

## Langley Vale Memorial Woodland Site

Joint application for the creation of a permanent car park, overflow car park, cycle parking, new access to Headley Road, gates, height restrictor, ticket machine, CCTV, hard surfaced paths, multi-user paths and memorial area, including sculptures and associated infrastructure in relation to Langley Vale Wood - Centenary Woodland for England

<b>Ward:</b>	<b>Woodcote Ward;</b>
<b>Contact Officer:</b>	<b>Ginny Johnson</b>

### 1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <http://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P210X5GY0DE00>

### 2 Summary

- 2.1 A joint Application has been submitted to Epsom and Ewell Borough Council (EEBC), Mole Valley District Council (MVDC) and Reigate and Banstead Borough Council (RBBC). The Application is for the creation of a permanent car park, overflow car park, cycle parking, new access to Headley Road, gates, height restrictor, ticket machine, CCTV, hard surfaced paths, multi-user paths and memorial area, including sculptures and associated infrastructure in relation to Langley Vale Wood – Centenary Woodland for England.
- 2.2 It should be noted that the application originally included a Visitor Centre and Play Area, which were submitted in 'Outline'. The Applicant formally removed these two items from the application, amending the description of development (as above) and providing amended drawings on 08 July 2019 to the Local Planning Authority, which omitted these two elements.
- 2.3 The elements of the Application that fall within the administrative area of EEBC comprise:
- Hard surface paths
  - Memorial area.
- 2.4 The proposed hard surface paths and memorial area are considered appropriate in nature and scale and are not considered to adversely affect the Green Belt.

2.5 The proposal is considered favourably and is recommended for approval.

### **3 Site description**

- 3.1 The Application Site ('Site') comprises 25.59 hectares of arable land and woodland. It forms part of the wider 'Langley Vale' Site, which comprises 259 hectares of similar terrain.
- 3.2 The Site is located to the South-East of Langley Vale Road and to the North-East of Headley Road. The Site is immediately surrounded by agricultural land and woodland. The wider area comprises a mix of uses. Approximately 1.6 kilometres to the North-East of the Site is the village of Langley Vale and approximately 2.5 kilometres to the North-West of the Site is the village of Ashted. Epsom Downs Racecourse is located approximately 2.7 kilometres to the North-East of the Site.
- 3.3 Tattenham Corner train station is located approximately 4 kilometres to the North-East of the Site and Ashted train station is located approximately 3.8 kilometres to the North-West of the Site. There are no bus stops in close proximity to the Site.
- 3.4 The wider Site falls within the administrative areas of Epsom and Ewell Borough Council (EEBC), Mole Valley District Council (MVDC) and Reigate and Banstead Borough Council (BBDC). Drawing ref: Langley\_002A – Layout Plan and LPA Boundaries – dated 25/06/2019, presents the boundaries of the Local Planning Authorities.
- 3.5 The Site is designated within the Greenbelt, within an Area of Great Landscape Value (AGLV) (a Local Planning Policy designation) and an area of Ancient Woodlands.

### **4 Proposal**

- 4.1 The Woodland Trust acquired 259 hectares of land at Langley Vale, with the intention for it to become one of four First World War Centenary Sites. The Site comprises 25.59 hectares of arable land and woodland.
- 4.2 A joint Application has been submitted to Epsom and Ewell Borough Council (EEBC), Mole Valley District Council (MVDC) and Reigate and Banstead Borough Council (RBBC). The Application is for the creation of a permanent car park, overflow car park, cycle parking, new access to Headley Road, gates, height restrictor, ticket machine, CCTV, hard surfaced paths, multi-user paths and memorial area, including sculptures and associated infrastructure in relation to Langley Vale Wood – Centenary Woodland for England.
- 4.3 For clarity, the Application reference numbers for the Applications submitted to MVDC and RBBC are provided below:
- MVDC: ref: MO/2018/0004

- RBBC: ref: 17/02947/F.
- 4.4 The elements of the Application that fall within the administrative area of EEBC comprise:
- Hard surface paths
  - Memorial area.
- 4.5 The proposed hard surface paths are illustrated on drawing ref: Langley\_002A – Layout Plan and LPA Boundaries - dated 26/06/2019. The hard surface paths are located to the South of Langley Vale Road. They provide a linkage between the approved car park in MVDC, the proposed memorial area and the approved hard surface paths in MVDC, to the East of Walton Road.
- 4.6 Paragraph 5.2.14 of the accompanying Environmental Statement sets out that the hard surface paths will be 2 metres in width and comprise ‘ultritrec’, a recycled paving material, to ensure access by those with limited mobility. Based on a 15 metres buffer either side of the paths, the hard surface pathways cover an area of 8.02 hectares.
- 4.7 The hard surface paths will be used by pedestrians only. The multi-user paths, located within RBBC, are to be used by cyclists and horse riders.
- 4.8 The memorial area is located within a field to the South of Langley Vale Road, to the East of the approved car park in MVDC and to the North of an existing path, located within the authoritative area of EEBC. The memorial area comprises a sculpture, commemorating the Centenary of the First World War.
- 4.9 The elements of the Application that fall within the authoritative area of MVDC include:
- A new access off Headley Road
  - Permanent and overflow car park
  - Cycle Parking
  - Gates, vehicle height restrictor, ticket machine, CCTV and hard surface paths.
- 4.10 MVDC’s Planning Committee approved the above application on 5 June 2019.
- 4.11 The elements of the Application that fall within the authoritative area of RBBC include:
- Multi use paths.

4.12 RBBC's Planning Committee approved the above application on 3 July 2019.

## 5 Comments from third parties

5.1 The application was advertised by means of letters of notification to 7 neighbouring properties. To date (06.06.2019) 3 letters of neutral comment have been received, 2 letters of support have been received, setting out that the proposal is a great asset to Epsom, and 30 letters of objection have been received. The letters of objection regard:

- Traffic/Parking Implications
- Impact on Ecology/Wildlife, including impact on badgers
- Impact on Green Belt
- Noise and Disturbance
- Adverse Visual Impact
- Impact on Character.

5.2 A Site Notice, dated 8 January 2018, was displayed. The application was also advertised within the Local Paper on 8 January 2018.

5.3 Following the applicant's formal decision to remove the visitor's centre and play area from the application, neighbours were re-consulted on the revised drawings, received 08 July 2019, for a 14 day period.

