

Planning Application 2022/3796 16-18 Oatlands Drive

We would like to strongly object to the above planning application, which seeks to replace 2 detached family homes with 2 blocks of 33 flats.

We have two types of objections:

- considering the application in the cumulative context of the developer submitting a series of smaller applications along the street (4-6 / 8-14 / 16-18 Oatlands Drive) that, so far in combination, would add 111 flats replacing 8 family homes.
- considering the individual application on its own merits

BACKGROUND.

In the developer's "Planning Statement inc. Statement of Community Involvement" they refer to the fact that EBC's rejection of the adjacent planning application 2020/3223 was overturned at appeal based on the lack of a 5 year housing plan and the 'tilted balance'.

They suggest this latest application should be viewed in this context. (Apart from anything else, this suggests they are submitting a plan which they do not believe will be welcomed, as it does not meet EBC objectives or fit appropriately in this location, and are implying it would only be approved as part of a tilted balance!).

However, Michael Gove's letter to the House of Commons dated 5/12/2022, relating to "The Levelling Up and Regeneration Bill : Planning and Local Control in England" recognises that the 'tilted balance' system has gone too far in overriding local decisions and seeks to redress this balance.

It states:

Of the current system : "That it does not provide the right homes in the right places, and at its worst risks imposing ever more stretching housing targets that are out of touch with reality – leading to developers taking advantage through planning by appeal and speculative development. Communities feel that they are under siege, and I am clear that this approach will never be right or sustainable if we want to build the homes that our communities want and need. "

My changes will instruct the Planning Inspectorate that they should no longer override sensible local decision making, which is sensitive to and reflects local constraints and concerns.

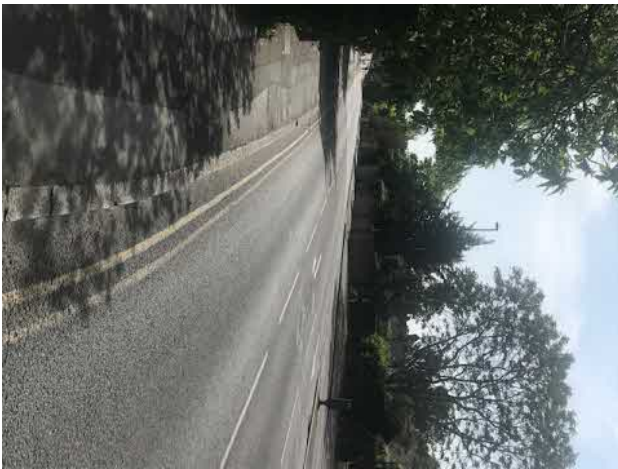
Character: local authorities will not be expected to build developments at densities that would be wholly out of character with existing areas or which would lead to a significant change of character

We believe that if 2020/3223 were considered by the planning inspectorate in the context of Michael Gove's new guidance, then they would not have overturned the decision of EBC. This new government guidance should be considered when reviewing this current application.

Context of Location.

The inspector was incorrect when they said that the impact of 8-14 would not be too negative or out of keeping in the location. As anyone visiting site can see, it is extremely overbearing and out of place on both Oatlands Drive and on the path along the Engine River and pond.

These photographs before the commencement of the construction of the flats at 8-14 show the location in its long established appearance.



Photograph 1: Oatlands Drive before the construction of flats at 8-14 Oatlands Drive



Photograph 2: view of rear of Oatlands Drive along Engine River, taken from Walton Bridge

This is the context that all 3 of the proposed flatted developments at 16-18, 8-14, and 4-6 should be reviewed against, as in reality they are just phases of one large development, by the same developer, in one long continuous construction time. As 8 blocks of 111 flats, they would not fit sensitively within the location and would dramatically change its character.

Also, now that the extent of the massing and dominating appearance of 8-14 can be clearly seen, the cumulative effect of adding even larger flats at 16-18 can be fully demonstrated to be out of keeping and damaging to the established street scene and neighbourhood and should not be allowed.

Building these flats at a density of 94 dph is wholly out of character within the existing area of single family homes with large gardens. Allowing this application, alongside the flats at 8-14 Oatlands Drive, would indeed lead to a significant change of character and should not be allowed.

