



**By Email to:** Planning Policy Team, Reigate and Banstead Borough Council

**Attention:** Mr. Andrew Benson, Head of Planning

**Email:** [LDF@reigate-banstead.gov.uk](mailto:LDF@reigate-banstead.gov.uk)

26<sup>th</sup> February 2021

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**Your ref: SPD/Consult /Feb2021 dated 1<sup>st</sup> February 2021, LOCAL CHARACTER AND DISTINCTIVENESS GUIDE – SUPPLEMENTARY PLANNING DOCUMENT DRAFT CONSULTATION.**

Dear Mr. Benson,

The Kingswood Residents Association (KRA) submits its response to the Consultation by Reigate and Banstead Borough Council (the Council) on its draft Local Character and Distinctiveness Guide, Supplementary Planning Document (LCDG), dated November 2020.

The KRA's membership is greater than 50% of households in Kingswood; it has the locus to represent its community on planning matters.

We believe the LCDG is an admirable document and we welcome its contents.

The great majority of Kingswood's area lies in a Residential Area of Special Character (RASC), with a smaller area in a designated Conservation Area (CA). The draft LCDG describes and appraises RASCs on pages 33 to 40 and lays out 23 guidelines for development within them. We warmly endorse these guidelines. In addition, we place on record our agreement with the principles for handling different types of planning applications in the section of the LDGC on Case Studies.

We do, however, have two related concerns:

1. The LCDG, as drafted, has insufficient weight to be binding on Council and Planning Inspectorate decisions. It is presented as "not part of the adopted 2020 Development Management Plan (DMP)" and "it does not introduce new policy". Paragraph 1.4 states that it is "*capable* (our italics) of being a material consideration in the determination of planning decisions", but "capable" does not equal "mandatory". Paragraph 1.6 states that the guide is "not intended to be prescriptive" and "it sets out principles within which design creativity can be explored". We believe this wording can be an invitation for a householder and their architect or design consultant to consider the guide's content and ignore it. This leads naturally to our second concern....
2. Developers in Kingswood have a history of securing approval for developments that override planning guidelines (or indeed Local Plans as set out in the Council's 2019 DMP). Despite established planning policies and the 2004 Supplementary Planning Guide, many examples of inappropriate development are quoted in the LCDG. Page 34 lists Current Issues and

Design Considerations which we believe respectively to be extremely relevant to, as well as materially absent from consideration in several recent and/or ongoing developments in our RASCs - and the 23 guidelines for RASCs are introduced by the statement "to stop further damage from occurring". In its response to planning applications in Kingswood, the KRA has objected, on many occasions, to excessive scale and mass, to design unsympathetic to, or not in compliance with the RASC designation, to inadequate landscaping, to dominant walls, gates and hardstanding and the like, but evidence on the ground shows that these concerns have not been consistently respected by decisions of the RBBC Planning Committee or the Planning Inspectorate. Furthermore, efforts on the part of the RBBC Planning Committee to ensure compliance with the terms and conditions of approvals granted, or indeed their enforcement actions where appropriate, have, in at least one significant recent case (Kings Barn), been overridden by the Planning Inspectorate.

We therefore strongly recommend that, before adoption, the LCDG be re-drafted to make its provisions binding policy, at least as far as RASCs are concerned.

In addition, we believe it is necessary to launch an extensive information campaign to ensure that householders and their agents are made aware of the planning policy requirements in RASCs and CAs, preferably well before they submit applications to the Council for approval. In Kingswood, the KRA is ready and willing to assist, or even take the lead, in this endeavour.

Yours Sincerely,



Justus van der Spuy

Chair, Planning Policy Committee

Kingswood Residents Association

c/c Valerie Evans

Chair

Kingswood Residents Association