



**MID SUSSEX**  
**DISTRICT COUNCIL**

Town and Country Planning Act 1990

**SUMMARY PROOF OF EVIDENCE**  
**of Andrew Watt BSc (Hons), MTPL, MRTPI**

On behalf of  
MID SUSSEX DISTRICT COUNCIL

CD8.3a

**PINS Ref:**

APP/D3830/W/21/3266563

**LPA Refs:**

DM/20/2877 & AP/21/0009

**Appeal by:**

Hartmires Investments Ltd

**Appeal Site:**

Land north of Turners Hill Road, Turners Hill, West Sussex

**Proposal:**

Outline application for single chapel crematorium with a single abated cremator and natural burial site with associated access, car parking, landscaping and drainage. All matters reserved apart from access.

## 1.0 CONCLUSIONS AND SUMMARY PROOF OF EVIDENCE

- 1.1 My evidence is in relation to planning matters (planning policy and the planning balance) in relation to defending the Council's refusal of an outline planning application for a crematorium in Turners Hill.
- 1.2 In **Section 1**, I explain my **professional credentials** as a Local Authority Planner with more than 20 years' experience in dealing with planning applications.
- 1.3 **Section 2** sets out the **scope of my evidence** and my previous involvement with this Appeal Site.
- 1.4 In **Section 3**, I describe the **Appeal Site** and its surroundings together with the planning constraints and highlight the decision-making process.
- 1.5 In **Section 4**, I run through the **Planning History** of the Appeal Site, drawing attention to updates since the Council's Statement of Case was submitted, and identifying the extant permissions which constitute a potential 'Fallback Position'.
- 1.6 **Section 5** sets out the **Structure** of the core parts of the Proof that follow.
- 1.7 In **Section 6**, I provide an analysis of the **Development Plan policies and vision**. I firstly set out the Development Plan and then highlight the relevant policies that I consider this Appeal Scheme to be in breach of. I summarise the visions of both the Mid Sussex District Plan and the Turners Hill Neighbourhood Plan. I then focus on the key policies relating to character and appearance and explain how they operate and what my understanding and interpretation of them is. I cross-reference evidence from Stuart Ryder to reinforce my conclusions on the degree of compliance with these policies. I consider whether each policy is up-to-date for decision-making purposes and hence the weight that I consider should be attached to them. In so doing, I refer to the NPPF to determine the degree of consistency of these policies with government guidance. Finally, I make a judgement on the individual weight that should be given to the conflict between the Appeal Scheme and each relevant policy and explain my reasoning.
- 1.8 In summary, I identify a conflict between the Appeal Scheme and Policies DP12, THP8, DP16, DP26 and THP13. I accord the conflict with DP12, THP8 and THP13 as Significant. I accord the conflict with DP16 and DP26 as Minor.

- 1.9 I turn next to policies relating to need. I cross-reference evidence from John Dodsworth to reinforce my conclusions on the degree of compliance with these policies. In summary, the policy support for the Appeal Scheme in DP25 is tempered by the lack of an identified need at the strategic level and by the evidence of John Dodsworth, who concludes that there is no clear need for this development. I acknowledge that even if the second limb of DP12 is found to be supportive towards the Appeal Scheme, both elements of the policy need to be complied with. As set out throughout the main Proof, the landscape harm that has been identified by Stuart Ryder (which I agree with) would mean there is still a conflict with DP12.
- 1.10 I finish this section with an assessment of the Appeal Scheme against the development plan as a whole. I identify that there is common ground between the Parties in respect of compliance with several elements of the development plan. However, I conclude that the Appeal Scheme would not comply with their overarching vision to balance sustainable economic growth and ensuring that the rural character of the area is not harmed.
- 1.11 In **Section 7**, I provide an analysis of the **Material Considerations** that apply to this Appeal Scheme. I highlight the most relevant material considerations which include the Need for the Scheme and the Benefits of the Scheme.
- 1.12 I draw out a conflict between the Appeal Scheme and two Design Principles in the Mid Sussex Design Guide Supplementary Planning Document and make a judgement on the degree of conflict. I set out some key paragraphs in the NPPF, in particular, 11d), which is not engaged by this Appeal Scheme and accordingly means that the cited Development Plan policies are up-to-date. I do not identify a conflict with NPPF92, but I consider that there is a Moderate conflict with NPPF127, NPPF130 and NPPF170.
- 1.13 Based on evidence from Stuart Ryder, I identify a conflict between the Appeal Scheme and one Objective in the High Weald AONB Management Plan, albeit a Minor one.
- 1.14 I turn next to three previous Appeal Decisions on this site, to demonstrate the consistency between Inspectors and the Council in subsequent decision-making. I draw out some elements that are directly relevant to the current Appeal Scheme, such as the similarity between the landscape character of the site and the surrounding area, the degree of prominence of development in the landscape, and the purpose of landscaping.

