

EAGLE QUARTER II NEWBURY

PLANNING STATEMENT

September 2023

LOCHAILORT

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Appendix 1: Appeal Scheme and Current Scheme View Comparison

1.0 Executive Summary

- 1.1 This Planning Statement has been prepared by Lochailort Newbury Ltd, the applicant, to support a full planning application for the redevelopment of The Kennet Centre, located on Market Street, Bartholomew Street, Market Place, and Cheap Street, Newbury, RG14 5EN ("the Site"), submitted to West Berkshire Council ("WBC" or "the Council").
- 1.2 The planning application seeks:
- "Full planning permission for the redevelopment of the Kennet Centre comprising the partial demolition of the existing building on site and the development of new residential dwellings (Use Class C3) and residents' ancillary facilities; commercial, business and service floorspace including office (Class E (a, b, c, d, e, f, and g)); access, parking, and cycle parking; landscaping and open space; sustainable energy installations; associated works, and alterations to the retained Vue Cinema and multi storey car park."*
- 1.3 The proposal will deliver 426 new build to rent homes (including 19 affordable discount market rent units subject to viability) and approximately 3,116.87 sqm of new Use Class E floorspace which, alongside the existing retained Class E floorspace including the retained cinema and restaurants on site (5,068.96 sqm), amounts to 8,185.83 sqm of Class E floorspace. The new Class E floorspace comprises, new retail and commercial spaces for independent shops, cafes, and floorspace. In addition, the proposals incorporate significant new areas of public realm, and amenity space for the residential accommodation.
- 1.4 The site currently comprises the Kennet shopping centre, built in the 1970's it is in a state of decline and is considered to be failing as a shopping centre and in need of significant investment and repurposing. The proposed development involves the demolition of the majority of the centre with the exception of the Vue cinema block and multi-storey car park.
- 1.5 The proposal is for the construction of new buildings that have been sensitively designed through a collaborative process between Collado Collins architects and Robert Adams to take account of the site's context within the historic Newbury town centre and conservation area and in close proximity to a number of listed buildings. The scheme will open up the site increasing legibility through the provision of new pedestrian routes to link the railway station and new development to the south with the remainder of the town centre.
- 1.6 The proposals are in accordance with the policies in the development plan and the national planning policy in the National Planning Policy Framework and the National Design Guidance.
- 1.7 The proposals have been developed following significant pre-application consultation with West Berkshire Council officers in respect of amendments to the overall height, scale and massing of the development as well as matters agreed through the (now withdrawn) appeal process (appeal reference APP/W0340/W/23/3321517).
- 1.8 The matters agreed are discussed in detail in the below sections and comprise:
- Reduction in height of Blocks A and B by 2 storeys;
 - Reduction in height of Block E by 1 storey;

- Removal of office floorspace (or 91 retirement homes option) in Block S and its replacement with residential accommodation.
- The addition of a side return wing of development at Block S;
- Acceptable level of amenity space in the sustainable central location;
- Appropriate off-site contribution to be agreed for public open space;
- The Sequential Test and Exceptions Test have been passed for the site;
- The proposal for build to rent and the mix of units is acceptable; and
- The proposed trip generation methodology is acceptable, as is the “dual use” of parking spaces provided.

1.9 The proposed scheme comprises 426 residential build to rent units. The previous application was originally for 402 units and following amendments was refused on the basis of 367. The number of units has increased, despite the reduction in heights as a result of the new residential floorspace in Block S where previously this was office floorspace.

1.10 The scheme will result in a significant number of economic, environmental, and social planning benefits to existing and future local businesses and residents, visitors and the vitality of the town centre as follows:

Economic benefits

- The Kennet Centre is no longer fit for purpose and its comprehensive regeneration will provide a catalyst with wider regeneration benefits to the town centre.
- The rejuvenation and regeneration of Newbury Town Centre creating an expanded retail offer to attract more visitors to the town centre increasing footfall benefiting the wider town centre.
- The creation of a new mixed-use quarter that will enhance the attractiveness of Newbury Town Centre as a destination, with new spaces for local, independent and artisan businesses that will help enhance Newbury's unique and special identity as a market town.
- New bespoke commercial units targeted to local, independent and artisan businesses offered on flexible size, terms and uses that will invigorate the retail and leisure offering in this part of the town centre, without prejudicing the viability of other retail offerings such as that at Parkway.
- The introduction of sustainable new homes in the town centre that will increase the population of the town centre and footfall increasing the vitality and viability of the town centre and the patronage of existing shops, services and businesses.
- The provision of new housing, workspace, health centre and retail floorspace for local and independent retailers.
- The provision of flexible workspaces.
- Retention and improvement of the Vue cinema and leisure facilities.

- The creation of 360 FTE jobs during the construction process and 134 net additional FTE jobs once the development is operational.
- Additional expenditure arising from 426 new build to rent households amounting to £7.5m per annum.
- £340.8m if indirect and induced economic impacts resulting from the construction process and circa £43.2m in additional tax receipts.
- New Homes Bonus to the Council and S106 and CIL payments to WBC.

Environmental benefits

- A reduction in carbon emissions when compared to the existing Kennet Centre by circa 90%.
- The redevelopment of the site and provision of new homes, retail units and office space in a highly sustainable location.
- The effective and optimal use of a brownfield site.
- Design of the highest quality, reflecting the historic centre of Newbury as well as creating a contemporary heart to the scheme.
- The provision of new high quality public squares and spaces.
- A significant enhancement to the setting of the listed buildings adjacent to and in the vicinity of the site.
- A significant enhancement to the character of the Newbury Town Conservation Area.
- Enhanced landscaping through the provision of new trees and shrubs assisting with the greening of the town centre.
- Biodiversity enhancements and gain.
- The provision of renewable energy through ground source heat pumps to provide hot water, heating and cooling without the use of any on-site fossil fuels,.
- The re-use and enhancement of the existing Multi-Storey Car Park on site including incorporating EVCPs.
- A total of 53 electric vehicle charging points provided in the MSCP and undercroft parking.
- An on-site car club (with 3 new car club spaces) that will provide flexible transport options to complement the scheme's close proximity to Newbury's railway station and bus station.
- On site cycle hire and workshop to encourage residents to cycle.
- Traffic free routes and spaces creating new links for the surrounding area.
- Co-working spaces and on-site residents amenity reducing the need for new residents to travel.
- A new direct pedestrian route from the town centre and bus station to the railway station through the site making sustainable modes more attractive.

- A Library of Things to enable the re-use of everyday items.

Social benefits

- The creation of a new mixed-use community.
- The provision of new high-quality Build-to-Rent residential units providing long term secure tenancies and high-quality residents facilities and amenities in this sustainable location.
- The provision of new affordable homes.
- Increase in jobs in the town centre.
- Purposely designed accommodation opportunities for new local startups and social enterprises.
- New public open space, performing areas, outdoor seating and regenerated environment.
- An enhanced leisure offering.
- Potential space for a new GP health centre.
- Payments for local infrastructure through the Community Infrastructure Levy and S106.

1.11 The applicant respectfully requests that the application is approved.

2.0 Introduction

2.1 This Planning Statement has been prepared by Lochailort Newbury Ltd, the applicant, to support the proposals for the redevelopment of The Kennet Centre, located on Market Street, Bartholomew Street, Market Place, and Cheap Street, Newbury, RG14 5EN (“the Site”), submitted to West Berkshire Council (“WBC” or “the Council”). The location of the Site (outlined in red) is shown in Figure 1 below.

