

Appeal Decision

Inquiry held on 10 – 13 September and 17 – 18 September 2024

Site visit made on 10 and 18 September 2024

by M Woodward BA (Hons) PgDip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22/10/2024

Appeal Ref: APP/U2750/W/24/3342450

**Land West of Gravel Pit Farm, Sand Hutton to Black Dike Plantation,
Sand Hutton, Malton YO41 1LW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Westerleigh Group Limited against the decision of North Yorkshire Council.
 - The application ref is 20/01195/MFULE.
 - The development proposed is new crematorium building with associated access, parking, memorial gardens and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for new crematorium building with associated access, parking, memorial gardens and landscaping at Land West of Gravel Pit Farm, Malton YO41 1LW in accordance with the terms of the application, Ref 20/01195/MFULE, subject to the conditions in the attached schedule (Annex A).

Preliminary Matters

2. The Council confirmed pre-inquiry that they no longer wished to defend reasons for refusal 3 and 4 (RfR). In summary, these RfR relate to alleged adverse impacts on the nearby York Biotech Campus (Campus) due to increases in traffic and emissions associated with the proposal and the resultant impacts on the current and future activities and locational attractiveness of the Campus, which also includes research undertaken by the National Bee Unit.
3. The Council determined that the proposal was EIA development¹ (EIA) due to potential air quality impacts. The Environmental Statement (ES) focuses on potential effects relating to the activities associated with the Campus; this also reflects concerns raised by a number of interested parties.
4. As a result of the foregoing, I consider it necessary to consider the air quality impacts of the scheme in detail; thus, it is a 'main issue'.

¹ The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (Regs)

Main Issues

5. Therefore, the main issues in this case are:

- The suitability of the appeal site for the proposed development, having particular regard to need, locational requirements and sustainable modes of travel.
- The effect of any emissions to air generated by the proposal having particular regard to existing uses.

Reasons

Location

Policy Context

6. Policy SP1 of The Ryedale Plan Local Plan Strategy 2013 (Local Plan) relates to the general location of development in Ryedale². It provides a settlement hierarchy, comprising a number of Principal and Market Towns and Service Villages, which are intended to be the focus of growth.
7. Policy SP1 does not preclude crematorium development in the open countryside and outside the settlements listed in the hierarchy³. Furthermore, it does not explicitly detail the types of developments that should or should not be restricted in the countryside, instead setting out a less prescriptive approach, stating amongst other things that open countryside development '*will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities*'.
8. The modes of travel typically associated with crematoria are an important consideration in this context. Mourners attending funeral services are more likely to travel together in a car as part of a funeral cortege or separately with family or friends⁴. Furthermore, celebrating the life of the deceased often takes place at a separate destination away from the crematorium; the multi-destination nature of a cremation service and wake reinforcing the likelihood of private car use by mourners⁵.
9. The Crematorium Act 1902 provides a minimum siting distance between crematoria, dwellings and highways. The Federation of Burial and Cremation Authorities Guidance (FBCA) also notes the importance of quietness and seclusion in site selection and recognises that crematoria may require countryside or urban fringe locations⁶. Neither of the above comprise adopted planning policy but are material considerations insofar as they indicate that crematoria sites may have to be found beyond urban areas.
10. However, the basis upon which the settlements in the hierarchy are considered 'sustainable' is predicated in part on their relative accessibility by non-car transport modes, as well as the range of services and facilities

² I refer to 'Ryedale' or 'Ryedale area' to describe the former administrative area of Ryedale now part of North Yorkshire Council.

³ Mr Wood Council witness in Cross-examination

⁴ CD1.12 paras 5.2.3 and 5.2.4

⁵ See para 3.6 of Mr Kenyon Transport proof (appellant) based on findings of Inspector in appeal ref - APP/R6830/A/14/2218954

⁶ CD 1.94

associated with each of the settlements listed in Policy SP1. Whilst the relevant supporting text confirms that settlements listed in the hierarchy are generally considered to be the most sustainable locations, it also clarifies that this relates to *most* forms of new development⁷.

11. For the reasons set out above relating to the general locational criteria and patterns of travel applicable here, the scheme would not comprise *most* forms of development. Instead, crematoria involve bespoke locational requirements which do not necessarily align with the Local Plan's settlement hierarchy concept.
12. In any event, Policy SP1 does not explicitly require a sequential test which considers other sites or locations higher up the settlement hierarchy. Therefore, the starting point is that not all crematoria in the countryside should be viewed as inconsistent with Policy SP1 as a matter of principle. Instead, it is necessary to understand the specifics of the scheme assessed against policy to determine whether compliance is achieved. Therefore, I move on to consider the main relevant considerations in that context.

Need

13. There are a range of factors which can be considered to determine the extent of crematoria need. These can be split into quantitative and qualitative considerations.

Quantitative

14. The appellant defines quantitative need as consideration of the capacity of existing crematoria to accommodate current and future demand⁸. The location of crematoria relative to the Ryedale population is also relevant.
15. The wider context is that the number of projected deaths in the UK is set to increase by 11.4% and 23.2% by 2030 and 2040 respectively, when compared with 2020. Based on the five nearest local authority areas, a trend of generally increasing annual death numbers over the same period is also forecast⁹. The number of annual cremations has also generally increased over time¹⁰.
16. Given the lack of existing crematoria, Ryedale residents are reliant on a range of other crematoria in other areas, those mainly being York, Scarborough and East Riding. The number of available cremation slots at these three facilities is relevant as this provides an insight into the pressures facing existing crematoria and their capacity to meet the needs of Ryedale.
17. The appellant defines the core capacity as the preferred funeral slot times for cremation ceremonies between 10:30 and 15:30 Mondays to Fridays. The core capacity is less than the technical capacity, which comprises a combination of core slot times as well as those slots outside the core times (i.e. all available slots).

