



Land to the North of Langley Bottom Farm, Epsom

Planning Statement

Boyer

Prepared on behalf of Fairfax Aspire Ltd | July 25

REPORT CONTROL

Project:	Land to the North of Langley Bottom Farm, Epsom
Client:	Fairfax Aspire Ltd
Reference:	22.5032
Document and revision number	Document No. IMS-F-18, Revision 3
File Origin:	C:\Users\bpope\lrg.co.uk\Boyer - 22.5032 - Land parcel at Langley Bottom Farm\4. Boyer Planning\4.02 Reports\5.0 Outline Application (2024)\(2) Planning Application\5 Draft Documents\1 Boyer Docs
Primary Author	GE
Checked By:	BP

Issue	Date	Status	Checked by
1	04.07.25	DRAFT	BP
2	10.07.25	FINAL	BP

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1. INTRODUCTION

- 1.1 This Planning Statement is prepared in support of an outline planning application submitted on behalf of Fairfax Aspire Ltd (the “Applicant”) at Land to the North of Langley Bottom Farm, Epsom (the “Site”). The Description of Development is as follows:

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

- 1.2 The proposal includes the delivery of 55 market homes and 55 affordable homes (50%), a significant benefit to the Council's housing provision.

- 1.3 The Statement is structured as follows:

- Section 2 – describes the Site and surrounding context;
- Section 3 – provides details of the proposal;
- Section 4 – provides an overview of the pre-application response;
- Section 5 – provides an overview of relevant planning policy and guidance;
- Section 6 – provides a summary of the technical assessments undertaken;
- Section 7 – provides the assessment as to whether the Site qualifies as Grey Belt;
- Section 8 – sets out the benefits and harms of the proposal;
- Section 9 – provides an assessment on the planning balance; and
- Section 10 – sets out the applicants draft s106 heads of terms.

- 1.4 The application is supported by several technical reports listed below:

- Application Form (prepared by Boyer);
- Cover Letter (prepared by Boyer);
- Planning Statement (prepared by Boyer);
- Community Infrastructure Levy (CIL) Form (prepared by Boyer);
- Affordable Housing Needs Assessment (prepared by Boyer);
- Design & Access Statement (prepared by Paul Hewett Architects);
- Landscape & Visual Impact Assessment (prepared by Fabrik);
- Landscape Design Statement (including Landscape Masterplan (prepared by Fabrik);
- Green Belt Assessment (prepared by Fabrik);
- Transport Assessment (prepared by i-Transport);

- Framework Travel Plan (prepared by i-Transport);
- Ecological Impact Assessment (prepared by Ecology Co-Op);
- Biodiversity Impact Calculation (prepared by Ecology Co-Op);
- Heritage Statement (prepared by Archaeology South-East);
- Archaeology Assessment (prepared by Archaeology South-East);
- Agricultural Land Classification Report (prepared by Kernon Countryside Consultants);
- Arboricultural Impact Assessment (prepared by Arbortrack);
- Energy & Sustainability Assessment (prepared by Pinnacle-esp);
- Geo-Environmental Desk Study (prepared by Aqua Terra);
- Flooding Risk Assessment (FRA) & Drainage Strategy (prepared by Aqua Terra); and
- Statement of Community Involvement (prepared by Fairthorn).

1.5 The submitted drawings for approval are as follows:

- Site Location Plan (2503/PL.01);
- Parameters Plan (2503/PL.03); and
- Proposed Access Arrangements Plan (ITB200788-GA-002D).

1.6 This Statement considers the planning merits of the proposal having regard to the development plan policy and other material considerations, and places it in the context of the Borough that has a severe lack of housing supply.

1.7 Against this context, this Statement demonstrates why planning permission should be granted for the proposed development.

2. THE SITE

Site Description

- 2.1 The Site comprises an area of approximately 5.21ha and is located immediately adjacent to the residential area of Langley Vale on its north-eastern boundary. The Site comprises open fields and is located within the Green Belt and Area of Landscape Value (ALV). Access is currently provided via Ebbisham Lane, close to the junction with Langley Vale Road.
- 2.2 The Site is not located within a Conservation Area, nor are there any listed buildings on site. However, an area of Ancient Woodland known as 'The Warren' is located to the south-east corner and there is a length of wall on the western edge of 'The Warren' that is a Grade II Listed structure.
- 2.3 The Site sits on the western side of the slope; extending down to the valley floor. The fall is significant along the face of the slope with a change in level that varies between circa 16m-24m as the land falls away from the existing housing at Langley Vale. There is little vegetation within the Site, although there are a few boundary trees and areas of shrubs on the northeastern boundary and an area of woodland on the eastern side of the Site.
- 2.4 The Site lies within walking distance of the built-up area of Langley Vale, which contains several facilities and amenities, including a primary school and local garage. Additionally, the site is in close proximity to bus stops within Langley Vale, which are served by bus services E5 and school service 618. Furthermore, three mainline railway stations are located within 5km of the site (Epsom, Epsom Downs and Tattenham Corner) providing regular rail services to London and access to destinations further afield.
- 2.5 The Site lies within Flood Zone 1, meaning that the site has a low risk of flooding, however there are limited areas at risk of surface water flooding.

Planning Background

Planning History

- 2.6 There is no relevant planning history relating to the Site. However, it is relevant to note that planning permission was granted at appeal (APP/P3610/W/21/3280881) for 20 residential dwellings, of which eight (40%) would be affordable on the land adjacent to this Site (to the south); also situated within the Green Belt.
- 2.7 Within the appeal decision the Inspector concluded that there were very special circumstances (VSCs) that existed to amount to the VSCs necessary to justify development in the Green Belt and there was no clear Green Belt reason for refusing the development.

Previous Consultations

- 2.8 By way of background, the Site was submitted through the previous 'Call for Sites' consultation in March 2022. The Site has been assessed within the Epsom and Ewell Land Availability Assessment (LAA) (2022) & within the Council's Green Belt Assessments.

- 2.9 The reference for the Site is 'WOO020' and considers a capacity of 100 homes on the site which is available and deliverable. In terms of suitability, the LAA states "*the site is in the GB, exceptional circumstances would need to be demonstrated for the site to be considered suitable.*"

3. PROPOSED DEVELOPMENT

- 3.1 The proposed development seeks to provide up to 110 new homes within a landscape-led layout. The application is in outline with all matters reserved, save for access. Notwithstanding this, an 'Illustrative Masterplan' has been prepared which is included within the Design & Access Statement.
- 3.2 A new access is proposed off Langley Vale Road, extending along the western boundary of the Site, splitting into several tertiary roads serving the proposed development parcels. It is also proposed to provide a footpath link to the south of the site, providing a link to the existing Public Right of Way (PRoW) network.
- 3.3 In summary, the proposals comprise the following elements which deliver several benefits, namely:
- The delivery of up to 110 new homes, on a site which is both available and deliverable now, which will make an immediate, significant and valuable contribution to the supply of housing in the borough;
 - Provision of 55 affordable homes (50%) in a mix of rented and shared ownership;
 - Ability to provide significant level of high-quality public open space throughout the Site and providing an enhanced connectivity for existing and future residents by connecting in with the existing PROW/Bridleway network;
 - Provision of a sensitively designed scheme that is both attractive and sustainable, which will act as a natural extension to the residential area of Langley Vale;
 - Ability to provide a Biodiversity Net Gain (BNG) in excess of 10% in line with the Environment Bill; and
 - Provision of economic benefits in relation to construction of the Site and longer-term local spending and jobs.
- 3.4 Further information on the proposed scheme and overall design approach is set out within the supporting Design & Access Statement.

