

# Statement of Common Ground Addendum

This Statement of Common Ground (SoCG) is an addendum to the previously agreed SoCG (August 2025) between Epsom & Ewell Borough Council (EEBC) and Church Commissioners for England (CCE) in relation to the Epsom & Ewell Local Plan 2040.

## 1) Constituent Parties to this SoCG Addendum

Epsom & Ewell Borough Council (EEBC)  
Church Commissioners for England (CCE)

## 2) Background

During the Local Plan stage 2 examination hearings held during October 2025, the Inspector requested agreement between the parties on two specific issues:

- 1) The identification of the precise boundary of the Horton Farm site, which is to be removed from the Green Belt, and
- 2) Which are the key areas of disagreement between the parties in relation to the Proposed Submission Local Plan.

The response to these two issues is set out below.

## 3) Boundary of Horton Farm site in terms of Green Belt designation

Policy SA35 – Land at Horton Farm within the Proposed Submission Local Plan, identifies the boundary of the Horton Farm site and it is currently proposed that the entirety of the site is to be removed from the Green Belt.

Policy SA35, criteria f) requires the site to:  
“Provide a public park of approximately 7ha within the land to the North of the site incorporating walking, cycling routes, equestrian routes and measures for surface water management and biodiversity enhancement.”

During the hearing there was a brief discussion as to whether the ‘public park’ area of the site should remain designated as Green Belt rather than being removed. EEBC and CCE have differing views on this issue, which are set out below:

### **EEBC:**

EEBC consider the area of the public park within the Horton Farm site should remain designated as Green Belt. At the time of drafting policy SA35, the precise boundary

of the area to become the public park was unclear. Since the drafting of the policy, the masterplanning of the site has progressed and the area of the public park can now be more accurately identified. This is shown in figure 1.

Retaining the area of the public park within the Green Belt would assist in satisfying paragraph 147 of the NPPF (2023) which would help offset the impact of removing land from the Green Belt through “compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”.

EEBC consider that retaining the public park as Green Belt would create a clearly defined boundary between the areas of development (existing and that to be delivered through SA35) and open Green Belt land beyond the site boundary.

Figure 1: Area of the Horton Farm site which is proposed by EEBC to be retained in the Green Belt and become a public park (green), SA35 Site allocation boundary (red)



**CCE:**

CCE consider the entirety of the site should be removed from the Green Belt, as is currently proposed within the Submission Local Plan (Policy SA35).

Policy SA35 provides sufficient detail to identify the broad location (“land to the North of the site”) and extent (“7ha”) of the public park.

CCE are of the view that the Council's proposed hedgerow boundary (Figure 1 above) would be less permanent, whereas, removing the entire site from the Green Belt would provide a clearly defined boundary along the existing road network - Horton Lane and Hook Road (B284) and, importantly, the area for Green Belt release would be consistent with the site allocation boundary.

As set out above CCE are of the view the entire site should be removed from the green belt. Should the Inspector consider the 7ha of land designated from the public park be removed from the green belt, CCE are of the view the green belt boundary should follow the established field boundaries, as set out in figure 2 below. This covers 6ha of land and, an additional 1 ha of land provided as open space would sit outside the revised green belt boundary to meet the public open space requirement of 7ha. This approach would be in accordance with Paragraph 148, part f) of the NPPF 2023 which states that development plans must define green belt boundaries *'clearly, using physical features that are readily recognisable and likely to be permanent'*. Policy SA35 requires a larger quantity of open space, but that could be included in the development proposals and does not need to be in the Green Belt.

Figure 2: The Horton Farm site, showing in green, part of the proposed public park where established field boundaries are present, SA35 site allocation boundary (red).



While masterplanning of the site has progressed since the Local Plan was first drafted, it has yet to be finalised following more detailed assessment work. Removing the entire site from the Green Belt provides a greater degree of flexibility should further masterplanning of the site result in an amendment to the boundary of the public park, even if this were to be very minor.

