



**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)**

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

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

AUGUST 2026

**PROOF OF EVIDENCE
On Landscape Character and Visual and
Character matters**

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1.0 Introduction

Personal Qualifications

- 1.1 My name is Andrew Smith. My qualifications include a BSc (Hons) degree and an MSc in Landscape Ecology Design and Management. I am a member of the Landscape Institute and a Chartered Landscape Architect (CMLI).
- 1.2 I have close to 30 years post qualification experience in landscape planning and design. I have prepared townscape/landscape and visual impact assessments either as standalone documents or coordinated as part of environmental statements, and both the outline and detailed design of a range of residential, commercial, mineral and waste development projects throughout the UK. I sit on both the South Downs National Park and the Design Southeast Design Review Panels. I have stood as an expert witness on Green Belt, townscape/landscape and visual matters on numerous occasions.

Instruction

- 1.3 My instruction from Fairfax Aspire Limited was to prepare a Statement of Case in relation to Landscape and Visual matters associated with the Appeal. Prior to this initial instruction I had visited the Appeal Site and environs, undertaken a desk top review of the Appeal Site and its surroundings and read through the Decision notice (CD 3.3), the Officers Report (CD3.2), the Landscape and Visual Impact Assessment (CD1.7), the Landscape Design Statement (CD1.8) the Green Belt Statement (CD1.9), and the Design and Access Statement (DAS) (CD 1.6). After instruction I read the wider array of relevant application plans and documents, re visited the Appeal Site and have prepared this statement. I previously gave evidence in respect of the appeal in relation to residential development at Langley Bottom Farm.
- 1.4 Pursuant to the above I bring my experience to the Appeal, and this evidence is based on my informed judgement and opinion.

Declaration

- 1.5 The evidence which I have prepared and provide for this Appeal in this of evidence is true and has been prepared and is given in accordance with the guidance of my professional institute and I confirm that the opinions expressed are my true and professional opinions.

2.0 Scope of Evidence and Matters in Dispute

Scope of my evidence

- 2.1 My landscape and visual evidence is to be read alongside the other proofs produced on behalf of the Appellant, Steven Brown (planning, inclusive of Green Belt), Philip Hamshaw (highways), Tom Copp (heritage), Paul Whitby (ecology), Annie Gingell (affordable housing), enabling all issues to be understood and to be considered in the planning balance.

Decision Notice

- 2.2 My evidence responds to Landscape and Visual matters associated with the reason for refusal, as below:

'3. Harm to the Landscape Character of the Area

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

Officer Report

- 2.3 It is of note that the Officers recommended the scheme for approval.
- 2.4 In relation to landscape and visual matters I capture below passages (with associated paragraph reference) of the OR (CD 3.2) that provide some elements of landscape and visual common ground with the Officers (any emphasis is mine):

Item	Commentary
	Summary and recommendation
1.4	The site sits on the western slope of a valley, extending down towards the valley floor, with a change in level varying between 16-24 metres as the land falls away from the <u>residential development of Langley Vale Village that abuts the northeast/northwest boundary of the site.</u>
1.5	To the southwest of the of the site, beyond The Gallops, but not immediately adjoining, lies a residential development currently under construction for <u>20 new residential units that was allowed at appeal (Ref: APP/P3610/21/3280881).</u>
1.6	Vegetation within the site is limited to its perimeter and comprises intermittent trees and scrub along the north-east and eastern boundaries.
1.10	The proposed development would deliver a total of 1.637 ha of publicly accessible communal open space with incorporated play areas for unrestricted access to future residents and the general public.
1.12	The proposed development would increase the biodiversity value of the site, retaining existing ecological features and creating new biodiversity rich habitats, resulting in a biodiversity net gain of 33% for habitat units and 2745% for hedgerow habitats, <u>which represents an excess gain significantly above the mandatory requirement of 10%.</u>
1.13	Subject to securing a Habitat Creation and Management Plan to secure compensation measures for the loss of arable field boundaries as a result of the proposed development on the adjoining field, the proposed development would result in <u>an improvement on the current status of the SNCI for arable plants.</u>
1.19	The proposal would result in <u>localised</u> moderate adverse harm to the quality of the landscape character of the Area of Great Landscape Value (AGLV) and moderate adverse harm to identified receptors.

1.21	Overall, whilst there are a <u>limited number of adverse effects in respect of this application, these would not significantly and demonstrably outweigh the multiple benefits</u> when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate the development should be restricted.
	Consultations
	External consultees: <u>No objections</u> from Environment Agency, Natural England, Thames Water, Lead Local Flood Authority, County Archaeologist, Surrey Crime Officer, Reigate and Banstead.
	Internal consultees: <u>No objections</u> for Ecologists, Land contamination Officer, Tree Officer, Waste Officer
	Green Belt Openness
9.85	The site currently consists of undeveloped countryside. The proposed development would introduce new built form together with associated residential paraphernalia and activity, which would inevitably reduce the openness of the Green Belt in spatial terms.
9.86	The supporting Landscape and Visual Impact Assessment (LVIA), prepared by fabrik, reference D2671 and dated July 2025, makes it clear that the development would be viewed from <u>localised views</u> , such as from Langley Vale Road, the properties on southern edge of Langley Vale and the surrounding PRoW network. The views experienced from receptors would be permanently changed as a result of the proposal but would be localised and limited.
9.88	Members are reminded that Officers are of the view that the site is be on grey belt land and the <u>proposed development would meet all the tests of paragraphs 155-157 of the NPPF and is therefore appropriate development within the Green Belt.</u>
	Landscape Character
10.1	Paragraph 187 of the NPPF recognises the intrinsic character and beauty of the countryside and ensures that planning decisions protect and enhance valued landscapes.
10.2	The site <u>does not comprise a valued landscape</u> for the purposes of interpreting paragraph 189 of the NPPF.
10.3	The site lies within National Character Area Profile 119: North Downs 2013. The National Character Area's (NCA) represents an area of distinct and recognisable character at the national scale and set out key characteristics.
10.5	The site falls within UELCA UE3: Epsom Downs, and sets out further character area's key characteristics, which comprise of (inter alia) elevated downland, upward sloping landform open, large scale, relatively exposed fields and irregular shaped blocks of woodland. The character area also has a sense of remoteness, <u>although this is reduced due to human influence within and surrounding the character area.</u> The site reflects these characteristics.
10.7	The site lies within the Surrey Hills AGLV. Although the Surrey Hills AGLV directly adjoins the <u>Surrey Hill Area of Outstanding Natural Beauty</u> , the boundary of this National Landscape Designation lies <u>some 3.3 km from the site.</u>
	Landscape Effects
10.16	In considering the landscape effects of the proposal at Year 1, the LVIA concludes that the most notable effect would be the loss of open pasture and the introduction of residential development and that initial impact on the site's landscape character and setting would be Moderate Adverse, as this effect would be this is balanced by the inclusion of embedded mitigation such as green infrastructure, recreational footpaths, play areas, and the protection and enhancement of existing vegetation, which would begin to contribute positively to local landscape structure and amenity value from the outset.
10.17	By Year 15, the LVIA concludes that the proposed planting would have matured, resulting in improved integration of the development within the surrounding landscape, forming a softened and coherent extension to the existing Langley Vale settlement, supported by a robust framework of native vegetation and publicly accessible green space. The magnitude of change to most landscape receptors will reduce over time, with significance of effects typically lowering to Minor Adverse, and in the case of vegetation and landscape structure, improving to Moderate Beneficial, reflecting long-term landscape and ecological enhancements.
10.18	The LVIA notes that the UELCA has a transitional mix of rural and suburban influences, and the proposed development would respond well to this key characteristic. <u>Officers concur that whilst the proposed development would result in the permanent change of the site, the site is a relatively small area of the LCA's agricultural land and would be viewed in context with the existing urban edge landscape.</u>
10.19	Officers consider the site to be consistent with, and contribute to, key characteristics of the AGLV. <u>However, whilst the site is free from built form, it is not free from all urban influences, with residential</u>