4. PRE-APPLICATION RESPONSE

- 4.1 In accordance with best practice, pre-application discussions have taken place with Epsom & Ewell Borough Council (EEBC).
- 4.2 A request for pre-application advice (ref. 25/00195/PREAPP) was submitted to the Council on 13th February 2025 to ascertain the acceptability of the development of up to 130 new homes (50% affordable). Following a meeting with Council Officers on 13th March 2025, the pre-application written response was received on the 2nd May 2025.
- 4.3 In the first instance, the pre-application response provides a summary of comments as follows:
- “There is merit in the principle of residential development on the site, but the proposal requires further consideration with respect to the following aspects:*
- *Robustly demonstrate that the proposal would not result in the loss of best and most versatile agricultural land; and*
 - *Robustly demonstrate that the site is within a sustainable location, taking account of paragraphs 110 and 115 of the NPPF, in order to comply with criterion (c) of paragraph 155 of the NPPF”*
- 4.4 Regarding the first point, the response states *“the Agricultural Land Classification Map (DEFRA) suggests that the agricultural land is of good to moderate value and the Predictive Land Assessment (DEFRA) suggests that there is a moderate likelihood of best and most versatile agricultural land in area.”*
- 4.5 In response, an Agricultural Land Assessment has therefore been undertaken and accompanies this application. This concludes *“the land has been classified as comprising 2.6 ha (49%) of Subgrade 3a, 2.6 ha (49%) Subgrade 3b and 0.1 ha (2%) Non-agricultural land. Therefore, the Site contains some best and most versatile agricultural land. However, this is split into two different patches of land with poorer quality land between. In practical terms the better-quality land cannot be farmed differently to the poorer quality land.”* Our response regarding the second bullet point is covered below when addressing Grey Belt.
- 4.6 In relation to the presumption in favour of sustainable development, the response acknowledges that the Council does not have an up-to-date development plan on account of not being able to demonstrate a five-year supply of housing. The response indicates the Council can only demonstrate between 2.1 – 2.18 years supply at present. In turn paragraph 11(d) is engaged meaning planning permission must be granted unless it can be demonstrated that any adverse impacts would significantly and demonstrably outweigh the benefits.
- 4.7 The response also covers whether the Site would qualify as Grey Belt land. Regarding the sites contribution to the relevant Green Belt purposes when establishing whether a site meets the Grey Belt tests, the response states, *“as Langley Vale is a village, the site cannot strongly contribute to Green Belt purposes (a), (b) or (d) and falls under the definition of Grey Belt land as set out in the NPPF.”*

- 4.8 The response also assesses whether the proposal would meet the four tests (a to d) as set out in paragraph 155 of the NPPF. Regarding (a), the response states *“Epsom and Ewell Borough Council’s Green Belt encompasses roughly 42% of the Borough’s land. Although the proposed scheme would cause some harm to openness and impact on Green Belt purpose (c) regarding assisting in safeguarding the countryside from encroachment, this would not fundamentally undermine the ability of the remaining Green Belt land across the area of the plans from meeting all five of the Green Belt purposes in a meaningful way. The proposal would therefore meet criterion (a) of paragraph 155 of the NPPF.”*
- 4.9 Regarding (b), the response states *“the Council cannot demonstrate a five-year supply of housing, with the Council’s Annual Monitoring Report concluding a housing land supply equivalent to about 2.2 years, demonstrating a significant shortfall in future supply. Consequently, for the purposes of criterion (b) paragraph 155, there is a demonstrable unmet need for the type of development proposed.”*
- 4.10 Regarding (c), the response states *“any formal planning application of this nature pursued would therefore need to be supported by a Transport Statement that contains a robust assessment of the of local and surrounding services and facilities, along with the availability public transport services, walking and cycling capacity, as well as identifying meaningful opportunities to deliver sustainable transport measures that limit the need to travel by private car and offer a genuine choice of transport modes, in order to therefore satisfy criterion (c) of Framework paragraph 155 of the NPPF.”*
- 4.11 In response to this, a Transport Statement has been prepared and accompanies this planning application. Furthermore, the sustainability of the site is covered below at pages 24-26 of this Statement.
- 4.12 The response states that the ‘Golden Rules’ (NPPF paragraph 156) will need to be satisfied for the Site to be considered as Grey Belt.

5. PLANNING POLICY CONTEXT

- 5.1 This chapter assesses the development proposals against the relevant development plan policy and other material considerations.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act advises that planning applications should be determined in accordance with development plan policy unless material considerations indicate otherwise.
- 5.3 The Development Plan for Epsom & Ewell Borough Council (EEBC) comprises:
- Core Strategy (2007); and
 - Development Management Document (DMD) (2015).
- 5.4 EEBC is in the process of developing its emerging Local Plan, which was submitted for examination on 10th March 2025. An Inspector was appointed on 1st April 2025, and the timetable for the examination is expected to be made available in due course.
- 5.5 The Council's Regulation 19 consultation version stated it was seeking to deliver 4,914 homes across the plan period (18 years) equating to 273 dpa. This equates to 48% of the Council's former standard methodology figure (10,242 homes at 569 dpa) and only 31% of the Council's revised standard methodology figure (16,002 homes at 889 dpa).
- 5.6 Although the NPPF (December 2024) does not alter the statutory status of the development plan, national policy is a material consideration in the determination of this planning application.

Development Plan Policies

Core Strategy (2007)

- 5.7 Relevant policies within the Core Strategy include:
- Policy CS1 – Strategic Approach;
 - Policy CS2 – Green Belt;
 - Policy CS3 – Biodiversity & Designated Nature Conservation Areas;
 - Policy CS4 – Open Spaces & Green Infrastructure;
 - Policy CS5 – Heritage Assets;
 - Policy CS6 – Sustainability;
 - Policy CS7 – Housing Provision;
 - Policy CS9 – Affordable Housing & Meeting Housing Needs;
 - Policy CS12 – Developer Contributions to Community Infrastructure; and
 - Policy CS16 – Transport.

Development Management Document (DMD) (2015)

5.8 Relevant policies within the DMD include:

- DM1: Extent of the Green Belt;
- DM4: Biodiversity & New Development;
- DM5: Trees & Landscape;
- DM6: Open Space Provision;
- DM7: Footpath, Cycle & Bridleway Network;
- DM8: Heritage Assets;
- DM11: Housing Density;
- DM17: Contaminated Land;
- DM19: Development & Flood Risk;
- DM35: Transport & New Development;
- DM36: Sustainable Transport for New Development; and
- DM37: Parking Standards.

Material Considerations*National Planning Policy Framework (2024)*

- 5.9 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It forms part of the overall framework of national planning policy and is a material consideration in decisions on planning applications. The NPPF aims to achieve sustainable development with paragraph 8 stating that there are three dimensions to sustainable development: economic, social and environmental.
- 5.10 Paragraph 11 states that LPAs should apply a presumption in favour of sustainable development which means that, where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless any adverse impact of doing so would significantly outweigh the benefits. Footnote 7 states that this presumption does not apply in certain areas including within the Green Belt.
- 5.11 In respect to housing, paragraph 61 sets out that to support the Government's objective of significantly boosting the supply of homes; it is important that a sufficient amount and variety of land can come forward where it is needed.
- 5.12 To significantly boost the supply of housing, Local Planning Authorities should in accordance with paragraph 78:

"Identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old..."

5.13 Section 9 of the NPPF deals with 'Promoting Sustainable Transport'. Paragraph 109 stating:

"Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

- (a) making transport considerations an important part of early engagement with local communities;*
- (b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;*
- (c) understanding and addressing the potential impacts of development on transport networks;*
- (d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated;*
- (e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and*
- (f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains."*

5.14 Paragraph 110 emphasises the need for significant developments to be situated within sustainable locations, stating:

"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan making and decision making."

5.15 Paragraph 115 states that when assessing proposals, it should be ensured that:

"Sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

- safe and suitable access to the site can be achieved for all users;*

- *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and*
 - *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.”*
- 5.16 Paragraph 131 sets out that the creation of high-quality buildings and places is fundamental, and good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.17 Paragraph 135 states that planning decisions should ensure developments are:
- *“(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - *(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - *(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - *(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - *(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - *(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*
- 5.18 Paragraph 136 states *“trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”*
- 5.19 Chapter 13 relates to Green Belt land. Paragraph 143 sets out the five green belt purposes:

- (a) to check unrestricted sprawl of large built-up areas;
 - (b) prevent neighbouring towns merging into one another;
 - (c) assist in safeguarding the countryside from encroachment;
 - (d) preserve the setting and special character of historic towns; and
 - (e) assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.20 Paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 also requires substantial weight to be given to any harm to the Green Belt and confirms that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.21 The NPPF defines 'Grey Belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.
- 5.22 Additionally, paragraphs 155-157 set out that the following contributions should be made where development is taking place on land which has been released from Green Belt or on sites in the Green Belt permitted through development management:
- (a) affordable housing (in this case at 50%);
 - (b) necessary improvements to local or national infrastructure; and
 - (c) the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.
- 5.23 Paragraph 158 states that a development which complies with the Golden Rules set out above should be given significant weight.
- 5.24 Paragraph 181 states *"when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*
- *(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*

- *(b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- *(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- *(d) any residual risk can be safely managed; and*
- *(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

