



---

Bookhams Residents' Association  
Registered Office:  
11 Church Road  
Great Bookham  
KT23 3PB

The Head of Planning,  
Mole Valley District Council,  
Pippbrook,  
Dorking,  
Surrey,  
RH4 1SJ

Planning correspondence by email to: -  
[Planning@bookhamresidents.org.uk](mailto:Planning@bookhamresidents.org.uk)

Date: 14<sup>th</sup> June 2024

Dear Sir

### **Draft Mole Valley Local Plan, Main Modifications Consultation Documents ED82 & ED83**

The BRA has reviewed the Council's responses to the Main Modifications Consultation summarised in the documents ED82, ED83. In light of the new information, we have set out below our further comments for your urgent attention, grouped firstly in relation to the BRA's representations and, secondly, in relation to representations by others which we consider to be pertinent. For ease of tracking, we have used the comment number from the first column in ED83 and, for brevity, have not repeated in full either the initial representation or the Council's response.

Crucially, we believe that two of the issues raised in this letter require Additional Modifications to Site DS8 of the Local Plan, set out below under C091 and C113. We therefore request that the Council give full consideration to our comments and bring them to the attention of Inspector Barrett.

### **Comments In Relation to BRA Representations**

#### **Comment C029**

The Council has rejected the BRA's demand for a comprehensive call for brownfield sites as being unnecessary. The last such full call was in 2017, with the register being maintained reactively since then; based on the response, this appears to be what the Council considers to be sufficient going forward. We believe that a more proactive call involving research and reaching out to landowners would reveal more potential sites, the availability of which could be tracked even if certain sites are not immediately available. There is an increasing emphasis in national planning policy on maximising the potential from brownfield or greyfield opportunities, a part of which is regarding greenfield as a last resort in exceptional circumstances (as reflected in the NPPF).

### Comment C091

#### *Flood Risk*

We welcome that the site of Policy DS8 will be covered by both the Sequential and Exceptional tests as it is in Flood Zone 1, an area of critical drainage. As you will be aware, flooding is a major concern for residents and was cited in 75% of the representations in relation to the development of the site of Policy DS8. The tests need to consider how development may change also the flows of groundwater, noting that after 'The Saddlery' was developed on Preston Farm, Lower Road in 2019/2020, some new springs appeared in gardens in Little Bookham Street.

#### *Chalk Streams*

The Council has responded that chalk streams will be considered under MM45 but proceeds in the same document to dismiss them as not being an issue on the grounds of their presence not being proven. We believe that this position is fundamentally unsound as chalk springs and streams have been mapped in the site of Policy DS8, even if they are yet to be uploaded to Natural England's mapping:

- You will be aware that there was evidence on the presence of chalk streams provided after the initial discussions reflected in ED49C. These chalk streams were mapped by the South East Rivers Trust ('SERT') and shown in the map included in the representation under C115 by Representor R081. These were among some 80 chalk streams identified by mapping in the last couple of years, which are yet to be incorporated into Natural England's mapping.
- There has been a delay in uploading this data to Natural England ('NE'), which is the next step in the process, following the retirement of NE's Data Manager. The NE portal allows only 100m sections to be uploaded at any one time, rendering it a very protracted process, for which a solution is being sought between NE and SERT.
- Magic Map shows that it has not been updated since June 2023 in relation to chalk streams and the dataset is now retired. Therefore, newly identified chalk streams will no longer be shown on Magic Map and it is fallacious to cite this absence as a lack of evidence for their existence.
- The chalk streams have been mapped by a body recognised by Natural England. The delay in publishing their mapping by NE does not remove their existence.
- Regarding Surrey Wildlife Trust, the sole import of their statement is that they do not possess evidence, which is not surprising as their primary concern is wildlife not waterways. It has no reflection on the presence of chalk streams.
- As there is a chalk stream within the boundary, or within 10m of that boundary, the calculation of Biodiversity Net Gain must now consider such watercourses, referencing the BNG Watercourse Metric within the Biodiversity Metric. It is incumbent on the suitably trained ecologist completing the metric to investigate these watercourses. There is no reason for the ecologist not to speak with SERT and Natural England. It is wrong for the Council to say that it does not recognise SERT as this is a body that feeds data into Natural England, which the Council does recognise.
- The BNG metric must be completed by a trained ecologist, and we believe it is yet to be completed, as we are not aware of the BNG calculation having been published as yet.

We reserve further comment until the completion and uploading of the BNG metric at the planning application stage.

#### *Fen*

Regarding our reference to lowland fen, this is not a new argument. Fen is a habitat that is concomitant with an area of chalk springs and streams. Therefore, it has been implicit in our representations to date.