5.4 A Site Notice, dated 9 July 2019, was displayed for a 14 day period, given the amended description of development and the revised drawings received.

## 6 Statutory Consultations

Surrey County Council (Highways) (22.02.2019): No highway requirements, subject to conditions

SCC Archaeology (09.01.2019): No objection, subject to conditions

Environment Agency (18.06.2018) No objection, subject to conditions

Jockey Club (10.05.2019): Objection withdrawn

Epsom & Ewell Ramblers (03.02.2019): No objection to proposals within EEBC administrative area

Ashstead Residents' Association (25.01.2019): Objection to proposal

Botanical Society of Britain & Ireland (BSBI) (20.01.2019): Objection to proposal

Surrey Hill AONB Planning Advisor (20.03.2018): Related to visitor's centre, which has been omitted from this application. This consultation response is no longer relevant

Campaign to Protect Rural England (28.02.2018): Objection to proposal

## 7 Relevant planning history

7.1 The below table sets out the recent and relevant planning history pertaining to the Application Site:

Reference	Description of Development	Decision	Decision Date
16/01909/SCO	EIA Scoping opinion for development of visitors' centre, car park, memorial area, play space and pathways at Langley Vale Centenary Woodland, Epsom	No Objections	09 May 2017
16/00036/SCO	EIA Scoping opinion for development of visitors car park, visitors centre, memorial area, hard surfaced access paths and associated infrastructure	No Objections	19 May 2016
15/00882/SCR	Application for screening opinion as to whether the proposed development of visitors car park, visitors centre, memorial area, hard surfaced access paths and associated infrastructure is "EIA development" within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011	Objection	25 September 2015

## 8 Planning Policy

National Policy Planning Framework (NPPF) 2018

Chapter 9 Promoting Sustainable Transport  
Chapter 13 Protecting Green Belt Land

Chapter 14	Meeting the challenge of Climate Change, Flooding and Coastal Change
Chapter 15	Conserving and enhancing the Nature
Chapter 16	Conserving and Enhancing the Historic Environment

Core Strategy 2007

Policy CS2	Conserving and Enhancing Open Space and Landscape Character
Policy CS3	Biodiversity and Designated Nature Conservation Area
Policy CS5	Conserving and Enhancing the Quality of the Built Environment
Policy CS6	Sustainability in New Developments
Policy CS16	Managing Transport and Travel

Development Management Policies Document 2015

Policy DM1	Extent of the Green Belt
Policy DM8	Heritage Assets
Policy DM9	Townscape Character and Local Distinctiveness
Policy DM10	Design Requirements for New Developments (including House Extensions)
Policy DM36	Sustainable Transport for New Development
Policy DM37	Parking Standards

## **9 Planning considerations**

### Principle of Development

#### *Loss of Agricultural Land*

- 9.1 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decision should (inter alia) recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystems – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 9.2 Chapter 14 of the accompanying Environmental Statement sets out that approximately 76% of the wider Site (elements falling within the administrative areas of EEBC, MVDC and RBBC) is used as agricultural land, mainly for arable cropping. The remaining 24% of the wider Site comprises woodland.
- 9.3 Chapter 14 of the accompanying Environmental Statement further sets out that the land lost as part of the wider proposal is the best and most versatile in terms of agricultural quality. The proposed development of this land will not enable its return to agriculture and so is a permanent loss. There is no mitigation proposed for the loss of this land.

- 9.4 The loss of the best and most versatile land fails to comply with the purposes of paragraph 170(b) of the NPPF. The loss of this land is weighed against the proposed benefits of the scheme, within this Committee Report.

Green Belt

- 9.5 Chapter 13 of the NPPF relates to the protection of Green Belt land. Paragraph 133 of the NPPF sets out that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characterises of Green Belts are their openness and their permanence.
- 9.6 Paragraph 134 of the NPPF sets out that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.7 Paragraph 141 of the NPPF sets out that once Green Belts have been defined, Local Planning Authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
- 9.8 Paragraph 143 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.9 Paragraph 144 of the NPPF sets out that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.
- 9.10 Paragraph 145 of the NPPF sets out that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and;

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.11 Policy CS2 sets out that to ensure the Green Belt continues to serve its key functions, its existing general extent will be maintained and, within its boundaries, strict control will continue to be exercised over inappropriate development as defined by Government policy.

9.12 Policy DM1 seeks to maintain the extent of the Green Belt. Supporting paragraph 2.4 sets out that the Green Belt is very important to Epsom and Ewell Borough Council, as it positively contributes to the unique visual character and appearance of the Borough, making it an attractive place for people to live, work and play. It is essential that its permanence is safeguarded and its qualities maintained.

9.13 Policy DM7 sets out that where new development provides an opportunity to improve existing and proposed footpath, cycle and bridleway networks and such improvements are practical and viable, the Local Planning Authority will seek their delivery as part of the development.

- 9.14 Supporting paragraph 2.28 recognises that the Borough has a wide variety of established pedestrian, cycle and bridleway networks that provide access across the existing urban area into the surrounding countryside, Green Belt and area of Strategic Open Space. These networks perform an important green infrastructure role; in many cases contributing green infrastructure assets and in others providing a link between larger pieces of green infrastructure, such as parks and areas of public open space and the wider countryside. They also make a valued contribution to the Borough's distinctive visual character and appearance.
- 9.15 Supporting paragraph 2.30 sets out that these networks encourage sustainable travel options for residents, linking key facilities and services, and providing an alternative to the motor car for short trips. They also contribute towards the creation of healthy communities by encouraging access into the surrounding countryside, Green Belt and open spaces for leisure, cultural and sporting activities. The provision of high quality path networks that the majority of visitors to our open spaces prefer to use plays an important role in conserving biodiversity by protecting fragile habitats.
- 9.16 A Green Belt Assessment, dated February 2017, was prepared to inform the preparation of EEBC's new Local Plan. It assesses parcels of Green Belt within the Borough against the five main purposes of Paragraph 134 of the NPPF. The Site sits within parcel one of the Green Belt study, which scores highly on two of the five purposes, including to check unrestricted sprawl of large built-up areas and assist in safeguarding the countryside from encroachment.
- 9.17 Green Belts are an important feature of National and Local policy. Concerns have been raised by nearby residents that the proposals will adversely affect the Green Belt. These concerns have been taken into consideration by Officers within the below assessment.
- 9.18 As stipulated above, paragraph 145 of the NPPF sets out that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. The below table sets out the exceptions (A – G) and a review as to whether the proposed elements comply:

