

## Closing Submission

Chris and I first wanted to say thank you Madam, for your patience with us as a Rule 6 party who were not familiar with all the intricacies of a planning appeal. We feel you have really been considerate to and, may I say obliging to, all the members of the public in making sure their voices have been heard.

Objections have been forthcoming from the wider surrounding area and at every possible level. From local residents, residents' associations, Cobham Heritage, every local parish council, ward and county councillors, and local MPs. And of course, every borough councillor objected unanimously at the planning committee giving multiple additional points to support GBCs position regarding refusal.

Residents and business owners have appeared at the Inquiry to stress the huge range of concerns, flooding, foul water, schools, medical, the local road network, loss of habitat, harm to SPA..... I am sure Madam you are well aware of the long list.

How often does an appeal generate such an overwhelming level of objection?

The Appellant's website provided a link to garner support yet only managed 140 odd letters. Their fully-illustrated children's story book didn't help either (ID 12.1) and multiple points contained within their website are misleading.

This is our lives and for us, it's been personal as we understand the significant damage that the proposal will bring to this area. The lack of basic infrastructure will ruin the lives of the people who already live here: the children that go to school here and the people using the doctors' facilities who will be left struggling to access appointments,

forgetting the stressed residents of Ripley, Cobham and other surrounding villages whose lives will be blighted by the vehicles from this site clogging up their country lanes and filling up the car parks in Cobham, Horsley and the doctor's surgeries. The, at best, small number of commuting cyclists from the site will quickly be disillusioned with the longer cycle route to Horsley and start to use the far less safe, Old Lane route to Effingham.

Our evidence is based on the truth through the lived experience of residents.

The decision rests with you Madam, but local people with their local knowledge and real-life experiences is irrefutable and you CAN rely on this, rather than on the Appellant's expert's evidence which has proved to be riddled with inaccuracies, mistakes and errors that have cast so much doubt on the validity of what has been submitted.

We would like to briefly touch on all the points we have raised.

The failure of Taylor Wimpey to actually engage with residents rather than just give presentations and the continued lack of answers to questions asked during the Community Liaison Group Meetings.

We have presented the very real concerns of local residents on the capability of Thames Water to handle any more foul water in the outdated network. We have shown evidence of raw sewage discharging onto Ockham Lane, Ripley Green and private land. There is no information about an upgrade to the foul water network, only a plan Thames Water have shared with us about carrying out some work at Ripley Treatment Works. We have to remember that whilst new development may require SUDS most existing properties discharge rainwater into the main drains which cannot cope. We have not heard of any intent of the Appellant to contribute to upgrade the network via S106 so

we do feel the time frame of Thames Water improvements will certainly cause future problems and we hope that the condition of no more than ??? homes before upgrade work will not be watered down. NO Pun intended We highlighted the time lag before the primary school is built. The trigger point is no occupation of more than 600 residential units. So where will the children from those 600 homes go in the meantime? Parents will obviously have to drive their young children to wherever there are school spaces. We were horrified to hear in the S106 discussions that it will be 7 years before the primary school is fully open to all year groups. That is at least 7 years therefore, when children will have to be driven to schools off site and parents might well choose to keep their child/children in other schools rather than disrupt them, meaning their siblings would also attend these off-site schools. This sets up a house of cards in terms of general displacement of children from multiple communities.

There is no provision for a secondary school. The latest idea from SCC is the hypothetical solution of a school at Gosden Hill. The head of GBC planning has advised that “this site remains some way off being submitted as an application”. So where will the children from the appeal site go in the meantime?

The CIL statement from SCC stated a dire situation with very few places in local schools, so most children will be spread far and wide, which means there is no option of one new school bus taking all the many pupils to one school. No, it will mean costly taxis to transport small groups to wherever there are spaces, some at considerable distance meaning children will struggle to settle and form local friendships, which will inevitably cause additional social problems for residents of the appeal site.

The initial lack of a primary school and the permanent lack of an on-site secondary school will create more traffic – has this been modelled? We think not! And one of the major requirements of A35 allocation to make this site sustainable, is a secondary school but there won't be one – need we say more?

The medical provision remains uncertain, we heard the ICB believe the future of medical provision is changing, and they talk of digital services with a possible small satellite facility on site. This will not fulfil the requirement of the A35 allocation for a ‘GP’s surgery’. Let us be clear when you are ill you want to see a GP, not a support service person. I repeat SEE a doctor in person.

The trigger of 1000 homes occupied before any on-site medical provision, means we could be looking at 2-3,000 people needing access to a doctor with local surgeries already at capacity. So where do they go? We raised with the ICB our concerns that if an offsite contribution is paid when can we expect any improvement in local surgeries? With the cumulative effect of all the other new additional homes locally, which are already being built and occupied and taking up spare appointments, how long will it be before that money provides more doctors?