	<u>development to the north and the highway to the northwest, the associated movement and noise of which reduces the sense of tranquillity.</u>
10.20	Whilst the proposed development would have an impact on the landscape as a result of the open pastoral field being replaced by built form and associated, <u>these effects would be localised due to the visual containment of the site and the landscape harm would be modest, given that the proposed development would be seen in context with the existing residential built form of Langley Vale.</u> Furthermore, the application is supported by a Design and Access Statement, prepared by Paul Hewett, Rev C which contains an illustrative masterplan that demonstrates that the layout and new planting could accommodate new planting that would filter and softening the proposed development.
Visual Effects	
10.23	The LVIA concludes that the proposed development would result in a series of permanent, but <u>localised visual changes, primarily affecting receptors in close proximity to the site.</u> The LVIA considered views of the development from Langley Vale receptors would be largely screened, with open views achievable from the northwest and southern sections of the highway. From these views, the proposed development would have a Moderate Adverse effect at Year 1, reducing to Minor Adverse by Year 15 as planting matures.
10.24	The LVIA also concludes that noticeable changes would also occur for nearby residents along the eastern boundary, where open views across farmland would be replaced by built form. However, the topography of the site, landscape buffering and retained views towards Centenary Wood would help limit visual intrusion, resulting in Moderate Adverse effect across both Year 1 and 15.
10.25	The LVIA acknowledges that the Public Rights of Way surrounding the site would also experience varying degrees of visual change.....Overall, the LVIA considers the visual effects of the proposed development reduce over time, with long-term significance ranging from Moderate to Minor Adverse.
10.26	Officers concur that the proposed development would result in a high degree of permanent change for the residential receptors overlooking the site but acknowledge that the effect would reduce over time because of buffer planting and topography. Notwithstanding this, the effect would remain Moderate Adverse, <u>although localised.</u>
10.29	The proposal would cause localised and modest harm to the AGLV and residential receptors and users of Bridleways 146, 32 and 33, although these <u>visual effects would be limited to the immediate vicinity of the site.</u>
10.30	The proposed development would therefore be contrary to Policy DM9 which requires new development to make a positive contribution to the Borough's visual character and appearance, considering its relationship to the existing wider landscape.
10.31	Whilst the AGLV does not have the same status in terms of protection as a National Landscape (in which great weight should be given to conserving and enhancing landscape and scenic beauty), paragraph 187 of the NPPF advocates protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.
10.32	The moderate and localised harm to the AGLV and identified receptors would be an adverse impact of the proposed development to be weighted in the planning balance.
Trees	
11.2	The site does not contain any trees that are the subject of a Tree Preservation Order. There are two off-site trees and one off-site grouping that are the subject of Tree Preservation Orders that could be potentially affected by the proposed development (94/G1 5 Sycamores, 94/T15 Oak and 94/T17 Field Maple). To the southeast of the site lies Ancient Woodland.
11.9	The Council's Tree Officer has reviewed the supporting documentation and advises that in the event outline permission is granted, any subsequent reserved matters application would have to demonstrate that any building works would be outside the root protection zone of trees to be retained within the site or offsite. <u>In the event permission is granted, a condition is recommended to secure the tree protection works set out in the supporting AIA.</u>
Public Open Space and Play Space	
Public Open Space	
13.5	The application is supported by a Landscape Statement, prepared by fabrik and dated July 2025 which highlights that the proposed development would provide 1.6ha of publicly assessable open space. Of this provision, 0.25ha would be parks and gardens; 0.30ha would be amenity green space and 1.0ha would be natural and semi natural open space.
13.6	Utilising the standard average provision of 2.35 people per household (Office of National Statistics 2024) the proposal would provide the following:

		Open Space Typology	EEBC Standard (ha)	EEBC Site Requirement (ha)	On Site Provision (ha)	Provision above EEBC Requirement
		Parks and Gardens	0.8	0.207	0.250	0.043
		Natural and Semi Natural Open Space	1.8	0.466	1.019	0.553
		Amenity Green Space	0.6	0.155	0.302	0.147
		Total:	3.2ha	0.82	1.637	0.744
13.7	The table above demonstrates that the proposal would provide an additional 0.744ha above the Council's policy requirements.					
13.9	To ensure that the public realm areas are retained and maintained in perpetuity, an Open Space Management and Maintenance Strategy is recommended, to be secured by way of an obligation within a Section 106 Agreement if outline permission is granted.					
13.10	The provision of open space in excess of policy requirements is a benefit of the scheme to be weighed in the planning balance.					
	Play Space					
13.14	The supporting Landscape Statement identifies that 0.06ha of the proposed development would be allocated for play areas.					
13.22	Officers are satisfied that the play provision outlined within the proposed development would meet policy requirements and details of the proposed play equipment could be secured as part of any future reserved matters in the event outline permission is granted. To ensure that the play areas are retained and maintained in perpetuity, a Play Area Management and Maintenance Strategy is recommended, to be secured by way of an obligation within a Section 106 Agreement if outline permission is granted.					
	Density					
14.2	The proposal would have a density of 20dph, which is entirely acceptable in terms of policy and the context of the adjoining Langley Vale Village, which is approximately 14dph.					
	Design and character					
16.6	Officers are satisfied that the illustrative masterplan demonstrates that a well-designed and high-quality residential scheme that responds well to the site's constraints and provides landscaped buffers to the sensitive boundaries can be accommodated on the site.					
	Neighbour Amenity					
17.4	However, the supporting perimeter plan demonstrates that the site could accommodate the quantum of development proposed without leading to unacceptable degrees of overlooking, loss of daylight or be overbearing, as there does not appear to be any obvious amenity issues that could not be overcome by way of good design, including sensitive orientation of windows to avoid a harmful degree of overlooking within the site and relative to neighbouring properties.					
	Conclusion					
27.12	The adverse impacts of granting permission in this particular instance do not significantly and demonstrably outweigh the benefits. when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate that development should be restricted.					
27.13	The application is recommended for approval.					

Table 1.0 Abstracts of the Officer Report (CD 3.2)

Council Statement of Case

2.5 The Council's Statement of Case (CD 7.1) elaborate RfR 3 as follows:

'6.18 The Council allege a detrimental visual impact on the landscape setting of the AGLV and of the wider landscape character of the countryside and will rely on the evidence of an independent landscape expert. The Council refers to paragraph 187 of the Framework, which advocates the protection and enhancement of valued landscapes and recognises the intrinsic character and beauty of the countryside.'

6.19 The impact will arise from the permanent change to the Site's current agricultural character through the introduction of built form, associated infrastructure, and areas of designed open space. The Council will set out that those impacts will be harmful, fail to be sufficiently overcome through proposed mitigation and would weaken the distinctive landscape quality of the AGLV, will impact residential receptors and users of Bridleways 146, 32 and 33.'

6.20 The Council will conclude that this provides conflict with DMPD Policies DM9 and DM10 together with paragraphs 135 and 187 of the Framework.'

2.6 Para 6.19 of the above provides key matters arising and these are addressed through this proof and closed out in section 5.0.

Rule 6 Statement of Case

2.7 As stated in their conclusions, section 10, their landscape and visual assertion is that:

'10.3 The proposal would cause substantial harm to openness, landscape character and the AGLV.'

Statement of Common Ground

2.8 In relation to the Appeal alongside the overarching statement of common ground a topic specific statement of common ground has been prepared in relation to the matter of landscape. Arising from this the pertinent headlines include the below:

Planning Statement of Common Ground

- i. The Site is not a valued landscape (Para 187a).

Landscape and Visual Statement of Common Ground

- ii. The methodology of LVIA is in accordance with GLVIA (and thus best practice).
- iii. Landscape Character Areas and Types from National to local level have been agreed.
- iv. The value of published and contextual landscape character receptors been agreed (table A of the SoCG).
- v. Agreement has been reached over in relation to the sensitivity of the visual receptors (excepting residential receptors and transient receptors for bridleway 127) all as apparent in table B of the SoCG.
- vi. The Council has not disagreed with the following Officer Statements, that:
 - the scheme provides open space in exceedance of policy requirements;
 - the play provision meets policy requirements;

- the density of the scheme is entirely acceptable in terms of policy and the context of the adjoining Langley Vale Village;
 - the illustrative masterplan demonstrates that a well-designed and high-quality residential scheme that responds well to the Site's constraints and provides landscaped buffers to the sensitive boundaries can be accommodated on the Site;
 - there are no obvious amenity issues that could not be overcome by way of good design.
- vii. In relation to residual landscape effects the judgements of each party are shown in table C of the SOCG.
- viii. In relation to residual visual effects the judgements of each party are shown in table D of the SoCG.

NPPF August 2026

- 2.9 On the day before the original deadline for the submission of evidence, the Government issued a new NPPF (Aug 2026) (CD5.4). In the limited time available before the submission of evidence, I have not had time to rewrite my evidence to deal with all the policies (and paragraphs) in the new NPPF. Rather, as agreed with the Planning Inspectorate, these will be addressed in supplementary written submissions at a later date. However, and notwithstanding, I have tried, where possible, to include the new NPPF references where I think it would assist the Inspector.

3.0 Character and Appearance

Introduction

- 3.1 The Site and its context are described within the Officer Report (CD 3.1), the Landscape and Visual Impact Assessment (LVIA) (CD 1.7) the Design and Access Statement (DAS) (CD 1.6) and the Landscape Design Statement (CD 1.8).
- 3.2 As stated in the above, the Site and its context are an urban edge landscape. To the immediate north, northeast is the residential area of Langley Vale. To the south, southwest lies a residential development currently under construction for 20 new residential units that was allowed at appeal (Ref: APP/P3610/21/3280881). The wider landscape is undulating downland, sloping landform, in part open, large scale, relatively exposed fields and in part irregular shaped blocks of woodland. The following paragraphs set out the detail behind the above.

LVIA Methodology

- 3.3 As stated within the LVIA, it has been undertaken in accordance with best practice. All relevant guidance is listed, notably Guidelines for Landscape and Visual Impact Assessment (GLVIA) (3rd edition – Landscape Institute/Institute of Environmental Management and Assessment (2013) and subsequent clarifications.

Definitions

- 3.4 Firstly a definitional matter needs to be addressed. Within GLVIA at its paras, 2.2, 2.7 and 2.8, Following definitions are listed;

‘Landscape- landscape is about the relationship between people and place. It provides the setting for our day-to-day lives. The term does not mean just special or designated landscapes, and it does not apply only to the countryside. Landscape can mean a small patch of urban wasteland as much as a mountain range, and an urban park as much as an expanse of lowland plain. Its results from the way that different components of our environment- both (the influences of geology, soils, climate, flora and fauna) And cultural (the historical and current impact of land use, settlement, enclosure and other human interactions) - interact together and are perceived by us. People's perception turn land into the concept of landscape.’