Point	Exception	Hard Surface Paths	Memorial Area
A)	Buildings for agriculture and forestry	The proposal is not for agricultural or forestry buildings. Therefore, the proposal does not meet the exception of point 'A'	
B)	The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities	The proposed hard surface paths would facilitate outdoor sport and recreation, meeting the exception of point 'A'	The proposed memorial area would link to the wider outdoor recreation offered as part of the proposal. It comprises a central sculpture, which utilises natural

	<p>preserve the openness of the Green Belt and do not conflict with the purposes of including land within it</p>		<p>materials, to ensure that it is in keeping with its rural setting. It is considered to meet the exception of point 'A'</p>
C)	<p>The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building</p>	<p>The proposal does not seek to extend or alter an existing building. Therefore, the proposal does not meet the exception of point 'C'</p>	
D)	<p>The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces</p>	<p>The proposal does not seek the replacement of a building. Therefore, the proposal does not meet the exception of point 'D'</p>	
E)	<p>Limited infilling in villages</p>	<p>The proposal does not seek a limited village infill. Therefore, the proposal does not meet the exception of point 'E'</p>	
F)	<p>Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)</p>	<p>The proposal is not seeking to provide affordable housing. Therefore, the proposal does not meet the exception of point 'F'</p>	
G)	<p>Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:</p> <p>Not have a greater impact on the openness of the Green Belt than the existing development; or;</p> <p>Not cause harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority</p>	<p>The proposal does not seek limited infilling or partial or complete redevelopment of previously developed land. Therefore, the proposal does not meet the exception of point 'F'</p>	

- 9.19 The proposed hard surface paths facilitate outdoor sport and recreation, meeting the exception of point 'A' of Paragraph 145 of the NPPF. Furthermore, in line with Local Planning Policy, paths perform an important green infrastructure role and make a valued contribution to the Borough's distinctive visual character and appearance. Therefore, the proposed hard surfaces paths are considered acceptable.
- 9.20 The memorial area is linked to the overall outdoor recreation offering. It comprises a central sculpture, which measures 6 metres in depth and 6 metres in height. This is surrounded by native and non-native species. The accompanying Design and Access Statement sets out that it has been subject to an artist's design competition. It utilises natural materials, to ensure that it is in keeping with its setting. The size of the sculpture is considered appropriate within the rural setting and meets the exception of point 'A' of Paragraph 145 of the NPPF.
- 9.21 As above, the proposed hard surface paths and memorial area are considered appropriate in nature and scale and are not considered to adversely affect the Green Belt. The proposal complies with paragraph 145 of the NPPF and Policies CS2, DM1 and DM7.

#### Landscaping and Trees

- 9.22 Chapter 15 of the NPPF relates to the conservation and enhancement of the Natural Environment. Paragraph 170 sets out that planning decision should (inter alia) contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- 9.23 Policy DM5 sets out that the Borough's trees, hedgerows and other landscape features will be protected and enhanced by (inter alia):
- Planting and encouraging others to plant trees and shrubs to create woodland, thickets and hedgerows; and
  - Requiring landscape proposals in submissions for new development, which retain existing trees and other important landscape features where practicable and include the planting of new semi-mature tree and other planting.
- 9.24 Policy DM5 further states that where trees, hedgerows or other landscape features are removed, appropriate replacement planting will normally be required. Consideration should be given to the use of native species as well as the adaptability to the likely effects of climate change.
- 9.25 The Site is designated within an area of Area of Great Landscape Value (AGLV), in line with Local Planning Policy designations, where Policy DM5 is of relevance and the Surrey Landscape Character Assessment, dated April 2015.

- 9.26 In 2016, the Forestry Commission granted consent to the Woodland Trust to plant 200,000 trees, as part of the wider Langley Vale Wood project. This is not a material consideration within this Planning Application however. The consideration of landscape impacts is confined to the proposals within EEBC's administrative area only.
- 9.27 An Arboricultural Implications Report, dated November 2017, accompanies the application. 451 individual trees and 24 groups of trees were assessed. No category 'A' trees, no veteran or ancient trees and no trees of high landscape or biodiversity value are proposed to be removed, across the wider Site (all elements falling within the administrative areas of EEBC, MVDC and RBBC). Furthermore, no "important" hedgerows are proposed to be removed, although some sections will be removed.
- 9.28 At paragraph 5.1 of the Arboricultural Implications Report, parts of the proposed hard surfaced paths will encroach within the root protection areas of 28 trees, to be retained. The effects of these incursions can be minimised by excavation within these areas being undertaken under the direct control and supervision of an appointed Arboricultural consultant, and manually where deemed necessary, so that any roots encountered can be treated appropriately.
- 9.29 Updated Tree Protection Plans accompany this application, received on 09 July 2019. These set out that across the wider Site (including all elements falling within the administrative areas of EEBC, MVDC and RBDC) 31 trees are to be removed and 5 groups of trees (hedgerows) will have short sections removed. Of the trees to be removed, 0 are Category A, 14 are Category B, 16 are Category C and 1 is Category U.
- 9.30 The Local Planning Authority's Tree Officer formally commented on this application. The Tree Officer is satisfied with the proposal, subject to ensuring a Condition is attached to any Planning Permission granted, which ensures that the development is carried out in accordance with the Tree Protection Plans and Methods.
- 9.31 In summary, the proposal seeks to minimise tree removal. Indeed, there are no category 'A' trees, veteran, ancient trees or trees of high landscape or biodiversity value proposed to be removed.
- 9.32 The proposal is considered to comply with Policy DM5.

#### Ecology

- 9.33 Chapter 15 of the NPPF relates to the conservation and enhancement of the natural environment. Paragraph 170 sets out that planning decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes and sites of biodiversity. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality.

