

1st March 2026

Objection on behalf of the Kingswood Residents' Association to Reigate & Banstead Borough Council in relation to application 26/00128/OUT

1. Background

This objection is made on behalf of the Kingswood Residents Association in respect of application 26/00128/OUT for outline planning permission for circa 130 dwellings and associated works on land north of Copt Hill Lane, Kingswood, with the primary access point proposed from Canons Lane.

The proposal is unsound in principle and should be refused because it represents inappropriate development in the Green Belt, causes substantial harm to the openness and Green Belt purposes (including preventing coalescence), and would create further unacceptable landscape, ecological, character, and transport harms which are not demonstrated to be adequately avoided, mitigated, or compensated. These harms conflict with the development plan (Core Strategy and Development Management Plan) and national policy and are not outweighed by benefits.

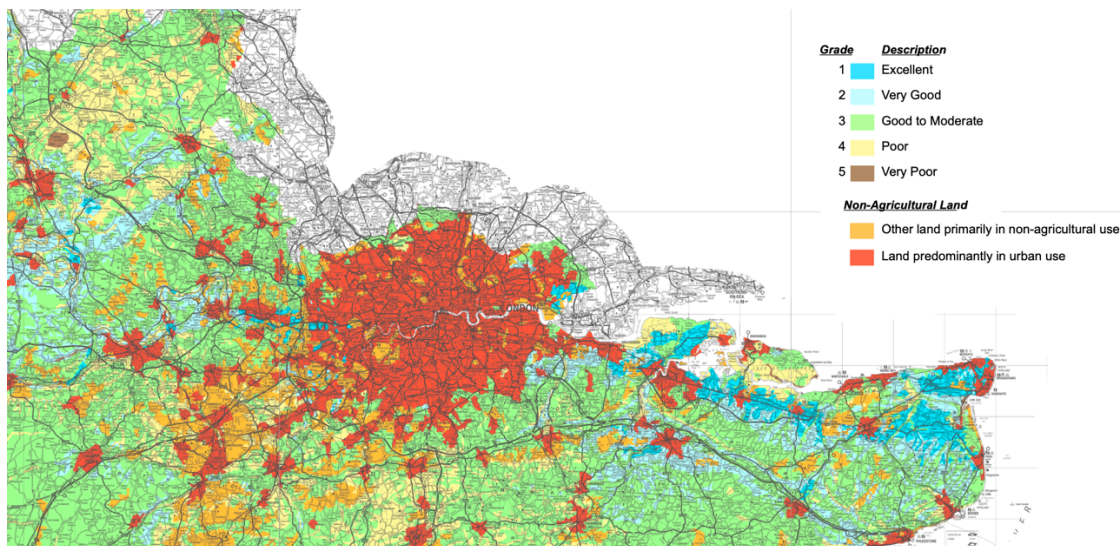
In addition, the site lies within locally identified landscape sensitivity and is closely connected with land currently within the scope of an active statutory process led by Natural England to vary/extend the Surrey Hills Area of Outstanding Natural Beauty boundary. This materially increases the weight to be given to conserving and enhancing local landscape character and natural beauty and reinforces the need for a precautionary decision.



2. Proposal and site context

The application seeks outline planning permission for residential development "including access from Canons Lane" for "circa 130" dwellings, together with public open space, landscaping, pedestrian/cycle routes and associated highways, drainage, ecological and infrastructure works. All matters are reserved other than the primary access point.

Loss of Grade 2 Agricultural Land (Best and Most Versatile Land)



The application site comprises Grade 2 agricultural land. You can see for the images above just how limited the availability is of such land which is classified as “Best and Most Versatile” (BMV) land under the Agricultural Land Classification system. Grade 2 land is defined as very good quality agricultural land, capable of consistently producing high yields of a wide range of arable and horticultural crops with relatively few limitations.

