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# Dover District Council site assessment report for Dover Towns' potential new cemetery development

## DRAFT 4

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# **Dover District Council**

**DRAFT 4**

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**A site assessment study for the Dover Town's new  
cemetery**

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## 1.0 Executive Summary

Cemetery Development Services Ltd a team of specialists in the cemetery design and development industry, were commissioned by Dover District Council to undertake a review of existing burial provision within the Dover District and to provide a comparative feasibility analysis of proposed development sites to establish those deemed to be most suitable to provide burial facilities once the current Dover District cemeteries become full.

CDSL have specialised in cemetery development for the past 6 years and are widely recognised as the UK's leading cemetery design and development company. Our expertise is also recognised in other countries with invitations to design and develop cemeteries in the USA, Spain and Russia with an invitation from Ghana to design new cemeteries for the Capital City of Accra.

The CDSL team have designed over 20 new cemeteries in the UK and undertaken over **110 feasibility studies**, making CDSL the UK's most experienced cemetery design and development company working in both the Public and Private Sector.

We pride ourselves in providing innovative solutions for cemetery developments from memorial systems to ground water management.

CDSL are also members of the Institute of Cemetery & Crematorium Managers and our staff have attended ICCM Cemetery Management Courses.

**The Dover District Council Feasibility Study** will employ the following Team:-

<b>Project Manager</b>	Mr Justin Smith
<b>Site Investigation Manager</b>	Dr Mike Hann
<b>Private Land &amp; Funding Ventures</b>	Mr John Prentis
<b>Concept Design &amp; Budgets</b>	Mr Martin Lilley
<b>Mapping &amp; CAD</b>	Mr Paul Carvill
<b>Data Management / Researcher</b>	Mrs Sarah Gilbertson

The "essential elements" of the Study are to:

- 1.0 Review "current cemetery provision" within the District;
- 2.0 Undertake the "search study" to identify new land parcels that conform to the basic requirements for new cemetery space and associated pre-defined analysis criteria;
- 3.0 The development of "concept design criteria" for a future cemetery development.

The feasibility study will culminate in an analysis report detailing the derivation of a short list of recommended sites for further detailed investigation.

The feasibility study advances the land selection process from essentially "desk top analysis" to "on site investigation" to determine the suitability of the selected sites in more detail. This includes a "higher level research process" and the procurement of various "site surveys" to enable an "evidence based assessment" of final site suitability to be determined.

Particular emphasis is given at this stage to ensure that all "Planning Constraints" that may affect the selection of a particular site are known. Future changes in local or national planning policies should be considered to ensure that the selected sites do not lose their status as suitable for "Change of Use" and that "Outline Planning" could be obtained when required in the future.

With the physical characteristics of the short listed sites known, the "concept design criteria" developed are applied to determine the "projected budget development costs" for the

proposed site, taking into account phased development options for the on-site provision of services and facilities.

The opportunities for funding from “Private Public Partnerships” will be fully explored to provide options for the Council in developing and operating the new cemetery space.

This report culminates with a “recommendation” for the most suitable site for future development including the supporting analysis and budget options to develop and fund the site in the most cost effective way to meet the Council’s future needs.

This report reviews the process through which sites were identified as having potential to be developed for a cemetery facility.

This process included reviewing sites seen to have potential through location, size and accessibility. These criterion were further assessed using a standard scoring methodology.

Twenty three sites were selected as potential options for cemetery developments and from the scoring criteria illustrated below this original number was reduced to two potential locations.

Assessment Criterion:

- Size was based on a 50 + year capacity,
- Access based on road access, highways comments and public transport facilities,
- Topographic survey defined on possible site access and development issues
- Environmental issues were determined by groundwater protection and flood risk assessment.
- Ecological assessments were made within the qualifying principals of the AONB.
- Ethnic and non-conformist options considered on the basis on sites of neutral religious significance.
- Stakeholder interests and ownership sites requiring potential CPO may be considered less than favourable.
- Visual and historical impact assessments were made on the sites contribution to the public benefit and national history

Of these 2 site options further practical, economic and environmental considerations may reduce the number to just the primary location as numbered on the Land Appraisal Map provided with the Unique Reference Number (URN 19) currently looking to be the most suitable as their appear no major ownership issues.

## 2.0 Introduction

Cemetery Development Services have been commissioned by Dover District Council to undertake a comparative feasibility analysis of proposed development sites to establish those deemed to be most suitable to provide burial facilities once the current Dover District cemeteries become full.

The main Dover Town Cemeteries (St James/St Marys, Charlton, Cowgate,) are due to be full within the next 18 months to 2 years depending on current utilisation and internal development (less than 100 grave spaces left).

The DDC Cabinet meeting of the 4<sup>th</sup> February 2008 agreed that options regarding alternative sites within the Town were extremely limited by a number of factors including topography, land ownership, hydrology, and sites of special interest.

Dover District Council has previously applied for development extensions to its St James Cemetery but was refused planning consent following advice from the Environment Agency.

This will require the establishment of a new site within the respective ward by the end of this 2 year period. Typically, the time taken from site selection, through Environment and Planning consultation and on to completion may take up to 2 years and sometimes beyond, therefore the selection and development of a new location should proceed with some urgency.

Discussions had been held between the committee and Dover Planning Team over a number of sites around the town and it was felt that a detailed appraisal would be required to form part of the development of a future planning submission.

This report provides a general overview based on qualitative data and quantitative data, and once the site selection has been refined or a final site proposed detailed plans and development schemes shall then be presented.

Dover District Councils requirement for a new municipal multi-faith cemetery in the Dover Town enclave should fulfil the following criterion as a minimum

- Capacity for 50 years based on current burial rates (circa 60 to 70 per annum)
- Be sited suitable for public access by foot and local public transport
- Be readily easy and safe to maintain and manage (no steep slopes)
- Suitable for all religious denominations and non-conformists alike.
- Be cost effective to develop.

Information used for the process of site selection for sites fulfilling the above criterion was collected and reviewed from the following data sources

- Dover District Local Plan Maps (Sheets 1, 2, 3, 4, 5 and 6)
- Dover District Local Plan Road Hierarchy
- Environment Agency Ground Water Vulnerability Maps
- Environment Agency Source Protection Zone Maps
- Environment Agency flood Risk Maps
- Geodata Terrain and Relief Maps Dover and District
- Soil Survey England and Wales Soil Maps (Sheet 6)
- Environment Agency GP3 Publications
- Environment Agency PPG Publications
- British Geological Survey Reports for hydrology and groundwater in Dover District

From using the above data sources and the specification for cemetery size and development criterion, the proposed sites of which there are 23 are indicated on the map provided (Titled

Dover Land Appraisal) and have been addressed in this report as per their numeric plot numbers on the map.

