

DELEGATED APPLICATION REPORT

Ward: Church Ward

App Ref: PL/26/0908 Householder planning permission

Address: 57 BIRDHILL AVENUE, READING, RG2 7JU

Proposal: Retrospective single storey rear outbuilding, change in the ground level & a new fence.

Applicant: Mrs JASPREET KAUR

Received date: 08/07/2026

Target Decision date (agreed extension): 25/09/2026

Case Officer: Sian Hickey

1. SITE DESCRIPTION

The application site comprises a 2-storey semi-detached property, located towards the western end of Birdhill Avenue. Properties are constructed from red brick and red tiled pitched roofs and have distinct gaps between the properties.

The natural topography of the rear garden including the gardens of the adjacent properties slopes steeply downgradient away from the rear elevation of the properties. The semi-detached pair at no's 56 and 57 Birdhill Avenue are situated at the same ground level while no. 58 is positioned at a lower ground level.

The property benefits from a single storey rear extension which was granted planning permission on 21/11/2021. The authorised extension projects approximately 5.5m from the original rear wall of the dwelling. Beyond the authorised extension is a further unauthorised single storey rear extension, which has a solid floor and a flat roof and appears to look permanent. This extension is attached to a further unauthorised flat-roofed outbuilding.

The original sloping rear garden has been partially raised up using fill material, effectively extending the flat topography to create an area to construct the unauthorised structures described above.

On 11/08/2025 planning permission was refused for 'Retrospective application for a single storey rear extension and rear side change in garden level' (PL/25/0806). The decision was subsequently appealed, and the appeal was dismissed (APP/E0345/D/25/3374709). While the current application labels part of the proposal as an 'outbuilding', the physical structure remains very similar to the extension dismissed at appeal.

The original garden space to the front of the property has been lost to hardstanding, and the available rear garden area has been reduced through development.

A number of nearby properties have, what are considered to be, subservient single storey extensions to the rear.

The property is not listed, nor is it located within a conservation area. The surrounding area is predominantly residential.

Site visit date: 17th September 2026

Site visit photos:



Looking towards the front elevations of no's 57 and 58



Looking towards the boundary with no. 58



Looking towards the outbuilding and the linked rear extension



Looking towards the rear extension and the boundary with no. 56



Looking towards the rear gardens of nos 57 and 58 to show the difference in ground level

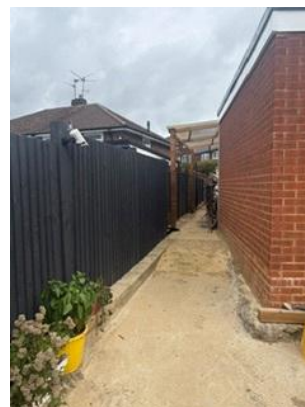


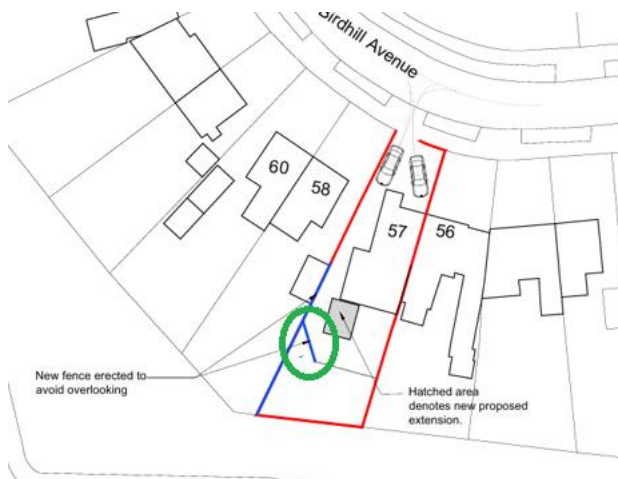
Photo shows side elevation of outbuilding and covered side passage on boundary with no. 58



Photo shows gradient of rear garden, new hardstanding, and part of the rear elevation of the outbuilding.

