

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	25/01630/FUL Newbury	11 th September 2025 ¹	Change of use of 2 Pound Court from commercial (Use Class E) to a Place of Worship (Use Class F1). Pound Court Pound Street Newbury RG14 6AA Bangladesh Welfare Centre
¹ Extension of time agreed with applicant until 20 th February 2026			

The application can be viewed on the Council's website at the following link:
[25/01630/FUL | Change of use of 2 Pound Court from commercial \(Use Class E\) to a Place of Worship \(Use Class F1\). | Pound Court Pound Street Newbury RG14 6AA](#)

Recommendation Summary: To delegate to the Development Manager to GRANT PLANNING PERMISSION

Ward Member(s): Councillor Martin Colston
Councillor Louise Sturgess

Reason for Committee Determination: More than 10 objections

Committee Site Visit: 12th February 2026

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1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations, and to make a decision as to whether to approve or refuse the application.
- 1.2 This application seeks planning permission for the change of use of 2 Pound Court from commercial use (Class E) to a Place of worship (Class F).
- 1.3 The application site is a two-storey office building, which is accessed off Pound Street, Newbury. The building faces towards the rear of the shops and flats along Bartholomew Street. There is a parking area in front of the building, which forms part of the application site. There is an existing vehicular access onto Pound Street. This is 20 metres to the west of the Pound Street/Bartholomew Street traffic signal junction. To the south of the site along Pound Street is Sterling House, a three-storey building with commercial uses on the ground floor, and residential above. The north of the site, accessed from Bartholomew Street, is Bridge Court, which is in residential use.
- 1.4 The application is proposing the changed of use of the building to a place of worship. No external alterations to the building are proposed. The parking area to the front of the building will have two spaces reserved for staff, the remainder of the area will be retained as a drop-off and collection areas. A cycle stand for 4 bicycles is also proposed.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
79/11208/ADD	New access boundary fence lean-to roof	07/08/1979
81/14587/ADD	Demolition of existing storage and workshop building and erection of new workshop/storage building industrial use	Approved 05/03/1981
82/17362/ADD	Conversion of existing premises for office use	Refused 30/06/1982
82/17500/ADD	Building of mixed use premises	Refused 28/07/1982
82/17878/ADD	Conversion of existing premises for office use	Refused 08/09/1982
82/18214/ADD	Conversion of existing premises to office use	Approved 01/12/1982
83/19220/ADD	To increase office floor area	Approved 30/05/1983

88/30902/ADD	Change of use from offices to restaurant	Refused 02/03/1988
17/00906/FUL	Change of Use from Class Use B1 to Mixed D1/D2 Non-residential institution/assembly and leisure.	Refused 03/05/2017
23/01372/FUL	Change of use from office space to mixed use for storage, preparation, cooking of food for the homeless and vulnerable community, and ancillary offices and outreach use, and associated ventilation and extraction equipment, waste storage and vehicle and cycle parking	Approved 07/06/2023
23/01800/COND	Application for Approval of Details Reserved by Condition 4 (Noise) of planning permission 23/01372/FUL	Approved 23/08/2023
23/01967/FUL	Additional storey plus side extension	Appeal against non-determination Dismissed 30/09/2024

3. Legal and Procedural Matters

- 3.1 **Environmental Impact Assessments (EIA):** Given the nature, scale and location of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** Publicity has been undertaken in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's Statement of Community Involvement. A site notice was displayed on 22nd July 2025 on a post adjacent to the boundary wall, with a deadline for representations of 12th August 2025. A public notice was displayed in the [Newbury Weekly News] on 31st July 2025; with a deadline for representations of 14th August 2025. Notification letters were sent to 11 properties notifying them of the application.
- 3.3 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. No local financial considerations are material to this application.

- 3.4 **Community Infrastructure Levy (CIL):** Community Infrastructure Levy (CIL) is a levy charged on most new development within an authority area. The money is used to pay for new infrastructure, supporting the development of an area by funding the provision, replacement, operation or maintenance of infrastructure. CIL will be used to fund roads and other transport facilities, schools and other educational facilities, flood defences, medical facilities, open spaces, and sports and recreational areas. Subject to the application of any applicable exemptions, CIL will be charged on residential (Use Classes C3 and C4) and retail (former Use Classes A1 – A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of gross internal area (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability, and the application of any exemptions, will be formally confirmed by the CIL Charging Authority under separate cover following any grant of planning permission. More information is available at <https://www.westberks.gov.uk/community-infrastructure-levy>
- 3.5 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.6 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.7 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.8 The application is proposing a new place of worship to meet the needs of the community. The needs of the faith community have been considered in the assessment of the application, as well as the needs to ensure access to the site can be provided, particularly of those within the faith community who due to age and/or disability need assistance to access the building.
- 3.9 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with

the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.

