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Dear Sir or Madam

**REIGATE AND BANSTEAD BOROUGH COUNCIL DEVELOPMENT MANAGEMENT PLAN PROPOSED SUBMISSION DOCUMENT – REGULATION 19 CONSULTATION REPRESENTATIONS ON BEHALF OF REIGATE GRAMMAR SCHOOL**

These representations are submitted on behalf of Reigate Grammar School (RGS) in respect of the latest round of consultation by Reigate and Banstead Borough Council (RBBC) on the Development Management Plan (DMP) which runs between 10 January and 23 February 2018.

The purpose of these representations is to help ensure that the policies in the emerging DMP are consistent with other local and national planning policies, and are sufficiently robust to promote delivery of the stated objectives and necessary development across the Borough. It is recognised that at this stage, representations should relate to the soundness of the Proposed Submission DMP – we refer to this later within this letter.

**Background and Context to the Representations**

RGS own and operate from an extensive portfolio of sites in the Borough including the main RGS site, RGS Annex (Broadfield site), Reigate St Mary's Preparatory School and adjacent sports fields, The Orchard and Hartswood Sports Ground. RGS has been established in Reigate since 1675 and its importance to the Borough in terms of providing education, sporting and community facilities, and its contribution to the local economy is fully recognised.

RGS are committed to investing in its existing educational and associated sporting facilities in the Borough and to develop new and improved educational buildings and sporting facilities to further enhance the environment for its pupils, staff and the wider local community. RGS needs to be able to provide modern facilities which are fit for purpose and of the highest standard.

Recent improvements in its educational and sporting facilities include a new all-weather pitch at Hartswood and the redevelopment of Merrick House between the main RGS site and the RGS Annex for a new library and sixth form centre, which opened in 2017.

RGS has worked with the Council for many years to deliver its objectives for the Schools. It is keen to be involved with the development plan process and is taking a 'holistic' and comprehensive long term approach. It is seeking to engage with the Council in the development plan process to establish the foundations to deliver its strategy for educational and sporting facilities across its properties.

## **Green Belt**

The Green Belt Review (October 2017) forms part of the evidence base for the Regulation 19 Consultation and sets out a review of land around the edge of the existing built-up area in the identified areas of search for sustainable urban extensions identified in the Reigate and Banstead Core Strategy in order to assess the extent to which that land contributes to the purposes and integrity of the Green Belt. The report seeks to provide the evidence to identify where revised boundaries could be drawn in order to ensure the permanence and longevity of the Green Belt into the future. It is noted that any changes to the Green Belt will be confirmed through the DMP and Proposals Map.

The Green Belt Review is supported by a Stage 2 Sustainable Extensions study undertaken by the Council, which focuses in greater detail on the suitability, sustainability and achievability of individual sites.

The Sustainable Urban Extensions Stage 2 Technical Report (June 2016) was published as part of the evidence base for the DMP Regulation 18 document in order to examine potential options for Sustainable Urban Extension sites and make recommendation as to which sites should be taken forward. The study suggested site SSW7 – Land South of Castle Drive, Reigate (incorporating a small part of SSW6 – Land West of Castle Drive) was potentially suitable as a Sustainable Urban Extension.

Previous representations submitted by Montagu Evans on behalf of RGS to the Regulation 18 Consultation noted as follows:

*“RGS supports the Council’s proposal to remove from the Green Belt the narrow triangle of land to the rear of existing residential properties [part of SSW6]. However it is not clear if this site can be developed in isolation. Furthermore, it is noted that the Council propose to remove land comprising the former Hartswood Nursery from the Green Belt [SSW7]. Whilst these sites abut one another our initial review would suggest that they could not be physically linked and therefore the potential to optimise the development potential, for shared access, infrastructure etc would not be delivered. In order to provide a more logical ‘rounded off’ development site and to facilitate the combined development it is proposed to release a parcel of land from the Green Belt which would provide a rectangular parcel of land which extends to approximately 1.2 ha (3 acres). It would be contiguous with both the former Hartswood Nursery site and the land to the rear of Castle Drive which the Council is proposing to release.*

*Whilst the site forms part of the Hartswood playing fields it is not regularly used as sports pitch and it is considered that it is surplus to the School’s requirements. The site is flat, featureless and immediately adjoins existing housing development”.*

Following the Regulation 18 Consultation and as part of the update for the Regulation 19 stage of consultation, SSW7 and the small part of SSW6 have been separated into two distinct sites identified as sustainable urban extensions. The recommendation to identify an additional area of the Hartswood playing fields as a potential extension as set out above has not been carried forward.