- 9.34 Paragraph 175 of the NPPF sets out that development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.35 Policy CS3 sets out that the Borough's biodiversity will be conserved and enhanced through the support for measures which meet the objectives of National and Local biodiversity action plans in terms of species and habitat. Development that would harm Grade 3 Sites of Nature Conservation Interests (SNCIs) will not be permitted unless suitable measures are put in place and it has been demonstrated that the benefits of a development would outweigh the harm caused.
- 9.36 Policy DM4 seeks to ensure that new development takes every opportunity to enhance the nature conservation potential of a Site and secure a net benefit to biodiversity. It sets out that development affecting existing or proposed nature conservation sites and habitats of international, national or local importance will only be permitted if:
- The development would enhance the nature conservation potential of the site or is proven to be necessary for the conservation management of the site; or
  - There is no alternative location for the development and there would be no harm to the nature conservation potential of the site; or
  - There are imperative reasons of overriding public interest for the development.
- 9.37 Opposition to the scheme has been raised by the Botanical Society of Britain & Ireland (BCBI). The reason for this opposition, as stated in the BSBI's letter dated 20 January 2019, are as follows:
- The applicant has not been able to demonstrate any need for this development in the Green Belt
  - The reasons for the proposed development appear to be based on financial speculation and on publicity. Neither of these should be matters for planning.
  - The applicant still persists in withholding essential ecological information, especially in relation to plants and birds. This information includes the location of and management for some scarce non-arable species which are included in the soon to be published Surrey Rare Plant Register. It also includes all of the known locations for rare arable species. The advice given by the bird specialist in Groome 2014 has been consistently ignored.
  - The applicant suggests that the Revised NPPF would favour this application as the facilities to be provided would draw people away from the nearby statutory wildlife sites, of which there are fewer than suggested. The claim is mere supposition and cannot be substantiated. It is noteworthy that there is no attempt to provide data to support this claim.

- There are unfortunately very many incorrect statements in the three new documents (submitted in December 2018)
- There could be many more incorrect statements in the submitted documents.

9.38 Additionally, local residents have raised concerns regarding the ecological impacts of the wider proposed development (including all elements within the administrative areas of EEBC, MVDC and RBDC).

9.39 Chapter 10 of the accompanying Environmental Statement assesses the likely effects of the proposed development on existing ecology features. By way of a background, paragraph 10.2.2 of Chapter 10 sets out that no part of the wider Site is statutory designated. There is one European designated Site within 8km of the Site. Mole Gap to Reigate Escarpment SAC is located approximately 1.2km to the south-west of the Site. There are five Local Nature Reserves (LNR), one National Nature Reserve (NNR) and five Sites of Special Scientific Interest (SSSI) within 5km of the Site.

9.40 Paragraph 10.2.3 of Chapter 10 sets out that 17 non-statutory designated sites are within 2km of the Site. The three largest woodlands at Langley Vale are Great Hurst Wood, Little Hurst Wood and Downs View Wood. These are Ancient Woodlands and a designated Site of Nature Conservation Interest (SNCI). Langley Bottom Farm is also a SNCI.

9.41 As part of the proposal, a Phase 1 Habitat Survey and a variety of Phase 2 ecology surveys were undertaken. The results are summarised below:

*Phase 1 Habitats*

9.42 There were eight different habitat types found within the wider Site, including:

- 1) Arable
- 2) Improved grassland
- 3) Species-poor semi-improved grassland
- 4) Semi-improved grassland
- 5) Semi-natural broad-leaved woodland (including ancient woodland)
- 6) Plantation broad-leaved woodland (including ancient woodland)
- 7) Tall ruderal; and
- 8) Hederows.

Phase 2 Habitats

- 9.43 Eighteen National Vegetation Classification (NVC) community-types were recorded during fieldwork across the wider Site, along with four classifications, where either NVC recording was not undertaken (uncultivated arable field margins, field corners and game cover strips) or where there is no NVC equivalent (arable crops, bare ground and tracks).
- 9.44 Paragraphs 10.2.16 and 10.2.17 of Chapter 10 sets out that due to their sensitivity and protected nature, the Surrey Biological Information Centre (SBIC) does not supply records of badger setts. Previous surveys recorded 30 badger setts within the wider Site's area, of which 24 were partly active in 2016. Abundant signs of foraging activity were found within the woodland and around field margins, but with little evidence of foraging in arable fields. Push-throughs were largely associated with hedgerows between fields within the Site. Several were on the Site boundary leading to off-site setts and foraging areas.
- 9.45 The 2017 field survey recorded 93 badger setts across the wider Site. Many of these setts had multiple entrances, although not all were active. Up to seven main setts were identified. The greatest number of entrances to one potential sett was 29, located towards the South of the Site, within Great Hurst Wood.
- 9.46 Paragraph 10.5.1 of Chapter 10 sets out that the design and layout of the proposed development has been informed by survey work undertaken on Site to avoid and/or minimise impacts to Ancient Woodlands, species-rich hedgerows, concentrations of rare arable weeds and protected species, including badgers.
- 9.47 The design for the wider proposal includes the planning of 200,000 trees and management of the Site, to maximise biodiversity. The aim for the Site is that in fifty years' time the Site will be a mosaic of habitats, including Ancient Woodlands, secondary native woodland, neutral and chalk grassland and arable margins. Management of the Site will provide the optimum conditions for rare and threatened arable plants to thrive, invertebrates, farmland birds and mammals, by improving its quality, extent and diversity. The creation of a mosaic of habitats will be bigger, better and more joined up, than the current baseline conditions.

Construction Phase

- 9.48 Paragraph 10.6.1 of Chapter 10 of the Environmental Statement sets out that it is considered that there will be a negligible impact arising at the construction stage on designated sites. The construction will have no significant direct or indirect consequences on the Special Areas of Conservation (SAC) that is located 1.2km to the South of the wider Site or on the the Sites of Special Identified Interest (SSSI) and Local Nature Reserve (LNR), which are within 5km of the Site.

- 9.49 Paragraph 10.6.2 of Chapter 10 sets out that the construction of the memorial area and paths will lead to a small loss in the extent of the Langley Bottom Farm SNCI. The creation of the (now excluded) visitor's centre and memorial area will lead to the loss of approximately 1.4% of the SNCI including a small area of arable margin habitat, although none of the surveys indicate that they contain notable arable weeds.
- 9.50 Paragraph 10.6.3 of Chapter 10 sets out that impacts on Langley Bottom Farm SNCI without mitigation are likely to be principally from pollution events during construction, for example dust, noise and chemical pollution, in particular, to the west of Langley Vale Field, and arable margins close to Round Wood. These potential impacts are considered "Minor Adverse".
- 9.51 It is not considered that the badger setts will be lost as part of the construction work, as set out at paragraph 10.6.11 of Chapter 10. Up to five setts, which includes a potential main sett, are located within 30m of the (now excluded) visitor's centre and proposed memorial area. The potential disturbance impacts on these setts is considered "minor adverse" and in the absence of mitigation, would be an offence under the Badgers Act (1992). Construction disturbance to foraging routes and effects of construction lighting and also considered a "minor adverse" effect, in the absence of any mitigation. There are also likely impacts, without mitigation, from death or injury of badgers entering the construction zone, which is considered a "minor adverse" effect.

