

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	26/00854/PIP Newbury	9 th June 2026 ¹	Erection of a minimum of 1 single storey dwelling and a maximum 1 single storey dwelling. Land To The Rear Of 13 Woodside Newbury Mr J Clarke
¹ Extension of time agreed with applicant until 25 th August 2026			

The application can be viewed on the Council's website at the following link:

<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=TDSLHDRD0MN00>

Recommendation Summary: To DELEGATE to the Development Manager to GRANT PERMISSION IN PRINCIPLE.

Ward Member(s): Councillor Adrian Abbs
Councillor Patrick Clark
Councillor David Marsh

Reason for Committee Determination: The Council has received in excess of 10 objections, and the officer recommendation is to approve.

Committee Site Visit: 13th August 2026

Contact Officer Details

Name: Jake Brown
Job Title: Principal Planning Officer
Tel No: 01635 519111
Email: jake.brown@westberks.gov.uk

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 'permission in principle' for a residential development for 1no. new detached dwellinghouse on land to the rear of 13 Woodside, Newbury.
- 1.3 The site comprises an existing access from Woodside to land that was previously occupied by 3 garages. The site also includes part of the existing rear garden to No. 13 Woodside. The site currently contains low level vegetation and evidence of clearance and levelling as a result of the removal of the garages. To the east, adjacent to the site, is an area of woodland covered by a Tree Preservation Order, beyond which are the residential properties fronting Woodridge. To the south-west is an area of overgrown vegetation and some trees.
- 1.4 To the north-west are the existing rear garden areas and dwelling fronting Woodside. To the north-east is the end of the rear garden serving No. 12 Woodside.
- 1.5 In the immediate area there are semi-detached and terraced two storey dwellings.
- 1.6 The indicative layout indicates that 1no. single storey detached dwelling would be located within the site. The existing access for cars to the garages that previously existed would be used to provide access to the dwelling proposed.
- 1.7 The application site is located within the settlement boundary of Newbury and in Flood Zone 1. An area at risk of surface water flooding is identified along the access road.
- 1.8 The Town and Country Planning (Permission in Principle) Order 2017 (as amended) provides for an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle and the second (technical details consent) stage is when the detailed development proposals are assessed. This proposal relates to the first stage (permission in principle stage) for a residential development of 1no. dwelling.
- 1.9 The scope of permission in principle is limited to the consideration of location, land use and amount of development. Issues beyond these 'in principle' matters (such as dwelling design, access arrangement, tree impact and drainage etc.) should not be considered at the permission in principle stage. Such matters would be considered at the technical details consent ("Details") stage should this permission in principle application be approved.
- 1.10 In terms of the location, use and amount of development that is considered as part of this application, the following details are relevant:
 - Location: Land to the rear of 13 Woodside, Newbury.
 - Land use: Use Class C3, dwellinghouse.
 - Amount: 1no. dwelling house.

2. Planning History

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

Application	Proposal	Decision / Date
74/00946/ADD	To provide 7 no garages at existing site	05/06/1974

2.2 The above application was for the existing 3 garages to be removed and the erection of 7 garages. The applicant contends that the existing 3 garages at that time were removed but only 3 of the 7 garages approved were built.

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 28 May 2026 attached to the fence post at the front of No.13 Woodside, directly adjacent to the public footpath, with a deadline for representations of 18 June 2026. Notification letters were sent to 12-15 Woodside, 11-12 Woodridge and La Redoute, Woodridge.

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. The table below identified the relevant local financial considerations for this proposal.

Consideration	Applicable to proposal	Material to decision	Refer to paragraph(s)
Community Infrastructure Levy (CIL)	Yes	No	3.4
New Homes Bonus	Yes	No	3.5
Affordable Housing	No	No	
Public Open Space or Play Areas	No	No	
Developer Contributions (S106)	No	No	
Job Creation	No	No	

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 **New Homes Bonus (NHB):** New Homes Bonus payments recognise the efforts made by authorities to bring residential development forward. NHB money will be material to the planning application when it is reinvested in the local areas in which the developments generating the money are to be located, or when it is used for specific projects or infrastructure items which are likely to affect the operation or impacts of those developments. NHB is not considered to be a relevant material consideration in this instance but can be noted for information.
- 3.6 **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.
- 3.7 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.
- 3.8 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.
- 3.9 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

- 3.10 **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.
- 3.11 It is acknowledged that there are certain properties where there may be some impact (this can be mitigated by conditions where relevant). However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the district and wider area and is proportionate given the overall benefits of the scheme in terms of provision of one dwelling.
- 3.12 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.

