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## Appeal Decision

Site visit made on 14 October 2025

by **Laura Cuthbert BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 November 2025

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**Appeal Ref: APP/W0340/W/25/3369711**

**Land to North East of 10 Westfield Crescent, Thatcham RG18 3EH**

- 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 Mark Haines against the decision of West Berkshire District Council.
  - The application Ref is 25/00519/FUL.
  - The development proposed is the sub-division of the plot to form a new self-build dwelling, together with extensions and alterations to the existing dwelling.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. Since the application was determined, West Berkshire District Council has adopted the Local Plan Review 2023–2041 (Local Plan Review) on 10 June 2025. This has superseded the West Berkshire Core Strategy (2006–2026). The Council has provided the relevant policies from the Local Plan Review in its Statement of Case, and the appellant has had the opportunity to comment on them. I have therefore determined this appeal in accordance with the adopted policies of the Local Plan Review, which now forms the statutory development plan for the area.

### Main Issues

3. The main issues are the effect of the proposed development on:
  - the character and appearance of the area; and
  - the living conditions of the existing occupants of 12 Westfield Crescent, in particular regard to outlook.

### Reasons

#### *Character and Appearance*

4. The appeal site at 10 Westfield Crescent comprises a semi-detached, two-storey dwelling. Together with its adjoining counterpart at 12 Westfield Crescent, and the similarly paired dwellings at 2 and 4, and 6 and 8 Westfield Crescent, the group exhibits a strong degree of architectural uniformity. These unaltered pairs share a well-proportioned and symmetrical form, with balanced façades and consistent rooflines. Despite the broader streetscene featuring a mix of housing types and styles, including terraced units in what the appellant alleges are ‘visually prominent and elevated’ locations, the visual cohesion among these three pairs contributes

positively to the character and appearance of the area, offering a distinctive and harmonious rhythm and uniformity within the varied wider estate.

5. The proposed new dwelling, due to its design, form, and siting, would appear incongruous alongside the existing semi-detached pair. Contrary to the appellant's assertion that the proposal is logical and proportionate, the addition of a third dwelling to the pair would be contrived and inappropriate, set back from the existing building line of Nos 10 and 12. It would undermine the coherent form of development by disrupting the established symmetry of the pair and the regularity of the group of three semi-detached properties. This imbalance would detract from the visual harmony of the immediate streetscene and would result in harm to the character and appearance of the area.
6. It is appreciated that the plot of No 10 is a 'generous plot that is tapered and splays to a considerable width towards the rear boundary', as set out by the appellant. Furthermore, the presence of the vehicular access to the north east, which serves the group of garages to the rear, assists in giving 'additional open space to the side'. Nevertheless, while these site-specific features may offer some flexibility in terms of spatial arrangement, they do not, in themselves, justify a departure from the established architectural rhythm and character of the immediate group of dwellings.
7. Furthermore, the proposed extension to No 10, measuring 5.5 metres in depth, cannot reasonably be described as 'modest'. Rather, it constitutes a substantial and disproportionate addition to the original dwelling. Its depth significantly exceeds what would typically be considered a subordinate rear extension. It would result in a visually dominant and incongruous form, disrupting the balance and symmetry of the original building and undermining its character and appearance.
8. Additionally in terms of visual impact, while the extension may be partially screened from public views, the built form would still appear as a visually intrusive addition, in particular from the approach from the north and especially when viewed in the context of the proposed new dwelling on the site.
9. It is acknowledged that the proposed extension would leave No 10 with a sufficient area of private amenity space, so it might not necessarily appear as cramped. However, this alone does not justify the scale of the proposed development. The retention of garden space does not outweigh the harm caused by the excessive depth of the extension, which would undermine the architectural integrity of the host property.
10. While permitted development fallback positions can be a material planning consideration, in this case, the fallback presented by the appellant as 'more than a theoretical possibility'<sup>1</sup> does not reflect what is actually being applied for. Notably, the appeal proposal includes both a house extension and the construction of a new dwelling. This goes beyond what is allowed under permitted development rights, as set out in the General Permitted Development (England) Order 2015 (GPDO). In addition, even when considering only the two-storey rear extension element (excluding the proposed new dwelling), the appeal proposal seeks a depth of 5.5 metres. This significantly exceeds the 3-metre maximum permitted under the GPDO.

