

APPEAL REF: 6006971 (application ref 25/00846/OUT)

Farm View, Langley Vale Road, Epsom, Surrey KT18 6AP

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

CASE MANAGEMENT CONFERENCE SUMMARY NOTE

1. This note summarises the discussion from the Case Management Conference ('CMC') held on 22 June 2026. The CMC was led by the Inspector appointed to conduct the Inquiry, J Bowyer BSc (Hons) MSc MRTPI.
2. The main purposes of the CMC were to discuss the procedural and administrative aspects of the Inquiry which is scheduled to open at 1000 on 15 September 2026, and the issues that will need to be addressed in evidence to ensure that the event can be conducted in an efficient and effective manner. There was no discussion of the merits of the parties' cases.
3. Langley Vale Action Group ('LVAG') was granted Rule 6 status on 5 June 2026.
4. All communication in respect of the Inquiry should go through the Planning Inspectorate's Case Officer.

Appearances

5. Advocates for the parties are:

Appellant

Richard Turney KC, who currently expects to call up to 6 witnesses covering planning, landscape, highways and transport, heritage, ecology and affordable housing matters.

Council

Timothy Leader, who currently expects to call up to 4 witnesses covering planning, sustainability, landscape and equestrian matters.

LVAG

Carl Thomas, who currently expects to call up to 4/5 witnesses from the LVAG, West Surrey Badger Group, the Jockey Club and on ecology matters.

Notifications

6. The Council has now provided a copy of the updated Inquiry notification letter dated 12 May 2026. A press notice and site notice will also be arranged.

Main Issues

7. It was agreed that the main issues in this case are likely to relate to:
 - i) whether or not the proposal would be in a suitable location having particular regard to future occupiers' access to services, facilities and employment using sustainable transport modes;
 - ii) the effect of the proposal on the landscape character and appearance of the area;
 - iii) the effect of the proposal on the horse racing and training industry;
 - iv) the effect of the proposal on ecology and biodiversity;
 - v) whether or not the proposal would comprise inappropriate development in the Green Belt;
 - vi) the effect of the proposal on the openness and purposes of the Green Belt; and
 - vii) if the development would be inappropriate, whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.
8. Main issues vi) and vii) would fall away if the proposal was found not to be inappropriate development under main issue v).

Other Matters

9. The Inquiry will also look at the effects of the proposal on heritage assets and the loss of best and most versatile agricultural land and any benefits of the development to be weighed in the planning balance.
10. Interested parties have also raised additional issues including, but not limited to, matters of drainage and flood risk, effects on highways and local infrastructure which the appellant will need to address appropriately within their proofs of evidence as relevant.

Statement(s) of Common Ground

11. The appellant is preparing an overarching statement of common ground and further topic specific statements in respect of highways and transport, landscape, heritage, ecology and affordable housing. These are expected to be agreed with the Council in the first instance, and will then be shared with LVAG for agreement.
12. The parties will work towards submission of the statements by 4 August 2026 so that they can properly inform proofs.
13. The overarching statement should include a list of plans, and policies that are considered relevant to the appeal.

Dealing with the Evidence

14. With the agreement of the parties, the evidence relating to the main issues will be tested through formal presentation and cross-examination on a topic-by-topic basis. There will be no 'round table' sessions (save for discussion on conditions and obligations) as things stand.