Objections based on the the cummulative context of 2019/0691, 2020/3223 and 2022/2118

The same developer that is building Riverside Gardens at 8-14 Oatlands Drive is applying to replace houses 4-6 and 16-18, before the original development is even finished.

It seemed strange at the time of application 2020/3223 that none of the immediate neighbours objected to it, but it now seems likely that they were already in an advanced stage of discussion with the developer, as these new applications appeared almost as soon as 2020/3223 construction began.

This would suggest that the developer deliberately split his larger project - replacing 8 single family homes with 8 blocks totalling 111 flats - into 3 smaller projects, knowing that each would be considered separately and would be more likely to be approved. An application for all 111 flats at once would almost certainly have been rejected by EBC and the Planning Inspector as completely out of context and inappropriate in this location.

However, as all applications are 'live' at the same time, they should really be viewed as one development and considered for approval according to the total effect on the street scene and neighbourhood they would have.

The series of proposed developments at 8-14, 4-6 and 16-18 Oatlands Drive would catastrophically change the nature of this part of Elmbridge from a family orientated neighbourhood of predominantly single family homes, with lots of green space, to a serious of large, characterless blocks of flats with little or no outside amenity for residents.

If these developments are allowed to go ahead, the street will become a view like part of central London or Woking. The likelihood will be, in the near future, that this whole road will become tower blocks, as will the area of New Zealand Avenue between the junction and the town centre. This was not in the draft plan that Elmbridge had for Walton-on-Thames and is being foisted on us by developers taking advantage of the planning system, one application at a time.

Also, since 2020/3223 was approved on appeal, the developer has sought to make around 15 change applications. As well as being very confusing, some of these materially change the appearance of the development, making it more urban and out of keeping with the neighbourhood, and some are also directly against conditions set by the inspectorate.

These include amendments to add:

- lift extensions
- smoke ventilation shafts
- ventilation openings for underground parking at the front of buildings on Oatlands Drive
- removal of trees
- removal of obscured glass affecting privacy
- requests to add roof terraces

Except for the roof terraces, none of these are included in the submitted plans for 2022/3796, so it is reasonable to assume they would also be change requests post any decision. So they should really be on the current application plans and included in any deliberation on whether the application 2022/3796 should be approved.

Considering 2022/3796 on its own merits:

1) Insufficient Public Consultation

- 1.1 The consultation was taken on-line instead of an in-person presentation. This was advertised to locals via a mailing of an A5 glossy card with Saville Estate Agent branding on the front. Given the number of estate agent sales cards local residents receive on a weekly basis, this was not an effective way of advertising the consultation as it is likely to have been overlooked.
- 1.2 The decision to have the consultation on-line was said to be because of COVID, but there were no constraints to meeting in public at the time. An in-person event likely would have generated a much bigger public response and the opportunity to discuss design aspects in more detail.
- 1.3 There have been at least 17 yellow A5 notifications on street lampposts in this section of Oatlands Drive since the time that the application relating to 8-14 Oatlands Drive was applied for, mostly relating to these 3 flat developments, with some unrelated applications by neighbours on the other side of the street. For example, at the time of starting this objection, outside the properties 4-18 Oatlands Drive there are 5 different yellow notices (2022/3796, 2022/3794, 2022/0053, 2022/2275, 2022/2276). So it is reasonable to say that people will have been unaware of new postings related to this latest application.
- 1.4 Most objections by Elmbridge residents have been posted just before the deadline. This reflects that most people were completely unaware of this application until the recent leaflet and on-line flier sent by the Weybridge Society, combined with neighbours' word of mouth, notified people of its existence.

2) Design and Appearance:

- 2.1 The design for 16-18 is even higher than the flats under construction at 8-14, dwarfing the surrounding single family homes.
- 2.2 The proposals for 16-18 are also considerably wider by 5.5m+ for each building than the flats at 8-14 Oatlands Drive. So the massing of the buildings will be considerably more than the current flats under construction.

Specifically, just looking at the highest sections for the buildings

For the blocks of flats fronting onto Oatlands Drive:

- at 8-14, block A is at its highest 9650 for a width of 25500
- at 16-18, block A is height 9650-10100 for a width of 30000

For the flats facing out to Cowey Sale:

- at 8-14, block C is at height 13050 for a width of 27300
- at 16-18, block B is at height 14000 for a width of 33000

So the massing of the proposals for 16-18 will dominate the street scene, even compared to the flats at 8-14, and not be in keeping with the neighbourhood.