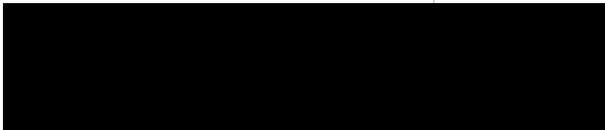
CCE recognise the requirement in paragraph 147 to 'set out ways' to offset the impact of removing land from the Green Belt, but consider that compensation is achieved, in this case, with the provision of a park, which would be accessible to the public. While not explicitly with the Green Belt, this would still be of public benefit in a Green Belt locality. Overall, the proposal suggested by CCE would deliver the same overall results, but it would be more consistent with the NPPF and more effective when it comes to the practicalities of bringing forward a planning application to deliver the homes and the public park.

#### **4) Key areas of disagreement which remain between the parties**

The previous SoCG outlined several suggested changes to the Proposed Submission Local Plan which had been suggested by CCE as part of their Regulation 19 representation. Since the examination hearings, these have been reviewed by the parties, taking account of both parties' responses to the Inspector's MIQs and an updated position has been provided. This is available in appendix 1.

#### **5) Signatories**

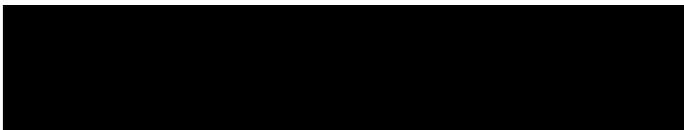
Epsom & Ewell Borough Council



Councillor Peter O'Donovan  
Chair of Licencing and Planning Policy Committee

Date: 22 January 2026

Church Commissioners for England (CCE)



Name: Victoria Barrett-Mudhoo, Asset Manager, Strategic Land

Date: 21/01/2026

**Appendix 1 CCE table of proposed amendments to the Proposed Submission Local Plan and EEBC's response – updated post examination hearings**

Submission Local Plan reference	Proposed amendment (CCE)	CCE Reason for change	EEBC response	Position agreed by both parties following examination hearings
Key Diagram	Modified to show the site allocation at SA35 Horton Farm to be proposed to be released from, and subsequently outside of, the Metropolitan Green Belt.	To ensure the policy is consistent with national policy – namely NPPF 2023 para 16)	Accept could be clearer on the Key Diagram however the policies map (document reference <a href="#">SD03a</a> ) makes clear that the site is proposed to be inset from the Green Belt.	It was agreed at during the hearing for changes to be made to the key diagram, which will address CCE's concerns.
Policies Map, Key and Site allocations	Modified to remove 'Policy DM15 - Green Belt (Existing)' from the site allocation at SA35 Horton Farm.	To ensure the policy is consistent with national policy – namely NPPF 2023 para 16)	It is a requirement to show changes to the existing policy boundaries on the policies map (document reference <a href="#">SD03a</a> ). The Town and Country Planning England Regulations (2012) makes this clear in 2.(1): "submission policies map" means a map which accompanies a local plan submitted to the Secretary of State under section 20(1) of the Act and which shows how the adopted policies map would be amended by the accompanying local plan, if it were adopted.	Policies map to be amended post examination/inspector's report.