- 3.10 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.
- 3.11 **Listed building setting:** Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 16(2) has the same requirement for proposals for listed building consent. The application site is adjacent to 62-64 Bartholomew Street, and 2 Pound Street which are grade II listed buildings. To the south of the site is Bartholomew Close a grade II listed building. To the south-west of the site are 13-27 Pound Street and 33 Pound Street which are all grade II listed buildings.
- 3.12 **Conservation areas:** Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The site is within the Newbury Town Centre Conservation Area.

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Newbury Town Council:	Support the application
Highways:	<p>1st Response: The access to the car park from Pound Street is well established and considered acceptable. A significant consideration is the proximity to the traffic signal junction, and this was a reason for refusal of the similar application 17/00906/FUL. Little has changed since that time, The Transport Statement sets out numbers of attendees, and says most are local people, a wider catchment cannot be ruled out or controlled. The Transport Statement refers to the sustainable town centre location and availability of car parking in the town centre. The concern in having a significant place of worship in close proximity to the junction where worshippers may be dropped off and collected, and this has not been addressed in the Transport Statement. Parking surveys were conducted in a school holiday, and objections refer to disruption during Friday prayers.</p> <p>2nd Response: Set out results of observed movements during Friday prayers, levels of movements are similar to those seen in 2017. No objection on parking grounds, but concern is around collection and setting down of worshippers on the public highway</p>

	<p>in close proximity to the junction. Suggest a way forward is for the applicants to submit a car park management plan to show how the parking spaces will be managed, with a space being reserved for prominent staff, and the remaining spaces being used to drop-off/collect attendees.</p> <p>3rd Response: The Updated Transport & Technical Note dated October 2023, and additional responses from the public do not change the previous comments.</p> <p>4th Response: The staff parking in the management plan is excessive, and this needs to be reduced.</p> <p>5th Response: Note that the number of staff spaces has reduced from 4 to 5, but require as many spaces as possible to be allocated for drop-off and collection.</p> <p>6th Response: The parking management plan is acceptable. The existing parking is quite restrained, as it doesn't comply with modern standards, as there isn't a six metre wide aisle fronting the parking spaces in most areas. I do consider that it could be improved in some ways and made more user friendly. This would include removing the existing markings and widening the parking spaces in places. The parking layout can be improved further, but satisfied with the principle of what is proposed is satisfactory and suggest securing a new plan by condition.</p>
Network Rail:	No objections
Environmental Health:	No objections recommend the inclusion of good practice measures as detailed in the noise assessment report
LLFA:	<p>1st Response: Object: The site is within an area of significant surface water flooding, the proposals require a proportional flood risk assessment to support the application.</p> <p>2nd Response: With the submission of the Flood Risk Assessment we have no further comments on the application.</p>
Archaeology:	No archaeological implications if there are no new building development or changes to the existing layout and fabric of the existing building.
Conservation:	The proposals do not involve changes to the front of the building which makes a neutral contribution to the conservation area. I recommend this application for approval
Newbury Society:	No response received

Public representations

4.2 Representations have been received from 89 contributors, of which 64 support, and of which 24 object to the proposal.

4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

Support

- The mosque exists 100m away, has been there for 25 years and has been used without a problem,
- Will not be a problem for highway safety
- Concerns around parking and traffic have not materialised
- There is a need for a bigger facility, there are limited facilities for members of the Muslim community
- This will be a relocation, to a more suitable site
- Sensitive to the historic environment, Conservation Officer says it will be neutral to the Conservation Area, no archaeology concerns
- No Environmental Health objections to noise
- The Town Council have expressed support
- The use is appropriate, continuity of an existing community use delivers genuine social and cultural benefits to Newbury, a focal point for educational, cultural and social engagement, interfaith and charitable work
- Positive for community cohesion
- The existing facilities are not fit for purpose, larger facilities are required for ongoing community events/initiatives
- The site is close to existing public car parks
- Makes efficient use of an existing building
- A town centre location allows more people to attend by walking or public transport
- Will benefit local businesses
- Daily use of the building prevents crime
- No material considerations weigh against an approval; technical matters can be dealt with through conditions
- Supported by planning policies DM5, DM42, DM44 and Paragraph 9 of the NPPF
- Previous reasons for refusal on the grounds of noise and traffic have been overcome in the submission of the Noise Assessment and Traffic Assessment