5.25 Chapter 15 is concerned with conserving and enhancing the natural environment. Paragraph 187 states *“planning policies and decisions should contribute to and enhance the natural and local environment by [...] (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs”*

5.26 The approach to dealing with biodiversity in the context of planning applications is set out at paragraph 193:

“When determining planning applications, local planning authorities should apply the following principles:

- *(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused*
- *(b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- *(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and*
- *(d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

5.27 Chapter 16 of the NPPF relates to ‘Conserving and Enhancing the Historic Environment’. Specifically, paragraph 205 states:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Standard Methodology & Housing Land Supply

- 5.28 The updated NPPF (2024) has reinstated the need for Council's to demonstrate a minimum of five years' worth of housing and has removed the ability for Council's to only illustrate a four-year housing supply, as set out in paragraph 76.
- 5.29 At present, the Council is unable to demonstrate a five-year supply of housing. As per the pre-application response, the Council states it can only demonstrate a 2.1-2.18-year supply of housing, as per the 2023/2024 Authority Monitoring Report. However, an appeal (Ref. APP/P3610/W/23/3326613) from May 2024, indicates the Council could only demonstrate a 1.56-year supply. The housing supply position is reiterated in the latest Housing Delivery Test (HDT) (2023) score, published in December 2023, of 38%.
- 5.30 The new standard methodology has now been introduced to identify local housing need, with proposed footnote 43 of the NPPF stating *“Where local housing need is used as the basis for assessing whether a five-year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance”*.
- 5.31 This standard methodology represents a new 'Stock Based' approach. As a result of the revised method most LPA's have seen their housing need figures increase. Regarding EEBC, the updated method has led to the annual housing requirement increasing from 569 homes to 889 homes, an increase of approximately 56%.

6. TECHNICAL ASSESSMENT

- 6.1 This section assesses the proposal against each of the technical matters to establish any adverse impacts of the development.

Green Belt

- 6.2 To support this application, a Green Belt Assessment (GBA) has been prepared by Fabrik. This assesses the proposals likely level of harm against the Green Belt purposes.
- 6.3 Table 5.1 within the GBA sets out Fabrik's assessment of the Site and its strategic contribution to the first four purposes of the Green Belt in its local context. Purpose (e) is not assessed as the Site is not brown field. The assessment concludes that the Site does not perform strongly against the relevant Green Belt purposes (a), (b), (c) and (d). This aligns with Epsom and Ewell's 2024 Study findings – where the Site scores 5 out of a possible score of 9, demonstrating that in the Council's view it generally makes a lower contribution to the Green Belt purposes than other parcels. It is therefore considered that overall, aside from the definitional harm caused by development in the Green Belt (which, as we address later, does not arise unless the development is inappropriate) the level of harm to the purposes of including land within the Green Belt is limited.
- 6.4 Regarding 'Openness' the GBA notes that as a result of the prevailing topographical and vegetated context, the Site represents a relatively discrete parcel of land within the wider Green Belt context. The GBA states that in terms of visual openness, rather than being a high functioning extensive part of the Green Belt which contributes highly towards the main function of keeping land 'permanently open', the Site, small in scale is enclosed by rising landform and woodland, influenced by existing adjacent residential built form and urbanising elements. The Site is seen by relatively few receptors in close proximity to it. Furthermore, in terms of links to the wider Green Belt, the visual linkage to the wider countryside is limited by the undulating topography locally to the south. Its sense of openness is therefore limited to a localised geographic area.
- 6.5 The above notwithstanding, the GBA sets out several mitigation measures which can be incorporated into the proposal to reduce harm to the Green Belt. This includes measures such as:
- Retention & enhancement of high-value landscape features;
 - Strengthening green infrastructure & landscape integration;
 - Visual containment & sensitive layout;
 - Edge treatment & visual screening;
 - Scale & form of development; and
 - Provision of accessible green infrastructure & recreation opportunities.

- 6.6 In summary, the development of the Site will result in the loss of openness to a discrete and small part of the Green Belt which makes a moderate contribution to purpose (c). As per NPPF paragraph 153, any harm to the Green Belt, including harm to its openness should be given 'substantial weight', but this only arises in the event that the development is inappropriate, which we return to below.

Design

- 6.7 To support this application, a Design and Access Statement has been prepared by Paul Hewitt Architects.
- 6.8 The Site offers the potential for a logical and sustainable extension of Langley Vale for up to 110 new homes. It integrates biodiverse open spaces, retained trees and hedgerows, and public open space which incorporates a children's play area. Additionally, the proposals incorporate a link through the open land to the east to provide a connection to the wider network of footpaths.
- 6.9 The development prioritises enhancing character and quality through a thoughtful urban design approach. The illustrative masterplan is shaped by a detailed understanding of the Site's constraints, opportunities, and local context, ensuring it complements the distinct character of Langley Vale.
- 6.10 Full details as to how the proposals have been developed and designed to comply with adopted and emerging policies can be found within the accompanying Design and Access Statement.

Landscape

- 6.11 To support this application, a Landscape & Visual Impact Assessment (LVIA), Landscape Design Statement (LDS) and Illustrative Landscape Masterplan have been prepared by Fabrik.

Open Space

- 6.12 The 'Open Space Audit (August 2024), Epsom & Ewell Local Plan 2022-2040' sets out open space typologies and quantity standards, with requirements for open space provision on new developments. The accompanying LDS provides the open space schedule for the proposal (page 10) and we re-provide this below:

Open Space Type	EEBC Standard (ha p/1000 pop)	Requirement	On Site Provision (ha)	Open Space Above Policy (ha)
Parks & Gardens	0.8	0.211	0.250	0.039
Natural & Semi-Natural Green Space	1.8	0.475	1.019	0.544
Amenity Green Space	0.6	0.158	0.302	0.144

Play	0.25	0.066	0.066	-
<u>Total</u>	3.45 ha	0.91 ha	1.637 ha	0.727 ha

- 6.13 The table above sets out the open space policy requirements. The site has the capacity to provide 1.637 ha of open space, which is above the requirement of 0.91 ha of open space for 110 dwellings. In terms of open space, the proposal includes a significant over-provision of 0.727ha and therefore the proposal therefore complies with policy CS4 of the Core Strategy and DMP policy DM6.

Landscape Vision & Conclusions

- 6.14 The LVIA notes that a landscape-led approach has shaped the development parameters to ensure a sensitive response to the Site's character and visual context. Key strategies include retention of high-value landscape features such as the Ancient Woodland, with 15m offsets and supplementary planting to strengthen ecological and visual buffers. Development parcels are to be sensitively located adjacent to the existing settlement edge, set back from Langley Vale Road and the woodland to maintain openness and limit visual impact. A substantial area of green infrastructure is proposed to the southeast, enhancing the wooded character of the area, creating a positive transition to the countryside, and reducing the visual envelope over time. Embedded mitigation includes boundary planting to form green corridors, domestic-scale buildings limited to two storeys, and placement away from higher ground to respect the surrounding landscape and settlement form.
- 6.15 In terms of effects of landscape, the LVIA notes the proposal will result in a permanent change to the Site's current agricultural character, introducing built form, associated infrastructure, and areas of open space. At year 1, this transformation will lead to a range of landscape effects, most notably the loss of open pasture and the introduction of residential development. While the initial impact on the Site's landscape character and setting is assessed as moderate adverse, this is balanced by the inclusion of embedded mitigation such as green infrastructure, recreational footpaths, play areas, and the protection and enhancement of existing vegetation. These elements will begin to contribute positively to local landscape structure and amenity value from the outset.
- 6.16 By year 15, the proposed planting will have matured, resulting in improved integration of the development within the surrounding landscape. The development will form a softened and coherent extension to the existing Langley Vale settlement, supported by a robust framework of native vegetation and publicly accessible green space. The magnitude of change to most landscape receptors will reduce over time, with significance of effects typically lowering to minor adverse, and in the case of vegetation and landscape structure, improving to moderate beneficial, reflecting long-term landscape and ecological enhancements.
- 6.17 Regarding visual effects, the LVIA notes the proposal will result in a series of permanent but localised visual changes, primarily affecting receptors in close proximity to the Site. Views from

Langley Vale Road are largely screened, with views of the part of the Site from the southern part of the road and open views of the Site from within proximity to the northwest. From here, the development will be perceived as a continuation of the existing settlement and will have a Moderate Adverse effect at Year 1, reducing to Minor Adverse by Year 15 as planting matures. More noticeable changes will occur for nearby residents along the eastern boundary, where open views across farmland will be replaced by low-density housing. However, offset development, retained views to Centenary Wood, and landscape buffers will help limit visual intrusion, resulting in moderate adverse effect across both year 1 and 15.

