the landscape are identified and can be set against the adverse effects;

- i. Creation of a new permissive path to continue the existing permissive route from St Leonards Church along the Site's southern boundary to intersect with Footpath 68W. This is suggested as a benefit for people walking from the village. They can however also walk on Footpath 68W from Turners Hill to reach this point.
- ii. As explained in the discussion of cumulative effects the landscape separation of the Site and Tulleys Farm is a positive effect of the proposals, this separation would be achieved by the natural burial ground planting proposals as well.
- iii. Extension to Butchers Wood Ancient Woodland from developing woodland in the Site's northern field, care has to be taken to ensure the structure planting is not inferior in mix to the adjacent Ancient Woodland and the natural burial woodland does not appear artificial in form or cluttered with too many or inappropriate memorials.
- iv. Hedgerow reformation between the Site's fields or entirely new hedges as per the proposed western hedgerow to the remaining part of natural burial to the Site's northern field.

7.30 These benefits are minor in nature compared to the overall loss of intrinsic rural character at the Site and many are also associated with the consented natural burial scheme. These landscape benefits do not offset the larger adverse effects on landscape character that the crematorium proposals would bring about.

Section 7 - Landscape Effects Summary Box

7.31 As this section is quite long a summary box is provided.

- a. The effects of the proposed development on the Site's landscape characteristics are considered in RLC Table 5 before they are amalgamated to assess the overall effect on the Site's landscape character.
- b. On completion of the crematoriums construction the landscape effect is considered to be **Major / Moderate** and **Adverse**. This reduces with the mitigation planting to an eventual **Moderate, Adverse** and **Permanent** effect on landscape character at the Site.
- c. The landscape effects on the individual areas around the Site that form the contextual landscape for the proposals are considered before an amalgamated landscape effects judgement of **Moderate, Adverse** is given reducing to **Moderate/Minor, Adverse** on greater maturity of the mitigation screen planting.
- d. Whether these adverse landscape effects are considered significant is a matter for the decision taker, in this case the Inspector, but any landscape areas or receptors that experience a rating of significance of Moderate or greater should I believe be taken into consideration in the decision making process.
- e. Initial adverse cumulative landscape effects with Tulleys Farm car park and seasonal events area are identified but there is also recognition that the proposed screen planting to the west of the Site will separate these two areas on establishment. This separation would also be achieved by the natural burial ground proposals.
- f. Four areas of landscape benefits are identified but these are not considered to offset the greater landscape character harm brought about by these proposals.
- g. The proposals do not effectively retain the High Weald's small field pattern in the immediate setting to the High Weald AONB but eventually over time neither would the natural burial ground woodland.
- h. Overall the proposals would reduce the landscape quality of the setting to the AONB but not reduce the quality of the AONB itself in any meaningful way.
- i. The intrinsic character of the countryside would not be protected but rather replaced by a more intensively developed group of proposals when compared to the consented natural burial ground. The crematorium complex does not complement the local rural scene but rather imposes its own style upon it.

8.0 Visual effects

8.1 This section addresses visual effects that the proposals will bring about. There has been a number of Landscape and Visual Appraisals (LVA's) and Landscape and Visual Impact Assessments (LVIA's) undertaken in connection with the Site and the various planning applications made for it. These include;

- Lizard Landscape Design and Ecology (LLDE) – in association with the natural burial ground application containing winter from December 2014.
- Harper Landscape Architecture (HLA) review of the above in connection with the Chapel and Maintenance Barn – no further photography.
- Indigo Landscape Architecture's (ILA) LVA in support of the crematorium application – most recent summer photography; and
- Ryder Landscape Consultants' (RLC) LVIA as a foundation to this Proof – most recent winter photography.

8.2 The various documents generally concentrate on the same viewpoints as set by LLDE. There are 18 common viewpoints between studies. The RLC LVIA has kept the same viewpoint reference numbers to allow for easier comparison between summer and winter photography.

8.3 I have also taken additional viewpoints where I think they are more helpful to explain a visual effect or explain relationships between areas in the contextual landscape to the Site. These additional views carry the number of the nearest viewpoint but with a letter suffix to show they are extra views e.g. 3a, 3b, 12a.