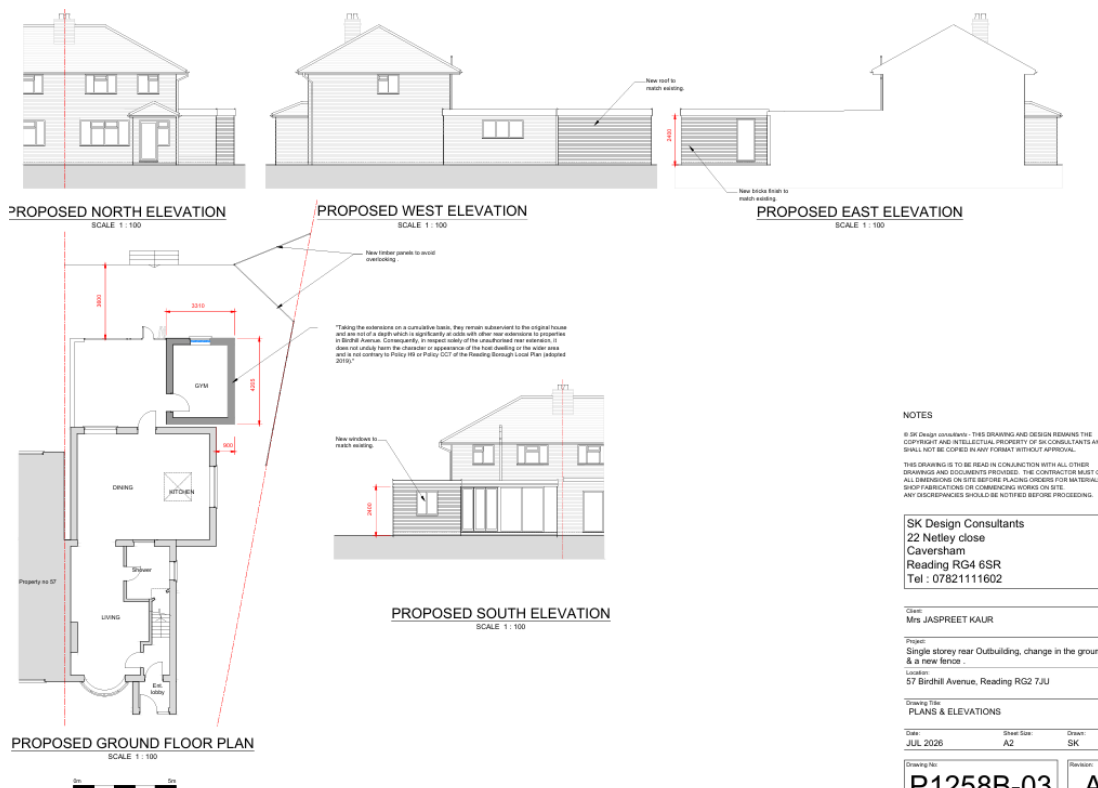
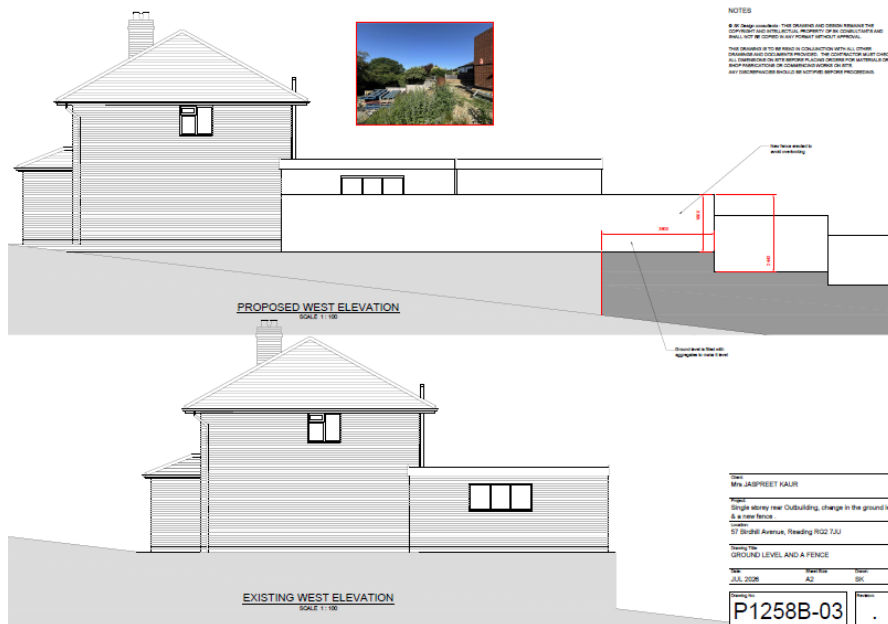
2. PROPOSAL AND SUPPORTING INFORMATION

Planning permission is sought retrospectively for a single storey outbuilding, a raise in the ground level, and new boundary fencing along the boundary with no.58. It should be noted that part of the fence line shown in blue, marked with a green circle on the block plan below, is not yet in place.