- 2.3 In overturning the rejection of the development at 8-14 Oatlands Drive, the inspector said that the overall height of the flats were not much more than the listed homes opposite. In reality, these listed houses have roofs which slope gently down for about 1/3 of their total height, softening their appearance and making them seem considerably smaller.

By contrast, the design for 16-18 is extremely rectangular, with flat roofs, and so the massing and appearance will be overwhelming and completely out of keeping in the context of the street scene.

- 2.4 From the Design and Access Statement, it seems that the flats are proposed to be built in yellow brick. All of the surrounding houses, including the 6 listed properties of historical importance opposite, are either red brick or rendered in white. The flats at the bulk proposed, in yellow and white, would be completely out of keeping and jarring with the street scene.

- 2.5 The proposed block A of flats onto Oatlands Drive are only 10998 from the pavement. This is even worse than the flats at 8-14 which are 12310 at the closest point to 16-18, and against the normal, established building line for Oatlands Drive, which would need this to be at least 14m to match the homes which would be demolished.

Again the effect of building ahead of the established line for homes on this side of the street will be even more negatively impactful given the yellow colour and huge width, height and massing of the proposed flats.

- 2.6 The design of the building is very rectangular and has no interesting design elements at all to try to fit in with the pleasant architecture around or the listed building opposite.

- 2.7 The designs and dimensions for 16-18 do not include openings for the underground carpark that were added post-decision to 8-14, nor the requested lift overruns or smoke shafts. Can the developer please be asked to specifically rule these out of the design for this development or include them in the plans so they can be properly considered.

If required, they would make the buildings at least a storey higher and even more urban in appearance and out of context in the street scene.

- 2.8 When the inspector overturned the objection that the flats in 8-14 were less than the minimum recommended 22m apart, they said that it was acceptable in this instance as the buyers would see this before purchasing, and in this type of development it was accepted that privacy was less. However, the 22m recommendation is a minimum for precisely these types of flats. With the proposed developments at 4-6, 8-14 and 16-18 Oatlands Drive, this would result in 8 blocks of flats all at less than the recommended 22m.

This will result in cramped conditions, with overlooking and lack of privacy, and potential noise and light issues between residents.

The density of over 94 dph, lack of parking, lack of public outside amenity, tight turning spaces, building in front of the established line for the street and proximity to the rear boundary all demonstrate this is an overdevelopment of too small a site, and it should be rejected.

- 2.9 In the Design and Access Statement, the developer references other recent planning consents in Elmbridge, but these are all in commercial areas like high streets, or opposites offices, retailers and restaurants. So they are not comparable at all to this location and should not be used as precedents.

They also reference the pre-existing flats further along Oatlands Drive. However these all maintain the established build line, have their car parking at the front, have no back land developments and do not affect any neighbouring single family homes. So again these are not a precedent for the type of development under this application.

3) Parking and Traffic

- 3.1 SCC have reviewed this application individually and concluded that they do not need to object on highway grounds, despite the lack of up-to-date data to base this decision or the numerous detailed and valid concerns of residents, documented in other objections.

However, if the 3 applications had been submitted as one, this might not have had the same result. No cumulative view of all 111+ vehicles has been evaluated.

- 3.2 There are only 32 spaces allocation for 33 flats, of which some will be disabled, car club and electric, meaning that in reality there will be considerably less than 1 per flat, way below the average car ownership for Elmbridge.

There are no visitor or delivery spaces at all.

This is definitely not going to be sufficient, especially as there are double yellow lines on this section of Oatlands Drive, and very few (already over-congested) side roads nearby for overflow parking.

- 3.3 This is likely to make the car park very congested, encouraging incorrect parking, meaning cars will enter and leave after not finding spaces, and increase the likelihood of lorries and rubbish trucks not being able to turn safely in the limited space between the flats. This could feed back into cars reversing onto Oatlands Drive or other dangers.

4) Protecting the amenity of neighbouring properties

- 4.1 All of the pre-existing flats on Oatlands Drive have their car parks at the front of the buildings. Only the flats proposed by this developer have car parks in the centre of the plot, behind the building line of existing homes. This will lead to considerable exhaust, light and noise pollution to the detriment of the amenity of existing residents.

