

EPSOM AND EWELL BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

Appeal by Fairfax Aspire Ltd against the refusal of planning permission by
Epsom and Ewell Borough Council of

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

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

Planning Inspectorate Reference: 6006971

Council Reference: 25/00846/OUT

STATEMENT OF CASE

1.0 Introduction and Background Information

- 1.1 This appeal statement relates to an appeal against Epsom and Ewell Borough Council's ("the Council") decision to refuse planning permission, under reference 25/00846/OUT, for the following description of development:

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

- 1.2 The Council's planning committee resolved to refuse the application on 26 February 2026, and the Decision Notice was issued on 2 March 2026. The planning permission was refused by committee for the following reasons:

"1. Unsustainable Development

The proposal is sited in an unsustainable location with a lack of access to public transport and walking and cycling options, resulting in excessive reliance upon private car usage and a lack of alternative travel options, contrary to Sections 9 and 13 of the National Planning Policy Framework 2024, Policy CS16 of the Core Strategy 2007 and Policy DM10 of the Development Management Policies Document 2015.

2. Inappropriate Development in the Green Belt

The proposal is inappropriate development in the Green Belt by definition and will result in unacceptable harm to the openness and setting of the Green Belt without very special circumstances, contrary to Section 13 of the National Planning Policy Framework 2024, Policies CS1 and CS2 of the Core Strategy 2007 and Policy DM3 of the Development Management Policies Document 2015.

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.

4. Impact on Horse Racing Industry

The proposal will lead to an increased conflict with existing movements of horses on Langley Vale Road, posing unacceptable conflict and impediment to vehicular traffic and risks to

horses, trainers and riders, contrary to Section 9 of the National Planning Policy Framework 2024, Policy CS16 of the Core Strategy 2007 and Policy DM10 of the Development Management Policies Document 2015.”

- 1.3 This Statement of Case provides for a description of the site and its surroundings, the proposed development, relevant planning history, national and local planning policy context and relevant guidance, the Council’s case with regard to the reasons for refusal and outlines their statutory duties.
- 1.4 An initial draft of the Statement of Common Ground (“SoCG”) was received from the Appellant in March 2026 and further details in relation to these matters are to be provided within the SoCG as prepared by the Council and the Appellant.
- 1.5 The parties anticipate that a s106 agreement can be produced and the intention is to agree draft heads of terms to subsequently secure appropriate planning obligations, as set out in the Appellant’s Statement of Case¹. The Council will produce a CIL Compliance Statement to support the contributions sought, during the Inquiry programme.
- 1.6 The Council screened and scoped the application in compliance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“EIA”), reference 25/00733/SCR. It confirmed the application was not EIA development.
- 1.7 This SoC is prepared on behalf of the Council and in accordance with the Inquiries Procedure Rules (SI 2000/1625) and has regard to the Inspectorate’s ‘Procedural guide: Planning appeals – England’ (updated 18 May 2026) (“the Procedural Guide”), in particular section 11 Inquiries. It provides a succinct statement of the case that the Council will present at the Public Inquiry.

¹ At paragraph 3.1

2.0 Site and Surroundings

2.1 Site Location

The appeal site ("the Site") is an approximately 5.21ha parcel of sloping agricultural land that forms part of Langley Bottom Farm, located on the southern side of Langley Vale Road. The eastern and north eastern boundary of the Site abuts the village of Langley Vale and the Site, which sits on the western slope of a valley, falls away towards the west.

2.2 The Site is served by an existing vehicular access from on its western boundary from bridleway 33. A further access from bridleway 127 is located on the Site's southern boundary.

2.3 The north west corner of the site adjoins Langley Vale Road and the south east corner abuts an area of Ancient Woodland known as 'The Warren'. To the south west of the site but not immediately adjoining, lies a development currently under construction for 20 residential dwellings that were allowed at appeal (Ref: APP/P3610/21/3280881).

2.4 Vegetation within the site is limited to its perimeter and comprises intermittent trees and scrub along the north-east and eastern boundaries.

2.5 Constraints

The Site is located within the Green Belt and is within the Surrey Hills Area of Great Landscape Value (AGLV). The site forms part of the Langley Bottom Farm Site of Nature Conservation Importance (SNCI). The Site is adjacent to the aforementioned Ancient Woodland (The Warren) and falls within the Site of Special Scientific Interest Risk Area.