National planning policy places significant weight on the protection of BMV land. Paragraph 174(b) of the National Planning Policy Framework (NPPF) requires planning decisions to recognise the intrinsic character and beauty of the countryside and the wider benefits from natural capital, including the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, planning authorities should seek to use areas of poorer quality land in preference to that of higher quality.

The irreversible loss of Grade 2 land at Canons Farm would:

- * Permanently remove highly productive farmland from agricultural use.
- * Reduce local and national food production capacity at a time of increasing concern regarding food security.
- * Undermine the long-term sustainability and viability of one of the largest remaining farms within the M25.
- * Conflict with the principle of prioritising lower-grade land for development where alternatives exist.

Best and Most Versatile land is a finite national resource. Once developed, it cannot be restored to its former agricultural quality within any meaningful timescale. The proposal would therefore result in permanent harm to a high-quality soil resource that contributes to food production, rural economic activity and environmental sustainability.

In the absence of clear and compelling evidence that development on lower-grade land is not available or feasible, the loss of Grade 2 agricultural land weighs heavily against the proposal and is contrary to national planning policy objectives.

The Council's constraints record for the site includes, among other matters:

- Green Belt designation (DMP).
- Area of Great Landscape Value (AGLV) designation (DMP).
- Ancient woodland buffer (DMP).
- Residential Area of Special Character (DMP).
- Historic Parks and Gardens - Copt Hill (DMP).
- Agricultural land and Tree Preservation Order constraints.

The applicant's consultation material describes the site as approximately 13.09 hectares of flat, arable agricultural land between Kingswood and Burgh Heath, bounded by hedgerows/residential curtilages and the A217 corridor in the wider area.

The applicant's illustrative material indicates a development concept with large areas of open space, a community orchard, allotments, LEAP/LAP play areas, retained PRoW, and a main vehicular access from Canons Lane with a pedestrian link to Ballards Green.

The access drawing (consultation stage) shows an access strategy involving (among other details) footway provision to tie into existing, relocation/replacement of speed limit signage, hedgerow relocation, and visibility splays indicated as 2.4m x 43m.

3. Development plan status and material planning considerations

The statutory starting point remains section 38 of the Planning and Compulsory Purchase Act 2004 as reflected in national policy: applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Within Reigate & Banstead, the development plan includes:

- The Core Strategy (adopted 3 July 2014 and reviewed in 2019 and 2024).
- The Development Management Plan (DMP) (adopted September 2019 and reviewed in September 2024, with the review concluding most policies remain up to date/effective).

The Council's 2025 Annual Monitoring Report confirms the Core Strategy and DMP adoption/review position and explains the weight to be given to existing policies by reference to the NPPF's December 2024 approach.

Material considerations also include relevant Supplementary Planning Documents (SPDs) and supporting guidance, including:

- Affordable Housing SPD (2020).
- Developer Contributions SPD (2016).
- Climate Change and Sustainable Construction SPD (2021).
- Local Character and Distinctiveness Design Guide SPD (2021).
- Reigate & Banstead Local Cycling and Walking Infrastructure Plan (LCWIP) (mini report available; full report held by the highway authority).
- Surrey County Council transport policy including LTP4/Surrey Transport Plan and Healthy Streets for Surrey principles (including hierarchy of users), and SCC parking/EV/cycle guidance.
- Planning Practice Guidance (PPG) where relevant, including housing supply and delivery guidance.

4. Detailed assessment of conflict with policy and guidance

a) Conflicts with the principle of development in the Green Belt

National policy (December 2024 NPPF) confirms that the Framework is a material consideration and must be considered in preparing plans and decisions. The NPPF guidance also establishes the presumption in favour of sustainable development within plan-making and decision-making, but this does not disapply restrictive policies where they apply (including Green Belt policy).

At the local plan level, Core Strategy CS1 expressly applies a presumption in favour of "sustainable development" in assessing proposals, aligning this with development plan policies and national guidance. However, the site is explicitly constrained by Green Belt policy and the Council's own constraints mapping identifies the site as within the Green Belt.