- 6.18 Public rights of way surrounding the Site will also experience varying degrees of visual change. Bridleways 146, 33, and 127 will all experience the introduction of built form within views, with initial moderate adverse effects reducing over time as planting establishes, filtering and softening the development. Similarly, elevated viewpoints within Centenary Wood will experience some visibility of the extended settlement edge, though existing vegetation, topography, and the development's alignment with the wider settlement pattern will mitigate visual impact. Overall, the visual effects will reduce over time, with long-term significance ranging from moderate to minor adverse.
- 6.19 In conclusion, the LVIA states while the proposal will result in a permanent change to the Site's current agricultural character, it has been carefully designed to respond positively to the landscape setting and character of Langley Vale. The proposal incorporates a robust green infrastructure network, including publicly accessible open space, play areas, SuDS features, and new footpath connections that enhance recreational access and ecological value. Over time, the maturing planting and landscape strategy will strengthen the local landscape structure, soften the visual impact of development, and contribute positively to biodiversity and amenity. As such, the proposal has the potential to deliver notable landscape benefits, reinforcing the evolving character of Langley Vale in a manner that is consistent with local distinctiveness and long-term landscape objectives.

Highways

- 6.20 To support this application, a Transport Assessment (TA) and Framework Travel Plan (FTP) has been prepared by i-Transport.
- 6.21 The TA has assessed the development proposal against the key transport 'tests' set out in paragraph 115 of the NPPF, in turn summarised below.
- 6.22 The proposal has taken up opportunities for sustainable travel to be prioritised. The proposal is located immediately south of Langley Vale, and benefits from excellent connectivity to the surrounding PRoW network, to which the site will provide direct connections. There are several railway stations that can be accessed within a reasonable cycle distance. The TA has also identified that several local amenities and facilities that would serve the everyday needs of future site users can be accessed within comfortable and reasonable walking and cycling distances. In addition, the proposal has prioritised sustainable travel through the following:

- Site Design e.g. providing direct connectivity to the surrounding PRow network, adopting a 20mph design speed internally, providing a multimodal site access, introduction of a car club, and the provision of policy compliant cycle parking and EV charging provision;
- Contribution towards off-site pedestrian improvements in Langley Vale, which connect the site to key local amenities and facilities; and
- Contribution towards the Surrey Connect DRT service to provide future site users and existing Langley Vale residents with an on-demand public transport service which connects with Epsom and other destinations within the existing network.

6.23 The proposal therefore seeks to prioritise sustainable travel through a variety of measures which aim to improve local connectivity and increase the appeal of sustainable travel modes for future and existing residents.

6.24 The proposal will also provide safe and suitable access to the Site for all modes. The access arrangements will comprise the following:

- A vehicular access point which has been designed in accordance with national and local design standards, with visibility splay requirements informed through up-to-date traffic surveys;
- Segregated pedestrian and cycle access in the form of a 3.0m wide foot/cycleway and a 2.0m footway on the northern and southern side of the access road, respectively. These would both connect into the existing infrastructure on Langley Vale Road;
- Direct connectivity into the PRow network and National Cycle Network, providing immediate access onto an active travel network which is free from motorised vehicles; and
- The access arrangement has been subject to an independent Stage 1 Road Safety Audit, which raised no significant issues regarding highway safety. Any comments that were raised have been appropriately addressed.

6.25 Thirdly, the TA demonstrates that the traffic impacts of the proposal will be acceptable. The TA has demonstrated that the development proposal will generate fewer than one two-way vehicular movement per minute in both the morning and evening peak hours, which is a negligible impact on the safety and operation of the local highway network. Furthermore, detailed junction capacity modelling has been undertaken using industry-standard software packages, demonstrating that all assessed junctions operate within capacity in the baseline and future baseline scenarios, both with and without the development proposal. This confirms that no further assessment or mitigation is required.

6.26 In conclusion, the TA demonstrates the proposal successfully meets all of the key transport 'tests' set out in paragraph 115 of the NPPF, with no unacceptable impact on highway safety and the traffic impacts falling well below 'severe'. As such, planning permission should not be withheld on transport or highways grounds.

- 6.27 A Framework Travel Plan has also been prepared and is submitted as part of the application. This outlines measures to support and encourage more active and sustainable travel among future residents. These include infrastructure measures (such as connections to existing active and sustainable transport networks, site layout and cycle parking) and 'softer' measures including provision of Travel Information Packs to future residents of the development.
- 6.28 In summary, the proposal is considered to be acceptable in transport terms and meets with local and national policy criteria. The assessment work undertaken has shown that there would not be any demonstrable harm arising from the proposed scheme and that it will not cause any severe impacts. Therefore, there are no traffic or transport related reasons why the development should be resisted.
- 6.29 We therefore conclude that the Site would comply with policy CS16 of the Core Strategy; DMP policies DM35, DM36 and DM37 and the relevant paragraphs in chapter 9 of the NPPF.

Affordable Housing

- 6.30 To support this application, an Affordable Housing Needs Assessment (AHNA) has been prepared by Boyer. This assessment examines the context and extent of need for affordable housing within EEBC, and the Woodcote and Langley Vale Ward administrative areas, in which the Site is located. The main conclusions of the AHNA are as follows:
- There is a significant need for further affordable housing to be delivered both across the borough as a whole, and an identified preference for housing within Woodcote and Langley Vale Ward specifically.
 - There is an acute shortfall in delivery of affordable housing against both adopted planning policy targets and Objectively Assessed Needs for affordable housing across Epsom and Ewell over the adopted Local Plan period to date (2007 – 2022).
 - The evidence of need, cumulative delivery shortfall, and affordability indicators is sufficiently compelling to provide that; given the various market indicators showing levels of unaffordability in Epsom & Ewell Borough, and in Woodcote & Langley Vale Ward specifically, in addition to the clear identified need and preference for affordable housing in this location, the provision of 55 affordable homes would be of substantial value to those in need.

Flood Risk and Drainage

- 6.31 To support this application, a Flood Risk Assessment (FRA) and Drainage Strategy has been prepared by Aqua Terra Consulting. The Assessment concludes:
- 6.32 The Site's flood risk vulnerability classification would change from "Less vulnerable" to "More vulnerable".
- The Site is located entirely in Flood Zone 1 and is not known to have flooded in the past from fluvial sources.

- Most of the site has a negligible risk of surface water flooding. Small areas of the Site are at elevated risk of surface water flooding and are inside a Critical Drainage Area.
- The Site has low susceptibility of groundwater flooding, low risk of sewer flooding and it is not in an area at risk of flooding from a reservoir failure.
- All runoff from the site can be discharged to ground without increasing on-site or off-site flood risk.
- Water quality risks to the environment can be adequately mitigated using the features included within the drainage strategy.

6.33 We therefore conclude that the proposals would comply with policies policy CS6 of the Core Strategy; DMP policy DM19 and paragraph 181 of the NPPF.

Heritage

6.34 To support this application, a Heritage Statement (HS) and Archaeology Assessment (AA) have been prepared by Archaeology South-East.

6.35 The HS has identified three heritage assets (all Grade II listed structures) that either have an important historical component to their heritage significance or are directly intervisible with the site. The impact of the proposed scheme upon the setting of these heritage assets has been considered, as has the resultant impact upon their heritage significance.

6.36 The assessment concludes that a wall bordering the north, west and south sides of The Warren, a boundary wall to Woodcote Park, and a Coal Tax Post south-east of Langley Bottom Farm are identified as the principal heritage assets of relevance to the proposed development. It is considered that the proposed development would have a **neutral** impact on the heritage significance of the identified heritage assets.

6.37 The AA concludes the Site has a hypothetical moderate potential for deposits dating to the prehistoric period, a low-moderate potential for deposits dating to the Romano-British, medieval and post-medieval periods, and a low potential for prehistoric, early medieval and later post-medieval deposits based on discoveries elsewhere in the wider Study Area including nearby fields.

6.38 The Site has been exposed to some truncation from arable cultivation, but archaeological deposits may be both concealed and protected by accumulated colluvial deposits on the gentle slope situated below a previously cultivated plateau presented by the Site, notably within a shallow dry valley or depression across the south of the Site.