#### Operational Phase

- 9.52 It is considered that the operation stage will have a significant major beneficial impact on the status of the Mole Gap to Reigate Escarpment Special Areas of Conservation (SAC), which is located 1.2km from the Proposed Development. The creation of the network of paths will reduce visitor pressure to nearby Chalk Downland and Woodland SAC. Furthermore, the proposal will reduce visitor pressure on all Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR), located within 5km of the wider Site boundary.
- 9.53 The potential recreational disturbance impacts arising from the visitors on the SNCIs within the Site is assessed as being Minor Adverse. No new paths will be created through the areas of ancient woodland, however the existing pathways through woodlands may degrade from over use and habitats may suffer compaction and puddling. Paragraph 10.6.19 of Chapter 10 sets out that the Woodland Trust is experienced in providing public access whilst protecting valuable habitats. With suitable management plans in place, the impact of increased public access is expected to be Major Beneficial.

Predicted Impacts – Future Baseline (March 2019) with Proposed Development

- 9.54 The future baseline conditions are not considered to be significantly different to the existing baseline conditions. Of note, the new woodland planting on arable land will increase the foraging and sett location resource for badgers, which is considered “moderate beneficial”.

Summary and Conclusions of Chapter 10 of the Environmental Statement

- 9.55 The proposed development at the wider Site will significantly reduce visitor pressure on the nearby SAC, SSSI and LNR. Impacts on the SNCIs are principally limited to small incursions into Langley Vale Farm SNCI and especially the margins with arable fields that support notable arable weeds. Specific measures to ensure that the arable weed resource is maintained within the retained areas of arable within the Site are outlined.
- 9.56 The long-term residual effects of the development are Beneficial. There are significant enhancement opportunities across the Site especially for arable weeds, bats, invertebrates and breeding birds through sensitive management of the arable, grassland and woodland resources.
- 9.57 An ES Addendum (Ecology) was submitted with the application on 5 October 2018. This confirms that the only activity post submission has been to review and comment on consultee responses. No additional surveys have been undertaken.

Planning Assessment

- 9.58 New development is required to take every opportunity to enhance the nature conservation potential of a Site and secure a net benefit to biodiversity.
- 9.59 Substantial issues were raised in relation to ecology during the Application’s determination period. Indeed, the Local Planning Authority’s Ecologist raised concern that there is a lack of clear assessment of the effect of the development on the designating feature of the Sites of Nature Conservation Interests (SNCI) (arable plants). A Condition is proposed to ensure that a construction method statement is submitted to and approved by the Local Planning Authority, to avoid any adverse impact on arable plants.
- 9.60 The Site is recognised as ecologically sensitive and the construction of the memorial area will result in a small loss of the Langley Bottom Farm SNCI, including a small area of arable margin habitat. Furthermore, there are up to five badger setts within 30 metres of the memorial area.

- 9.61 The applicant has sought to minimise any adverse impacts on existing biodiversity, within the scheme's design, including ensuring that no new paths will be created through areas of ancient woodland. Officers also note that the creation of the path network will reduce visitor pressure on the nearby Special Area of Conservation (SAC), Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR).
- 9.62 In coming to a planning judgement, Officers recognise that there is a commitment to enhance the wider Site's biodiversity. The long-term residual effects of the development are Beneficial and there are enhancement opportunities across the Site for arable weeds, bats, invertebrates and breeding birds through sensitive management of the arable, grassland and woodland resources. The proposal is considered to comply with Policies CS3 and DM4.

Neighbour amenity

- 9.63 Policy DM9 (Townscape Character and Local Distinctiveness) sets out that Planning Permission will be granted for proposals which make a positive contribution to the Borough's visual character and appearance. In assessing this, the following will be considered:
- compatibility with local character and the relationship to the existing townscape and wider landscape;
  - the surrounding historic and natural environment;
  - the setting of the proposal site and its connection to its surroundings; and the inclusion of locally distinctive features and use of appropriate materials.
- 9.64 Policy DM10 (Design Requirements for New Developments, including House Extensions) sets out that development proposals will be required to incorporate principles of good design. The most essential elements identified as contributing to the character and local distinctiveness of a street or area which should be respected, maintained or enhanced include, but are not limited, to the following:
- prevailing development typology, including housing types and sizes;
  - prevailing density of the surrounding area;
  - scale, layout, height, form (including roof forms), massing;
  - plot width and format which includes spaces between buildings;
  - building line; and
  - typical details and key features such as roof forms, window format, building materials and design detailing of elevations, existence of grass verges etc.
- 9.65 The proposed elements falling within the administrative areas of EEBC are not located in close proximity to residential properties. The nearest residential properties are located off Headley Road to the North of the Site and off Shepherd's Walk, to the South-West of the Site.

- 9.66 Concerns have been received from neighbouring residents regarding neighbouring adverse impacts of the development. Officers have considered the impacts within the below section. Specifically, the below reviews the visual, noise and air quality impact of the proposal and any impacts on surrounding properties.

Visual Impact

- 9.67 The memorial area is located to the South-East of Langley Vale Road. The memorial area comprises a central sculpture, which measures 6 metres in depth and 6 metres in height. It is not considered to adversely impact the neighbouring amenity enjoyed by nearby residential properties by means of overbearing.
- 9.68 In line with Policy DM7, the provision of footpath networks is encouraged. The proposed hard surface paths will not be overly visible from nearby residential properties and are not considered to adversely impact neighbouring amenity.