The Development Management Plan contains specific policy NHE5 (Development within the Green Belt), applying Green Belt controls and (as a matter of policy) limiting acceptable development types and ensuring development does not undermine Green Belt function and openness. The proposal is for a substantial residential development (circa 130 dwellings) on a Green Belt site and is therefore, by its nature, a form of development that will materially reduce openness and change land use.

The applicant's consultation material seeks to frame the site as "Grey Belt" and suggests such land is "devoid of special landscape characteristics or designations." This is directly inconsistent with the Council's own constraints which record AGLV, ancient woodland buffer, historic parks and gardens, and residential area of special character overlays. On the applicant's own stated "Grey Belt" test, the site is not "devoid" of landscape/heritage/character designations; it is therefore not credible to treat this scheme as development on low-contribution Green Belt land simply by assertion.

Accordingly, the proposal conflicts with:

Core Strategy CS1 (sustainable development presumption applied through the plan), because development that undermines Green Belt purposes and conflicts with environmental/landscape policy is not "sustainable" in plan terms.

DMP NHE5 (Green Belt controls).

NPPF December 2024 Green Belt policy intent (protecting openness and the Green Belt's strategic purposes).

b) Harm to valued landscapes, setting, and local distinctiveness

Core Strategy CS2 addresses "valued landscapes and the natural environment", including the highest level of protection for nationally important landscapes and strong protection for valued local landscape character and designated ecological sites. The site is also identified in the Council's constraints as lying within an Area of Great Landscape Value, a designation reflecting local strategic landscape sensitivity.

DMP design/landscape policy applies through:

- DES1 (design of new development and responding to local character/amenity, supported by design guidance).
- NHE1 (landscape protection) and NHE4 (green/blue infrastructure) in terms of landscape character and multifunctional green infrastructure planning. (Policy network reference within the DMP confirms the interrelationship.)
- The Council's Local Character & Distinctiveness SPD (2021) as a material consideration setting expectations for place-led, locally distinctive design and respecting character areas.

The applicant's illustrative master planning and landscape plan shows development footprints concentrated in the southern portion of the landholding with significant open space to the north and internal paths. However, the question at outline stage is not whether mitigation can be illustrated, but whether the acceptability of the principle and likely significant effects are demonstrated with sufficient certainty. A major residential scheme on open arable land between settlements will inevitably change the landscape character and perception of openness and separation, even with planting.

This conflict is intensified by the fact that the wider area is part of an active process to extend the Surrey Hills AONB designation (see separate section below).

c) Unsustainable travel patterns and conflict with transport policy

Core Strategy CS17 requires the Council and partners to support improved travel options and accessibility, including working to encourage sustainable modes of travel. DMP TAP1 requires safe access arrangements and designs that do not increase accident risk or endanger vulnerable road users, and expects compliance with adopted highway standards/guidance unless robustly justified.

The applicant's own consultation text anticipates significant peak-hour vehicle movements and claims the local highway can accommodate estimated peak flows, while proposing a framework travel plan and internal design that prioritises walking and cycling. Yet the application site is a Green Belt edge location and the submitted consultation material itself anticipates "typically 2 spaces per dwelling plus visitor spaces," indicating a development likely to embed car dependence.

The access strategy drawing indicates reliance on (among other things) sign changes and visibility splays, with a 2m footway tie-in and hedgerow relocation. [At outline stage, the burden is on the applicant to demonstrate safe and policy-compliant access in principle, including for pedestrians and cyclists, and to show that the scheme aligns with road safety and "healthy streets" approaches.

Transport policy in Surrey is explicitly oriented toward reducing car dependency and applying a user hierarchy (pedestrians, cyclists, public transport before private vehicles). Surrey guidance on parking and development recognises LTP4 ambitions and explicitly references the hierarchy of users and the relationship between parking supply and travel mode choice. This is reinforced

by Surrey's public-facing transport plan information, which records the Surrey Transport Plan/LTP4 adoption position.