Consultations have also been had with the following organisations and trade bodies.

Kent AONB

Kent Highways Services

Environment Agency

Kent Wildlife Trust

Kent County Council Heritage and Conservation Group

Local Funeral Directors

### 3.0 Background

It is important to identify suitable sites that fulfil in principle the following requirements

- National and local regional policies
- Environmental and ecological suitability
- Planning and highways legislation
- Stakeholder interest and desirability.
- Ownership and legal interests

A number of national, regional and local policies particularly those relating to the environment, constitute a potential major barrier(s) to a cemetery development. For this reason those sites which fall within the list of policy designations outlined in Table 1 (below) were excluded. The criteria adopted were from the first tier of constraints of the Dover District LDF Core Strategy Sustainability Assessment. If a site straddled one of these designations the site area was redrawn to exclude the part of the site within the designated policy area where appropriate.

Table 1

Criteria Considered to Fall Within First Tier of Constraints
Statutory nature reserve and green wedge
Special area of conservation
Special protection area
Ancient woodland
Conservation area
Scheduled ancient monument area
Historic parks and gardens
Existing allotments

Further site options considered to fall within the first tier of constraints specific to this selection criteria include churchyards and allotment grounds.

#### 3.1 Church Yard Developments

A significant number of Churchyards have been proposed as possible new development areas for cemeteries, most of the proposed sites within the enclave of Dover and its district would be unable to provide sufficient space for the proposed new development. Notwithstanding space availability, it should be noted that the councils social obligations are to the whole community and that the cemetery provision should be municipal covering all faiths, denominations and non-conformists, therefore the use of church land may not suite itself to this precept.

Further the calculations on space required are based on burial usage within the existing council municipal cemeteries. Established churchyards will have a burial rate in concordance to their parishioner and congregation requirement, extra loading will use up the limited space provided for the local congregation.

To this end the church yards have been excluded from the selection criteria.

#### 3.2 Allotments

There is also some question about the option for the use of allotment grounds however with public issues and re-location issues these may prove to be an unviable option.

#### 3.3 Existing Cemetery Provision and Extension Options

There may be some argument for the re-use of grave space within existing cemeteries, however re-use whilst a considered possibility would be frustrated by logistical and ethical limitations. The "lift and deepen" option for re-use has been suspended by the Home Office



and re-using single occupancy with expired exclusive rights can be a major gamble as often burial depth records tend to be very inaccurate; many cemeteries have found single occupancies recorded as 6 being foot turn out to be only 3 foot. Experience has also shown that members of the public are a bit particular about using second hand graves.

Common grave land is in the direct ownership of the council. Technically the relatives of the occupants have no legal rights of ownership of either the grave space or memorialisation.

It is understood that these in St James Cemetery, common land plots are now full and the exact position of individual plots is uncertain as in many cases the memorials have been removed so ascertaining the depth of last burial for each plot will be an impossible task.

CDSL propose that this ground could be developed with the use of burial chambers placed on top of the common grave area. The use of chambers can provide up to 2.5 times the number of burial plots compared to traditional earthen burials.

The chambers could be either of single depth or double depth. Double depth chambers are 500 mm taller than single depth at 1.6 meters and have a concrete base. Single depth chambers can be bottomless and therefore allow contact with the soil below.

Both chamber systems would be set down into the ground at least 300 mm above the minimum depth of likely burial as common grave occupants are still protected under the burial act and as such human remains cannot be removed or disturbed without an exhumation license from the Home Office. The chambers would sit on a geomesh layer to reduce any temporal subsidence. Once positioned the chambers can be covered over with soil and seeded providing a natural finish to the burial area.

Using bottomless single depth burial chambers would allow "earthen" type burials and thus natural decomposition, but double depth will obviously increase capacity.

There may be some potential planning issues but extensions to burial plots may be exempt. The development of burial chambers over common grave land may come under the Disused Burial Grounds Acts 1884 and 1981, in discussions with the Ministry of Justice the legal area was unclear and may need to be reviewed by the councils legal representation, however the Institute of Cemetery and Crematorium Managers consider it to be a legal option.

It is anticipated that the cost of installing a chamber system would be £650 to £800 each for single depth and £1000 to £1200 for double chambers and it is calculated that up to 100 chambers could be installed within St James Cemetery.

Further benefits of chambers systems include much reduced interment costs and maintenance costs as there is no soil to be removed off site and no subsequent sinkage associated with normal earthen burials. Memorialisation is simple and effective and we would suggest the council use flat plaque memorials to reduce maintenance costs still further.

Dover District Council has previously applied for development extensions to its St James Cemetery but was refused planning consent following advice from the Environment Agency.

However the use of sealed chambers could circumvent the EA as the chambers would remove the risk of contaminants entering the environs. Cost therefore would be considered the only primary issue.

### 3.0 Site Options

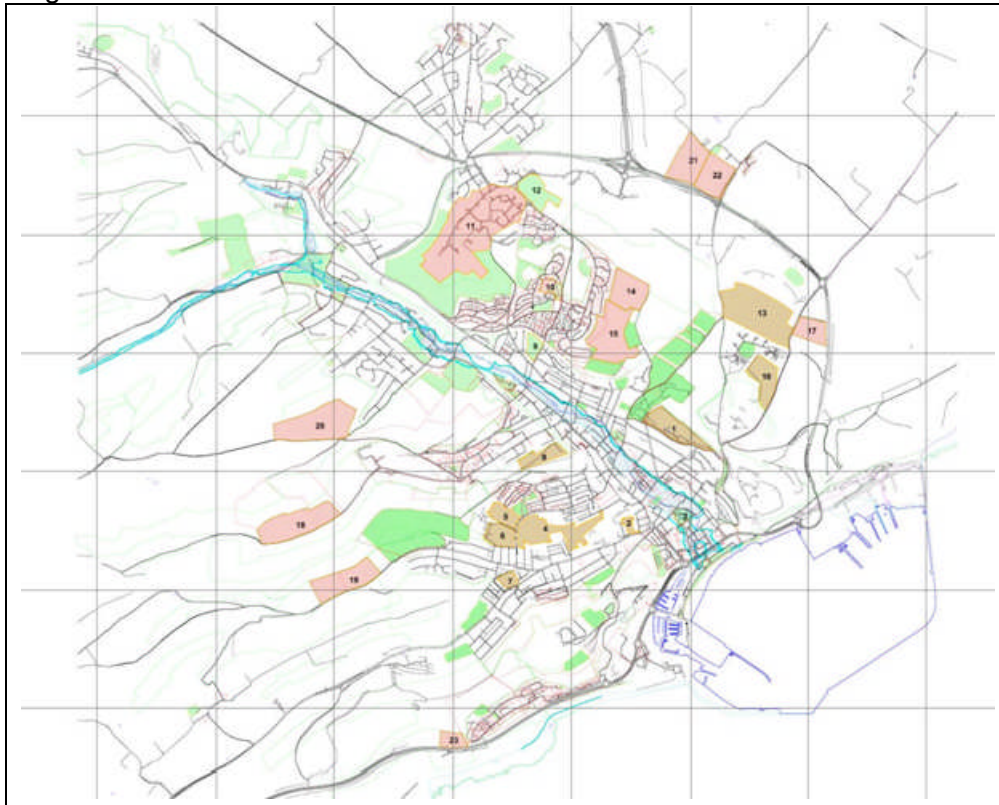
As already described in the background much of this document will address the suitability of the sites by environmental considerations as well as social, size and access suitability. The following sections will review proposed areas systematically and eliminate those failing the above criteria in the first instance by scoring 1-5 with scores of 2 or less being rejected and those of scores of 5 being most favoured.