⁷ Paragraph 3.4 of Local Plan

⁸ Para 1.2 of Mr Mitchell Need Proof (Appellant)

⁹ Mr Mitchell Need Proof (Appellant) – Appendix 1 - Figure 9

¹⁰ Mr Mitchell Need Proof (Appellant) – Appendix 1 - Figure 2

18. However, the technical capacity of crematoria has limited value as a measure of real-world capacity. As the appellant explained, core times are when funerals tend to be held as that is when travel to and from ceremonies can take place outside peak traffic periods¹¹; an important consideration in terms of funeral cortege travel and convenience for those attending funerals. This is substantiated by data collated by the appellant's witness which demonstrates that between March and July 2024, a high proportion of funerals (over 75%) took place within the core times at a number of different crematoria¹². None of the above is contested by the Council and I have no reason to question the veracity of the information provided.
19. There is also no dispute that a figure of 80% can be used to represent the maximum practical core capacity of a facility. The rationale being that it is implausible to assume the occupation of every available core slot due to the range of different people involved in the process of arranging funerals and the challenges associated with co-ordinating all parties to find an agreeable time slot. Therefore, I have adopted this 80% figure as an indicator of the practical core capacity, also recognising that it aligns with the typical capacity threshold adopted by other Inspectors in a range of other appeal decisions¹³.
20. In the case of this appeal, the existing facilities are already operating above their practical core capacity. Annually, usage relative to core capacity levels at York has significantly exceeded 80% since 2019. In most years practical core capacity has also been exceeded at East Riding and Scarborough¹⁴.
21. These figures somewhat underplay the capacity issues, as they are based on average figures and statistically there will be times of the year where the number of cremations is higher due to seasonal variation in death numbers. These peak months are more representative, as providing sufficient funeral capacity is a clear societal necessity¹⁵ and cremations meet most of the UK's funeral requirements¹⁶. Therefore, it is imperative that crematoria have capacity to respond to the times of the year when their services are needed the most.
22. When measured against these peak months, available slots are even more scarce, with peak practical core capacity forecast to exceed 100% at all three facilities. Moreover, such is the anticipated future pressure on cremation capacity that, even if I was only to take into account the average practical core capacity, this is forecast to significantly exceed 80% at all three sites by 2033¹⁷.
23. In relation to other matters which could affect capacity; I recognise that York crematorium is made up of two chapels. However, the second Ebor chapel has a seating capacity of only 25, compared with an average seating capacity of 65 for equivalent second chapel crematoria in the United Kingdom. It seems to me that its limited physical capacity is a significant

¹¹ Para 5.22 of Mr Mitchell Need Proof (Appellant)

¹² Mr Mitchell Need Proof (Appellant) – paras 5.35 – 5.38

¹³ Including appeals at CDs 1.67, 1.68, 1.69, 1.74, 1.77

¹⁴ Mr Mitchell Need Proof (Appellant) – Appendix 2 - Figures 11, 15, 17

¹⁵ CD 1.16

¹⁶ Mr Mitchell Need Proof (Appellant) – Appendix 1 - Figure 2

¹⁷ Mr Mitchell Need Proof (Appellant) – Appendix 2 - Figures 20, 21, 22

barrier and the primary reason why it accommodates only 25% of York crematorium services. Therefore, irrespective of capacity issues associated with the main White Rose chapel, the Ebor chapel does not represent a viable alternative which is likely to significantly improve York's current and future quantitative deficiencies.

24. Moving on to direct cremations; these are simpler and lower cost arrangements, and they generally take place outside core slot times. Whilst the number of direct cremations increased during the COVID-19 pandemic, those were unprecedented circumstances where social contact was restricted which likely influenced service choice. More recent figures indicate that they account for a relatively limited number and proportion of total cremations, with numbers falling in a number of different local authorities between 2021 and 2023¹⁸.
25. Despite the Council's appointed consultants, during the planning application, indicating that direct cremation uptake could suppress quantitative need¹⁹, no further written or verbal evidence was advanced as part of the appeal or Inquiry to rebut the appellant's evidence. On this basis, I am not persuaded that direct cremations are likely to represent a significant proportion of future services so as to alleviate the core capacity issues identified. Similarly, reduced-fee funeral slots, which also typically take place outside core times, represent a low proportion of funerals and I have no reason to think that uptake of this service type will markedly increase.

Catchment/Drive-time

26. Given that the Ryedale population currently rely on existing crematoria facilities outside the area to serve their needs, it is useful to understand their relative accessibility. In this regard, the submitted Drive Time Catchment Analysis (DTCA) is a relevant need consideration. It is based on a drive time catchment of 45 minutes, representative of a suitable and reasonable drive-time catchment for a rural area such as this. The DTCA factors in the particulars of a funeral cortege, which will typically travel at slower speeds than most road traffic²⁰.
27. Approximately 44% of the Ryedale population live within a 45-minute drive of either York, East Riding, Scarborough or the more recent Hambleton crematoria based on DTCA²¹, with 55% of the population residing beyond a 45-minute DTCA of any crematoria. The proposed crematorium would mean that 70% of the Ryedale population would reside within a 45-minute DTCA of the nearest facility, thus reducing the proportion of the population required to travel excessive distances.
28. Looking beyond Ryedale, the proposed crematorium would be the closest facility for approximately 145,000 people, 129,000 of which would be within a 45-minute DTCA. Therefore, it would also be the closest for large populations in York, East Riding of Yorkshire and the former Hambleton Local

¹⁸ Mr Mitchell Need Proof (Appellant) - para 5.99

¹⁹ CD1.100

²⁰ Calculated on the basis of 60% of normal traffic speeds

²¹ Mr Mitchell Need Proof (Appellant) - Appendix 3 - Figure 27

Authority areas²². Be that as it may, the scheme's location means that it would be the closest facility for over 40,000 people in the Ryedale area. This includes areas close to the appeal site and in the countryside as well as defined settlements²³. This is a significant number and indicates that the proposal would both be well located to serve Ryedale residents and be within a reasonable drive-time catchment of a large wider population.

29. The existence of Hambleton and Kirkleatham crematoria are not important in this context, as collectively they lie within a 45-minute DTCA of a relatively small proportion of the Ryedale population²⁴, so neither are reasonably accessible alternatives and they lie too far away from existing facilities, including York, to significantly address their respective capacity issues²⁵. Therefore, it is not necessary to consider them further.