Offsite medical facilities will require car journeys, (with no additional surgery parking provision). These journeys also have not been modelled.

And again, one of the major requirements of A35 allocation to make this site sustainable, is a medical centre but at this point we don't know if there will be one!!

These points are examples of the complaints from residents moving into new developments, that facilities are not operational from the outset which means the first residents have to drive off site for all essential services. This sets up habits early on that stay with them, which again challenges the sustainability aspect of the site.

We heard WAG's Air Quality Expert raise queries on the errors (think the Appellant just called them mistakes?) whatever they were, the Appellant's expert had to clarify that an error had been made, which had to be rectified and then those results also had to be adjusted... all very concerning. How can we have certainty there are no more errors or mistakes (whatever you want to call them) that have been missed?

Air Quality assessment relies on data and the presumption that the pollution from petrol/diesel cars will decline as the increase in the use of electric cars solve air pollution problems. The technology is still having problems with electric point charging fires and with insurance companies charging more for electric cars, this does not encourage people to change. We cannot predict the future and will there even be enough electricity to charge all these electric cars and buses? Much of the Appellant's presumptions are based on hypothetical scenarios, or what some of us might call dreamland.

ECOLOGICAL HARMS have been the subject of great concern during this inquiry by residents and interested parties such as the RSPB, Surrey Wildlife Trust and Surrey Nature Partnership and so we would like to reiterate certain critical aspects.

We are very concerned about the Adverse effects on the integrity of the SPA and inadequacies of the proposed SANGs to mitigate the impacts

We believe the proposal fails to provide suitable or sufficient SANG to fulfill the GBC A35 requirement no 13 of "Bespoke SANG to avoid adverse effects on the integrity of the SPA."

The proposed SANG attempts to be all things to all people and thereby fails on all fronts. On the one hand the Appellant suggests it will be "a vast country park" accommodating the needs of over 1000 dogs and at the same time describes it as a habitat for wildlife for "badgers to forage in" and skylarks to nest in square fenced off skylark plots.

Wildlife needs sufficient space away from people and pets to be able to flourish safely. Dogs running off leads will be at conflict with cyclists on the adjacent cycle paths. The hard-surfaced wide cycle paths that are proposed to run alongside floodlit artificially surfaced playing fields are within areas simply too close to the SPA to be built on.

The Appellant has failed to choose an appropriate location for the required SANG when considered alongside Natural England's SANG Guidelines which state under Location of SANG:

"Where possible, provision of connectivity to wider greenspace/other SANG is recommended but should ensure a SANG does not result in new and additional access and visits to sensitive sites"

We feel we have highlighted to you Madam the close proximity of the Public Rights of Way which will draw new residents away from the SANG and onto the SPA, especially after they get fed up with the artificial nature of the SANG. We are sure this will become even more apparent after the site visit.

The Appellant has tried to fit a square peg into a round hole, this site is just in the wrong location being too close to the SPA, the SSSI and the SNCI. The abundant wildlife of badgers, skylarks and bats that already populate the area are seriously at risk – they won't be enhanced.

The Appellant has tried to deny the obvious connectivity between the site, the adjacent local nature reserves and the hundreds of acres of SPA just 401 metres away.

This was glaringly obvious when, for example, the Appellant's Ecologist made totally incorrect statements such as: "From the SANG you have to cross Old Lane to get onto the SPA" when in reality the SPA lies on both sides of that road and can be reached by footpath from the site.

Dr Brookbank stated that to reach the SPA from FP19 you have to walk along the road “taking your life in your hands” when in fact FP19 runs right up to the very boundary of the SPA, where there is a well-used path. She showed a total lack of knowledge about the location of the well-publicised new Green Bridge giving a new and easy access to Wisley Common. Such errors and omissions suggest a lack of knowledge of the location and insufficient assessment to be able to produce a mitigation strategy of any real value.

We heard from Badger Bob and Mike Waite from SWT who spoke from years of experience and shared their extensive knowledge of the site and its wildlife.

Many of the local residents appearing as witnesses explained the multiple reasons why the SPA was such an attractive site and that the narrow strip of SANG could never draw away enough dog walkers to prevent what we predict will be a large net increase in dogs on the SPA.

The huge DCO works make access to the two car parks in Old Lane and to the SANG car parks easier and will bring greatly increased pressures. SWT survey maps of the SPA show Old Lane to be the area under most visitor pressure and yet the proposed area of development is that critical 401 metres away.