Whilst the description of the development on the application form claims that the development consists of an outbuilding, it is only set away from the main dwelling by approximately 0.12m, furthermore, adjacent to the outbuilding there is also an enclosed/covered area with a solid floor, which links the development to the main dwelling, which for all intents purposes is an extension. The submitted plans illustrate that the outbuilding itself has a width of 3.310m, a depth of 4.205m, and a height of 2.733m. The linked infill extension has a width of 4.69m and a depth of 4.32m. This latter element of the unauthorised development has not been included within the description of development but is nevertheless considered within the appraisal below.

The fence panels closest to the built form have a maximum height of 1.8m, however, the raised ground level and the already lower ground level of no. 58 means that the overall height of the fencing when viewed from no. 58 is even greater. The raised ground level, together with the 1.8m high fence panel results in a combined height of approximately 4.2m at the maximum point when viewed from the neighbouring property at no.58 Birdhill Avenue (as shown on drawing no. P1258B-03 – Ground Level and a Fence (extract below)).



Plans considered:

Drawing No. P1258B-01 – Location and Block Plan received 8th July 2026

Drawing No. P1258B-03 – Ground Level and a Fence received 8th July 2026

Drawing No. P1258B-03 A – Plans and Elevations received 16th September 2026

3. CONSULTATIONS

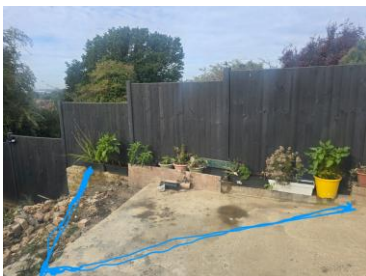
A site notice was displayed at the front of the property by the case officer on 21st July 2026 for a period of 21 days.



No letters of objection have been received at the time of writing this report, however, the applicant submitted a letter from the neighbouring property at No.58 Birdhill Avenue, signed and dated 16/06/2026, which states that they have no objections to the current boundary fencing and no concerns regarding loss of privacy or overlooking.

Discussions with applicant/agent

During the course of the planning application process the applicant was advised that the scheme was unacceptable and would be recommended for refusal. The applicant submitted an amended floor plan with a revised internal timber-panel fence arrangement to form a triangle shape adjacent to the boundary with no.58 Birdhill Avenue. The plan shows the fence panels creating an area of the rear garden intended to not be accessible to residents, presented by the applicant as a means to overcome previous amenity concerns. As it is considered that this arrangement would create harm to the occupiers of the application site in seeking to exclude an area of their usable garden space the applicant was advised that this was not an appropriate solution to overcome the concerns raised. They were also advised that it would not be possible to include a planning condition to restrict the use of this particular area of the garden. Due to the raised ground level, the fence would still appear overbearing and cause harm to outlook. Revised elevation plans were not submitted to illustrate the change in location for the fence panels or reduce the height of the fence. Photos were provided to show the location of the internal fence panels as below:



Officers advised the applicant that no amendments were considered likely to resolve the identified issues.

4. RELEVANT PLANNING HISTORY

PL/21/1576 – Proposed single storey rear extension, single storey side extension and front porch extension. (amended) – Approved November 2021

PL/25/0806 - Retrospective application for a single storey rear extension and rear side change in garden level. – Refused August 2025 (dismissed at appeal ref. APP/E0345/D/25/3374709)

The reasons for refusal are pasted below:

1. The development by reason of its inappropriate scale, layout and appearance, resulting in an awkward arrangement of incremental extensions to the original dwelling and accentuated by the artificially raised land around the extension, appears as an obtrusive and incongruous addition to the garden which fails to respect the character and appearance of the host building and the street as a whole, with consequent harm to the character and appearance of the area. The development is therefore contrary to policy CC7 & H9 of the Reading Borough Local Plan 2019.

2. The development by reason of its inappropriate scale and siting and the raised garden level results in an overbearing form of development which fails to respect the residential amenity of neighbouring properties, with consequent harm to the privacy and the enjoyment of the neighbouring garden. The development is therefore contrary to policy CC8 & H10 of the Reading Borough Local Plan 2019.

Summary of appeal

The Inspector concluded that taking the extensions of a cumulative basis, they remain subservient and not at a depth that is significantly at odds with other extensions on Birdhill Avenue. They stated that whilst the extension increased the depth of built form at the rear, its overall proportions remain modest, it is not very evident from streetscene, it is not built at an awkward angle to the main house and respects its palette of materials.

