

## **Objection from 72 Ember Farm Way, KT8 0BL July 2023**

This objection is in addition to our comments submitted in January 2023, which I have included for your convenience. All comments in our previous objection still stand. This additional set of comments refers to the revised plans submitted in June 2023.

As no significant changes have been made to the plans, we remain strongly opposed to the development.

The elevations, bulk and density of the buildings remains far too high in this sparsely populated area comprising mainly of two storey homes. Blocks A and C remain massively overbearing in the area, not only to homes in Orchard Lane and Ember Farm Way but also along the rivers and woodland area.

The revised plan show that building A has moved 3.2 metres, so is now 11 metres from our boundary. This change is not significant enough to make a difference to the extent of overlooking into our garden and rear rooms. Our privacy remains completely lost. Therefore, our outlook as shown in Figure 1 has not significantly changed to our first objection. The proposed development still clearly contravenes points DM2e and DM2b of the Local Plan.



Figure 1. The current outlook, and then with the proposed development, taken from the garden patio of 72 Ember Farm Way (see \* for methodology). The windows overlooking us in Blocks A and C are in open-plan dining/living areas. The images will not significantly change with the developers amended plans.

It is important to note that these buildings go as far as we can see either side of our property. We will also see the southern face of Block A, and this goes back 42.8 metres. The sense of enclosure will be immense and these buildings will dominate our property. At night, walls of lit windows will completely surround us.

We cannot find a plan of the fourth floor, so it is unclear if the occupiers of the flat on the south/east corner of block A have access to a roof terrace. If so, this will add to overlooking and our loss of privacy. **We would like the developer to clarify where the roof terraces on Block A are situated.**

The addition of angled oriel windows in block C worsens our situation. We will now also be overlooked by all residents on the first and second floors of Block A, as their line of sight is now directed at our patio and rear rooms. The developers' demonstrate this in their own plans seen in figure 2 below. We will no longer be able to enjoy our garden or sit at our dining table without being watched. These windows are the residents' only outlook. Moreover, the light pollution from windows of Block C will worsen with these revised plans. Block C is still only 6.9m from our boundary.



Figure 2. Diagram taken from the 'Design & Access Addendum'. This clearly shows the 'line of sight' for residents in Block C being directed towards our property and garden.

The removal of balconies from Block A is welcomed, but does not change the overlooking into homes and gardens of Ember Farm Way. Windows in main living areas remain overlooking directly into homes on Ember Farm Way. If these flats do get built, I struggle to think who would want to live in a flat whose only outlook is straight into somebody's home. The developer has only stated that the balconies for Block A have been removed, but **detailed drawings of the Eastern Elevation are missing from the plans, as is the street scene for Ember Farm Way** (which is discussed in my previous objection). This is strange as other elevations have been included.

The substation relocation to prevent damage to our tree roots is welcome, but I am dismayed to see that mature trees are being removed to accommodate it. This makes no sense to me and contravenes DM6 of the Local Plan. There is plenty of space to have the substation elsewhere, where trees and tree roots do not have to be removed, and neighbouring residents do not have to put up with the noise. These points also hold for ventilation grills and air pumps, which remain very close to our boundary and also the substation situated next to Block C and immediately behind our neighbours' garden.

A Basement Risk Assessment is still missing from the plans. Basements are known to cause subsidence of land, which in this case will be our garden and outbuildings (including our children's playhouse), but such risks are not mentioned anywhere in the application. This perplexes us, as the basement proposed is huge and surely carries many risks. Apart from a plan showing the basement layout, I cannot find any further details or discussion of the basement. The SUDS report includes one line '*Sub ground structures should be designed so they do not have an adverse effect on groundwater*'. We are no experts, but surely a huge basement on a floodplain should be discussed in more detail and will surely affect groundwater levels in the vicinity.

I am also alarmed that the large basement car park has not been considered in the Flood Risk Assessment. Seeing that the site sits within Flood Zones 2 and 3 and therefore carries a medium to high risk of flooding, we would think it is important to get an accurate flood risk assessment. To quote the Flood Risk Assessment: "*Groundwater flooding tends to occur sporadically in both location and time. When groundwater flooding does occur, it tends to mostly affect low-lying areas, below surface infrastructure and buildings (for example, tunnels, basements and car parks) underlain by permeable rocks (aquifers). **No below surface infrastructure and buildings are located or are proposed for the site.** The risk of flooding from groundwater flooding is considered to be not significant.*" This Flood Risk Assessment is surely invalidated by such a claim.