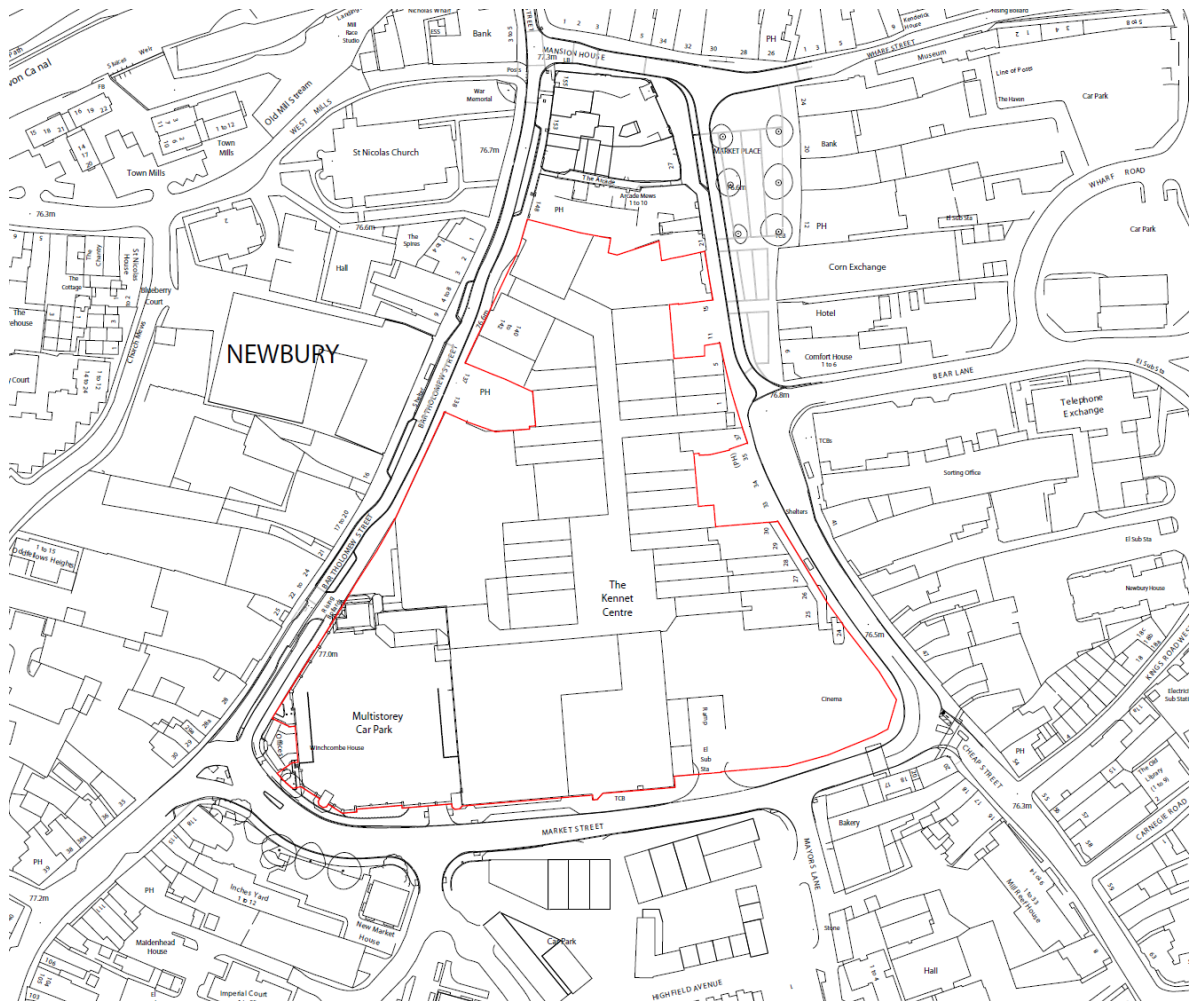


Figure 1: Site Location Plan

2.2 The planning application seeks:

“Full planning permission for the redevelopment of the Kennet Centre comprising the partial demolition of the existing building on site and the development of new residential dwellings (Use Class C3) and residents’ ancillary facilities; commercial, business and service floorspace including office (Class E (a, b, c, d, e, f, and g)); access, parking, and cycle parking; landscaping and open space; sustainable energy installations; associated works, and alterations to the retained Vue Cinema and multi storey car park.”

- 2.3 The proposal will deliver 426 new build to rent homes and approximately 3,116.87 sqm of Use Class E floorspace alongside significant new areas of public realm, new retail and commercial spaces for independent shops, cafes, and restaurants as well as office and commercial space.
- 2.4 The site is located in the centre of Newbury and currently forms one of two purpose-built shopping centres in the town. The existing shopping centre has suffered a gradual period of decline as a result of the redevelopment and newer retail centres in the town, changes in the pattern of retail including online shopping and more recently the COVID-19 pandemic. The Kennet Centre is now in need of significant investment and repurposing.
- 2.5 The scheme has been subject to significant discussions with WBC, Members, Newbury Town Council and the Newbury Society resulting in this new planning application. The scheme has evolved through a thorough and detailed understanding of the character of the town centre, appreciating its important heritage while creating a new quarter which will create activity and life into this neglected part of the town centre. Consequently, the scheme will deliver transformative improvements to Newbury Town Centre, removing the dated and unsightly shopping centre and replacing it with high quality and sustainable design that greatly enhances and complements the character of the surrounding area.
- 2.6 Regeneration benefits will include increasing the population in the town centre and hence footfall, increasing the vibrancy of the centre and local expenditure. Improvements to public realm will be made with an increase in planting and landscaping across the site, contributing to what will be a highly sustainable scheme while the proposed development will create an attractive built environment which complements and enhances the surrounding townscape.
- 2.7 This planning statement demonstrates how the proposal is consistent with local and national planning policy.
- 2.8 The redevelopment of the Kennet Centre will result in significant economic, environmental and social benefits to Newbury town centre, existing and new businesses and residents and the wider community.
- 2.9 This proposals for the redevelopment of the Kennet Centre are supported by the following documents:
- Air Quality Assessment;
 - Asbestos Report;
 - Archaeological Desk-Based Assessment.
 - BREEAM Pre-Assessment;
 - Daylight and Sunlight Assessment;
 - Design and Access Statement;
 - Economic Impact Statement;
 - Energy and Sustainability Report;
 - Ecology Report;

- Flood Risk Assessment;
- Flood Risk Sequential Test Report;
- Framework Servicing Management Plan;
- Fire Statement;
- Ground Investigation Report;
- Health and Wellbeing Statement;
- HTVIA;
- Landscape DAS;
- Noise Assessment;
- Retail Demand Report;
- Servicing Management Plan;
- Statement of Community Involvement
- Transport Statement;
- Travel Plan;
- Verified Views.

2.10 Structure of the planning statement:

- **Section 3** provides a description of the Site and Surrounding Area;
- **Section 4** sets out the history of Kennet Centre;
- **Section 5** sets out planning history and pre-application engagement for the application;
- **Section 6** summarises the development proposal;
- **Section 7** describes and explains the benefits of Build to Rent;
- **Section 8** outlines the planning policy framework;
- **Sections 9 to 22** justify the proposed development against the relevant planning policy and material considerations;
- **Section 23** provides our conclusions with respect to the acceptability of the development proposal and outlines the significant economic, environmental and social planning benefits of the scheme.

3.0 Site and Surrounding Area

- 3.1 The site falls within the administrative area of West Berkshire Council (WBC) and is located within the centre of Newbury. It comprises a purpose built 1970s shopping centre with associated car parking in a multistorey car park and is trapezoidal in shape adjoining Market Street to the south, Bartholomew Street to the west, and Market Place and Cheap Street to the east (Figure 2). The northernmost part of the Site lies adjacent to other shops and Newbury Town Hall on Mansion House Street.



Figure 2: Aerial Photograph of Site

- 3.2 The site extends to approximately 2.2 hectares in size. The centre comprises the main shopping mall which is accessed from both Bartholomew Street and Market Place/ Cheap Street and consists of a number of retail units within a covered walkway. North of the shopping centre are a number of commercial and office units with associated parking and delivery facilities on the roof, accessed from a ramp via Market Street. This part of the site is to be demolished in its entirety.
- 3.3 The south-eastern part of the shopping centre comprises a later addition to the shopping centre which incorporates the Vue cinema at first and second floor with restaurant uses at ground level. This part of the Kennet Centre is accessed via Market Street and Cheap Street and includes a link to the main shopping mall. This part of the building is to be retained.
- 3.4 A multi-storey car park (MSCP) is located on the southwest corner of the Site. This is currently operated by WBC and is to be retained.

3.5 Figure 3 below shows the parts of the Site which are to be retained in blue.



Figure 3: Map showing buildings to be retained in blue

- 3.6 The site boundary excludes several existing Grade II listed buildings including Catherine Wheel Inn, The Newbury, 33-34 Cheap Street and 11-15 Market Place.
- 3.7 The site presents as a mass of building with much of the outer facing facades offering very little by way of quality for the streetscape of Newbury. The site has poor legibility with the only permeability being internal via the main retail mall. This route is only accessible during the opening hours of the mall and as such, the site is entirely impermeable between 6pm and 8am on a daily basis.
- 3.8 Further details of the existing site including photographs are included within the Design and Access Statement (DAS).

Surrounding Area

- 3.9 The surrounding area is predominantly characterised by retail uses, cafes, pubs, restaurants and other commercial uses. The Grade I listed St Nicholas Church is to the north west of the site and further to the north beyond the Kennet and Avon Canal is the Parkway shopping centre. West Berkshire District Council offices are sited to the south of the site off Market Street along with a

recently completed residential development by Grainger of 232 homes across six blocks up to six storeys in height, with Newbury Railway Station directly behind.

