

Schedule of Examiner's Recommendations and MVDC Response, as agreed at Mole Valley District Council meeting 6 December 2016

Policy	Examiner's recommendation(s)	Reasons (summary)	MVDC response
Page 1	<p><i>Add the following sentence at the end of the sixth paragraph on page 1:</i></p> <p><i>The Plan covers the period from 2015 to 2026</i></p>	<p>To ensure that the period to which the Plan relates is clearly specified within the text, as well as on the front cover.</p>	<p>Accept recommendation.</p>
BKEN1: Local Green Spaces	<p>Delete policy</p>	<p>Lack of evidence</p>	<p>Accept recommendation.</p> <p>Update policy numbering throughout plan (following consideration at Council meeting and prior to publication of the plan for Referendum stage).</p>
BKEN2: Trees and hedgerows	<p>Delete the first and last sentences of the second part of the policy</p> <p><i>Delete the second paragraph of supporting text</i></p>	<p>The element of the policy which concerns replacement of trees removed within the 12 months prior to a planning application being received is unreasonable and would be impractical to monitor.</p> <p>The final sentence of the policy is a principle of development management rather than a policy, so should be</p>	<p>Accept recommendations.</p>

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		deleted.	
BKEN3: Design and local character	<p>Replace second sentence with:</p> <p>New development should respond to and integrate with....</p> <p>Replace third sentence with:</p> <p>New development should demonstrate how it would:</p> <ul style="list-style-type: none"> a) Use good quality....: and b) Use hedges.....: and c) Respect....; and d) Ensure....; and e) Incorporate the principles of sustainable urban drainage where necessary; and f) Provide adequate.....within the scheme; and g) Introduce innovation.... 	To improve clarity.	Accept recommendations.
BKH1: Smaller	Second paragraph	The recommended modifications to second paragraph are for consistency	Accept recommendations.

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homes for downsizing and new families	<p>First sentence – replace ‘only two bedrooms’ with ‘no more than two bedrooms’</p> <p>Second sentence – replace ‘priority.... bedrooms’ with ‘particular support will be given to proposals for homes with two or three bedrooms’.</p> <p>Third paragraph: Delete</p> <p>Fourth paragraph: Delete ‘that are.... downsize’</p>	<p>and clarity regarding mix of dwelling sizes.</p> <p>The maximum floor sizes originally set out in the third paragraph of the policy are not justified by evidence.</p> <p>The recommended modification to the fourth paragraph reflects the fact that such dwellings should be accessible to all, not just those wishing to downsize.</p>	
BKH2: Infill and garden development	<p>First criterion: Replace ‘be a minimum of 1 metre or.... existing gaps’ with ‘respect the character, layout and design of the dwellings in the immediate locality’.</p> <p>In second sentence delete the word ‘however’ and replace ‘permitted’ with ‘supported’.</p> <p>Final criterion: Include with a bullet point</p> <p>First to fourth criteria: End each criterion with ‘; and’</p>	<p>The reference to 1 metre is overly prescriptive and may have unintended consequences. The recommended modification would allow design discretion to reflect individual local circumstances and site layouts.</p> <p>The recommended modification to the second sentence recognises that MVDC will need to make decisions on each application taking into account all relevant material considerations.</p> <p>Further recommended modifications</p>	Accept recommendations.