- 3.5 It is further the case that the European Landscape Convention (ELC) definition of landscape is inclusive and applies to:

- *all types of rural landscape from high mountains to wild countryside to urban fringe farmland (rural landscapes);*
- *marine and coastal landscapes (seascapes); and*
- *the landscapes of villages towns and cities (townscapes).*

‘Townscape- townscape refers to areas where built environment is dominant. Villages, towns and cities make important contributions as elements in wider open landscapes, but townscape means the landscape within the built-up area, including the buildings, the relationship between them, the different types of urban open spaces, including green spaces, and the relationship

between buildings and open spaces. There are important relationships with historic dimensions of landscape and townscape, since evidence of the way that villages, towns and cities change and develop over time contributes to their current form and character.'

Contextual landscape

Cascade of Character Assessment

National Character Study

- 3.6 At the National level the Site and its context sit within National Character Area (NCA 119) The North Downs. It is a national character area which includes both natural and human influence on the landscape. Agrarian landscape, towns, villages, and isolated farmsteads. It is inclusive of both the Kent Downs and Surrey Hills National landscapes. In relation to the latter the Site does not lie within this, nor within its setting. Within this NCA Grade 3 agricultural land makes up 55% of the area (75,805 ha). In relative terms it is an abundant landscape typology.
- 3.7 The above commences the narration of the landscape mosaic (both natural and settled) that the Site sits within.

County/Borough Assessment

- 3.8 At this level the Site and its context lie within Character Area UE3: Epsom Downs. Landscape types are shown in the plan below. (Purple is UE: Distinct Areas on the Edge of Urban Areas. Green is CF: Open Chalk Farmland, Brown is CD: Chalk Down with Woodland)

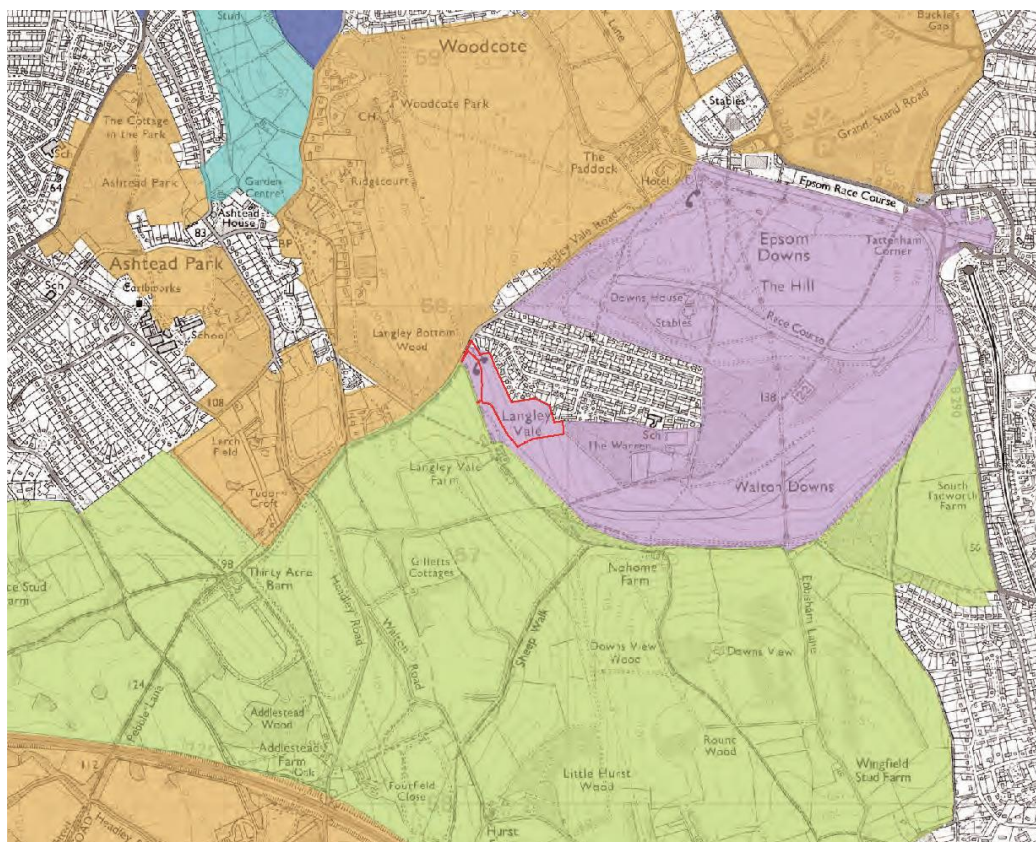


Fig 1.0 Surrey Landscape Types (LVIA Fig 3.1)

- 3.9 The mosaic of the contextual landscape is very evident in the above image and also Fig 2.0, that follow. The landscape has evolved from its 'pristine' form. It is one where there is a very apparent balance of urban fringe and wider agrarian landscape.

Components

Settlement

- 3.10 The figure below, extracted from the DAS (CD 1.6), shows the settled character of the area.

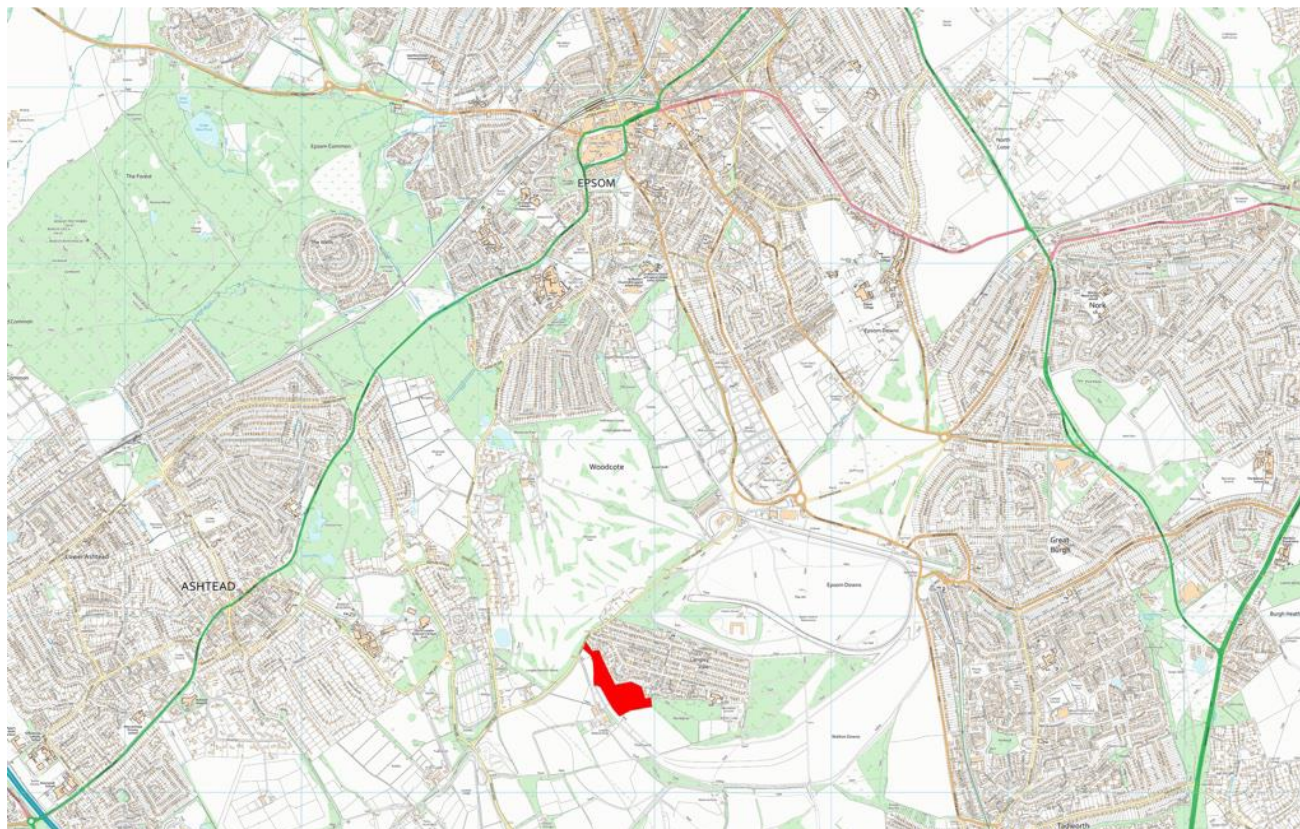


Fig 2.0 Site in context (DAS Fig 5)

- 3.11 Settlements within the study area include Langley Vale, the eastern extent of Lower Ashted (in the west of the study area) and the western edges of Tadworth and Tattenham Corner (in the east of the study area).
- 3.12 Langley Vale comprises of a distinct layout, with linear streets, which follow the alignment of the ridgeline, with a central connecting road which spans the ridgeline, connecting the lower slopes to the higher. Cul-de-sacs which lead from the southern-most linear street are typical of the 1970s era.
- 3.13 The fringes of Ashted and Tattenham Corner are suburban in form and character, with large, predominantly detached dwellings set within treed streetscene.
- 3.14 Away from the settlement edges, farmsteads and detached houses with stables can be found within an agricultural setting, including to the immediate south of the Site at Langley Bottom farm where new residential development is being constructed.