- 3.10 The Site is located in a highly sustainable location being located within a 2-minute walk from Newbury Railway Station, serviced by Great Western Railway, providing frequent and direct services to London Paddington (40-minute journey) and Reading (15-minute journey), along with other places such as Paignton, Bedwyn, and Exeter St Davids.
- 3.11 There are a number of bus stops directly adjacent to the Site including stops on Market Street and Cheap Street, and bus station within a 5 minute walk of the site, providing access to Greenham Common, Greenham Business Park, Vodafone HQ, Burghclere Common, Basingstoke and Hungerford. In addition to the range of public transport options available to the site, it is within an area accessible to a range of services, promoting walking and cycling as forms of transport and reducing the need and dependency for private vehicle.
- 3.12 Further details of the surrounding area including the architectural context of Newbury and photographs of the surrounding area are provided in the DAS.

Planning Designations

- 3.13 According to the adopted Core Strategy Policy Map (2012) (Figure 4), the Site is subject to the following planning designations:
- Newbury Settlement Boundary;
 - Conservation Area (Newbury Town Centre);
 - Town Centre Commercial Area: Newbury TC;
 - Drift Geology: Valley Gravel;
 - Landscape Character Assessment: Urban; and
 - Primary Shopping Frontages.

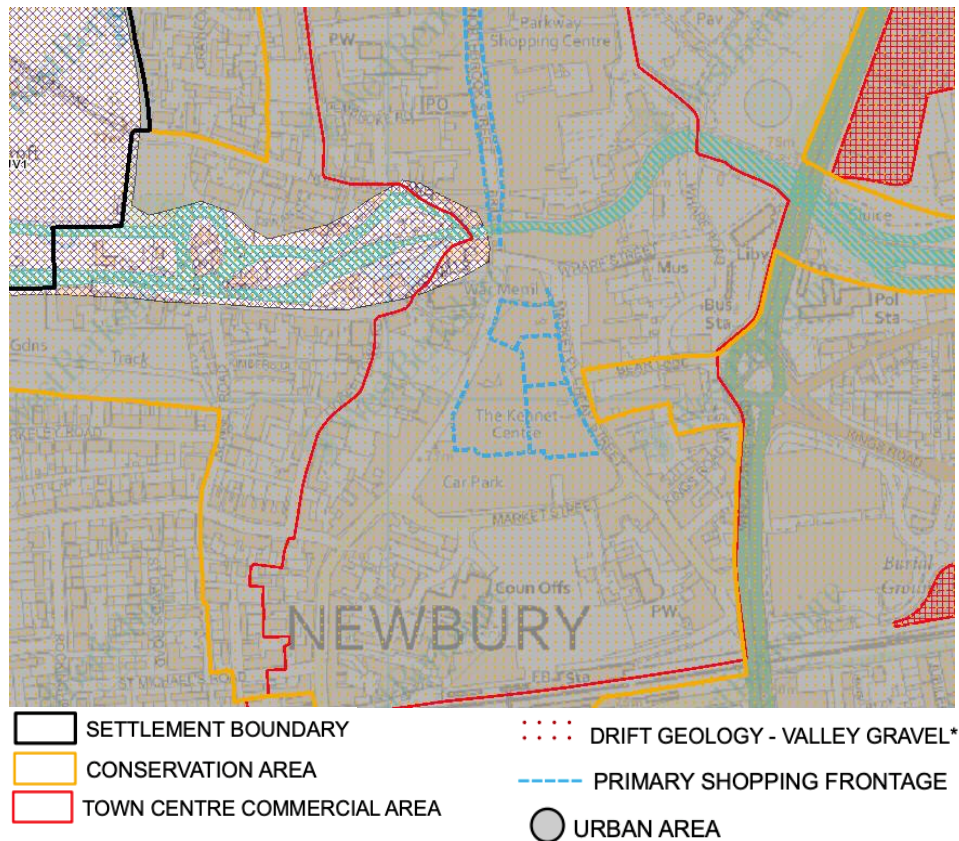


Figure 4: Extract of Core Strategy Policy Map (2012)

3.14 The site is located within Newbury Town Centre Conservation Area and there are a number of listed buildings that adjoin or are within close proximity to the Site as shown in Figure 5. A list of the buildings immediately adjacent to the site below with further details provided in the DAS and the Heritage Report:

- Bricklayers Arms (now named The Newbury) (Grade II Listed);
- 149 Bartholomew Street (Grade II Listed);
- 150 and 151 Bartholomew Street (Grade II Listed);
- 152 and 153 Bartholomew Street (Grade II Listed);
- 154 Bartholomew Street (Grade II Listed);
- Town Hall and Municipal Buildings (Grade II Listed);
- 27 Market Place (Grade II Listed);
- 21-25 Market Place (Grade II Listed);
- Catherine Wheel Inn (Grade II Listed);

- 33 and 34 Cheap Street (Grade II Listed);
- 16, 17, 28A, 29A and 29 Bartholomew Street (Grade II Listed);
- 28 Bartholomew Street (Grade II* Listed);
- South Gateway to Churchyard of St Nicholas' Church adjoining Bartholomew Street (Grade II* Listed);
- Parish Church of St Nicholas (Grade I Listed);
- 24 Market Place (Grade II Listed);
- The Hatchet (Grade II Listed);
- Corn Exchange (Grade II Listed);
- Queen's Hotel (Grade II Listed);
- Newbury Post Office (Grade II Listed); and
- 41, 48, 49 & 50 Cheap Street (Grade II Listed).



Figure 5: Extract from Historic England Map showing statutorily listed buildings

- 3.15 Parts of the site are within Flood Zone 2 as shown in Figure 6 below with further details provided in the Flood Risk Assessment that accompanies the planning application.

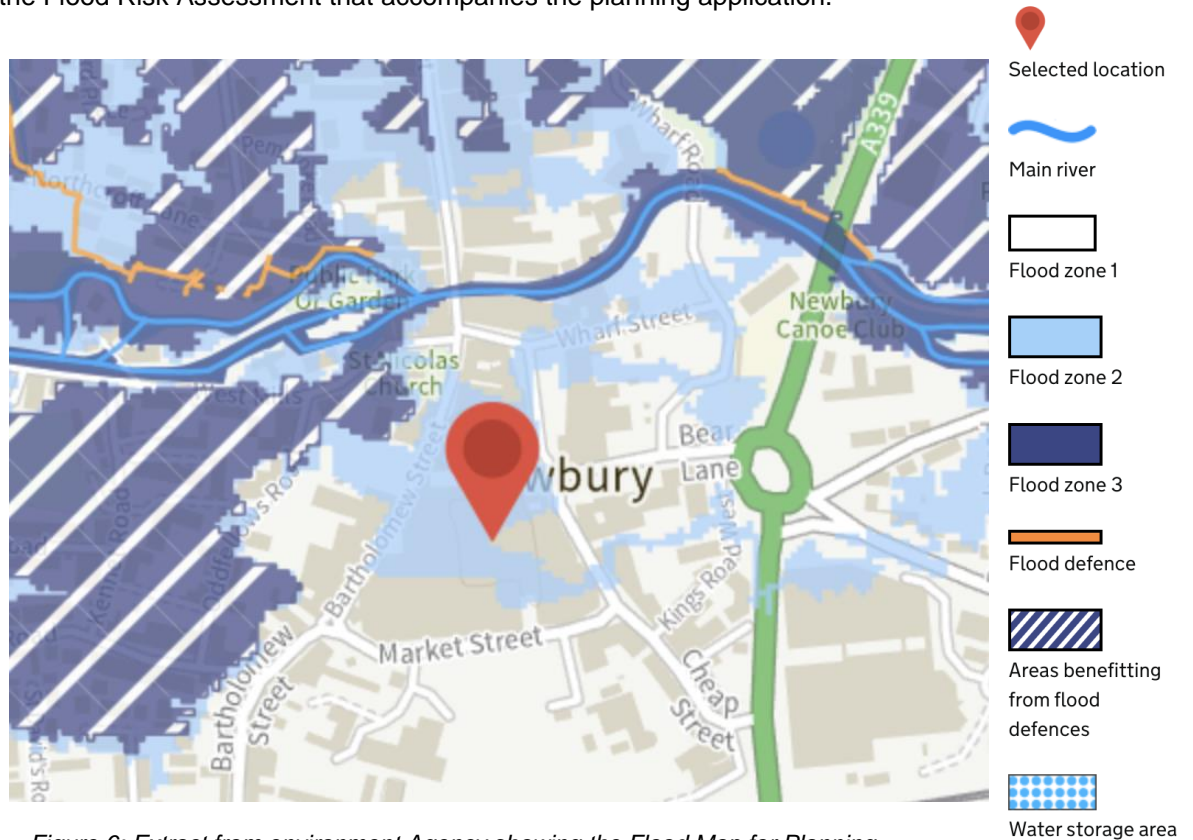


Figure 6: Extract from environment Agency showing the Flood Map for Planning

Summary

- 3.16 The site is located in Newbury Town Centre in a highly sustainable location in close proximity to Newbury railway station, bus stops with local bus services and a number of shops, cafes, restaurants, public houses, offices and other commercial buildings.
- 3.17 The existing shopping centre is outdated and in need of significant investment and repurposing. As such the centre is unattractive to new retailers.
- 3.18 The site is also within the Newbury Town Centre Conservation Area with a number of listed buildings either immediately adjoining the site or in close proximity resulting in a requirement for new development to conserve and enhance the setting of these listed buildings and have regard to the character of the conservation area.