### *Proposed Further Additional Modification*

We believe that on account of the above, Policy DS8 needs to refer explicitly to compliance with Policy EN9 and, therefore, we are justified in requesting an Additional Modification on this basis.

### **Comment C112**

#### *Exceptional Circumstances*

The Council dismisses as irrelevant the question of Exceptional Circumstances in relation to the release of Green Belt for Policy DS8 on the grounds that it had been discussed in hearing statements at Matters 3 and 9, notwithstanding that the Minister's statement was made in February 2024 in relation to the Local Plan. The Bookham Residents Association has been consistent in representing that brownfield opportunities must be explored and that the local housing targets can be delivered with continued development of brownfield and infill. The housing trajectory under ED71A is relatively front loaded for Deliverable Sites with 35% being delivered in Phase 1, 36% in Phase 2 and then 7% in Phase 3. This means that a further proactive call for brownfield can introduce new sites for development within the span of the Local Plan even if not immediately available. Indeed, some sites might be delivered early, such as the former food research and enterprise centre in Randalls Road in Leatherhead which we understand is due to deliver 214 dwellings in 2024, way ahead of the target date (2027/2028) on ED71A.

#### *Chalk Streams*

Our comments have been set out under C091 above.

#### *BRA Conclusion*

The tone of the Council's response to the conclusion in our representation suggests some frustration by the Council that the BRA is continuing to represent and bring forward the concerns of its members, rather than quietly acquiesce to whatever is being proposed. The issues which we have been raising were expressed by residents clearly in the recent consultations on the site for Policy DS8 and on the Local Plan. A number of the major concerns raised by residents are general planning issues, not just focussed on the site for Policy DS8, with 80% raising all of the below:

- Lack of infrastructure to support an increased population - doctors' and dentists' surgeries. The pressure in Bookham is exacerbated by the local practices being used also by residents in Effingham and Fetcham.
- Lack of school places, with similar pressure as the schools draw from a wider area.
- Poor transport infrastructure.
- Housing over-development.

The other issues being raised by some 80% of all respondents then relate more specifically to Policy DS8:

- Flooding.
- Development of the Green Belt.
- Localised traffic impact.
- Consequent diminution of road and pedestrian safety.

Rather than appearing to express frustration with the BRA for bringing forward these issues "consistently and repeatedly for at least four years", the Council should be more prepared to listen to the representations of its residents, especially if concerned about or critical of plans being proposed. Long after current councillors and planners have gone, whether to pastures new or happily retired, it is the

residents that have to deal with the consequences of decisions made on their behalf, especially when the changes are irrevocable, and the Bookham Residents Association will continue to represent them.

### **Comment C175**

Whilst the increase in traffic resulting from the aggregate development of some 600 dwellings along one section the Lower Road was raised in 80% of the representations from residents, the Council's position appears to be that this is an issue for SCC, deferring to the Technical Note on the Lower Road as a shield for ignoring the issue. We believe that the overall traffic impact has been under-estimated and we know that the traffic assessment for the site for Policy DS8 does not include school drop-offs/ collections, users of the Community Facility, the SANG, delivery vehicles or construction traffic. Alongside traffic, road safety was raised as a concern in 80% of the representations. Though there has been just one fatality in this section in the last five years, is the Council not concerned whether the increase in traffic has a detrimental impact on road safety?

We question if MVDC and SCC are taking conjointly a holistic view of the overall increase in traffic or whether MVDC is looking at the effect of 200 proposed homes within its boundary and SCC of 400 yet to be developed homes within its boundary, but neither has addressed whether 600 homes is an over-development in such a small area where there is scant possibility of improving the road infrastructure. Had the boundary been a very short distance either way, this would have been an issue for a singular planning body.

### **Representations by Others**

There were a number of representations by others which impact on Policy DS8 or on matters on which the BRA made a representation. We wish to add the comments below in relation to some of these.

### **Comment C024**

#### *Housing Target*

The local councillors supported the BRA's representations that the housing target can be met through brownfield plus infill without resorting immediately to sacrificing Green Belt on the pedestal of a target, which the Council admits will keep changing. The recent and current targets for the Bookhams have been in the range of 26 - 27 net new dwellings per annum. This was achieved in 2022, fell short marginally in 2023 and looks like being exceeded in 2024. Even with the 2023 marginal shortfall, the net 2022 - 23 rate was only 7.5% short of the overall target, which realistically may be made up in 2024. This aligns with our response on C029 regarding the update of the brownfield register.