The Council's LCWIP evidence base highlights local priorities for active travel network improvement and is a material consideration in assessing whether new development is genuinely aligned with strategic active travel delivery rather than merely asserting internal permeability.

On the information available, the proposal conflicts with CS17 and TAP1 because it has not demonstrated that the development location and access strategy can realistically deliver policy-compliant sustainable travel outcomes, nor that it avoids unacceptable safety and severance harms.

d) Biodiversity, ancient woodland buffers, and green infrastructure

Core Strategy CS2 provides for high levels of protection for key ecological assets and requires protection/enhancement of the natural environment. The Council's constraints flag an ancient woodland buffer on/adjacent to the site. DMP policy structure (including NHE2, NHE3, and NHE4) is engaged by the presence of important habitats, trees/hedgerows, and the requirement for coherent green/blue infrastructure.

The applicant's consultation material asserts the site is "predominantly low value habitat," describes the land as cropland, and claims at least 10% Biodiversity Net Gain, with hedgerows/trees retained and a buffer to adjacent woodland. However, this characterisation is contested by long-standing local ecological recording (see bird group section below), which evidences significant bird diversity and the ecological function of farmland/hedgerows and the mosaic of habitats in the area.

A core objection is therefore that the application materially underplays the biodiversity and ecosystem function of open farmland and hedgerow networks in this location and has not (on the publicly available material) demonstrated that biodiversity impacts (particularly farmland birds and functional connectivity) are avoided/mitigated consistent with policy expectations.

e) Climate change mitigation, sustainable construction, and water efficiency

Core Strategy CS10 and CS11 establish expectations for sustainable development and sustainable construction, including the need to incorporate flood risk measures and (for CS11) defined construction performance expectations subject to viability. The DMP similarly sets requirements through CCF1 (climate change mitigation/adaptation and high standards including energy efficiency and water efficiency) and CCF2 (flood risk and sequential approach).

The Council's Climate Change and Sustainable Construction SPD (2021) is a material consideration providing additional detail on how climate mitigation/adaptation and resource efficiency should be embedded in development proposals.

At outline stage for a major residential scheme, it is not sufficient to defer all climate/energy performance matters to reserved matters without robust parameter commitments and a policy-compliant framework capable of being secured by condition and/or legal agreement. The public consultation material provides broad assurances but does not, of itself, demonstrate compliance

with CS11/CCF1/Climate SPD requirements for measurable performance, overheating risk management, embodied carbon, and secured design commitments.

f) Flood risk, drainage and SuDS uncertainty

Core Strategy CS10 expects flood risk assessments and design measures including Sustainable Urban Drainage Systems (SuDS) in line with national policy. DMP CCF2 requires avoidance of flood risk areas where possible, application of the Sequential Test, and robust drainage strategy.

The applicant's consultation material states the site is in Flood Zone 1 and that surface water would be attenuated via SuDS (attenuation basin) with flows infiltrating to ground, with foul drainage connecting to the Thames Water network. [40] These statements require evidential support in the application submission (ground conditions, infiltration testing, exceedance routing, climate change allowances, downstream constraints, and construction-phase pollution control). In the absence of accessible submitted drainage strategy documentation (see note below), the Association objects that compliance with CS10 and CCF2 has not been demonstrated to a decision-ready standard.

g) Ground Dissolution and Geological Hazards

The Kingswood area is known to be susceptible to chalk dissolution, a significant geological hazard arising where acidic groundwater dissolves calcium carbonate within the chalk bedrock. This process can create underground voids, sinkholes and soft ground conditions, leading to severe structural risks for building foundations.

This risk is particularly acute in areas where chalk levels vary, notably along the contact zone between the Lambeth Group and the Chalk sub-group. The applicant's own geophysical assessment identifies a band of high-risk dissolution running across the site, consistent with these geological conditions. Even where land may currently appear stable, nearby development activity can accelerate dissolution processes and destabilise the ground.