Qualitative

30. The main parties agree that there is a requirement to demonstrate a qualitative need which derives from consideration of a number of key issues²⁶.
31. In this case the significant quantitative capacity issues outlined manifest themselves in tangible qualitative effects. It is axiomatic that the death of a loved one is often an emotional time. The considerable lack of available core capacity slots means that family and friends of the deceased are likely to face unpalatable options, either involving the arrangement of alternative, less preferable days and times for cremation, or alternative funeral arrangements involving different locations and facilities entirely.
32. Therefore, the difficulties and delays associated with a lack of available core slots are likely to be a source of distress for those trying to make the necessary arrangements. So, the lack of core slots identified at the existing facilities has real world human effects for those wishing to arrange funerals in Ryedale, which contributes significantly to the appellant's need case.
33. There are other qualitative considerations too. The scheme's location within a reasonable drive-time distance of a large number of Ryedale's residents would reduce their requirement to travel longer distances to crematoria, which are undesirable partly due to the logistical challenges involved in keeping a funeral cortege together and the added stress of long road journeys for mourners.
34. Furthermore, a local crematorium is likely to be a preferred facility for the deceased due to their connections with the local area, as well as convenient and beneficial to the network of family and friends they acquired during their life, many of whom are also likely to be local²⁷.
35. Further qualitative benefits would derive from the proposal's indirect reduction in core cremation capacity at the three main alternative facilities

²² Mr Mitchell Need Proof (Appellant) – Appendix 3 - Figure 25 – Catchment population relative to proposed crematorium - Local Authority Areas – 43,837 Ryedale, 24,295 East Riding of Yorkshire, 10,436 Hambleton, 66,461 York.

²³ Mr Mitchell Need Proof (Appellant) – Appendix 3 – Figure 13

²⁴ Mr Mitchell Need Proof (Appellant) – Appendix 3 – Figure 25

²⁵ CD 1.100 para 3.8

²⁶ Para 10 Council closing

²⁷ Mr Mitchell Need Proof (Appellant) Para 9.12 – 9.15

currently used by Ryedale residents. In this regard, it is forecast that over 900 annual cremations would be diverted from York crematorium to the appeal scheme, with over 130 cremations diverted from Scarborough and over 200 cremations from East Riding, with the number of diversions in each case forecast to increase further by 2043²⁸. Therefore, Ryedale residents using these facilities in future would have more core slots to choose from, reducing the likelihood of unwanted stress and delay in arranging cremations.

Alternatives/Viability

36. There is no policy requirement to consider alternative sites or the respective viability of them. Nevertheless, the appellant carried out broad analysis of three alternative sites, High Marishes, Malton and Pickering, based on the Council's request at planning application stage.
37. All three of the alternative sites can be discounted due to their relatively low population densities, as the number of anticipated annual cremations at each location would range between 447 and 483²⁹. An approximate viability figure of 1000 annual cremations is set out in the FBCA, which is the best viability evidence³⁰. The alternative sites are simply nowhere near meeting this benchmark viability figure, even taking into account the guidance's acknowledgement that some rural crematoria support a lower number of cremations.
38. Moreover, the Council offer no detailed analysis to contradict the appellant's evidence, which included the FBCA guidance, that the number of cremations associated with the alternative sites would be unviable.

Other 'Need' Issues

39. I turn now to several other issues raised. In relation to the 40-minute service intervals at York crematorium, this is shorter than the 60-minute service intervals offered at over half of UK crematoria³¹. The Council point out that the 40-minute interval aligns with the ICCM Charter's recommended minimum standard³², a Charter of which the appellant is a signatory.
40. However, 91.8% of crematoria which have opened since 2000 offer service intervals of 60 minutes or more and so it appears to me that the industry has embraced longer service intervals. This is understandable because shorter service intervals increase the likelihood of those mourners arriving or departing a service coming into contact with mourners from a separate service. It is this scenario which contributes to a negative 'conveyor belt' experience for mourners³³.
41. This is more likely to occur at York based on its negative core capacity, and this is supported by an independent report highlighting the issue of the

²⁸ Mr Mitchell Need Proof (Appellant) – Appendix 2 – figures 26-28

²⁹ Mr Mitchell Need Proof (Appellant) – Appendix 3 – figures 47 - 49

³⁰ CD 1.94

³¹ Mr Mitchell Need Proof (Appellant) - Para 10.15

³² CD1.95

³³ EIC and Proof Mr Mitchell

'conveyor belt', and that longer service intervals typically reduce the chances of mourners from other funerals being encountered³⁴.

42. Even if York was to increase its service intervals to 60-minutes in the future, which may alleviate the conveyor belt experience, this in turn would further reduce the number of available core slots³⁵, leading to other qualitative issues in the form of delays and stress for those arranging a service. Therefore, this consideration does not affect the extent of overall need I have identified.

Overall Need

43. In relation to the FBCA guidance³⁶ which indicates that community support from funeral directors and the like can help demonstrate local need; this document is not planning policy, nor does it form part of the development plan. Indeed, there is no national or local planning policy requirement to provide qualitative evidence relating to need, nor any adopted planning guidance to indicate the type of qualitative need evidence that should accompany a proposal.
44. Quantitative and qualitative issues are interlinked and the extent to which each qualitative matter is relevant depends on the circumstances of the case. In short, whether a need overall has been demonstrated is a matter of planning judgment.
45. At the Inquiry the appellant presented two witnesses relating to need. The independence of the appellant's first witness was not challenged, and he can be considered an expert, having given Inquiry evidence on qualitative and quantitative need matters.
46. However, the Council question the independence of, and weight to be afforded to, the evidence of the appellant's second need witness³⁷ (which is refuted by the appellant). Be that as it may, it is simply not necessary for me to take his additional qualitative evidence into account, nor the associated written accounts of funeral directors/ funeral professionals or other matters relating to existing crematoria experience and provision.
47. This is because there is a pressing unmet need for additional crematoria capacity in Ryedale. The quantitative need case is not marginal. When combined with the qualitative issues set out in this decision, a robust overall need case has been demonstrated. This is the case irrespective of whether or not there are additional qualitative deficiencies at existing crematoria³⁸.

Sustainable Travel

48. In the context of this proposal, access to public transport services is not a key consideration. Therefore, the distant location of railway stations relative to the appeal site is unimportant given the lack of substantive evidence to indicate that travel by train to crematoria represents a realistic alternative means of transport. However, opportunities to travel to the site by bus do

³⁴ CD1.93

³⁵ Mr Mitchell Need Proof (Appellant) – figure 20

³⁶ The Federation of Burial and Cremation Authorities – CD 1.94

³⁷ Mr McArdle

³⁸ As per Mr McArdle evidence

exist, with bus stops relatively close and accessible in relation to the appeal site, located on either side of the nearby A64(T). There are a number of buses running along the A64(T) throughout the day which would connect the appeal site to the settlements of York and Malton, amongst others.

49. In terms of accessibility by car, and despite its rural location, the site benefits from good road links. The A64(T) lies immediately to the west and the proposal would be connected to it via an unnamed road.
50. Therefore, whilst the site is reasonably well served and accessible by public transport, car sharing is recognised in the National Planning Policy Framework (Framework) as a sustainable transport mode³⁹. That is particularly relevant here given the propensity of those attending services to car share and the site's location, which supports this form of sustainable transport.

