



Appeal Decision

Site visit made on 18 November 2025

by **Megan Thomas K.C. Barrister-at-Law**

an Inspector appointed by the Secretary of State

Decision date: 22 December 2025

Appeal Ref: APP/E0345/D/25/3374709

57 Birdhill Avenue, Reading RG2 7JU

- 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 SK Design Consultants against the decision of Reading Borough Council.
 - The application ref. is PL/25/0806.
 - The development sought is a single storey rear extension and rear side change in garden level.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The erection of the single storey rear extension and the land raising which is the subject of the appeal has already taken place and planning permission is applied for retrospectively. The fact that the development has already taken place does not affect my consideration of the merits of the appeal. It has been determined on its own individual merits.

Main Issues

3. The main issues in the appeal are the effect of the proposal on the character and appearance of the host dwelling and surrounding area, and the effect on the living conditions of the occupants of 56 and 58 Birdhill Avenue in relation to privacy and outlook.

Reasons

Character and appearance

4. The appeal site is a two storey semi-detached property, located towards the western end of Birdhill Avenue on the south side of the road as it starts to curve northwards. Its semi-pair is no.56 to its east. No.58 is located to its west and that in turn is a semi-detached property with its semi pair to its north west.
5. The appeal property had previously been extended with a single-storey rear extension, a single storey side extension and a front porch. The natural topography of the rear garden at the appeal site prior to the land being raised sloped steeply downhill away from the rear elevation of the pre-existing single storey rear

extension. The rear gardens of nos 56 and 58 slope or terrace downhill from their rear elevations.

6. The works which are the subject of the appeal are primarily a rectangular single storey rear extension (part of which is a side extension being slightly wider than the existing side extension), and engineering operations which have raised the land on which the unauthorised extension stands, and have raised land to the south and east creating a patio/hardstanding area. The submitted plans show a window in the south elevation of the unauthorised extension.
7. The unauthorised rear extension has a flat roof and is about 3.1m high to its parapet. This is higher than the height shown on the plans submitted with the retrospective planning application. While the extension increases the depth of built form at the rear, its overall proportions remain modest. It does not protrude significantly wider than the existing extension and the height does not appear excessive, partly owing to the gap between the common boundary with no.58 and its flat roof mirroring the flat roof on the existing side extension. It is not very evident in the streetscene. It is not built at an awkward angle to the main house and respects its palette of materials.
8. Taking the extensions on a cumulative basis, they remain subservient to the original house and are not of a depth which is significantly at odds with other rear extensions to properties in Birdhill Avenue. Consequently, in respect solely of the unauthorised rear extension, it does not unduly harm the character or appearance of the host dwelling or the wider area and is not contrary to policy H9 or policy CC7 of the Reading Borough Local Plan (adopted 2019).

Living conditions of occupants at 56 and 58 Birdhill Avenue

9. The submitted plans show land being raised at the rear of the unauthorised extension by a maximum of about 2.3m and by a depth/length of about 3m (this excludes the land raising necessitated by constructing the unauthorised rear extension itself). On my site visit I noted that land raising had been undertaken across the width of the site at the rear. From a large corner of this hardstanding area, broadly south west of the south west corner of the unauthorised extension there are extensive views of the rear garden of no.58 Birdhill Avenue. These views include a view of part of the patio doors at no.58, their patio, their declining terraced garden and the green area towards their southern boundary which is marked by a brick wall. Occupants of no.58, when using their garden, have their privacy seriously compromised by these views from no.57 given the wide and elevated extent of overlooking. There is an outbuilding in the rear garden of no.58 on the common boundary with the appeal site, however, this only partially obscures the rear elevation of no.58. The loss of privacy for the occupants of no.58 Birdhill Avenue is unacceptable.
10. I have considered if the overlooking could be adequately mitigated by a form of boundary treatment on the common boundary with no. 58, but I am not satisfied that there would be an appropriate solution and consequently I cannot conclude that a planning condition would necessarily lead to a solution which overcame the harm.
11. Turning to whether there is a loss of outlook for the occupants of no.58 when using their garden, the outbuilding in the rear garden of no.58 on the common boundary

with the appeal site provides some screening of the western elevation of the unauthorised extension. Moving down the garden of no.58 the unauthorised extension and land raising are in oblique views and are sufficiently separated so as to avoid being overbearing or unacceptably dominant. The land raising which has occurred and the unauthorised extension do not unduly block daylight or sunlight from neighbouring gardens given the flared orientations of the rear gardens of nos 58, 57 and 56 Birdhill Avenue.

12. In relation to privacy and outlook from the rear garden of no.56 Birdhill Avenue for its occupants, there is some minor overlooking of the south end of the garden from the raised land and hardstanding at the appeal site, however, it is of a degree that can normally be expected in a suburban area and is not unduly intrusive. The works which have taken place have not created an undue sense of enclosure or loss of outlook for the occupants of no.56 when in their rear garden.
13. On the privacy issue, therefore, I conclude that the land raising/engineering works have resulted in a substantial loss of privacy for the occupants of no.58 Birdhill Avenue when using their rear garden. The development conflicts with policy CC8 of the Reading Borough Local Plan (adopted 2019) in that it has caused a detrimental impact on the living environment of occupants of no.58 Birdhill Avenue in terms of privacy and overlooking. Furthermore, the spirit of policy H10 (which seeks to protect the privacy of neighbours when using their outdoor private space) is also breached.
14. In coming to my decision, I have taken into account the planning history referred to in the appellant's representations which refer to the planning permission for, inter alia, the pre-existing side extension not being fully implemented in accordance with what was approved. This does not alter my conclusions on the harm to living conditions I have identified above.

Conclusion

15. Notwithstanding that I find that the unauthorised rear extension and land raising operations have not unduly harmed the character and appearance of the host dwelling or the area, I have found there to be substantial harm from the land raising operations which have caused a loss of privacy to the occupants of 58 Birdhill Avenue. This latter identified harm is substantial and is not outweighed by any other countervailing considerations in this case.
16. Having considered all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas K.C.
Inspector