The SANG has ponds for dogs to swim in whilst shedding systemic insecticides and neonicotinoids into the water harming/killing the invertebrates, a harm which Dr Brookbank seemed to be quite unaware of when cross-examined despite being widely recognised by ecologists including those in SWT. This harm would undoubtedly also occur in the Boldermere lake with its populations of over twenty species of dragonflies and damselflies. The lake, is of course, within very easy reach of the site and although described as boggy by the Appellant’s ecologist, is very accessible to walkers who can view the swan and their cygnets and undoubtedly will draw dogwalkers and others in to the shore line.

The SANG design compromises the NE guidelines in a number of ways:

Three and four metre wide hard surfaced, 2-way Cycle-Footways traverse the length of both SANGS, whereas NE guidelines state; “Paths should remain unsurfaced to avoid the site becoming too urban in feel”

The guidelines say “SANG must be perceived as semi-natural spaces with little intrusion of artificial structures, except in the immediate vicinity of car parks”, and yet along those hard-surfaced paths, the Appellant boasts of sculpture trails and art installations that will draw people to the area.

The guidelines advise: “Avoid frequent mowing as a tool to manage grasslands, it is an expensive technique which produces little biodiversity benefit.” And yet we were told in the Inquiry that the PROWS would be treated as grass paths and managed by mowing.

NE guidelines state:” Avoid convoluted paths and pinch points in SANG design. By maintaining a minimum width between paths of 100 m in open ground”. We have serious concerns about the convoluted paths and pinch points which are a feature of the majority of the circular routes and the minimum width between paths of 100 m is rarely achieved.

In summary these multiple failures to protect the integrity of a site protected under an EU directive by effective SANG provision or any other means are in our view sufficient reasons to dismiss the Appeal.

The Nature Recovery Strategy for Surrey

Surrey Nature Partnership, whilst already familiar with the area surrounding the proposed site and toured the area accompanied by some well-informed local residents and so Surrey Nature Partnership were able to fully understand the site boundaries and the proposed area of SANG along with the PROW's and other undesignated footpaths. The role of Surrey Nature Partnership is critical to informing policy at several levels: Borough, County and central Government as regards the requirements of the Environment Act; so, for example:

GBC's local plan Policy P6: Protecting Important Habitats and Species para 4.37 calls upon the recommendations of Surrey Nature Partnership to identify Biodiversity Opportunity Areas

In Appendix 4 of their Biodiversity Opportunity Area, Policy Statement, Surrey Nature Partnership have identified Ockham and Wisley Common's SPA/SSSI/LNR as "target areas of the Thames Basin Heaths Biodiversity Opportunity Area TBH06".

It is therefore critically important to take account of Surrey Nature Partnership's letter of 30th June 2023 where they object to the proposed development. In that objection at CD3.104 they identify a number of critical points of objection including: "The impact of the proposed development on the wildlife of the site and the adjoining Ockham and Wisley Commons; the anticipated number of dogs and cats [that] will inevitably adversely impact the ground nesting birds; The proposed SANGs land is insufficient for the area and linked by paths to the surrounding designated sites"

Policy requirement 12 of GBC policy A35:

"Green corridors and linkages to habitats outside of the site, and the adjoining SANG"

In addition to informal undesignated footpaths there are no less than five designated PROWs which although fulfilling this requirement also link the site and the SANG to "habitats outside of the site and the adjoining SANG".

These five links going from West to East comprise: Bridleway 544, Footpath 15, Bridleway 16, Footpath 19 and let us not forget footpath 71 that then leads to Bridleway 70 this a few steps from the SANG and will be more accessible with the sight line improvements for the new access road in Old Lane.

However, all these "links" are of grave concern as they link directly to the SPA and some via the Local Nature Reserves and SNCI's and therefore clearly threaten the integrity of all these protected sites. This demonstrates the problems with the location of the SANG which has those "green corridors and linkages" leading straight into the SPA.

Several witnesses raised concern these concerns, with one stating in ID 2.15 appendix 2.3.2.b

"There are public footpaths that run from this field (the SANG) directly into the Special Protection Area. I think it highly likely that the inhabitants of the 'New Town' are going to cut across the field and take walks on the public footpaths within the SPA for a change of scene and to get away from all the hundreds of other dog walkers going round in circles."

We feel further appreciation of the various access routes will be clear to see on the accompanied site visit and want to make sure these are fully visited.

Harms to the SNCI are inevitable. We have seen no evidence which fulfils A35 requirement no 11 "Every effort must be made to reduce the harm to the SNCI through appropriate avoidance and mitigation measures"

NE SANG Guidelines state regarding: Location of SANG:

“Seek to protect and enhance any existing local wildlife site designations (e.g. SSSI/SINC/SNCI) within or adjacent to the SANG boundary”.