#### *Inclusion of Sites*

We are surprised at the Council's statement that the inclusion of sites is not a matter for the Main Modifications as public consultation on their inclusion has been limited, with Policy DS8 being opposed strongly from 2014 and then onwards. This is tantamount to saying that the Council and its officers are the ultimate arbiter and decision maker without reference to the constituents who the councillors represent. One cannot even say that the Council is enforcing simply national policy as then that would have placed more emphasis on opportunities other than developing on the Green Belt.

### **Comment C113**

MM45 Site DS8. Site Area 27.4ha. The Council has suggested an Additional Modification to amend the developable area, to delete the 10ha developable area and reduce it to approximately 7.4ha. The BRA welcomes this suggestion which is necessary to exclude from development the 2.4ha known as 'Area BB', which is remaining in the Green Belt on the Policies Map.

As discussed during the Examination Hearings, it was never the Council's intention to allow building on the Area BB and this error has caused much confusion with our residents who brought it to the Council's attention during Regulation 19. The BRA has concluded that the suggested Additional Modification noted in MM45 has further implications for Policy DS8 which has been overlooked by the Council. The correction by the Council leaves the indicative capacity under Policy DS8 in conflict with the Council's policy for density of housing, namely a target density of 20 homes per hectare for Green Belt over 3ha, as reflected in MM39. To realise the indicative capacity as written currently in Policy DS8 would yield a density at least 50% above this target.

Using other Local Plan sites as evidence:

- Policy DS24: Sondes Place Farm. Former Green Belt, Built Up Area.  
*Site Area (ha): 8.1ha total, approx. 6.4ha developable Indicative capacity: 128 dwellings, at least 3 gypsy and traveller pitches.*
- Policy D26: Land at Milton Court Lane, Dorking. Former Green Belt, Built Up Area  
*Site Area (ha): 4.3ha Indicative capacity: 86 dwellings.*

The BRA therefore concludes that the indicative capacity on Policy DS8 should be amended to some 148 dwellings. We note also that Chapter 9, Development Site Allocations of the Emerging Local Plan confirms:

*9.9 The Site-Specific Information: The site information does not constitute an exhaustive list of criteria for development and all schemes will need to comply with the policies within the Local Plan.*

We trust the Council will ensure the policies are adhered to on all sites.

### ***Proposed Further Additional Modification***

We believe that on account of the above and to remove the inherent conflict, an Additional Modification to Policy DS8 is justified to comply with the Local Plan's target density of 20 per hectare for Green Belt over 3ha. The BRA suggests that the indicative capacity of 200 dwellings should be deleted and recalculated by the Council accordingly to make Policy DS8 sound.

### ***Further Comments concerning uncertainty of Policy DS8 Site Area total approx. 27.4ha***

The confusion concerning the Council's proposals for Site DS8 was discussed during the Matter 10: Issue 4 hearing on the 25<sup>th</sup> October 2022. The Planning Policy Manager Duncan Clarke clarified the exact position for Inspector Barrett, but no detail has yet been provided concerning the proposed management plans or the financial arrangements into perpetuity. For your assistance we include below the breakdown provided to the Inspector and our comments and concerns:

- 7.4 ha - housing, community building and gypsy and travellers sites.
- 2.3 ha - the Area BB remaining in the Green Belt.
- 2.4 ha - Sustainable Urban Drainage.
- 5.4 ha - Ponds
- 10.1 ha - Suitable Alternative Natural Green Space (SANG)

The BRA requests clarity on the area of land to be managed under Policy DS8/4 and DS8/5 (see below) but assumes it now includes the 2.3ha Area BB, 5.4ha Ponds and 7.4ha development area? If a Limited Company Structure is proposed, this could result in a total land area of 15.1ha, being managed and paid for by the owners of properties living in the development area of 7.4ha, 40% of which will be the responsibility of a Housing Association. We do not consider this to be a viable proposition, financially or

otherwise. It is a large expanse of Green Belt, which includes protected habitats and bodies of water, and some of the springs and ditches run through this area, not as suggested by the Council in the proposed SANG.

- *DS8/4. Retain the existing ponds and incorporate them into proposals for management and enhancement of biodiversity on site.*
- *DS8/5. Maximise retention and safeguarding of existing mature trees and hedgerows, including areas identified as Priority Habitat (deciduous woodland), and incorporate them into a well-integrated landscape strategy.*

The BRA understands that Natural England have not confirmed that the site for the proposed SANG is compliant and requires more information including a fully costed management plan, compulsory site visit plus the name of the organisation managing it. Should Policy DS8 progress, we trust this will be provided before planning permission is granted in accordance with the rules.

