
Appeal Decision

Site visits made on 27 November and 2 December 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 December 2025

Appeal Ref: APP/L3625/W/25/3372712
32-40 Buckles Way, Banstead SM7 1HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Duxhursts Developments against the decision of Reigate and Banstead Borough Council.
 - The application Ref. is 24/02346/F.
 - The development proposed is for the demolition of 40 Buckles Way and the erection of 5 detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the appeal site and local area; and b) the living conditions of the occupants of 30 Buckles Way and 8-9 Larchwood Close in respect of outlook and overbearing impact.

Reasons

Character and appearance

3. The appeal site relates to the entire plot of 40 Buckles Way and parts of the long rear gardens of 32-38 Buckles Way, towards each end where they lie adjacent to the common boundaries with the back gardens of properties in Larchwood Close. I observed that the topography slopes downwards in a broadly northerly direction, and the gardens contain mature vegetation of trees and shrubs. The local neighbourhood comprises dwellings set in verdant surrounds.
4. The postamble to Policy DES2 of the Reigate and Banstead Local Plan Development Management Plan 2019 (DMP) sets out that, "if well designed, residential garden development represents a type of development that can help make the most efficient use of land in the borough, continuing to be an important source of housing supply." This notwithstanding, the explanation outlines that, "Poorly designed garden development has the potential to impact negatively on the character and residential amenity of local areas, particularly where multiple developments occur in close proximity. A particular emphasis on sensitive design in these locations is therefore necessary."
5. My attention is drawn to a previous appeal for five dwellings at the site, which was dismissed in October 2024 (Inspectorate reference APP/L3625/W/24/3337752).

The extent of the land concerned appears to be the same for the proposal before me. In general terms, my colleague was concerned that the access road would be lined by four on-street car parking spaces, which limited the potential for landscaping in this area and contributed to a sense of over-development of this part of the site. Furthermore, at the rear the spread of development restricted the space for meaningful replacement tree planting, resulting in a significant reduction in canopy cover and failing to assimilate with the local context.

6. The proposed access road is now shown without any associated parking spaces. It would gently meander to limit its impact when viewed from Buckles Way, and provide some visual relief. Subject to the imposition of a robust landscaping scheme, I am satisfied that this part of the development would integrate with the street scene without resulting in a dominant or discordant effect.
7. Towards the rear, the proposed site plan provides an indication of the layout of the previous built form against what is now intended. The extent of each house and overall spread of development has been reduced, particularly plots 1 and 5 where they meet the rear gardens of 42 and 30 Buckles Way respectively.
8. I appreciate that infill and especially backland development will change existing patterns of buildings to some extent and result in the removal of natural landscape features. The construction of housing would inevitably urbanise these parts of the site through new buildings, driveways, and associated domestic activities such as the presence of people and movement of cars. Nonetheless, such matters must be balanced against the efficient use of land and housing supply, as contained in policy DES2 of the DMP.
9. To my mind, the separation distances to the perimeter of the site would mean greater opportunity for the retention of existing specimens or replacement planting in and around the new curtilages of each of the plots. Gaps of at least 4 metres are shown to be retained to the boundaries with 30 and 42 Buckles Way, which would allow for any new trees and hedgerows of appropriate height and density to establish and mature. The borders with the bungalows on Larchwood Close can similarly be reinforced with vegetation to provide for softening and screening of the new houses. Such landscaping provision, together with the more diminutive proportions of the dwellings, would broadly represent an acceptable scheme with regard to the spread of development.
10. In other respects, I have read the previous Inspector's findings relating to the width and overall size of the proposed plots; I am satisfied that the various dimensions indicated on the site layout plan would be commensurate to the scale of the units.
11. With regard to the detailed design of the proposal, the internal street scene and Section E-E plan shows a regimented row of five buildings with pyramid-hip roofs. From the front the properties appear as bungalows and have been handed to create a small degree of variety, and I am satisfied that the residences would not be prominent in views from Buckles Way.
12. However, the rear aspect demonstrates no differences between the dwellings whatsoever, save for the position of the single roof light on plots 1-4 and the absence of such an opening on plot 5. Due to the rise in land level, this replication of roof form and first floor level fenestration would be evident from the street scene along Larchwood Close, and result in a repetitive and oppressive design approach within the context of the local landscape. This would be in marked contrast to the

considerable diversity in the external appearance and roof styles of myriad residences in the surrounding environs, which make a positive contribution to the distinctiveness of the neighbourhood.