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		are for clarity.	
BKH3: Parking Standards	Delete second aspect of policy (garages)	This part of the policy is unreasonable and not supported by sufficient evidence that garages are frequently used for storage and should not be counted towards minimum standards.	Accept recommendation.
BKH4: Large Scale housing developments	<p>Replace opening paragraph with the following:</p> <p>Proposals for residential development will be supported where they meet the requirements of other development plan policies and deliver a wide choice of homes.</p> <p>In second paragraph replace 'and be protected.... or more' with 'on site, and be protected from future built development'</p> <p>Replace third paragraph with:</p> <p>'All new residential developments should contribute as appropriate to the mitigation of their impacts in accordance with Mole Valley District Council standards at the time of the</p>	<p>The original structure and design of policy was too complicated. Modifications are recommended for clarity and to remove size thresholds.</p> <p>In practical terms there would be little difference in terms of the requirements of different schemes to contribute towards on and off site infrastructure.</p> <p>The modifications also strengthen the requirements to meet the requirements of other development plan policies, particularly Green Belt policy, and strengthen the environmental and habitat issues to accord with national policy.</p> <p>The additional supporting text relates to the assessments of the plan under European legislation and is to ensure</p>	<p>Accept recommendations, but make the following further amendments:</p> <p>1. Amend section and policy title to "Major Housing Developments". Amend first sentence of policy to "Proposals for residential development of 10 dwellings or more ..." Amend supporting text, para 1, sentence 3 to "Policy BKH4 <i>applies to developments of ten dwellings or more and ...</i>"</p> <p>Reason: for clarity, to reinstate a minimum size threshold above which this policy will apply, in line with the threshold given in the submission version (amendment agreed with examiner following</p>

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	<p>submission of the planning application concerned and with other policies in this neighbourhood plan'.</p> <p>Replace fifth paragraph with:</p> <p>Where appropriate planning applications should include measures to mitigate the impact of the residential development proposed on the Thames Basin Heaths Special Protection Area and the Bookham Common Site of Special Scientific Interest.</p> <p><i>Replace second and third sentences of the first paragraph of the supporting text with:</i></p> <p><i>However past experience demonstrates that proposals for larger housing schemes could come forward within the existing built up area of the village. Policy BKH4 sets out the context within which such proposals would be determined. The policy would apply in the longer term in the event that the emerging local plan identifies a requirement for new residential development in the Plan area.</i></p> <p><i>Replace first sentence of second paragraph of supporting text with:</i></p>	<p>the plan will properly meet the basic condition on European legislation.</p>	<p>discussion of report by Bookham Vanguard Forum).</p> <p>2. Re-order supporting text so that the commentary about Bookham Commons SSSI appears first, above the commentary about Thames Basin Heaths Special Protection Area</p> <p>Reason: to reflect the fact that Bookham Commons SSSI is actually within the Neighbourhood Area and likely to be a consideration in a wider range of planning applications than the Thames Basin Heaths SPA which more distant and only a consideration for certain categories of development.</p> <p>3. Amend wording of paragraph 4 of the supporting text to: <i>Part of the north west of the built up area is within 5 kilometres of the Thames Basin Heaths Special Protection Area (SPA). This is an area protected under European legislation, primarily because of its importance to ground-nesting birds. Within this zone new residential</i></p>

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	<p><i>It is important that planning applications for new residential development meet the requirements of the wider development plan in place at the time of their determination. This includes local plan policies produced by Mole Valley District Council and other policies in this neighbourhood plan. In particular development will not be supported that conflicts with Green Belt policies.</i></p> <p><i>In the second sentence of the second paragraph of supporting text replace 'They' with 'Planning applications'.</i></p> <p><i>Insert the following additional text immediately before the final paragraph of supporting text:</i></p> <p><i>'Part of the north west of the built up area is within 5 kilometres of the Thames Basin Heaths Special Protection Area (SPA). Within this zone new residential development is considered to have an impact on that area. Most of the rest of the built up area is within a 5 - 7km buffer where development of 50 or more (net) dwellings may be considered to have an impact on the SPA.). The impact of planning applications for housing development within the 5km zone and 5-</i></p>		<p><i>development is considered to have an impact on that area.</i></p> <p><i>Within this zone, Natural England advises that new residential development can cause adverse impacts linked to increased visitor numbers.</i></p> <p><i>Most of the rest of the built up area is within a 5 - 7km buffer where development of 50 or more (net) dwellings may be considered to have an impact on the SPA.). The impact of planning applications for housing development within the 5km zone and 5-7km buffer will be assessed, in consultation with Natural England, on a case by case basis.</i></p> <p>Reason: to make the text clearer to lay readers, including residents of the Bookham Neighbourhood Area, who are unlikely to be familiar with the significance of the Thames Basin Heaths SPA.</p> <p>None of these further amendments is considered to raise any conflict with either the basic conditions or the thrust of the examiner's recommendations.</p>

