



WESTCOTT VILLAGE ASSOCIATION

Westcott Village Association
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Caroline Hall
Planning Department
Mole Valley District Council
Pippbrook
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RH4 1SJ

9 April 2025

Dear Caroline

MO/2025/0279

The Old House, Guildford Road, Westcott, Dorking, Surrey, RH4 3NG

Variation of condition 14 of planning permission MO/2019/1345 (allowed on appeal Ref: APP/C3620/W/21/3266746) for the erection of 3 No. new dwellings within the existing garden of The Old House, Westcott

I have read the statutory consultee response from Matthew Strong of Surrey County Highways and I note his advice: -

“Informatives

*1. The developer is advised that Public Footpath Number 600 runs along the access route to/from the application site and **it is an offence to obstruct or divert the route of***

a right of way unless carried out in complete accordance with appropriate legislation.

*2. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm. **Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.***

Note to Planner

Condition 14 of planning permission MO/2019/1345 states: There shall be no obstructions on the public right of way, including vehicles, plant, or storage of materials, at any time. Safe access shall be maintained along the right of way adjacent to the site at all times.

The above informatives should be referred to and SCC's Rights of Way team should be contacted here:"

There have been repeated obstructions to the Chapel Lane including yet another one - a delivery closing Chapel Lane for over 30 mins this morning - which Chris Wait has photographed and will be reporting to Dale Carroll separately as a continuation of the enforcement matter against MO/2025/0061 ENF.

In the "Note to Planner" Matthew Strong says that his informatives should be referred to SCC's Rights of Way team. I note that this team has not been included on the list of consultees for the application but the Ramblers Association instead. I therefore believe **SCC's Rights of Way team still need to be consulted.**

The applicant's scheme drawings for the off-site drainage solution they seek does not provide sufficient detail or a method to connect with the Thames Water foul water drain chamber which I showed you on your site visit and is on the south side of Furlong Road. I believe connection to this would involve work affecting the Furlong Road public highway as well.

I am increasingly of the view that determination of this application is not the responsibility of MVDC. The applicant should be led by the “appropriate legislation” that Matthew Strong of SCC Highways refers to. We believe they should be applying for the following instead:-

1. a Temporary Traffic Regulation Order (TRO);
2. a Street Works Licence (SWL) – as SCC maintain Chapel Lane I understand that it is the Street Authority

We therefore believe this should be grounds for MVDC to refuse permission to vary Condition 14. However, if MVDC decide it has the capacity to approve this application, I believe a requirement for a TRO and SWL should certainly be conditioned before any infrastructure works can commence outside the red line boundary.

I am sure Surrey County Rights of Way will clarify this for you.

As the applicant has already stated in their application form, there is another potential on-site foul drainage solution. The owner of the Old House sold this development site to the applicant and the most logical and least disruptive alternative off-site drainage solution is in his gift as well. **There are alternative solutions.**

This application and the blatant disregard of conditions 4 and 14 of the MO/2019/1345 consent by the developer is causing a great deal of angst for the businesses and residents affected by this. We ask Mole Valley planning to fully consult Surrey County Rights of Way before determining this application.

Yours sincerely,



James Leaver
Planning Lead, Westcott Village Association

CC (by email)
Dale Carroll, MVDC Planning Enforcement
Cllr Hazel Watson, Surrey County Council
Matthew Strong, Surrey County Highways