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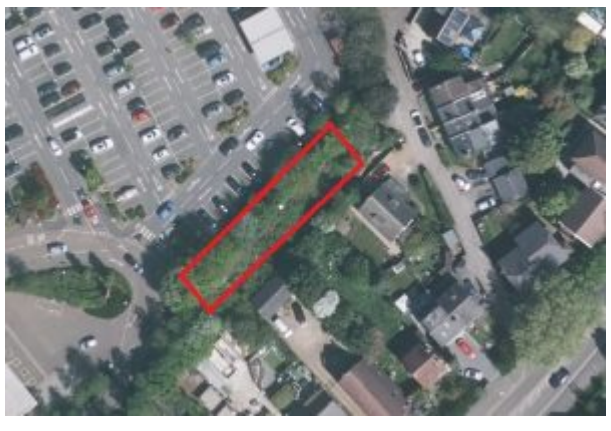
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Epsom Housing Project in Access Gridlock

4 May 2025



Imagine starting a new homes project and not being able to drive onto the site. That could be the reality for one Surrey council which has got into a road row with neighbours over access to a street.

Residents down Fairview Road claim Epsom and Ewell Borough Council are not legally allowed to drive into the old builder's yard at the end of their road. The council has launched a scheme to place three 'shipping container' homes on the land to provide temporary accommodation for families on the housing register. The plans were agreed in November last year.

"It's a real David and Goliath situation," said Debbie Ransome, who has together with the neighbours challenged the council's right to enter the site, by Fairview Road. She argued that it is wrong for the council to claim they have the access rights when she believes they are not entitled to use the road.

HM Land Registry has accepted the resident's application to block the council's right of way, and is now considering the claim. A spokesperson for Land Registry said: "Unfortunately, it is beyond HMLR's remit to comment on whether or not the Council are legally allowed to access their land from Fairview Road."

She has accused the council of "bullying" and "intimidating" behaviour as residents have challenged their right to access to the site- and now Ms Ransome is heading to tribunal. "I'm a single parent, I pay my taxes," she said

Ms Ransome, who lives next to the site in Epsom, explained herself and the neighbours have also allegedly received a solicitor's letter from the council threatening police action if they continue 'disrupting' the development.

Epsom and Ewell Borough Council state they intend to fight the claim as they head towards tribunal with Ms Ransome. The local authority state it rejects the allegations and said it is following the process laid out by the Land Registry.

An unusual situation, Fairview Road is a private street with a mystery owner. So the council (and future occupants) are not technically allowed to drive down the road to get to the former builder's yard- even though the local authority owns the site.

In September 2024, the council applied for a right of way on the site based on the long-term use from the previous occupant, Mr Adrian Giles MBE. Under a legal tool known as 'lost modern grant', people are able to claim if they have continually used the access route for 20 years without permission or by using force.

But Ms Ransome is disputing Mr Giles was in a position to claim access, saying she believes he forfeited access when he moved his business from the road some time ago. She also claims Mr Giles' late father agreed to sublet the land to a roofer – not part of the rent agreement with the council – and gained money from it.

Documents and emails seen by the author show Mr Giles admitting and apologising to the council he had not told them about the roofer subletting the land in his Land Registry statement. The roofer reportedly left the site in 2014, and the land was given back to the council in 2016.

Calling the council's actions as "deplorable", Ms Ransome said it is "completely wrong" and "not fair on the residents" that the council would try to get access to the site this way. She claimed: "They have got the [access] by lying and they're supposed to be the council. They're supposed to be the people that we trust to follow rules and regulations."

The council approved the application to develop three new 'modular', or pre-constructed, homes to support local families at risk of homelessness on 7 November 2024.

A long-time opponent of the pre-constructed home scheme, Ms Ransome said the development will be "detrimental to hundreds of school kids" who use the road as a cut through to Glyn Secondary School and Sixth Form. With a width of 3.55m, Fairview Road is 10cm below national standards so cars have to mount the curb to carefully pass each other. Objectors said this could be a serious safeguarding risk to children walking to and from school.

Councillor Steven McCormick, Chair of the Planning Committee, said: "The new homes are planned to be located alongside Fairview Road, making use of brownfield land and contributing to the borough's temporary housing availability. These units would allow the council to house local families facing homelessness within the borough, close to schools and local support networks."

The Residents' Association member clarified pedestrian safety concerns were recognised and discussed at length in the planning meeting where the application for temporary accommodation was considered.

He said: "In coming to a decision about the development's use for the provision of temporary accommodation, the Committee noted the comments from the County Highway Authority who were satisfied that: the development would not

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result in a significant increase in traffic generation, or result in issues of highway safety, or cause issues with the operation of the existing highway network."

Cllr McCormick added: "The council has followed the process laid out by the Land Registry. Residents have challenged the Land Registry's decision, but the council remains confident in its position. The council refutes any further allegations."

Adrian Giles MBE declined to comment and referred back to the council's response.

Link to planning portal: https://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RQ0JVVGYIQR00

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