SA35 – Horton Farm (part d)	d) Provide additional primary care capacity required to serve local needs. This could take the form of on-site provision integrated into a community building which accommodates primary health care provision alongside community health and wellbeing services required to meet the area's needs, or an equivalent financial contribution towards off-site provision of new or improvement to existing health facilities. The <b><u>requirement for and</u></b> form of required additional primary care provision will be determined in consultation with the NHS at the time the site comes forward, <b><u>based on local evidence of need.</u></b>	To ensure the policy is fully justified, and requirement based on evidenced local need.	Policy SA35 is considered to address this point, due to the inclusion of the wording "to meet the area's needs".	Remains an area of disagreement.
SA35 – Horton Farm (part g)	g) Incorporate an area of approx. 0.6ha, with access to the highway and utilities connections, suitable for delivery of gypsy and traveller pitches (10 pitches), <b><u>subject to local evidence of need at the time the site comes forward, for development.</u></b>	To ensure the policy is fully justified, and requirement based on evidenced local need.	The policy as worded is considered to be sound. As discussed in EEBC's response to the Inspector's initial questions (document reference <a href="#">COUD_001</a> , page 9) and the Gypsy and Traveller Accommodation Assessment (document reference <a href="#">HB04</a> ), the need for pitches has increased from 10 pitches to 18 over the plan period. It is therefore considered that the policy wording remains appropriate.	Remains an area of disagreement.

SA35 – Horton Farm (part i)	l) Achieves a measurable biodiversity net gain of at least <del>20%</del> <b>10%</b> as calculated using the latest statutory metric.	To ensure the Plan is Justified and aligned with National requirements.	EEBC consider the higher BNG requirement of 20% for greenfield allocations is justified and evidenced.  EEBC's response to the Inspector's initial questions (document reference <a href="#">COUD_001</a> , Biodiversity Net Gain requirements for specific greenfield site allocations, page 13) provides further details.	Remains an area of disagreement.
Policy S7 Specialist Housing (part 2)	2) <i>Larger-scale new residential developments (over 200 C3 dwellings) will be required to incorporate specialist accommodation, in line with the above criteria, unless there is reasonable evidence that it is not feasible <b>and/or local evidence of need at the relevant time demonstrates there is not a requirement.</b></i>	To ensure the policy is fully justified, and requirement based on evidenced local need.	Policy S7 is considered to already address this issue, with the wording of part 1) a) of the policy being applicable to part 2). Part 1) a) states “there is robust evidence to support that it meets an identified need in the borough”.	It was agreed at the hearing for EEBC to suggest changes to part 2 of this policy to make it more effective. At this stage it is unclear whether this will address CCE's comments. Remains an area of disagreement.
DM2 Self Build and Custom Housebuilding	Addition of a fall-back position, whereby the plots are offered for sale with outline planning permission for a period of (we suggest) 12 months. Should the demand not be forthcoming after this time, the plots could revert to standard market housing plots. This could be secured within the S106.	To ensure the Plan is 'unambiguous' and justified.	Policy DM2 is considered to already address this issue, within the supporting text at paragraph 5.29 and Appendix 5, table A5. Para 5.29 states “Where plots are marketed for self and custom build purposes and a period of 12 months has elapsed from the point at which 'serviced plots' are available without take-up, then	Remains an area of disagreement.

			<p>any variation through application or deed of variations for alternative housing or other uses will need to be justified with details that demonstrate a thorough marketing strategy of the plots at an appropriate price has taken place.”</p> <p>Appendix 5, table A5 specifies the period to be for 12 months.</p>	
<p>Policy S8 Gypsies Travellers and Travelling Show people (paragraph 5.46)</p>	<p><i>To help meet the additional need for sites, the council has sought to increase provision over the plan period through the allocation of <del>a minimum of</del> 10 pitches as part of the Horton Farm Allocation (Site Allocation 35).</i></p>	<p>To ensure the Plan is ‘unambiguous’ and consistent throughout and therefore consistent with National Policy.</p>	<p>Given the change in definition of gypsies and travellers, as discussed in EEBC’s response to the Inspector’s initial questions (document reference <a href="#">COUD_001</a>, Gypsy and Traveller Assessment page 9), the need for pitches has increased from 10 pitches to 18 over the plan period. It is therefore considered that the wording ‘a minimum of’ it remains appropriate.</p>	<p>Remains an area of disagreement.</p>
<p>Policy S12: Amenity Protection (first paragraph)</p>	<p><i>All development should secure the <b>acceptable</b> amenities of its future occupants, and protect those amenities enjoyed by nearby and adjacent properties. The design of development, should have regard to:</i></p> <p><i>a) privacy, daylight, and sunlight; and</i></p> <p><i>b) noise, vibration, light, heat, smell and airborne emissions consisting of fumes,</i></p>	<p>To ensure the policy is consistent with national policy and not overly restrictive.</p>	<p>Policy S12 is not considered to be overly restrictive and is consistent with national policy.</p>	<p>It was agreed at the hearing for EEBC to suggest changes to this policy, which do not relate to CCE’s suggested amendment. Remains an area of disagreement.</p>

