

Our reference: COM620195324

Application number: 2023/2860

Application address: Land at 12 and Land West of 10 to 26 Claygate Lane Esher Surrey KT10 0AQ

Name: Mr levins

Address: 21 Cumberland Drive, Esher, Surrey, KT10 0BG

Comment type: You object to the planning application

Date of comment: 04 Jun 2024

Comment: Access

I note with interest the recent letter from Joint Waste Solutions dated 3rd June 2024 and I quote “ Our previous comments remain. The access needs to meet our minimum requirement of 4m wide which it currently does not.”

Given the narrow road I would also like to request that Surrey Fire Service is also consulted about their view on access requirements.

Report by Cherryfield Ecology on Biodiversity Net Gain (BNG) / Biodiversity Impact Assessment (BIA).

It appears that the developer is treating the new BNG rules as simply an additional cost on development, and their aim here seems to be to minimise the amount they will have to pay. In short, they conclude that 10% BNG is not achievable on site, so off site compensation will be necessary, consisting of 1.95 habitat units (scrub and trees).

However, the new 10% BNG rules do not even apply to this application, given that it was submitted and validated before the introduction of the new requirements. It is therefore not clear why the developer is proposing this.

They have still not provided the original Ecological Appraisal conducted by Cherryfield Ecology back in 2022, which has been referenced again here.

In addition. I also have several observations about the report, as follows:

- It states "the only habitats to be retained are five trees" - protected by a TPO - this omits a sixth tree protected by a TPO. It also contradicts the Tree Protection Plan supplied with the Arboricultural Report which shows many more trees and shrubs are to be retained.
- It references a "separate Excel sheet for full condition assessments" - this has not been provided and so the report cannot be properly evaluated.
- It counts the majority of trees as 'linear habitat' rather than 'area habitat'. These are then offset by proposed new 'species-rich native hedgerow' on site. Because linear units and area units are evaluated separately, this reduces the amount of area units that need to be offset - this saves the

developer £30k+ on that alone. Furthermore, if the trees had been counted as 'individual trees' they would be given a much higher biodiversity score. As linear units, a 'line of trees' scores less than a 'species-rich native hedgerow'. However, the user guide for the Statutory Biodiversity Metric 4.0 makes clear that the 'line of trees' classification is for rural trees only. To quote,

o "Use the broad habitat type 'Individual trees' to record:
individual rural trees
individual urban trees
lines, blocks or groups of trees found within and around the perimeter of urban land".

- By evaluating the majority of trees on the site as 'line of trees', the report is not compliant with the Statutory Biodiversity Metric 4.0.

- The report does not respect the mitigation hierarchy - no attempt has been made to avoid or minimise adverse effects on biodiversity. Five (out of six!) TPO trees are proposed to be retained only, and that is for reasons other than biodiversity. What about all the trees and shrubs that were to be retained?

- In addition, the cramped site does not allow for much of the 'species-rich native hedgerow' to be planted.

All this leaves aside the question of whether any of the trees should be classed as 'veteran' meaning they are irreplaceable, and whether 'bramble scrub' is the right classification for most of the site. It is worth bearing in mind that the owners deliberately cut down a vast number of trees about two years ago to contribute to much of the 'bramble scrub' they refer to.

As yet, no proper landscaping proposal has been provided and given the contradiction between the various documents in the submission (the Cherryfield Report, the site plan, and the Arboricultural Report all propose different things) it is anyone's guess what will actually be planted and where.

It is clear that this site is not suitable for development and the application should be rejected.