Objections

- Not a progressive change
- The increase in vehicles trying to enter and leave will make the junction hazardous
- Increase in on-street parking, parking not enforced, photographs of parking violations during Friday prayers
- With the Jewson site development this extra usage will make the area busier and more dangerous
- No need for an additional place of worship
- Impact on cyclists at the traffic light junction, particularly from Argyle Road
- Query minimum parking requirements
- Lack of neighbour notification
- Delay in Transport Assessment being available on the website
- Previous application was refused on highway safety grounds, nothing has changed in this application
- Access to homes blocked during events at the mosque
- Too close to the traffic lights, junction with Argyle Road, bus stop, school crossings and Argyle Nursing Home
- Increase in use of the existing site over the years has led to parking issues

- Increase in parking makes it difficult for customers of Pound Street businesses to visit them, the new facility will not improve this and make it worse
- Insufficient parking on the site
- Increased on street parking will be dangerous for young children and pedestrians
- Problems with dropping off, parking and manoeuvring in Pound Street and Rectory Road
- Potential noise impacts, during early mornings, late evenings or call to prayer if amplified, made worse at religious holidays, to homes and businesses
- Proposal is out of character with the residential or commercial nature of the area
- Strain on public transport, parking infrastructure of local facilities
- Waste management issues
- Loss of office space for employment to commercial uses
- Concerned about over development in the future
- There could be a precedent for other non-commercial or religious uses in a business area
- The building might not be fit for purpose, insufficient capacity for the numbers proposed
- An alternative site with ample parking, drop-off zones and pace for people to meet outside would be more suitable
- A more suitable site would be on the outskirts of town
- People congregating outside the building make it difficult for pedestrians to pass
- The pre-application advice should not have said it was acceptable in principle, when the traffic principle are the same
- No clear which building is referred to in the address of the site and plans
- Inaccuracies and unknown information on the application form
- Uncertainty about the proposed use, application form says to learning an non-learning institutions, the planning notice says place of worship
- The office occupants say they have a 20 year lease
- Lack of due diligence to flood, traffic, noise and compliance
- The submitted Transport Statement does not adequately address the situation , underestimate the number of attendees increasing numbers in the future, risk of highway conditions, doesn't include primary research data, doesn't consider the actual availability of public parking, it does not consider development in the area, doesn't take into account traffic accident data, doesn't consider all the traffic movements in the area, site observations took place in half term, Pound Court is not available as it has been let to an office with 9 vehicles, photos of parking in the are provided, query use of TRICS data, should have used data from the existing site, data collected by the public contradicts the transport assessment data, photos of parking in area provided
- The update Transport Statement indicate additional parking which will not significantly reduce current parking issues, doesn't state how many people arrive by public transport, local parking is not used, does not acknowledge existing behaviours,
- Disagree with the conclusions of the Transport Assessment and West Berks Highways observations and conclusions following the site assessment
- No consideration given to the intensification of the access
- If approved there should be conditions to record vehicle movement/violations, consultation with local properties/businesses, frequent parking enforcement.
- Photographs of parking in the area provided
- Proposal for one parking space for the use will not ease the situation
- No worst case scenario has been presented
- Signage for the drop off space needs to be unobtrusive

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

Development Plan Document	Relevant Policies
<p><u>West Berkshire Local Plan Review 2023-2041</u></p>	<p>Strategic Policies</p> <ul style="list-style-type: none"> • Policy SP1 The Spatial Strategy • Policy SP3 Settlement Hierarchy • Policy SP5 Responding to Climate Change • Policy SP6 Flood Risk • Policy SP7 Design Quality • Policy SP9 Historic Environment • Policy SP10 Green Infrastructure • Policy SP17 Strategic Approach to Employment Land • Policy SP18 Town & District Centres • Policy SP19 Transport • Policy SP20 Infrastructure Requirements & Delivery <p>Development Management Policies</p> <ul style="list-style-type: none"> • Policy DM5 Environmental Nuisance & Pollution Control • Policy DM9 Conservation Areas • Policy DM10 Listed Buildings • Policy DM11 Non-designated Heritage Assets • Policy DM30 Residential Amenity • Policy DM39 Local Community Facilities • Policy DM40 Public Open Space • Policy DM41 Digital Infrastructure • Policy DM42 Transport Infrastructure • Policy DM44 Parking