Noise

- 9.69 A Noise Assessment, dated May 2017, accompanies the application. This considers that construction and operational noise would be the principle noise generating activities as part of the wider proposal (including all elements falling within the administrative areas of EEBC, MVDC and RBDC).
- 9.70 At paragraph 6.1, the Noise Assessment, sets out that a site-specific Construction Environmental Management Plan (CEMP) will be prepared and implemented to assist in reducing potential noise impacts. The residual construction noise impacts are expected to be local, adverse, but only temporary in nature and of small magnitude and minor significance.
- 9.71 At paragraph 6.2, the Noise Assessment sets out that the proposed development represents a small increase in traffic to the local highway network. The increase in traffic has the potential to result in a maximum increase the average noise levels of 0.5dB.
- 9.72 Chapter 8 of the accompanying Environmental Statement relates to Noise and Vibration. As set out in the accompanying Noise Assessment, to assist in reducing potential operational noise impacts, a Construction Environmental Management Plan will be prepared and implemented to assist in reducing noise impacts. This is Conditioned, subject to Planning Permission being granted.
- 9.73 Chapter 8 of the accompanying Environmental Statement further sets out that due to the nature of the development, the Site will not be open or accessible at night and as a result there is no potential for the development to impact night time noise levels.

Air Quality

- 9.74 An Air Quality Assessment, dated May 2017, accompanies this application. This reviews the air quality impacts from construction traffic and construction dust of the wider development (all elements falling within EEBC, MVDC and RBBC) on human health.
- 9.75 The Air Quality Assessment sets out that with the implementation of good practice within a site specific CEMP, any residual construction impacts are anticipated to be local, temporary and of a negligible significance.
- 9.76 The Air Quality Assessment further reviews the air quality impact of the proposed additional traffic flows anticipated with the wider development (all elements falling within EEBC, MVDC and RBBC). Under a reasonable worst case scenario, the development has the potential to have a negligible impact upon existing air quality concentrations.

Planning Assessment

- 9.77 The proposed memorial area and hard surface paths are not considered to adversely impact neighbouring residential amenity. The proposal seeks to minimise noise and air quality implications, through the provision of a site specific CEMP. The Local Planning Authority's Environmental Health Officer raised no objection to the proposal. It is therefore considered to comply with Policies DM9 and DM10.

Highways and Parking

- 9.78 Chapter 9 of the NPPF relates to the promotion of sustainable transport.
- 9.79 Paragraph 108 Of the NPPF sets out that in assessing applications for development, it should be ensured that:
- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - safe and suitable access to the site can be achieved for all users; 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.
- 9.80 Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 9.81 Policy CS16 (Managing Transport and Travel) encourages development proposals that foster an improved and integrated transport network and facilitate a shift of emphasis to non-car modes as a means of access to services and facilities. Development proposals should (inter alia) provide safe, convenient and attractive accesses for all, including the elderly, disabled, and others with restricted mobility. Development proposals should be appropriate for the highways network in terms of the volume and nature of traffic generated, provide appropriate and effective parking provision, both on and off-site, and vehicular servicing arrangements. Furthermore, development proposals must ensure that vehicular traffic generated does not create new, or exacerbate existing, on street parking problems, not materially increase other traffic problems.
- 9.82 Policy DM36 (Sustainable Transport for New Development) sets out that to secure sustainable transport patterns across the Borough, the Council will (inter alia) prioritise the access needs of pedestrians and cyclists in the design of new developments and require new development to provide on-site facilities for cyclists as appropriate, including showers, lockers and secure, convenient cycle parking, in accordance with standards.
- 9.83 Policy DM37 sets out that developments will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.
- 9.84 Concerns have been raised by nearby residents regarding the likely traffic generation of the proposal. These have been taken into consideration by Officers, below.
- 9.85 A Transport Assessment, dated November 2017, accompanies this application, as does Chapter 7 of the Environmental Statement. This relates to the wider proposal (including all elements falling within EEBC, MVDC and RBBC). It should be stressed that the car park falls within MVDC, but that this application assesses the transport impacts of the development on the elements falling within EEBC (memorial area and paths).
- 9.86 The Transport Assessment sets out that based on the Woodland Trust's Heartwood Forest Site, it is estimated that approximately 110,000 visitors per annum are expected to visit the Site, with approximately 77,000 visitors arriving by car and the remaining 33,000 arriving by other means, such as walking, cycling and on horseback. It is anticipated that these numbers would be reached after a number of years.
- 9.87 The Transport Assessment sets out that traffic models were prepared for the Downs Road/Headley Road 'give way junction' and the B290 Ashley Road/Langley Vale 'signalised junction'. The additional traffic placed on these junctions was considered imperceptible.

- 9.88 The Transport Assessment concludes that the development has no perceptible detrimental effect on the local highway network and that it provides a suitable opportunity on transport grounds for the provision of a car park.
- 9.89 Chapter 7 of the Environmental Statement sets out that the traffic impact of the proposed development is “negligible”, with no perceived impact on the highway network. Based on the information submitted with the application, this is considered a reasonable assessment.
- 9.90 A formal consultation response was provided by SCC Highways on 22.02.2019. SCC Highways has no objection on highway safety grounds and consider that the operation of the proposed car park (falling within the administrative area of MVDC) would have a minimal impact on the highway network operation at peak times. However, SCC Highways identify that in terms of sustainable development, the proposed permanent car park and new access is very much focussed on promoting car use and not sustainable access. SCC Highways does acknowledge that there are three dimensions to sustainable development (economic, social and environmental) and therefore it is for the Local Planning Authority to weigh up the sustainable transport consideration provided by SCC Highways, against National and Local planning policies, to determine whether or not the proposed development would be considered sustainable. Should permission be granted, SCC Highways recommends that Conditions are imposed.
- 9.91 During the course of the application, the Jockey Club raised strong objection. The Jockey Club is the owner and operator of Epsom Downs Racecourse and the manager of Epsom Downs Training Grounds. A formal consultation response was provided by Surrey County Council (SCC) Highways on 22.02.2019. It proposes a Condition, should Planning Permission be granted, that states that prior to the car park being brought into use, the public highways and horse crossing on Headley Road, shall be implemented in accordance with a scheme to be submitted and agreed in writing by the Local Planning Authority. On 10.05.2019, the Jockey Club withdrew their objection, on the basis that the principle of the horse crossing improvements at Headley Road is agreed and that the detailed design of the crossing will be secured by way of a Condition.
- 9.92 The proposals for the wider site (all elements falling within EEBC, MVDC and RBBC) promote a sustainable use of the site, including the provision of hard and multi-use paths. Specifically, within the administrative area of EEBC, hard surface paths are proposed, which will link with existing paths in and around the Site, promoting a healthy and active environment. The objective of the Woodland Trust is to encourage greater access to the land that it owns and this application provides an opportunity for the Site to be accessed and utilised. It is therefore considered sustainable.
- 9.93 The proposal is considered to comply with Policies CS16 and DM36.