Inquiry Programme

15. The Inquiry is scheduled to open at 1000 on 15 September 2026. It will resume at 0930 on subsequent days and ideally adjourn by 1700 on Tuesday – Thursday, and around 1300 on Friday.
16. It is currently scheduled for 6 days, running Tuesday – Friday across w/c 14 September and then the Tuesday and Wednesday of w/c 21 September.
17. The parties should work together to keep within the 6 scheduled days including by minimising unnecessary presentation of evidence in chief and ensuring no duplication across parties/witnesses. Closings may be provided in writing.
18. Given however the likely number of witnesses, Thursday 22 September and the morning of Friday 23 September are to be held in diaries as reserve days for the current time. The likely need for these days can be reviewed once there is greater clarity on areas of remaining disagreement and the scope of evidence following submission of the statement(s) of common ground, proofs and timings.
19. Following my opening comments on the first day of the Inquiry, I will invite opening statements from the main parties (Appellant first, followed by the Council, then LVAG) which will set the scene. I will then hear from any interested parties who wish to speak, although there will be scope to hear from interested parties on other days if they cannot attend on the first day.
20. I will then hear formal evidence in a topic-based approach, starting with the suitability of the location having regard to accessibility, then landscape character and appearance, then effects on the horse racing industry, then ecology and biodiversity, then Green Belt, then heritage (if required) and finally planning. The Council will go first, then LVAG and then the appellant.
21. Following formal evidence, I will then lead a round table session on conditions and the planning obligations (without prejudice).
22. That will be followed by closing submissions from the Council, then LVAG, and then the appellant, unless closings proceed in writing. These should ideally be no longer than one hour. The closing submissions should set out each parties' respective cases as they stand at the end of the Inquiry, with a copy emailed to the Case Officer, appropriately cross-referenced where evidence is relied on, for the avoidance of doubt. Any case law should also be attached along with references to relevant paragraphs. A written copy of the closing submissions should also be provided on the day.
23. Should there be any applications for costs, they will be heard after closing submissions.
24. The Inquiry will then be closed.
25. The advocates are to work collaboratively on the time estimates for each stage of their respective cases, with final timings for openings and closings, evidence in chief and cross-examination to be submitted no later than 2 weeks before the Inquiry opens. I will then issue a draft programme.
26. Other than in exceptional circumstances, you are expected to take no longer than the timings indicated, which will require the cooperation of both advocates and witnesses.

27. I intend to make an unaccompanied site visit in advance of the Inquiry to familiarise myself with the site and surroundings from public land. I will also carry out a further site visit during the Inquiry, which will be programmed once I receive draft timings. The appellant will prepare a first draft of a site visit itinerary with all viewpoints that the parties wish me to visit for the Council and LVAG to then feed into.

Conditions – without prejudice

28. A schedule of suggested planning conditions and the reasons for them, including references to any policy support, should be submitted with the proofs, in an editable Word document format. Any differences in views on the suggested conditions, including suggested wording, should be highlighted, with a brief explanation given.
29. The Council is to take the lead on preparing that list, in discussion with the Appellant and LVAG.
30. Each condition will need to be properly justified having regard to the relevant tests. Notably that of necessity.
31. It is important to ensure that conditions are tailored to tackle specific problems, rather than being imposed from habit or being used to impose broad unnecessary controls.
32. Ensure there is reference to any policy support for the condition, and please provide the relevant policy.
33. Try to order the conditions in the order advocated in the Planning Practice Guidance¹.
34. Combine conditions where they are similar and do not include tailpieces (i.e. ‘unless otherwise agreed in writing’) unless there is a specific and necessary reason which should be explained.

Planning Obligation – without prejudice

35. An early draft of the S106 agreement is to be provided with the proofs and a final agreed draft submitted two weeks before the Inquiry opens. The final draft must be accompanied by the relevant office copy entries and a Community Infrastructure Levy (‘CIL’) Compliance Statement prepared by the Council. This will need to provide a detailed justification for each obligation, including any policy support, and the basis for any financial contributions required.
36. The Council will ensure that interested parties are able to see the draft agreement when it is available.
37. Two weeks will be allowed after the Inquiry for the submission of a completed version of the obligation.

Core Documents/Inquiry Documents

38. An agreed core document list is to be submitted by 4 August 2026. This is to ensure that the core documents can be properly referenced in advance of formulating the proofs. An example is provided at the end of this note. The appellant will coordinate preparation of the agreed list which will include the National Heritage List for England entries for the listed buildings noted as relevant within the appellant’s Heritage Statement and at 2.6 of the Council’s statement.
39. All core documents are to be submitted electronically with the proofs.