With regards to the living conditions for neighbouring properties, the Inspector concluded that from a large corner of the raised 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. Occupants of no.58, when using their garden, would have their privacy seriously compromised by these views from no.57 given the wide and elevated extent of overlooking and, therefore, the loss of privacy for no.58 is unacceptable. The Inspector considered whether the overlooking could be adequately mitigated by a form of boundary treatment on the common boundary with no. 58, but was not satisfied that there would be an appropriate solution.

Equality Act 2010: In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Practice Guidance (2014 onwards)

National Planning Policy Framework (NPPF 2026)

- Chapter 14: Achieving Well-Designed Places
 - Policy DP3 – Key Principles for Well-Designed Places
- Chapter 17: Pollution, Public Protection and Security

- Policy P3 – Living Conditions and Pollution

Reading Borough Local Plan (2019)

CC7 (Design and the Public Realm)

CC8 (Safeguarding Amenity)

H9 (House Extensions and Ancillary Accommodation)

H10 (Private and Communal Outdoor Space)

SPD

Design Guide to House Extensions SPD 2021

Local Plan Update

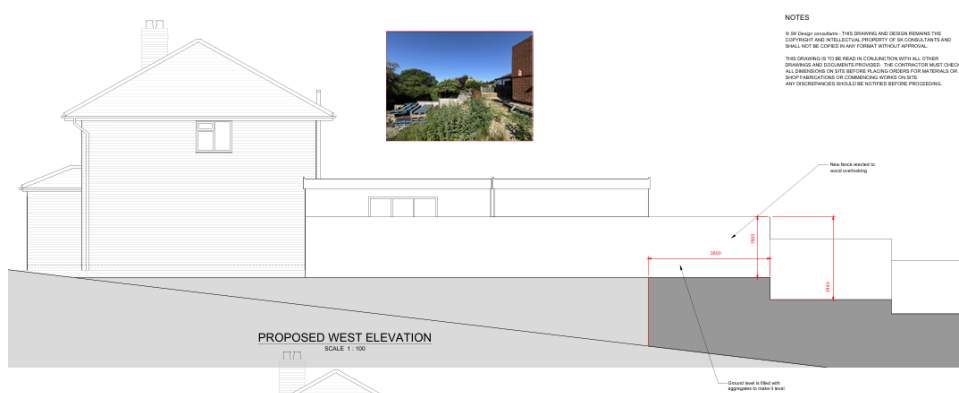
The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. The submission version of the Local Plan was submitted on 9th May 2025. Following the public examination hearings in February 2026, the plan is now in its final public consultation phase before formal adoption.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the determination of this planning application and are not considered to be ‘out of date’.

6. APPRAISAL

Current application plan:



Previously refused application plan under ref: PL/25/0806:



Character and Appearance

Policy H9 of the Reading Borough Local Plan states that an extension to a house will be acceptable where it respects the character of the house in terms of scale, location, materials and design and respects the character and pattern of neighbouring properties and the street as a whole in terms of scale, location, materials and design, and any important existing building line. Policy CC7 also sets out relevant considerations for design.

Policy DP3 of National Planning Policy Framework 2026 requires that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets

It is acknowledged that the Planning Inspector, in determining the previous appeal, concluded that taking the extensions on a cumulative basis, they remain subservient to the original house and are not of a depth significantly at odds with other rear extensions to properties in Birdhill Avenue. Consequently, in respect solely of the unauthorised rear extension, it was not considered by the Inspector to unduly harm the character or appearance of the host dwelling or the wider area. However, the Local Planning Authority remains concerned that the outbuilding represents a dominant form of development exacerbated by the raised ground level and that since the previous planning application and appeal, the area adjacent to the outbuilding has been covered and enclosed and includes solid flooring and patio doors/windows in its rear elevation, which for all intents purposes is an extension. This extension links the unauthorised outbuilding to the main dwelling. These additions, combined with the previous (approved) rear extension (under permission ref: PL/21/1576) constructed at the site, have a footprint greater than the ground floor footprint of the original dwelling. The additions when combined extend to a maximum depth of approximately **9.8m** from the original rear wall of the dwelling, which is well beyond the 4m guidance within the Design Guide to House Extensions SPD and what the site can accommodate due to the size of the plot and the topography of the downward sloping garden.

The new fencing and the raised ground level change the character of the boundary. The application property is already situated at a higher level than the neighbouring property at number 58 and the works materially increase the difference in the levels between these two properties creating a change in the visual relationship between the site and its surroundings.