Archaeology

- 9.94 Chapter 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 189 states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.95 Policy CS5 (Conserving and Enhancing the Quality of the Built Environment) of the Core Strategy (2007) sets out that the Council will protect and seek to enhance the Borough's heritage assets including (inter alia) archaeological remains. The settings of these assets will be protected and enhanced.
- 9.96 Policy DM8 (Heritage Assets) of the Development and Management Policies seeks to resist the loss of Heritage Assets and instead promote the opportunity to conserve and enhance these. Specifically, on any major development site of 0.4ha or greater, applicants are required to undertake prior assessment of the possible archaeological significance of a site and the implications of the proposals.
- 9.97 Chapter 13 of the accompanying Environmental Statement relates to archaeology and cultural heritage. It assesses the likely significant effects of the proposed development on archaeology and built heritage.
- 9.98 An Archaeological Desk Based Assessment, dated October 2017, accompanies the application. This report recommended that further surveys were undertaken, including geophysical, metal detection and fieldwalking. A Written Scheme of Investigation, dated August 2017 (and updated in November 2018), also accompanied the application.
- 9.99 The applicant submitted the results of a further desk-based research, a programme of geophysical survey and a field-walking and metal detector survey, all related to the proposed car park and (now withdrawn) visitor's centre. The results show that the area surveyed is unlikely to have been the location of the former meeting place of Copthorne Hundred.
- 9.100 An Archaeological Impact Assessment, dated October 2018, accompanies this application. This relates to the path network proposal at the Site, including the hard surfaced paths (falling within EEBC) and the multi-user paths (falling with RBBC). It recommends that a watching brief accompanies the construction of the paths at location A, C, D, H and L, as shown on Figure 4 of the Report, of which some do fall within the administrative area of EEBC. The watching brief will aim to define the form, scope function and date of the feature. The fieldwork would take place at the same time as the construction work, but the removal of topsoil and subsoil across the earthwork would need to be carried out in a manner controlled by the archaeological team, to allow for observation and recording.

9.101 A formal consultation response was provided by Surrey County Council (Archaeology) on 09.01.2019. SCC (Archaeology) agrees with the recommendation of the Archaeological Impact Assessment. The monitoring will need to be defined by a WSI that has been submitted to and approved by the Planning Authority.

9.102 Subject to securing a Planning Condition, should Planning Permission be granted, Officers are satisfied that the proposal complies with Policies CS5 and DM8.

#### Flood Risk and Drainage

9.103 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 155 stipulates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 163 sets out that 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.

9.104 Policy CS6 (Sustainability in New Developments) of the Core Strategy (2007) sets out that proposals for development should result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. The Council will expect proposals to demonstrate how sustainable construction and design can be incorporated to improve the energy efficiency of development – both new build and conversion. In order to conserve natural resources, minimise waste and encourage recycling, the Council will ensure that new development (inter alia):

- has no adverse effects on water quality, and helps reduce potential water consumption for example by the use of water conservation and recycling measures and by minimising off-site water discharge by using methods such as sustainable urban drainage; and
- avoids increasing the risk of, or from, flooding.

9.105 A Flood Risk Assessment, dated October 2017, accompanies the Application. This sets out that there are no known watercourses in close proximity to the Site. At present, there is no formal drainage system within the Site, as it comprises woodland and arable fields.

- 9.106 The Flood Risk Assessment sets out that a drainage strategy has been prepared to ensure that runoff from the (wider) proposed development will be managed at source. The geology of the site suggests that infiltration SuDS will be suitable and this should be verified through soakage tests at detailed design stage to size the soakaway. Assuming this is an effective means of drainage, it is proposed that the car park (falling within the administrative area of MVDC) and pathways will drain via permeable unbound gravel and semi-porous 'Ultitrec' surfacing systems. This will filter the runoff to ensure that no pollutants will enter the underlying ground or the aquifer beneath the site.
- 9.107 Surrey County Council (Lead Local Flood Authority) reviewed the Flood Risk Assessment and recommends a Planning Condition, should Planning Permission be granted.
- 9.108 In summary, the proposal falls within Flood Zone 1 (low probability of Flooding). The accompanying Flood Risk Assessment sets out a strategy to ensure that the development can be drained appropriately and not adversely impact the natural environment. It is considered to comply with Policy CS6.

#### Community Infrastructure Levy

- 9.109 The proposals are not CIL liable, in line with EEBC's current CIL Charging Schedule.

## **10 Conclusion**

- 10.1 The proposal seeks development within the Green Belt. In accordance with EEBC's Green Belt Assessment, dated February 2017, the Site scores highly on two of five purposes, including to check unrestricted sprawl of large built-up areas and assist in safeguarding the countryside from encroachment.
- 10.2 The proposed hard surface paths facilitate outdoor recreation and therefore conform as Green Belt compatible development. Paths perform an important green infrastructure role and make a valued contribution to the Borough's distinctive visual character and appearance.
- 10.3 The memorial area is linked to the overall outdoor recreation offering. It comprises a central sculpture, which measures 6 metres in depth and 6 metres in height. It shall be surrounded by native and non-native species. It has been subject to an artist's design competition and will utilise natural materials, to ensure that it is in keeping with its setting and does not adversely impact the Green Belt.
- 10.4 The proposal is considered favourably by Officers and is recommended for approval.