Wisley Airfield Site of Nature Conservation Importance (SNCI) and Provisional Ancient Woodland Inventory (PAWI), Hunts Copse SNCI, PAWI, Snakes Field SNCI are all “adjacent to the SANG boundary” and will be negatively impacted by the proposed development.

Snakes Field SNCI would suffer harm from being so close to this huge development and directly connected by Bridleway 16. The significant population of reptiles and amphibians to which it owes its name would be threatened as indeed would the bird population and its invertebrates feeding on the wild plants which would be liable to trampling and disturbances by both dogs and humans.

The adjoining SNCI of Hunts Copse would suddenly have a huge population of adults, children and dogs on its doorstep threatening the balance of the ecosystem yet Dr Brookbank stated under cross examination that there would be no harm as it is private land with no public access.

However, this is patently untrue as, being a local nature reserve, it does have public access which is easily gained from the entrance in Snakes Field.

Any habitat creation proposals within the SANG which, in places, is a narrow ribbon of between 150 and 300 metres intersected with paths and cycle ways, can never be expected to in any way replicate nor mitigate the harm sustained by these naturally evolved ecosystems of the SNCI’s

Under ‘Safety and security’ NE guidance suggests: “Perimeter fencing secure to prevent dogs getting out.” Mr Maurici and the Appellant’s team appeared to believe there was a perimeter fence whereas the only fencing to be erected shown on plans was between the settlement and the SANG boundary. A dog and cat proof fence between the SANG boundary and the nature reserves only came up following the suggestion from VAWNT for agreement under Conditions. Without such a barrier the harm to the wildlife and ecology of these habitats would be even more substantial and ongoing.

Cat predation

The Appellant’s ecologist EPR stated in their Biodiversity Assessment ES chapter 8.A: CD 2.63 at para 8.302

“Once occupied, the Application Proposal will serve to increase the number of domestic cats within the Zone of Influence. Domestic cats are known to range, on average, around 400m from their home and it is within this distance that birds will be the most vulnerable. Whilst it is difficult to ascertain the exact impact that cats have on local bird populations, a sudden influx of predators to a previously low-density predator area could be expected to have a detrimental effect on the breeding bird assemblage”.

The Inquiry was made aware of the 400m being an average distance, whilst those cats that roam in some cases as far as 1000m, bring a new threat right into the SNCI bird and reptile population that lies closer still, within the 400m zone.

Let us now turn to the failure to prevent harm to the skylark population a red-listed protected bird species which are well-established on the site.

The Appellant’s scheme has changed several times: at first suggesting the loss of skylarks would be offset by other bird species increasing; then suggesting skylark plots within the SANG which was then seen as unsuitable as such plots are designed for agricultural applications; finally, a hybrid of on-site

and offsite mitigation involving the suggestion of “compensation land” in fields near to Blackmoor Farm.

The owner of the adjacent Blackmoor Farm has explained that the proposed site is completely different in very many ways to the birds’ current habitat by virtue of its scale, openness and arable cropping regime. None of these attributes are present on the proposed “compensation land” which is enclosed by belts of mature trees which provide cover for predators. Critically the proposed compensation site has had a total lack of any resident skylark population for over 3 decades despite different cropping rotations similar to those on the fields surrounding the airfield.

The recommended 50m buffer zone effectively halves the useable area giving potential for less than half the current population should the proposed site be accepted in spite of its many deficiencies.

We are now aware that GBC will make the final decision on the skylark’s fate, and we can take small comfort from the addition of Ornithologist who will make the final decision.

The loss of amenity of open countryside with PROWs altered beyond recognition will effectively mean any existing sense of amenity will be totally lost.

Approx 1 km of Footpath 13 would be lost being converted to ‘public highway’ as proposed.

The regular users of bridleways 544 and 16 from Ockham village will find themselves traversing an urban area crisscrossed with roads to reach Ockham Common. Hard-surfaced cycle paths 3 and 4 metres wide are proposed to run up and down the SANG crossing the existing PROWs. In addition, approximately 2 km of the foot paths 13, 13a and 19 are proposed to be converted into what is described as a ‘Cycle Track’ (see ID 5.18 plan H cycle route)

Ecology and in particular the preservation of the integrity of the SPA is a major issue for this site which could suffer substantial harm from the introduction of over 1000 dogs to the SPA via both the PROWs and the informal footpaths. We hope Madam on the site visit you will see for yourself how easy it is to walk from the application site directly onto the totally natural SPA.