Location Conclusion (first main issue)

51. The proposal would make a significant contribution to addressing the pressing quantitative and qualitative need in relation to existing crematoria provision. It would be sustainably located having regard to modes of travel and proximity to a large number of the Ryedale population. As a community facility, it would provide for Ryedale's urban and rural, district and local communities who are not well served by existing crematoria, thus supporting viable and healthy communities. There would be local employment opportunities for funeral directors, florists, churches and other local facilities in Ryedale⁴⁰.
52. For these reasons it would be a necessary scheme which would support a sustainable, vibrant and healthy rural economy and communities, in compliance with Policy SP1 of the Local Plan. It would also address paragraph 87 of the Framework which recognises that decisions should address the specific locational requirements of different sectors.

Air Quality

53. The proposal includes detailed air quality analysis, including an ES chapter and various addenda⁴¹. The ES summarises the air quality assessments undertaken, which involved detailed dispersion modelling to predict the effect that the crematorium use would have on local air quality.
54. Having regard to this, the emissions generated by the cremation process would be mitigated and filtered so that excessive air pollutants would be removed before being discharged from the chimney stack and into the atmosphere. The ES demonstrates compliance with the relevant emissions limits and the scheme would also be subject to an Environmental Permit, issued by the Council. Indeed, there has never been dispute between the main parties that there would be no unacceptable effects on human health.
55. Whilst the Council latterly raise no objections to the scheme, interested parties raise air quality concerns, including those relating to the effects on

³⁹ Appendix 2 of the National Planning Policy Framework

⁴⁰ Mr Irving Planning Proof (Appellant) – para 4.37

⁴¹ Dr Marner Air Quality Proof (Appellant) – Table 1

the use of the nearby Campus. The Campus is home to a range of science-based agencies and organisations and could be described as a nationally important site for bio science. As a research-led facility, a range of scientific experiments are carried out, including those outside which may be sensitive to changes in atmospheric conditions.

56. Representatives of the Campus did not appear at the Inquiry, but it seems to me based on their written objections that they/the leaseholders of the Campus were not only concerned about potential impacts on current activities, but also on future experiments and research⁴².
57. In assessing impacts, the prevailing background concentrations of existing air pollutants has been considered, based on modelling provided by DEFRA and a range of other sources. This is based on background data for recent 'past' and 'present' years which is different for each pollutant⁴³. In relation to emissions from the main local sources, traffic flow data in combination with published guidance and dispersion modelling has been used to calculate air pollution effects from the nearby A64(T) road along with an estimate of those emissions generated by the Campus itself.
58. Irrespective of whether air pollutants associated with local sources are considered, the baseline assessment demonstrates that pollutant concentrations from the recent past were higher than more recent calculations. Therefore, pollutant concentrations at the Campus have fallen in recent years⁴⁴ and are expected to continue falling in the future.
59. Against this, the annual mean emissions emanating from the crematorium would add only a small amount to existing background concentrations of each pollutant when measured within the Campus. The increase in pollutants due to the proposal would not be anywhere near sufficient to reverse the fall in levels associated with the aforementioned past and recent years.
60. Moreover, generated emissions from the scheme would be generally much smaller than the traffic emissions emanating from the A64(T). Even though the amount of SO₂ emitted by the proposal would be higher than that emitted from A64(T) traffic, it would have no meaningful effect on existing background concentrations within the Campus.
61. It is acknowledged that in any given hour the air quality can vary considerably resulting in emissions much higher and lower than the long-term average. However, in relation to these peak hours, the meteorological conditions corresponding with maximum background peak hour emissions would be unlikely to coincide with peak hour emissions associated with the proposal. The modelling also indicates that the peak concentrations of specific pollutants associated with the proposal would not exceed peak background maxima within the campus⁴⁵.
62. Therefore, specific experiments carried out at the Campus would not be affected by peak hour emissions from the crematorium any more than they

⁴² CD 1.108

⁴³ Dr Marner Air Quality Proof (Appellant) – Table 4

⁴⁴ Dr Marner Air Quality Proof (Appellant) – Figures 4 and 8 for emissions

⁴⁵ Dr Marner Air Quality Proof (Appellant) – Table 7

would by peak hour variations in background emissions currently experienced⁴⁶.

63. Furthermore, in most cases the anticipated emissions from the crematorium would be much smaller than those emanating from the Campus itself. As a result of this, and given that the proposal would not generate pollutants (in combination with background) greater than those recorded in the recent past, and in the absence of detailed contrary evidence to indicate that Campus experiments previously undertaken have been adversely affected by existing background pollutants, there is no basis on which to conclude that future experiments would be adversely affected by the proposal.
64. The cremation operations would cease should the pollution mitigation/abatement equipment fail. In these circumstances 'bypass cremation' operations would only be allowed by consent from the Environmental Health Officer and in most cases the deceased would be transported to other sites. Out of a sample survey, only 11 bypass cremations took place out of 9,215 total cremations⁴⁷. Therefore, bypass cremations in association with the proposal would be unlikely.
65. In any event, the likelihood of a bypass cremation occurring at the same time as higher background pollutant concentrations is small, so peak hour impacts associated with bypass cremation would not be significant. Average annual emissions would not be increased significantly either.

Bees

66. Activities within the Campus include those carried out by the National Bee Unit. I heard anecdotal evidence during the Inquiry from a former beekeeper at the Campus and have considered relevant written accounts. The expert evidence also supports the written accounts indicating that bees are sensitive to excessive atmospheric pollution.
67. However, as previously set out, the area around the Campus already experiences atmospheric pollution and the effects of the stack plume would substantially diminish with distance such that the levels of pollutants present within the Campus would be minimal. In most cases pollutant levels from the local sources including the Campus and A64(T) would be higher than those experienced within the remaining crematorium site.
68. Within the proposed crematorium grounds, there would be a small area close to the chimney stack where pollutant concentrations would likely be highest and greater than recent reductions in background concentrations. However, even in this location, the anticipated level of pollutants above background is not considered significant. Moreover, a Bee Mitigation Strategy has been developed to discourage foraging opportunities for bees around the chimney stack⁴⁸, which in any event would be a small proportion of the wider potential foraging habitat for bees.
69. Crucially, there is no substantive scientific evidence or specific research before me to contradict the findings of the ES and to indicate that the level

⁴⁶ Dr Marner Air Quality Proof (Appellant) – Figure 12 and paragraph 6.18

⁴⁷ Dr Marner Air Quality Proof (Appellant) – Appendix 4

⁴⁸ CD 1.52

of pollutants emanating from the crematorium, even around the chimney stack, would have a biologically detectable effect on bees so as to affect the validity of any research undertaken at the Campus.