Natural Landscape

- 3.15 The balance of the landscape is natural with the predominant landcover being fields, both arable and pasture. Some of the pasture is associated with the equine activities, including the gallops.
- 3.16 Subdivision of field parcels is typically in the form of hedgerows and trees and there is significant woodland planting, both mature and recent plantation that is visually enclosing large areas of the wider landscape.
- 3.17 The landscape's underlying topography is an element that varies locally. The contextual landscape comprises of a network of undulating hills and dry valleys. Valley sides are gently sloping and vary in their height and width. The settlement of Langley Vale spans the ridgeline to the north of the valley, with levels rising to 138m AOD to the east of the settlement edge. This ridgeline additionally connects with the Epsom Downs Racecourse in the northeast of the study area, where levels are highest in the east at approximately 150m AOD at Tattenham Corner.
- 3.18 The landscape is also traversed by a network of tertiary roads extends through the wider study area, integrating with major transport routes.
- 3.19 Overall, the contextual landscape and Site setting is limited to the immediate local landscape. The landscape character of the study area is defined by its landform, vegetation, land use and time depth. These factors have all informed the settlement pattern and growth. The character of the study area reflects a rural–urban fringe, influenced by its proximity to Langley Vale and surrounding settlement.
- 3.20 While elements of rural character, such as field patterns and underlying landform, remain present, these are increasingly influenced by the adjacent built environment, infrastructure, and land use. The area is broadly representative of the wider character area, displaying a transitional landscape where urban influences meet remnants of a more traditional rural setting.

Site landscape

Landscape Character

- 3.21 The Site is described in the submitted LVIA (CD 1.7). It is predominantly agricultural land, positioned adjacent to Langley Vale's settlement edge and Epsom Racecourse. From the southwest, the dwellings of Langley Vale are visually prominent along the skyline, as they occupy the upper slopes of a local ridgeline (which forms part of a broader elevated landform to the north).
- 3.22 The Site itself sits on the lower slopes of the valley side, beneath the visual horizon created by Langley Vale's housing. As a result, the Site maintains a strong visual connection with the settlement and integrates well with the existing built fabric.
- 3.23 Other than its sloping topography, the Site contains no significant landscape features. There are no isolated areas, and the presence of nearby residential dwellings, as well as traffic movement along Langley Vale Road, ensures that the Site does not evoke a sense of remoteness.
- 3.24 Southward views from the Site reveal a contained agricultural landscape, defined by gently rolling terrain and enclosed by woodlands and orchards. This setting enhances the scenic and

tranquil qualities of Centenary Wood, contributing to the area's visual appeal and recreational value.

- 3.25 The Site has no visual relationship with the Surrey Hills National Landscape to the south. The designated area lies over 2km away and is separated from the Site by the M25 motorway, as well as intervening landform and substantial vegetation. These factors collectively prevent any intervisibility or visual connection between the Site and the designated landscape. Therefore, the Site does not influence the setting of the Surrey Hills National Landscape.
- 3.26 The Site is shown in the aerial image that follows.



Fig 3.0 Site Aerial (LVIA fig 3.4)

Visual character

- 3.27 The Site is not associated with any documented strategic viewpoints; there are no locally listed views corridors that pass over the Site. As with the landscape assessment there has been a comprehensive visual assessment all documented in detail in the LVIA at its section 4 'Visual Assessment'.

- 3.28 Fieldwork established that the Site has a limited visual envelope whereby public views of the Site are primarily experienced from the immediate PRow network and from limited locations within the local landscape. These include views from:
- Langley Vale's southern residential edge.
 - Langley Vale Road corridor to the east of the Site.
 - The PRow network to the south and west of the Site.
 - Permissive footpaths within Centenary Wood to the south of the Site.
- 3.29 Views of the Site become difficult to establish further away from the local environment due to a combination of the prevailing topography and the intervening vegetation. In summary the Site is one that sits into a settlement edge and has a limited zone of visual influence.

Value of Landscape Receptors

Character – Contextual Landscape

- 3.30 In overview it is the contextual landscape is not within the Surrey Hills National Landscape, nor is it part of its setting.
- 3.31 The value of contextual receptors ranges from low to high value.

Character – Site Landscape

- 3.32 At the Site level the landscape receptors range from low to medium value. However, it is not a Protected Landscape (NPPF para N4). It is lower down the hierarchy. As with any part of the landscape, it does have a value, and this is outlined within the LVIA at its section 7.0 and 8.0. The value judgements are captured at the LVIA table 8.0 are abstracted below.

Landscape Character Receptors			
Receptor	Value	Susceptibility	Sensitivity
Published Landscape Character Receptor			
County character area UE3 Epsom Downs	Medium	Medium	Medium
Contextual Landscape Receptor			
Langley Vale Centenary Wood and its setting	Medium	Medium	Medium
Site Specific			
Land Use	Low	Medium	Medium-Low
Vegetation	Medium	Low	Medium-Low
Landform and Drainage	Medium	Medium	Medium
Site Setting and overall Character	Medium	Medium	Medium

Table 2.0 Landscape Character Receptors

Valued Landscape

- 3.34 In the framework (Aug 2026, CD 5.4), the former test of Para 187a) and Valued Landscape falls away. Elevated protection is retained for Protected Landscapes (and requirements of Policy N4: Protected landscapes). The glossary tells us that:

‘Protected landscapes: Refers to National Parks, the Norfolk and Suffolk Broads and National Landscapes in England.’

- 3.35 What comes into play outside Protected Landscapes is as follows. For plan making, Policy N1 of the framework directs outcomes to set out the hierarchy for area of importance for their landscape and associated features. In relation to decision making states that;

‘1 To contribute positively to the natural environment and support nature’s recovery development proposals should;

a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply⁶⁹);’

- 3.36 In the previous framework the test of Valued Landscape existed, and it was agreed in the Planning Statement of Common Ground that the Site did not form part of a Valued Landscape. The Site does sit in an area previously identified as an Area of Great Landscape Value (AGLV), but this designation is not part of the Development Plan. Mr Brown addresses the relevance of the AGLV in further detail his evidence. It is also of note in the 2007 Surrey Hills AGLV review (CD13.2) the relevant AGLV was annotated ‘amber’ with the requirement that ‘more assessment is required for the amber and red area, to establish whether they are sufficiently robust to be retained AGLV.’

- 3.37 The Site and its immediate context were assessed within the submitted LVIA (CD 1.7) to consider whether they comprised a valued landscape. The outcome is that it is important to note that the Site is man made, urban edge, farmed landscape, not pristine natural landscape. As stated in the OR (see section 2.4 of this proof that Site is OR para 10.2 *‘The site does not comprise a valued landscape for the purposes of interpreting paragraph 189 of the NPPF.’* It is dominated by cropland of limited ecological value and is considered to have low potential to support any protected, priority or otherwise notable species. In character terms it is ordinary. It has value (as per table 2.0 of this proof) but is not a Protected Landscape. This is a matter of common ground. To support this further, I have assessed the Site against the Landscape Institute’s TGN 02/21, Assessment of Landscape Value Outside Designated National Designations. This is shown below.

Landscape Institute TGN 02/21 Assessment of Value Outside Designated Landscape	
Factor	Site Description
Natural Heritage	The site has very low ecological value, it is an intensive management arable field, with limited field margins. It is devoid of natural habitats and make little to no contribution to any wider green infrastructure network.
Cultural Heritage	The site does not contain, nor is it the setting of listed homes or registered landscape. There is a very limited relationship with a listed wall. There are no features on site that offer an apparent dimension of time depth.
Landscape Condition	The landscape condition is intact, but it is predominantly a single agricultural field. Its boundaries are defined by trees, hedgerows, shrubs (primarily along the northern boundary) and fencing.
Associations	There are no well-known cultural associations with the site nor is the site linked to any notable historical events.
Distinctiveness	The site does not contain any rare or unusual features. It is a predominantly an agricultural field, a feature that is commonplace in the locality. Its context is very much settlement edge, in a location where both dwelling and commercial buildings influence the settlement edge.
Recreational	The is no access to the site thus recreational opportunities are limited.
Perceptual (scenic)	The site has no associated protected views or vistas. Its visual relationship with the wider context is limited through adjacent built form and vegetative screening.
Perceptual (wilderness and Tranquillity)	It is not a site that provides a strong sense of wilderness, it is predominantly an intensively managed arable field, with in part evergreen fields boundaries, and a domestic dwelling and garden, adjacent to a main road. It in terms of tranquillity and illumination, it lies adjacent to/in close proximity to Langley Vale Road and is adjacent to both residential and commercial development.
Functional	The function of the land is an agricultural unit, an abundant resource locally. It is not one that provides the setting to a nationally designated landscape (Protected Landscape) nor a Conservation Area. It is not land that provides a gap between settlements.

Table3.0 Landscape Character Receptors

Value of Visual Receptors

- 3.38 As with landscape value, the visual receptor values can be placed lower down in hierarchy. The are no views from the Conservation Area, nor listed buildings, Scheduled Ancient Monuments, or Registered Park and Gardens. There are no views from designated/protected landscapes, their settings nor from documented scenic viewpoint.
- 3.39 The views are from localised public right of way and adjacent movement corridors. The latter being transient and low in value.

Visual Receptors			
Receptor	Value	Susceptibility	Sensitivity
Transient from Langley Vale Road	Medium	Low	Medium-Low
Residential receptors Overlooking the Site along Langley Vale's southern edge	Medium	High	Medium-High
Transient from Bridleway 146	Medium	High	Medium-High
Transient from Bridleway 33 and Footpath 32	Medium	High	Medium-High
Transient from Bridleway 127	Medium	High	Medium-High
Visitors of Langley Vale Centenary Wood	Medium	High	Medium-High

Table 4.0 Visual Receptors

4.0 The Appeal Scheme and Associated Effects

Introduction

- 4.1 This section of the proof outlines the Appeal scheme in relation to landscape and visual matters.
- 4.2 The Appeal scheme is shown in detail in the application documents and reference is made to pertinent abstracts in the following text.