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	<p><i>7km buffer will be assessed, in consultation with Natural England, on a case by case basis.</i></p> <p><i>Immediately north of the built up area of Bookham is Bookham Common Site of Special Scientific Interest (SSSI) and this is an important habitat for certain species of birds.</i></p> <p><i>Bookham Common itself is popular for informal recreation, including dog walking. However additional housing development, with more residents and their pets, could adversely impact on this SSSI (including by cat predation; impacts on pond margins; and impacts on the quality of the network of paths).</i></p> <p><i>Where relevant, developer contributions will be sought to provide mitigation to offset the impact of additional visitors on the SSSI, especially where this could also help to deflect potential visits to the SPA.'</i></p>		
<p>BKIN1: Highways</p>	<p>Delete policy</p> <p><i>Reposition the wording within the submitted policy to the end of the</i></p>	<p>Highway improvement schemes are not specifically land use matters and there is no guarantee that the schemes identified will be agreed for</p>	<p>Accept recommendation.</p>

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	<p><i>supporting text under the Highways heading on page 17.</i></p>	<p>implementation by the Mole Valley Local Committee. The contents of the policy are more appropriately included in the supporting text.</p>	
<p>BKIN2: Drainage</p>	<p>Insert new opening paragraph to the policy to read:</p> <p>Developers will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off the site to serve the development and that it would not lead to problems for existing or new users.</p> <p>Include the following at the end of the first paragraph of the policy:</p> <p>‘for developments that propose one or more dwellings and any new commercial, retail or leisure floorspace</p> <p>Delete second and third paragraphs of the policy.</p> <p><i>Insert the following supporting text at the beginning of the supporting text under the Drainage heading on page 17:</i></p>	<p>The recommended modification to the end of the first paragraph is to limit the need for SUDs to developments that propose a new dwelling or new commercial, retail or leisure floorspace (i.e. excluding other development which may have no drainage implications).</p> <p>The matters covered in the second and third paragraphs are not land use issues and should be relocated into the supporting text.</p> <p>The other modifications would address issues raised by Thames Water in their representation on the policy.</p>	<p>Accept recommendation.</p>

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	<p><i>Policy BKIN2 sets out two matters that developers will need to address. The first matter is that of adequate water supply and waste water capacity and surface drainage. The second matter relates to sustainable drainage systems. The first of these two elements reflects paragraphs 156 and 162 of the NPPF. It will be important that developers adequately address these important strategic drainage matters.</i></p> <p><i>Relocate the two paragraphs of deleted policy to the end of the supporting text under the Drainage heading on page 17.</i></p>		
<p>BKIN3: Education</p>	<p>Replace ‘the Eastwick...Lacey School’ with ‘schools’</p> <p>Delete second and third paragraphs of the policy</p> <p><i>Reposition the third paragraph of the policy into the supporting text</i></p> <p><i>Delete third, fourth and fifth paragraphs of the supporting text</i></p>	<p>The neighbourhood plan can only address matters within its geographic area. The recommendations remove specific reference to proposals outside the Plan area (i.e. Howard of Effingham School).</p> <p>The recommended modification makes the first part of the policy more general and would provide appropriate flexibility for other schools to be established and</p>	<p>Accept recommendation with the following amendment:</p> <p>Amend “these” to “education” in the relocated third paragraph.</p> <p>This minor change to the supporting text echoes the modified wording of the policy and would retain flexibility for NCIL contributions to be directed towards any future school</p>