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:	Objection - On the grounds that the PROW issue should be resolved prior to a decision being made, and due to concerns regarding overdevelopment.
Highways:	The site lies within parking Zone 2, where a 2-bed requires two parking spaces and a 3 or 4-bedroom dwelling requires three off-street parking spaces. Each space should measure 2.4m x 5.0m when positioned in front of a garage, or 2.4m x 4.8m elsewhere. The block plan shows provision for only two driveway parking spaces, which is below the requirement for a 3-bed and would typically be appropriate for a 2-bedroom property. Please submit amended plans to demonstrate provision of three driveway parking spaces, together with adequate turning space within the site to enable vehicles to exit in a forward gear. In addition, the plans must show the retained parking provision for the existing dwelling. The proposed new dwelling must also incorporate an electric vehicle charging point.
Tree Officer:	The location for the proposed 1 storey dwelling is close to TPO 201/21/0478, however there is currently a concrete slab here and the difference in ground levels makes it unlikely that the RPAs of this TPO will be affected. To the southwest of the site the woodland

	continues, and while this section of woodland is not protected by 201/21/0478, works may impact the RPA here. The proposal is agreeable if adequate protective measures are put in place and possibly with the use of specialist material. An Arboricultural Method Statement would be required to highlight what is suitable for the site. I believe the landowner is aware of this being necessary.
Lead Local Flood Authority:	The access to the site is located within a surface water flow route and therefore the application would need to be supported by a Flood Risk Assessment.
Waste Services:	The addition of a further dwelling in this location raises no concerns with regard to the storage and collection of waste and recycling it should be noted that the proposed dwelling is set much further back from the public highway than the existing dwellings and the waste and recycling will need to be presented on Woodside for collection. This can cause issues for elderly or disabled residents and flat level access to manoeuvre bins is requested.
Archaeologist:	No objections.
Thames Water:	No response received.

Public representations

- 4.2 Representations have been received from 19 contributors, all of which 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:
- Inappropriate backland development that is out of keeping with the established character of Woodside.
 - Visually incongruous and harmful to the character of the neighbourhood.
 - Significant loss of privacy, overlooking, tranquillity and light for neighbouring properties.
 - Impact on views from neighbouring properties.
 - Would diminish the rural-edge feel of the surroundings.
 - Harm to amenity of neighbouring properties due to noise and disturbance.
 - Highway safety and clear risk of conflict between construction traffic, future residents, and existing users of the footpath due to lack of visibility and conflict between pedestrians and vehicles along access road.
 - Does not demonstrate that a safe and appropriate access arrangement can be achieved without creating visibility issues or adding pressure to Woodside, which is already limited in width.
 - Drainage concerns due to loss of permeable area.
 - Lack of drainage strategy.
 - Impact on biodiversity and loss of habitat.
 - PIP should not be granted until active application for public right of way is determined.
 - Impact and loss of trees including protected trees due to groundworks.

- Japanese Knotweed growing very close to the site, despite previous treatment by WBC.
- Adjacent trees will damage proposed dwelling and cars and are protected.
- Risk of destabilising ground which is sloped and resultant impact on trees or land slippage.
- Tree information provided is inaccurate.
- Unsustainable location for a dwelling.
- Site is elevated furthering impact on neighbouring properties.
- Loss of natural nature corridor.
- Lack of consultation or engagement with neighbours and local community.
- No identified shortfall in housing supply in West Berkshire that would elevate the weight to be attached to this proposal's contribution of a single dwelling above the weight properly attributable to the development plan policies with which it conflicts.
- Proposal conflicts with the density requirements of Policy SP1.
- Inefficient use of a constrained site in a location where the minimum density standard cannot be achieved.
- Principle of development on this site is not supported by the development plan.
- There is no housing land supply justification capable of overriding the conflict with adopted policy.
- Out of keeping with the established character and pattern of development in this part of Newbury.
- Development would function as an isolated plot with no meaningful connection to the residential neighbourhood it purports to form part of.
- The proposed dwelling would be contrary to the grain of the surrounding development, with no meaningful relationship either to the public highway or to the frontages of the properties that adjoin it.
- Introduction of a new residential curtilage would be incongruous with the scale and arrangement of the surrounding plots.
- Inappropriate and visually intrusive form of backland development that fails to integrate with the established urban grain and plot structure of the surrounding area.
- Contrary to Policies SP1, SP7, SP19, DM15, DM30, DM42.
- Garages have not been present for over 25 years and access road not used for over 25 years and was not designed to accommodate modern traffic, service vehicles, or construction machinery.
- Access road used regularly by pedestrians, including school children.
- Proposed residential dwelling would materially alter the character and frequency of movements along the access road.
- Need to establish impact on protected trees at this stage.
- Known issue with surface water runoff down access road.
- Adequate access by emergency vehicles cannot be achieved.
- Would result in overdevelopment of the site.
- The introduction of vehicle exhausts and sustained engine noise into a quiet, restricted lane will cause severe noise and air pollution.
- Lack of site notice publicising the application.
- Lack of amenity/garden area for proposed dwelling.
- Parking in the area already limited.