It is considered that the unauthorised works and the awkward arrangement of built form are overly dominant and harmful to the original dwelling. The total enlargements to the property which comprises the existing authorised extension, together with the unauthorised outbuilding and the adjacent enclosed covered area, combined with the raised ground level and fencing, cause consequent harm to the character and appearance of the wider area. The harm arises from the cumulative impact of the visual form, scale,

height, and the surrounding environment. The development also reduces a large amount of the outdoor amenity space and spaciousness around the dwelling.

The proposal is considered harmful to the character and appearance of the site and the surrounding area and, therefore, fails to comply with policies H9 and CC7 of the Reading Borough Local Plan 2019 and Policy DP3 of National Planning Policy Framework 2026.

Residential Amenity

Policy H9 of the Reading Borough Local Plan states that an extension will be acceptable where it does not result in an overbearing impact on neighbours. Policy H10 seeks to ensure that the amenity of gardens and other outdoor areas are not compromised. Policy CC8 states an extension to a house will be acceptable where it will not cause a significant detrimental impact to the living environment of existing or new residential properties.

Policy P3 of National Planning Policy Framework 2026 also states that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity.

By virtue of the volume of garden level works along with the overall scale of the development, combined with the resulting height of the boundary fence as viewed from number 58 Birdhill Avenue, the amenity for the neighbouring residents at 58 Birdhill Avenue would be severely impacted due to the overbearing nature of the cumulative development. It is noted that the neighbour at 58 has no objections to the scheme, however, this submitted representation does not outweigh the identified planning harm. The impact of development on future occupiers of neighbouring properties must also be considered.

Whilst it is acknowledged that the current proposal differs slightly from the previously refused application, the cumulative impact of the proposal is still considered unneighbourly and significantly harmful.

In reaching their conclusion on the previous appeal, the Inspector noted that when using their garden, occupants of no.58 would have their privacy seriously compromised by these views from no.57 given the wide and elevated extent of overlooking. The Inspector considered whether the overlooking could be adequately mitigated by a form of boundary treatment on the common boundary with no. 58, but was not satisfied that there would be an appropriate solution, as stated earlier in the report.

The current scheme now includes new fencing along the side boundary with no. 58, and although this does, on the one hand, assist in overcoming the loss of privacy and overlooking concerns previously identified, on the other hand, the position of the fence on the raised ground level results in excessive overall height when viewed from number 58 Birdhill Avenue, which has an unacceptable overbearing impact and a visually dominant form of enclosure.

The image below of the view from the garden of no.58, submitted by the applicant, demonstrates the harmful impact of the boundary fencing.



The Council's view remains, therefore, that the unauthorised development at 57 Birdhill Avenue adversely impacts the residential amenity for residents using their rear gardens of the neighbouring properties at 56 and 58 Birdhill Avenue. The unauthorised works are overbearing and result in harm to outlook and loss of light.

Although the further unauthorised extension adjacent to the outbuilding does not form part of the current application, its presence worsens the impact of the total development to no. 56 (beyond which was not previously assessed under the earlier application) due to the additional 4.32m depth of the structure and its proximity to the shared boundary with this neighbour.

The proposal is detrimental to residential amenity and fails to comply with policies CC8, H9 and H10 of the Reading Borough Local Plan 2019 and policy P3 of National Planning Policy Framework 2026

7. CONCLUSION

The cumulative impact of the proposals is harmful to the character and appearance of the host dwelling and the surrounding area. The raised ground level and boundary treatment results in an unacceptable harm to neighbouring amenity.

8. RECOMMENDATION - REFUSE

Refusal reasons:

1. The boundary fence together with the raised ground level results in a visually dominant boundary treatment, causing an unacceptable sense of enclosure, overbearing impact, harm to outlook and loss of light to no. 58 and would create harm to the occupiers of the application site in seeking to exclude an area of usable garden space, which it is considered, in any case would be unenforceable. The development fails to respect the residential amenity of neighbouring properties, and the enjoyment of the neighbouring gardens as well as the garden of the application site. The development is, therefore, contrary to policies CC8 and H10 of the Reading Borough Local Plan 2019 and policy P3 of National Planning Policy Framework 2026

2. The cumulative impact of the unauthorised works (the outbuilding with a linked rear extension), together with the raised ground level and fencing, results in a visually dominant, obtrusive and incongruous development within the garden. The development fails to respect the character and appearance of the host building and neighbouring properties, with consequent harm to the character and appearance of the surrounding area. The development is, therefore, contrary to Policies CC7 and H9 of the Reading Borough Local Plan 2019 and Policy P3 of National Planning Policy Framework 2026.