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<sup>1</sup> As set out by the cases of *Mansell v Tonbridge and Malling BC & Others* [2017] EWCA Civ 1314, *Gambone v Secretary of State for Communities and Local Government* [2014] EWHC 952 (Admin), and *Burge v SSE* [1988] JPL 487

11. Furthermore, it is important to note that no Certificate of Lawfulness has been submitted to confirm that 'a 6m single-storey rear extension (under a prior approval mechanism) and a 3m two-storey extension' as set out by the appellant could be lawfully implemented. This limits the weight that can be attributed to the alleged fallback position in this particular case.
12. The appellant has drawn attention to a number of existing terraces within the vicinity, including the rows at 22–28 and 9–15 Westfield Crescent. However, these terraces were purpose-built as such and, according to the Council, have existed in their current form since their construction in the 1960s. This is consistent with my own observations. As such, these examples do not represent alterations to originally semi-detached dwellings and therefore offer limited relevance to the appeal proposal.
13. The appellant also refers to the two-storey side extension at 14 Westfield Crescent, suggesting it contributes to a perception of an 'elongated series of units'. While this extension may have altered the visual balance of the pair at Nos 14 and 16, it was permitted as a domestic extension rather than the creation of a new dwelling. Furthermore, the design of these properties differs from that of the appeal site, reducing the weight that can be given to this comparison.
14. Additional examples cited, including the side extension at No. 10 Loundyes Close<sup>2</sup> and the extension at No. 29 Roman Way<sup>3</sup>, similarly involve extensions to existing dwellings rather than the formation of new units. These developments are not comparable to the proposal before me, which seeks to create a separate dwelling.
15. The Council has referred to a planning approval at 30 Westfield Crescent<sup>4</sup>, which involved the creation of an additional dwelling adjacent to an existing property. While this scheme did result in a new unit, it maintained the established building line. Furthermore, the design and architectural form of the original pair at No 30 differs from that of No 10. As such, the approval at No 30 does not offer a direct comparison, and the differences in layout, context, and design limit its relevance to the current appeal.
16. Accordingly, I find that the examples cited by both the appellant and the Council do not provide a compelling justification for the appeal proposal. Nevertheless, the fact that apparently similar development exists is not a reason, on its own, to allow unacceptable development. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.
17. Therefore, the proposal would harm the character and appearance of the area. It would be contrary to Policies SP7 and DM28 of the Local Plan Review. Together these policies seek to ensure that new development strengthens a sense of place through high quality locally distinctive design and place shaping, taking opportunities available for conserving and enhancing the character, appearance and quality of an area and the way it functions. They also seek to ensure that residential extensions are of a scale clearly subservient to the original dwelling.
18. It would also conflict with the principles within Chapter 12 of the National Planning Policy Framework 2024 (the Framework) which seek good design sympathetic to the local area. It would also be contrary to guidance within the West Berkshire

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<sup>2</sup> 06/01948/HOUSE

<sup>3</sup> 24/00836/HOUSE

<sup>4</sup> 13/02701/FULD

Council 'House Extensions' Supplementary Planning Guidance (July 2004) (the House Extensions SPG) which requires the overall height and bulk of house extensions to reflect and add to the appearance of the house and its surroundings. Generally, extensions should be subservient to and not dominate the original dwelling.