Agreed views experiencing visual effects

8.4 The SoCG (**CD6.1**) has helpfully agreed those viewpoints where notable visual change will be experienced as;

- VP3 – View from Footpath 68W as it enters the east of the Site after exiting Butchers Wood;
- VP4 – View from Footpath 68W as it passes through the Site;
- VP5 – View from Footpath 68W at the west end of the Site; and
- VP6 – View to the Site from Turners Hill Road through the Site entrance.

8.5 In the SoCG there is also commentary that VPI1 and VPI2 would experience visual change but at a lesser level. These two views are;

- VPI1 – Point of exit from the AONB looking to Site along Turners Hill Road; and
- VPI2 – View north to the Site crossing the neighbouring AONB field.

8.6 These judgements on where visual effects are experienced from have their roots in the consultation responses of Ms Pullan, East Sussex County Council's (ESCC) Landscape Architect providing a landscape consultation response to MSDC. Having attended Site and conducted my own visual survey I have no reason to divert from them. I do however provide more imagery from of views from Footpaths 68W and 69W that help to explain the visual experience from those paths.

8.7 I also draw to the Inspector's attention that from Viewpoint 10 (field to north of St Leonards Church) and Viewpoint 13 (Footpath 69W at top of AONB triangular field) the existing development at the Site is visible in winter conditions suggesting that other development at the Site will also be. However like Viewpoints 11 and 12 the extent of visual change experienced is small.

8.8 This does not mean that the unlisted viewpoint photographs are without value as they help to illustrate the character of the area and prove lack of visual effects from other potential vantage points.

Guidelines for Landscape and Visual Impact Assessment (GLVIA3) (CD9.6)

8.9 To establish the **sensitivity** of visual receptors the GLVIA3 recommends that a systematic assessment of the **value** that the receptors would commonly place on the view is considered in conjunction with the viewer's **susceptibility to change** brought about by that particular type of development, in this case the proposed crematorium complex.

8.10 The **sensitivity** of visual receptors can then be used in conjunction with the **magnitude** of visual change to establish the significance of that visual change, remembering that change brought about by development can be either beneficial, adverse or neutral.

8.11 The fact that there is already partially built consented development on Site and that its final consented visual appearance will be as open woodland as part of the natural burial has been taken into account when assessing the visual change at these viewpoints.

8.12 Below RLC Table 6 identifies the difference between the Indigo LVIA (**ADI.5**) sensitivity assessment for these six viewpoints and those of my own. It uses a light purple and green shading with Indigo’s sensitivity assessments set in the purple and those of RLC in green.

RLC Table 6 – Comparison of visual receptors’ sensitivity judgements

Viewpoint ref	Value	Susceptibility	Overall Sensitivity
VP3 - Indigo	Medium	High	High
VP3 - RLC	High	High	High
VP4 – Indigo	Medium	High	High
VP4 - RLC	High	Medium	Medium / High
VP5 – Indigo	Medium	High	High
VP5 - RLC	High	Medium	Medium / High
VP6 – Indigo	Medium	Medium	Medium
VP6 – RLC	Medium	Medium	Medium
VPII – Indigo	High	High	High
VPII - RLC	High	Medium	Medium / High
VPI2 - Indigo	High	High	High
VPI2 - RLC	High	High	High

8.13 A review of the table shows that there is general agreement between the Indigo and RLC LVIA’s as to the sensitivity of the visual receptors experiencing the views on and around Site. The RLC LVIA gives a lower sensitivity for viewers at VP’s 4, 5 & II by virtue of the maintenance barn being built after the Indigo LVIA and therefore reducing the viewers’ susceptibility to built form on Site.

8.14 If there are differences between the two assessments they lie with the magnitude of change part of the visual assessment.

8.15 My assessment of the six SoCG identified viewpoints are given individually below. The RLC LVIA illustrations with the full size panoramic photography is presented in RLC Appendix B – Illustrations and fuller discussions of the visual effects in the RLC LVIA Section 7.

