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Dear Clare,

16-18 Oatlands Drive, Weybridge, KT13 9JL

We write on behalf of our client, The Ridge (Oatlands) LLP, regarding the above planning application at 16-18 Oatlands Drive, Weybridge, KT13 9JL (LPA Reference 2022/3796). Having reviewed the comments received from the Council's 'Culture, Leisure and Environmental Services' officer dated 16th March 2023, we wish to provide a rebuttal to the comments.

Firstly, it is established by the relevant Acts¹ that applications for planning permission must be determined in accordance with the Development Plan, unless other material considerations indicate otherwise. The comments received contain a series of unsubstantiated claims which have no basis in planning policy.

Secondly, comments made relating to the adjacent development at 8–14 Oatlands Drive, are also irrelevant to the consideration of the current application. That site benefits from planning permission already and there is no relationship between the two development proposals. The current application must be considered on its own merits.

Below we provide a comprehensive response to each comment raised by the response.

Point 1

The area of Cowey Sale immediately adjacent to the application site is part of a Biodiversity Opportunity Area and as such should be protected as much as possible to provide habitats which will allow biodiversity net gain. The recently restored large pond adjacent to the application site offers wildlife and amenity benefits in this popular amenity location.

The Ecological Report concludes that there are no habitats of international, national, county or local importance that would be directly affected by the proposals. Similarly, it is concluded that the site is of limited ecological value, with the species recorded described as common or abundant and found in similar places across much of Britain.

¹ Section 38(6) of The Planning and Compulsory Purchase Act (2004); Section 70(2) of the Town and Country Planning Act (1990)



The submitted application is supported by an Ecological Report and associated Biodiversity Net Gain technical note. There are no statutory or non-statutory designated sites that would be directly or indirectly affected by the proposals. The site is of limited ecological value, with the species recorded described as common or abundant and are found in similar places across much of Britain, with no evidence of protected species recorded.

Overall the findings of this ecological appraisal indicate that there are no over-riding ecological constraints to the redevelopment proposals to preclude planning permission being granted at this stage, subject to suitably worded conditions. In addition, the proposal will result in a Biodiversity Net Gain of 5.64%. By providing a net gain on site the proposals comply with the national policy requirement at the present time contained within the NPPF and the requirements within the Development Plan under policies CS15 and DM21.

Therefore, it is evident that the proposed development results in a positive net gain in biodiversity terms, and is not harmful to the Cowey Sale greenspace.

Point 2

In the same way as the blocks currently being constructed at 8-14 Oatlands Drive (2020/3223), the proximity of the proposed flats and the size and bulk of the blocks, being less than 8 metres from the boundary to the south-east and considerably elevated, are having and will have a direct and detrimental effect on sunlight levels reaching the pond and vegetation especially in winter. See photo of the current situation and imagine the same to the right of shot.

This comment is both factually incorrect and, insofar as it relates to 8-14 Oatlands Drive, irrelevant. The officer states that the proximity of the built form at 8-14 Oatlands Drive is less than 8m from the rear site boundary. However, the distance is 10.5m at its shortest and 14m at its deepest. Regardless, the development at 8-14 Oatlands Drive is consented and has no relevance to the current proposals.

At 16-18 Oatlands Drive, the distance between the rear block and the rear site boundary is 12m at the shortest point and 15m at the longest point, e.g. greater than the consented arrangement at 8-14 Oatlands Drive. The rear building is orientated south-east of the Engine River, therefore at the proposed distance there is unlikely to be any appreciable impact on the levels of light received.

Point 3

Disturbance. This number of flats with windows overlooking the site at such proximity will have a detrimental effect on small mammal movements due to disturbance by light, noise and movement of people in the dwellings. I note the comments made in relation to 2020/3223 from The Surrey Bat Group regarding additional artificial light spill to this area, and the necessity of showing that the development can proceed without unacceptable artificial light spill. See photo taken at dusk during construction which clearly shows this is not the case. Can Building Control monitor this site to ensure that light spill does not occur during the construction phase? As before, imagine similar light spill to the right of shot

An Ecological Report was submitted with the planning application. In relation to light disturbance, the report concluded that *“Although the site currently experiences some light spillage from on-site sources and neighbouring properties and roads, in accordance with good practice, any new lighting to be introduced should be designed to minimise light spillage and pollution and not directed onto*

any bird/bat boxes installed or onto the adjacent waterbody and woodland beyond to the rear of the site, which should remain dark”.

It is also noted that Surrey Wildlife Trust, who are the Council’s ecological consultee have not raised any objection on this basis stating that the proposals are acceptable subject to a condition requiring the submission of a Sensitive Lighting Management Plan prior to construction, which the applicant is amenable to.

The photograph provided of the development which is under construction at 8-14 Oatlands Drive clearly shows a temporary condition and is not representative of the lighting impact of a residential development would have.

Point 4

Threat to trees within the application area. We are concerned that this proposal and future amendments for this site will have a negative impact on the trees as per 2020/3223.

The application is supported by a Tree Survey & Impact Assessment, a Tree Constraints Plan and a Tree Protection Plan and a Landscape Masterplan. The proposed development includes the loss of very few trees, all of which are of low quality and value and the proposed planting would result in a net gain of trees. The proposals are also located remote from the existing root protection areas. The development proposals comply with Policies CS14 and DM6 of the Development Plan and the Council’s tree officer has raised no objection, subject to compliance with the submitted reports.

Point 5

Regarding drainage, the speed of run off will surely increase, and lack of percolation due to the footprint of such a large development will put pressure on the Engine River. The likelihood of a pollution incident affecting Engine River is surely increased by the proximity of so many residential units.

A Drainage Strategy has been submitted to the Council. This describes the proposed approach which will utilise SuDS to deal with surface water runoff from the development. Due to the proposed use of SuDS very limited runoff will reach the Engine River from the rear landscaped area only, however this already occurs under the existing condition. Should the site conditions not allow for full infiltration of runoff from the development than the alternative would be to allow a discharge to the Engine River to deal with any runoff that cannot be discharged to ground.

In summary the flow of runoff to the river will be limited to the current greenfield rate of runoff from the existing site, therefore even in the fall back position that the development needs to partially discharge direct into the Engine River it will not exceed the current peak discharge rate from the existing site. Therefore, the risk of flooding will not be increased as a result of these proposals.

The development will use permeable paving for the parking and roads and these will treat the runoff from these areas removing suspended solids and hydrocarbons etc. Given the permeable paving and other green infrastructure proposed on site for the treatment of runoff from the development, the risk of pollution to the Engine River is very low. The proposed land use is the same as the existing land use (residential). This is not a land use that poses a significant risk of pollution.

Point 6

Regarding 8-14 Oatlands Drive, there are amendments currently proposed for example 2023/0370 to allow roof terraces to all 4 blocks of flats, and 2023/0485 to add lift extensions and smoke ventilation shafts to all four blocks which if approved will be even more detrimental to our site. This process of adding features on after initial decisions is likely to occur on this latest application site given this history.

This point is irrelevant and further illustrates the unsubstantiated nature of the comments.

Summary

The comments from the Council's 'Culture, Leisure and Environmental Services' officer dated 16th March 2023 have been reviewed. This rebuttal has demonstrated that notwithstanding the points raised, the development proposals are acceptable having regard to the Development Plan and any other material considerations.

Yours sincerely,



Joseph Daniels
Associate Director