4.0 History of Kennet Centre

200 years of industrial usage

- 4.1 The land had been in industrial uses for a significant extended period, which is explored in detail in the ***Heritage Assessment*** that accompanies the application. Towards the end of the 18th century (c.1790) a millwright and architectural engineer named William Plenty opened an agricultural engineering works on the site at Cheap Street, which by 1830 was known as the *Plenty Eagle Iron Works*. It is from this industrial heritage that the name *Eagle Quarter* derives. The iron works was famous for its lifeboats and marine engines and operated from the site for well over 200 years before it finally moved to more modern premises on Hambridge Road in 1965.

50 years as a shopping centre

- 4.2 In the 1960s an initial scheme to construct a new shopping centre on the area between Bartholomew Street, Cheap Street and Market Place in Newbury town centre was proposed, to be completed in several phases. In 1966 land that had formerly been the site of Plenty and Sons and Nias Ltd was sold to Ravenseft Properties Ltd for a comprehensive shopping centre redevelopment. Most of the older buildings on the Kennet site, including the Plenty & Sons Eagle Iron Works, were demolished at this time to make way for the new development.
- 4.3 Initially only a temporary car park was created while plans for the wider site were drawn up and approved. By 1974 the first stage of the work to create a supermarket, bank and around 20 other shops were completed.
- 4.4 The second phase of the work to construct an additional 26 shops and a department store in a 2-storey building suffered many years of delays as Ravenseft Properties felt the scheme was “not viable...because building costs far exceed the projected rental value of the sites”. By 1977 the area was dubbed the “*Mall Shopping Precinct*” and buildings were still being demolished on the site, creating an “unsightly waste area”.
- 4.5 In 1982 work on Phase II of the scheme commenced, doubling the size of the existing shopping centre (by then renamed the *Kennet Centre*) and to create covered malls that we see today.
- 4.6 In 1984 plans were approved by the Local Authority for a new bus station, Sainsbury’s supermarket, a new department store, and a new car park to create a total of 55 shops on a 5-acre site, with this phase of the scheme being completed in 1985.
- 4.7 The final phase in the centre’s development came some twenty years after, when in 2006 planning permission was approved for a 7-screen cinema and 5 restaurant units. The cinema wing opened in 2009, albeit two of the five restaurant units never found occupiers and have remained vacant since their construction over 10 years ago.

15 years of gradual decline

- 4.8 Following its heyday, the *Kennet Centre* entered a period of gradual but sustained decline.
- 4.9 In 2011 a competing shopping centre opened on the opposite side of the town centre at *Parkway*, which saw one of the *Kennet Centre*'s two anchor stores (Debenhams) relocate to the new centre and footfall drawn away from the *Kennet Centre*. The 300,000sqft *Parkway* centre has 48 shops and 550 car parking spaces – but following the recent closure of its two anchor stores (Debenhams and John Lewis) is now struggling with the demise of High Street retail.
- 4.10 The other of the *Kennet Centre*'s two anchor stores (Sainsburys) moved to new premises at Hector's Way in 1995, which were extended in 1999 and then doubled in size in 2013 to a total of 86,000sqft net sales area (140,000sqft total area) with 529 free parking spaces.
- 4.11 *Newbury Retail Park* had opened at Pinchington Lane in 1997 and was extended in 2006 to a total of 180,000sqft across 14 stores and 4 restaurants. The retail park is well over a mile south of the town centre and has 770 free car parking spaces – almost double that of the *Kennet Centre* multi-storey car park. The adjacent Tesco store, originally opened in 1988, was itself extended in 2003 a total of 91,000sqft net sales area (99,000sqft total area) with 645 free parking spaces.
- 4.12 During this period, Vodafone moved from several offices in the town centre to a new world headquarters campus on a Green Belt site 2 miles north of the town centre. When the 575,000sqft facility opened in 2001 (with its 2,457 car parking spaces) 4,500 Vodafone staff relocated out of the town centre to the new out-of-town office campus.
- 4.13 These locally specific factors occurred at a time when UK retailing was itself going through a significant structural transition towards online retailing. Online sales went from virtually zero in 1998 to 17.8% of all UK retail spend in 2018, having a well-documented adverse effect on UK high streets.
- 4.14 Further irreparable harm to town centre vitality and viability has occurred during the COVID pandemic. Nationwide approximately 11,120 chain store outlets shut between January and June 2019, according to research by the Local Data Company and accountancy firm PwC. Although more than 5,000 shops opened during the same period it was not enough to fill the gaps, resulting in a net decline of more than 6,000 stores. A fuller assessment of changing town centre shopping habits is contained in the Retail Assessment and Economic Impact Statement that accompanies the application.

5.0 Planning History and Pre-consultation

Previous History (not including individual units within or small areas of the site)

5.1 The site has the following historical planning applications for the wider site:

- 06/01674/COMIND (2006) – Approval of new 7 screen cinema, class A3/A4 retail floor space, new foyer/circulation, replacement public conveniences and sub-station.
- 83/19101/ADD (1985)– Approval of final phase of Kennet Centre comprising new department store, enlarged supermarket, shops, car park and bus station alterations to existing multi storey car park.
- 80/13824/ADD (1982) – Approval of phase two of town centre development comprising new department store and shops with ancillary accommodation, service road and operational car parking.
- 79/10612/ADD (1979) – Approval of renewal of details consent for 26 shops and two storey department store.
- 301/67 (1968) – Approval of outline for 26 shops and two storey department store.

Recent Planning History

5.2 The below recent planning applications are of relevance to this application.

21/00379/FULMAJ

5.3 An application for the redevelopment of the Kennet Centre was submitted on the 16th of February 2021 (ref: 21/00379/FULMAJ) for the following development:

“Full: Phased redevelopment of the Kennet Centre comprising (i) partial demolition of existing building (ii) flexible-use commercial space (iii) headquarters office building (iv) 402 dwellings plus residents’ ancillary facilities (v) access, car parking and cycle parking (vi) landscaping & open space (vii) sustainable energy installations (viii) associated works.”

5.4 The application was subsequently refused on the 4th of November 2022 with 9 reasons for refusal.

21/00380/FULMAJ

5.5 An application for the redevelopment of the Kennet Centre was submitted on the 16th of February 2021 (ref: 21/00380/FULMAJ) for the following development:

“Full: 91 retirement living apartments with ancillary residents amenities and associated works.”

5.6 The application proposed an alternative to the proposed office development which is part of application 21/00379/FULMAJ above and would also not implement the solar PV array associated with that permission.

5.7 The application was refused on the 4th of November 2022 with 7 reasons for refusal.

Appeal

- 5.8 Both applications above applications were subsequently submitted for appeal jointly (refs: APP/W-340W/23/3321517 and APP/W0340/W/233321484). These appeals were withdrawn on the 1st of September 2023.
- 5.9 In the Statement of Common Ground, the following issues were resolved with the WBC in respect of the reasons for refusal for the main application:
- The loss of the existing and outdated shopping centre and the principle of its replacement with a residential-led mixed use development is acceptable in principle.
 - Mix of uses proposed is acceptable.
 - The Sequential Test prepared by Savills (April 2023) demonstrates that there are no alternative sites for the residential element and therefore the Sequential Test is passed. The Savills Report also confirms that parts i and ii of the Exceptions Test have been passed for the site – all fully addressing Reason for Refusal 1.
 - The proposal for build to rent and the mix of units is acceptable.
 - The Kennet Centre does not provide any positive contribution to the setting of various more distant assets.
 - The amount of amenity space is agreed – all fully addressing Reason for Refusals 3 and 5.
 - A public open space contribution can be agreed with the council.
- 5.10 These agreements are considered to remain relevant and applicable to this application submission.
- Pre-application Discussions**
- 5.11 The Applicant has continued to have significant discussions with WBC in relation to the Appeal and a new revised scheme. These are listed in Table 1 below.