	<i>smoke, soot, ash, dust and grit; c) activity levels and traffic generation; and</i>			
Policy S15 Biodiversity Net Gain (supporting text)	<p>7.51. Biodiversity Net Gain (BNG) is an approach that leaves the natural environment in a better state than it started. The Environment Act 2021 introduced a mandatory requirement for development to achieve a minimum level of BNG compared to its baseline value in order to help address any further degradation of the natural environment.</p> <p>7.52. In Surrey, the State of Surrey's Nature document found higher rates of loss or extinction of species in Surrey was greater than national levels. In addition, historic habitat loss and fragmentation, intensification of agriculture and eutrophication of soils and water are having negative impacts on biodiversity in Surrey. This is in the context of a high natural capital of Surrey's natural assets. <b><u>This underlines the importance of ensuring that qualifying development proposals seek to maximise net gains wherever possible, with a requirement to deliver at least 10% BNG compared to the existing baseline, in line with legislative requirements.</u></b></p> <p>7.53. This policy will require at least 10% BNG on qualifying development proposals and 20% BNG from greenfield site</p>	To ensure the Plan is Justified, and aligned with National requirements which are for at least 10% BNG. The additional sentence reflects a desire for greater BNG to be achieved, but aligns more closely with the legislative requirement.	EEBC consider the higher BNG requirement of 20% for greenfield allocations is justified and evidenced. EEBC's response to the Inspector's initial questions (document reference <a href="#">COUD 001</a> , Biodiversity Net Gain requirements for specific greenfield site allocations, page 13) provides further details.	Remains an area of disagreement.

<p>allocations. This higher requirement is detailed in the site allocation policy.</p> <p>7.54. To measure biodiversity value and the required output the Statutory biodiversity metric (or up to date equivalent) must be used for major development. For development of 9 dwellings or less, the Small Sites Metric SSM (or up to date its equivalent) can be used to calculate net gain for small development sites.</p> <p>7.55. Planning applications, other than those with exemptions specified in the regulations, must be accompanied by a Biodiversity Statement containing the minimum information specified in the regulations.</p> <p>7.56. To implement the general biodiversity gain condition, a Biodiversity Gain Plan demonstrating a biodiversity net gain of <u>at least 10%</u> <del>(or the higher 20% requirement for specific site allocations)</del> must be approved before development commences on a site. BNG will be provided either on-site, off site or through statutory biodiversity credits in line with the BNG hierarchy.</p> <p>7.57. Biodiversity net gain will be secured by planning condition, legal agreement or a conservation covenant, for a period of at</p>			
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	least 30 years after completion of the development.			
Policy S15 Biodiversity Net Gain	<p>1) Planning applications, other than those that are exempt in accordance with the regulations, will be permitted provided that it can be demonstrated that at least 10% biodiversity net gain can be achieved <del>(unless a higher requirement has been specified in a site allocation policy).</del></p> <p>2) <b><u>In line with legislative requirements and national policy,</u></b> Biodiversity net gain should be delivered using the following hierarchy:</p> <p>a) <b><u>Enhancement of on-site habitats as part of the development;</u></b></p> <p>b) <b><u>Creation of on-site habitats as part of the development;</u></b> On-site as part of the development;—</p> <p>c) <b><u>Allocation of registered off-site gains, including bespoke proposals and securing units from a recognised broker; or</u></b></p> <p>d) <b><u>As a last resort, the purchase of statutory biodiversity credits</u></b></p> <p><del>b) Where on-site delivery is not feasible then this should be provided on land adjacent to, or as close to the development site as possible;—</del></p> <p><del>e) As a last resort, if it can be demonstrated that neither of these</del></p>	To ensure the Plan is Justified, and aligned with National requirements which are for at least 10%. Reworded to align with PPG guidance on the hierarchy., as per Matter 8 statement.	EEBC consider the higher BNG requirement of 20% for greenfield allocations is justified and evidenced. EEBC's response to the Inspector's initial questions (document reference <a href="#">COUD_001</a> , Biodiversity Net Gain requirements for specific greenfield site allocations, page 13) provides further details.	It was agreed at the hearing for EEBC to suggest changes to this policy. This may address some of CCE's concerns, in terms of aligning the policy with PPG guidance, although disagreement remains in relation to the percentage of BNG requirement.