¹ [Paragraph: 024 Reference ID: 21a-024-20140306](#)

40. They should comprise only those documents to which you will be referring. Any appeal decisions and/or legal authorities on which any party intends to rely will need to be prefaced with a note explaining the relevance of the document to the issues arising, together with the propositions on which you are seeking to rely, with the relevant paragraphs flagged up.
41. Where any documents on which it is intended to rely are lengthy, only relevant extracts need to be supplied, as opposed to the whole document. Such extracts should, however, be prefaced with the front cover of the relevant document and include any accompanying relevant contextual text.
42. The core documents will need to be made available online. The Council will host the virtual core document library on its website.
43. The Council will also host a separate Inquiry documents library on its website for any documents submitted once the Inquiry has opened, in a similar format to the core documents list
44. I intend to access the core documents electronically, and will not require hard copies of them or the various proofs and appendices.
45. However, the appellant will provide me with a hard copy of the Parameters Plan at A3/A2 size for the start of the Inquiry.
46. The appellant will also supply a hard copy set of the Core Documents to form an Inquiry library, which can be accessed by interested parties at the event.
47. A minimum of three hard copies of any new documents produced at the Inquiry will be required - one for me and one for each of the other main parties, with extra copies to be made available to assist interested parties if necessary.

Venue

48. The venue for the Inquiry is the Council Chamber at the Town Hall, The Parade, Epsom, Surrey, KT18 5BY.
49. Planning Inspectorate guidance² on venue and facility requirements including layout should be followed. The venue should meet accessibility requirements and be of sufficient capacity to accommodate everyone.
50. I will need a retiring room and there should be provision for breakout rooms for the appellants, the Council, and the Rule 6 Party too.
51. WiFi should be available and adequate to allow all parties to access documents electronically. Printing/photocopying facilities, microphones and a hearing loop, screens able to display visuals if necessary as well as water for all participants should also be available.
52. The Council does not expect to live-stream or record the proceedings.

Document Submission Dates

53. The appellant will provide copies of ecology correspondence dated 23 September and 15 December (referenced in the Council's committee report at paragraph 19.4) which were omitted from the appeal submission by **6 July**.

² <https://www.gov.uk/government/publications/setting-up-a-venue-for-a-public-inquiry-hearing-or-examination>

54. The Council will provide copies of comments made on the application by the County Archaeologist, Ecologist and the Tree Officer and will review and ensure that all interested group/party comments and the petition referenced in the committee report (or an explanation for any discrepancy in numbers) have been provided by **6 July**.
55. LVAG will provide evidence related to badgers as mentioned in its statement of case as soon as possible and by **6 July**.
56. No other new technical evidence is expected from any party. Should any party consider there to be a need to revisit that position, this should be indicated by return to this note. It is essential that new technical evidence is provided well in advance of proofs.
57. There is no reference in the Rules to supplementary or rebuttal proofs and PINS does not encourage the provision of such. However, where they are necessary to save Inquiry time, copies should be provided no later than **1 September**. It is important that any rebuttal proofs do not include new evidence or introduce new issues.
58. As an alternative to a rebuttal, it may be that the matter could more succinctly be addressed through an addendum statement of Common Ground which should also be provided no later than **1 September**.

	Deadline for submission of:	Who responsible
6 July 2026	Ecology correspondence dated 23 September and 15 December referenced in the Council's committee report paragraph 19.4.	Appellant
	Application comments by County Archaeologist, Ecologist and the Tree Officer which are suggested in the committee report.	Council
	Outstanding application stage comments made by interested parties.	Council
	Badger activity evidence referenced in statement of case.	LVAG
6 weeks before opening: 4 August 2026	Core Documents list.	Appellant
	Statement(s) of Common Ground.	All
4 weeks before opening: 18 August 2026	All Proofs (<i>guidance on content and format at Annex 2 to this note</i>).	All
	Core documents.	All
	Initial Draft Planning Obligation.	Appellant
	Conditions.	Council
	Press Notice	Council
2 weeks before opening:	Final draft planning obligation and relevant office copy entries.	Appellant

1 September 2026	CIL Compliance Statement.	Council
	Rebuttal proofs (<i>if essential and aimed at shortening Inquiry</i>)/Statement of Common Ground addendum.	All
	Time estimates.	All
	Site visit itinerary.	Appellant
	Copy and location of Site Notice	Council
15 September 2026	Inquiry opens 10:00	

59. The parties should be aware of and follow Planning Inspectorate guidance on the use of artificial intelligence in casework evidence³. This sets out that if you use AI to create or alter any part of your documents, information or data, you should tell us that you have done this when you provide the material to us.