Table 1: List of Pre-application Discussions relating to both the appeal and new schemes.

Meeting	Date
Meeting with officers	14 th June 2023
In-person meeting WBC Leader, CEO, WBC Deputy Leader, Officers	22 nd June 2023
Meeting with Service Director Officer	5 th July 2023
In-person meeting with WBC Service Director Officer	14 th July 2023
In-person meeting with WBC Service Director Officer	20 th July 2023
Meeting with WBC Service Director Officer	26 th July 2023
In-person meeting with WBC CEO	27 th July 2023
In-person meeting with Members	3 rd August 2023
Meeting with LLFA and Case Officer	14 th August 2023
Meeting with Highways Officer and Case Officer	15 th August 2023
In-person meeting with Chamber of Commerce	23 rd August 2023
In-person on-site meeting LLFA	23 rd August 2023
Meeting with Highways Officer and Case Officer	29 th August 2023

- 5.12 Further details of the consultation process with the new scheme can be found in the Statement of Community Involvement.
- 5.13 Following significant discussions with the Council's planning officers, Newbury Town Council, and the Newbury Society, a number of amendments have been made to address the concerns raised in relation to application ref 21/00379/FULMAJ in respect of a number of issues including height and massing, design and the historic environment. Key changes made to the previous application include:
- i. Increased the overall number of units (from 367 to 426 units) though various internal reconfigurations, and replacement of the office floorspace (or 91 retirement homes option) in Block S with residential units;
 - ii. 2 storeys removed from Blocks A and B;

- iii. A storey removed from on Block E
- iv. New wing added to Block S;
- v. Inclusion of 19 affordable units; and
- vi. Removal of the additional proposed floor on the multi storey car park.

5.14 The massing and height reductions to the scheme compared with the previous application/appeal can be seen in the submitted Verified Views (Appeal Scheme Comparison) Document which is appended to this Planning Statement. The result is a scheme of exceptional design quality that relates to the historic character of Newbury while vastly improving the street elevations and the relationships of the proposal site with adjacent and nearby listed buildings and the conservation area. The proposed development will replace a fading and out of date shopping centre, which relates poorly to its surroundings, with a bespoke residential-led redevelopment of the highest quality which will, in turn, act as a catalyst for the wider regeneration of Newbury town centre.

6.0 Proposed Development

6.1 The planning application is for:

“Full planning permission for the redevelopment of the Kennet Centre comprising the partial demolition of the existing building on site and the development of new residential dwellings (Use Class C3) and residents’ ancillary facilities; commercial, business and service floorspace including office (Class E (a, b, c, d, e, f, and g)); access, parking, and cycle parking; landscaping and open space; sustainable energy installations; associated works, and alterations to the retained Vue Cinema and multi storey car park.”

6.2 Key details of the scheme are listed below.

Residential Use

6.3 A total of 426 residential units and associated facilities including:

- Reception and concierge, with associated back of house facilities;
- Residents’ lounge;
- Residents’ gym, including squash court;
- Dining/meeting rooms;
- Workspace;
- A variety of communal rooftop gardens and terraces;
- Private balconies;
- Cycle and car parking;
- Back of house facilities for on site management and maintenance including post rooms and parcel lockers etc.

6.4 The proposed area schedule and unit mix are included within the Design and Access Statement, but in summary the scheme provides a total of 426 residential dwellings. The proposed unit mix is shown in Table 2 below.

6.5 A total of 19 units are proposed to be affordable, subject to viability.

Table 2: Proposed Unit Mix

No. of bedrooms/dwelling type	No. of dwellings
Studio	42 (9.9%)
1 bedroom apartment	181 (42.5%)
2 bedroom apartment	188 (44.1%)
3 bedroom apartment	15 (3.5%)
Total	426

Non-residential Uses

6.6 A total of 3,116.87 sqm of new Use Class E (a, b, c, d, e, f and g) floorspace is proposed comprising:

- New office floorspace;
- Potential new GP surgery;
- Flexible Ground floor retail, café, leisure, workshop, restaurant/ bar units fronting the new pedestrianised street and targeted at small, local and/ or artisan businesses.
- Craft carts, market stalls, pop up stands and other similar 'retail incubator' commercial opportunities within the new pedestrian street;
- A 'Library of Things'; and
- A Cycle Workshop.

Proposed Floorspace

6.7 The overall proposed floor areas by use class are set out in the below table:

Table 3: Proposed Floorspace

Residential Floorspace	Proposed Floorspace Provided (sqm)
Residential (Class C3)	37,242.82
Residents' Amenity	1,103.69
Ancillary	4,985.84
Library of Things	60.71
Commercial Floorspace	Proposed Floorspace Provided (sqm)
Retail	2,467.91
Managers Office	121.34
Offices	555.49
Store	93.47
Ancillary	232.63
Plant	
Plant	1,069 sqm
Total Proposed	47, 931.84 sqm

Proposed Amenity Space

6.8 The proposed amenity space on site is broken down as follows:

Table 4: Proposed Amenity Space

Type of Amenity Space	Area Provided (sqm)
Private Balconies and Terraces	2,572.7
Communal Amenity Space	4,272.48
Public Realm	3,669.76
Total External Amenity	10,514.94

6.9 Further details of the distribution of uses and location of amenity space is provided on the submitted drawings, the DAS and Landscape DAS.

Other Infrastructure

6.10 The scheme proposes the following:

- Sustainable energy installations including ground source heat pumps, resulting in a six-fold reduction in carbon emissions on site net when compared to the existing situation;
- A new pedestrianised street linking the railway station and Market Place development to the town centre;
- Improvements to the Kennet Centre Multi-Storey Car Park including additional Electric Vehicle Charging Points (EVCP):
 - Brickwork cleaning,
 - Isolated pointing repairs.
 - Render external façade exposed following demolition.
 - Repaint existing railing and protective barriers.
 - Lift facelift works, allowance for replacement floor coverings, cladding etc.
 - Decoration to communal lobby and stair cores allowing for repaint of walls, floors, handrailing and isolated repairs.
 - Resurfacing of parking areas and isolated repairs including repainting of road markings.
 - Achieve dementia friendly car park status with required signage, symbols, and painting.
 - Removal of overgrown planting and replacement landscaping works to perimeter beds.
 - Electric car chargers (assume no network reinforcement works required).
 - Removal of existing ventilation

- Extension to the existing Council Management Office (4m x 4m = 16sqm)
- Improvements to the existing Vue Cinema including a new pedestrian link into the development.
- Associated works including sustainable drainage.
- Re-use of a under-used brownfield site in a highly sustainable location to provide much needed new homes, workspaces, retail and leisure opportunities within a development of the highest design quality.
- Promotion of sustainable transport modes with space for 632 cycles on site, 3 new car club spaces, and 53 electric vehicle charging points.

7.0 Summary of Build to Rent

- 7.1 Build to Rent residential accommodation is designed specifically for renting and typically owned by institutional investors and managed by specialist operators. The NPPF (2023) defines BTR as:
- “Purpose-built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.”*
- 7.2 The Urban Land Institute published a ‘Build to Rent Best Practice Guide’ Second Edition in 2016 which defines Build to Rent properties as *“developments at Scale (100 units+) and are schemes which are purposefully designed and built with the customer in mind”*.
- 7.3 The Guide advises that it is anticipated that Build to Rent accommodation will typically incorporate dedicated staff (potentially on-site) with a strong management ethos based on maximising the customer experience, together with a level of on-site amenity befitting the size of the development. Irrespective of the overall package of amenities, the creation of a community feel and positive customer experience is the underlying philosophy of any successful Build to Rent scheme. The Guide advises that the appeal to customers of Built to Rent is the higher quality standards, greater security of tenure and better living experience offered by Build to Rent.
- 7.4 There are a number of benefits with the development of Build to Rent properties including:
- Increasing the overall supply and accelerate the construction of new homes;
 - Support greater choice for tenants in the rental market;
 - Provide greater tenancy security and flexibility for tenants in the size of unit (i.e. allowing tenants to move between different units depending on their needs) than in the traditional rental market; and
 - Delivering a better quality of rental product that is professionally managed with associated communal facilities.
- 7.5 A principal concept for BTR units is to enable customers to feel that the entire building is their home, and not just their unit, thus providing well-being advantages, as identified in an appeal for the redevelopment of an existing building and erection of a mixed-use scheme comprising flexible commercial floorspace and 492 BTR units (Appeal ref: APP/V1505/W/21/3279154). The Inspector also commented on the ethos of Built to Rent and its objective of fostering community.
- 7.6 Lochailort’s Build to Rent is very much focused on the tenant and the tenant amenity offering. They have recently completed a scheme around four years ago at Thames Quarter, Reading which is now fully let with a waiting list.
- 7.7 As will be demonstrated, within the building there are a wide range of amenity offerings enhancing the customer experience. These include a 24-hour concierge, purpose built parcel rooms and availability of long leases. The building will be fully serviced, cleaned and secured. Additionally, there is a fully fitted gym, secure and ample bicycle parking, car parking, electric vehicle charging

points, a dining room, meeting rooms, tenant hub, generous outdoor amenity space in several locations throughout the building, catering facilities, tenant recreational activities and efficient heating systems.