13. Although I appreciate that external materials could be altered to suit and agreed by condition, such matters would not resolve the fenestration and form concerns that I have outlined above. Taken in the round, the upper floor and roofs of the dwellings would lack any variety or detailing to provide visual relief and articulation to the development, and this would be detrimental to the visual quality of the locality.
14. I am therefore drawn to conclude on this matter that the scheme would result in an adverse impact upon the character and appearance of the appeal site and local area. This would contravene Policies DES1 and DES2 of the DMP, Policy CS4 of the Reigate and Banstead Core Strategy (2014) and the Council's Local Character and Distinctiveness Design Guide Supplementary Planning Document (2021). Taken together, these seek to ensure development of an acceptable scale and design that would reflect and respect the surrounding context.

Living conditions

15. The Section C-C and Section D-D plan indicates that excavation would take place, and the units would be set considerably lower into the terrain than the previous appeal. The layout drawing shows that the rear elevations have been positioned further from the common boundary with the back gardens of 8-9 Larchwood Close, whilst the side wall of plot 5 has been relocated to increase the distance to the border with 30 Buckles Way.
16. As per my reasoning above, the separation from the perimeter of the site would mean greater opportunity for the retention of existing specimens or replacement planting in and around the new plots. Together with the reduction in the scale of the units, this would serve to mitigate the Council's concerns in respect of outlook and overbearing impact. The gap of at least 4.4 metres to the boundary with 30 Buckles Way would allow for planting to establish and mature; the site layout plan indicates vegetation 6 metres in height, and I see no reason why this could not be retained or replanted where necessary.
17. The northern border with the bungalows on Larchwood Close can similarly be reinforced with evergreen vegetation to provide for softening and screening of the new houses. With such intervening treatment in place, it is likely that only the upper parts of the roofs would be visible from the rear gardens and internal rooms of nos. 8 and 9, and I am of the opinion that this would not result in a reduction in the enjoyment of these domestic areas.
18. Consequently, the appeal scheme would not have a detrimental effect upon the living conditions of the occupants of 30 Buckles Way and 8-9 Larchwood Close in respect of outlook and overbearing impact. It would comply with Policies DES1 and DES2 of the DMP, which require schemes that do not adversely impact upon the amenity of occupants of existing nearby buildings, including by way of overbearing and obtrusiveness.

Other Matters

19. The appellant has highlighted numerous other permissions for housing in the local area. However, I agree with the previous Inspector in that such developments are

site specific and fact sensitive. They do not justify the construction of dwellings that fail to contribute positively to local design and distinctiveness and in any event, the presence of other backland schemes elsewhere would be a neutral consideration in any balance against planning harm. I am also mindful that each case must be assessed on its own merits.

20. I appreciate that the appeal is supported by sufficient ecology and archaeology evidence and proposes a 2-bedroom dwelling which addresses any concern surrounding lack of provision of smaller homes. Furthermore, the proposal would contribute to the housing need of the Borough, and I note that the site is not within, or adjacent to, any protected landscapes. Nevertheless, such matters do not outweigh the harm I have identified above.
21. Concerns from third parties have been raised, for example with regard to flooding, privacy, parking, highway safety, trees, ecology, crime, impact on local services and conflicts with covenants. However, given my reasoning in relation to character and appearance and that the appeal is dismissed, there is no need for me to address these in further detail.

Conclusion

22. Having regard to the above and all other matters raised, the appeal is dismissed.

C Hall

INSPECTOR