- *DS8/6. Create a Country Park within the land lying to the west of the ponds, providing at least 10.3ha of Suitable Alternative Natural Greenspace (SANG), incorporating walking routes, public car parking and measures for biodiversity enhancement, designed and implemented in accordance with Natural England guidelines.*

The BRA requests clarity on the 2.4ha of SUDs facilities. What are the Council's proposals for ownership, insurance and funding the maintenance of this area which we understand cannot be incorporated within the SANG? Therefore, will it be funded by the residents?

- *DS8/9. Incorporate sustainable drainage measures to mitigate the risk of surface water flooding in accordance with Policy INF3 and site-specific guidance in the Level 2 Strategic Flood Risk Assessment.*

### Comment C114

#### *Chalk Streams*

Our comment on chalk streams is as per that previously under C091. As South East Rivers Trust is a body working with Natural England, we suggest that the Council adds SERT as a consultee.

#### *Community Facility*

The Council seems to consider that the lack of potential staffing for an Early Years Centre is not an issue to cause a review on whether the Community Facility should be built. Whilst early years education is not the sole potential use, the Council must be seeing it as a priority use in that the building's specification may be tailored to the needs of early years. However, the facilities exist already in the Bookhams for more early years education but the lack of staffing and the economics of running costs vs. income is limiting the development of more. We do not agree with the approach of saying that staffing is not a planning matter. This is like saying that the Council plans to build a station, but an absence of trains is irrelevant. In terms of other uses, the area is not short of community facilities, especially with the re-development of the Bookham Youth Centre.

#### *Sewerage*

The scale of required upgrading of the sewerage infrastructure should not be under-estimated. The existing infrastructure cannot cope with the current level of development and only last year there were significant sewage outflows across the site of Policy DS8 over an extended period (these are recorded by Thames Water). At that time, the sewage outflow was across open land and into the ponds, likely killing any wildlife in the path. Any surveys of the ecology should take note of this as one would expect reduced populations of certain species if they have been deluged in sewage. If the infrastructure is not upgraded adequately, such sewage outflows in the future would be across residential areas with children, with consequential risks to health.

### Comment C115

Our comment on chalk streams is as per that previously under C091, noting that the mapping by SERT was incorporated in the initial representation by R081. Further to this, we are most surprised by the Council's suggestion that the SANG will restore a naturally functioning habitat to a habitat that has functioned naturally for millennia and when Natural England has not been provided with the details for it to make an assessment, as set out in its consultation response of 14<sup>th</sup> March 2024 (their ref. 467676).

### Comment C174

#### *Accident Data*

We do not know how the Council can claim there has not been a fatality in the relevant area of the Lower Road since 2014 as Crashmap shows one on 9<sup>th</sup> January 2019 (2 vehicles, 1 fatality).

### In Conclusion

The BRA is concerned on behalf of the residents of Bookham that the Council's approach to planning evidences little regard to the earnestly held views of those it is representing and the evidence provided over a length of time. The approach is to hurry forward with the Local Plan, after years of scant progress, so long as the direction is that perceived to be forward and irrespective of whether there are alternatives to achieving the objective of new housing. The direction is inconsistent with that of national planning policy and, as greater emphasis is placed nationally on brownfield and greyfield opportunities, the divergence grows.

As a residents' association, we are not averse to housing development, but we have presented both to the Council and throughout the public consultations strong evidence that the land north of Preston Farm, the site for Policy DS8, is not an appropriate location. It is neither brownfield nor greyfield. It is a green belt location of approximately 27.4ha in total, of which 27% of the land, only 7.4ha, is proposed for dwellings. The site for Policy DS8 is impacted by flood risk, groundwater, will involve widespread damage to the ecology and a valuable environment, and is compounded by a lack of local infrastructure. This is neither a sustainable solution to local housing need nor one which meets the Council's policies to address Climate Change.

Finally, we believe that the two further Additional Modifications suggested in this letter are necessary to make Policy DS8 sound and that the Council will duly inform Inspector Barrett. We are also copying the Programme Officer in on this letter for completeness.

I request acknowledgement receipt of this letter.

Yours faithfully



Simon Edge  
Chairman. BRA,

on behalf of Keith Whale, Chairman of Planning Sub-Committee

Cc Louise St John Howe (Programme Officer, PO Services), Cllr Monica Weller, Cllr Elizabeth Daly, Cllr Roger Adams, Cllr Paul Kennedy, Cllr Andrew Matthews, Cllr Christine Miller, SCC Cllr Clare Curran, MVDC Planning Department, Alex Bagnall.