Design Approach and evolution

- 4.3 The Landscape and Visual baseline have been understood from the outset and has been front and centre of the design process. The field work associated with the scheme was undertaken in April of 2025, with fabrik having had knowledge of the Site since their involvement in Appeal APP/P3610/W/21/3280881 in 2021.
- 4.4 As noted in the LVIA at its section 5.0, the LVIA resulted in Landscape Led Parameters, informed by the landscape and visual policy context, published landscape character and visual assessment and field work. The parameters were as follows:
- i. *The landscape elements of highest value should be retained, including the Ancient Woodland edge.*
 - ii. *15m offsets to Ancient Woodland should be respected with additional woodland edge planting as appropriate and following ecologist advice.*
 - iii. *A significant area of connected green infrastructure could be delivered to the southeast of the Site, including woodland planting, in line with the key characteristics of the UE3: Epsom Downs Character Area, to redefine the southeastern edge of the associated field parcel, and extend the wooded character southward, providing a positive interface and transition between the settlement edge and the countryside beyond (and in time reducing the visual envelop associated with Langley Vale);*
 - iv. *Sensitively located development parcels, well related to the existing settlement edge, could be placed in the landscape, with the retention of some of the Site, as green infrastructure / open space.*
 - v. *The development parcel should be set back from Langley Vale Road to maintain the sense of openness within the northern section of the Site, when viewed from within proximity to the existing settlement edge.*
 - vi. *The development parcel should also be set back from the Ancient Woodland to the southeast, with additional woodland planting to bolster the existing woodland edge and in time truncate views of the Site from the PRow to the east. This additional planting will supplement the existing wooded character, will form a positive interface between the new homes and the adjacent racecourse gallops, whilst being consistent with the character of the local settlement interface.*
 - vii. *Development should be limited in height to respect the domestic scale of the dwellings on the edge of the settlements at Langley Vale.*

Landscape Design Statement (CD 1.8)

4.5 Beyond the above, the Landscape Design statement (CD 1.8) shows how these parameters were used to inform the location of the new homes, its public realm and the wider green infrastructure. It is evident within this document that Site appraisal informed the design process and that the resultant scheme has been sensitive to defining characteristics at both the Site level and that of the surrounding area.

4.6 The design collected the key landscape principles of topography, the green grid, the blue grid, movement and activity, and in doing so resulted in the overall Site concept, as seen at page 9 of the LDS (CD 1.8). As narrated in the LDS:

'The primary concept for the site is to reinforce the existing green infrastructure, enhance visual connectivity between the settlement edge and the wider landscape, and create a central recreational green corridor.'

Buffer planting is proposed to the east and south to provide visual and physical enclosure, while also enhancing habitat connectivity and biodiversity. These proposals create a positive green interface between the development and the surrounding countryside.

The development parcels are sensitively located to minimise visual impact. Space within the parcels will accommodate new street tree planting, creating a new tree structure and enhancing biodiversity.'

Landscape Masterplan

4.7 The landscape masterplan is apparent at page 11 of the LDS (abstracted at fig 4.0 that follows) and demonstrated the design intent for the proposals. The scheme further advanced with embedded mitigation where, *'A mitigation by design approach has been taken, meaning that during the course of developing the masterplan, landscape considerations were taken as an integral part of the design process. Elements such as existing vegetation and views were informants that helped to determine the developable area, open space and drainage strategy.'*

4.8 The resultant design principles are as follows:

- Tree and Hedgerow Retention - Preserve all mature, high-quality trees and hedgerows along the Site's perimeter. This will soften and screen the proposed development from surrounding views, providing a mature landscape setting for the new housing.
- Southern Buffer Planting - Plant a 10-metre buffer along the southern boundary to create a 'green screen' between the development and the wider landscape framework, offering habitat opportunities.
- Western Boundary Enhancement - Enhance the western boundary planting to provide additional visual enclosure of the Site from the west.
- Gateway Landscaping - Create an attractive green gateway at the Site's entrance.
- Central Green Corridor - Provide a green corridor within the central part of the Site, with associated play areas and recreational spaces where residents can rest.

- Naturalistic Southern Zone - Develop a naturalistic area to the south, offering both recreational opportunities and enhancing biodiversity.
- Streetscape Planting - Complement the streetscape with street tree planting, and where possible, hedgerow and shrub planting to soften the development. This will create a high-quality public realm setting for the new housing and define the boundary between public and private realms. Position large trees to become visible above rooftops in the long term, creating a green spine that integrates the dwellings into a treed setting.
- Hard Landscape Quality - Specify high-quality hard landscape features such as garden boundaries and paths to ensure a well-designed and attractive development.

4.9 The resultant landscape masterplan is as below.



Fig 4.0 Landscape Masterplan (abstract of LDS page 11, CD 1.8)

4.10 The LDS (CD 1.8, page 12-18) illustrates, using sections, how the scheme sits into the landscape and then continues to explain the character areas associated with the proposals:

- i. The Entrance Gateway
- ii. The Attenuation Zone
- iii. Buffer Planting to the development Edge
- iv. Green Corridor

4.11 Finally detail is given to design strategies (soft landscape, tree planting, play, hard landscape intent and sustainability).

Design and Access Statement (CD 1.6)

4.12 The DAS works in parallel with the LDS and in its Site appraisal demonstrates understanding of the contextual settlement character, its form, grain, and appearance.

4.13 As with the LDS, baseline assessment has informed a collected Constraints and Opportunities Plan at its Fig 10.0 and then progression into the Movement Plan and ensuing Parameters Plan.

4.14 Section 3.05 of the DAS narrates how the components of good design have been applied within the resultant layout and the illustrative masterplan. In relation to the latter, it is made clear (section 3.05) that *'The drawings in this application package clearly demonstrate the form of the layout shown on the Illustrative proposals is wholly appropriate for the location in terms of size, shape and building lines. Whilst future Reserved Matters applications will have more detail in respect of height and bulk it is, as mentioned earlier, envisaged that the new houses will be predominantly two-storey to eaves – thereby sitting comfortably in this location.'*

4.15 The summary of the DAS (its section 6.0) states that:

'The proposals embodied in this submission show that the opportunity exists for the creation of a high-quality landscape and ecology led residential scheme to be provided in this sustainable location.'

The illustrative material demonstrates how a residential scheme, including new affordable homes, can be delivered without having undue impact on the site's immediate neighbours, the wider area or key landscape and ecological features.'

Visually Verified Montages

4.16 To support the appeal a number of the viewpoints have been translated into Visually Verified Montages (VVMs) (in accordance with technical guidance note LVIA TGN 06/19). The VVMs and their associated methodology are at Appendix 1.0 of this proof.

4.17 The VVMs reveal just how well the design of the illustrative scheme enables the new homes and associated green and blue infrastructure to sit into their context and also how the landscape design response is sensitive to defining characteristics. The set of VVMs include the baseline image, the illustrative scheme at Year 1 and at Year 15. It is of note that any tree planting has the space to thrive and reach mature heights comparable with the mature tree stock in the vicinity, in essence up to 20m. My commentary in the right-hand column of the table below is based on the verified views at Year 15, where the visualisations show trees at approximately 7-8m tall.

VVM	Baseline Description	Description with scheme in Place (at year 15)
VVM1	View E - View looking southwest from Langley Close within Langley Vale. Beyond the properties, the landform gently falls away, creating a descending gradient that limits visibility into the Site itself.	The Appeal scheme has sensitively set itself on the falling topography. The fields rising from the valley floor continue to hold the backdrop of the view and the treelines enclose the field pattern and dominate the skyline.
VVM2	View 5 - View looking north-east towards the Site from the elevated section of footpath 32. Open views of the Site occur in the context of the residential dwellings at Langley Vale which are prominent on the skyline and frame views of the Site in a settlement edge context.	The foreground remains pasture with associated fencelines. As the land rises from the valley floor the residual effect sees homes brought forward in the view but all sitting below the skyline, and below the existing homes. The provision of space for green infrastructure to thrive, sees the homes assimilated into their context. In effect the residual outcome continues to see homes set characteristically onto falling topography, nestled amongst trees.
VVM3	View 9 - View looking north-west towards the Site and Langley Vale from Bridleway 127. Partial views of the southern extents of the Site occur in the context of the residential edges of Langley Vale. Views of the remainder of the Site to the northwest are screened by the intervening landform. Langley Bottom Wood to the northwest forms a wooded ridgeline in the background of the view.	The foreground remains pasture and the gallops with associated railings. The residual effect sees homes (a feature that is already part of the character of the view), set on the valley side, extending a little further down the slope. The provision of space for green infrastructure to thrive, sees the homes assimilated into their context. In effect the residual outcome continues to see homes set characteristically onto falling topography, nestled amongst trees.
VVM4	View 12 - View looking east towards the Site from the junction of Bridleway 146 and footpath 32. Open views across the Site occur from this location and where the residential edge of Langley Vale forms part of the visual horizon, both on the skyline and falling down the valley side, set amongst layers of woodland planting. The Epsom Grandstand also forms a distinguishable built element in the view.	The foreground remains pasture with associated fencelines. As the land rises from the valley floor the residual effect sees homes brought forward in the view but all sitting below the skyline. The provision of space for green infrastructure to thrive, sees the homes assimilated into their context. In effect the residual outcome continues to see homes set characteristically onto falling topography, nestled amongst trees. The Epsom grandstand continues to be an apparent feature on the skyline, as do homes and the woodlands.