The Sustainable Urban Extensions (Stage 2) Site Specific Technical Report Boundary Strength Addendum (October 2017) assesses the strength of the new Green Belt boundaries that would be created by the Sustainable Urban Extensions. Paragraph 8 notes that:

*“In site SSW7, the western boundary is weak, consisting of an intermittent tree belt and a fence between the site and the adjoining parcel. However, the nearest strong physical border to the west is a significant distance away, and the weak western boundary is only approximately 100m long, and is therefore considered acceptable”.*

Paragraph 10 states that:

*"Where weaker boundaries have been used, developments should aim to strengthen the boundaries through appropriate planting and landscaping to ensure that in the boundaries are strong and defensible, and particularly to strengthen weak spots in the boundaries".*

It is noted that the boundary for site SSW6 is 'moderate' and for both sites SSW6 and SSW7, mitigation is suggested in the form of additional tree or hedgerow planting along the northern boundary.

It should be noted in respect of site SSW6, the recommendation arrived at in the Urban Extensions Technical Report Stage 2 (July 2016) is that this should not be carried forward to the shortlist on the basis of:

- High contribution to purposes / integrity of Green Belt;
- Policy conflict from loss of sports facilities;
- Flood risk; and
- Uncertain availability.

It is however noted that *"small scale potential could be explored on land not used for outdoor sports and not at risk of flooding directly adjoining the urban area"*.

This appears to be what has informed the identification of the small triangle of land to the east of site SSW6 as potential extension land. Paragraph 6.30 of the Green Belt Review notes that *"Site SSW6 as a whole was ranked at level 2, suggesting it is a high priority for protection due to its contribution to the purposes of the Green Belt. However, the small subsection of the site which is proposed for removal from the Green Belt is separated from the rest of the site by a boundary of hedgerows and would essentially function as an infill for the urban area that encloses it on all sides but the west. Because of this, removal of the small sub-section of SSW6 from the Green Belt is not felt to conflict seriously with the purposes of the Green Belt"*.

We once again recommend that a proportion of the land within Hartswood playing field is included as a Sustainable Urban Extension and removed from the Green Belt. The proposed extent of this land is shown on the accompanying plan at **Enclosure 1** to this letter.

The land RGS propose for removal from the Green Belt is not within a flood risk area and comprises land that is largely currently surplus to requirements for playing field land and sports facilities. It is noted that the existing cricket nets in the southern part of the site would be relocated, although there would remain a need for access from the south. We are therefore of the view that this land should be viewed in the same way as the triangular section of SSW6 already identified for release. Further, and importantly, it is considered that inclusion of this section of land would increase the functionality and usability of SSW7 and the small triangular section of SSW6 so as to maximise its contribution.

We request that the above is considered within the context of Paragraph 85 of the NPPF, which states that:

*"When defining boundaries, local planning authorities should:*

- *Ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
- *Not include land which it is necessary to keep permanently open;*
- *Where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
- *Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*

- *Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent”.*

We draw particular attention to the first and penultimate bullet points above. In relation to the first point, we would argue that failure to allow the release of parts of SSW6 which have been shown to have the same characteristics and context as the triangular section of land already identified for release fails to meet the test of consistency. To the penultimate point, in our view, without the inclusion of an additional area of SSW6, the functionality of the two areas already identified for release will be compromised such that boundaries will have to be revisited in order to allow development to come forward. Further, we consider that a single contiguous piece of land would better allow the delivery of the quantum and density of residential development that would serve to make a meaningful contribution to the Borough’s residential delivery targets.

We appreciate that there may be a need to define a boundary for the land. As set out above, it is recognised that in many cases – including where land has already been identified for release – boundaries are not currently strong enough and require enhancement. There will be no issue in creating a boundary for the suggested parcel of land – this can be done easily with suitable planting.

### **Urban Open Space**

Part of the evidence base for the Regulation 19 DMP Consultation comprises the Urban Open Space Assessment and Review (October 2017). This document presents technical work undertaken by the Council to determine the criteria that should be used to assess the value of urban greenspaces, and to assess whether individual land and sites in the borough play a valuable role as Urban Open Space and should thus be considered for designation within the DMP.

The technical work involves:

- i. Developing a set of robust criteria and decision-aiding principles which define the valuable characteristics and functions of Urban Open Space;
- ii. Assessing identified sites against the criteria and making conclusions as to their value and priorities for designation within the DMP.

Resultant designations are to be supported by a dedicated policy in the DMP, which will safeguard Urban Open Spaces in all by exceptional circumstances, in line with the provisions of the National Planning Policy Framework.

As per the Review, the existing Urban Open Land designations in the Borough Local Plan 2005 were conceived in the early 1990s and need to be reviewed as part of the process of updating the Local Plan to ensure that future land designations are based on sound principles and evidence.