This is against both national and local policy, which seeks to preserve the amenity and privacy of existing residents.

- 4.2 The fact that the neighbours of 8-14 did not object to this should not serve as a precedent, as they are likely to already have been in talks with the developer to sell their homes, based on the current, submitted applications affecting these properties. Car parking for any developments should be at the front of the developments to protect the neighbours amenity.
- 4.3 The proposed bay for services and deliveries along the driveway is directly next to the house and patio of number 20 Oatlands Drive, which will cause noise, light and exhaust pollution into their garden only feet away, as vehicles such as deliveries wait there with engines running.

- 4.4 The rear building proposed would have direct views into the back gardens and windows of properties of neighbouring homes, which is against local and national policy to preserve privacy. This would also cause considerable light pollution from windows of the rear flats, affecting the bedrooms at the back of houses 20 and 22.
- 4.5 The hedge between no.s 18 and 20 falls away steeply to the rear of the garden due to the slope of the land. This means, although the hedge height would be maintained, the full view of the rear flats would be seen from the house at 20 because it is higher up.

There are trees proposed on the developers plan at the end of the driveway to mitigate this, but they would take many years to get to an effective height for screening. By then, they would also be too tall and block light into the proposed flats, so would be pruned, meaning the proposal is completely unsuitable.

In addition, on the ground floor plan, the developer is showing 7 trees planted in this area for screening. This space is only approximately 10m by 4m, which would allow for only 1 or 2 trees of any size. So the diagram is extremely misleading. In reality, the view of block B from neighbouring properties would be overbearing, causing light pollution into rear bedrooms of existing houses and would be a huge invasion of privacy.

5 Biodiversity and Cowey Sale

- 5.1 The houses from 4 - 18 Oatlands Drive all have or had large 100-year-old established gardens with many protected trees adjoining Cowey Sale and the greenbelt at the rear. Removing these spaces and replacing them with predominantly buildings and hardscaping will have a hugely detrimental effect on biodiversity and the environment. Backland development at this location is not part of the existing or emerging Elmbridge plan and should be resisted to protect the environment, wildlife, and the green corridor between Spelthorne and Elmbridge.
- 5.2 At 8-14 Oatlands Drive, there is a pond, the Engine River and woodland between it and the river. Despite that, the rear development is highly prominent, contrary to the developers assertion beforehand, especially from early autumn to late spring, when the deciduous trees in Cowey Sale are bare and the developments can be seen from Walton Bridge, Spelthorne and Cowey Sale.

By comparison, the rear building proposed at 16-18 is considerably taller and wider. At this location there is only the Engine River (the width of a stream) and a thin line of trees protecting Cowey Sale from views of the proposed development. For most of the year, except in the height of summer, this means that the proposed rear development would be highly visible from Cowey Sale, especially as there is a break in the trees here for the wooden foot bridge along the Engine River path.

- 5.3 No survey has been done for amphibians or reptiles as part of the consultation, despite residents being aware of many types of frog, toad and reptile in their gardens including slow worms (a protected species), grass snakes and many more. The boggy land next to the Engine river, and adjoining marsh area all mean that there are many species here that should have been surveyed and taken into account.

- 5.4 No survey seems to have been done to see what effect all the basement car parks and hardscaping will have on the underground drainage and runoff to the natural wet area in Cowey Sale behind the properties, to ensure there would be no change to this valuable habitat for many species.
- 5.5 There is a biodiversity matrix that seems to suggest that there would be a net gain in biodiversity based on this development. This seems incredible. The matrix is near impossible for a layperson to follow or determine the figures within, but it is hard to believe that replacing two houses and large gardens with 2 huge blocks of flats, a huge driveway, car park and other hardscaping, would result in a net gain in valuable biodiverse space. The long, established gardens have been here for 100 years. They are extremely dark and private at night, and full of established trees, hedges, shrubs and other plants, providing homes, food and seclusion for animals.

There is a planted garden area in the front of both current houses, but only one has been included in the matrix data as current biodiversity.