Table 5.0 VVM descriptions

Appeal Scheme Design Summary

- 4.18 The Appeal Scheme is very much an application where the baseline landscape and visual assessment have informed the design journey, from initial constraints and opportunities and into the final resolution of the illustrative masterplan and the parament plans.
- 4.19 The progressive journey is one that has been advance through Officer engagement and wider collaboration and with the submission of a clear set of documentation.
- 4.20 The documents have made the design intent, both quantitively and qualitatively, very clear and have enabled the Officers to make their informed recommendation for approval. In the OR (CD 3.1) as below:

‘Officers are satisfied that the illustrative masterplan demonstrates that a well-designed and high-quality residential scheme that responds well to the site’s constraints and provides landscaped buffers to the sensitive boundaries can be accommodated on the site.’

Landscape (inclusive of landscape and townscape) Effects

- 4.21 The effects of the schemes are captured in the LVIA. As a precursor to running through the effects the below is pertinent (LVIA CD 13.1):

‘5.37 One of the more challenging issues is deciding whether the landscape effects should be categorised as positive or negative. It is also possible for effects to be neutral in their consequences for the landscape. An informed professional judgement should be made about this and the criteria used in reaching the judgement should be clearly stated. They might include, but are not limited to:

The degree to which the proposal fits with existing character.

The contribution to the landscape that the development may make in its own right, usually by virtue of good design, even if it is in contrast to existing character.

The importance of perceptions of landscape is emphasised by the European landscape convention, and others may of course hold different opinions on whether the effects are positive or negative, but this is not a reason to avoid making this judgement, which will ultimately be weighed against the opinions of others in the decision-making process’.

- 4.22 The landscape and visual effects of the scheme are clearly articulated in the LVIA (CD1.7), the landscape effects at section 8.0. The residual effects are summarised in the table below.

	Resources or Receptor affected	Residual Effect After Applying the Mitigation Measure (at Year 15)
Landscape Receptors		
Published Landscape Character Receptor	County character area UE3 Epsom Downs	Negligible Adverse
Contextual Landscape Receptor	Langley Vale Centenary Wood and its setting	Minor Adverse
Site Specific Landscape Character Receptors	Land Use	Minor Adverse
	Vegetation	Moderate Beneficial
	Landform and Drainage	Minor Adverse
	Site Setting and Overall Character	Minor Adverse

Table 6.0 Residual Landscape Effects

Contextual Character

- 4.23 There are no significant residual effects upon the contextual landscape with effects moderating to minor to negligible adverse.

Site Character

- 4.24 In relation to the character of the Appeal Site, the Proposed Development will result in a permanent change to the Site's current agricultural character, introducing built form, associated infrastructure, and areas of open space. At Year 1, this transformation will lead to a range of landscape effects, most notably the loss of open pasture and the introduction of residential development. While the initial impact on the Site's landscape character and setting is assessed as Moderate Adverse, this is balanced by the inclusion of embedded mitigation such as green infrastructure, recreational footpaths, play areas, and the protection and enhancement of existing vegetation. These elements will begin to contribute positively to local landscape structure and amenity value from the outset.
- 4.25 By Year 15, the proposed planting will have matured, resulting in improved integration of the development within the surrounding landscape. The development will form a softened and coherent extension to the existing Langley Vale settlement, supported by a robust framework of native vegetation and publicly accessible green space. The magnitude of change to most landscape receptors will reduce over time, with significance of effects typically lowering to Minor Adverse, and in the case of vegetation and landscape structure, improving to Moderate Beneficial, reflecting long-term landscape and ecological enhancements.

Visual Effects

- 4.26 The visual effects of the scheme are at section 8.0 of the LVIA (CD 1.7). The residual effects are summarised in the table below (itself derived from table 8.3 of the LVIA (CD 1.7))

	Resources or Receptor affected	Residual Effect After Applying the Mitigation Measure
Visual Receptors		
	Transient from Langley Vale Road	Minor Adverse
	Residential receptors Overlooking the Site along Langley Vale's southern edge	Moderate Adverse
	Transient from Bridleway 146	Minor – Moderate Adverse
	Transient from Bridleway 33 and Footpath 32	Minor Adverse
	Transient from Bridleway 127	Minor Adverse
	Visitors of Langley Vale Centenary Wood	Minor Adverse

Table 7.0 Residual Visual Effects

- 4.27 The summary of visual effects is that the Appeal Scheme will result in a series of permanent but localised visual changes, primarily affecting receptors in close proximity to the Site. Views from Langley Vale Road are largely screened, with views of the part of the Site from the southern part of the road and open views of the Site from within proximity to the northwest. From here, the development will be perceived as a continuation of the existing settlement and will have a Moderate Adverse effect at Year 1, reducing to Minor Adverse by Year 15 as planting matures.
- 4.28 More noticeable changes will occur for nearby residents along the eastern boundary, where open views across farmland will be replaced by low-density housing. However, offset development, retained views to Centenary Wood, and landscape buffers will help limit visual intrusion, resulting in Moderate Adverse effect across both Years 1 and 15.
- 4.29 Public Rights of Way surrounding the Site will also experience varying degrees of visual change. Bridleways 146, 33, and 127 will all experience the introduction of built form within views, with initial Moderate Adverse effects reducing over time as planting establishes, filtering and softening the development.
- 4.30 Similarly, elevated viewpoints within Centenary Wood will experience some visibility of the extended settlement edge, though existing vegetation, topography, and the development's alignment with the wider settlement pattern will mitigate visual impact. Overall, the visual effects will reduce over time, with long-term significance ranging from Moderate to Minor Adverse.

Overall Landscape and Visual Effect

- 4.31 Overall as concluded at 10.2 of the LVIA:

'In conclusion, while the Proposed Development will result in a permanent change to the Site's current agricultural character, it has been carefully designed to respond positively to the landscape setting and character of Langley Vale. The Proposed Development incorporates a robust green infrastructure network, including publicly accessible open space, play areas, SuDS features, and new footpath connections that enhance recreational access and ecological value. Over time, the maturing planting and landscape strategy will strengthen the local landscape structure, soften the visual impact of development, and contribute positively to biodiversity and amenity. As such, the Proposed Development has the potential to deliver notable landscape benefits, reinforcing the evolving character of Langley Vale in a manner that is consistent with local distinctiveness and long-term landscape objectives.'

5.0 Response to Key Matters Arising

Introduction

- 5.1 Whilst the RfR itself is a little unclear and appears to relate more to '*unacceptable visual impact*' on the setting of the AGLV, the wider character of the countryside and Green Belt, the Council's elaboration in their Statement of Case further expresses their assertions of harm.

Harm to landscape character

- 5.2 With the Site sitting directly on the urban edge the context is both settlement and natural landscape, so it is directly influenced by both characteristics, they are both part of its inherent character. In advancing any scheme the character of both needs to be recognised.
- 5.4 It is also the case that the relative importance of the receiving landscape has been understood. In relation to key matters arising my response relates to the relative value of the receiving landscape and its inherent character, both at the Site level and contextually. The matter of AGLV designation, and its policy context, is dealt with in the proof of Mr Brown. It is an element of landscape that has value. The Site itself lies directly adjacent to an openly apparent residential edge and is bordered by Langley Vale Road. Similarly to its southwestern edge there are also additional homes, currently under construction. However, it is not a nationally designated landscape, a Protected Landscape (not a National Park, nor a National Landscape,) nor is it in the setting of one. It is lower down the scale. It is a landscape of medium value, as assessed in the LVIA (the associated attributes as described in table 1.1 of LVIA methodology, CD 1.7).
- 5.5 The design has placed a high-quality scheme onto the Site, and it is evident the environmental qualities of the land proposed for development, the landscape character of both the Site and its wider context has been recognised in a landscape led approach. This approach has been well articulated in the DAS (CD 1.6), the LDS (CD 1.8) and is captured in the parameter plan (CD 1.23). Additionally, the design journey has been articulated in this proof. The design journey has been one that has enabled the Officers in their OR to state that:
- i. In relation to BNG represent a significant excess gain significantly above 10%.
 - ii. In relation to POS would provide an additional 0.744ha above the Council's policy requirements.
 - iii. Officers are satisfied that the play provision outlined within the proposed development would meet policy requirement.
 - iv. In terms of settlement pattern, '*The proposal would have a density of 20dph, which is entirely acceptable in terms of policy and the context of the adjoining Langley Vale Village, which is approximately 14dph*'.
 - v. The Officer reported that ... '*It is a well-designed and high-quality residential scheme that responds well to the site's constraints and provides landscaped buffers to the sensitive boundaries can be accommodated on the site.*'
 - vi. In relation to matters of amenity no unacceptable degrees of overlooking as there does not appear to be any obvious amenity issues that could not be overcome by way of good

design, including sensitive orientation of windows to avoid a harmful degree of overlooking within the site and relative to neighbouring properties.

