

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

**APPEAL AGAINST EPSOM AND EWELL
BOROUGH COUNCIL TO REFUSE OUTLINE
PLANNING PERMISSION FOR:**

The Outline application for up to 110 dwellings
including affordable homes (all matters
reserved except access from Langley Vale
Road)

July 2026

**Statement of Common Ground
On Landscape, Visual and Character matters**

**Agreed between the Appellant and Epsom and
Ewell Borough Council**

PINS Ref: 6006971

LPA Ref: 25/00846/OUT

Contents

- 1.0 Introduction**
- 2.0 The Site**
- 3.0 Agreed Matters**
- 4.0 Matters not agreed between the Appellant and Epsom and Ewell Borough Council**

1.0 Introduction

1.1 This Statement of Common Ground (SoCG) relates to landscape matters and should be read in conjunction with the planning SOCG.

1.2 This Statement of Common Ground accompanies the planning appeal made by Fairfax Aspire Limited., against the refusal of a planning application by Epsom and Ewell Borough Council (25/00846/OUT) on Land of Langley Vale Road for:

“The Outline application for up to 110 dwellings including affordable homes (all matters reserved except access from Langley Vale Road).”

1.3 The planning application was reported to the Council’s Planning Committee on 26 Feb 2026. The Officers Report (CD 3.2) recommended approval of the application. This Statement of Common Ground only deals with landscape and visual matters thus lists below the associated reason for refusal:

‘3. Harm to the Landscape Character of the Area

The proposal will have an unacceptable visual impact on the landscape setting of the Area of Landscape Value and of the wider landscape character of the countryside and Green Belt, contrary to Sections 13 and 15 of the National Planning Policy Framework 2024, Policy CS5 of the Core Strategy 2007 and Policy DM9, DM10 of the Development Management Policies Document 2015.’

Planning Appeal Documentation

1.4 The Planning SoCG lists all pertinent drawings, documents and supplementary correspondence that formed the basis of the Council’s refusal of planning permission at its para 3.8.

2.0 The Site

- 2.1 The site and its context are described within the Officer Report (CD3.2), the Landscape and Visual Impact Assessment (LVIA) (CD 1.7), the Design and Access Statement (DAS), (CD 1.6), and the Landscape Design Statement (CD 1.8).
- 2.2 The site and its context are an urban edge landscape. To the immediate north, northeast is the residential area of Langley Vale. To the south, southwest lies a residential development currently under construction for 20 new residential units that was allowed at appeal (Ref: APP/P3610/21/3280881). The wider landscape is undulating downland, sloping landform, in part open, large scale, relatively exposed fields and in part irregular shaped blocks of woodland.

Landscape Character Area

- 2.3 At the National level the site and its context sit within National Character Area (NCA 119) The North Downs. It is a national character area which includes both natural and human influence on the landscape. Agrarian landscape, towns, villages, and isolated farmsteads.
- 2.4 At the County/ Borough level the Site and its context lie within Character Area UE3: Epsom Downs landscape types are shown in the plan below.
- 2.5 The Site, nor its local context are covered by any national landscape designations; it is not National Park nor a National Landscape. Neither is the Site in the setting of such a designation.

3.0 Agreed Matters

Matters of Methodology

- 3.1 It is agreed that the Landscape and Visual Impact Assessment (CD 1.7) is based on the guidance contained in ‘*Guidelines for Landscape and Visual Impact Assessment*’, 2013 published by the Landscape Institute and IEMA.

Landscape

- 3.2 The Site does not contain any trees that are the subject of a Tree Preservation Order. The Council’s Tree Officer raises no objection to the proposals.
- 3.3 In relation to landscape receptors the following values, susceptibility and sensitivity are agreed.

Landscape Character Receptors						
Receptor	Value (Appellant)	Value (Council)	Susceptibility (Appellant)	Susceptibility (Council)	Sensitivity (Appellant)	Sensitivity (Council)
Published Landscape Character Receptor						
County Character Area UE3 Epsom Downs	Medium	Medium	Medium	Medium	Medium	Medium
Contextual Landscape Receptor						
Langley Vale Centenary Woodland and its setting	Medium	Medium	Medium	Medium	Medium	Medium
Site Specific						
Land Use	Low	Not assessed	Medium	Not assessed	Medium- Low	Not assessed
Vegetation	Medium	Not assessed	Low	Not assessed	Medium- Low	Not assessed
Landform and Drainage	Medium	Not assessed	Medium	Not assessed	Medium	Not assessed
Site setting and overall character	Medium	Not assessed	Medium	Not assessed	Medium	Not assessed

Table A: Landscape Character Receptors

Visual

- 3.4 The Appellant considers the Zone of Theoretical Visibility (ZTV) of the Site is limited due to the combination of, undulating topography, adjacent built form and mature vegetation which visually separate the site from its wider context. The Council has not seen this ZTV.