Alternatives

70. As part of the ES the appellant considered alternative sites, largely ruled out on the basis of 'need' and locational suitability, as previously addressed. However, in this case I find that there would be no significant environmental effects as a result of the proposal in relation to air quality, so there would be no reasonable alternative site which would result in lesser air quality impacts in ES terms.

Other Air Quality matters

71. There are no other consented developments in the vicinity of the appeal site which would, in combination with the proposal, result in significant environmental effects from an air quality perspective.
72. Likely significant effects on various European sites (biodiversity) have been ruled out on the basis of the low vehicular movements associated with the proposal and the limited emissions arising during the construction and operational phase of the crematorium development. The Council agrees. As such, no likely significant effects would arise and an Appropriate Assessment⁴⁹ is not necessary.

Air Quality Conclusion

73. The ES assumes that two cremators would be running for more than double the number of hours actually anticipated. Moreover, the results from emissions tests carried out by the cremator equipment manufacturer indicates that actual emissions rates are likely to be less than modelled⁵⁰. Whilst this does not replace the assessment and findings as set out, it further validates the appellant's modelling, which is based on a worst-case scenario.
74. I am satisfied that the ES and supplementary addenda⁵¹ along with the additional environmental information submitted as part of the appeal, has adequately addressed all environmental matters. It meets the requirements of Regulation 18 of the EIA Regs, and I am able to make an informed decision about the environmental impacts of the proposed development, whilst having regard to all other representations received.
75. There is no substantive evidence to counter the expert evidence given at the Inquiry and the conclusions of the ES, that the effects in respect of air quality would not be significant for current and future research carried out at the Campus.
76. As such, the emissions generated by the proposal would not have an adverse effect on the Campus, including the research undertaken by the National Bee Unit. There would be no conflict with Policy SP20 of the Local Plan or paragraph 193 of the Framework which requires, amongst other things, that

⁴⁹ Under the Conservation of Habitats and Species Regulations 2017

⁵⁰ Dr Marner Air Quality Proof (Appellant) – Para 6.5 – 6.6

⁵¹ CD 1.53, 1.54, 1.55

development does not have an adverse impact on users of neighbouring land and can be integrated effectively with neighbouring businesses.

Other Matters

Highways

77. Traffic flow data analysis was carried out as part of the planning application and updated in 2024. This included queue data relating to the A64(T) junction with the unnamed road (the junction) which runs past the appeal site linking the A64(T) with Sand Hutton village. Trip rate generation for the proposed development was based on existing comparable crematoria and capacity testing at the junction, taking into account traffic growth forecast on the network in future years.
78. Most vehicular movements associated with the proposed use would take place outside the AM and PM peak, and traffic levels are generally lower during this inter-peak period. The forecast ratio of flow to capacity of the junction, with the development included, would be significantly below its practical capacity.
79. In addition to this, a typical cortege would be able to safely negotiate the junction, in part due to the ample capacity of the right turn filter lane to accommodate a typical cortege, which would address right-turning northbound A64(T) traffic into the unnamed road and appeal site. The limited number of accidents recorded near the junction does not suggest that the proposal would be affected by, or contribute to, inherent road safety issues. The proposal would facilitate adequate and safe footway provision to the site and nearby bus stops, having regard to the existence of existing crossing facilities.
80. Anecdotal evidence of traffic congestion during bank holidays and summer holiday periods has been referred to by interested parties. However, no cremations would take place on bank/public holidays or on weekends and the volume of traffic associated with visits to the memorial gardens would be limited.
81. In any event, the low level of hourly traffic generated by the proposal would not result in significant traffic increases either along the A64(T) or the unnamed road, so would not have a discernible impact on the A64(T) even if it was congested. The same applies to any diversion of traffic through local villages at times of congestion which, due to the limited number of vehicles associated with the crematorium use, would not result in significant highway safety or capacity impacts.
82. Whilst funeral corteges typically travel at lower speeds than most other traffic, National Highways and the Local Highway Authority raise no objection to the proposal, so I have no reason to conclude that this would lead to adverse highway related issues along the A64(T).
83. Finally, whilst the status of the potential A64(T) dualling is unclear, I have no reason to think that the proposal would adversely affect it, noting no objections from Highways England nor the Council in relation to this matter.

84. Overall, there would be no adverse highway safety or capacity issues. The policy requirement set out in paragraph 115 of the Framework would be clearly met, which states that development should only be refused if highway safety impacts are unacceptable or the residual cumulative impacts on the road network would be severe.

Locational Attractiveness

85. According to case study examples referred to by the appellant, the existence of crematoria has no discernible impact on nearby science and business parks, including examples where research and design is carried out on-site⁵². I concur and note that there would be no unacceptable impact on the character and appearance of the area either, which are matters which may diminish locational attractiveness both in relation to the Campus and the wider area. Furthermore, there would be no harm to any designated heritage assets. Therefore, there is no basis for concluding that the scheme would undermine the attractiveness of the Campus, or otherwise harm the surrounding area.

Objections

86. I recognise that a number of objections have been submitted throughout the course of the planning application and appeal process, some of which relate to the site's location and 'need' matters. However, the acceptability of a scheme does not depend on the number of representations received. For the reasons set out in this decision, I am satisfied that the case is compelling based on the need and locational particulars and complies with Policy SP1 of the Local Plan.

Agricultural Land

87. Based on the relatively small loss of agricultural land resulting from the proposal, this would not be unacceptable as it would not compromise reserves of higher quality agricultural land⁵³. This limited harm is not sufficient to outweigh overall compliance with the development plan.

Conditions

88. I have considered suggested planning conditions agreed between the Council and appellant against the relevant guidance contained within the Planning Practice Guidance (the PPG). I have amended conditions where conciseness and clarity were needed. More substantive changes to the original list of agreed conditions were discussed during the Inquiry.
89. Conditions specifying the time limit for development and the approved plans are necessary as they provide certainty. The requirement to submit details of materials to be used in construction is necessary in the interests of the character and appearance of the area.
90. Conditions are needed to ensure highway safety in relation to visibility splays and construction of the access. As a section of watercourse is to be culverted, full technical details are required in the interests of drainage and flood risk, as per the condition listed.

⁵² Mark Powney - Commercial Impact Assessment Proof (Appellant)

⁵³ See Statement of Common Ground

91. A construction management plan is necessary to ensure safety for highway users and that there are no unacceptable environmental impacts. These details are required pre-commencement, as they relate to construction matters. A biodiversity construction management plan is also required pre-commencement as it is necessary to submit details of further ecological survey work, prior to construction.
92. Conditions are necessary to secure appropriate lighting and a landscape and ecological management plan to mitigate impacts on protected species and bees, and the character and appearance of the area.
93. It is necessary to restrict the opening hours of the crematorium and gardens to limit the impact on the local environment, including the highway network. The total number of annual cremations is also limited to correspond with the ES and the basis on which the scheme's air quality impacts have been assessed.
94. Details of drainage are required by condition so that the risk of flooding is mitigated and so that foul water is discharged appropriately. It is necessary to secure these measures pre-commencement as they are likely to require ground works at the early stages of overall construction. Details of renewable energy measures are necessary as are details of electric vehicle charging, to comply with relevant policies in the Local Plan and ensure environmental sustainability.
95. I have removed several elements of highways related conditions which were unnecessary duplication of the Highways Act 1980 and S278 requirements.

Conclusion

96. The proposal would comply with the development plan as a whole and there are no material considerations which indicate a decision otherwise than in accordance with the development plan. Therefore, the appeal is allowed, subject to the following conditions.

M Woodward

INSPECTOR

ANNEX A: Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos YC-WTA-00-XX-DR-A-1001, 1277-001 Rev K, YC-WTA-00-XX-DR-A-1002 S4, YC-WTA-00-00-DR-A-1101 S4, YC-WTA-00-RF-DR-A-1102 S4, YC-WTA-00-RF-DR-A-1103 S4, North West Elevation YC-WTA-00-xx-DR-A-1204 S4, YC-WTA-00-xx-DR-A-1201 S4, YC-WTA-00-xx-DR-A-1202 S4, East Elevation YC-WTA-00-xx-DR-A-1203 S4, Section 1 YC-WTA-00-XX-DR-A-1301 S4, YC-WTA-00-XX-DR-A-1302 S4, YC-WTA-00-XX-A-1303 S4, YC-WTA-00-XX-DR-A-1304 S4.
- 3) Prior to works of above ground construction, full details of all materials to be used on the exterior of the building and details of all hard landscaping materials shall be submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.
- 4) The development shall not be brought into use until splays are provided on the proposed access giving clear visibility of 90 metres to the west (right) and 120 metres to the east (left) measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 5) The development shall not be brought into use until the access to the site at land west of Gravel Pit Farm, Sand Hutton, has been set out and constructed in accordance with the following:
 - The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details (as indicated on Section 4 of the submitted Design and Access Statement) and contained within the Transport Assessment (October 2020).
 - Any gates or barriers in place for the operational phase shall be erected a minimum distance of 11 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
 - The final surfacing of any private access within 11 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
 - Any gates or barriers in place during the construction phase must be erected a minimum distance of 18 meters back from the carriageway of the existing highway.
- 6) The development shall not be brought into use until full technical details relating to the bridging or culverting of the watercourse at the eastern end of the existing highway surface water pipe outfall up to the existing culvert under the C176 highway at Land west of Gravel Pit Farm, Sand Hutton, have been submitted to and approved in writing

by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 7) No development shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development shall be undertaken in accordance with the approved CMP. The CMP shall include, but not be limited to, details of the following:
- The temporary construction access to the site including measures and a timetable for removal following completion of construction works.
 - Measures to be employed to restrict the use of the public highway through Sand Hutton village for construction purposes.
 - The parking of contractors' site operatives and visitor's vehicles.
 - Areas for storage of plant and materials used in constructing the development clear of the highway.
 - Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas.
 - The routes to be used by HGV construction traffic and methods to be employed to inform HGV drivers of the routing.
 - Protection of carriageway and footway users at all times during construction;
 - Protection of contractors working adjacent to the highway;
 - Site working hours;
 - Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate.
 - Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
 - Measures to control and monitor construction noise.
 - An undertaking that there must be no burning of materials on site at any time during construction.
 - Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - Measures to be taken for the protection of trees.
 - External lighting equipment.
 - The ditches to be piped during the construction phases.
 - A detailed method statement and programme for the building works.

- Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
- 8) No development shall commence until a Biodiversity Construction Environment Management Plan (BCEMP) has been submitted to and approved in writing by the Local Planning Authority. The BCEMP shall include the construction phase mitigation measures recommended in the supporting Preliminary Ecological Appraisal Report (PEA) (Ref - FE23/PEA02) including a resurvey of the site for badger activity in accordance with the recommendations of the PEA, the results of which shall be documented in the BCEMP. The approved BCEMP shall be adhered to and implemented throughout the construction period in strict adherence with the approved details.
- 9) A Landscape and Ecology Management Plan (LEMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to the occupation of the development. The LEMP shall provide full details of the ecological mitigation and ecological /landscape enhancement proposals and shall reflect the details/ measures included in the supporting Preliminary Ecological Appraisal; Landscape Masterplan and Bee Mitigation Strategy (FE23/BMS01). The LEMP shall include full details of:
- The landscape features/ habitat to be created and enhanced, including the species, number, size and specification of new tree planting along the boundaries of the site; within the memorial parkland/woodland (initially) and the memorial woodland garden.
 - Tree species to be planted within the memorial parkland/ woodland over time.
 - New hedgerow planting along the southern boundary of the site.
 - Grassland planting/seed mix, bulb planting and all ornamental planting.
 - Details of Biodiversity Net Gain compliance.
 - The measures that will be employed to manage and maintain all landscape and ecological enhancement measures including an ongoing work schedule monitoring and remedial measures.
- All landscape and habitat planting at the site shall be substantially completed within 12 months from the commencement of the use of the development and shall thereafter managed in accordance with the approved details.
- 10) Prior to the installation of any external lighting within the application site, including lighting or site security purposes, full details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the position, height, angle of lighting, illuminance level and hours of operation and shall be designed in accordance with the Bat Conservation Trust & Institute of Lighting Professionals Guidance Note (2018 or subsequent revisions) and agreed by a professional ecologist prior to submission. All lighting shall be installed and maintained in accordance with the approved details and thereafter no additional lighting shall be installed.