Key mechanisms by which development may exacerbate this hazard include:

Altered Water Flow: Development can concentrate surface water or redirect subsurface flows, increasing the rate of chalk dissolution and void formation.

Water Table Changes: Excavation and drainage works can lower groundwater levels, removing buoyant support and increasing the risk of subsidence or collapse.

Surface Loading: The addition of substantial structural loads onto ground already weakened by dissolution may trigger collapse of overlying soils into pre-existing voids.

Construction Vibrations: Activities such as piling and drilling can disturb the internal ground structure, weaken foundation support, and potentially precipitate failure events.

While such risks might be addressed through mitigation in respect of new-build properties, the impact on existing neighbouring dwellings is of particular concern. Unlike new structures designed with site-specific mitigation measures from the outset, existing homes were not constructed with such hazards in mind. Given the close proximity of the proposed development

to established residential properties, the potential for induced ground instability affecting neighbouring homes is materially increased.

The geological risks associated with chalk dissolution have not been adequately addressed, nor has sufficient assurance been provided that both new and existing properties can be safeguarded from long-term subsidence and structural damage. This represents a fundamental and unacceptable risk that weighs heavily against the grant of outline planning permission.

h) Housing delivery, housing need, and "land supply" arguments

The applicant's consultation material advances a housing land supply rationale, noting the Core Strategy requirement and then asserting higher "standard method" need figures and a reduced land supply if assessed against that higher number.

The Council's AMR 2025 confirms that the Core Strategy housing requirement (6,900 dwellings 2012-2027) has been exceeded in overall completions and records a deliverable five-year supply position as at 1 April 2024 of 5.60 years against the Core Strategy requirement, while noting the Council's own monitoring predicted a potential reduction by April 2026.

Crucially, the DMP adoption statement explains that the DMP delivers the Core Strategy up to 2027 and sets out detailed policies and allocations. DMP MLS1 is explicitly directed at managing land supply and triggers for development of certain sites where five-year supply cannot be demonstrated, providing a plan-led mechanism rather than ad hoc Green Belt erosion.

Even if housing delivery arguments are given weight, they do not provide a blanket justification for major Green Belt release, particularly on land subject to multiple landscape/character constraints and near land progressing through AONB boundary variation.

i) Affordable housing, obligations, infrastructure, and "developer contributions"

The applicant's public material states an intention to provide 45% affordable housing. The DMP's affordable housing policy framework (DES6) is engaged, and the supporting text identifies borough needs and tenure issues, and the Council's Affordable Housing SPD (2020) provides detailed guidance on securing delivery and ensuring mixed communities.

However, the offer of affordable housing does not of itself make an otherwise unacceptable Green Belt proposal policy compliant. Moreover, at outline stage, the quantum, tenure, phasing, delivery triggers, and integration/pepper-potting principles must be clearly secured through enforceable mechanisms rather than left as general statements.

In respect of infrastructure, Core Strategy CS12 requires contributions to meet needs created by development and expects infrastructure to be delivered alongside development. The Developer Contributions SPD explains the Council's approach to securing infrastructure required to support development and clarifies the relationship with CIL and planning obligations.

The applicant's material frames anticipated CIL receipts (and asserts an estimated sum linked to a zone rate) as a basis for service capacity. The Association objects that reliance on generic CIL receipts is not a substitute for the application-specific obligations required under CS12/INF1 and the Developer Contributions SPD, particularly where transport works, ecological mitigation,

open space provision/maintenance, and other site-specific measures must be fixed as part of the permission.

j) Other engaged policies requiring explicit compliance

In addition to the matters above, the proposal engages (and on the currently accessible evidence, fails to demonstrate compliance with) the following DMP policy areas which should be treated as part of the Council's overall reasons for refusal and/or requirements for further information:

- DES4 / DES5 (housing mix and high-quality housing) where outline parameters and design coding must demonstrate likely compliance with space, daylight, amenity, and character expectations.
- DES8 (construction management) where a detailed, enforceable construction management approach is essential given the access route and proximity to residents.
- DES9 (pollution/land contamination) where Phase 1/2 work and construction-phase controls must be evidenced and secured.
- EMP5 (local skills/training) where obligations may be appropriate for a major development.
- OSR2 (open space in new development) and long-term stewardship/maintenance arrangements.

k) The Natural England boundary variation process and the weight to be given in decision-making

The Association relies on the following points as a material consideration of direct relevance to the Council's judgment on landscape protection, Green Belt restraint, and the precautionary approach.