Moreover, Policy CS26 of the Elmbridge Borough Council Core Strategy states: "*Planning permission therefore will only be granted, or land allocated for development where it can be demonstrated that.....It would not constrain the natural function of the flood plain, either by impeding flood flow or reducing storage capacity.*" The large size of the basement car park surely reduces the storage capacity of the flood plain.

Our neighbours on Orchard Lane have already experienced sewage flooding, and this development will exacerbate the problem. Indeed, Thames Water have objected on the grounds that the site remains within 20 metres of a Sewage Pumping Station, meaning it is likely the building occupiers will be impacted by sewage flooding, odours and vibration and/or noise. I'm sure this warning will extend to all neighbouring properties seeing as we are so close and presumably use the same network. The Flood Risk Assessment identifies sewers located within the site and could cause flooding – which would tend to be confined to the streets around the development, therefore directly affecting Orchard Lane and Ember Farm Way.

The new road leading from Orchard Lane to the basement car park remains metres from our boundary. We will still experience light pollution (especially at night), and air and noise pollution from cars. As mentioned in my previous objection, there are currently only ever a few cars parked at the horticultural centre. We would have the movement of 110 cars with the development (if each car left the site once per day), not to mention visitors, deliveries, refuse collection trucks and staff cars.

On the subject of this new road, the revised 'Lighting Plan' shows a lamppost (street light) directly behind our garden. This will be visible from our rear rooms and will illuminate the immediate area beyond our garden. We currently have no light pollution in the immediate vicinity of our garden.

Our mature Silver Birch tree (Tree T18 on plans) has been singled out as being impacted due to hard surfacing in the 'Arboricultural Method Statement'. No trees in private gardens should be at risk by this development – they should be protected. The revised 'Tree Protection Plan' document explains that a no-dig area is to be put above our tree roots and a permeable surface should be used. We are, therefore, dismayed to see ventilation grills in this area on the amended plans. **We would like clarification from the developer on how they are going to vent air in a 'no dig' zone.** We would also want confirmation that permeable surfacing is to be put over the roots of T18, as set out in the 'Tree Protection Plan' to minimise harm to the tree. On this note, the original plan had air pumps located next to the sub-stations, but these have disappeared from the plans altogether. Are they not to be used anymore, or have they simply been renamed 'ventilation grills'. **We would like clarification on the workings of these ventilation grills, what they are venting and whether we will experience odour and noise in our garden.**

The removal of so many mature trees on site, and others put at risk, remains unacceptable in the current climate emergency. Furthermore, many of these trees would provide privacy screening for residents on Ember Farm Way. I am unclear how the net biodiversity of the site has suddenly increased to 20% (from a negative percentage in the previous application) with so few changes being made to the plans. Moreover, this development as a whole remains completely overbearing to the Green Belt land adjacent to the site, which, I understand, should be protected. It is disappointing that the green belt land, and many natural habitats, will need to be damaged or removed to move the water mains pipe.

There is still not enough parking provided on site. Four visitor spaces are clearly not sufficient for 74 apartments and will result in cars over spilling onto nearby roads that are already busy. The developer wrongly stated that visitors can park on the Imber Court Sports Club site, who, interestingly, have strongly denied an agreement exists. There is no mention of staff parking provision in the proposal. The extra traffic will make Orchard Lane unsafe for pedestrians – especially children and families who use Orchard Lane to access the Wilderness.

The developer states there will be a low take-up of parking spaces, comparing this site to their Mulberry Court site in Hampton Wick. I'd like to point out that Mulberry Court is a two-minute walk to the nearest train station and has even closer bus services (with buses every 10 minutes). The Molesey Venture Site has one unreliable hourly bus service and that is at least a ten-minute walk away – the developer is really clutching at straws with this comparison.

The developer continue to state that the buildings are in keeping with the local environment, but I fail to see any other buildings of this scale or density in the area. The buildings, and density of dwellings, are more in keeping with a town centre. I believe the density of dwellings for this development is 99 dwellings per hectare – far exceeding the local average. If this gets approved by the council it will set a new precedent for developments in the Thames Ditton and East Molesey area, changing their character and nature forever.

Finally, I know personal situations or value of homes are not considered, but we feel we have extenuating circumstances here. Put simply, it is not normal to have blocks of flats and a basement car park at the bottom of a garden so close to the boundary. Nor is it normal to be overlooked to such an extent. A house and garden is acceptable and what is considered to be the norm. Our house prices will suffer considerably. The developers say they have considered neighbouring properties and residents, but proof of this is sadly hard to find. No respect has been shown and this has been evident ever since the initial exhibition last summer. The threat of having these buildings and the associated construction work so close to our property is now affecting our mental health and ability to enjoy our home. Why should we suffer, both emotionally and financially, for the greed of the developer?

## Original objection – submitted January 2023

The proposed development site is to the rear of our property and we would share a boundary. Having looked through the planning application we have found numerous issues that clearly contravene Elmbridge Borough Council's Local Plan (2015). We therefore strongly object to the proposal.

The main buildings A and C of the proposed development will be only 7.8 and 6.9 metres respectively from our boundary. They will significantly overlook our garden and rooms at the back of our house (see figure 1). We would lose all privacy and these buildings would dominate our outlook. These issues contravene points DM2e and DM2b of the Local Plan. Block A will take sky during the day and we would lose the evening sun. Block C will block the sun from early afternoon in winter months. The proposed buildings are in complete contrast to what we have behind us at the moment – a single storey building with only roofs visible from the ground floor of our property (see figure 1). We are not currently overlooked at all.

The placement of balconies overlooking, and so close to, private residential gardens also goes against point DM2e of the Local Plan. Although the balconies are not directly above our property, residents on these balconies will be able to see into our garden.



Figure 1. The current outlook, and then with the proposed development, taken from the garden patio of 72 Ember Farm Way (see \* for methodology). The windows overlooking us in Block A are in open-plan dining/living areas.

The proposed development is on a scale and density like nothing else in the surrounding area, contravening point DM2b of the Local Plan. The elevations of the building are totally out of keeping with neighbouring properties and will look completely out of place on the outskirts of Cow Common and river walkways. Blocks A and C will tower over neighbouring houses, including ours. This is a clear case of overdevelopment – 74 apartments and a large underground car park on 0.75Ha of land in a reasonably lightly populated residential area. The aesthetics of the development are also out of keeping

with the local houses and woodland setting – it will be an eyesore from the banks of the river.

The street scene of Ember Farm Way will be changed significantly for the worse and dominated by Blocks A and C, but a street scene for Ember Farm Way is missing from the application. Instead, one has been provided for Orchard Lane, which would be largely unchanged by the development.

The basement car park will be only 1.6 metres from our boundary, garden outbuilding, mature silver birch tree and our children's playhouse. The proximity is unacceptable and causing us great anxiety. This large basement car park is also to be built within a floodplain. Basements have been widely recognised as a problem in terms of local flooding, groundwater flow and ground movement. There is no mention of these problems in the application, nor any form of risk assessment covering these aspects. A Basement Impact Statement has not been provided, which I believe is compulsory for many other Greater London boroughs.

There are currently only a few cars at most parked at the Horticultural Centre (currently behind our garden) in working hours only. The proposed new road leading to the underground car park will be located to the rear of our garden. If every car in the basement car park leaves once a day, we will have 110 cars travelling within metres of our boundary. At night headlights will be shining directly towards our rear windows. We will experience significant noise, light and air pollution from these cars, not to mention delivery vehicles and refuse lorries on bin collection days. Furthermore, the use of traffic lights on this road, to control movement of cars in and out of the car park, will mean we have cars idling at the rear of our garden, adding to the pollution.

The substations and air pumps are situated at the end of our garden, again only 1.6m from our boundary. These will cause noise and possible vibrations heard and felt on our property. The air pumps will cause air pollution. The substation is so large it is taller than our rear fence. The mature Silver Birch tree in our garden (named T18 on developers plans) has been identified to have its roots trimmed to accommodate the air pumps. We have had no prior communication about this and this will put our tree at risk. The removal of tree roots also contravenes point DM6e of the Local Plan. We question why the substations and air pumps have been placed so close to neighbouring residents premises, when there is plenty of other space on site to use for this purpose.

We will have significant light pollution from windows of both buildings A and C (as seen in figure 1). The Lighting Impact Assessment states that balconies will have external lights visible from my home – both the side and eastern façade of Block A. In addition to this, the plans within the indicative lighting strategy shows a streetlight has been put on the road at the rear of our garden. The light over-spills into our garden (as seen on the diagram) and there are another three streetlights in the car park beyond.

The close proximity of the buildings, substation, air pumps and basement car park to our boundary all go against point DM2b of the Local Plan, which specifies that the separation distances to plot boundaries should be taken into account.

Since the building of the Cala Homes development on Orchard Lane, residents have experienced many problems with their sewage drains, namely odour and an overflow of sewage. This proposed development will only add to these problems. The statement from Thames Water has not given me any confidence – they themselves say it is poor practice to build within 20m of a sewage pump.

Soil drainage tests were performed during a heatwave and draught (the hottest and driest summer for 40 years). I question if the tests need to be performed during a wet winter. We've lived here for over 10 years and regularly have waterlogged soil and poor drainage during wet weather.

The movement of the mains water pipe will result in damage to green belt land which has been untouched for many years. Many mature trees are to be removed for this purpose – this is unacceptable at a time when more trees should be planted, not removed. The removal of these mature trees, plus many more on the site, contravenes point DM6 of the Local Plan.

The construction and presence of this development, not to mention the removal of trees, will detrimentally affect the wildlife in the area. Our garden has regular visits from Herons and Lesser-spotted Woodpeckers. We also see bats flying over the area in the summer (I believe they live on site). After reading the bat survey I question its validity – it clearly states not all areas of the current buildings could be inspected due to Covid-19 and that another survey should be carried out. We hear Owls calling, particularly in winter months, which indicates they are close by. I also regularly see Kingfishers in the vicinity of the river adjacent with the Molesey Venture Site and priority woodland – Kingfishers are protected under schedule 1 of the Wildlife and Countryside Act 1981. This risk to, and loss of, wildlife goes against point DM21 of the Local Plan.

The visitor parking on the proposed site is insufficient, and does not meet point DM7 of the Local Plan. There will be daily visits from nurses, cleaners, family and friends, care providers and staff. Asking visitors to park on neighbouring roads is not good enough. It is already difficult to drive down Ember Farm Way and Orchard Lane due to parked cars. Orchard Lane is a small residential cul-de-sac that could not cope with more traffic. Furthermore, the Wilderness is a hive of activity, with dog walkers, fishermen and Molesey Juniors FC. Lots of families walk down Orchard Lane to access the Wilderness and Molesey Heath – the heavy traffic resulting from this development would sadly make the road unsafe for pedestrians.

A two-year build of this size will negatively affect our quality of life; two years of noise, dust and building traffic. The building site will be adjoining the gardens of Orchard Lane and Ember Farm Way properties. The construction



hours have been set as between 08.00 and 18.00 hours. I propose an earlier stoppage time so that neighbouring residents have some time to enjoy our homes.

The development shows a lack of consideration for elderly residents. The route through Cow Common and along the rivers to the shops on Walton Road is known to be muddy and slippery after wet weather - certainly not suitable for elderly residents to walk. Furthermore, the bus 514, which stops on Esher Road, is not an hourly service as stated in the application. The nearest bus stops for regular routes to Kingston or Walton are on Walton Road/Bridge Road or Embercourt Road. The residents will need to rely on cars or taxis to get around.

There has been no mention of additional GP surgeries or local infrastructure for a possible 148 residents moving to the area. At the moment it is difficult, near impossible, for current residents to see a GP, without this additional burden.

We also have concerns about the individuals who use the Horticultural Day Centre. The Centre is currently open (as of January 2023) and has daily visitors. There are no plans to move its location or provide alternative facilities for the local community. At a time when demand for Mental Health care provision is high, I question why such a facility is being closed down. Current vulnerable residents are being treated unfairly and are not being supported in finding new accommodation. I find this very distasteful and would like to know what role the charity, Sons of the Divine Providence, are taking on this.

\* With access to detailed plans and eastern elevations of the proposed development we used the spot height's available and mapped those positions with a professional drone. With a light-marker attached to the aircraft we flew various accurate courses at 19m to mark the top edge of the third storey – 18m to view from the eyeline of someone standing in one of the multitude of bedrooms and lounges. Finally moving west by 15 metres and up to 22m to mark the roof height and eastern edge. Multiple photographic images were captured with drones marker light visible and the developer's plan of the eastern elevations overlaid and perspectives corrected.