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23rd September 2025

R.E. Land at Langley Bottom Farm – Planning ref: 25/00846/OUT

To whom it may concern,

I am responding to the consultation response on application 25/00846/OUT provided Epsom and Ewell Borough Council. Whilst a detailed response from the Councils appointed Ecologist has not yet been provided, I understand that concerns have been raised about the designation of the application site as part of the wider Langley Bottom Farm Site of Nature Conservation Importance.

The designation of this site has been acknowledged throughout the Ecological Impact Assessment (EclA) produced by the Ecology Co-op and dedicated botanical surveys have been undertaken of the application site and its close surrounds to help inform the EclA.

The consultation response provided by Gemma Paterson on the 19th September 2025 draws on Policy DM4 of the Development Management Policy Documents, which states as follows:

Development affecting existing or proposed nature conservation sites and habitats of international, national or local importance will only be permitted if:

- (i) *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*
- (ii) *there is no alternative location for the development and there would be no harm to the nature conservation potential of the site; or*
- (iii) *there are imperative reasons of overriding public interest for the development*

This response followed to say that “*The Council’s Ecologist has therefore advised that as arable plants will inevitably be lost as a result of the development, the proposal cannot be supported and has objected to the proposed scheme on this basis.*”

It is appreciated that the purpose of this policy is intended to prevent development which would cause harm to designated sites, however I cannot see that this response has considered the proposals by the applicant appropriately. Arable plants are typically annual plants that exist in a state of flux. This is the case for night-flowering catchfly (*Silene noctiflora*), dwarf spurge (*Euphorbia exigua*) and field gromwell (*Lithospermum arvense*), which are all listed in the citation for this site.

The application site was identified to include to notable arable plants – field gromwell and narrow-fruited cornsalad (*Valerianella dentata*) within very narrow field margins to the arable field making the majority of th site (see section 3.2 of the EclA). The EclA concludes at section 4.2.2 that there would be a certain negative effect on the arable field margins in the absence of mitigation, but does make clear the the opportunities for valuable compensation measures for arable plants at section 5.1.4.

The arable field is not presently managed sympathetically for arable plants, with the Ecology Co-op assessing this site and the abundance of arable plants twice across 2019 and 2024, with management of the site appearing consistent across both assesments. Arable plants are confined to the very outer cultivated edge of the fields, where there is a sufficient gap between the wheat crop and grassland margin, as illustrated in Photograph 3 in the EclA (page 16). The compensation proposal at Section 5.1.4 however proposes the creation of a significantly larger area of suitable habitat for arable plants through the creation of cultivated, unseeded margins around a retained part of the field to the south. Cultivated unseeded margins are a recognised management strategy for the benefit of arable plants and DEFRA provides guidance on the creation and management of cultivated, unseeded strips here - <https://defrafarming.blog.gov.uk/create-cultivated-margins-and-plots-for-arable-plants/#:~:text=Leave%20the%20cultivated%20areas%20undisturbed,insecticides%20on%20the%20cultivated%20areas.>

The proposal set out within the EclA is to create two cultivated strips not less than 8m wide as set out in Figure 12 of the EclA (see page 33) and reproduced below. These buffers run approximately 480m in length and would measure approximately 0.384ha in area. The existing field margin area that would be lost measures approximately 1.02km in length, however the cultivated edge is no more than 0.5m in average width, meaning the habtiat area lost is approximately 0.051ha.



Figure 12. The proposed location of a new 8m wide cultivated field margin to be managed in perpetuity on a retained part of the arable field to the south of the development site.

I cannot see there being any reasonable reason why a legal mechanism could not be put in place that would legally oblige the landowner to manage this proposed compensatory cultivated margin ‘in-perpetuity’ and it should be clear that the proposal to create a significantly larger area of suitable habtiat for arable plants as set out under section 5.1.4 of the EclA ensures that this development proposal is compliant with policy DM4 part i), as it clearly proposes an enhancement to the nature conservation potential of the site.

The EclA proposes the production of a detailed management plan for the establishment and management of this arable habtiat in the long-term and The Ecology Co-op will be happy to provide further detail to support this application if necessary.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P Whitby', with a stylized flourish at the end.

Paul Whitby

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