

Effingham Parish Council meets Bookham Vanguard to discuss Green Belt Review for Bookham

Following significant concerns raised by Effingham Parish Council (EPC) concerning the Green Belt Review being conducted by Bookham Vanguard (BV), a meeting was held on Wednesday 7 August to discuss a way forward.

EPC explained that Effingham will be affected by BV's Green Belt Review and Neighbourhood Plan in several ways:

- The green belt to the west of Bookham immediately adjoins Effingham's village boundary – it's Effingham's green belt too.
- Significant extra house-building in Bookham will have a serious impact on Effingham, particularly in terms of traffic congestion and extra places being required at the Howard of Effingham School.
- Effingham residents living on the border with Mole Valley District Council (MVDC), particularly along Woodlands Road and Manor House Lane, will have no vote in the referendum on Bookham's Neighbourhood Plan even though any proposals for development which arise from the Green Belt Review could seriously affect them. Hence EPC is concerned to make sure that their views are taken into account at an early stage.
- EPC is in the early stages of preparing a Neighbourhood Plan for Effingham, and it is important for the success of both Neighbourhood Plans to improve co-operation with BV.

BV pointed out there had been a meeting with EPC in April, and they want to work in partnership with EPC. They explained they are doing the Green Belt Review as it is best for this to be done locally by the Neighbourhood Forum. However the Neighbourhood Plan which is developed based on the Green Belt Review must be consistent with Mole Valley District Council's Core Strategy including housing targets.

QUESTIONS

Seven specific questions and concerns raised by EPC were discussed:

1. Publication of the analysis of the responses to BV's consultation on the tests to be used on whether land fulfils the purposes of green belt as laid out in the National Planning Policy Framework (NPPF)

EPC was concerned that the analysis of the responses was not published when the final decision on the revised tests was declared, so that it was impossible for EPC to tell whether their comments had been properly taken into account. When the analysis was published some weeks later, there was no way of identifying which responses had come from organisations such as EPC, Residents Associations or CPRE, and which had come from developers with an interest in green belt land.

BV explained that the large response to the consultation meant that practical difficulties had prevented earlier publication of the analysis on BV's website. Unfortunately BV had omitted to warn that anyone responding would have their names published in the analysis, therefore the analysis had to be anonymous. However they could state that responses had been received from 5 developers, 9 statutory consultees including EPC, and 196 individuals.

2. Evidence of the housing needs of the Bookham community

EPC takes the view that housing need should be judged bottom-up – the Neighbourhood Plan should be based on the needs of the local community as evidenced by a local housing needs survey. This evidence should be used if necessary to challenge any attempt by the district council to impose housing targets felt to be inappropriate for Bookham.

BV stated that the survey carried out by Bookham Vision in 2009 was considered sufficient to provide evidence of housing need in Bookham. They are also working with Mole Valley Housing Association to ensure social housing needs are understood, and had carried out Focus Groups to assess the needs of different parts of the community such as older people. Housing targets in the Neighbourhood Plan for Bookham must be consistent with MVDC's housing targets, which are currently under review.

3. Evidence that the Bookham community shares BV's vision on growth

EPC felt that BV's documents and communication appear to imply that significant housing growth in Bookham is inevitable and asked for clarity on whether BV are using a 'top down' approach driven by the local authority's allocations rather than a 'bottom up' approach based on the Bookham community's needs and preferences. Many residents of both Effingham and Bookham had raised similar concerns with EPC by email, during Parish Council meetings and at the recent Village Day event.

BV stressed that currently there is as yet no agreed vision or firm proposals for consideration and as soon as these are available they will be published as part of the Neighbourhood Plan for consultation. However the Plan will have to take into account factors such as an aging population profile, lack of space in Bookham's current settlement area and the impacts on infrastructure including schools and traffic.

4. Publication of BV's register of Pecuniary Interests

As an elected body, EPC maintains a Register of Disclosable Pecuniary Interests which can be viewed on the Council's website. All councillors have to declare and make publically available any pecuniary interest not only for themselves but also their spouses and partners. EPC suggested that BV should follow the same protocol, especially since the Green Belt Review could have a significant effect on land prices. Such transparency would help the Bookham community to have confidence in the process and guard against the possibility of legal challenge for example via judicial review.

BV confirmed that they have a 'Conflict of Interest' policy in their constitution which meets the requirements of the Localism Act and that two members of the BV Forum have pecuniary interests which they declared at the appropriate time. BV, as Neighbourhood Forum, is not required under the Localism Act to publish this information, but the suggestion was noted and will be discussed within the Forum.

5. Status of Woodlands Road in MVDC's Core Strategy

EPC pointed out that several of the sites put forward by developers were in green belt close to or adjoining 'Woodlands Road, Bookham'. This straddles the border with Effingham, and has a separate settlement boundary from the main Bookham built up area. It is defined to be a 'small rural village' in MVDC's Core Strategy; CS2 states that such an area is unsuitable for large scale development. It was unclear from BV's published documents how the Green Belt Review methodology would take this into account.