5.2 The following material considerations are relevant to the consideration of this application:

- The National Planning Policy Framework (NPPF)
- The Planning Practice Guidance (PPG)
- National Design Guide
- Quality Design SPD (2006)
- Planning Obligations SPD (2014)
- Sustainable Drainage Systems SPD (2018)
- Newbury Town Design Statement (2018)
- Newbury Town Centre Conservation Appraisal (2024)

6. Appraisal

Principle of development

- 6.1 Policy SP1 sets out the spatial strategy for development within the District. It requires development to follow the settlement hierarchy set out in Policy SP3, and also says that town centres will continue to play a vital role for communities and will need to meet the changing needs of communities. It says that within town centres schemes will be of an appropriate scale and character to respond to the role and function of the centre and to support sustainable communities. Policy SP3 identifies Newbury as an urban area, which will be a prime focus for housing and economic development.
- 6.2 The site is within the defined Town Centre Commercial Area, and Policy SP18 sets out the criteria for supporting development proposals in the town centres which relate to the character and appearance of the area, vitality or viability of the centre, highway safety and amenity, which are all addressed within this report.
- 6.3 Policy SP17 sets out the strategic approach to employment land, and sets out the need for office and industrial space over the plan period. It goes on to say that development proposals that would result in the loss of business development outside the Designated Employment Area will need to justify the loss of the floorspace, and sets out evidence the proposal will need to demonstrate including that it will not substantially prejudice the supply of employment land; not conflict with neighbouring uses; and will maintain the vitality of the centre.
- 6.4 Policy DM39 sets out the criteria for supporting new and/or expanded provision of local community facilities. The list of community facilities includes places of worship. The criteria includes that local need is demonstrated, it is accessible and inclusive to the community it is intended to serve, it is of a quality design and has been subject to meaningful local community engagement, and consideration has been given to the use of shared space.
- 6.5 The application is proposing the change of use of the office building (Class E) to a place of worship (Class F1). This will result in a loss of office space, and required justification for the loss, as required by Policy SP17. The Planning Statement submitted with the application does not include marketing information for the site, but does refer to the extant planning permission for the site 23/01372/FUL, which granted planning permission for the change of use from office space to mixed use for storage, preparation, cooking of food for the homeless and vulnerable community, and ancillary offices and outreach use. This planning permission is capable of being implemented, and so represents a fallback position, whereby the loss of the office space has been accepted. The proposal is also to provide additional community facilities, and a need has been demonstrated as the existing site in Pound Street for the Bangladesh Welfare Centre is not large enough to meet its current needs. Whilst there will be a loss of office space, it is proposed to use the site as a place of worship which meets the needs of the community, and will contribute towards the vitality of the Town Centre, by providing for the needs of the community, and is not a use that is incompatible with town centre uses.
- 6.6 The proposal is considered to be acceptable in principle, subject to the assessment of the following material considerations.
- 6.7 ***Character and Appearance of the Area***
- 6.8 Policy SP7 says new development will be required to strengthen a sense of place through high quality locally distinctive design and place shaping. This will enable healthy place making, creating places that are better for people, taking opportunities

available for conserving and enhancing the character, appearance and quality of an area and the way it functions. Policy DM39 also requires that new local community facilities are of a high quality design and is proportionate to the local area., it also requires that appropriate consideration is given to the use of shared spaces, the re-use or redevelopment of existing buildings.

- 6.9 The application is proposing the change of use of the existing office building, and no external alterations are proposed. The use of the building as a place of worship will reuse an existing building, as supported by Policy DM39, and as no external alterations are proposed it will conserve the character and appearance of the area.
- 6.10 The proposed use as a place of worship is appropriate within the Town Centre Commercial Area. This part of the commercial area, around Bartholomew Street is characterised by small businesses, which also cater towards local neighbourhood needs, such as convenience shops, restaurants and takeaways, and also a close to dwellings, above the commercial units, and to the rear of the main road frontage. The proposed use of the building as a place of worship will be appropriate to the character of the area, within a town centre, and close to residential properties, within the community that it serves. The proposal is considered to conserve the character and appearance of the area and the way in which it functions.