- 7.8 The facilities provided are brought together to create a lifestyle within the building and, to existing knowledge, it is not on offer anywhere else in the Thames Valley.
- 7.9 Lochailort's approach to Build for Rent at Eagle Quarter will ensure that all of the above be available to future tenants, going from studios to three-bedroom family flats. In addition, a squash court will be provided, as well as low cost highly sustainable heating systems, business hubs and tenant meeting rooms. All units will have access to private amenity space in the form of balconies and/ or communal roof gardens to enable the tenants to be able to both work and live within the development.
- 7.10 By way of observation, while Build to Rent is considered to be, and is, a residential development, it is run on similar lines to a commercial office or serviced apartments, and thus narrows the difference between use classes making this form of development more sustainable.

8.0 Planning Policy

- 8.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development Plan

- 8.2 The adopted development plan for WBC comprises:
- The West Berkshire Core Strategy 2006-2006 (Adopted July 2012);
 - Housing Site Allocations Development Plan Document (Adopted May 2017); and
 - West Berkshire District Local Plan 1991 – 2006 (solely the policies Saved by Direction issued by the Secretary of State in September 2007)
- 8.3 For completeness, the following documents also form part of the statutory Development Plan but have no relevance to this application and are thus not explored in any detail in this Planning Statement:
- Replacement Minerals Local Plan for Berkshire (Adopted December 1997);
 - Waste Local Plan for Berkshire (Adopted December 1998);
 - The South East Plan – Regional Spatial Strategy for the South East (Adopted May 2009, only Policy 6 remaining extant);
 - Stratfield Mortimer Neighbourhood Plan (Made July 2012).

Other Material Considerations

- 8.4 Other material considerations include:
- National Planning Policy Framework (2023) (“NPPF”);
 - National Planning Practice Guidance (“NPPG”);
 - Local Plan Review 2020-2039: Draft Submission Local Plan Review;
 - Quality Design – West Berkshire SPD (June 2006);
 - Planning Obligations Supplementary Planning Document (December 2014);
 - West Berkshire Community Infrastructure Levy Charging Schedule (2014);
 - National Design Guide (January 2021);
 - Newbury Town Plan 2019-2036 (June 2018);
 - Newbury Town Centre Masterplan 2022;
 - Newbury Town Centre Conservation Area Appraisal and Management Plan (Draft) 2021;
 - Newbury Historic Character Study Assessment Report October 2005;
 - Historic England Tall Buildings Advice Note 4 (March 2022);

- Historic Environment Good Practice Advice in Planning 3 (GPA3): The Setting of Heritage Assets (second edition), Historic England, 2017;
- Historic Environment Good Practice Advice in Planning 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment, Historic England, July 2015;
- Conservation Principles; Policy and Guidance for the Sustainable Management of the Historic Environment, English Heritage 2008; and
- Nationally Described Space Standards.

Local Plan Review 2022-2039: Draft Submission Local Plan Review

- 8.5 The Regulation 19 Local Plan Review 2022-2039 was consulted on between 20th January 2023 to 3rd March 2023.
- 8.6 It was submitted to the Secretary of State for Independent examination on 31 March 2023, and is now at examination.
- 8.7 Following the change in administration at the local elections the Council requested a period of 3 months to pause the examination to bring the new members up to date with the Local Plan Review. The Inspector has agreed to the Council's request and the examination is now suspended until the end of September 2023.
- 8.8 Due to the early stage of the examination process, it is considered that the policies in the local Plan Review carry little weight at this stage.

Draft Newbury Town Centre Conservation Area Appraisal and Management Plan

- 8.9 WBC recently consulted on a draft Newbury Town Centre Conservation Area Appraisal and Management Plan which proposes a number of changes to the consultation area boundary. The consultation for this closed on the 23rd of February 2023.

Adopted Local Plan Policies

- 8.10 The relevant policies within the Local Plan are as follows:

Core Strategy

- NPPF Policy
- Area Delivery Plan Policy 1 Spatial Strategy
- Area Delivery Plan Policy 2 Newbury
- Policy CS1 "Delivering New Homes and Retaining the Housing Stock"
- Policy CS4 "Housing Type and Mix"
- Policy CS6 "Provision of Affordable Housing"
- Policy CS9 "Location and Type of Business Development"
- Policy CS11 "Hierarchy of Centres"

- Policy CS13 “Transport”
- Policy CS14 “Design Principles”
- Policy CS15 “Sustainable Construction and Energy Efficiency”
- Policy CS16 “Flooding”
- Policy CS17 “Biodiversity and Geodiversity”
- Policy CS18 “Green Infrastructure”
- Policy CS19 “Historic Environment and Landscape Character”

Saved Policies

- Policy OVS5 “Environmental Nuisance and Pollution Control”
- Policy OVS6 “Noise Pollution”
- Policy ECON5 “Town Centre Commercial Areas”
- Policy SHOP1 “Non Retail Uses in Primary Shopping Frontages”
- Policy SHOP3 “Retail Areas and Retail Warehousing”
- Policy TRANS 1 “Meeting the Transport Needs of New Development”
- Policy RL1 “Public Open Space Provision in Residential Development Schemes”

Housing Site Allocations Development Plan

- Policy P 1 “Parking Standards for New Residential Development”.

Other Material Considerations

NPPF (September 2023)

- 8.11 Part 2 “Achieving sustainable development” of the NPPF seeks to achieve sustainable development through three overarching objectives: an economic objective to help build a strong, responsive and competitive economy; a social objective to support strong, vibrant and healthy communities; and an environmental objective to protect and enhance the natural, built and historic environment (para 8). Paragraph 11 sets a presumption in favour of sustainable development. For decision making this means approving proposals that accord with an up-to-date development plan without delay, or where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date; granting planning permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.12 Part 5 “Delivering a sufficient supply of homes” of the NPPF sets out the government’s objective to boost the supply of homes, encouraging a variety of land to come forward where it is needed (para

- 60). Where major development involves the provision of housing, decisions should expect 10% of the total number of homes to be affordable housing, except in certain cases including where a proposed development provides solely for Build to Rent Homes (para. 65).
- 8.13 Part 6 of the NPPF “Building a strong, competitive economy” requires planning decisions to help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (para. 81).
- 8.14 Part 7 of the NPPF “Ensuring the vitality of town centres” requires planning decisions to support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation (para. 86).
- 8.15 Part 8 of the NPPF “Promoting healthy and safe communities” requires planning decisions to aim to achieve healthy, inclusive and safe places which: a) promote social interaction through mixed-use developments, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; b) are safe and accessible, for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles, for example through the provision of safe and accessible green infrastructure, local shops, and layouts that encourage walking and cycling (para. 92).
- 8.16 Part 9 of the NPPF “Promoting sustainable transport” advises that transport issues should be considered from the earliest stages of development proposals so that opportunities to promote walking, cycling and public transport use are identified, and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places (para 104). Para 105 adds that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. In respect of car parking, para 107 advises that in town centres local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.
- 8.17 Paragraph 110 advises that when assessing planning applications, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up;; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. 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 would be severe (para.111).
- 8.18 Paragraph 112 advises that proposals should a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c)

create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

- 8.19 Part 11 "Making effective use of land" highlights the importance of promoting the effective use of land in meeting the need for homes, whilst safeguarding and improving the environment (para. 119). Para. 120 stipulates that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.
- 8.20 Para. 124 requires planning decisions to support development that makes efficient use of land, taking into account several facts including local market conditions and viability; c) the availability and capacity of infrastructure and services and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area's prevailing character and setting including promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places.
- 8.21 Part 12 "Achieving well-designed places" states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, with good design being a key aspect of sustainable development (para 126). Paragraph 130 goes onto state that planning policies and decisions should ensure that developments:
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) Establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 8.22 Paragraph 132 emphasises the importance of how the design quality should be considered throughout the evolution and assessment of individual proposals, with paragraph 133 encouraging the use of tools and processes for assessing and improving the design of the development.
- 8.23 Paragraph 134 states significant weight should be given to:
- a) Development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design. Or generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 8.24 Part 14 of the NPPF “Meeting the change of climate change, flooding and coastal change” confirms that the planning system should support the transition to a low carbon future in a changing climate (para. 152). New development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design (para. 154). In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (para. 156). When determining applications developments must ensure that risk of flooding is not increased elsewhere, as stated in paragraph 167. This paragraph sets out key points in which developments located in areas at risk of flooding must be assessed against which includes the incorporation of sustainable drainage systems.
- 8.25 Part 16 of the NPPF “Conserving and enhancing the historic environment” highlights the importance to conserve and enhance the historic environment and requires a description of the significance of any heritage assets affected, including any contribution made by their setting (para 194). In determining applications, the NPPF requires the LPA to take account of:
- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) The desirability of new development making a positive contribution to local character and distinctiveness (para 197).
- 8.26 This section goes onto state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para 202).
- 8.27 Additionally, Paragraph 206 seeks for proposals within Conservation Areas to preserve those elements of the setting that make a positive contribution to the asset and should be treated favourably.