- 1.15 I summarise evidence from John Dodsworth to draw conclusions as to whether a 'Need' for this crematorium has been met and to what degree. Because I conclude that a Need for this facility has not been clearly demonstrated, I consider that this Need should be accorded Moderate weight as a material consideration.
- 1.16 I determine 4 main Benefits of the Appeal Scheme as follows:
- Job creation: Moderate benefit
  - New permissive footpath: Moderate benefit
  - Improvement to journey times: Moderate benefit
  - Qualitative improvements: Minor benefit
- 1.17 I conclude that none of these material considerations are sufficiently weighty as to indicate a departure from the Development Plan, taken as a whole.
- 1.18 In **Section 8**, I summarise the **Fallback Position** with reference to evidence from Stuart Ryder in making a comparison between consented schemes, the buildings, their site coverage and landscaping, and the Appeal Scheme.
- 1.19 I agree with a previous Inspector's assessment that the consented natural burial ground is a 'low intensity use' and activity commensurate with its rural location.
- 1.20 In respect of the landscaping proposals, Stuart Ryder concludes that the original natural burial ground proposals are more naturalistic, low key and with its buildings set in a discreet location with associated screening. Overall, the consented schemes would remain subservient to the landscape character of the site and in keeping with the surrounding landscape that it is set in.
- 1.21 Stuart Ryder concludes that the Appeal Scheme, in contrast, would have a more formalised arrangement, be larger in scale and would deliver a more intensively developed landscape than the current consented natural burial proposals. He doubts whether the crematorium complex, with a larger main car park and bigger crematorium building footprint, could be placed as discreetly on the site as the consented schemes.
- 1.22 I agree with these conclusions.
- 1.23 I then determine whether I consider the prospect of the fallback position being implemented. I note that there has been an implementable planning permission for

the natural burial ground since 2016 but that the site has never been in any operational use.

1.24 In **Section 9**, I summarise the **Planning Balance** by explaining how I have weighed up the merits of the Appeal Scheme with development plan policies. I conclude that the Appeal Scheme is contrary to the Development Plan taken as a whole. Then I assess whether there are any material considerations of sufficient strength to outweigh this conflict. I conclude that none of the cited material considerations are sufficiently weighty as to indicate a departure from the development plan. I acknowledge several Benefits of the Appeal Scheme but agree with the evidence of John Dodsworth that there is no clear Need for this facility. While Benefits and Needs weigh in favour of a development scheme, I deem them to be insufficiently strong when taken as a whole and in relation with conflicts in other policy documents. Therefore I do not consider that there is sufficient support in these material considerations to outweigh the harm identified in landscape terms and supported by Development Plan policies. Accordingly, the conflict with the Development Plan taken as a whole must be the determining factor in judging the acceptability of this Appeal Scheme.

1.25 **I conclude in Section 10 that the Appeal Scheme is contrary to the Development Plan taken as a whole** and agree with Stuart Ryder's conclusion that it would cause Major or Moderate harm to the landscape character of the area. I agree with the conclusion of John Dodsworth that there is no clear need for this crematorium in Turners Hill. While the Appeal Scheme would have some benefits in terms of, for example, providing a new crematorium facility, greater choice and a limited reduction in journey times, these and other **material considerations are not considered to be of such a magnitude as to constitute a need that overrides this landscape harm and outweighs the planning policy conflict** that I have identified.

1.26 On this basis, I respectfully request that the Inspector dismisses the appeal.