**11 Recommendation: Grant, subject to Planning Conditions**

**Conditions:**

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.**

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Langley\_001A – Layout Plan – dated 24.06.2019  
Langley\_002A – Layout Plan and LPA Boundaries- dated 25.06.2019  
Langley\_004A – Parameter Plan - dated 24.06.2019  
Langley\_013B – Indicative Master Plan - dated 24.06.2019  
EIA-001A – Site Layout Overall Proposed – dated 08.07.2019  
EIA-003A – Indicative Planting Layout – dated 08.07.2019  
EIA-013A – Indicative Locations of Temporary Spoil/Compound Areas – dated 08.07.2019  
SJA TPP 15163-03.0 Rev E – Tree Protection Plan – dated Mar 2017  
SJA TPP 15163-03.1 Rev E – Tree Protection Plan – dated Mar 2017  
SJA TPP 15163-03.2 Rev E – Tree Protection Plan – dated Mar 2017  
SJA TPP 15163-03.3 Rev E – Tree Protection Plan – dated Mar 2017  
SJA TPP 15163-03.4 Rev E – Tree Protection Plan – dated Mar 2017  
EIA-001 – Traffic Routing Development Forecast Traffic Flows Sunday Peak Hour – dated 28.03.2017  
EIA-002 – Proposed Car Park Barrier & Site Signage Layout- dated 24.03.2015  
EIA-004 – Proposed Car Park Cross-Sections – dated 18.06.2015  
EIA-005 – Typical Construction Details – dated 18.06.2015  
EIA-006 – Off Site Signage Routes – dated 18.06.2014  
EIA-007 – Proposed Materials and Surfacing Layout – dated 23.06.2017  
EIA-008 – New Proposed Site Access Moved Outside of the No Development Area – dated 29.09.18  
EIA-009 – Typical Fencing and Gate Details – dated 16.03.2017  
EIA-010 – Typical Woodland Paths Cross-Sections – dated 16.03.2017  
EIA-011 – Traffic Routing Development Forecast Traffic Flows Sunday Peak Hour – dated 28.03.2017  
EIA-012 – Construction Vehicle Routes To and From Site – dated 12.04.2017  
EIA-013 – Indicative Locations of Temporary Spoil/Compound Areas – dated 12.04.2017  
Langley\_005 – Topographical Survey and paths - dated 21.02.2017

**Langley\_008 – Fencing and hedging on multi-user paths - dated 08.05.2017**

**Langley\_009 – Paths spec map - dated 17.08.2017**

**Langley\_010 – Ancient Woodland – dated 01.03.2017**

**Langley\_012 – Location Plan – dated 03.03.2017**

**Langley\_014 Rev 002 – Langley Vale Commemorative Feature - dated 14.08.2018**

**Langley\_015 Rev 002 – Langley Vale Commemorative Feature – dated 14.08.2017**

**Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).**

- (3) The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form and the details shown on Drawings:**

**EIA-007 – Proposed Materials and Surfacing Layout – dated 23.06.2017**

**Langley\_014 Rev 002 – Langley Vale Commemorative Feature - dated 14.08.2018**

**Langley\_015 Rev 002 – Langley Vale Commemorative Feature – dated 14.08.2017**

**Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015**

- (4) No development shall commence until a Construction Transport Management Plan, to include details of:**
- (a) parking for vehicles of site personnel, operatives and visitors**
  - (b) loading and unloading of plant and materials**
  - (c) storage of plant and materials**
  - (d) programme of works (including measures for traffic management)**
  - (e) provision of boundary hoarding behind any visibility zones**
  - (f) HGV deliveries and hours of operation**
  - (g) vehicle routing, avoiding Farm Lane, Park Lane and Headley Road to the south**
  - (h) measures to prevent the deposit of materials on the highway**
  - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused by construction vehicles accessing the site**
  - (j) no construction movements (including HGVs) to or from the site shall take place between the hours of 8.00 and 9.00 am and 3.00 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Headley Road,**

Downs Road, Langley Vale Road, Farm Lane and Park Lane during these times

(k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

**Reason:** To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users in accordance with Policy CS16 of the Core Strategy (2007) and Policy DM35 of the Development Management Policies 2015.

- (5) Prior to the commencement of development, a Construction Method Statement for the hard surface paths construction must be submitted to and approved by the Local Planning Authority, to avoid any adverse impact on arable plants.

**Reason:** To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (6) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:

a) A design that satisfies the SuDS Hierarchy and that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.

b) The results of infiltration testing completed in accordance with BRE:365.

c) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how they will be protected from blockage.

d) Details of Management and Maintenance regimes and responsibilities

**Reason:** To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with with Policy CS6 of the Epsom and Ewell Core Strategy (2007) and Policy DM19 of the Development Management Policies 2015.

- (7) Prior to the commencement of development, a survey of the Site by an appropriately qualified ecologist shall be undertaken to check for any new signs of badger sett construction on Site in the vicinity of the proposed paths and memorial area, the scope of which shall be agreed with the Local Planning Authority in advance. If any changes in badger activity is detected, such as a new sett construction, a suitable course of action shall be submitted to and approved by the Local Planning Authority.

**Reason:** To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (8) A 20m buffer zone shall be maintained between any construction activity (including building materials, vehicles and workers) and the badger sett entrances. The applicant shall ensure that commuting routes and access to other badger setts and foraging grounds are no obstructed. Any deep excavation left overnight shall be provided with a ramped means of escape and stockpiles of soft materials shall be covered overnight to prevent badgers excavating new setts.

**Reason:** To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (9) The development hereby permitted shall not commence until details of the nature conservation, mitigation strategy, compensation and enhancement actions specific to the development within the Borough of Epsom and Ewell Borough Council has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To preserve and enhance biodiversity and habitats in accordance with Policy CS3 of the Core Strategy (2007) and Policy DM4 of the Development Management Policies 2015.

- (10) Notwithstanding the detail of the approved plans, full details of the number, size, design and position of signage, interpretation boards and grove posts to be erected within the site, shall be submitted to and approved in writing by the local planning authority prior to installation.

**Reason:** To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015

- (11) The development shall be carried out in accordance with the agreed details of the Tree Protection Plans and Methods and no equipment, machinery or materials shall be brought onto the site for the

**purposes of the development until fencing has been erected in accordance with the Tree Protection Plans. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.**

**Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM5 and DM9 of the Development Management Policies 2015.**

- (12) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.**

**Reason: To ensure that any archaeological remains are not damaged in accordance with Policy CS5 of the Core Strategy (2007).**

- (13) Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:**

**1) A preliminary risk assessment which has identified:**

- all previous uses**
- potential contaminants associated with those uses**
- a conceptual model of the site indicating sources, pathways and receptors**
- potentially unacceptable risks arising from contamination at the site.**

**2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**

**3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

**4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the**

remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

5) The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority;

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

- (14) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

- (15) Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to

the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

- (16) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

- (17) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy DM17 of the Development Management Policies 2015 and the National Planning Policy Framework.

**Informative**

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with

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**the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.**