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## Appeal Decision

Site visit made on 16 September 2025 by S Wilson LL.B. MSc MRTPI

### Decision by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th December 2025

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#### Appeal Ref: APP/L3625/D/25/3370620

#### 'Underhill', 10 Outwood Lane, Chipstead CR5 3NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs R Binger against the decision of Reigate and Banstead Borough Council.
  - The application Ref is 25/00511/HHOLD.
  - The development proposed is raised patio at rear including perimeter walls, steps, and screening.
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#### Decision

1. The appeal is allowed, and planning permission is granted for raised patio at rear including perimeter walls, steps and screening, at 'Underhill', 10 Outwood Lane, Chipstead CR5 3NA, in accordance with the terms of the application 25/00511/HHOLD, subject to the conditions set out below.
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with drawing numbers: V-W260.1-B-19, S-W260-B-10B, W260.1/B/00.

#### Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

#### Main Issue

3. The main issue is the effect of the proposal on the living conditions of No 8 Outwood Lane, with particular regard to outlook.

#### Reasons for the Recommendation

4. No 10 Outwood Lane (No 10) is a chalet style detached bungalow set within a spacious plot. The ground level falls steeply from the road to the property and continues to fall to the rear garden where it levels out. Neighbouring properties have a similar set back from the road with similar falls in the ground level from the road and their rear gardens are of a similar size and at a similar ground level.
5. The appeal building is set off the boundary with No 8 Outwood Lane (No 8), which is a close board fence at approximately 1.8m in height, and there is an evergreen hedge planted at No 10 which extends above the boundary fence and meets the existing extension.

6. The ground level of the rear gardens of Nos 8 and 10 is very similar; however, the land where the proposal would be located would be slightly higher than the ground level of No 8. I acknowledge that the ground level beside the extension of No 10 does slope up towards the main building. Nonetheless this appears to be a void space laid to gravel.
7. The proposal would construct an extension to an existing raised platform at No 10 so that it would extend to almost the full width of the appeal building with a small setback. There would be a gap between the proposal and the boundary fence of approximately one metre.
8. A solid, external rendered wall is proposed to extend from the existing extension by three metres, parallel to the boundary. However, this wall would be limited in height, would not be perceived as a continuous rear extension, and would be perceived at a similar height to the existing boundary fence when viewed from Nos 8 and 10. A privacy screen of obscured toughened glazing is proposed atop the wall at a further 900mm in height, similar to that which currently exists on site. The side elevation, overall, would appear to step down, roughly following the ground level.
9. Whilst I acknowledge that the proposal would extend 3m past the existing extension and be approximately one metre above the existing boundary, the height increase would not dominate, or be oppressive, or overbearing on the rear garden of No 8. This is due to the set back from the boundary, the limited height of the proposal, and the opaque nature of the glass. Consequently, the proposal would be barely perceptible from the garden of No 8.
10. The proposal would be visible from the rear window of No 8, as the existing extension is already perceptible. However, the proposal would step in slightly from the existing extension and would step down, with the solid wall being of limited height. This would mean that only the obscured glass would be visible above the boundary fence. The height of the view from the rear window of No 8 would mean that views of the proposal would be at eye level and with views of sky above. The opaque nature, set back from the boundary and its limited height would mean that there would be no adverse overbearing effect, nor would outlook be adversely affected.
11. I conclude that the proposal would not have an adverse impact on the living conditions of No 8 with regard to outlook. Accordingly, the proposal would comply with the Reigate and Banstead Local Plan Development Management Plan (2019) Policy DES1, insofar as it seeks an appropriate environment for future occupiers whilst not adversely impacting upon the amenity of occupants of existing buildings by way of overbearing and obtrusiveness amongst other things. Further, the proposal would comply with the aims of the guidance within the Supplementary Planning Guidance Householder Extensions and Alterations (2004) insofar as it seeks high quality development that does not appear dominant or overbearing.

## **Conditions**

12. In addition to the standard three-year period for implementation it is necessary, in the interest of certainty and enforcement, to define the plans with which the appeal scheme should accord.

### **Conclusion and Recommendation**

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

*S Wilson*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

*C McDonagh*

INSPECTOR