

27th January 2026

Development & Housing

Council Offices
Market Street, Newbury
Berkshire, RG14 5LD

Our Ref: 24/00489/15UNAU

Please ask for: Planning Appeals

Tel: 01635 519111

Email: appeals@westberks.gov.uk

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 174

Site address:	4 Theobald Drive Tilehurst Reading RG31 6YA
Alleged Breach:	Appeal against an Enforcement Notice: Without planning permission, the erection of a wooden outbuilding with raised decking
Enforcement reference:	24/00489/15UNAU
Appellant's name:	Mr Jomon George
Appeal reference:	APP/W0340/C/25/3376703
Appeal start date:	26th January 2026

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by West Berkshire District Council on 30th October 2025.

The enforcement notice was issued for the following reasons:

Without planning permission, the erection of a wooden outbuilding with raised decking, located in the approximate position marked with a cross on the plan.

It appears to the Council that the above breach of planning control has occurred within the last four years and that it is expedient to issue a notice for the following reasons:

- Planning application 25/01693/HOUSE was refused on the grounds of its size, bulk and siting in such a prominent position within the application site, resulting in an unacceptable detrimental impact on privacy, both real and perceived to the windows

on the rear elevation of the neighbouring property (No.5), and to a lesser extent to the first floor windows on the rear elevation of No.3 and an overbearing impact and loss of outlook from the rear windows and garden area of no. 5.

- The development results in both actual and perceived loss of privacy, overbearing impact and loss of outlook, contrary to the NPPF, Policy SP7, criteria F of Policy DM28 of the West Berkshire Local Plan Review 2023-2041 which states that development should not be overbearing or detrimental to the amenity of nearby residents by virtue of loss of outlook. This is endorsed by criteria C of Policy DM30, while criteria B of Policy DM30 states that development should not be overlooking, causing harmful loss of privacy.
- The Council considers that planning permission should not be granted, as planning conditions could not overcome the harm caused by the development.

The enforcement notice requires the following steps to be taken:

- Remove the unauthorised structure (wooden outbuilding with raised decking and balustrades) from the land.
- Remove all materials and debris resulting from the removal of the structure from the site.

The appellant has appealed against the notice on the following grounds:

Ground (f): The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.

Ground (g): The time given to comply with the notice is too short.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

The Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

All representations must be received within 6 weeks of the appeal start date. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations.

All representations must quote the Inspectorate's appeal reference:
APP/W0340/C/25/3376703.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by the date above.

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

The appeal documents are available for inspection at the Council Offices, Market Street, Newbury. This office is open Monday to Thursday 8:30am to 5pm, and 8:30am to 4:30pm on Fridays. <https://info.westberks.gov.uk/marketstreet> or online at <https://www.westberks.gov.uk/enforcement-appeals>.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in enforcement appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at:
<https://acp.planninginspectorate.gov.uk>

Yours faithfully

Planning Appeals Team