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 Document	Plan	Relevant Policies
<u>West Berkshire Local Plan Review 2023-2041</u>		Strategic Policies • Policy SP1 The Spatial Strategy • Policy SP3 Settlement Hierarchy • Policy SP5 Responding to Climate Change • Policy SP6 Flood Risk • Policy SP7 Design Quality • Policy SP8 Landscape Character • Policy SP10 Green Infrastructure • Policy SP11 Biodiversity & Geodiversity • Policy SP12 Approach to Housing Delivery • Policy SP15 Housing Type & Mix • Policy SP19 Transport • Policy SP20 Infrastructure Requirements & Delivery Development Management Policies • Policy DM3 Health & Wellbeing • Policy DM4 Building Sustainable Homes & Businesses • Policy DM5 Environmental Nuisance & Pollution Control • Policy DM6 Water Quality • Policy DM7 Water Resources & Waste Water • Policy DM8 Air Quality • Policy DM14 Assets of Archaeological Importance • Policy DM15 Trees, Woodland & Hedgerows • Policy DM18 Self and Custom-Build Housing • Policy DM30 Residential Amenity • 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)

6. Appraisal

'Permission in Principle' Scope

- 6.1 In accordance with Paragraph 012 of the Planning Practice Guidance, the scope of this 'permission in principle' application is focussed on whether the proposed location, land use and amount of development is acceptable. It therefore needs to be determined whether the proposed land use (C3 dwelling house) and the amount of development (1 dwelling house) is appropriate in this location. All matters relating to design, layout, scale, access, impact on neighbours, trees, drainage, biodiversity, and technical constraints are not relevant to this application and are expressly reserved for determination at the Technical Details Consent (TDC) stage if permission in principle is granted.

"Location"

- 6.2 According to policy SP12, new homes will be located in accordance with policies SP1 and SP3.
- 6.3 Policy SP1 sets out the Spatial Strategy for the district which includes support for development and redevelopment within settlement boundaries as defined in Policy SP3. Policy SP3 defines Newbury as an urban area which will be the prime focus for housing and economic development, offering development potential through:
- a. Regeneration and change in the existing built-up area including the redevelopment of suitable previously developed sites for both housing and employment purposes;
 - b. Strategic and non-strategic sites allocated for housing and economic development through other policies in the LPR and/or neighbourhood plans;
 - c. The retention of the individual identity of adjacent settlements; and
 - d. The necessary supporting infrastructure.
- 6.4 Therefore, given the site's location within a sustainable and accessible settlement, it is considered that the location and use of the site for a C3 dwelling house would be acceptable in principle.

"Use"

- 6.5 The proposed land use is residential, which is consistent with both the surrounding character of the area and the objectives of the Local Plan Review to deliver new housing within sustainable locations.
- 6.6 Policy SP12 (Approach to Housing Delivery) supports the delivery of new homes within settlement boundaries, including small scale residential development, where such development accords with the spatial strategy and development management policies.
- 6.7 The proposed dwelling would be accessed using an existing lane from Woodside that originally served the garages on the site. As such, no new access is required for the proposed dwelling.
- 6.8 A number of representations have raised concerns regarding increased traffic generation, parking pressures and highway safety within Woodside. These concerns have been taken into account. The proposal, however, relates to a net increase of a single dwelling only. In assessing this application, the determining issue is whether there

is any fundamental highway constraint that would render the site unsuitable for residential development in principle, rather than whether all detailed highway design matters have been resolved.