NPPG

- 8.28 The Government has published further advice on the implementation of the national planning policies in the NPPF and of regulations in the online National Planning Practice Guidance (NPPG).

Planning Obligations SPD

- 8.29 This SPD sets out West Berkshire's approach to securing planning obligations and developer contributions towards local infrastructure, services and amenity, alongside the Community Infrastructure Levy.

Community Infrastructure Levy Charging Schedule

- 8.30 The schedule sets out a guide to provide developers with more certainty about costs required intended to secure contribution towards improvements and enhancements to infrastructure as a result of development.

Newbury Town Plan 2019-2036

- 8.31 This Plan has been prepared by Newbury Town Council and was adopted in June 2018. It sets out how the town of Newbury should respond positively and constructively to expected challenges over the next 20 years and to inform and influence the WBC Local Area Plan 2019-2036. The Plan seeks to build on the town's existing strengths which are underlined by six strategic objectives set out in the Plan.

National Design Guide

- 8.32 The national design guide sets out the characteristics of well-designed places and demonstrates what good design means in practice through outlining and illustrating the government's priorities for well-designed places in the form of ten characteristics. It forms part of the government's collection of planning practice guidance.

Planning Assessment

- 8.33 Under Section 36(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.34 The following sections (9 to 22) of this statement provides a comprehensive assessment of the proposed development against the policies in the development plan, NPPF and other materials considerations.

9.0 Principle of Development

Policy

- 9.1 The application site is located within Newbury Town Centre as shown on the Council's adopted Policies Map and contains a number of primary shopping frontages. There is no specific allocation or policy for the application site in the adopted Local Plan.
- 9.2 Paragraph 86 of the NPPF requires planning decisions to support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies are required to promote the long-term vitality and viability of town centres by allowing them to grow and diversity in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters.
- 9.3 Local Plan policy CS11 states that the vitality and viability of the District's town centres will be protected and enhanced. Existing town centres will form the focal point for uses, services and facilities serving the surrounding population. Newbury Town Centre is identified as the only major centre in the District. The policy notes that there is no capacity for any additional retail convenience and comparison floorspace in addition to that already committed and any retail development during the Core Strategy period will be mainly focused on the implementation of current schemes and regeneration and other qualitative improvements and schemes. Any scheme will be of an appropriate scale and character to reflect and respond to the role and function of the centre, and should promote the individuality of the centre, responding to distinct features. Main town centres uses defined in the NPPF will be directed to town centres.
- 9.4 Supporting text to the policy in para. 5.67 advises that the key aim of the policy is to promote a network of dynamic and successful town centres across the District. It notes the Health check assessments carried out as part of the Retail Study Update 2010 which identified that the town centres remain vital and viable.
- 9.5 Area Plan Delivery policy 2 sets out the area specific policy for Newbury. There is nothing specific in the policy regarding the Kennet shopping centre. The supporting vision for Newbury is that it will retain its traditional market town heritage whilst undergoing infrastructure improvements and development and renewal of its commercial uses and housing to create a vibrant 21st century centre. It will continue to fulfil its role as the major town centre for the District, with a wide range of retail, employment, leisure and community services and facilities and will be the main focus for housing growth over the plan period with new housing development well integrated into the town supporting the vitality of the town centre; and additional employment opportunities will reduce the need for out-commuting.

Assessment

- 9.6 The Council's 2010 health check and Retail Study update are considered to be significantly out of date and the applicant commissioned retail experts Rivington Hark to prepare a Retail Demand Report to advise on the current situation and prospects for the Kennet Centre.
- 9.7 As described in the Retail Demand Report (Rivington Hark) and section 4 of this statement, the Kennet shopping centre has suffered from an ongoing period of decline over the past 15 years due

to a number of locally-specific factors such as competition from the Parkway Centre and Newbury Retail Park; and the relocation Vodafone, one of the town's largest employers out of the town centre. More recently the significant growth in on-line retailing has further contributed to the decline of the Kennet Centre. Further irreparable harm to the viability and vitality of the town centre has occurred during the COVID-19 pandemic.

- 9.8 The Retail Demand Report provides a summary of the difficulties associated with the Kennet shopping centre. The building is visually unattractive and is no longer fit for purpose and the unit sizes and configuration are not suitable for the current or forecast future nature of the retail market as national retailers are attracted to units which are designed with adaptable floor plates. The Retail Demand Report finds that the result of these changes has impacted the Kennet Centre hard. It is failing as a shopping centre and in need of significant investment and repurposing.
- 9.9 The proposals involve the demolition of the majority of the Kennet Centre and its redevelopment to provide a mixed-use development with replacement retail uses, new commercial and residential uses as set out in full detail in section 6 of this statement. The existing Vue Cinema and multi-storey car park will be retained and enhanced.
- 9.10 The part of the building to be demolished is typical of shopping centres built in the 1970's and is of little architectural merit and has a negative impact on the character and appearance of the surrounding area as confirmed in the HTVIA prepared by Montague Evans. The building makes a negative contribution to the Conservation Area in which it is located and detracts from the ability to appreciate the significance of a number of listed buildings. The HTVIA concludes that there is no harm arising from the demolition of the existing Kennet Centre and that there is a significant opportunity for new development to enhance the contribution that the site makes to the conservation and character of the surrounding area.
- 9.11 The existing building is inward facing and there is limited legibility between the centre and surrounding streets. The building is also highly unsustainable in terms of heating, lighting and carbon emissions and is not fit for purpose nor attractive to prospective occupiers.
- 9.12 The proposed redevelopment will incorporate a level of retail provision commensurate to demand. As identified in the Retail Demand Report, Newbury already has the traditional retail at Northbrook Street and the newer Parkway development that is better suited to attracting multiple retailers because of its unit sizes and existing tenant mix and the existing Kennet Centre cannot attract sufficient footfall for national tenants to fill the voids. The proposed development will therefore provide a retail offering that will complement the High Street and Parkway, rather than compete with it.
- 9.13 This will comprise smaller units with flexible floorplates, more suited to independent retailers and cafes. This sentiment is supported in the Newbury Town Centre Masterplan which acknowledges that, *'if approved, the scheme will reduce the overall volume of retail floorspace, whilst offering new flexible use commercial uses of varying sizes to attract a mix of artisan and local operators, supported by flexible terms, to complement the national retail offering more concentrated in the northern end of the town centre.'*
- 9.14 The report goes on to acknowledge how this independent-focused model has been successfully trialled by the Kennet Centre's current owner's (the applicant) Asset Management *'who have seen the*

Kennet Centre's occupancy rates increase from around 65% to 95% over the last year, attributable to short term lets offered to local independents until the centre closes'.