Natural England has been undertaking a formal boundary variation process relating to the Surrey Hills Area of Outstanding Natural Beauty, including statutory and public consultations and technical assessments. Natural England's published material confirms that the boundary has not been reviewed since the original designation in 1958, and that following landscape evaluation studies and a formal request by the Surrey Hills National Landscape Board, Natural England began exploring whether adjacent areas should be included within the designation.

Natural England's December 2025 government publication on the Surrey Hills AONB boundary variation confirms that Natural England's Board reviewed the proposals and formally approved final technical assessments and a draft Order regarding extension, followed by a formal notice period (representations closing January 2026).

For the Kingswood area, this is not an abstract process: the "Canons Farm & Banstead Woods Bird Group" evidence (see below) is explicitly framed as evidence supporting the EA7 extension area and describes a landscape mosaic directly connected to the application site context.

Accordingly, the Council should give significant weight to the fact that a formal national landscape boundary variation process is underway/advanced, with Natural England's Board approvals and published technical assessments; and the raised likelihood of long-term national landscape designation consequences for the area's planning sensitivity and the need to avoid irreversible harm during an active designation process.

I) Evidence from the local bird group and summary of serious Ecological Concerns

The Association relies on evidence produced by the Canons Farm & Banstead Woods Bird Group in support of proposed AONB extension area EA7, which is directly relevant to the Council's assessment of landscape value, biodiversity, and ecosystem function in the locality.

Canons Farm (managed together with Perrotts Farm as a single unit) is one of the largest remaining farms within the M25 and supports an exceptional diversity of birdlife for south-east England. It is recognised as one of the best birdwatching sites in north-east Surrey and is referenced in **Where to Watch Birds in Surrey and Sussex**. Since 2009, systematic monitoring by the Canons Farm and Banstead Woods Bird Group has generated nearly 60,000 bird records, demonstrating the site's sustained ecological importance.

Approximately 90 bird species are recorded annually, including resident, breeding summer migrants, winter visitors and passage migrants. The farm's size, variety of crops, mature hedgerows, woodland and scrub create a mosaic of habitats that allow birds to adapt to seasonal and annual changes in food availability. The availability of multiple fields is critical, enabling birds to relocate between feeding areas when crops change, weather conditions vary, or disturbance occurs.

a. Red-Listed and Protected Species

Canons Farm supports stable breeding populations of several UK Red-Listed species protected under the Wildlife and Countryside Act 1981, including:

- Skylark (at least 12 breeding pairs recorded in 2025)
- Linnet
- Yellowhammer (six breeding pairs in 2025 – one of the highest totals within the M25 area of Surrey)

These farmland birds are highly dependent on open fields. Skylarks nest in the centre of arable fields and avoid areas near housing, footpaths, trees and shrubs. Yellowhammers nest in hedgerows but rely on open fields for feeding. Loss of fields would directly reduce nesting and foraging habitat and significantly harm these species.