The sites are referred to using their URN (unique reference number) as per the map provided (Dover Land Appraisal), the sites reviewed are hatched magenta and maroon on the plan. In some cases URN's have been grouped where the sites could be considered an entity for the sake of description and practical development and environmental concerns. The map Dover Land Appraisal (Figure 1 below) should be used in conjunction with the data presented below (Table 2).

Table 2

Site URN	General Location Description	Site Area Hectares
01	Connaught Park	7.2
02	Pencaster Gardens	1.1
03	The Abbots	1.5
04	Playing Fields South of Aster Avenue	10.7
05	Playing Field North West of Aster Avenue	3.3
06	Playing Fields West of Aster Avenue	4.2
07	Cowe Lane	1.7
08	Allotments South of Prospect Place	4.1
09	Allotments off Green Lane	2.0
10	Sports Ground off The Linces	2.3
11	Old Park Barracks Playing Fileds	37.7
12	Sports Ground off Honeywood Parkway	5.5
13	Duke of York's Training Gound	19.4
14	Farmland East of Durban Crescent	8.1
15	Farmland East of Napier Road	14.1
16	Farmland West of Fort Burgoyne	6.7
17	Farmland East of Duke of York Military School	4.7
18	Farmland off Coombe Road	12.9
19	Farmland West of School North of Elms Vale Road	10.2
20	Farmland North of Abbey Road	15.9
21	Farmland West of Guston South of Pineham Road	8.6
22	Farmland West of Guston west of Pineham Road	7.8
23	Sports Ground to West of Old Folkestone Road and St David's Avenue	2.6

Figure 1



#### 4.1 Size

Tables 3 and 4 below shows those URN sites that are considered non-qualifying due to size scoring of 2 or less, the development size assumed has been taken as a minimum of 2.5 hectares calculated on a 50 year burial provision with 70 interments per annum and 1600 burials per hectare. (allowing for growth in the town and district as per Table 3 below)

Table 3

Burials per annum	Duration of Cemetery			
	30 Years	50 Years	75 Years	100 Years
30 pa	0.5	1.0	1.4	2.0
40 pa	0.75	1.25	1.9	2.5
50 pa	1.0	1.6	2.3	3.1
60 pa	1.1	1.9	2.8	3.7
70 pa	1.3	2.2	3.3	4.3
100 pa	1.9	3.1	4.7	6.2
110 pa	2.0	3.4	5.1	6.8
120 pa	2.2	3.7	5.6	7.5

However, with the expected increase in population, the current trend back to burials and the potential for pandemic planning requirements the council should consider a site of not less than 3 hectares, and also for any future development options post 50 years of the cemetery life span.

Table 4

Score	Size hectares
1	<1.5
2	<2.5
3	<3
4	>3
5	>5

Table 5

Sites not qualifying due to size limitation at 50 year duration
2, 3, 7, 9, 10, 23

#### 4.2 Access

Many visitors to cemeteries are the elderly and infirm that may for whatever reason not have access to private transport. Therefore the site location should be within easy access of local bus stops with short taxi routes from the town centre, as well as being close to the proximity of the town for pedestrian and cycle ways. Private transport access was also not discounted from the scoring methodology, this was scored on ease of access, distance from town and the cost required for development to accommodate new entrances and roadways.

Table 6

Score	Access and Transport
1	Out of town no public transport access and no direct entrance to major roads or streets.
2	In town but with no ease of access for public or private transport
3	1 km of town with public transport access near to site (<100m)
4	Access to public transport, private cars with bus stop <100 meters from entrance
5	Access to public transport and cars and bus stop <50 meters from entrance

Table 7

Sites not qualifying due to access limitation
18, 9, 10, 14, 15, 23

#### 4.3 Environmental Sensitivity

Environmental issues to be considered as potentially limiting or restrictive to site selection and subsequent development include soil type, morphology, groundwater protection issues and flood risk assessments.

##### 4.3.1 Soil Type

The Soils Maps of England and Wales map the area of Dover as being of Andover 1 Series (343h) these are generally shallow well draining calcareous silty soils over chalk with deep calcareous and non calcareous fine silty soils in valley bottoms. The soil textural and series map is illustrated in Figure 2 below.

Figure 2



#### 4.4 Topography

Using Digi-Terrain topography data (Figure 3 and Figure 4), sites that were subject to adverse sloping were highlighted. Where severe sloping covered a proportion of the site exceeding 40%, these were given low scores on the assessment of suitability for disabled access and management and maintenance costs. Where sites have partial sloping or sloping ground covering a minority of the site, then the site remained in the assessment but with redrawn boundaries or received an intermediate score.