- 5.6 It is very evident that it is a well-designed scheme – correctly conceived through diligent observation and analysis of the receiving landscape, which is both settlement and natural landscape.
- 5.7 Whilst there are the inevitable greenfield effects, when run through the lens of GLVIA, these have been moderated through the design process that was progressed through landscape led parameters (themselves informed by the landscape and visual policy context, published landscape character and visual assessment and field work) and embedded mitigation strategies. Further moderation of effects occurs through the maturing of the green infrastructure.
- 5.8 The design has been landscape-led and sees new homes well-contained and softened by structural planting, alongside open space that collectively reinforce the new edge of the settlement.
- 5.9 The form of the settlement reflects the adjacent pattern and grain of Langley Vale. Langley Vale itself remains as a settled entity with the Epsom Downs to the north, woodlands to the east, the golf course to the west (beyond Langley Vale Road) and the pastoral and increasingly wooded landscape to the south. It is a scheme that has recognised character at the settlement pattern scale.
- 5.10 In relation to the wider countryside the Site lies within the Urban Edge (UE) landscape character type, where a transitional mix of rural and suburban influences is expected. The development is well aligned with guidance for this character area, responding to both ecological and visual sensitivities.
- 5.11 The proximity to the Warren Ancient Woodland has been a key consideration in the design process and the scheme provides a 15m buffer, consistent with Natural England standing advice, and this zone is to be enhanced with native boundary planting and informal public open space. These measures serve to protect the woodland’s biodiversity value and safeguard it from adverse effects.
- 5.12 New planting uses native species and reinforces the historic landscape structure, while also providing visual screening and character reinforcement at the Site’s boundaries.
- 5.13 The layout maintains long views across the Site to the wider countryside to the west, helping to retain the open, transitional quality of the area. This is apparent in VVM1 (refer to Appendix 1.0, verified view E of this proof) looking from within the streetscene (Langley Close) to the east of the Site. Similarly, when looking from the west, toward the new homes as apparent in VVM2 and 3. (refer to Appendix 1.0, verified view 5 and 9). Building forms are set back and framed by landscaping, preserving visual connections while reducing their impact on the skyline and surrounding land. Public access is promoted through new and improved links to existing footpaths.

- 5.14 While the Site contains no designated heritage assets itself, the nearby listed wall and Ancient Woodland are respected (see proofs of Mr Copp and Mr Whitby respectively) through open space buffers and design layout that maintain their visibility, integrity, and setting. These features also continue to contribute to the understanding of the Site's historic landscape, in line with guidance to conserve and interpret historic elements.
- 5.15 Overall, the Appeal scheme responds positively to landscape character guidance. It protects valued features, conserves and enhances biodiversity, and reinforces the spatial and visual qualities of the urban edge landscape.
- 5.16 At a finer grain, and as shown in the illustrative masterplan (within the DAS CD 1.6), homes sit adjacent to streets and lanes, homes have associated gardens, greenspaces subdivide and frame the new part of the settlement – all characteristic of the local context.
- 5.17 The summary of the residual landscape character effects is that the Appeal Scheme will result in a permanent change to the Site's current agricultural character, introducing homes, associated infrastructure, and areas of open space. At Year 1, this transformation will lead to a range of landscape effects, most notably the loss of open pasture and the introduction of residential development. While the initial impact on the Site's landscape character and its immediate setting is assessed as Moderate Adverse, this is balanced by the inclusion of embedded mitigation such as green infrastructure, recreational footpaths, play areas, and the protection and enhancement of existing vegetation. These elements will begin to contribute positively to local landscape structure and amenity value from the outset.
- 5.18 By Year 15, the proposed planting will have matured, resulting in improved integration of the development within the surrounding landscape. The development will form a softened and coherent extension to the existing Langley Vale settlement, supported by a robust framework of native vegetation and publicly accessible green space. The magnitude of change to most landscape receptors will reduce over time, with significance of effects typically lowering to Minor Adverse, and in the case of vegetation and landscape structure, improving to Moderate Beneficial, reflecting long-term landscape and ecological enhancements.
- 5.19 It is evident that the new homes do represent change and that change when scored through the lens of GLVIA results in harm – but their design has recognised the intrinsic character of the Site's contextual landscape, in part settlement and in part natural. In that recognition and subsequent design of the scheme there is an outcome that is characteristic of the context; an outcome where there are both harmful and beneficial effects; an outcome where biodiversity and open space policy requirements are exceeded; and an outcome where it is agreed there is a high-quality design. In combination, this is an outcome that is not unacceptable in terms of landscape character.

Unacceptable Visual Impact on the wider landscape character of the area

- 5.20 As with landscape value, the visual receptor values can be placed lower down in hierarchy. There are no views from the Conservation Area, nor listed buildings, Scheduled Ancient Monuments,

or Registered Park and Gardens. There are no views from nationally designated/protected landscape or their settings, nor from documented scenic viewpoint.

- 5.21 The views are from localised Public Rights of Way and adjacent movement corridors. The latter being transient and low in value.
- 5.22 It is also very apparent that these changes to these views are localised – a view shared by the Officers in the OR (CD3.1). At para 10.26 they state that in relation to residential receptors that visual effects are ‘*localised*’. In relation to bridleways (para 10.29) they state that visual effects are ‘*limited to the immediate vicinity of the site*.’
- 5.23 The LVIA (CD 1.7) reports that the appeal scheme will result in a series of permanent but localised visual changes, primarily affecting receptors in close proximity to the Site.
- 5.24 Views from Langley Vale Road are largely screened, with views of the part of the Site from the southern part of the road and open views of the Site from within proximity to the northwest. From here, the development will be perceived as a continuation of the existing settlement and will have a Moderate Adverse effect at Year 1, reducing to Minor Adverse by Year 15 as planting matures.
- 5.25 More noticeable changes will occur for nearby residents along the eastern boundary, where open views across farmland will be replaced by low-density housing. However, offset development, retained views to Centenary Wood, and landscape buffers will help limit visual intrusion, resulting in Moderate Adverse effect across both Year 1 and 15.
- 5.26 In relation to the Public Rights of Way surrounding the Site, they will also experience varying degrees of visual change. Bridleways 146, 33, and 127 will all experience the introduction of built form within views, with initial Moderate Adverse effects reducing over time as planting establishes, filtering and softening the development. In relation to FP146 the transition is shown in VVM 4 (view 12). As explained in table 5.0 of this proof the residual effect is that;

‘The foreground remains pasture with associated fencelines. As the land rises from the valley floor the residual effects see homes brought forward in the view but all sitting below the skyline. The provision of space for green infrastructure to thrive, sees the homes assimilated into their context. In effect the residual outcome continues to see homes set characteristically onto falling topography, nestled amongst trees. The Epsom grandstand continues to be an apparent feature on the skyline, as do homes and the woodlands.’

- 5.27 In relation to FP127 VVM 3 (view 9) shows the change. Again, as per table 5.0 the residual effect is that:

‘The foreground remains pasture and the gallops with associated railings. The residual effect sees homes (as feature that is already part of the character of the view), set on the valley side, extending a little further down the slope. The provision of space for green infrastructure to thrive, sees the homes assimilated into their context. In effect the residual outcome continues to see homes set characteristically onto falling topography, nestled amongst trees.’

- 5.28 Similarly, elevated viewpoints within Centenary Wood will experience some visibility of the extended settlement edge, though existing vegetation, topography, and the development's alignment with the wider settlement pattern will mitigate visual impact.
- 5.29 Overall, the visual effects will reduce over time, with long-term significance ranging from Moderate to Minor Adverse.
- 5.30 What is to be seen is an extension of current settlement character, through a high-quality scheme of an appropriate density. Design quality can be secured at the reserved matters stage. The scheme will provide new GI with elevated biodiversity benefits. This new GI through structural planting (trees and shrubs) will visually assimilate the homes into their context. Whilst GLVIA results in harm, it is evident from the VVMs that the Appeal Scheme does not introduce elements that are not already apparent in the views. Yes, there is an increase in built form, but it is not a new element. Yes, there are internal streetscene but again not a new element, it is one within the context of the Site. The underlying landform is retained, and the character of the views sees homes characteristically falling down the landform, set amongst trees and within a wider context of woodland and pasture. Existing homes will continue to be seen along the skyline, alongside the grandstand at Epsom Racecourse.
- 5.31 Where seen from adjacent residential properties it is common ground with the Officers that the design of the scheme does not result in *'unacceptable degrees of overlooking and does not appear to have any obvious amenity issues that could not be overcome by way of good design.'*
- 5.32 As with Landscape character, my opinion is that the visual change is not unacceptable. It is change that in itself is reflective of contextual character and change that is limited to a small number of localised receptors.

Unacceptable Visual Impact on Openness of the Green Belt

- 5.33 It is evident from the submitted Green Belt Assessment (CD 1.9) that the Site is Grey Belt. This is a view shared by the Officer (OR para 9.88);

'Members are reminded that Officers are of the view that the site is on grey belt land and the proposed development would meet all the tests of paragraphs 155-157 of the NPPF and is therefore appropriate development within the Green Belt.'

- 5.34 It is thus the case, as we are told via Paragraph 014 of the PPG that (my emphasis):

"Footnote 55 to the NPPF sets out that if development is considered to be not inappropriate development on previously developed land or grey belt, then this is excluded from the policy requirement to give substantial weight to any harm to the Green Belt, including to its openness.

This is consistent with rulings from the courts on these matters that, where development (of any kind, now including development on grey belt or previously developed land) is not considered to be inappropriate in the Green Belt, it follows that the test of impacts to openness or to Green Belt purposes are addressed and that therefore a proposal does not have to be justified by "very special circumstances."