6.39 The AA has shown that the Site has a moderate/low-moderate potential for below-ground archaeological remains to be present based on evidence from elsewhere in the Study Area. As such, further archaeology work is recommended to establish the presence or absence of archaeological remains within the Site perimeter. This phase of works can be carried out under condition attached to any planning consent.

- 6.40 We therefore conclude that the proposals would comply with policies policy CS5 of the Core Strategy and DMP policy DM8 and paragraph 181 of the NPPF.

Arboriculture

- 6.41 To support this application, an Arboricultural Impact Assessment (AIA) & Method Statement has been prepared by Arbortrack Systems Ltd.
- 6.42 The AIA confirms a total of six trees or groups of trees will be removed to facilities the proposal; these are 'C' (low quality) category. In the context of this site & these proposals, this is a very low and acceptable impact.
- 6.43 There is very good potential for new tree planting, which will ensure that the landscape impact of the proposals has the scope to be neutral or positive.
- 6.44 The great majority of site works will take place beyond the root protection area (RPA) of retained trees and canopies. Retained trees will be protected throughout the course of development by fencing to the specification recommended by BS5837:2012.
- 6.45 Overall, the proposal is in line with the principles of DMP policy DM5 and the NPPF.

Ecology

- 6.46 To support this application, an Ecological Impact Appraisal (EIA) and Biodiversity Net Gain (BNG) Assessment have been prepared by The Ecology Co-op.
- 6.47 The EIA confirms the proposal will result in the loss of largely arable habitat that supports a small assemblage of notable arable plants and nesting skylarks. Further a single common pipistrelle bat roost supporting two individual bats has been identified in a residential property.
- 6.48 Appropriate mitigation and compensation measures are out (section 5 of the EIA) to ensure that the risk of ecological harm resulting from the proposal is considered appropriate, whilst the development is further able to demonstrate calculated biodiversity net gain through the replacement of arable habitat with more ecologically valuable habitats, including mixed scrub, other calcareous grassland, trees and bioswales.
- 6.49 The BNG Assessment demonstrates that the proposal is capable of delivering a BNG in excess of 10%.
- 6.50 The proposal is therefore in line with policies CS3 of the Core Strategy; DMP policy DM4 and paragraphs 187 and 193 of the NPPF.

Sustainability

- 6.51 To support this application, an Energy and Sustainability Statement has been prepared by Pinnacle ESP.
- 6.52 This Statement outlines how the proposals follow the Energy Hierarchy to meet its low carbon ambitions. A 'Lean, Clean, Green' approach has been adopted in order to seek an overall improvement in regulated emissions of approximately 70% above Part L 2021 standard,

through the adoption of high standards of insulation, heat pump driven heating and hot water systems and the installation of roof mounted PV arrays as well as significant smart grid infrastructure to reduce peak loads and provide active demand response.

- 6.53 The Statement also outlines that construction techniques are to be adopted to deliver a low embodied carbon development, making use of significant low carbon construction materials.

The proposal is therefore in line with the requirements of policy CS6 of the Core Strategy.

Agricultural Land

- 6.54 To support this application, an Agricultural Land Classification has been prepared by Kernon Countryside Consultants.
- 6.55 The document concludes that the land has been classified as comprising 2.6 ha (49%) of Subgrade 3a, 2.6 ha (49%) Subgrade 3b and 0.1 ha (2%) Non-agricultural land. Therefore, the Site contains some best and most versatile agricultural land. However, this is split into two different patches of land with poorer quality land between. In practical terms the better-quality land cannot be farmed differently to the poorer quality land.
- 6.56 The NPPF requires economic and other benefits of BMV to be considered. The economic benefits of this Site are limited at £593 per annum over the BMV land, and the food production benefits are negligible, at circa 3 tonnes per annum of wheat. The ALC document concludes that in terms of the NPPF, this is not “significant development” of agricultural land. Accordingly, poorer quality land does not need to be considered in preference.
- 6.57 As such, agricultural land quality should not be a constraint to development. The NPPF requires that it be recognised, but does not constrain development, which is not significant development, and in any case, there is no evidence that poorer quality land is available.

Contaminated Land

- 6.58 To support this application, a Geo-environmental desk study has been prepared by Aqua Terra.
- 6.59 The assessment identifies no on-site sources of potential contamination. Whilst it identifies the nearby petrol station as a potential source of contamination, the report concludes that the potential risks to human health and the wider environment to be low and, as such, considers no further works are required.
- 6.60 The proposals are therefore in accordance with policy DM17 of the Development Management Document.

Statement of Community Involvement

- 6.61 To support this application, a Statement of Community Involvement (SCI) has been prepared by Fairthorn.

- 6.62 The Applicant has undertaken a robust engagement and consultation programme with local residents, stakeholders and political representatives on the proposal, both online and in-person.
- 6.63 The engagement process has effectively enabled all interested parties to provide feedback and ask questions on the proposal prior to the submission of the planning application.

7. APPROPRIATE DEVELOPMENT

Principle of Development

- 7.1 As outlined in the Planning Policy section above, the NPPF (2024) now includes ‘Grey Belt’, whereby development on Grey Belt land which meets relevant requirements would not be considered inappropriate development and, in consequence, would not be required to demonstrate that their benefits clearly outweigh their harms so as to pass the balance at paragraph 153 of the NPPF.
- 7.2 Within this section we assess the Site’s ability to meet the Grey Belt requirements as stipulated in paragraphs 155-158 of the NPPF. The assessment concludes the Site meets the ‘Grey Belt’ definition and demonstrates that the Golden Rules can be achieved, meaning the development would not be considered inappropriate development in the Green Belt.

Grey Belt

- 7.3 This section demonstrates why the Site qualifies as ‘Grey Belt’ under the definition set out within the NPPF, and as such would not be considered as inappropriate development in the Green Belt. The Site’s compliance with each section of the draft policy will be addressed in turn below.

Purposes

- 7.4 The NPPF defines ‘Grey Belt’ *“as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a) (b), or (d) in paragraph 143.”*
- 7.5 To support this application, we have undertaken a Green Belt Assessment (prepared by Fabrik) to assess the Site’s contribution to the five purposes. Tabel 5.1 of the GBA (which is reproduced below) sets out Fabrik’s assessment of the Site and its strategic contribution to the first four purposes of the Green Belt.

Green Belt Purpose	Contribution
(a) To check the unrestricted sprawl of large built-up areas	None
(b) To prevent neighbouring towns merging into one another	Weak
(c) To assist in safeguarding the countryside from encroachment	Moderate
(d) To preserve the setting and special character of historic towns	None

- 7.6 The GBA concludes that the Site does not perform strongly against the relevant Green Belt purposes (a), (b) and (d). However, before concluding that the Site meets the definition of Grey Belt, it is necessary to confirm whether the Site is *“land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”*

- 7.7 The Site is not a habitats site or a SSSI; Local Green Space; a National Landscape; a National Park or defined as Heritage Coast and the Site does not contain designated heritage assets (and other heritage assets of archaeological interests).
- 7.8 In addition, the Council's pre-application response agrees with the above conclusions (paragraph 8.15) stating *"as Langley Vale is a village, the site cannot strongly contribute to Green Belt purposes (a), (b) or (d) and falls under the definition of Grey Belt land as set out in the NPPF."*
- 7.9 It is therefore concluded that the Site qualifies as Grey Belt.

Grey Belt Tests

- 7.10 The tests set out in Paragraph 155 are each considered in turn to determine whether the proposals can follow the Grey Belt route.
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan*
- 7.11 The GBA (prepared by Fabrik) assesses this proposals impact on bullet point (a) of paragraph 155. Table 6.1 of the GBA (re-produced below) sets out Fabrik's assessment of the harm arising from the proposed development against purposes (a) – (d).

Green Belt Purpose	Contribution
(a) To check the unrestricted sprawl of large built-up areas	None
(b) To prevent neighbouring towns merging into one another	None
(c) To assist in safeguarding the countryside from encroachment	Limited
(d) To preserve the setting and special character of historic towns	None

- 7.12 The GBA states that at the borough scale and with the proposed in place, the remaining Green Belt land is considered to retain the distinct and separate identities of the large built-up areas and settlements. In relation to purpose (c), the Department for Levelling Up, Housing and Communities (DLUHC) identifies EEBC consisting of a total area of 3,410ha with 1,560ha of Green Belt, equating to 45.8% of the Borough designated as Green Belt. The introduction of circa 3.7ha of residential area within the proposed into a total Green Belt area across the Borough of 1,560ha equates to a 0.24% change. The proposal is therefore considered to cause limited harm to purpose (c) and the overall function of the Green Belt in preventing encroachment to the countryside is therefore retained.
- 7.13 In summary, some localised and site level harms are identified to purpose (c) as described, however, when considered across the area of the plan and in combination with the lack of harm to Purposes (a), (b) and (d), it is considered that the proposal can be accommodated without fundamentally undermining the purposes (taken together) of the remaining Green Belt across the area of the plan.