Heritage Considerations

- 6.11 According to Policy SP9, development proposals will be required to conserve and, where appropriate, enhance those aspects of the historic environment which are recognised as being of archaeological, architectural, artistic or historic interest, or of landscape or townscape significance.
- 6.12 Policy D9 requires development within Conservation Areas to assess and demonstrate how the special character, appearance and significance of the Conservation Area will be preserved or enhanced, and sets out the criteria to be taken into consideration.
- 6.13 Policy DM10 requires development proposals to demonstrate how the setting of listed buildings will be preserved.
- 6.14 The application site is within the Newbury Town Centre Conservation Area, and is adjacent to 62-64 Bartholomew Street, and 2 Pound Street which are grade II listed buildings. To the south of the site is Bartholomew Close a grade II listed building. To the south-west of the site are 13-27 Pound Street and 33 Pound Street which are all grade II listed buildings. The supporting information submitted with the application have not referred to the historic environment surrounding the site, and a heritage statement has not been provided. However, as the application is not proposing an external alterations or extensions and the building itself makes a neutral contribution to the Conservation Area, the proposal is considered to preserve the existing character and appearance of the Conservation Area and will have a neutral impact on the setting of the listed buildings.

Noise Impacts

- 6.15 Policy DM5 says that new development will be supported where it does not lead to adverse effects on pollution of the environment, and sets out criteria for development proposals, which includes no harm to the amenity of the occupants of neighbouring land and buildings through an unacceptable increase in pollution, including from noise, and where necessary suitable mitigation will be put in place.
- 6.16 Policy DM30 also requires development to maintain a high standard of amenity for existing users of land and buildings. It says that when considering the impact on the

living conditions of residents, proposals will be supported where there is no unacceptable harm in terms of (amongst other things) noise.

- 6.17 The previous application for a similar change of use (reference 17/00906/FUL) was refused, partly because inadequate information had been provided to properly assess the potential noise and disturbance arising from the proposed use. It was also considered likely that the proposal would cause undue harm to the residential amenity of neighbouring properties. The current application is accompanied by a Noise Assessment. This has been reviewed by the Environmental Health Officer, who concludes that, given the site's location and the existing background noise levels, the proposal would not generate a significant noise impact. They therefore recommend approval, subject to conditions securing the good practice measures outlined in the report.
- 6.18 Representations raised concerns about possible noise from external amplification; however, no external amplification is proposed. A condition can be imposed to prohibit any such equipment. On this basis, the proposed change of use is not expected to lead to any additional noise impacts for nearby residents.

Highway Safety

- 6.19 According to Policy SP19, development that generates a transport impact will be required to (amongst others) mitigate any adverse impact on local transport networks. Policy DM44 sets out guidance for parking to serve new development.
- 6.20 According to the NPPF, in assessing specific applications for development, it should be ensured that (amongst others) safe and suitable access to the site can be achieved for all users, the design of parking areas and other transport elements reflects national guidance. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 6.21 The previous application 17/00906/FUL was refused due to the limited parking on the site that was in close proximity to the traffic light junction between Pound Street and Bartholomew Street, and that this would result in an increased incidence of on-street parking/stopping in close proximity to this junction which could be detrimental to highway safety for vehicles and pedestrians and adversely affect the operation of the junction and the free-flow of traffic.
- 6.22 The Highways Authority initially advised that the previous reason for refusal had not been overcome. In response, the applicant submitted additional survey information relating to existing activity at the current premises, particularly during Friday prayers. A number of objections were also received concerning existing behaviours associated with the site. Following consideration of this further information and additional review by the Highways Authority, it was concluded that using the on-site parking area for drop-off and collection would help to reduce vehicle movements occurring close to the traffic-light-controlled junction.
- 6.23 Following extensive negotiations, a revised site plan was submitted showing two staff parking spaces, a parking space for people with disabilities, and the remaining area available for drop-off and collection for people who may find it harder to park further away in public car parks. This arrangement is supported by a Parking Allocation and Management Plan. Although the Highways Authority accepted the principle of this approach, it was noted that a disabled parking space is not normally required for a car park of this size, and that the current layout is somewhat constrained and does not

fully meet modern standards. However, improvements to the proposed layout can be secured through a pre-occupation condition.