VP3 – View from Footpath 68W as it enters the east of the Site after exiting Butchers Wood



- 8.16 This viewpoint is the first appreciation of the Site after the visual enclosure of Butchers Wood. It is currently open and allows sight up the side of Butchers Wood towards the tree line along Turners Hill Road.
- 8.17 With the crematorium complex in place the crematorium building and floral tribute area would be visible at the top of the obvious slope until the mitigation planting establishes. When it does establish it will effectively 'hedge-in' the south side of the path removing all sight from the path apart from along the path corridor itself. This solves the problem of being able to see the intrusive crematorium complex but at the cost of removing all outward views from this part of Footpath 68W which will feel heavily constrained with tall hedges set to both sides of its route.
- 8.18 It can be argued that given the lawful consent for a natural burial ground that this area would be wooded anyway as part of Phase 2 of that consent. However views through the open woodland of the burial ground would be considerably more attractive and appropriate to the High Weald character rather than being visually hemmed in by hedges to prevent views.
- 8.19 The assessed visual change has been assessed as **Major, Adverse** on construction given the scale of the building and its prominent position on the upper part of the slope. It will appear as an intrusive and contrasting new element in this view where there is no built form to provide it with context.
- 8.20 The RLC LVIA considers this visual change as **Major/Moderate, Adverse and Permanent** after the mitigation planting due to the heavy restriction of views whilst the Appellant's landscape advisors consider it **Neutral** after 15 years arguing it is not out of character with the wider scene. However I consider this an uncharacteristic and restrictive planting treatment to the sides of the footpath.

VP4 – View from Footpath 68W as it passes through the Site;



- 8.21 The RLC LVIA assesses there to be a **Medium** magnitude of visual change leading to a **Moderate, Adverse** visual effect from this location, looking in this particularly direction after construction with the increased formalisation of the Site with such external features as the garden of remembrance and reinforced access track.
- 8.22 The Appellant’s advisors actually rank the magnitude of change larger at **Medium-High** but their VP4 takes in the full 180° panorama of looking both ways along Footpath 68W. This larger magnitude of effects leads to an overall judgement of the significance of visual effects to be Substantial at Year 1.
- 8.23 It is however again the approach to the long term assessment which is critical to defining the difference between assessments. The Appellant’s LVIA considers the proposed path side hedges and structural woodland planting to have a **Neutral** effect as it is not out of character with the wider scene.
- 8.24 However I consider the proposed mitigation planting style to be uncharacteristic of the local landscape character and would have a Medium/Large magnitude of change leading to an overall **Major/Moderate, Adverse and Permanent** visual effect for path users effectively hemming in their view to the hedged path corridor itself and not out across the Site or wider landscape.

VP5 – View from Footpath 68W at the west end of the Site



8.25 A similar argument to VP4 is presented between parties with the effect of the proposed structure planting being considered **Neutral** by the Appellant's advisors and **Major, Adverse** by the RLC visual assessment.

8.26 The Appellant's advisors appear not to take into consideration the wider effects the woodland screen planting would have other than screening views to the proposed development. They do not consider the existing consented landscape proposals (HLA schemes CD's **10.26 and 10.28**) for this part of the Site which are not as extensive and seek to assimilate the maintenance barn and proposed chapel into the landscape of the field rather than block out all views from the footpath.

VP6 - View to the Site from Turners Hill Road through the Site entrance



8.27 The entrance is realistically the only part of Turners Hill Road where clear view into the Site will be evident. There may be awareness or a perception of built form and activity through the boundary hedge in winter months but this will be visually heavily filtered and probably not visible at all in the summer months. It will also be removed after further boundary planting proposed on Site.

8.28 The view as road users approach the Site's entrance will have clues that there is the crematorium facility set behind the road side hedge including road signage, the 25m wide bell mouth highway junction, an access gate, a possibly tidier managed hedgerow and even mown grass verges as the turning for Tulleys Farm currently displays.

8.29 These clues will consciously or sub-consciously allow the position of the crematorium to be marked in the road users' memory and this marked position is then reinforced by the ability to look through the access down onto the Site and the development beyond.

8.30 The proposals attempt to restrict the direct views through the access by curving the main access road to the east and setting the crematorium building off the straight axis leading down from the entrance. There is also an indicated small block of tree planting set at the west end of the car park. However there will still be sufficient of the access road visible and it leading off to other areas such as the main car park, overflow car park and the processional route to the

crematorium building itself to indicate that there is a larger development on the Site than is visible through the access.

- 8.31 As rightfully stated by the Appellant’s advisors views down the access will be glimpsed as vehicle travel at speed. However other road users such as cyclists will experience a longer view and passengers in vehicles will be able to look more closely at the scene through the access point.
- 8.32 The RLC LVIA gives the change to this view a **Moderate, Adverse and Permanent** rating of significance. This is in comparison to the Indigo Landscape Architects judging this significance after 15 years as a **Very, Slight Adverse** effect.
- 8.33 Compared to the consented woodland burial scheme there would be an increase in visible development through the access as the consented scheme would only have the single car park turning visible and all of the forward look screened by the open woodland of Phase I of the natural burial ground.
- 8.34 Currently there is a brief, longer open view through the access gap to the Surrey Hills AONB in the very distance and to the falling ground of the site as it runs into the small valley to the north. The primary visual features are the consented maintenance barn/workshop and the orange hoardings set broadly around the consented chapel location. This view would be screened out by the structure planting.
- 8.35 Even though this view is narrow in width and short in duration it is important as a way of marking the position of the crematorium on the Turners Hill Road corridor and allowing road users to understand the scale of the development beyond the hedge and placing the development as part of the approach to the village of Turners Hill.

VP 11 - Point of exit from the AONB looking to Site along Turners Hill Road



- 8.36 The scene on leaving the AONB takes in one of the two exits from the Tulleys Farm car park and looks up the still climbing Turners Hill Road to the east towards the new maintenance barn and the proposed site access.

8.37 The visual change has been assessed by the RLC LVIA as **Moderate, Adverse** after construction changing to **Minor, Neutral** on establishment of the structure planting at the west end of the Site. This change has been assessed as a neutral type of effect as it would be judged as part of the immediate road corridor tree line. This accords with the assessment made by the Appellant's landscape advisors.

8.38 Just over the road near the closed access gate into Tulleys Farm car park the RLC LVIA presents another photograph labelled 11a to demonstrate the openness of views between Tulleys Farm car park and the Site. This openness and visual connectivity is why cumulatively in both landscape and visual terms these two areas will likely be perceived as one larger area until the boundary hedge as a very minimum is re-established. The proposed western structure planting would strengthen the sense of separation as would the consented planting from the natural burial ground proposals.

RLC Viewpoint 11a – View showing Tulleys Farm car park and Site together



VPI2 - View north to the Site crossing the neighbouring AONB field.



8.39 This view is taken from Footpath 69 in the first field of the AONB to the south of the Site. The tree line in the mid-ground of the view is set on the bank leading down to Turners Hill Road. Even in these winter conditions the tree line effectively screens off the road and the Site on its northern side.

8.40 The effectiveness of the tree line as a screen in the above representative winter shot is aided by the oblique angle of the photograph meaning the natural line of sight is along the tree line rather than at 90° and through it. When the path user is in the centre of the field the view through the tree line is more perpendicular as shown on RLC viewpoint 12a reproduced in miniature below.

VPI 2a – View north to the Site from the centre of the neighbouring AONB field



8.41 There are noticeable gaps and small breaks in the tree line through which the Site can be seen. During the visit in March 2021 the maintenance barn was visible as were the orange hoardings from the AONB field albeit filtered by the tree line. There is no anticipated visibility in summer.

8.42 For both of these viewpoints the path users' visual sensitivity is **High** and for both viewpoints the magnitude of visual change will be **Small/None** leading to a **Moderate/Minor, Adverse** significance of visual effect after construction. This visual effect changes to a **Moderate, Neutral** and **Permanent** change with the proposed boundary trees along the Site's southern boundary thickening the Turners Hill Road tree line. This assessment broadly accords with the findings of the Indigo LVIA for Viewpoint 12.

Section 8 - visual effects summary box

- a. Viewpoints VP3 to VP6 have been agreed as the only views out of the 18 considered to experience notable visual change.
- b. There is general agreement between parties as to the sensitivity of visual receptors at these viewpoints as either **High or Medium / High**.
- c. The type of visual effects arising from and immediately after construction is also agreed between parties as being **Adverse**.
- d. The rating of the significance of visual effects after construction are considered to be **Major / Moderate Adverse** for VP3, VP4 and VP5 and **Moderate, Adverse** for VP6.
- e. It is generally agreed that the visual effects from Footpath 69W as leaving the AONB and in

crossing the nearby field are **Minor, Adverse**.

- f. The level of construction effects diminish with the ongoing establishment of structural woodland planting proposed by the Appellant to screen the proposed crematorium complex.
- g. The Appellant's advisors consider the visual effects arising from the screen planting as neutral as they will remove sight to the crematorium complex with woodland and hedgerows that are characteristic of the High Weald landscape.
- h. The RLC LVIA considers that the actual visual effects of the screen planting, particularly the structural woodland planting and the hedgerows either side of Footpath 68W will also screen out other attractive views and not just sight to the crematorium complex leading to adverse visual effects of their own.
- i. The long term visual effects for visual receptors on Footpath 68W with the screen planting in place is considered to be **Major / Moderate, Adverse and Permanent**.
- j. The long term visual effects for visual receptors on Turners Hill Road looking through the site access towards the development with established mitigation planting remains as a **Moderate, Adverse and Permanent** visual effect.
- k. Whether these adverse visual effects are considered significant is a matter for the decision taker, in this case the Inspector, but in my opinion any viewpoint that experiences a rating of significance of Moderate or greater should be taken into consideration in the decision making process.

9.0 Landscape planning policy review

Policy review

- 9.1 I do not pass judgement as to whether the proposals fully comply or totally conflict with the overall content of the various, often multi-stranded policies or guidance, or what weight should be given to them in the planning balance as that is the role of a professional Planner. Rather I have reviewed the landscape and visual elements of the policies/guidance and present comments on those facets.

DPI2 – Protection and enhancement of countryside

- 9.2 The proposals are unable to keep the intrinsic quality of the countryside given their contrasting character, scale and increased frequency of use when compared to the natural burial ground.
- 9.3 The proposals neither maintains nor enhances the quality of the Site's landscape character whether it's is judged against its current character as rough grassland fields or its current consented use as a natural burial ground.

DPI6 – High Weald AONB

- 9.4 There will be an increased area of development in the immediate setting to the AONB and a change of the Site's rural landscape to an area with a more formal character. This sense would be at its greatest immediately after development and will reduce with the establishment of the mitigating screen planting. However knowledge that a large development lies just behind a hedgerow will also influence the perception of the character of the setting. The long-term landscape character effect has been assessed as being **Moderate / Minor, Adverse**.
- 9.5 The visual change when looking from the Site towards the AONB will at first have the new development in the foreground. These views are primarily from Footpath 68W with the more open aspect to the north. The views to the AONB and rest of the Site will be removed by the proposed hedgerow. This view has been assessed as experiencing a **Major / Moderate, Adverse** visual effect reducing down to **Moderate / Minor Adverse** effect when the hedge has established. The visual effect on the view for people leaving the AONB is initially **Moderate, Adverse** and takes in the entrance area the Site and adjacent road corridor. This visual effect changes to **Moderate, Neutral** on the establishment of the screen planting.

DP26 – Character and Design

- 9.6 The proposals are insensitive to the current rural character of the countryside because they are formal and more urbanised in character compared to the countryside setting they are located in. The formality of the layout is a function of the design and intrinsically is a part of the process of funerals and remembrance at crematoria. The formality of the proposals include the large car park, its associated planting, the formal garden of remembrance and external areas associated with the crematorium building. These elements combine to create the wider complex. The consented natural burial ground lacks this scale and formality which is why it was considered appropriate for this location.
- 9.7 As touched upon above the crematorium facilities will give the southern field a more formal, ordered character with its large car park, amenity planting, remembrance gardens and parkland. The crematorium complex will have an official sense of place which is more organised and ceremonial which is in contrast to the surrounding rurality. The northern field will appear more natural as it evolves to woodlands with areas of open ground. It will still however appear as a burial ground as memorial plaques will be left throughout the area.
- 9.8 The proposed sense of place is not in keeping with either the character or scale of the surrounding landscape. The crematorium building and associated external realm are large formal features not in keeping with the small scale, less formal character of the surrounding countryside. The remaining natural burial ground area in the northern field is however in keeping subject to it being laid out and planted in an informal way using only native tree species as planned.