Barn Owls, a Schedule 1 protected species, have bred on the farm and require extensive open farmland to hunt successfully. Reduction in field area would reduce prey availability and threaten breeding success

The farm also supports significant numbers of wintering and migratory birds, including large flocks of Linnets and Starlings, wintering Woodcock, and passage migrants such as Swift and House Martin (over 1,000 counted feeding over the fields on single days in autumn 2025). As

one of the first substantial expanses of farmland south of London, Canons Farm functions as a critical migratory stopover site.

b. Biodiversity Action Plan (BAP) Priority Species and Habitat

Seven breeding species at Canons Farm are UK Biodiversity Action Plan Priority Species: Skylark, Linnet, Yellowhammer, Dunnock, House Sparrow, Starling and Song Thrush. In addition, farmland itself is designated as a BAP Priority Habitat. The loss of significant areas of farmland would therefore represent the loss of priority habitat supporting multiple priority species.

m) Limitations of Proposed Mitigation and Biodiversity Net Gain

Achieving the required minimum 10% Biodiversity Net Gain for all affected priority species is highly unlikely for the following reasons:

1. **Habitat Specificity and Site Fidelity** – Species such as Skylark, Linnet and Yellowhammer are strongly site-faithful and typically breed close to their natal areas. Replacement habitat would need to be located very close to Canons Farm and of sufficient scale and suitability. It is unclear where such land could realistically be secured locally.
2. **Scale Requirements** – These species depend on extensive, contiguous open farmland. Smaller or fragmented mitigation areas would not replicate existing ecological function.
3. **Migratory Behaviour** – Migrants follow traditional routes and rely on established feeding sites. They are unlikely to divert to distant mitigation sites. Loss of feeding habitat could reduce migration survival rates.
4. **Ecological Balance** – Intensifying bird densities on remaining land is unlikely to succeed, as predator–prey dynamics naturally regulate populations. Furthermore, meaningful habitat enhancement would require reduced pesticide use and lower agricultural yields, undermining farm viability.
5. **Delivery Risk** – There is widespread evidence nationally of mitigation schemes failing to deliver intended biodiversity outcomes. Effective mitigation would require substantial up-front funding, long-term land acquisition, and perpetual management by a specialist conservation body — with no guarantee of success.

Canons Farm is an ecologically significant, large-scale farmland habitat supporting an unusually rich assemblage of protected and priority bird species within the M25. The loss of fields proposed under this application would result in irreversible harm to **Red-Listed species**, **Schedule 1 protected species**, migratory populations, and a designated priority habitat. There is no credible evidence that equivalent habitat of sufficient scale and proximity can be provided, nor that a genuine biodiversity net gain for the affected species can realistically be achieved.

Accordingly, the ecological impacts of the proposed development are significant, inadequately mitigated, and contrary to national and local biodiversity policy objectives.

That evidence describes a diverse habitat mosaic including open farmland, hedgerows, chalk downland, scrub, immature woodland, and substantial ancient woodland (Banstead Woods, noted as SSSI-designated), producing high biodiversity interest and strong public enjoyment via

footpaths and bridleways. The submission explains that the group records around 90-100 bird species annually, with a lifetime site total approaching 150, and highlights the importance of the farmland and wider countryside for breeding and migratory birds.

This evidence materially challenges the applicant's simplified description of the site as "predominantly low value habitat" and supports the Association's position that farmland and hedgerow networks in this area are integral components of a wider functioning ecological landscape.

In a recent article in Surrey Live a local farmer, Michael Jelley, who farms at Canons and Langley Bottom, said: "Agriculture is currently going through an extremely difficult time.

"Brexit and the Ukraine war have led to massive increases in the cost of inputs and global warming is presenting new challenges for us to provide the food that our country needs.

"Every acre of farmland lost reduces the financial viability of the farm as a whole. This in turn increases the risk of the business failing and the land becoming 'prime for development'.

"We must not sacrifice this precious resource in a lazy way of satisfying the current demand for housing. Our children need houses, we understand that, but development should not be carried out on land that not only feeds us but also feeds the wildlife that we share this planet with."

5. Summary

As an Association, we understand that there is a need for housing, and in the future, some greenbelt may need to be sacrificed. But not agricultural land of this grade and not land which acts as a buffer between villages. There are other less productive greenbelt areas in and around the villages, which would be more appropriate for housing.

For the reasons above, the Kingswood Residents' Association respectfully requests that the Council refuses planning permission

28 February 2026