- 6.24 Subject to these measures, it is considered that the proposal now adequately addresses the previous reason for refusal and would not give rise to an unacceptable impact on highway safety.

Flood Risk

- 6.25 Policy SP6 requires that on all development sites surface water will be managed in a sustainable manner through the use of Sustainable Drainage Methods (SuDS). It also requires that a Flood Risk Assessment (FRA) is submitted where a development is in an area of flood risk from any source of flooding. The policy says that development will only be supported if it is demonstrated that it is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms, and there are no suitable and available sites at a lower flood risk. The policy sets out when the sequential test should be applied. The policy sets out the criteria for development within areas at risk of flooding to meet.
- 6.26 The application site is within an area at risk of surface water flooding, and so a Flood Risk Assessment was submitted with the application following the initial consultation response from the Drainage Engineers. The sequential test does not apply to this application as it is proposing a change of use. The details submitted with the Flood Risk Assessment are considered to be acceptable, and the Drainage Engineers are satisfied with the detailed proposed. The proposal is considered to address the flood risk, and is considered to be acceptable.

7. Planning Balance and Conclusion

- 7.1 The application is proposing the change of use of an existing office building (Class E use) to a place of worship (Class F). The proposal will result in the loss of commercial floorspace within the Newbury Town Centre Commercial Area. Whilst the proposal will result in the loss of a modest amount of office space, there is an extant planning permission for the change of use, which will result in the loss of the office space, and so the principle of the loss of this office space has been accepted which limits the weight given to this loss, as the principle has been accepted. The proposal will provide improved community facilities as supported by Policy DM39, and this is given weight in favour of the application. The proposal has neutral impact on the character and appearance of the area, and the setting of the adjacent listed buildings, and the Conservation Area. The previous reasons for refusal with regards to the noise impact of the proposal have been overcome, through the submission of a noise impact assessment, and so with mitigation this is considered to accord with the relevant development plan policies. The previous reason for refusal due to the impact on the highway network has been overcome through the submission of a revised parking layout, and the Parking and Allocation Management Plan.
- 7.2 The proposal for the change of use of Pound Court to a place of worship is considered to accord with the policies of the development plan, when considered as a whole, and the advice contained within the NPPF.

8. Full Recommendation

- 8.1 To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1	<p>Commencement of development The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2	<p>Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Location and Block Plan Drawing Number PS001_01 received 5th February 2026; Existing/Proposed Elevations Drawing No 1089/01/04 received 16th July 2025; Existing/Proposed Floor Plans Drawing No 1089/01/103 received 16th July 2025; Noise Assessment prepared by DKN Acoustics reference 0577.1 rev1 dated July 2025 received 16th July 2025; and Parking and Allocation Management Plan dated February 2026 received 6th February 2026</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Parking Notwithstanding the submitted plans, the change of use shall not commence until a parking plan (including marking out of spaces for drop-off and collection) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring of vehicles at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, and Policies SP19 and DM44 of the West Berkshire Local Plan Review 2023-2041.</p>
4.	<p>External Amplification No external amplification shall be installed on the building and/or within the site.</p> <p>Reason: To prevent unacceptable levels of noise which would be detrimental to the living conditions of neighbouring residents. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p>
5	<p>Noise Mitigation Measures The good practice and control measure as detailed in the Noise Assessment prepared by DKN Acoustics reference 0577.1 rev1 dated July 2025 received 16th July 2025 shall be carried out in full.</p> <p>Reason: To prevent unacceptable levels of noise which would be detrimental to the living conditions of neighbouring residents. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p>

Informatives

1	<p>Proactive</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.</p>
2	<p>BIODIVERSITY NET GAIN</p> <p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and</p> <p>(b) the planning authority has approved the plan.</p> <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be West Berkshire District Council.</p> <p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.</p> <p>Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.</p> <p>EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS</p> <p>The following are the statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.</p> <ol style="list-style-type: none">1. The application for planning permission was made before 12 February 2024.2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

APPLICABLE EXEMPTION

The exemption that is considered to apply to this application is: Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

IRREPLACEABLE HABITAT

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

THE EFFECT OF SECTION 73D OF THE TOWN AND COUNTRY PLANNING ACT 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

PHASED DEVELOPMENT

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 would apply if the permission were subject to the biodiversity gain condition.

In summary: Biodiversity gain plans would be required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).