- Screening Principle – Local open spaces must be substantially undeveloped and possess a character which is distinguishable for [sic] the surrounding urban context in order to be considered for designation;
- Principle 1 – Sites providing formal public access to natural green space or opportunities for the public to engage in outdoor sports, recreation, play or food growing should be considered a priority for protection;
- Principle 2 – Open spaces forming an integral part of local character, townscape and landscape and / or making a demonstrably positive contribution to public visual amenity should be prioritised for protection;
- Principle 3 – Open spaces playing a demonstrable nature conservation, geological or heritage function or forming an integral part of a coherent green chain should be considered for protection.

Draft Policy OSR1 refers to Urban Open Space and notes that:

*“For all areas designated as Urban Open Space*

1. *Proposals which directly complement and enhance the value and use of the Urban Open Space for recreation, biodiversity or nature conservation, will be looked upon favourably provided that the predominant open character of the space is maintained*
2. *Any development which would result in full or partial loss of designated Urban Open Space will only be permitted in exceptional circumstances, where any loss of openness resulting from the proposed development would not have an adverse effect on local character, visual amenity or ecological value; and either:*
  - i. *There is clear evidence to demonstrate that the site is surplus to requirement and such land does not make a significant contribution to the recreational, community, ecological or amenity value of the area; or*
  - ii. *Provision is made for appropriate and suitably located replacement open space of the same nature and an equivalent of higher quality and / or greater quantity. Replacement open spaces should be located as close to the lost open space as possible; or*
  - iii. *The proposal is for alternative sports and recreational provision which clearly outweighs the loss of the open space, or*
  - iv. *The proposal is for the expansion of an existing school, the need for which clearly outweighs the loss of the urban open space”.*

Supporting text to the proposed policy notes that:

*“The policy recognises, however, that in some exceptional circumstances development on Urban Open Space might be acceptable, for example where this land is no longer required or the proposal would provide community benefit which would outweigh the loss of the open space. This policy allows for exceptional circumstances to be demonstrated where certain specific criteria can be satisfied.*

*It is proposed that the Council takes a proactive, positive and collaborative approach to meeting the requirements of local schools: this reflects the importance which national policy places on the potential need to expand and alter schools”.*

On behalf of RGS, Montagu Evans previously made representations at Regulation 18 stage focusing on areas of land within the ownership of RGS that were identified as potentially being subject to an UOS designation. Taking these in turn:

#### *Site 107 – Reigate Grammar School*

The previous iteration of the DMP included the whole of the main school site within a potential UOS designation. Representations to this noted that:

*“The School grounds are occupied by a number of buildings including the main school building, concert hall, sports hall, arts and technology centre and a number of others providing additional classrooms...It is only the southern tip of the site, largely comprising the gardens to the Headmaster’s House, which is not built development.*

*The site does not portray an identifiable and distinctive character as UOS due to the level of buildings, hard surfacing and parked cars and vehicular activity from comings and goings. In addition, the site is heavily screened on the southern boundary and northern boundaries and provided limited public amenity both visually and functionally. There is no public access through the School site. Any objective review of the site would conclude that it does not contribute to the function or fulfil the criteria of UOS”.*

It is noted that the Regulation 19 Consultation DMP and supporting maps identify only the western most part of the site – the Headmaster’s House and associated gardens – as UOS. This is on the basis of recognition by the Council that much of the RGS site comprises developed land.

The Urban Open Space Assessment and Review (October 2017) notes that the amended site scores 'medium' overall against the identified UOS principles, with a low score against principle 1 and medium scores against principles 2 and 3.

We support the removal of the clearly developed parts of the main school site from the UOS designation.

#### *Site 109 – Reigate Grammar School Annexe*

We wholly support the recommendation to not retain this site as UOS. This is clearly appropriate given the use and level of development of the site.

#### *121 – Reigate St Marys School*

The previous iteration of the DMP included the whole of the School site within a potential UOS designation. Representations to this noted that:

*"RSM is located to the west of Chart Lane and comprises a number of school buildings including the main school buildings and a sports hall and a smaller classroom block together with areas of hardstanding and playfields. The site extends to 1.7 ha (4.5 acres)..."*

*The UOS plan shows some of the main school buildings, hardstanding and MUGA outside the UOS boundary however a number of smaller buildings remain within the UOS designation which in our opinion is inconsistent in the approach...*

*In our opinion the school site has an existing urbanised character and is well screened by strong defensible boundaries from the wider area of Urban Open Land. We are of the opinion that the site does not perform an Urban Open Space function.*

*The school site is not accessible by the public and due to the developed character of the site does not represent an area of Urban Open Space.*

*It is considered that removal of the site from the UOS designation will provide potential to develop the site for further educational uses in line with the schools long term strategy to provide improved educational facilities in the longer term.*

*It the Councils assessment of the site they conclude that the site has an overdeveloped feel and is an island development within the broader green space south of Reigate Road. On the basis that the Council consider that the site is already over developed we consider that this is in direct conflict with the purposes and function of the UOS designation".*

It is noted that the Regulation 19 Consultation and associated maps identify only the playing field and MUGA areas of the School site as potential UOS. We support this update but also wish to emphasise that the allocation of the remainder of the site as UOS would be problematic if it were to compromise the potential for the development of education or sporting facilities across the site in the future. Linked to this is the extant planning consent for a second pavilion building on the site, to cover half of the existing MUGA and landscape the other half. This consent is capable of implementation and any forthcoming UOS designation should not conflict with this.