2.6 The Site is located within Flood Zone 1. The nearest heritage assets to the Site are:

- The Grade II listed *Wall Bordering North West and South Sides of The Warren* (entry number 1213778) which is located to the immediate south east of the Site.
- The Grade II listed *Boundary Wall to Woodcote Park Extending from Opposite Pumping Station to Corner with Chalk Pit Road* (entry number 1232240) which is located on the north side of Langley Vale Road to the immediate north west of the Site.
- The Grade II listed *Coal Tax Post to South East of Langley Bottom Farm* (entry number 1277034) which is located approximately 250m to the south of the Site.

3.0 Appeal Proposals

- 3.1 The proposal seeks planning permission for the demolition of Farm View House and erection of up to 110 residential dwellings, including 50% affordable homes. A fixed access position onto Langley Vale Road is proposed at the northern boundary of the Site and the Appellant intends to include public open space, landscape buffers and sustainable urban drainage attenuation features.
- 3.2 Whilst layout is a reserved matter, a Parameters Plan (2503/PL.03 Rev C) has been submitted to identify areas where residential, open space and landscape buffers are proposed and calculates the developable area as approximately 3.35ha (circa 64% of the 5.21ha Site area) excluding internal roads and pathways.
- 3.3 Further details in relation to the proposed development are expected to be detailed within the SoCG.

4.0 Relevant Planning History

- 4.1 A summary of the relevant planning history for the appeal site is provided below:
- 25/00733/SCR - Screening Opinion pursuant to Regulation 6 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended (the EIA Regulations), in relation to the proposed redevelopment at Langley Bottom Farm. Environmental Impact Assessment was found to be not required – 10 July 2025.

5.0 Development Plan Policies and Guidance

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Act 2004 together require that planning applications must be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.
- 5.2 The requirements in determining applications “*in accordance with*” the plan does not mean that an application must comply with each and every policy, but it is approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the courts, that Development Plans are a broad statement of policy, many of which may be mutually irreconcilable, so that in a particular case one must give way to another. The statutory adopted Development Plan for the appeal site comprises of the following:
- Epsom and Ewell Core Strategy (2007) (“CS”)
 - Epsom and Ewell Development Management Policies Document (2015) (“DMPD”)
- 5.3 The Policies of the Development Plan relevant for the determination of this appeal are considered to be the following.

CS

The policies are not named within the CS itself. The Officers Recommendation Report (“the OR”) provides titles for the relevant policies taken from the titles of the supporting text, which are adopted here for ease of reference.

- Policy CS1: Sustainable Development
- Policy CS2: Green Belt
- Policy CS3: Biodiversity and Designated Nature Conservation Areas
- Policy CS4: Open Spaces and Green Infrastructure
- Policy CS5: The Built Environment
- Policy CS6: Sustainability in New Development
- Policy CS7: Housing Provision
- Policy CS8: Broad Location of Housing Development
- Policy CS9: Affordable Housing and Meeting Housing Needs
- Policy CS12: Developer Contributions to Community Infrastructure
- Policy CS16: Managing Transport and Travel

DMPD

- Policy DM1: Extent of the Green Belt
- Policy DM3: Replacement and extensions of buildings in the Green Belt
- Policy DM4: Biodiversity and New Development
- Policy DM5: Trees and Landscape
- Policy DM6: Open Space Provision
- Policy DM7: Footpath, Cycle and Bridleway Network
- Policy DM8: Heritage Assets
- Policy DM9: Townscape Character and Local Distinctiveness
- Policy DM10: Design Requirements for New Developments
- Policy DM11: Housing Density
- Policy DM12: Housing Standards
- Policy DM13: Building Heights
- Policy DM17: Contaminated Land
- Policy DM19: Development and Flood Risk
- Policy DM21: Meeting Local Housing Needs
- Policy DM22: Housing Mix
- Policy DM35: Transport and New Development
- Policy DM36: Sustainable Transport for New Development
- Policy DM37: Parking Standards

5.4 The following documents are also material considerations relevant for the determination of this appeal:

- Parking Standards for Residential Development Supplementary Planning Document 2015
- Sustainable Design Supplementary Planning Document 2016
- Surrey Transport Plan 2022–2032
- Surrey County Council Vehicular, Electric Vehicle and Cycle Parking
- Guidance for New Developments 2023
- Surrey County Council's Local Transport Plan 4 (LTP4)
- Natural England Guide to Assessing Development Proposals on Agricultural Land 2021
- Green Belt Study Update, November 2024
- Emerging Local Plan Site Assessment Methodology September 2024
- Emerging Local Plan Land Availability Assessment September 2024