7.14 We therefore consider the proposed development meets limb (a).

b. There is a demonstrable unmet need for the type of development proposed

7.15 EEBC has a very poor record of housing delivery, with its 2023 Housing Delivery Test (HDT) 2023 score at 38%. Regarding current housing supply, the Council's Annual Monitoring Report (AMR) (2023-2024) states the Council can demonstrate a 2.1 – 2.18-year supply of housing (as of 1st April 2024). However, an appeal (Ref. APP/P3610/W/23/3326613) from May 2024, indicates the Council could only demonstrate a 1.56-year supply. In any case, it is clear the Council's five-year housing land supply position is significantly less than five years.

7.16 The above is reiterated within the Council's pre-application response, which states *"the Council has calculated its five-year housing land supply position as being between 2.1 – 2.18 years supply as set out in the 2023/2024 Authority Monitoring Report. The Council is presently falling significantly short of this requirement and cannot presently demonstrate five years housing land supply. The net increase of 130 dwelling houses weighs in favour of the scheme"*.

7.17 We therefore consider the proposed development meets limb (b).

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework

7.18 Paragraph 110 confirms significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 seeks to ensure that sustainable transport modes are prioritised; safe and suitable access can be achieved for all users; the design of streets, parking areas, other transport elements and the content of associated standards reflects the National Design Guide and National Model Design Code; and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

7.19 The Site lies adjacent to the urban boundary of Langley Vale, and a recent housing development (20 homes) lies to the immediate south of the Site. As such, development would be contiguous with the boundary of Langley Vale and sit between the two built up areas.

7.20 In terms of the sustainability of the Site, it lies within walking distance of the built-up area of Langley Vale, which contains several facilities and amenities including the 'Park & Shop' petrol filling station convenience store, garage, village hall, and Vale Primary School. These facilities are easily accessible on foot or by bicycle with future residents be able to walk/cycle to make school trips or pick up 'top-up' groceries at the garage.

7.21 Furthermore, table 4.4 within the Transport Statement provides the walking and cycle distances to surrounding amenities and services. It should be noted that the assumed travel route would be along Langley Vale Road from the centre of the site. In reality, the surrounding PRoW network would provide a quicker route to a majority of surrounding amenities.

- 7.22 Regarding bus stops, the closest stops to the site are located on Grosvenor Road, which can be accessed via a 6-minute walk (500m) from the centre of the Site. An additional stop is located on Roseberry Road, which can be accessed via an 8-minute walk (700m) from the centre of the site. Both stops are equipped with a flag and pole and timetable information and are served by the E5 bus service.

Purpose	Name	Total Distance (m)	Walking Journey Time (mins)	Cycle Journey Time (mins)
Education	The Vale Primary School	1,300	15	5
	City of London Freeman's School	2,500	29	9
	St Giles C of E Infant School	3,200	37	12
	Epsom Downs Primary School	3,600	42	14
Retail	Texaco Garage	450	5	2
	Post Office	2,800	32	11
	Co-op Local	2,800	32	11
Leisure	Langley Vale Village Hall	1,000	12	4
	Langley Vale Centenary Wood	1,400	16	5
	Epsom Downs Racecourse	1,800	21	7
	Derby Arms Public House	2,100	24	8
	Woodcote Park Golf Club	2,500	29	9
	Downswood Lawn Tennis Club	2,500	29	9
	Epsom Golf Course	2,700	31	10
	Tattenhams Library	3,000	35	15
	Tadworth Leisure and Community Centre	4,000	46	11
Healthcare	Paydnes Pharmacy	2,800	32	11
	Tattenham Health Centre	3,000	35	14
	Buckley Pharmacy	3,300	38	12
	Tudor House Dental Practice	3,300	38	12
Transport	Grosvenor Road Bus Stop	450	5	2
	Tattenham Corner Railway Station	2,750	32	12
	Epsom Downs Railway Station	3,400	51	16
	Ashted Railway Station	3,900	53	15
	Epsom Railway Station	3,700	51	16

Key:

	Within a desirable walking (800m) / cycling (5km) distance
	Within a comfortable walking (1.6km) / cycling (8km) distance
	Within an acceptable (3.2km) walking distance

Figure 1 – Extract from Transport Assessment

- 7.23 Four mainline railway stations are located nearby (Epsom, Epsom Downs, Ashted and Tattenham Corner) providing regular services to London and access to destinations further afield. Further detail on the services from these stations can be found at Table 4.3 in the Transport Assessment. These stations provide a genuine opportunity for longer journeys to destinations further afield to be undertaken by public transport. All stations are located within an acceptable 5km cycle distance from the site. Whilst some residents may choose to drive to the local railway stations, the proximity of these stations still enable site residents to travel by public transport on longer journeys to destinations further afield (e.g. London) for the bulk of their journey instead of via private car.
- 7.24 Given the Site's proximity to Epsom Downs Racecourse, it benefits from excellent connectivity to a PRoW network. The PRoW network provides an attractive, traffic-free route with direct access to key facilities such as Langley Vale Primary School, Tattenham Corner Railway Station, and the local centres of Tattenham Corner and Tadworth. The PRoW network also provides an excellent opportunity for leisure activities for future residents, including walking, dog walking, running, cycling and horse riding.
- 7.25 In addition, Despite an absence of dedicated cycle facilities along Langley Vale Road, National Cycle Route (NCR) 22 routes approximately 500m southeast of the site, along BW Route 127. NCR22 can therefore be accessed almost immediately from the site, providing an off-carriageway route towards Tattenham Corner (and the railway station) and Tadworth, which is a 5–7-minute cycle journey. Further detail on the PRoW network as well as a 'Walking & Cycling Audit Report' can be found within the Transport Assessment.
- 7.26 The Transport Assessment also includes a 'Sustainable Transport Strategy' which aims to prioritise sustainable travel modes in place of private car trips. This includes:
- Site Design e.g. providing direct connectivity to the surrounding PRoW network, adopting a 20mph design speed internally, providing a multimodal site access, introduction of a car club, and the provision of policy compliant cycle parking and EV charging provision;
 - Contribution towards off-site pedestrian improvements in Langley Vale, which connect the site to key local amenities and facilities; and
 - Contribution towards the Surrey Connect DRT service to provide future site users and existing Langley Vale residents with an on-demand public transport service which connects with Epsom and other destinations within the existing network.
- 7.27 A Framework Travel Plan (FTP) has also been prepared and is submitted as part of the application. This outlines measures to support and encourage more active and sustainable travel among future residents. These include infrastructure measures (such as connections to existing active and sustainable transport networks, site layout and cycle parking) and 'softer' measures including provision of Travel Information Packs to future residents of the development.

7.28 Whilst it is acknowledged that the Site is located outside of the defined built-up area, considering the scale and location of the development, there is convenient access to immediate local facilities and services and a genuine choice for residents to access sustainable transport opportunities. This view was reflected in the Appeal Decision for the adjacent redevelopment at Langley Bottom Farm (Ref. APP/P3610/W/21/3280881) at paragraph 31 where the Inspector states that *“the proposal would appropriately provide opportunities for residents to take up sustainable transport modes”*.

7.29 We therefore consider the proposed development meets limb (c).

d. Where applicable the development proposed meets the ‘Golden Rules’ requirements

7.30 The Golden Rules relate to affordable housing, necessary improvements to local or national infrastructure, and the provision of public open space.

a) Affordable housing

7.31 Paragraph 157 of the NPPF states that the affordable housing contribution required to satisfy the Golden Rules is 15% points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%.

7.32 It states that in the absence of a pre-existing requirement; a 50% affordable housing contribution should apply by default. In this case, EEDC affordable housing policy (CS9) requires 35%, resulting in a required contribution of 50% to meet the first golden rule.