Residents will quickly get fed up with the manmade SANG and its artificial signs and art features. These features will not be able to replicate that special feeling you get in a totally natural environment.

All Rule 6 parties are against the cycle routes. The route to Effingham, the nearest station, where the fare to London is ABOUT £2 cheaper than Horsley (and the train journey shorter) has been abandoned. Yet again, not fulfilling the A35 allocation requirement. The Horsley cycle route would take people on THE LONGER ROUTE OF Long Reach and then share the public narrow footpath alongside the unpopular railway track, not forgetting the owners of Lollesworth Lane who feel aggrieved no consultation or proposals for this route had been communicated to them.

We stand by the fact that the A35 allocation of this site in the Local Plan was only agreed with specific requirements. Why is it that the Burnt Common Slips, a secondary school, a full GP medical centre and sustainable transport routes are not being provided, or are being suggested with ‘make-do’ alternatives?

Transport

I think we can all agree with Mr McKay when he said to you, Madam, that “the current site is not sustainable”. The Appellant is trying to make it sustainable with mitigations.

VAWNT would say the only encouragement to cyclists we have heard, are to use cycle routes that are:

A longer route to Horsley station along an unsafe/unlit footpath along the trainline not fully LTN 1/20 compliant

No cycle route suitable for average cyclists to the nearest station Effingham,

A route to Ripley that will be segregated then not segregated then alongside increased traffic going at slower speeds which are known to increase pollution!!

I don't know about you but would you say those things would encourage you to cycle??

Madam you asked Mr McKay who else would use the cycle routes apart from commuters and his only response was different groups using the routes at off-peak times to facilities at Ripley and Cobham. We would question what facilities they would be going to... lunch with friends? Arriving wet and windswept and then both journeys are uphill on the way home. Certainly not to do a weekly shop!!

The Byfleet route was suggested by Mr McKay as he stated there is a possible chance of employment at Brooklands which we understand is largely shiftwork and therefore not necessarily conducive to night time cycle commuting when workers are more likely to drive.

Mr Maurici stresses that the cycle routes would be done anyway, we would disagree and cannot believe that SCC or GBC would consider spending resident's council tax on cycle routes that would not be regularly used and therefore be value for money.

I am sorry Madam but I just cannot get away from the fact that saying in perpetuity, does not actually mean forever. Bus services will be subject to 'monitor and manage' so there is no certainty about their delivery in perpetuity which is required in the A35 allocation.

With the best will in the world people will use their cars to get to work. That pop to shops will not be on the bus, the doctor's appointment when you are poorly will not be on the bus, that lunch or dinner with friends in Cobham, Ripley, Horsley or Guildford will not be on the bus, they will be in the car.

Does this meet sustainable transport requirements? We don't think so.

We were really shocked when during the planning conditions meetings, SCC Highways suggested that all construction traffic could use Old Lane for site access. To suggest something as major as this at such a late stage which has not been modelled further highlights the fact that the transport side of things have just been taken at face value and not properly scrutinised. This would again promote Old Lane as the primary access traversing the SPA and the additional ecological harm this would entail.

We would like to mention again the fact that the WACT will have no experience of managing SANG/SAMM+ and still query why the Land Trust who already have a good working relationship with GBC are not the first choice. Is it because the SANG/SAMM and a sustainable transport trust was nothing something they felt would be workable?

The Energy Scheme



Mr Collins talked about people being able to pick their provider but this hot water/heating would be the only provider (unless they took the costly option of installing a different approved system) and there would be no competition to help with keeping costs down for residents. We feel they would also be liable for business rates not residential.

BMV Land - The country is finally waking up to the fact that the UK is not able to feed itself and agricultural land needs protecting. Once it is gone it is gone forever.

We still feel the appellant has made many late changes and submissions prejudicing rule six parties and the problems the lack of an agreed S106 at the start of appeal and let us be honest still discussing it yesterday. has caused us unnecessary extra work.

We would just like to conclude on the real scenario we see happening.

Not only do we have to worry about whether or not the site can possibly be made sustainable, we are concerned that the houses will have little attraction for buyers, especially when people find out there's no fully open, all year groups primary school for seven years. There are no doctors on site, there's no secondary school on site. We have serious concerns whether the full site will be built out if approved meaning that other community facilities will never be delivered and the site will fail to be sustainable-

We do not envy you this task Madam and we are pleased this long and stressful process is ending. The community thanks you for allowing the full and authentic facts to be put in front of the Inquiry in order that the only right decision of refusal be made.

Local residents can finally look forwards to Christmas and with every one of them having put REFUSAL on the top of their list to SANTA.