THP8 – Countryside Protection

- 9.9 The proposals do not protect and enhance the countryside's character for the same reasons as laid out above for MSDC Local Plan Policy DPI2.
- 9.10 There is overall harm to the Site which is a landscape of high sensitivity. Not all elements would harm the Site and surroundings and a list of four landscape benefits has been established. These however do not offset the scale of landscape harm caused by the wider crematorium complex.
- 9.11 With regard to effects on the village's setting there are no direct landscape effects or intervisibility of the proposals from the village or vice versa. There is however a risk that the proposals by themselves and cumulatively with the seasonal events area and car park of Tulleys Farm will lower the quality of the approach to the village when arriving via Turners Hill

Road. It would not change the gateway entry point into the village but could put more foreseeable development pressure on the field opposite to the Church of St Leonard.

NPPF - §130 (in part) - Design

- 9.12 The crematorium building with its associated external spaces is much larger than the small scattered buildings of the area and would not add positively to the rural character of the locality. The large car park with its formal planting arrangements are out of keeping with the rural area. The proposed structure planting required to screen the crematorium complex does not improve on the already consented natural woodland burial style of more open planting. The formal planting of the garden of remembrance is also at odds with the informality of the local area. The twin lines of hedgerows planted either side of Footpath 68W does not improve the character of the path or allow the appreciation of the surrounding countryside from it. Offset against these detracting elements are four identified positive landscape effects but they are considered to be minor in comparison to the adverse landscape character effects.

NPPF §170 a) & b) – Valued landscapes and intrinsic quality of countryside

- 9.13 It is a matter of common ground between parties the Site itself is not a valued landscape. However given its close proximity to the valued landscape of the High Weald AONB development at the Site could harm the neighbouring AONB. In reality the separation provided by the tree lines along Turners Hill Road means that there is minimal landscape relationship between the Site and the AONB landscape and any harm caused is Minor to Negligible and largely seasonal in the winter months.
- 9.14 The intrinsic qualities of the local countryside are those key characteristics set down in the Mid-Sussex Landscape Character Assessment – Area 6 for the High Weald. Many of these are repeated as the special qualities of the AONB and are even recorded in the NCA 122 – High Weald as published by Natural England. Not all are displayed at the Site or in the surrounding area but enough are present so that the Site can be considered representative of the High Weald countryside.
- 9.15 The proposals for all the reasons given above are not able to retain the intrinsic quality of the local countryside.

Mid-Sussex Design Principle DG3 – Work with the site’s natural features and resources

- 9.16 Putting aside that rural landscape is not ‘natural’ but man-made over centuries of agricultural, forestry, hunting and industrial use the natural features of the Site and surroundings are as a piece of the highly valued High Weald landscape. This complex system of small to medium fields with interconnecting woodlands and shaws is primarily a product of medieval land management. Its characteristics are explored more fully in all the LVIA’s and characterisation information before the Inspector.
- 9.17 The proposals do not retain the natural landscape character of the Site. The northern field with the remainder of the natural burial ground would work with the natural features to create an open deciduous woodland adjacent to Butchers Wood Ancient Woodland. However the larger southern field would have the more formalised, processional and remembrance character imposed upon it. This character is in contrast to the surrounding natural features of the rural High Weald landscape.