- 11) Total annual cremation hours at the facility shall not exceed 3,900 hours per annum.
- 12) Attended cremation services shall only take place between the hours of 09:30 and 16:30 Monday to Friday. There shall be no cremation services on Saturdays, Sundays, Bank and Public Holidays.
- 13) The memorial gardens shall only be open to the public between 09:30 and 16:30.
- 14) No development shall commence until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The surface water discharge rate from the buildings and car park area into the receiving watercourse shall be no more than 2 litres per second and the discharge rate from the Memorial Woodland and Memorial Parkland into the receiving watercourse shall be no more than 5.2 litres per second. The approved scheme shall be implemented before the development is brought into use.
- 15) No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
- 16) Prior to works of above ground construction, details of sustainability, energy efficiency and renewable energy measures as set out in the supporting Energy and Sustainability Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented and maintained in accordance with the approved details.
- 17) A minimum of four electric vehicle charging points shall be provided at the site and these shall be installed and functioning prior to the development being brought into use.

End of Schedule

ANNEX B: APPEARANCES

FOR THE APPELLANT:

Peter Goatley KC

Daniel Henderson

Called:

Peter Mitchell FICCM(Dip)

Peter Mitchell Associates

Ian McArdle BSc, MBA, MRICS

Director, Westerleigh Group Ltd

Andrew J Kenyon BEng, FCIHT

Director, Peter Evans Partnership

Dr Ben Marner BScM PhD, CSci, MEnvSc, MIAQM

*Director – Air Quality
Consultants*

Richard Irving BA(Hons), DipTP, MRTPI

Director – ID Planning

FOR THE LOCAL PLANNING AUTHORITY:

Shemuel Sheikh

He called:

Richard Wood BA(Hons), BPI, MBA, MRTPI

Director– Richard Wood Associates

INTERESTED PARTIES:

Caroline Goodrick

Nigel Davies – *Chair of Claxton and Sand Hutton Parish Council*

Gavin Fielding

Liz Cashon

ANNEX C: INQUIRY DOCUMENTS

ID1 – Errata at para 8.50 of Mr Mitchell’s Proof of Evidence

ID2 – Opening submissions - Appellant

ID3 – Opening submission - Council

ID4 – Errata at Appendix 2 of Mr Mitchell’s Proof of Evidence

ID5 – List of ‘agreed’ planning conditions

ID6 – Closing submissions – Council*

ID7 – Closing submissions – Appellant

ID8* – Court Judgment - *R (on the application of Cherkley Campaign Ltd.) v Mole Valley DC & Anor [2014] EWCA Civ 567*

*Received after the Inquiry, referred to in Council closings.

ANNEX D: CORE DOCUMENTS

CD

- 1.1. Application Form, December 2020
- 1.2. Design and Access Statement, Waugh Thistleton Architects November 2020
- 1.3. Planning Policy Analytical Statement November 2020
- 1.4. Air Quality Assessment, Air Quality Consultants October 2020
- 1.5. Archaeological Desk Based Assessment, OSA March 2020
- 1.6. Ground Investigation Report Rev 1, Soiltechnics, March 2020
- 1.7. Laboratory Report, PSL, January 2020
- 1.8. Landscape Statement, The Landscape Agency, October 2020
- 1.9. Flood Risk Assessment, Engenuiti, September 2020
- 1.10. Drainage Statement, Engenuiti, September 2020
- 1.11. Design Criteria, Engenuiti, September 2020
- 1.12. Transport Assessment, Peter Evans Partnership (PEP) October 2020
- 1.13. Traffic analysis note, Peter Evans Partnership (PEP) March 2020
- 1.14. Energy and Sustainability Strategy, XCO2, November 2020
- 1.15. Landscape Visual Impact Assessment, The Landscape Agency, October 2020
- 1.16. Crematorium Needs Report, The Westerleigh Group, November 2020
- 1.17. Statement of Community Involvement, ID Planning, November 2020
- 1.18. Preliminary Ecological Appraisal, Futures Ecology October 2020
- 1.19. YC-WTA-00-00-DR-A-1001-Location Plan – Waugh Thistleton November 2020
- 1.20. YC-WTA-00-00-DR-A-1002-Site General Plan – Waugh Thistleton November 2020
- 1.21. YC-WTA-00-00-DR-A-1101-Ground floor – Waugh Thistleton November 2020
- 1.22. YC-WTA-00-RF-DR-A-1102-Mid level Roof – Waugh Thistleton November 2020
- 1.23. YC-WTA-00-RF-DR-A-1103-Top level roof – Waugh Thistleton November 2020
- 1.24. YC-WTA-00-XX-DR-A-1201-South East Elevation – Waugh Thistleton November 2020
- 1.25. YC-WTA-00-XX-DR-A-1202-West Elevation – Waugh Thistleton November 2020
- 1.26. YC-WTA-00-XX-DR-A-1203-East Elevation – Waugh Thistleton November 2020
- 1.27. YC-WTA-00-XX-DR-A-1204-North West Elevation – Waugh Thistleton November 2020
- 1.28. YC-WTA-00-XX-DR-A-1301-Section 1 – Waugh Thistleton November 2020
- 1.29. YC-WTA-00-XX-DR-A-1302-Section 2 – Waugh Thistleton November 2020
- 1.30. YC-WTA-00-XX-DR-A-1303-Section 3 – Waugh Thistleton November 2020
- 1.31. YC-WTA-00-XX-DR-A-1304-Section 4 – Waugh Thistleton November 2020
- 1.32. 1277-002 Rev C – Typical site sections
- 1.33. 1277-001 Rev F – Outline landscape masterplan
- 1.34. Preliminary Ecological Appraisal, Futures Ecology, January 2021
- 1.35. Technical note (Drainage) 1334-ENG-XX-XX-TN-C-1001 Engenuiti January 2021
- 1.36. Response to Comments on Air Quality, Air Quality Consultants, July 2021