5.5 Emerging Policy

The Council submitted its Regulation 19 Local Plan 2022-2040 to the Secretary of State for independent examination in public by a Planning Inspector on 10 March 2025. A Stage 1 Examination Hearing was held on 28 August 2025, and Stage 2 Hearings were held between 30 September 2025 and 9 October 2025. Following the Stage 2 hearings, additional work was undertaken by the Council and is subject to public consultation which runs until 15 June 2026. A further examination hearing will be held on 2 July 2026. There are unresolved objections to some submission Local Plan policies, including the spatial strategy, and as such the policies with unresolved objections are to be afforded limited weight within the appeal at present, in accordance with paragraph 49 of the Framework.

5.6 Relevant Material Considerations

National Planning Policy Framework (“NPPF” or “the Framework”) (December 2024, as updated February 2025)

The paragraphs of the NPPF considered relevant to the proposal include:

- Chapter 2 Achieving sustainable development
- Chapter 4 Decision-making
- Chapter 5 Delivering a sufficient supply of homes
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 13 Protecting Green Belt land
- Chapter 14 Meeting the challenge of climate change flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

5.7 Additional national planning policy and guidance considered relevant to the appeal proposals include:

- National Planning Practice Guidance (“PPG”)
- Conservation of Habitats and Species Regulations 2017, as amended.
- Environment Act 2021

5.8 Other material documents to be referred to by the Council include:

- Guidelines for Visual Impact Assessment (Third Edition) (“GLVIA3”)
- Landscape Institute Technical Guidance Note 02/21 - Assessing landscape value outside of national designations (“TGN”)
- Landscape Institute Technical Guidance Note 06/19 - Visual Representation of Development Proposals
- Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs), Landscape Institute Technical Guidance Note 1/20 (Jan 2020)

6.0 The Case for The Council

6.1 Reason for Refusal 1 states the following:

"1. Unsustainable Development

The proposal is sited in an unsustainable location with a lack of access to public transport and walking and cycling options, resulting in excessive reliance upon private car usage and a lack of alternative travel options, contrary to Sections 9 and 13 of the National Planning Policy Framework 2024, Policy CS16 of the Core Strategy 2007 and Policy DM10 of the Development Management Policies Document 2015."

6.2 The Council will refer to Policy CS16, which encourages an improved and integrated transport network and facilitates a shift of emphasis to non-car modes as a means of access to services and facilities. Development proposals should provide safe, convenient, and attractive accesses for all, ensure that the needs of vehicular traffic do not predominate to the detriment of other modes of travel, minimise the need for travel and require major developments to be well located *"for convenient access by non-car modes, including walking, cycling and high quality public transport"*.

6.3 Reference will be made to paragraph 110 of the Framework, which states that *"significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes"*, whilst recognising that *"opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."* Paragraph 115 requires development to ensure that *"sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location"*.

6.4 In evidence, the Council will set out the limited facilities and services that are available within Langley Vale. These include a lack of providers of employment, secondary school, health centre, main food store or topping up shop. It will set out how as a consequence of the poor access to services and facilities locally, residents of any new dwellings would be expected to travel into the urban area on a regular basis and will predominantly do so by car.

6.5 Evidence will be provided to show the poor quality of the public transport provision within Langley Vale. The Council will demonstrate that due to the limitations of the bus service, it is unlikely to be a reliable option for access to employment or to those services and

facilities not available within Langley Vale. Inevitably this will lead to a high frequency of car journeys due to the lack of genuine alternative sustainable transport modes and it has not been demonstrated that through investment in bus service provision, and cycle and pedestrian infrastructure, that a step change can be secured to improve the very poor level of accessibility that is currently provided.

6.6 Furthermore, the Council will explain that there are deficiencies in the proposed layout which would result in occupiers in the south eastern and southern extents of the site being at an unsustainable distance from those limited local services that are available in Langley Vale, including the Primary School. The Council will refer to its most recent locational assessment of its proposed housing delivery strategy to inform this position, which will include the Emerging Local Plan Site Assessment Methodology and the Emerging Local Plan Land Availability Assessment, of September 2024.

6.7 For these reasons, the Council will set out that the proposal is in an unsustainable location with a lack of access to public transport and walking and cycling options, resulting in excessive reliance upon private car usage and a lack of alternative travel options and as such is in conflict with CS Policy CS16, and paragraphs 110 and 115 of the Framework.