Mid Sussex Design Principle DG7 – Respond to topography and strategic views

- 9.18 The Site’s topography as part of a valley side that extends into the adjacent AONB and falls away to the valley bottom to the north is part of its intrinsic character and provides visual interest and connection to the surrounding landscape. The proposals will require cut and fill works for the new large car park and crematorium. The extent of this ground formation exercise is uncertain but the Design and Access Statement (ADI.10) at §5.6.4 states all soils will be kept on Site which may lead to mounding or general raising of some areas above others. This in turn could adversely affect the overall character of the sloping valley side that the Site is located upon. As this is a matter for detail design and controllable by reserved matters an appropriate solution may be found.
- 9.19 The primary areas where visual effects will take place are from Footpath 68W as it runs through the Site, as road users pass the entrance to the crematorium complex on Turners Hill Road, when crossing from the AONB into the Site and from Tulleys Farms car park. The most significant of these effects is for walkers on footpath 68W who will see the new complex, particularly the crematorium building itself off to the south whichever way they walk the path. This visual intrusion has been mitigated by the proposal to plant a native hedge on both sides of Footpath 68W that will not only screen out views to the crematorium, but enclose the path and remove attractive views to the rest of the valley to the north.

9.20 The formation of the access through the high hedge to the north of Turners Hill Road for the natural burial ground opened up longer, elevated views to the Surrey Hills AONB to the north. These longer views from the ridges are a recognised characteristic of the High Weald and would be removed by the proposed crematorium structural planting. It is acknowledged that the natural burial ground woodland planting could also screen out this longer view but an unplanted view cone through the burial ground's open woodland would allow it to be retained. There is no apparent opportunity to keep an unplanted view cone through the crematorium proposals and screen the proposals.

Mid-Sussex Design Principle – DGI I – Respond to Heritage Assets and the Historic Landscape

9.21 The High Weald landscape character area is a historic landscape with many medieval and earlier features still identifiable in the landscape.

9.22 However there are no specific heritage landscape features such as ridge and furrow field systems at the Site. The hedgerows and the field shapes that they define are a result of historic field formation and the fields are likely to have been assarted (cut out of the wood) at some stage in their past.

9.23 The hedgerows are responded to by the proposals by their retention or reformation. There are no other readily identifiable historic or designed landscape features to respond to.

High Weald AONB Management Plan Objective FH2 – Maintain Pattern of Small Irregular Fields

9.24 The Site's two fields are actually more medium in scale when compared to many in the High Weald but considerably smaller than larger ones in the neighbouring AONB that have been amalgamated to facilitate modern farming practices. Larger fields in the High Weald are usually a sign of more productive soil conditions or better micro-climate for arable production. The Site's fields have not changed since the 1895-1896 map edition and are considered representative of the High Weald field scale and patterning. The upper southern field is more irregular in shape than the northern field which in reality is part of a larger field associated with Tulleys Farm.

9.25 The proposals will remove the existing field's forms from the surrounding landscape. They will still be chartable on a map but with their open ground changed to either building, car park or woodland they will no longer have the form of a rural field. This loss of field form would also

occur with the consented natural burial proposals but over a longer period of use rather than through the single phase of construction change that would occur in the Site's southern field.



10.0 Conclusions and Summary Proof of Evidence

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

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

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

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

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

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

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

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

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

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

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

10.9 The crematorium complex does not complement the local rural scene but rather imposes its own style upon it. The intrinsic character of the countryside would not be protected but rather replaced by a more intensively developed group of proposals particularly when compared to the consented natural burial ground. The crematorium complex does not complement the local rural scene but rather imposes its own style upon it.

10.10 Section 8 considers visual effects brought about by the proposals. It scopes out 12 of the 18 assessed viewpoints where potential visual change will not be readily noticeable. The amount

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

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

10.12 The summary points at the end Section 8 are reproduced below;

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

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

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

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

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

Final summary

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

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

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

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

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

11.0 Expert's Declaration

- 11.1 I confirm that insofar as the facts stated in my report are within my own knowledge I have made clear which they are and I believe them to be true and that the opinions I have expressed represent my true and complete professional opinion.
- 11.2 I confirm that my report includes all facts that I regard as being relevant to the opinions that I have expressed and that attention has been drawn to any matter that would affect the validity of those opinions.
- 11.3 I confirm that in preparing this report I have assumed the same duty that would apply to me when giving expert opinions in a court of law under oath or affirmation. I confirm that this duty overrides any duty to those instructing or paying me, that I have understood this duty and complied with it in giving my opinions impartially and objectively, and that I will continue to comply with that duty as required.
- 11.4 I confirm that I am not instructed under any conditional fee arrangements.
- 11.5 I confirm that I have no conflicts of interest other than any already disclosed in my reports.

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