7.33 The proposed development will deliver 50% affordable housing, thereby meeting the affordable housing requirement of the first golden rule.

b) Necessary improvements to local or national infrastructure

7.34 The proposed development would satisfy the infrastructure criterion through Community Infrastructure Levy contributions and through a section 106 agreement, which can contain contribution to deliver necessary improvements to accommodate the new population.

c) Green spaces

7.35 Golden Rule (c) seeks the provision of new, or improvements to existing, green spaces that are accessible to the public. It adds that *“new residents should be able to access good quality green spaces within a short walk of their home”*.

7.36 Paragraph 159 of the Framework states that the improvements to green spaces should contribute positively to the landscape setting of the development and meet local standards for green space provision where these exist in the development plan.

7.37 The proposal comprises the introduction of a new public open space on the Site, totalling 1.63ha (against a requirement of 0.91ha). Whilst it is acknowledged that the provision of open space/play space is a policy requirement, the amount of space provided is far in excess (0.72ha) of which that would normally be expected of a residential development of this size.

The proposal will deliver a substantial area of publicly accessible green infrastructure to the south-east of the site. This green space will include new woodland planting and open areas that reflect the local landscape character while offering opportunities for informal recreation and nature connection. Located within a short walking distance of all new dwellings, this green space will be directly accessible from the development and will link to the wider PRow and Bridleway network, enhancing local connectivity and encouraging walking and outdoor activity.

- 7.38 This publicly accessible green space will give residents the opportunity to play, run around, kick a ball, rest or have a picnic, as well as provision of a natural play area (in the form of a LAP). Recreation routes will be provided throughout the Site, with provision of a central green corridor with associated play areas and recreational spaces. These areas will be available to both existing and future residents, providing a local public benefit.
- 7.39 The proposed BNG Statement also demonstrates a BNG can be delivered as part of any future development.
- 7.40 Taken overall, the scheme would meet the objectives of the Golden Rules in respect of the provision of greenspace.

Conclusion

- 7.41 In conclusion, the Site does not make a strong contribution to any of the relevant Green Belt purposes. The proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt and is located in a sustainable location where there is a demonstrable unmet need for housing. Lastly, the proposal would meet the affordable housing, infrastructure and greenspace objectives of the Golden Rules.
- 7.42 For those reasons, the proposed development is not inappropriate development in the Green Belt, and the determinative planning balance is paragraph 11(d)(ii) of the NPPF – which we return to below.

8. HARMS / BENEFITS

Harms

8.1 Following both a planning and technical assessment, the following harms have been identified resulting from the proposal:

- *Green Belt*

8.2 Regarding the Green Belt, in summary, some localised and site level harms are identified to openness and purpose (c). As per NPPF paragraph 153, substantial weight should be given to any harm to the Green Belt, including harm to its openness.

- *Landscape*

8.3 Minor harm regarding landscape has been identified. As with the development of any greenfield Site, the proposal will result in adverse landscape effects at the Site level pertinent to land use and the loss of fields (albeit limited).

8.4 However, this is to be balanced against the sensitive design and the quality of the scheme proposals overall, with the LVIA concluding that the proposal has the potential to deliver notable landscape benefits, reinforcing the evolving character of Langley Vale in a manner that is consistent with local distinctiveness and long-term landscape objectives.

Benefits

8.5 Alternatively, the proposed development would deliver a significant number of benefits including:

- *Housing Provision*

8.6 The proposal would deliver up to 110 homes which will make an immediate and significant contribution to the desperate need for more housing in the borough.

8.7 Delivery of housing is supported at all levels of policy with paragraph 60 of the NPPF stating the Government's objective to significantly boost the supply of homes. As discussed above, EEDC has a very poor record of housing delivery and supply, with a HDT score of 38% and a current housing land supply position of 1.56 years.

8.8 The new standard methodology increases the Council's figure by 56% from 569dpa to 889 dpa, which highlights the necessity of housing delivery in the borough. Within the pre-application response the Council state *"The proposed development would make a meaningful contribution towards delivering the Council's housing target and would therefore be consistent with the Framework and Council policy in so far as it seeks to significantly boost the supply of homes. This is likely to be considered a moderate to significant benefit in a planning balance."*

8.9 Furthermore, the emerging Local Plan is in its infancy, with adoption scheduled for April 2027. As such, there is no imminent solution to the Council's chronic housing supply.

8.10 Overall given there remains a serious shortfall in housing within EEBC, the fact the emerging Local Plan is still a significant way off from adoption, the proposed revisions to the NPPF setting significantly higher housing targets for EEBC, we consider **very substantial** weight should be attributed to the delivery of housing.

- ***Affordable Housing***

8.11 The proposal would deliver up to 55 affordable homes (50%) which will make an immediate and significant contribution to the desperate need for more affordable housing in the borough, and more importantly the Ward of Woodcote and Langley Vale.

8.12 The borough has a very poor record of affordable housing delivery and has the 7th highest number of households in temporary accommodation (pro rata) in England, outside of London. The latest Annual Monitoring Report (AMR) covering the period 2023-24 confirms that only 22 affordable homes were completed between 1st April 2023 and 31st March 2024. This followed 67 completions in 2022-23, and just 7 completions in 2021-22. Consequently, there is already a cumulative shortfall of -1,860 affordable homes over this 3-year period alone, equivalent to an average shortfall of -620 affordable homes.

8.13 This need for affordable homes is particularly relevant to the Ward of Woodcote and Langley, which over a 7-year period has only delivered, on average, 1 affordable home per year.

8.14 The Council's pre-application response states *"the high demand for, and the very low supply of, social rented housing is a major contributing factor of homelessness in the Borough, with less than 90 social housing properties becoming available each year. Furthermore, whilst the Council has a need for all forms of affordable housing, this is especially the case for family sized accommodation, where the average waiting time for family sized accommodation is 4-5 years for a two-bedroom property and over 10 years for a 3 or larger bedroom property. The proposal proposed development would make a significant contribution towards the Council's affordable housing supply and dependent upon the tenure and mix offered, the level of affordable housing is likely to be considered a moderate to significant benefit in a planning balance."*

8.15 Similarly to the delivery of market housing, given there remains a serious shortfall in affordable housing within EEBC, we consider **very substantial** weight should be attributed to the delivery of affordable housing.

- ***Public Open Space/PROW Connections***

8.16 The proposal comprises the introduction of a new public open space on the Site, totalling 1.63ha (against a requirement of 0.91ha). Whilst it is acknowledged that the provision of open space/play space is a policy requirement, the amount of space provided is far in excess (0.72ha) of which that would normally be expected of a residential development of this size.

8.17 The proposal will deliver a substantial area of publicly accessible green infrastructure to the south-east of the site. This green space will include new woodland planting and open areas that reflect the local landscape character while offering opportunities for informal recreation and nature connection. Located within a short walking distance of all new dwellings, this green

space will be directly accessible from the development and will link to the wider PRoW and Bridleway network, enhancing local connectivity and encouraging walking and outdoor activity.

- 8.18 This publicly accessible green space will give residents the opportunity to play, run around, kick a ball, rest or have a picnic, as well as provision of a natural play area (in the form of a LAP). Recreation routes will be provided throughout the Site, with provision of a central green corridor with associated play areas and recreational spaces. These areas will be available to both existing and future residents, providing a local public benefit.
- 8.19 The proposal will include a 3.0m shared foot/cycleway provided on the northern side, which will connecting with the existing infrastructure on Langley Vale Road. A 2.0m wide footway will also be provided on the southern side of the access road, connecting with existing footway on Langley Vale Road and the wider PRoW network. A separate dedicated connection will also be provided at the southwest corner of the site, which will connect to Bridleway Route 33, promoting the use of the existing network and making it easier for existing and future residents to utilise these and access the wider network.
- 8.20 Whilst it is acknowledged that the provision of open space/play space is a policy requirement, the amount of space provided is far in excess of which that would normally be expected of a residential development of this size, and these areas will be available to both existing and future residents, providing a local public benefit. Furthermore, the proposal will provide a safe connection into the existing PROW network, promoting the use of the existing network and making it easier for existing and future residents to utilise these and access the wider network. On this basis we consider **moderate** weight can be attributed to this benefit.

- ***Economic Benefits***

- 8.21 The proposal would generate economic benefits, both short term during the construction phase, and during the lifetime of the schemes. There would also be further economic benefit arising due to future residents spending in local shops and facilities. Due to the scale of development involved, we consider the economic benefits to attract **moderate** weight.