6.8 **Reason for Refusal 2** states the following:

“2. Inappropriate Development in the Green Belt

The proposal is inappropriate development in the Green Belt by definition and will result in unacceptable harm to the openness and setting of the Green Belt without very special circumstances, contrary to Section 13 of the National Planning Policy Framework 2024, Policies CS1 and CS2 of the Core Strategy 2007 and Policy DM3 of the Development Management Policies Document 2015.”

6.9 The Council will explain that the Site is identified on the CS Policies Map and DMPD DM1 Policies Map as being within the Green Belt, where Policy CS2 applies and states that the Council will manage Green Belt in accordance with national policy.

6.10 The Council will refer to the Framework, where at Paragraph 142 it states that the Government attaches great importance to Green Belts and that the *“fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence”*.

- 6.11 Paragraph 154 of the Framework states that local planning authorities should regard the construction of new buildings as inappropriate development, and the Council will demonstrate that the proposal as a whole is not otherwise supported by any of the limited exceptions listed within the paragraph nor within any Development Plan Policies. For these reasons, the Council will explain that the appeal proposal is inappropriate development in the Green Belt, and by virtue of paragraph 153, is harmful to the Green Belt.
- 6.12 The Appellant concludes that the Site should be defined as grey belt land and that the proposal meets the tests of paragraph 155 of the Framework. The Council will explain that it does not, and will set out the following:
- i. the site would utilise grey belt land because it does not strongly contribute to purposes a), b) or d) set out at paragraph 143 and the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would not provide a strong reason for refusing or restricting development.
 - ii. it is not the Council's case that the proposal would fundamentally undermine the purposes of the remaining Green Belt.
 - iii. the Council does not currently have a five-year supply of deliverable housing sites and as such there is a demonstrable unmet need for the type of development proposed.
 - iv. However, for the reasons set out in relation to RfR1, the Council conclude that the Site is in an unsustainable location, with particular reference to paragraphs 110 and 115 of the Framework. The appeal proposal fails to accord with 155 c) and as such with paragraph 155 as a whole.
 - v. Furthermore, the Council considers that the proposal fails to satisfy the 'Golden Rules' set out in paragraphs 156 and 157 of the Framework. In particular, it is considered contrary to paragraph 156(c), as the development does not incorporate the necessary or proportionate improvements to local infrastructure that would enable or support a genuine choice of sustainable transport modes. In the absence of such enhancements, the scheme would be likely to place increased reliance on private vehicle use, undermining the objective of achieving sustainable patterns of movement
- 6.13 Since the proposal is inappropriate development, the Council will refer to the Framework, where at paragraph 153 it states that *"local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness"*, that *"inappropriate development is, by definition, harmful to the Green Belt and should not*

be approved except in very special circumstances” and that very special circumstances “will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

- 6.14 The Council will point to harm to the Green Belt by way of definition and harm to openness as well as other harm.
- 6.15 The Council will refer to the PPG² that factors to take into account when assessing impact on openness include, but are not limited to, both visual and spatial impacts, the duration of the development, its remediability and the degree of activity likely to be generated. It will be evidenced that the impact will be harmful and is not addressed by mitigation and the Council will refer to *Timmins*³, *Turner*⁴ and *Samuel Smith*⁵.
- 6.16 Having regard to the Court of Appeal in *Redhill Aerodrome*⁶ the Council recognise that the words ‘any other harm’ in the NPPF test do not mean only harm to the Green Belt. They mean any other harm that is relevant for planning purposes. The Council will weigh the ‘other harm’ in the balance before considering whether or not there are very special circumstances to justify the development. Therefore, the approach to the balancing exercise needs to consider these other harms, which the Council considers are set out within RfR’s 1, 3 and 4; together with the less than substantial harm to a heritage asset that would occur⁷, which the Council acknowledges would be outweighed by public benefits having regard to paragraph 215 of the Framework; and the loss of Best and Most Versatile Agricultural Land (BMVAL).
- 6.17 **Reason for Refusal 3** states the following:

“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,

² Paragraph: 013 Reference ID: 64-013-20250225

³ *Timmins v. Gedling BC* [2014] EWHC 654 (Admin)

⁴ *Turner v. SSCLG* [2016] EWCA (CIV 466)

⁵ Judgment, R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) (Respondents) v North Yorkshire County Council (Appellant) [2020] UKSC 3

⁶ *The Court of Appeal in Redhill Aerodrome Ltd v Secretary of State for Communities and Local Government* [2014] EWCA Civ 1386

⁷ The Council conclude this to be the less than substantial harm to the Grade II listed *Wall Bordering North West and South Sides of The Warren*

Policy CS5 of the Core Strategy 2007 and Policy DM9, DM10 of the Development Management Policies Document 2015.”