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		<p>extended within the plan period.</p> <p>The text referring to use of the local element of CIL funding is not directly a land use issue and should be relocated to the supporting text.</p>	<p>proposals which serve the Bookham community (not just those named in the previous paragraph), in circumstances where MVDC agrees with the community that this is appropriate.</p>
<p>BKIN4: Local Health Care</p>	<p>Insert 'in the Plan area' between 'provision' and 'will'.</p> <p><i>Delete second and third paragraphs of supporting text</i></p>	<p>To make it clear that the plan can only address matters within its geographic area.</p>	<p>Accept recommendation.</p>
<p>BKIN5: Community Facilities</p>	<p>Replace 'ones' with 'community facilities'</p>	<p>For clarity.</p>	<p>Accept recommendation.</p>
<p>BKEC1: Safeguarding our Retail Centre</p>	<p>In first paragraph of the policy replace 'should' with 'will'.</p> <p>In the first sentence of the second paragraph of the policy insert 'would' between 'which' and 'improve'.</p> <p>Replace the second sentence of the second paragraph of the policy with:</p> <p>'Proposals that would improve and enhance local facilities and services to meet day to day needs of the</p>	<p>To provide the clarity required by the NPPF, reduce repetition and make it clear how other types of planning applications would be addressed given the importance of other services industries to the vitality of the retail centre as already identified in the text within the submitted Plan.</p>	<p>Accept recommendations.</p>

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	<p>community will be particularly supported'.</p> <p>Delete the fourth paragraph of the policy</p> <p><i>Include additional supporting text to read:</i></p> <p><i>The third element of Policy EC1 sets out a policy basis for the determination of planning applications that would result in the loss of retail (A1) uses within the retail area. Planning applications that would result in the loss of A2 financial and professional services and A3 restaurant and cafe uses will be considered on their merits taking into account the proposed new uses and their overall impact on the vitality and viability of the defined Retail Centre. This approach reflects the overall contribution that such uses make to its attractiveness.</i></p>		
<p>BKEC2: Lower Shott</p>	<p>Replace the policy with the following:</p> <p>Proposals for the redevelopment of the site will be supported where they</p>	<p>To make the policy wording more precise and clarify that appropriate car parking provision will need to be provided for whatever redevelopment</p>	<p>Accept recommendation, with the following amendment:</p> <p>Amend "Mole Valley District</p>

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	<p>provide a mixed development including some or all of the following uses:</p> <ul style="list-style-type: none"> • replacement retail facilities, • social facilities, • healthcare facilities, • cultural and community uses, • residential development, <p>Redevelopment proposals should provide the required amount of car parking spaces in accordance with Mole Valley District Council standards at the time of the submission of the planning application concerned.</p>	<p>proposals that may come forward.</p>	<p>Council standards” to “parking standards in force”.</p> <p>The parking standards in force at the time of a planning application would also include the residential parking standards contained in policy BKH3 of the NDP and may also include standards published by Surrey County Council. The amendment would reduce uncertainty about which parking standards apply.</p>
<p>BKEC3: Developing and safeguarding other retail centres</p>	<p>In the first paragraph of the policy insert ‘in retail use’ between ‘unit’ and ‘outside’, and replace ‘needed’ with ‘viable’.</p> <p><i>In second paragraph of supporting text replace ‘is to be discouraged’ with ‘will be resisted’</i></p>	<p>To provide the clarity required by the NPPF.</p>	<p>Accept recommendations.</p>

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<p>BKEC4: Safeguarding land in industrial and commercial use</p>	<p>At the end of the first sentence delete 'through:'</p> <p>Before numbers 1-3 include:</p> <p>Particular support will be given to proposals for:</p> <p>In third paragraph replace '18' with '12', 'considered' with 'supported', and insert 'wider' between 'the' and 'objectives'.</p>	<p>To provide clarity and because the more onerous 18 month marketing period in the original policy is not justified.</p>	<p>Accept recommendations.</p>