BV stated that the tests to be used as part of the Green Belt Review were only concerned with whether the land fulfilled the purposes of the green belt. Consideration of whether the land was suitable for development, including consideration of policies in the Core Strategy, would come later.

6. Authority for BV to carry out the Green Belt Review

EPC requested evidence that BV had the authority to carry out the Green Belt Review on MVDC's behalf.

BV explained that the Minister for Planning had now confirmed that responsibility for the green belt review remains with the local authority, ie MVDC. Bookham Vanguard is a sub-contractor who will

submit recommendations to MVDC, who retain responsibility for checking consistency with planning policy and agreeing the recommendations.

7. Duty to co-operate under the Localism Act

The statutory duty to co-operate on planning policy relates to local planning authorities at district council level, but not to Neighbourhood Plan forums or parish councils. Nevertheless, both EPC and BV agreed that timely liaison and communication were the key to the way forward both between the two organisations and to local residents of both Effingham and Bookham.

TESTS

The tests to be used during BV's Green Belt Review, on whether land fulfils the purposes of green belt as laid out in the NPPF paragraph 80, were discussed in some detail.

EPC proposed some changes to the published revised tests which would allay many of the concerns felt by Effingham residents and were consistent with the NPPF.

BV stated that since a BV Forum vote had now agreed the tests there could be no further revisions. However they would consider adding explanatory text if necessary for clarity. BV did not feel they had an obligation under the Localism Act to consider specifically the concerns of Effingham: EPC pointed out that they had at least a moral obligation to do so.

Revised Test 1

EPC suggested changing 'Would the development of a parcel of land ... lead to the reduction or closing of an existing gap between built-up areas?' to 'Would the development of a parcel of land ... lead to the reduction or closing of an existing gap between villages?'

EPC felt that 'built-up areas' was too vague and 'villages' would be more in keeping with the NPPF.

BV said the use of 'built-up areas' was intended to recognise the fact that there were some areas where there was no gap between villages, such as along Woodlands Road where Little Bookham and Effingham meet.

Revised Test 2

The revised test states 'Would development of a parcel of land ... encroach into countryside? If so, are there mitigating factors such as its existing use, the existence of buildings on the land, limited visibility of the area or a defensible alternative boundary that uses physical features that are likely to be permanent.'

EPC were concerned that the test was now straying into assessing the suitability of land for development, not just whether it fulfilled the purposes of the green belt. In particular, could inclusion of the new mitigating factor 'its existing use' mean that neglected scrubby land would be appropriate for development, encouraging deliberate neglect.

BV stated that the green belt review would not carry out any assessment of suitability: this would follow later. Neglect of land would not be a reason to allow development; they gave as an example of existing use the presence of hard-standing, e.g. the County Council depot on Guildford Road.

EPC suggested that explanatory text be added to the revised test on the website, so that residents worried about this could be directed to BV's written guidance.

Revised Test 3

EPC felt strongly that Test 3 should refer to the setting of Effingham as well as Bookham, so the wording would say 'Would the development of a parcel of land... affect the setting of Bookham or Effingham, including any conservation areas?' They pointed out that some potential sites put forward by

developers, such as Rolls Farm, would have a greater impact on the setting of Effingham than on Bookham.

BV stated that it was too late to change the wording now, but they would consider adding explanatory text.

THE WAY FORWARD

EPC expressed the view that BV need to do more to gain the confidence of the local community that they are acting in the best interests of all residents, both in Bookham and Effingham. If this was not achieved then BV, or MVDC as the authority with responsibility for the Review, could be vulnerable to judicial review. It was in everyone's interests that BV's processes were such as to avoid giving cause for a legal challenge from residents or from EPC. The most important factors are:

- Clarification on the Bookham Vanguard's process and timetable for green belt review and for assessing the suitability of land for development is essential. EPC suggested that BV should make this clear on their website.
- Obtaining more up-to-date evidence on the housing needs of the Bookham community, to make sure MVDC's housing targets for Bookham reflected local need rather than district-wide targets.
- Publication of Forum members' declaration of pecuniary interests, to avoid any conflict of interest.

BV stated that their Task Force will consider their response to these issues. However they stressed that the Green Belt Review is ongoing and has not yet been completed. Once firm proposals are put forward, consultation and discussion will be much more meaningful.

Both EPC and BV agreed that close co-operation between Bookham and Effingham was essential to achieve successful Neighbourhood Plans for both villages. The joint aims are to protect our countryside by avoiding 'planning by appeal' and to ensure infrastructure improvements such as transport, schools and health facilities are available to both village communities.

EPC and BV agreed to meet again on 15 October 2013.