- 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.
- 6.21 **Reason for Refusal 4** states the following:

“4. Impact on Horse Racing Industry

The proposal will lead to an increased conflict with existing movements of horses on Langley Vale Road, posing unacceptable conflict and impediment to vehicular traffic and risks to horses, trainers and riders, contrary to Section 9 of the National Planning Policy Framework 2024, Policy CS16 of the Core Strategy 2007 and Policy DM10 of the Development Management Policies Document 2015.”

- 6.22 The Council will set out that the Site is within close proximity of Epsom Downs Racecourse, and Langley Vale Road provides access to the racecourse and training grounds. The CS recognises that Epsom Racecourse is nationally important⁸ and that together with the local racecourse training industry, is an important part of the economy of the Borough⁹. The DMPD recognises the importance of the racecourse and industry to the local economy, identifies Epsom's international reputation for horse racing and supports the maintenance of a successful racehorse training industry in the Borough¹⁰.

⁸ CS paragraph 3.3.3

⁹ CS paragraph 3.14.6

¹⁰ DMPD paragraphs 5.20 and 5.21

6.23 The Council will explain that the proposal would have a significant adverse impact on the operations of the horse racing industry within the Borough, as the Site is situated adjacent to horse race training areas and access routes, and the increase in proposed transport movements will increase the likelihood of conflict between horses, resulting in increased safety risks to both horses and riders. The Council will identify the limitations in the Transport Assessment relied on by the Appellant insofar as it seeks to address equestrian impact and the lack of assessment of impact on Bridleway 127, which is a key access point for racehorses entering the gallops.

6.24 The Council will explain that the proposal would provide an adverse economic impact to the operation of the adjacent Training Grounds, as the significant increase in risk to the safety of horses and riders would disincentivise the use of the Training Grounds by trainers and provide viability concerns to their sustainability. Given the importance of the horse racing industry to the Borough's economy, the Council will conclude that the proposal fails to accord with Policies CS16 and DM10 and as a result fails to recognise and address the specific locational requirements of the horse racing sector, in accordance with paragraph 87 of the Framework and fails to ensure that new development can be integrated effectively with existing businesses, in accordance with paragraph 200 of the Framework.

6.25 Benefits

Having regard to paragraph 153 of the Framework, the Council has considered the benefits advanced by the Appellant, in an assessment of very special circumstances and concludes that the following are benefits of the scheme in planning terms:

- Provision of up to 110 new homes including 50% affordable housing.
- Economic benefits including job creation during construction and economic spend of residents into the local economy.
- Proposed delivery of public open space, children's play area and landscaping.
- Enhancement of Langley Bottom Farm Site of Nature Conservation Importance.
- Delivery of biodiversity net gain.

6.26 In its evidence the Council will attribute weight to these benefits.

6.27 Planning Balance

The Council will demonstrate that the identified harm provided by the appeal scheme to the Green Belt should, by definition, be given substantial weight.

- 6.28 It will be demonstrated in evidence that the harm by reason of inappropriateness, and any other harm, is not clearly outweighed by other considerations, and the very special circumstances necessary to justify the development would not exist because the benefits would not clearly outweigh the harm. The appeal scheme will be concluded to provide conflict with Policies CS1, CS2 and CS16 of the CS, Policies DM3, DM9 and DM10 of the DMPD, and the Framework.
- 6.29 On this basis, the Inspector will be invited to dismiss the appeal.

7.0 Witnesses

7.1 The Council will present evidence and witnesses to address the following issues:

- Planning, with regard to both RfR2 and the planning balance.
- Locational sustainability, with regard to RfR1.
- Landscape, with regard to RfR3.
- Impact on operations of the horse racing industry , with regard to RfR4

8.0 Statutory Duties

8.1 The appeal site is not located within a conservation area and as such Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not arise. With respect to Section 66 of the aforementioned Act, the position of the Council is set out in paragraph 6.16.

9.0 Draft Conditions

9.1 If the Inspector were minded to allow the appeal, a series of conditions would be required. The Council will prepare a schedule of conditions in advance of the Inquiry. The Council will seek to work with the Appellant to find common ground on a schedule of drafted conditions and will submit these to the Inspector.