The wording of draft policy OSR1 suggests that the development for educational or sports and recreational provision would be acceptable in land designated as UOS where such development would not have an adverse effect on local character, visual amenity or ecological value. It is somewhat confusing that sites that show no contribution to local character or visual amenity due to their private and screened nature can be afforded protection from development that threatens such points. On this basis, we believe that a UOS designation for any of the St Marys site would result in it in being covered by a policy against which it cannot reasonably be judged.

186 – The Orchard, Bell Street

At the Regulation 18 Consultation stage, Montagu Evans made comments on behalf of RGS as follows to the proposed designation of the Orchard as UOS:

*"The site is separated from the playing fields by a dense line of trees and does not benefit from direct physical linkages with other UOS in the area. It is considered that removal of the site from the UOS designation will provide potential to develop the site for further educational and sporting facilities in line with RGS's long term strategy to provide improved educational facilities.*

*The existing use and appearance of the site does not fully meet the function of the UOS designation and the site is not used for sport or recreation and is not available for public use. The site is overgrown and is screened by a dense line of trees along the northern and eastern boundary and by built development along other boundaries, therefore it is not physically and functionally linked to wider areas of urban open space...*

*The Council consider that the site is subject to heritage and access constraints due to proximity to Locally Listed buildings. RGS have recently acquired adjacent property to facilitate improved access to the site. Heritage constraints can be addressed through design solutions as part of the normal development control process. There is no specific or extra over protection that needs to be afforded to any adjacent buildings of heritage value though a UOS designation.*

*There are no constraints in terms of ownership that prevents the site being brought forward for educational and/or associated sporting facilities. Indeed, the physical and locational relationship of the site within the existing School facilities and the Town Centre means it represents a unique opportunity to deliver new facilities at the heart of the Town Centre thereby reducing the need to release other land for such facilities. Furthermore, the site's location has the potential for RGS to provide facilities which may also have wider benefits for the local community. This may include public accessibility to the memorial gardens, dual use sporting facilities and car parking available in the evenings and weekends".*

We remain of the view that the above is applicable and that the site should not be subject to an UOS designation in its entirety. As per our comments on the designation of part of the St Mary's site as UOS, we are concerned that the wording of the proposed policy OSR1 does not align with the characteristics of a large proportion of the site – specifically that which currently comprises an area of hardstanding. This area of the land in question cannot reasonably be seen to contribute to 'local character' or 'visual amenity' and instead offers real opportunity for valuable and sensitively done development which could comprise education and sports facilities to serve both the school and the local community. For this reason we repeat our request that the site is not designated as UOS.

In terms of the wording of policy OSR1 in general, we also request that further clarity is given to what would constitute 'the expansion of an existing school' and 'alternative sports and recreation facilities'. It is not clear within the wording of the policy itself or within supporting text whether the Council is likely to consider 'expansion' or 'alternative' facilities as being of a certain scale or type.

### **Soundness**

The National Planning Policy Framework (NPPF) states at paragraph 182 that for a plan to be sound it should be:

- Positively prepared – prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

- Consistent with national policy – enable the delivery of sustainable development in accordance with the policies in the Framework.

We have provided comments above in relation to the need to ensure that designation of land under the emerging DMP is consistently done and does not prohibit the sustainable and appropriate redevelopment of land. In our view, without the amendments to designations as suggested above, the test of soundness may not be met. Particularly, we draw attention to the need for policy to be effective. Our concern with the urban extensions and UOS designations as identified is that these will not be effective or functional, particularly given the apparent discrepancy in the manner in which potential UOS have been designated – with little regard to accessibility or visibility - and the features of UOS that are highlighted for protection under draft Policy OSR1, which specifically refer to local character and visual amenity.

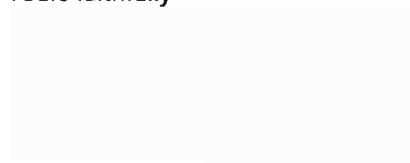
### **Concluding Remarks**

These representations are submitted on behalf of Reigate Grammar School

RGS intends to engage with the Council further in terms of the preparation of local planning policy and we therefore request that we are kept up to date with the preparation and submission of the Local Plan.

Please contact Craig Blatchford or Polly Mason at this office if you have any queries or if you would like to discuss.

Yours faithfully



**MONTAGU EVANS LLP**



**Enclosure 1**

**Proposed Sustainable Urban Extension**



Approx 1.3 hecatres.