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Examination Reference No:  
TR020005

Interested Party URN: 20044578

7 August 2024

FAO Kevin Gleeson  
National Infrastructure Planning  
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BS1 6PN

By online submission

### **Deadline 8 Submission**

Dear Inspector,

In preparing its response for Deadline 8 (D8) (7 August 2024), Mole Valley District Council (“MVDC”, “the Council”) has continued to work with the wider joint authorities across Surrey and West Sussex to explore shared impacts, challenges and resolutions where they arise. As such, the comments and considerations for the Council are set out both below and through other relevant and joint submissions where it is beneficial to do so. This includes:

- I. **Joint Surrey Council’s (JSC) Deadline 8 Response:** Submitted by Surrey County Council and Surrey County Council as the Highways Authority, on behalf of the JSC’s<sup>1</sup>.
- II. **Joint Local Authorities (JLA) Response to the Applicants Deadline 7 Submissions:** Submitted by Crawley Borough Council, on the behalf of 10 Joint Local Authorities<sup>2</sup>.
- III. **Joint Authorities Legal Partnership (JLP) Update on progress on the draft Section 106 (REP7-075) and Draft DCO (REP7-005).** Mole Valley District Council is part of the Legal Partnership Authorities for aspects of the examination relating to legal agreements entered into between the Applicant and any of the Legal Partnership Authorities. As such, related submissions, submitted by West Sussex County Council, is also made on behalf of the Council.

### **Mole Valley DC Comments on the Applicant’s Response to ExA Written Questions (ExQ2)**

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<sup>1</sup> Surrey County Council (Ref. 20044665), Mole Valley District Council (Ref: 20044578), Reigate and Banstead Borough Council (Ref. 20044474) and Tandridge District Council (Ref: GATW-S57419)

<sup>2</sup>Surrey County Council (SCC), West Sussex County Council (WSSCC), Kent County Council (KCC), East Sussex County Council (ESCC), Mole Valley District Council (MVDC), Reigate and Banstead Borough Council (RBBC), Tandridge District Council (TDC), Horsham District Council (HDC), Mid Sussex District Council (MSDC), Crawley Borough Council (CBC).

On reviewing the Applicant’s response to ExAQ2 LV2.2 (REP7-087), the Council note the additional information provided to the ExA regarding the Surrey Hills National Landscape Boundary Review but consider this does not provide assurance that the necessary consideration and engagement on the matter has taken place with Natural England as the lead body for the review. MVDC wishes to restate its position, as set out below and previously submitted in REP7-111, which seeks assurance that the necessary due diligence and engagement has taken place and that the Applicants assertions in terms of their own assessments satisfy those responsible for the review.

In addition, the Council wishes to ensure that the ExA are aware of the recent publication of [Natural England’s analysis and further thoughts](#)<sup>3</sup> on the consultation which took place in 2023 on initial proposed extensions to the Surrey Hills National Landscape Boundary. The published information includes revised boundary proposals which are anticipated to be consulted on in September 2024 for 12 weeks. These amended boundaries both add to the proposed extension areas and reduce (to a lesser extent) in others across the Surrey area and under Gatwick airspace.

LANDSCAPE, TOWNSCAPE AND VISUAL RESOURCES			
LV.2.2	Applicant	<p><b>Surrey Hills National Landscape</b></p> <p>While noting the answer to ExQ1 LV.1.8 and Appendix B to that answer, please provide further information concerning the likely extent of overflying (in terms of numbers and increase) which may occur over the proposed extended areas of the Surrey Hills National Landscape as a result of the Proposed Development.</p>	<p>MVDC welcome this question to the Applicant. For the benefit of the ExA’s knowledge it is understood that an update regarding the boundary review is imminent and will likely provide more information on the proposed boundaries which were consulted on, by Natural England, in 2023.</p> <p>It is accepted that the timetables for both the boundary review and the DCO are different. However, in the same way that planning applications and some draft future land allocations are considered in the DCO process with the view of attempting to prevent unacceptable overflying and impacts, the draft boundaries of the Surrey Hills expansion should also provide a guide to the NRP application with the appropriate weight attached.</p> <p>Adding to this is uncertainty on how the Applicant has accounted for the boundary review as there is no mention of it within the draft Statements of Common Ground (<a href="#">REP6-062</a>) between the Applicant and NE. While there is existing wording (2.14.3.1) to confirm that increase in overflights of existing NL will not be unacceptable, this does not exist for the proposals of the boundary review. The Council wishes to see similar wording regarding the newly proposed areas to demonstrate due diligence and that this has been discussed and agreed with NE.</p>

<sup>3</sup> [Surrey Hills Area of Outstanding Natural Beauty Boundary Variation Project - Defra - Citizen Space](#)

			It is requested that the SoCG be updated and/or the Applicant undertake the necessary assessment of possible impacts
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The Council also notes the Applicant's response to the ExAQ2, HW.2.12 set out in REP7-084 and has the following comments to make:

<b>HEALTH AND WELLBEING</b>			
HW.2.12	Applicant	<p><b>Overheating Assessment</b></p> <p>Please confirm whether the Applicant considers it necessary to undertake an 'Overheating Assessment' as requested by Mole Valley District Council at row MV12 of their PADSS [REP5-101]?</p> <p>If not, please provide a justification.</p> <p>Additionally, please confirm how the proposed Noise Insulation Scheme proposes to address overheating issues?</p>	<p>The Applicant states that the proposed ventilators present a pragmatic solution to overheating and more comprehensive and complex approaches are not practical. MVDC considers that the Applicants' proposals are insufficiently protective of health and quality of life and do not address the adverse impacts that will result from overheating especially during the summer period.</p> <p>Any scheme of insulation requires the windows to be closed to be effective. Mole Valley maintains the position that overheating needs to be addressed for the insulation scheme to achieve a comfortable internal environment for residents.</p> <p>The Council considers that the ExA proposed Requirement (Annex B, Req.18) circulated in the agenda for ISH9 goes a significant way to resolving the issues raised by the Council. In particular the importance of a bespoke noise insulation design document is supported and to be effective any design will have to consider the level of overheating that is to be permitted and mitigated.</p>

I hope this is of use to you.

Yours Sincerely

Marie Killip  
Principal Planning Policy Officer