- 6.9 The site is located within an established residential area where residential development is the prevailing land use. There is no evidence before the Local Planning Authority that the development of a single dwelling would result in severe impacts upon the operation of the local highway network or that safe access could not, in principle, be achieved. Furthermore, the consultation of the Local Highway Authority has not raised any objections in respect of highway safety or impact on the local highway network.
- 6.10 Matters such as the detailed design of vehicle parking, turning provision, refuse collection arrangements, visibility splays and any supporting technical highway information can be fully assessed at the Technical Details Consent stage should Permission in Principle be granted.
- 6.11 Representations received advise that an application to form a public right of way along the access road which would then turn southeast and travel to Pond Close within land outside of the application site has been submitted, and that this planning application should not be determined until the public right of way matter has been resolved.
- 6.12 At the time of writing this report, a public right of way has not been adopted. In any event, the access is existing and vehicle movements associated with one dwelling would be limited and not considered to represent a fundamental issue for the use of the site. Furthermore, more detailed highway matters - such as visibility splays, internal road layouts, construction access and traffic management, and parking arrangements - would be dealt with later at the Technical Details Consent stage.
- 6.13 In addition, concerns have been raised regarding access for emergency vehicles. The application is submitted in Permission in Principle form, where consideration is limited to the location, land use and amount of development proposed. The site benefits from an existing vehicular access route and there is no substantive evidence before the Local Planning Authority to demonstrate that emergency vehicles could not reasonably access the site in principle. Any detailed requirements relating to the specification, width, construction or operation of the access for emergency service vehicles would be capable of assessment at the Technical Details Consent stage. Accordingly, it is not considered that emergency vehicle access presents a fundamental constraint such that the site should be regarded as unsuitable for residential development in principle.
- 6.14 Therefore, at the Permission in Principle stage, there is no policy objection to residential use on this site.

“Amount”

- 6.15 The application seeks Permission in Principle for:
- a minimum of 1 dwelling, and
 - a maximum of 1 dwelling, restricted to single storey form.
- 6.16 The proposal would introduce a single dwelling within an established residential area. Whilst concerns have been raised regarding the loss of openness and the effect of backland development on the character of the area, the application is made in Permission in Principle form where consideration is limited to the location, land use and amount of development proposed. The erection of one single storey dwelling would represent a modest increase in the density of development and would not, by reason of its scale alone, result in a form of development that would fundamentally conflict with,

or harm, the established residential character of the area. Any visual effect as a result of the single storey dwelling would be minimal and very localised.

- 6.17 Whilst concerns have been raised regarding the erosion of openness and the introduction of development within an area presently free from built form (albeit previously occupied by garages some time ago), the application seeks Permission in Principle for only one dwelling. The proposal would constitute a modest intensification within an established residential area. Although some reduction in openness would occur, it is not considered that the amount of development proposed would fundamentally undermine the prevailing character of the locality or result in an unacceptable departure from the established pattern of development in principle. Detailed considerations relating to design, layout, landscaping and appearance would be assessed at the Technical Details Consent stage. Accordingly, the site is considered capable of accommodating the proposed amount of development without causing unacceptable harm to the character of the area in principle.
- 6.18 It is acknowledged that the site is adjacent to a woodland area covered by a Tree Preservation Order. However, as confirmed by the Tree Officer, it is considered that the site is large enough to accommodate the proposed amount of development whilst ensuring that the trees are adequately protected. Such matters would be dealt at the Technical Details Consent stage.
- 6.19 While detailed matters including layout and design will need to satisfy Policy SP7 (Design Quality) and other applicable policies at the Technical Details Consent stage, the amount of development proposed is acceptable in principle.

Representations

- 6.20 Many representations received raise issues such as impact on drainage, neighbouring amenity, trees, biodiversity, visibility splays, construction access and traffic management, and parking arrangements which all relate to matters that would be dealt with at the Technical Details Consent stage, should Permission in Principle be granted
- 6.21 The granting of this Permission in Principle does not imply that Technical Details Consent will be forthcoming.

Conditions

- 6.22 The PPG makes it clear that it is not possible for conditions to be attached to a grant of permission in principle, whose terms may only include the site location, type, and amount of development.
- 6.23 Where permission in principle is granted by application, the default duration of that permission is three years, and there is no justification to vary this.

7. Planning Balance and Conclusion

- 7.1 At Permission in Principle stage, the assessment is limited by legislation. The proposal relates to a site within a sustainable settlement, seeks an appropriate residential use, and proposes a modest and clearly defined amount of development.
- 7.2 Having regard to the adopted West Berkshire Local Plan Review (2023–2041) and the matters that can lawfully be considered at this stage, it is concluded that there are no in principle objections to the proposed development.

8. Full Recommendation

8.1 To DELEGATE to the Development Manager to GRANT PERMISSION IN PRINCIPLE.

Informatives

1	3 years This permission in principle is granted by application, the default duration of this permission is 3 years from the date of this consent.
2	Positive Decision making 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 which improves the economic, social and environmental conditions of the area.
3	CIL Liable The development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and thus a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable, if applicable, will be sent out separately from this Decision Notice. It is your responsibility to contact the CIL Team as soon as possible to confirm whether the development is CIL liable. If subsequently confirmed as CIL liable, you are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit a Commencement Notice will affect any exemptions claimed, including the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil