

Reference Sequential and Exception Test to support application 2022/3525 Molesey Venture site Nov 2023

Dear Jack,

I would like to request an independent review of the Molesey Venture site Sequential Test, similar to the review that was commissioned for application 2022/3796, 16-18 Oatlands Drive, Weybridge. The Sequential Test for the Molesey Venture site discounts alternative sites for this development however some of these sites have lower flood risk and fewer constraints and so are potentially more suitable for this development.

The Molesey Venture Site (US462) has 4 constraints identified in the Elmbridge Land Availability Assessment 2022: Flood Zone 2, M3 Contaminated Land Poly and Point - C21, Adjoins Flood Zone 3 and Green Belt to the rear of the site. The consultation process for application 2022/3525 has identified further constraints:-

- 1) The site is within 15 metres of a strategic sewer
- 2) The site is affected by wayleaves and easements within the boundary of or close to the site
- 3) The proposed development is located within 20m of a Thames Water Sewage Pumping Station.
- 4) There are water mains crossing or close to the development.
- 5) The nearest bus service is service 515 is approximately 800 metres from the site.
- 6) An area of Priority Woodland Habitat lies adjacent to the site.
- 7) There are roosting bats on site. A soprano pipistrelle bat roost within Building B2.
- 8) Although the site is not covered by any biodiversity designation, reports and comments on the application have highlighted significant trees, biodiversity and protected species on or around the site e.g. bats, kingfishers and reptiles e.g. grass snakes.
- 9) An objection from the Environment Agency that the FRA does not adequately assess the flood risks posed by the development.
- 10) River bordering the site requiring an 8m buffer zone

Sites discounted in the Sequential Test with lower flood risk

- 1) US475 Willow House, Mayfair House and Amberhurst House, 4B Claremont Lane Esher

Site US475 has been discounted. It is a potentially suitable alternative site developable in a 5 year time frame. This site has a lower flood risk and fewer constraints than US462.

- The site is in Flood Zone 1.
- Only two constraints were highlighted on the Land Availability Assessment 2022: Rythe catchment and TPOs.
- Elmbridge Land Availability Assessment 2022 commented that there were no major constraints that would prevent redevelopment of the site.
- The planning application (2019/3119) showed:
  - A low biodiversity impact from development. For example, no bat roosts were found on site and the likelihood of other protected or notable species was considered negligible. The site isn't surrounded by Green Belt.
  - There are trees with TPOs on the site however this could be managed through location of development and planning can override TPO legislation.
  - The site is in a sustainable location; only 500m from Esher Town Centre. Only minor pedestrian crossing and bus shelter improvements were suggested by highways.
  - No objection from the Environment Agency.

- 2) WOT4 (US326) 9-12a High Street, Walton on Thames

This site has been rejected because of a previous planning application for a mixed use development (2018/1683). US326 is in Flood Zone 1. It also has fewer constraints and therefore is a suitable site. The Elmbridge Land Availability

Assessment identified the site as suitable for residential development and that the constraints and the reason for refusal could be overcome with further design work and justification of parking level. In Elmbridge there are examples of retirement properties in commercial areas for example Campbell House, Queens Road, Weybridge and the Homebase site in Walton on Thames (2020/0832).

There are other potential sites of a similar size in Flood Zone 1 that have not been assessed in the Sequential Test:

- US279 30 Esher Place, 30 Esher Place Avenue
- US127 30 Copsem Lane, Esher
- US379 Hersham Shopping Centre, Hersham
- US395 Weybridge Hospital, Church Street Weybridge

It is nearly 2 years since the 2022 Land Availability Assessment was commissioned, it is therefore likely some of the land available in the 6-10 year timeframe would also be potentially available and suitable.

An independent review of the Sequential Test for the Molesey Venture site would confirm whether it has been sufficiently argued that there are no suitable alternative sites for the development and whether Sequential test has been passed.

Kind Regards,

Katherine Le Clerc