	<p>options are either available or economically feasible, net gain should be secured on land within the Borough boundary. BNG offsets should align with and deliver the LNRS and preferably within BOAs.</p> <p>3) Biodiversity net gain will be secured by planning condition, legal agreement or a conservation covenant, as appropriate.</p>			
Policy S16 – Flood Risk and Sustainable Drainage (part b)	<p>b) Where necessary (as defined by Government Policy and Guidance), sequential and subsequent exception tests have been passed. <b><u>The sequential test will not be required where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk). Where planning applications come forward on allocated sites, applicants need not apply the sequential test again.</u></b></p>	<p>Whilst the Local Plan is to be examined under the 2023 NPPF, for the determination of planning applications the 2024 NPPF applies from the date of publication (2024 NPPF, para 231). This modification will assist the Council to ensure that the Plan and its policies remain effective over the plan period.</p>	<p>The Proposed Submission Local Plan has been prepared to be in conformity with and is being examined against the 2023 NPPF.</p> <p>The policy as drafted is considered to be sound.</p>	<p>Remains an area of disagreement.</p>
Policy S17 – Infrastructure Delivery	<p>1) <i>All new development must contribute towards the provision (and where appropriate, maintenance) of infrastructure and services. This includes provision to mitigate against any substantial cumulative effects on existing</i></p>	<p>To be effective and aligned with national policy.</p>	<p>The policy as worded is considered to be sound and the suggested additional policy wording for criteria 2 is not considered necessary.</p>	<p>It was agreed at the hearing for EEBC to suggest changes to this policy. At this stage it is unclear whether this</p>

<p>infrastructure services. The infrastructure necessary to support new development should either be provided onsite as an integral part of the development or be secured off-site through financial contributions via the infrastructure levy.</p> <p>2) Infrastructure must be provided at the appropriate time, <b><u>for smaller developments, this may be</u></b> prior to the development becoming occupied or becoming operational. For Larger developments, <b><u>infrastructure</u></b> may need to be phased <b><u>and appropriate delivery of infrastructure should be agreed on a site-by-site basis. to ensure that this requirement can be met.</u></b></p> <p>3) Development of new infrastructure, in particular infrastructure projects identified in the Infrastructure Delivery Plan, that meet needs of the borough and its communities will be permitted, subject to the consideration of other policies within this Local Plan.</p> <p>4) Losses of existing infrastructure will only be permitted where it can be clearly demonstrated there is no longer a need for such infrastructure, or a suitable alternative is provided.</p> <p><b><u>5) S106 contributions will be sought to assist in mitigating the impact of the development to make it acceptable in planning terms, subject to the three tests in Regulation 122 of the Community Infrastructure Levy regulations (2010), namely: (a)</u></b></p>			<p>will address CCE's comments. Remains an area of disagreement.</p>
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	<u><i>necessary to make the development acceptable in planning terms; (b) directly related to the development and, (c) fairly and reasonably related in scale and kind to the development.</i></u>			
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