- 1.37. Crematorium Needs Report Supplemental Report, The Westerleigh Group, October 2021
- 1.38. Further Response to Comments on Air Quality, Air Quality Consultants, December 2021
- 1.39. ID Planning Correspondence to Ryedale DC January 2022
- 1.40. Correspondence on comments made to Needs Report, The Westerleigh Group, January 2022
- 1.41. Response to GL Hearn's comments on the application, Air Quality Consultants, February 2022
- 1.42. Response to Ryedale's comments on May and October 2021, Air Quality Consultants, March 2022
- 1.43. Energy and Sustainability Summary, XCO2, April 2022
- 1.44. Savills Correspondence April 2022
- 1.45. Letters of Support from Funeral Directors. Various dates
- 1.46. Review of commentary made by Impact Planning Services Ltd, Peter Mitchell Associates May 2022
- 1.47. Air Quality Environmental Statement, Air Quality Consultants, September 2022
- 1.48. Bee mitigation Strategy Rev C, Futures Ecology, September 2022
- 1.49. Press Notice EIA – December 2022
- 1.50. Response to Matthew Miers representation, Air Quality Consultants January 2023
- 1.51. ID Planning Correspondence to Ryedale DC February 2023
- 1.52. Bee Mitigation Strategy Rev D, Futures Ecology, May 2023
- 1.53. Air Quality Environmental Statement, Air Quality Consultants, May 2023
- 1.54. Air Quality Environmental Statement Addendum, Air Quality Consultants, April 2023
- 1.55. Air Quality Environmental Statement Addendum, Air Quality Consultants, May 2023
- 1.56. Response to Environment Agency Comments, Engenuiti, June 2023
- 1.57. Biodiversity Impact Assessment, Futures Ecology, June 2023
- 1.58. Biodiversity Metric Calculation Tool, Futures Ecology, June 2023
- 1.59. Addendum to D and A September 2023
- 1.60. YC-WTA-00-RF-DR-A-1102 S4 Rev A – Mid level Roof – Waugh Thistleton November 2020
- 1.61. YC-WTA-00-RF-DR-A-1103 S4 Rev A -Top level roof – Waugh Thistleton November 2020
- 1.62. 1277-001 Rev H – Outline landscape masterplan
- 1.63. 1277-001 Rev J – Outline landscape masterplan
- 1.64. 1277-001 Rev K – Outline landscape masterplan
- 1.65. Planning officers report to Committee
- 1.66. Planning Decision Notice
- 1.67. APP/A0665/W/23/3325109 Land at Hooton Road, Hooton, Ellesmere Port.
- 1.68. APP/F4410/W/21/3277233 Land south of Green Lane, Brodsworth, Doncaster
- 1.69. APP/N0410/W/21/3270138 The Lea, Western Avenue, Denham UB9 4NA.
- 1.70. APP/D3830/W/21/3266563 Land north of Turners Hill Road, Turners Hill, W Sussex.
- 1.71. APP/W/20/4000394 10-acre Field North of Grevatts, Yapton, West Sussex.
- 1.72. APP/L3245/W/19/3236638 Land off Holyhead Road, Nesscliffe, Oswestry.
- 1.73. APP/P3040/W/19/3229908 Land to the east of Main Road, Cotgrave, Rushcliffe.

- 1.74. APP/P1805/W/18/3211026 Land adjacent to New Inns Lane, Rubery, Bromsgrove.
- 1.75. APP/A0665/A/12/2186911 Land south-west of Birches Lane, Lach Dennis, Cheshire.
- 1.76. APP/A6835/A/15/30055992 Land at Kelsterton Lane, Connah's Quay CH7 6DW
- 1.77. APP/C3430/W/15/3039129 Essington (Appeal A) and 3039163 Wergs (Appeal B)
- 1.78. APP/C3430/W/15/3039163 Land off Holyhead Road (A41) Wergs. PoE of Paul Burley (2017)
- 1.79. APP/C3430/W/15/3039163 Secretary Of State's Appeal Decision 31.3.2021
- 1.80. APP/D0840/A/09/2098108 Land at Race Farm, Puggis Hill, Treswithian, Camborne, Cornwall
- 1.81. APP/F2605/W/20/3265479 Land at Brandon Road, Weeting, Norfolk IP27 0PT
- 1.82. APPF2415A142211858 Land at London Road, Great Glen, Leicestershire LE8 9DJ
- 1.83. APP/M0933/W/15/3135605 Land to the N of J36 of the M6, adj. to the A65 near Crooklands
- 1.84. APP/M1005/A/12/2188880 Land east of Derby Road, Swanwick, Derbyshire
- 1.85. APP/N4720/W/19/3233784 Land at Garforth Golf Range, Long Lane, Garforth, Leeds LS25 2DS
- 1.86. Watton and Cameron v Cornwall Council [2023] EWHC 2436 (Admin)
- 1.87. Office of Fair Trading v W. Austin & Sons & Ors [2005] CAT 25
- 1.88. R (on the application of Timmins) v Gedling Borough Council & Another [2016] EWHC 220 (Admin)
- 1.89. City of York Property Services Design and Access Statement
- 1.90. CMA Funerals Market Investigation Final Report
- 1.91. CMA Funerals Market Investigation Provisional decision report
- 1.92. CMA Investigation Consumer survey results
- 1.93. Cost quality seclusion and time - What do UK customers want from a cremation funeral
- 1.94. FBCA Recommendations on the Establishment of Crematoria - A Guide to Cremation and Crematoria 2016
- 1.95. ICCM Charter for the Bereaved November 2014
- 1.96. ICCM Guiding Principles for Burial and Cremation October 2014
- 1.97. Basingstoke & Deane BC and Bewley 2024
- 1.98. NYC Note - Further clarification in relation to the Local Planning Authority's Statement of Case, 5 July 2024
- 1.99. Review of Applicant's Need Assessment, Impact Planning Services Ltd, June 2021
- 1.100. Review of Applicant's Supplemental Report, Impact Planning Services Ltd, December 2021
- 1.101. City of York Council email correspondence to Ryedale District Council, 7 January 2022
- 1.102. Signed Statement of Common Ground
- 1.103. Air Quality Review
- 1.104. Air Quality Final Review
- 1.105. Habitats Regulations Assessment
- 1.106. Air Quality Assessment Review January 2022
- 1.107. Air Quality Review Summary

- 1.108. Technical Note – Air Quality, Environmental
- 1.109. RPC guidance note on using the precautionary principle
- 1.110. process-guidance-note-crematoria
- 1.111. Design and Access Statement for Proposed Bio-renewables
- 1.112. York Biotech Campus Investment Prospectus
- 1.113. LPA Note_July_2024
- 1.114. EIA Screening Matrix
- 1.115. The Ryedale Plan – Local Plan Strategy (2013) and Local Plan Sites Document and Policies Map (2016)
- 1.116. Saved policies of the Yorkshire and Humber Plan (Regional Spatial Strategy):- York Green Belt Policies (YH9 and Y1)
- 1.117. National Planning Policy Framework December 2023
- 1.118. National Planning Policy Framework: draft text for consultation July 2024

End of Decision