- 5.35 The above would now be addressed under section 13 of the framework and para GB6: 2. That said in the event that matters of openness were to come into play the following is the case.

Spatial Openness

- 5.36 In relation to spatial openness the Site comprises a small area of open land, on part of the slopes of the associated south facing hillside. It is abutted by residential built development to the north, which comprises part of the settlement edge of Langley Vale; Public Right of Way, access track and (to be constructed) attenuation basin associated with the allowed scheme at Langley Bottom Farmyard; Langley Vale Road to the west; and open countryside to the east.
- 5.37 The landform continues to rise to the north, beyond the Site, where a localised ridgeline forms a skyline feature. Langley Vale is situated in this prominent topographical location. Beyond the valley bottom to the south of the Site, the landform rises southwards, with a north facing hillside that truncates views out of the Site to the wider landscape beyond.
- 5.38 As a result of the prevailing topographical and vegetated context, the Site represents a relatively discrete parcel of land within the wider Green Belt context.
- 5.39 In relation to impact upon spatial openness associated with the Appeal scheme it will result in a physical loss of openness due to the introduction of built form that includes new homes and associated infrastructure, within a currently undeveloped portion of the Green Belt.
- 5.40 However, this loss is concentrated in a discrete and small part of the wider Green Belt, immediately adjacent to the existing built-up edge of Langley Vale at Roseberry Road and does not intrude into the valley floor, which will remain undeveloped and functionally open.
- 5.41 The layout has been informed by topography, avoiding development on the most elevated land, and reserving the lower southern part of the Site for sustainable drainage (SuDS), open space, and continued equestrian use. This allows for the retention of spatial openness in the landscape setting south of the development.
- 5.42 Furthermore, the proposal incorporates substantial green infrastructure and landscape buffers, which help to soften the transition between the settlement edge and the countryside, and mitigate the extent of physical encroachment into the Green Belt.

Visual Openness

- 5.43 The Site experiences a localised visual envelope, with views limited to those from existing dwellings to the north, from Langley Vale Road to the west and from the PRow within proximity to the south and southeast.
- 5.44 Views are generally filtered or open and not especially extensive from public or private locations. The undulating topography has the effect of limiting the extent of the visual envelope and providing landform and dwellings as skyline features. Furthermore, the layering of vegetation provides filtering and a sense of enclosure.

- 5.45 In terms of visual openness, rather than being a high functioning extensive part of the Green Belt which contributes highly towards the main function of keeping land ‘permanently open’, whilst the agricultural land use of the Site results in an open landscape, the Site is small in scale and enclosed by rising landform and woodland, influenced by existing adjacent residential built form and urbanising elements. The Site is seen by relatively few receptors that are in close proximity to it. Furthermore, in terms of links to the wider Green Belt, the visual linkage to the wider countryside is limited by the undulating topography locally - to the south. Its sense of openness is therefore limited to a localised geographic area.
- 5.46 In relation to impact upon visual openness associated with the Appeal scheme it will result in the loss of visual openness to a discrete and small part of the Green Belt, which has a limited contribution to the strategic function of openness.
- 5.47 The topographical containment of the Site, together with existing woodland, hedgerows, and built form to the north, limits long-range visibility and prevents the development from being visually prominent across the wider landscape.
- 5.48 Setbacks from Langley Vale Road and additional woodland planting along key edges will reduce the prominence of built form in views beyond the Site. This visual buffering contributes to maintaining the perceptual sense of openness in the wider area, even with some built form introduced.
- 5.49 As with the visual changes associated with the scheme, the visual change to openness is limited and localised.

Policy Response

- 5.50 The Appeal scheme is as recognised by the Officers at para 16.6:
- ‘Officers are satisfied that the illustrative masterplan demonstrates that a well-designed and high-quality residential scheme that responds well to the site’s constraints and provides landscaped buffers to the sensitive boundaries can be accommodated on the site.’*
- 5.51 The high-quality design is proposed in accordance with recommendations set out at Chapter 14 and policy DP3: Key Principles for well-designed places, in that the scheme:
- i. has been developed through consultation with the local community and LPA.
 - ii. is evidenced by the local areas defining characteristics.
 - iii. adds to the overall quality of the area.
 - iv. is visually attractive with good architecture, layout and landscaping.
 - v. is sympathetic to local character and history, including the surrounding built environment and landscape setting.
 - vi. establishes a strong sense of place, using the arrangement of streets, spaces, building types and materials.

- 5.52 The design quality is well considered and takes into consideration local design guidance and supplementary planning documents, as recommended at Paras DP3: Key Principles for well-designed places and DP4: The Design Process.
- 5.53 As required by Policy DM9, the development both recognises and complements the contextual landscape character, one that comprises both settlement and natural landscape. The layout, massing and materials will respond to the character of Langley Vale.
- 5.54 The delivery of the new homes retains the settlement pattern of Langley Vale both at a macro and micro scale. The settlement continues to be set with the racecourse to its north, woodland to its east, the golf course to its west and agrarian landscape and woodland to its south. As with those in the immediate context, the new homes, the new part of the settlement, continues to sit on the gently falling topography, continues to have homes on the valley side, set amongst wooded boundaries and skyline. The new homes are set into the Appeal Site facilitating the inclusion of peripheral green infrastructure and additionally the subdivision of the Site allows the inclusion of considerable internal green infrastructure. Overall, a quantum of public open space that is in exceedance of policy (OR para 13.10, see table 1.0 of this proof). Internally, at the micro level, the new homes will be interspersed with green space and green streets, again reflective of their settlement context. To the south and west green infrastructure facilitates the space for inclusion of tree planting that again reflects the contextual character of homes amongst trees and ensures visual assimilation of the homes into their wider context.
- 5.55 It is evident that a parcel of land, lower down the value scale, has been correctly assessed in relation to both its own inherent character and that of its immediate landscape context, both settled and agrarian. The design response has been reflective of both characteristics, has demonstrated compatibility and a positive relationship with both the settled character and the natural landscape character and has set homes successfully into this context.
- 5.56 The success of the above is a result of both considered baseline assessment, recognition in intrinsic character but also the quality of the design response and the requirements of Policy DM10. It is evident that there is common ground with the Officers that this is of high quality, that the density is entirely acceptable of the context (ref OR para 14.2), that space standards in terms of Open Space are exceeded (OR para 13.10), in relation to Play the standards meet policy requirement, in relation to BNG spatial considerations the design facilitates a response that is far in exceedance of policy requirement. The exceedance of BNG is delivered through the considered response to Green and Blue Infrastructure, in a form that is characteristic of the local context. It is a scheme where safe design has been part of the process and design response.
- 5.57 It is a scheme where matters of amenity and overlooking have been resolved, a matter of common ground with the Officers (OR 17.4, see table 1.0 of this proof).
- 5.58 Access arrangements have been facilitated from adjacent highways and positive connectivity (footpaths/ cycle links) into the wider movement network.
- 5.58 The internal public realm exists in the form of the Entrance gateway, the attenuation zones, the western green infrastructure and southern public realm, and the central green corridor (all apparent in the LDS (CD1.8)). Each of the above public realm responses has been informed by

immediate context and becomes part of a legible landscape that defines sense of place, wayfinding, play and recreation.

- 5.59 Whilst there are some adverse visual effects, through considered design, from siting and embedded mitigation, to green infrastructure considerations, the effects are limited and localised, to visual receptors in the immediate vicinity of the Site – again a matter of common ground with the Officers (OR para 10.29, ref to table 1.0 of this proof).
- 5.60 Finally whilst outline at this stage the attention to detail will be further met through conditions and their requirements for attention to building scale, spacing, roof forms, and use of traditional detailing, ensuring the development integrates comfortably within its landscape and townscape setting.
- 5.61 In summary the Appeal scheme incorporates principles of good design, has understood the contextual and Site character and facets of local distinctiveness and has correspondingly advance a scheme responsive to and reflective of this.

6.0 Summary and Conclusions

- 6.1 The scheme has been underpinned by robust baseline assessment. It is very much a proposal that has been sensitive to its receiving context, with the design parameters being landscape-led.
- 6.2 It has been through a very considered and iterative design journey and in relation to landscape and visual matters, has resulted in a position where there were no residual objections from the Council's Tree and Ecology Officers. Alongside this the overall conclusion from the Officers Report was the recommendation for approval of the scheme.
- 6.3 Their conclusion is correct. The Site is very visually discrete and as shown through the use of verified views, the limited visual extent of change is primarily seen from a small number of localised visual receptors.
- 6.5 In relation to landscape change there is resultant harm, as with any greenfield to brownfield change. It is very evident that this harm is limited to the Site itself, with the balance of the wider contextual landscape character protected.
- 6.6 At the Site level where the harm does occur, it does so on a landscape that is lower down the value hierarchy, a landscape that is of medium value. It is the case that contextual landscape to the immediate north is homes and the illustrative masterplan is sensitive to and reflective of this adjacent character. Green infrastructure physically frames and visually holds the new homes and provides an amount of open space in exceedance of policy. Similarly, within that green infrastructure the provision of biodiversity net gain is also in excess of policy requirement.
- 6.7 Rightly the Officers were able to reach their conclusions in support of the scheme (OR CD27.12):
'The adverse impacts of granting permission in this particular instance do not significantly and demonstrably outweigh the benefits. when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate that development should be restricted.'
- 6.8 My view is that the above outcomes should be taken into the planning balance.