Costs

60. As advised in the Planning Practice Guidance, it is good practice, where circumstances allow, for costs applications to be made in writing before the Inquiry. Applications can be added to or amended as necessary in oral submissions. The other party will have an opportunity to respond, and the applicant will have the final word.
61. The Appellant indicates that they intend to submit an application for an award of costs against the Council and that this will be provided in writing by 1 September and then amended/supplemented during the Inquiry as necessary.
62. You are also reminded that to support an effective and timely planning system in which all parties are required to behave reasonably, I can initiate an award of costs in line with the PPG. Unreasonable behaviour may include failing to comply with the prescribed timetable.

Final comments

63. Interested parties intending to offer representations to the Inquiry that do not benefit from Rule 6 status are asked to work collaboratively with one another in advance of the Inquiry to ensure that the contributions they make are not repeated and are offered in a manner appropriate to the formality of the event.
64. The Council may wish to draw the attention of interested parties to this note, or at the very least, it is recommended that a copy be posted on the Council's website.

J Bowyer BSc (Hons) MSc MRTPI

INSPECTOR

22 June 2026

³ <https://www.gov.uk/guidance/use-of-artificial-intelligence-in-casework-evidence>

Annex 1: Template for Core Documents List

CD1 Application Documents and Plans

- 1.1
- 1.2 Etc

CD2 Additional/Amended reports and/or Plans submitted after validation

- 2.1
- 2.2

CD3 Committee report and Decision notice

- 3.1
- 3.2

CD4 Development plan

- 4.1
- 4.2

CD5 Guidance documents

- 5.1
- 5.2

CD6 Emerging Development Plan

- 6.1
- 6.2

CD7 Relevant Appeal Decisions*

- 7.1
- 7.2

CD8 Relevant Judgments*

- 8.1
- 8.2

CD9 Others

- 9.1
- 9.2

* Any Appeal Decisions on which a party intends to rely must each be prefaced with a note explaining the relevance of the Decision to the issues arising in the current Inquiry case, together with the propositions relied on, with the relevant paragraphs flagged up. A similar approach is to be taken in relation to any legal citations relied upon.

Annex 2: Content and Format of Proofs and Appendices

Content

Proofs of evidence **should**:

- refer to the information that witnesses wish the Inspector to consider;
- cover only areas which remain at issue between the parties;
- contain the witness's concisely expressed opinion and argument;

- contain a clear cross reference to any supporting documents, containing data, analysis or copies of legal cases, which should have been provided with the full statement of case.

Proofs **should not**:

- duplicate information already included in other Inquiry material, such as site description, planning history and relevant planning policy;
- include new evidence, other than anything agreed at the CMC;
- include long irrelevant biographical detail of the witness.

Format of the proofs and appendices:

Proofs should be no longer than 3,000 words if possible and where proofs are longer than 1,500 words, summaries are to be submitted. They must not introduce new or different evidence nor go beyond the scope of the text they summarise.

The evidence of each witness should address distinct topics and not overlap another's.

Front covers to proofs and appendices are to be clearly titled, with the name, job title and qualifications of the witness on the cover.

Pages and paragraphs **must be** numbered.

Proofs should be in a PDF format, enabled to run a word search, with matching page numbers to any paper copies.

If paper copies are provided, proofs are to be spiral bound or bound in such a way as to be easily opened and read. Appendices are to be bound separately and indexed using projecting tabs, labelled and paginated.