The only reason the matrix appears to be positive is because of the inclusion of a green roof space on the proposed flats. However, this is only seen on one drawing, and is not labelled. I cannot find any detail in any documentation about what this will entail and how it will be maintained. There is only a mention in the Design and Access Statement that refers to the flats roofs being suitable for solar panning in future if required.

6 Roof Terraces

- 6.1 Roof terraces are completely inappropriate in this location. They would destroy the privacy and amenity of neighbouring single family homes and their gardens in the short, medium and long range along Oatlands Drive, due to the disproportionate height of these roof terraces and the overlooking that would create.
- 6.2 This removal of privacy is specifically in breach of the national and local planning guidelines, and against conditions placed on the parent application 2020/3223 by the government inspector in overturning the initial refusal by EBC.
- 6.3 There is no precedent for this type of roof terrace in any similar suburban, residential area of Weybridge or Walton. (The examples given in the design and access statement are all in extremely urban, commercial districts and not overlooking any residential areas).
- 6.4 They would add to the urban appearance of the development, transforming the area from a leafy, suburban neighbourhood to an urban, inner city one.
- 6.5 The resulting luxury, expensive flats would not meet Elmbridge priority needs for young family homes.
- 6.6 They would damage the habitat and biodiversity along the adjacent greenbelt because of additional light and noise pollution at canopy level, especially when used at night.
- 6.7 For all these reasons, the roof terraces in this application are against National and Elmbridge planning guidelines of fitting in with the existing neighbourhood and preserving neighbours amenity and privacy.

SUMMARY

We urge Elmbridge Planning Department to reject this proposal. It is not a good design, but rather proposes a huge overdevelopment at this potential site.

- The yellow brick, flat roofed, rectangular design is out of keeping with the surrounding area.
- The dimensions and massing would be overbearing and dominate with the street scene.
- The site is too small for this density of development, as demonstrated by the proposals being less than 22m apart, with insufficient parking and ahead of the established built line, with no usable outside amenity for future residents.
- The development would significantly, negatively impact the amenities and privacy of neighbouring properties.
- There is not enough space for the suggested plantings that are drawn on the plans to mitigate privacy issues, so this would not happen.
- Despite the poor communication about the application, there have been more than 80 objections. This demonstrates the development does not have the support of Elmbridge residents, contrary to the new government guidelines,
- The rear building would be immense and highly overbearing to Cowey Sale and the Engine River path, especially from autumn through to late spring when the thin line of trees along the Engine river lose their leaves, The appearance of the building, along with noise and light pollution, would have a detrimental affect on the public amenity in Cowey Sale and for animals and birds in the area.
- The proposed roof terraces would have an extremely negative effect on the amenity and privacy of neighbouring properties, with light and noise pollution, and should not be allowed.

Elmbridge Core Strategy CS1 states “ all new developments must be high quality, well designed and locally distinctive. They should be sensitive to the character and quality of the area, respecting environmental and historic assets”

The proposed enormous, yellow brick, rectangular, flat roofed designs are not architecturally interesting, or of high quality. The proposed enormous, overbearing rear building does not respect the setting backing onto Greenbelt, nor are the flats sensitive to the surrounding single family homes and listed houses opposite in any aspect of their design.

Policy CS17 states new design should “maximise efficient use of urban land whilst responding to the positive features of individual locations, integrating sensitively within the locally distinctive townscape, landscape, and heritage assets, and protecting the amenities of those within the area”

The proposed flats at 16-18 do not attempt to integrate sensitively into the location in any aspect of their design, from choice of colour brickwork, shape and style of the buildings, maintaining the established built line or building dimensions.

The backland development, with accompanying overlooking and noise/light pollution does not protect the amenities of those residents within the area. The driveway (with its service bay directly adjacent to house 20), the carpark (behind the housing built line with exhaust fumes, light and noise pollution) and the proposed roof terraces (with impact on privacy, and more light and noise pollution) all do not protect the amenities of current residents either.

Maximising the efficient use of urban land should not confused with building the highest density possible, to the detriment of the quality of design and integrating sensitively within the location.

Appropriate, sensitive densification in this neighbourhood would not include backland development, flats or car parks behind the established housing line. Rather it would be several smaller or semi-detached houses or townhouses, that would meet the need for smaller, more affordable family homes in the area.

Once again, we would urge the council to be consistent with their original reaction of 8-14 Oatlands Drive, and reject this application.