### *Living Conditions of 12 Westfield Crescent*

19. The proposed extension to No 10 would run along the shared rear boundary with 12 Westfield Crescent, which is currently marked by a 2m close-boarded fence. Habitable windows of No 12 are positioned immediately adjacent to this boundary, alongside its rear garden.
20. The proposed extension, with its substantial rearward projection and prominent first-floor massing, would appear unduly overbearing to the occupants of No 12. Extending well beyond the rear building line of the adjoining property, it would create a harmful sense of enclosure. Although the flat-roofed single-storey element would sit close to the shared boundary and the two-storey section would be set away, the overall scale and proximity would still result in a noticeable and adverse change to the outlook from the neighbouring garden and rear-facing rooms. Consequently, the development would materially harm the outlook from No 12, with views dominated by a significant expanse of built form at both single and two-storey height.
21. Although the appellant refers to the Council's 60° sightline guidance in the House Extensions SPG, this guidance relates specifically to daylight, sunlight, and overshadowing. It does not address outlook. Compliance with this standard therefore does not demonstrate that the proposal would avoid harm to outlook. In this case, the depth and massing of the extension would create a visually dominant and overbearing form when viewed from No 12. Even if the extension meets the 60° sightline and regardless of the size of No 12's rear garden, it would intrude into views from habitable rooms and garden space, resulting in an undue sense of enclosure.
22. The appellant sets out that a 3-metre deep two storey extension could be constructed under permitted development. However, the proposal before me seeks permission for a significantly deeper structure, 2.5 metres beyond the 3-metre depth set out in the GPDO. The additional depth would inevitably result in a greater degree of visual dominance, particularly in relation to No 12. The fallback position of a permitted development scheme is therefore of limited weight, as it does not reflect the actual scale and form of the development proposed.
23. Therefore, for the reasons set out above, the proposal would harm the living conditions of the existing occupants of 12 Westfield Crescent, with particular regard to outlook. It would be contrary to Policies DM28 and DM30 of the Local Plan Review. Together these policies seek to ensure that all development maintains a high standard of amenity for existing users and should not result in an undue sense of enclosure or, overbearing impact, which would be detrimental to the amenity of nearby residents by virtue of a harmful loss of outlook. It would also be contrary to paragraph 135 f) of the Framework which requires development to create places with a high standard of amenity for existing users.

## Other Matters

24. At the time that the decision was made, the Council were unable to demonstrate a five-year supply of housing. However, the Council in its appeal statement have confirmed that 'as a result of the adoption of the Local Plan Review 2023-2041, the Council is now able to demonstrate a 5.7-year supply of deliverable housing sites'. The appellant has not challenged this figure. Consequently, the presumption in favour of sustainable development contained in paragraph 11(d) of the Framework is no longer engaged.
25. Nevertheless, the Government's objective to significantly boost the supply of homes is acknowledged, and the Framework recognises that small sites can make an important contribution to meeting local housing needs. The proposal would deliver a two-bedroom dwelling within a settlement, likely to function as a starter home, contributing modestly to housing supply. The development would also support the vitality of local services and facilities, which are accessible by public transport, and would generate modest economic benefits through construction activity and associated spending on materials and furnishings.
26. However, these benefits, while acknowledged, do not outweigh the identified harm set out above. The absence of other technical objections is a neutral factor in the planning balance and does not weigh in favour of the proposal.
27. The proposed new dwelling is described as a self-build dwelling. However, no Section 106 agreement or draft planning condition has been provided to secure its delivery as such. In the absence of any mechanism to guarantee this, only limited weight can be given to the claimed benefit of providing a self-build home.
28. The appellant's engagement in two pre-application enquiries is noted. However, it is important to emphasise that pre-application advice is informal and non-binding and does not predetermine the outcome of a formal planning application. Any perceived positive feedback received during those discussions does not override the need for a full and proper assessment of the proposal against the development plan and all other material considerations. As such, the existence of pre-application advice does not justify approval, nor does it diminish the weight of the identified conflict with the development plan.

## Conclusion

29. The development conflicts with the development plan as a whole. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal is therefore dismissed.

*Laura Cuthbert*

INSPECTOR