Figure 3

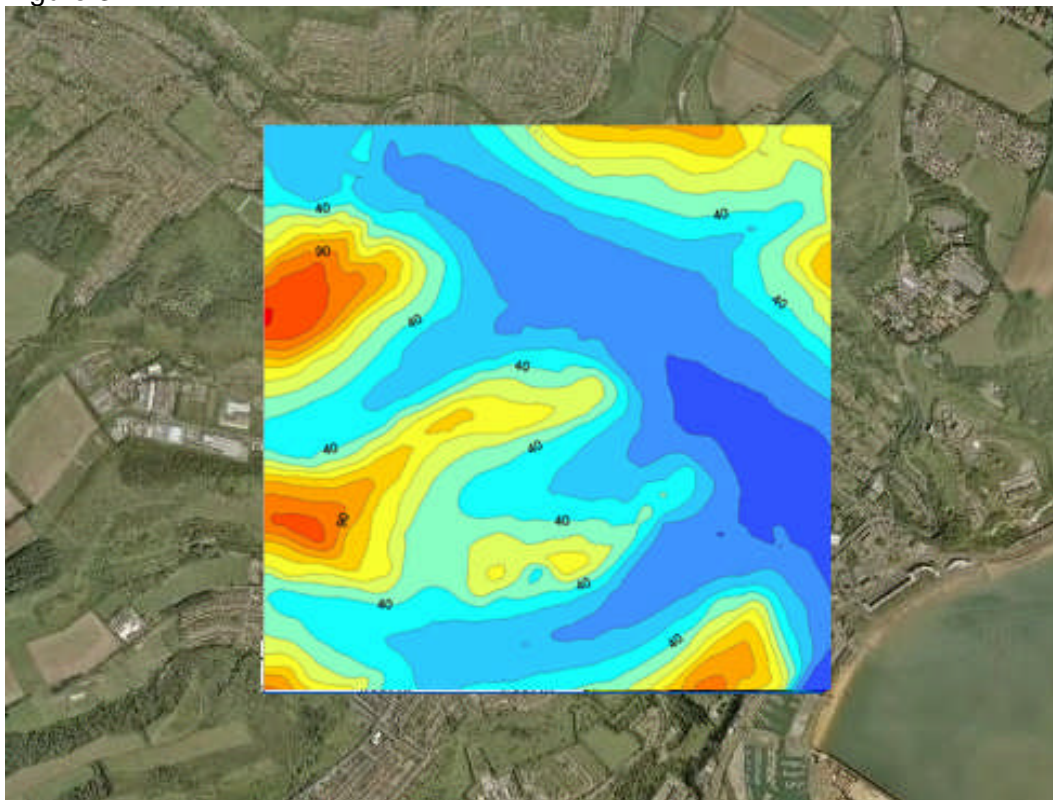
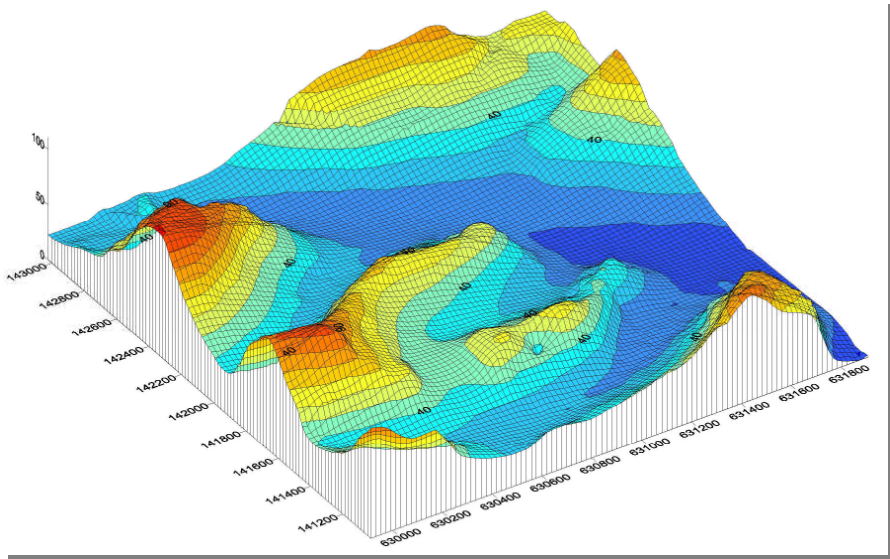




Figure 4



The areas reviewed were assessed for practical development and DDA purposes that sites with falls exceeding 1:7 would be considered impracticable. (Figure 2 and 3 below)

Table 8

Score	Topographic restrictions
1	Where 40% or more of the site has slopes exceeding 1:7
2	Where 30% of the site has slopes exceeding 1:7
3	Where 20% of site has slopes exceeding 1:7
4	Where <10% of site has slopes exceeding 1:7
5	Site is considered generally flat

Table 9

Non-qualifying sites based on topography constraints
20

#### **4.5 Groundwater Protection**

All cemeteries before any planning consent or even stakeholder desirability can be considered have to fulfil an environmental risk assessment. This risk assessment or audit will determine the likelihood of the site progressing further as a new cemetery option, with the EA as statutory primary consultees. Some sites may fall within sensitive areas but other mitigating issues may make those sites potentially useable.

Initial risk screening would start with the tools contained in the Agency's publication, Policy and Practice for the Protection of Groundwater.

Tools include Groundwater Vulnerability and Source Protection Zone (SPZ's) maps. These maps highlight where there are likely to be particular risks posed to groundwater from surface activities. Groundwater Vulnerability (GWV) Maps show the damage from pollution to groundwater and the relative importance of the aquifer to water supplies. Risk assessment is made with reference to soil leaching potential and the levels of water tables above major and minor aquifers.

Whilst groundwater is a major part of policy concerns other water point sources are also considered as requiring an evaluation of risk. These sources include surface water in the form of ditches, spring lines and surface run-off.

The factors influencing the risk of groundwater vulnerability include:

- Soil nature and type
  - Physical, mechanical and chemical properties
- Geomorphology
  - Depth to water table and or height above aquifers
  - Groundwater flow mechanisms
  - Aquifer type
- Abstractions
- SPZ's
- Proximity to water courses, ditches and drains

Therefore, prior to any consent being given by the Environment Agency, an assessment of risk should be undertaken. The degree of assessment is measured through a series of stages namely:

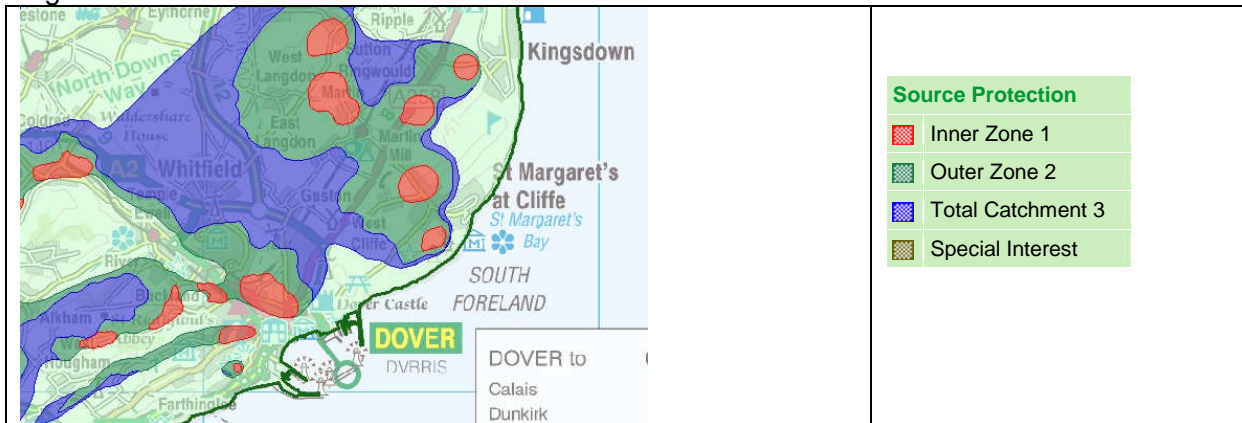
- Hazard identification
- Identification of consequences
- Magnitude of consequences
- Probability of consequences
- Significance of risk.

The agency would be opposed to large graveyards within Zone 1 of an SPZ.

Much of the Dover Town and its enclaves fall within Zone 1, 2 and Zone 3 with small corridors outside of any SPZ features (Figure 5 below)

These zones are then delineated further by the risk to groundwater's, the EA GWV (Groundwater Vulnerability) maps Figure 6 below, illustrate further the associated risk of the region to the pollution of groundwater stocks.

Figure 5



The risk categories are Major Aquifer with High Risk, Major Aquifer with Intermediate Risk and Minor Aquifer High Risk, Minor Aquifer Intermediate Risk, Minor Aquifer Low Risk.

Much of the town centre is in the Major Aquifer High Risk category with most or the remaining areas in the Major Aquifer Intermediate Risk Category.

#### 4.5.1 Groundwater Vulnerability Maps

Figure 6

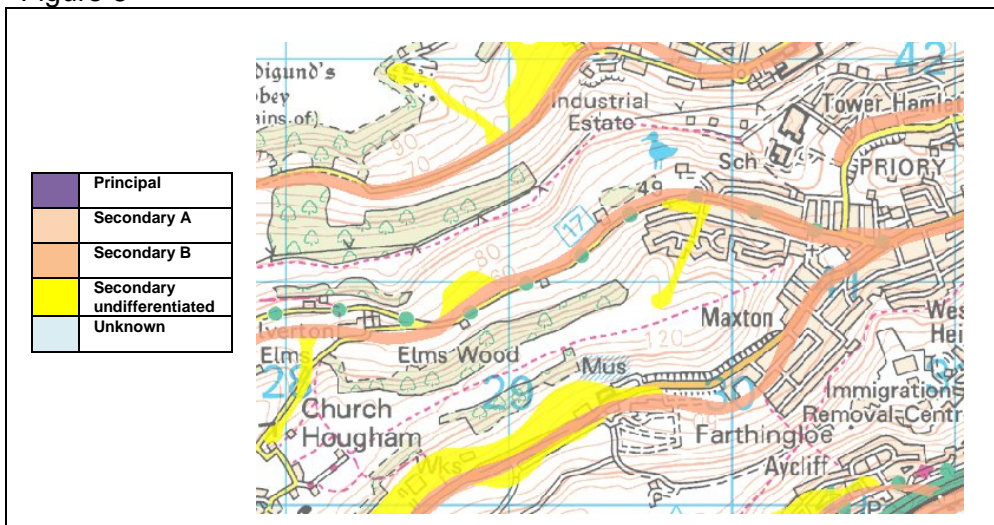


Table 10

Score	Groundwater Restrictions
1	Sites overlying SPZ 1 or sites within 250 meters of well or potable water supply
2	Where >30% of the site overlies SPZ 2
3	Where <30% of the site overlies SPZ 2
4	Where site falls within SPZ 3
5	No Groundwater issues

The table 11 below defines those non-qualifying sites based on SPZ and GWV risk.

Table 11

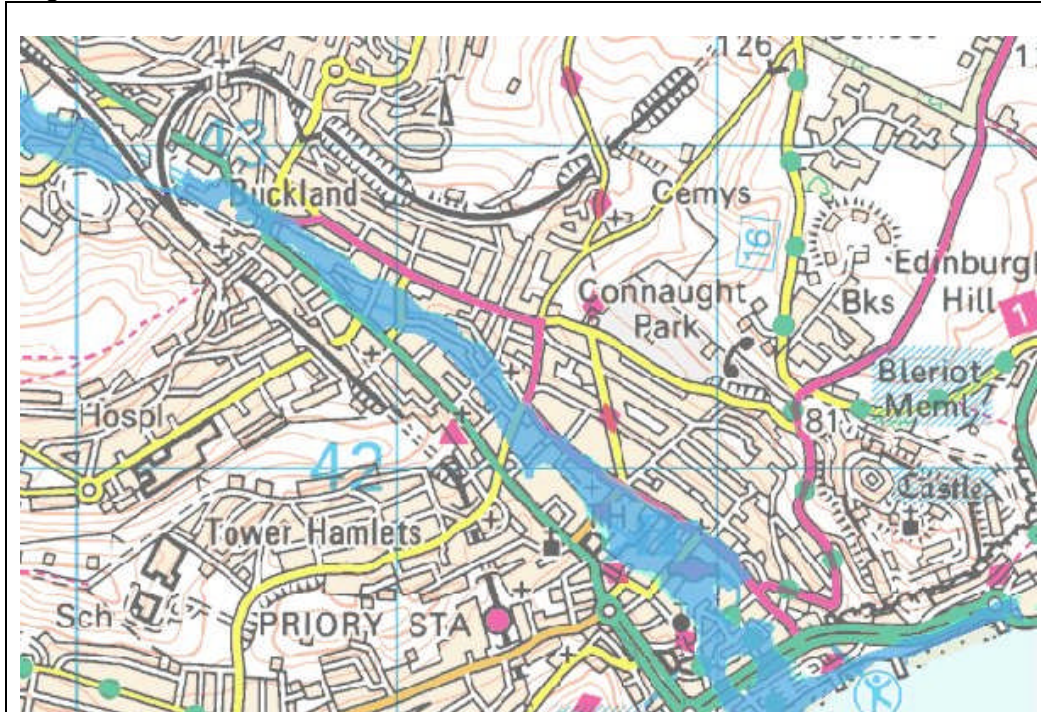
Non-qualifying sites based on SPZ and GWV risk
1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15



#### 4.6 Flood Risk

The Environment Agency map below illustrates any potential risk from flooding, even in circumstance of extreme flood conditions. Consideration given for 1:100 years and 1:1000 years.

Figure 7



Using information published in EA PPS25 the areas have been identified as potential from flood risk. Using the five stage flood risk management hierarchy assessment (Assess, Avoid, Substitute, Control, Mitigate) sites were scored by the proximity to flood risk.

Table 12

Score	Flood Risks
1	Sites lying within flood zone
2	Sites within flood zone risk 1-100 year
3	Sites within flood zone risk 1-1000 year
4	All sites outside flood risk
5	All sites outside flood risk

The sites falling in flood zone and therefore considered as non-qualifying are listed in the table below.

Table 13

Non-qualifying sites based on flood risk
3

#### 4.7 Highways Consultation

From the above qualifying criteria, Sites 16, 17, 19, 21 and 22 were considered for further investigation with reference to Highways access and egress.

It was considered that Site 21 and Site 22 would be unacceptable in terms of access and there would be no possibility of direct access off the A2 Trunk Road and that an indirect access would have to be through private land.

Site 19 has had a positive summary review by the Kent Highways Services and their comments are attached at the end of this document.

Table 14

Score	Highway Access Restrictions
1	Sites with insufficient site lines and or restricted access
2	Sites with indirect access requiring significant egress and access infrastructure
3	Sites on busy commuter roads or requiring indirect access
4	Sites requiring significant egress and access infrastructure
5	Sites with safe and direct access

Table 15

Non-qualifying sites for highway access
21, 22

#### 4.8 AONB Consultation

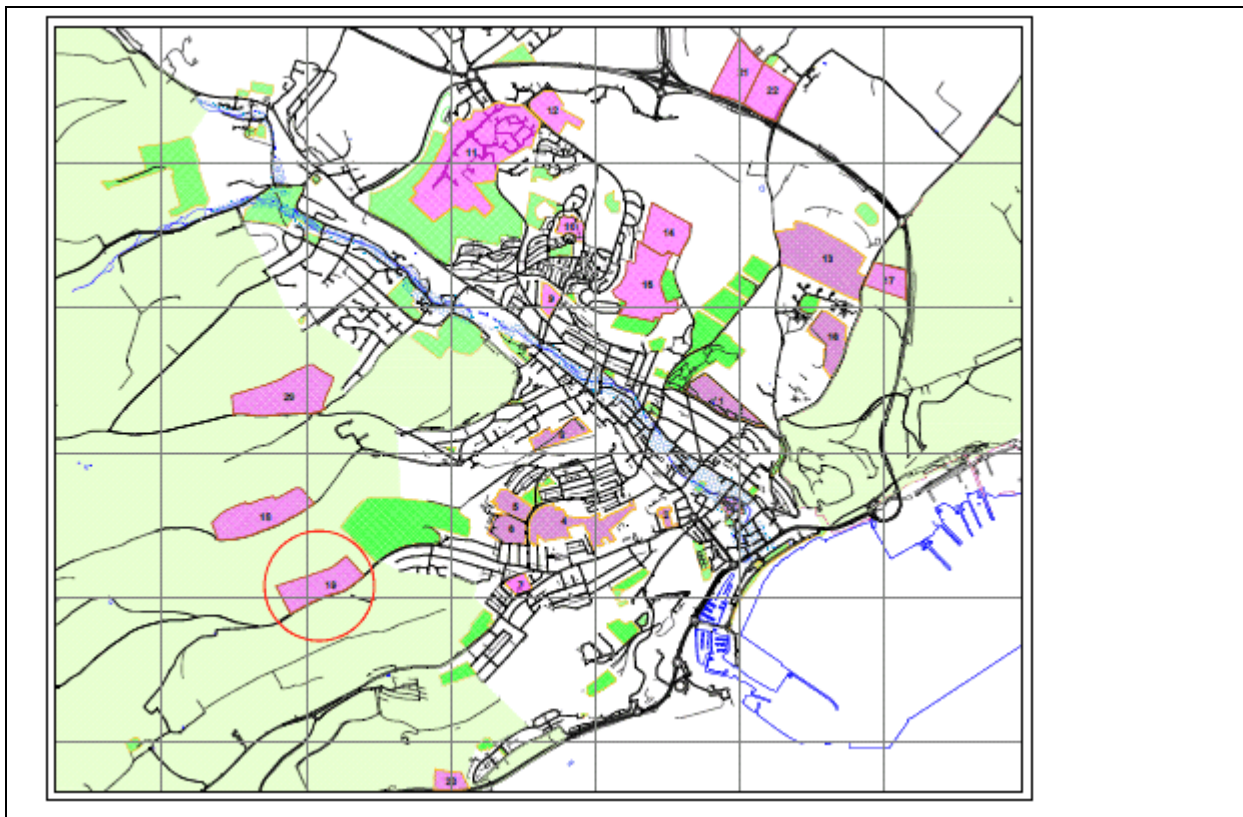
The Kent Downs AONB is a nationally important landscape designated in July 1968 (the AONB has the equivalent status to National Parks in terms of landscape quality, scenic beauty and their planning status).

The Kent Downs is the eighth largest AONB in England and Wales.

National and local planning policies are very clear that the highest priority should be given to the conservation and enhancement of the AONB.

Initial consultation with the Kent Downs AONB Unit has indicated that there is 'no objection in principle' to a new cemetery in the AONB given there is a clear social need for cemeteries and places of burial and memorial are long established, if in frequent, features in the AONB.

The remaining short listed sites 16, 17 and 19 all fall within AONB or Protected Open Space as indicated by the green shading in the plan Figure 8 below.



Whilst falling within these classifications and designations this does not necessarily preclude the development of a cemetery within these sites.

Any new cemetery development in the AONB should:

- follow a robust site selection process
- be of the highest quality;
- be of a design that supports the primary purpose of the designation
- maintain the remote undeveloped quality of the open chalk dowland valley

However it was felt that further investigation and assessment would be required to satisfy the appropriateness of developments within these areas, consequently the above sites were

assessed for individually for potential visual impact a cemetery may have and likely concerns from public interests.

It is understood that any developments within AONB should consider the need to conserves and or enhance the natural beauty of the AONB area.

The AONB were consulted and their comments and concerns were reviewed (copies enclosed) and therefore a more detailed overview of the remaining sites has been considered with reference to the Kent Downs AONB Landscape Design Handbook and the Kent Downs AONB Management Plan. With these comments in mind and used as part of the scoring criteria the following sites 16, 17 and 19 were assessed .

Site 17.

This site is within the AONB and has outstanding open vistas across to the channel. It has regular site seeing visitors who park in the large lay by to the west and walk along the footpath. (see Figure 9 Below)

Figure 9



The general line of site would be directly into the cemetery and to undertake screening would detract from the public appreciation of open space.

Therefore it was felt that the construction of a cemetery would impact heavily on the unprecedented views as seen by the slides above.

The site was also close to the Guston roundabout and some significant access and egress construction would have to be undertaken to manage the cemetery traffic off the busy A258.



### Site 16

Site 16 (Figure 10 below) is the playing field area within Burgoyne Heights and has been designated a protected open space in the Adopted Local Plan

Figure 10



There are two main issues that make Site 16 less suitable for a cemetery development.

#### *Historic Scheduled Ancient Monument*

From both the District Council Planning and English Heritage perspective the site provides a site of historic significant interest as a location of the engineered “killing fields” as part of the fort infrastructure and as such development is likely to receive objection

#### *Highways*

The site does have issues relating to access as it would need to be accessed through an established built up area it would not be possible to have direct access off the A 258 Deal Road due to traffic speeds.

### Site 19

Site 19 is situated adjacent north of Elms Vale Road just west of the Harbour School. The site is in arable crop production with the field sloping down north to south.

The AONB have requested that the north and west of the site should be managed with an open boundary fencing whilst the Elms vale Road and eastern boundary shall be of indigenous tree and hedge and shrub planting.

It is felt using the criteria for design as set out in the AONB Handbook and Management Plan that a sympathetic and enhancing design could be applied to this site without damaging the visual impact on the landscape.

The site has been visited by Kent Highway Services who have no objection in principle to the development of this site.

Figure 11



Therefore by careful consideration of the weighting of historic and importance and the greater affect on visual impact, the sites that were considered non qualifying are highlighted in table below.

Table 17

Non-qualifying sites within AONB or areas of National Historic Importance
17

### 5.0 Qualifying Sites

Having assessed the criterion for size, access and groundwater protection the following table summaries the non-qualifying sites based on size, access, topography and environmental considerations as listed below in Table 18

Table 18

Cumulative non-qualifying sites for size, and environmental considerations
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 20, 21,22, 23.

Those sites that fulfill to a greater or lesser extent the pre-qualification assessments for size and environmental considerations are illustrated in Table 19 below and are highlighted on the map in Figure 8 below.

Table 19

Site URN	Size	Highways and Access	Topography	Groundwater protection	Flood Risk	AONB And Historic Status	Total
16	5	1	3	5	5	2	21
19	5	5	4	3	5	3	25

## **5.1 Preferred Site**

Having followed through a range of practical qualitative and quantitative assessments of proposed sites Site 19 would serve best the public interests with its size, location access and environmental considerations.

It is understood that it falls within the AONB and as such whilst there are no objections in principle from the AONB for a cemetery to be developed, any proposed development of this site will take all comments and recommendations of the AONB as per its guidance notes, Handbook and Management Plan.

The site would have to be developed with minimum impact on current visuals and vistas. It has been proposed to and discussed with the local funeral directors that the use of conventional plinth and plate upright memorialisation may be replaced with inlaid flat plaques memorials thus reducing the visual impact often associated with traditional cemetery memorials.

Construction of hard landscaping would be sympathetic to the environs by way of orientation, materials and size.

## **6.0 Development Cost**

Whilst all the sites could be developed in a modular approach the most significant cost would be in the basic hardstanding infrastructure and road access, assuming a two-way flow of traffic for access and egress to the anticipated entrance and parking area.

Initial development costs on average for most new developments range between £180K and £240K per first developed hectare this includes groundforming, gateage, roadways, paved areas, drainage, water infrastructure, basic toilet and shelter provision and soft landscaping. After this initial cost the remaining hectareage is approximately £80K per hectare.

Therefore in consideration for development for any of the remaining sites above, access and potential infrastructure costs should be taken into account.

However Access from highways can be a considerable cost and highways consultation would be required as part of the planning strategy but should also form part of this site suitability assessment criteria.

A mains water pipe runs through from the mid-western end of the site down to the mid southern boundary. The cost of diverting this pipe would be considerable therefore as is often the case in cemeteries a wayleave area can be created either side of the pipe.

Ownership and legal powers of purchase should also be considered within the development cost calculation and assessment.

## **7.0 Summary**

All of the alternative sites chosen for the new Cemetery have been assessed on a pre-qualification process, sites falling into CPO options may be considered less favourable due to cost and political sensitivity.

In our considered opinion based on access, soil type and environmental considerations we would consider the site URN 19 as fulfilling all prequalification requirements.

## 8 Cemetery Development Services - Terms and Conditions

Cemetery Development Services (CDS)  
Terms and Conditions for the Supply of Services

### Interpretation

In these Conditions

**AGREED FEE** means the charges agreed between CDS and the Client in relation to the Specified Service

**CLIENT** means the person named on the Specification Sheet for whom CDS has agreed to provide the Specified Service in accordance with these Conditions

**CONTRACT** means the contract for the provision of the Specified Service

**DOCUMENT** includes, in addition to a document in writing, any map, plan, graph, drawing or photograph, any film, negative, tape or other device embodying visual images and any disc, tape or other device embodying any other data

**INPUT MATERIAL** means any Documents or other materials, and any data or other information provided by the Client relating to the Specified Service

**OUTPUT MATERIAL** means any Documents or other materials, and any data or other information provided by CDS relating to the Specified Service

**SPECIFICATION SHEET** means the sheet to which these Conditions are appended

**SPECIFIED SERVICE** means the service relating to geophysical surveys of land to be provided by CDS for the Client and referred to in the Specification Sheet

**CDS** means CDS (registered in England under number 05089827) or its subsidiary as stated on the Specification Sheet

The headings in these Conditions are for convenience only and shall not affect their interpretation.

### Supply of the Specified Service

CDS shall provide the Specified Service to the Client subject to these Conditions. Any changes or additions to the Specified Service or these Conditions must be agreed in writing by CDS and the Client.

The Client shall allow CDS adequate access to its property at reasonable times and for so long as is necessary to enable CDS to provide the Specified Service in accordance with the Contract.

The Client shall at its own expense supply CDS with all necessary Documents or other materials, and all necessary data or other information relating to the Specified Service, within sufficient time to enable CDS to provide the Specified Service in accordance with the Contract. The Client shall ensure the accuracy of all Input Material.

CDS shall have no liability for any loss or damage, however caused, to the Input Material. All Output Material shall be at the sole risk of the Client from the time of delivery to or to the order of the Client.

The Specified Service shall be provided in accordance with the Specification Sheet subject to these Conditions.

Further details about the Specified Service, and advice or recommendations about its provision or utilisation, which are not given in CDS's brochure or other promotional literature, may be made available on written request.

CDS may correct any typographical or other errors or omissions in any brochure, promotional literature, quotation or other document relating to the provision of the Specified Service without any liability to the Client.

CDS may at any time without notifying the Client make any changes to the Specified Service which are necessary to comply with any applicable safety or other statutory requirements, or which do not materially affect the nature or quality of the Specified Service.

### Charges

Subject to any special terms agreed, the Client shall pay the Agreed Fee and any additional sums which are agreed between CDS and the Client for the provision of the Specified Service or which, in CDS's sole discretion, are reasonably incurred as a result of the Client's instructions or lack of instructions, the inaccuracy of any Input Material or any other cause attributable to the Client.

All charges quoted to the Client for the provision of the Specified Service are exclusive of any Value Added Tax, for which the Client shall be additionally liable at the applicable rate from time to time.

CDS shall be entitled to invoice the Client on completion of the Specified Service.

The Agreed Fee and any additional sums payable shall be paid by the Client (together with any applicable Value Added Tax, and without any set-off or other deduction) within 30 days of the date of CDS's invoice.

If payment is not made on the due date, CDS shall be entitled, without limiting any other rights it may have, to charge interest on the outstanding amount (both before and after any judgment) at the rate of 4 % above the base rate from time to time of Barclays Bank plc from the due date until the outstanding amount is paid in full.

### Rights in Input Material and Output Material

The property and any copyright or other intellectual property rights in:

any Input Material shall belong to the Client

any Output Material and any amendments or variations to the Input Material made by CDS shall, unless otherwise agreed in writing between the Client and CDS, belong to CDS, subject only to the right of the Client to use the Output Material for the purposes of utilising the Specified Service.

Any Input Material or other information provided by the Client which is so designated by the Client and any Output Material shall be kept confidential by CDS, and all Output Material or other information provided by CDS which is so designated by CDS shall be kept confidential by the Client; but the foregoing shall not apply to any Documents or other materials, data or other information which are public knowledge at the time when they are so provided by either party, and shall cease to apply if at any future time they become public knowledge through no fault of the other party.

The Client warrants that any Input Material and its use by CDS for the purpose of providing the Specified Service will not infringe the copyright or other rights of any third party, and the Client shall indemnify CDS against any loss, damages, costs, expenses or other claims arising from any such infringement.

### Warranties and Liability

CDS warrants to the Client that the Specified Service will be provided using reasonable care and skill and, as far as reasonably possible, in accordance with the Specification and at the intervals and within the times referred to in the Specification Sheet. Where CDS

supplies in connection with the provision of the Specified Service any goods (including Output Material) supplied by a third party, CDS does not give any warranty, guarantee or other term as to their quality, fitness for purpose or otherwise, but shall, where possible, assign to the Client the benefit of any warranty, guarantee or indemnity given by the person supplying the goods to CDS.

CDS shall have no liability to the Client for any loss, damage, costs, expenses or other claims for compensation arising from any Input Material or instructions supplied by the Client which are incomplete, incorrect, inaccurate, illegible, out of sequence or in the wrong form, or arising from their late arrival or non-arrival, or any other fault of the Client. Except in respect of death or personal injury caused by CDS's negligence, or as expressly provided in these Conditions, CDS shall not be liable to the Client by reason of any representation (unless fraudulent), or any implied warranty, condition or other term, or any duty at common law, or under the express terms of the Contract, for any loss of profit or any indirect, special or consequential loss, damage, costs, expenses or other claims (whether caused by the negligence of CDS, its servants or agents or otherwise) which arise out of or in connection with the provision of the Specified Service or their use by the Client, and the entire liability of CDS under or in connection with the Contract shall not exceed the amount of CDS's charges for the provision of the Specified Service, except as expressly provided in these Conditions.

CDS shall not be liable to the Client or be deemed to be in breach of the Contract by reason of any delay in performing, or any failure to perform, any of CDS's obligations in relation to the Specified Service, if the delay or failure was due to any cause beyond CDS's reasonable control.

### Termination

Either party may (without limiting any other remedy) at any time terminate the Contract by giving written notice to the other if the other commits any breach of these Conditions and (if capable of remedy) fails to remedy the breach within 30 days after being required by written notice to do so.

### Insolvency of Client

This clause applies if:

the Client makes any voluntary arrangement with its creditors or (being an individual or firm) becomes bankrupt or (being a company) becomes subject to an administration order or goes into liquidation (otherwise than for the purposes of amalgamation or reconstruction); or

an encumbrancer takes possession, or a receiver is appointed, of any of the property or assets of the Client; or

the Client ceases, or threatens to cease, to carry on business; or

CDS reasonably apprehends that any of the events mentioned above is about to occur in relation to the Client and notifies the Client accordingly.

If this clause applies then, without prejudice to any other right or remedy available to CDS, CDS shall be entitled to cancel the Contract or suspend any further provision of services under the Contract without any liability to the Client, and if the Services have been provided but not paid for the price shall become immediately due and payable notwithstanding any previous agreement or arrangement to the contrary.

### General

These Conditions (together with the terms, if any, set out in the Specification Sheet) constitute the entire agreement between the parties, supersede any previous agreement or understanding and may not be varied except in writing between the parties. All other terms and conditions, express or implied by statute or otherwise, are excluded to the fullest extent permitted by law.

Any notice required or permitted to be given by either party to the other under these Conditions shall be in writing addressed to the other party at its registered office or principal place of business or such other address as may at the relevant time have been notified pursuant to this provision to the party giving the notice.

No failure or delay by either party in exercising any of its rights under the Contract shall be deemed to be a waiver of that right, and no waiver by either party of any breach of the Contract by the other shall be considered as a waiver of any subsequent breach of the same or any other provision.

If any provision of these Conditions is held by any competent authority to be invalid or unenforceable in whole or in part, the validity of the other provisions of these Conditions and the remainder of the provision in question shall not be affected.

Any dispute arising under or in connection with these Conditions or the provision of the Specified Service shall be referred to arbitration by a single arbitrator appointed by agreement or (in default) nominated on the application of either party by the President for the time being of Institute of Arbitrators.

English law shall apply to the Contract, and the parties agree to submit to the non-exclusive jurisdiction of the English courts.