3.5 In relation to visual receptors the following sensitivities are agreed by each party respectively.

Visual Receptors		
Receptor	Sensitivity (Appellant)	Sensitivity (Council)
Transient from Langley Vale Road	Medium-Low	Medium-low
Residential receptors Overlooking the Site along Langley Vale's southern edge	Medium- High	Not assessed
Transient from Bridleway 146	Medium- High	Medium-high
Transient from Bridleway 33 and Footpath 32	Medium- High	Medium-high
Transient from Bridleway 127	Medium- High	Not assessed
Visitors of Langley Vale Centenary Wood	Medium- High	Medium-high

Table B: Visual Receptors

Design Matters

3.7 It is stated in the OR (CD 3.2):

- i. 13.10 The provision of open space in excess of policy requirements is a benefit of the scheme to be weighed in the planning balance.
- ii. 13.22 Officers are satisfied that the play provision outlined within the proposed development would meet policy requirements and details of the proposed play equipment could be secured as part of any future reserved matters in the event outline permission is granted.
- iii. 14.2 The proposal would have a density of 20dph, which is entirely acceptable in terms of policy and the context of the adjoining Langley Vale Village, which is approximately 14dph.
- iv. 16.6 Officers are satisfied that the illustrative masterplan demonstrates that a well-designed and high-quality residential scheme that responds well to the site's constraints and provides landscaped buffers to the sensitive boundaries can be accommodated on the site.

- v. 17.4 However, the supporting perimeter [sic] plan demonstrates that the site could accommodate the quantum of development proposed without leading to unacceptable degrees of overlooking, loss of daylight or be overbearing, as there does not appear to be any obvious amenity issues that could not be overcome by way of good design, including sensitive orientation of windows to avoid a harmful degree of overlooking within the site and relative to neighbouring properties.

Landscape and Visual Effects

- 3.8 In relation to the residual effects of the scheme, effects by year 15, the following tables are agreed by each party respectively.

Landscape Receptor	Magnitude of Effect (year 1/ year 15) (Appellant)	Magnitude of Effect (year 1 to year 15) (Council)	Residual Effect (year 15) (Appellant)	Residual Effect (Council)
Published Landscape Character Receptor				
County Character Area UE3 Epsom Downs	Low	1-medium 15 medium	Negligible	1-moderate adverse 15 moderate adverse
Contextual Landscape Receptor				
Langley Vale Centenary Woodland and its setting	Low	1 medium 15 low	Minor adverse	1 moderate adverse 15 minor adverse
Site Specific				
Land Use	High to medium	Not assessed	Minor adverse	Not assessed
Vegetation	Low to medium	Not assessed	Moderate beneficial	Not assessed
Landform and Drainage	Low	Not assessed	Minor adverse	Not assessed
Site setting and overall character	High medium- medium	Not assessed	Minor adverse	Not assessed

Table C: Landscape Effects

Visual Receptor	Magnitude of Effect Year 1 to Year 15 (Appellant)	Magnitude of Effect Year 1 to Year 15 (Council)	Residual Effect (Appellant)	Residual Effect (Council)
Transient from Langley Vale Road – to include Viewpoint1 and 11	Medium	Year 1 High Year 15 High	Minor adverse	1 Major Adverse 15 Major Adverse
Residential Receptors overlooking the Site along Langley Vale's southern edge	Medium to high	Not assessed	Moderate adverse	Not assessed
Transient from Bridleway 146 – To include Viewpoint 2, 3, 12 and 13	Medium	Year 1 High Year 15 High	Minor - moderate adverse	1 Major Adverse 15 Major Adverse
Transient from Bridleway 33 and Footpath 32 – To include Viewpoints 4, 5 6, 7 and 8	Medium	Year 1 High Year15 Moderate	Minor adverse	1Major-Adverse 15 Moderate-Adverse
Transient from Bridleway 127 – To include Viewpoints 9 and 10	Medium	Not assessed	Minor adverse	Not assessed
Visitors to Langley Vale Centenary Woodland – To include Viewpoint 14, 15 and 16	Medium	Year 1 High Year 15 Medium	Minor adverse	1 Moderate Adverse 15 Minor Adverse

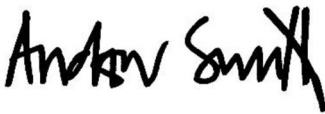
Table D: Visual Effects

4.0 Matters Not Agreed between All Parties

- 4.1 The Council are not in agreement that the photographs within the Appellants LVIA comply with Type 1 Photographs as set out within Landscape Institute Technical Guidance Note – TGN 06/19.
- 4.2 The Council are not in agreement that Type 3 Photographs as set out within Landscape Institute Technical Guidance Note – TGN 06/19. – Photomontage / Wireframe for Viewpoints or Visual Receptors have been supplied to the Council.
- 4.3 The Council are not in agreement with the mitigation measures in relation to landscape and visual harm.
- 4.4 The Council does not feel that viewpoint receptors have been assessed for harm.
- 4.5 The Council are of the view that there is insufficient land to the western edge of the Site to accommodate sufficient mitigation for landscape and visual harm.

This Statement of Common Ground has been agreed by:

Epsom and Ewell Borough Council	
Signed:	
Name:	Mr. Graeme Drummond
Dated:	14 August 2026

fabrik (on behalf of Fairfax Aspire Limited)	
Signed:	
Name:	Mr Andrew J Smith
Dated:	14 August 2026