- ***High Quality Design***

- 8.22 Paragraph 131 of the NPPF states *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- 8.23 The proposal will provide a sensitively designed scheme that is both attractive and sustainable, acting as a natural extension to the settlement of Langley Vale. Furthermore, the proposal will deliver a high-quality living environment for future residents through ample private amenity space and communal area.
- 8.24 The NPPF is clear that high quality design is expected, rather than being an addition. As such, we consider that **limited** weight can be attributed to this benefit.

- ***Biodiversity Net Gain***

- 8.25 The Biodiversity Net Gain (BNG) Assessment submitted demonstrates that the proposal can deliver a BNG in excess of 10%. The provision within the Environment Act 2021 is for a minimum 10% biodiversity net gain. A delivery of a BNG figure in excess of 10% should be afforded **limited** weight in this case.
- 8.26 We consider the following weight should be attached to these benefits. For clarity, we have used the following scale when attributing weight to each benefit: Very Substantial, Substantial, Significant, Moderate, Limited and Nil.

Benefits	Weight
Market Housing	Very Substantial
Affordable Housing	Very Substantial
Public Open Space / PROW Connections	Moderate
Economic Benefits	Moderate
High Quality Design	Limited
Biodiversity Net Gain	Limited

9. PLANNING BALANCE

Appropriate Development

- 9.1 As set out in section 7 above, we consider the proposal meets the required tests to qualify as Grey Belt. Firstly, the Site does not make a significant contribution to any of the relevant Green Belt purposes.
- 9.2 Secondly, the proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt and is located in a sustainable location where there is a demonstrable unmet need for housing. Lastly, the proposal would meet the affordable housing, infrastructure and greenspace objectives of the Golden Rules.
- 9.3 As per NPPF paragraph 155, the proposal is therefore **appropriate** development in the Green Belt.
- 9.4 This therefore triggers NPPF paragraph 11(d)(ii) which states that for decision-making, granting permission unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”*.
- 9.5 We list both the benefits and harms of the proposal within the table below. It is important to note that in the planning balance for paragraph 11(d)(ii), given the proposal qualifies as ‘Grey Belt’, no weight is attributed to harm to the Green Belt or openness of the Green Belt, as the proposal would not comprise inappropriate development.

Benefits	Harms
Market Housing	Landscape
Affordable Housing	
Public Open Space / PROW Connections	
Economic Benefits	
High Quality Design	
Biodiversity Net Gain	

- 9.6 Clearly, the above demonstrates that the adverse impacts identified do not come close to significantly or demonstrably outweighing the benefits, which is the relevant test in this scenario, leading to the conclusion that planning permission should be granted.

Inappropriate Development

- 9.7 The above notwithstanding, should the Council consider the Site does not qualify as Grey Belt, the proposal would be considered as inappropriate development in the Green Belt.

- 9.8 As such, the test within NPPF paragraph 153 would be engaged *“inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
- 9.9 We re-provide our benefits and harms table below, which now is required to include harm to the Green Belt, including harm to its openness; this is attributed substantial weight.

Benefits	Harms
Market Housing	Green Belt
Affordable Housing	Landscape
Public Open Space / PROW Connections	
Economic Benefits	
High Quality Design	
Biodiversity Net Gain	

- 9.10 The above demonstrates that the significant benefits of the proposal clear outweigh the harm identified to the Green Belt and any other harm, which is the relevant test in this scenario.
- 9.11 Given the test is passed, it demonstrates that in this case, very special circumstances do exist, and planning permission should be granted.

Summary

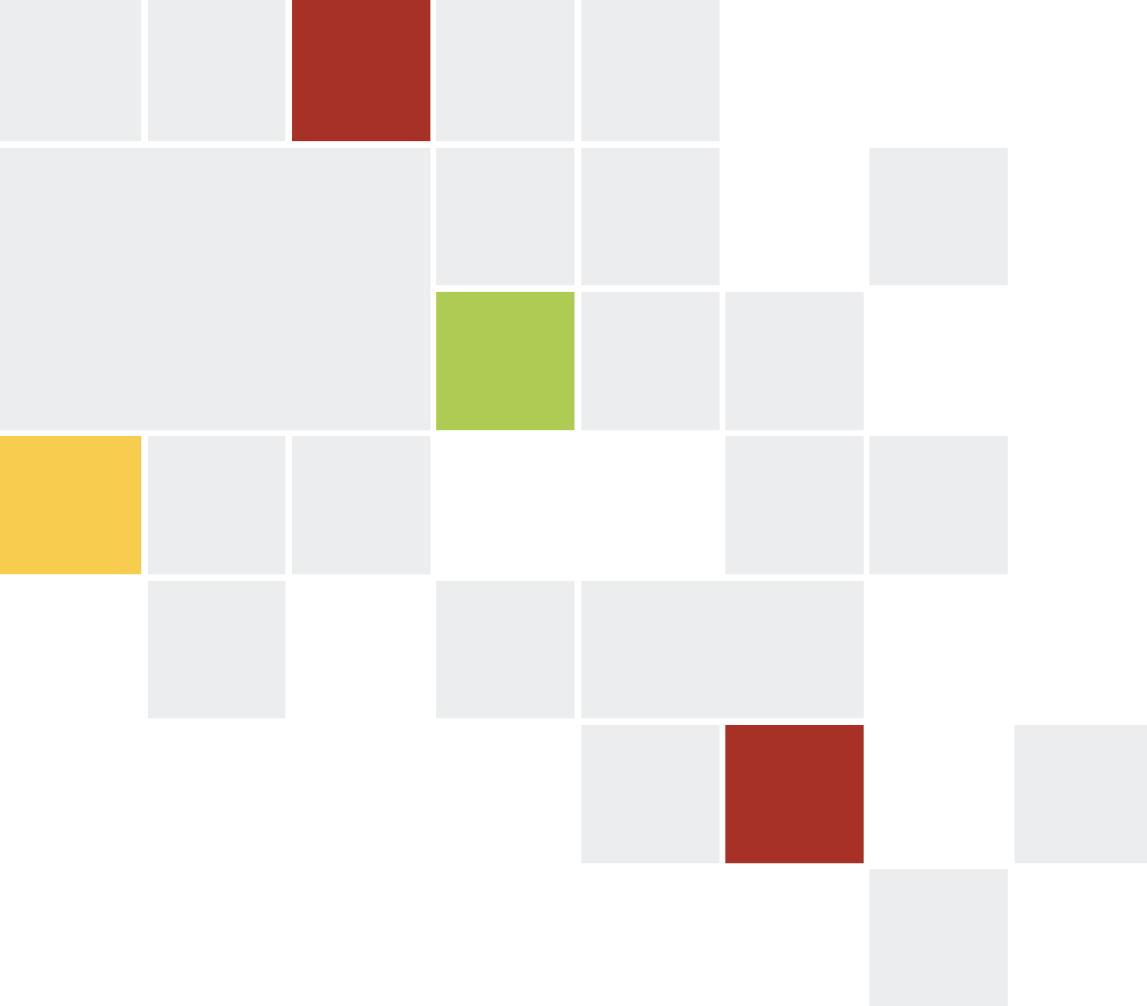
- 9.12 In summary, we consider the proposal qualifies as Grey Belt land and would meet the objectives of the Golden Rules. As per NPPF paragraph 155, the proposal is therefore **appropriate** development in the Green Belt and therefore triggers NPPF paragraph 11(d)(ii) which states that for decision-making, granting permission unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”*.
- 9.13 In this case, clearly the adverse impacts of the development do not come close to significantly or demonstrably outweighing the benefits, which is the relevant test in this scenario, leading to the conclusion that planning permission should be granted.
- 9.14 However, should the Council consider the proposal does not qualify as Grey Belt land, the proposal would be considered as ‘inappropriate development; triggering the test within NPPF paragraph 153 *“Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
- 9.15 In this case, we are required to include harm to the Green Belt, including harm to its openness; this is attributed substantial weight. Regardless, within the planning balance the significant

benefits of the proposal clear outweigh the harm identified to the Green Belt and any other harm. Given the test is passed, it demonstrates that in this case, very special circumstances do exist, and planning permission should be granted.

10. PROPOSED S106 HEADS OF TERMS

10.1 The following heads of terms are proposed as part of the development:

- Provision of 50% affordable housing provision;
- Provision of a residents 'Travel Information Pack' to the first occupants of each dwelling;
- Appropriate financial contributions to the Surrey Connect Demand Response Transport (DRT) Service; and
- Appropriate financial contributions towards off-site pedestrian improvements.



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