- 9.15 The single ownership and management of the new development and the creation of new streets will enable spill-out spaces for street carts, barrows and pavement cafes. It is proposed as in other market towns that the provision of smaller flexible units will attract independent retailers which will create a lively and interesting shopping/leisure environment with a significantly reduced but best-fit type and quantum of commercial floorspace. Furthermore, the retail offer through the redevelopment will complement the existing retail offer in Newbury and increase footfall in the town centre as recognised by the Newbury Business Improvement District who are supportive and recognise the benefits of the scheme¹.
- 9.16 The redevelopment proposal which allows for the regeneration, adaptation and comprehensive management of this part of Newbury Town Centre, creating a more diverse retail offer and increasing the vitality and viability of Newbury Town Centre is in accordance with Local Plan Policy Area Plan Delivery policy 2, and NPPF paragraph 86.
- 9.17 Furthermore, the proposals optimise the use of the site and make effective use of this previously-developed land in accordance with paragraph 119 of the NPPF.
- 9.18 As explained in further detail elsewhere in this statement the redevelopment with its high quality and bespoke design takes the opportunity to significantly enhance the contribution that the site makes to its local character, the conservation area, listed buildings and their settings. The development will contribute to and enhance its traditional market town heritage.
- 9.19 The scheme will also result in the creation of a new community and provide links to neighbouring existing and new communities. As set out in Section 19 of this Statement, the Sequential Test prepared by Savills (April 2023) demonstrates that there are no alternative sites for the residential element and therefore the Sequential Test is passed. The Savills Report also confirms that parts © and ii of the Exceptions Test have been passed for the site. As such the principle of housing in this location in flood zone 2 is acceptable.
- 9.20 The principle of development and proposed uses, as well as the Sequential Test was also accepted by the Council for the previous planning application appeal as set out in the Statement of Common Ground (ref: APP/W0340/W/23/3321517).
- 9.21 Overall, the principle of demolition of part of the existing building and the redevelopment of the site for a mixed-use development is therefore considered to be acceptable.

¹ Bid Letter, January 2021

10.0 Commercial Use

Policy

- 10.1 Local Plan policy CS 9 advises that the Council seeks to promote the growth of business development through directing office development to West Berkshire's Town Centres as outlined in Policy CS11. The scale of development will be appropriate to the size and character of the centre. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport. Area Delivery Plan Policy 2 advises that in Newbury new office development in the town centre will be guided by Policy CS9. However, the policy also identifies Newbury as the main focus for business development over the plan period.
- 10.2 'Policy ECON.5 permits proposals for business development within the 'commercial areas' of Newbury provided a number of criteria are met including©) it does not unduly prejudice the prime shopping frontages. The policy is considered to be out-of-date. However, it is not considered that the proposed commercial units will prejudice the redeveloped shopping centre which currently has a high vacancy rate and is failing.
- 10.3 Paragraph 81 of the NPPF confirms that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Offices are defined as main town centre uses in the Glossary of the NPPF and paragraph 86 of the NPPF requires a positive approach to the adaption of town centres.

Assessment

- 10.4 The scheme proposes 3116.87 sqm of class E floorspace. The use is appropriate for a town centre and its siting within the development at the least sensitive part of the site, furthest away from the listed buildings is considered to be appropriate to the surrounding environment of this part of Newbury and not conflict with existing uses. The size of the office part of the development is considered to appropriate to its location and the development as a whole and will increase footfall in this part of the town centre and support the needs of local businesses.
- 10.5 The Newbury Town Centre Masterplan acknowledges the decline in town centre office stock in Newbury and the change in demand from large town centre offices to more flexible, co-working spaces reflecting the change in working habits and increase in working from home following COVID 19.
- 10.6 The scheme therefore incorporates flexible proposals for office space on site, which are able to respond to market conditions.
- 10.7 The office and commercial use is therefore compliant with Local Plan Policy CS9 and paragraphs 81 and 86 of the NPPF.

11.0 Residential Use

Policy

- 11.1 Local Plan Policy CS1 seeks to deliver at least 10,500 new homes between 2006 and 2026, an annual average of 525 dwellings. New homes will primarily be built on suitable previously developed land within settlement boundaries.
- 11.2 The Local Plan policy is now outdated with the plan around 10 years old and therefore the Government's standard housing methodology should be used to calculate the Council's annual housing requirement. The Council's latest Annual Monitoring Report advises that under the Government's standard housing methodology, the Council's housing need is 513 units per annum.
- 11.3 Area Delivery Plan Policy 2 states that Newbury will accommodate approximately 5,400 new homes over the Core Strategy plan period, contributing to its role and function as the largest urban area in West Berkshire with a recognition that there is significant development potential on previously developed land, particularly in the town centre.
- 11.4 Policy CS4 expects residential development to contribute to the delivery of an appropriate mix of dwelling types and sizes to meet the housing needs of all sectors of the community. The mix on individual sites should have regard to: the character of the surrounding area; accessibility of the location and availability of existing and proposed local services, facilities and infrastructure and evidence of housing need.
- 11.5 The LPA's Quality Design SPD details the level of outdoor private amenity space for flats, which is a minimum of 25sqm per unit.
- 11.6 The policy requires development to make efficient use of land with greater intensity of development at places with good transport accessibility with higher densities above 50 dwellings per hectare in town centres, particularly parts of Newbury town centre.
- 11.7 NPPF paragraph 60 emphasises the Government's objective of significantly boosting the supply of homes. Paragraph 86 confirms that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Part (a) of the paragraph confirms that in respect of town centres, planning policies should allow a suitable mix of uses including housing. Furthermore, para. 119 specifies that planning decisions should promote an effective use of land in meeting the need for homes. Planning policies and decisions should encourage multiple benefits from urban land, including through mixed use schemes; give substantial weight to the value of using suitable brownfield land within settlements for homes; and promote and support the development of under-utilised land and buildings.
- 11.8 The NPPG augments the policy in the NPPF advising local authorities that they need to consider structural changes in the economy, in particular changes in shopping and leisure patterns and formats, the impact these are likely to have on individual town centres, and how the planning tools available to them can support necessary adaptation and change (Paragraph: 001 Reference ID: 2b-001-20190722). The NPPG continues to advise that a wide range of complementary uses can, if suitably located, help to support the vitality of town centres, including residential use and states:

“Residential development in particular can play an important role in ensuring the vitality of town centres, giving communities easier access to a range of services. Given their close proximity to transport networks and local shops and services, local authorities may wish to consider locating specialist housing for different groups including older people within town centres or edge of centre locations.”

- 11.9 Paragraph 125(c) further states t“at *“local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”*

Assessment

- 11.10 The proposed development comprises 426 build to rent residential units, which in line with the Council’s and Government’s objectives will increase the housing land supply in the urban area of Newbury on a brownfield site with excellent public transport links, in close proximity to shops and services. The introduction of residential units on the site will assist in supporting the vitality of Newbury Town Centre, increasing footfall, and giving the new community easy access to a range of services.

- 11.11 The following residential mix is proposed:

No. of bedrooms/dwelling type	No. of dwellings
Studio	42 (9.9%)
1 bedroom apartment	181 (42.5%)
2 bedroom apartment	188 (44.1%)
3 bedroom apartment	15 (3.5%)
Total	426

- 11.12 The residential element of the proposed development will have a mix of unit sizes from studio to 3 bedroom apartments including over half as two or three bedroom units. The scheme will be managed as a single Build to Rent development allowing individuals and families to move between different unit sizes in the same development as their situations change to meet the needs of a wide range of sectors of the community in line with policy CS4.
- 11.13 The scheme also seeks to provide 19 affordable units.
- 11.14 All residential units will be in compliance with the Nationally Described Space Standards, and Part M4(2) representing a high quality of internal design for future residents. Around 10% of proposed units have been designed to be Part M4(3) wheelchair user adaptable dwellings.

- 11.15 The facilities provided are brought together to create a lifestyle within the building and, to existing knowledge, it is not on offer anywhere else in the Thames Valley.
- 11.16 As per the council's Quality Design SPD which requires 25sqm of private amenity space per unit, the scheme would require at least 10,650sqm of private amenity space. All residential units will have access to high-quality private and/or communal outdoor amenity space. Overall, 2,572.7 sqm private amenity space is provided in the form of gardens and balconies, and 4,272.48 sqm of communal amenity space in the form of podiums and terraces. The level of amenity space proposed is considered acceptable given the highly sustainable central location where easy walkable access to a wide range of outdoor space is available. Also, the Design Quality SPD (2006) is a guideline which can vary according to location and character.
- 11.17 In terms of daylight impact to the proposed wing on Block S, the submitted daylight report sets out that the proposed development demonstrates a good level of compliance with the BRE Guidelines in terms of internal daylight amenity as 71% of the rooms meet the recommended target.
- 11.18 As aforementioned, within the building there are a wide range of amenity offerings enhancing the customer experience. These include a 24-hour concierge, purpose built parcel rooms and availability of long leases. The building will be fully serviced, cleaned and secured. Additionally, there is a fully fitted gym, secure and ample bicycle parking, car parking, electric vehicle charging points, a dining/meeting rooms, tenant hub, generous outdoor amenity space in several locations throughout the building, catering facilities, tenant recreational activities and efficient heating systems. As such, there will be high quality living standards for future tenants, and the proposed levels of daylight and sunlight are acceptable in accordance with paragraph 125(c) of the NPPF.
- 11.19 The daylight report also confirms that whilst there is a shortfall of the amenity spaces next to the wing of Block S meeting the recommendations during the March equinox, during the summer months when it is envisaged that the amenity spaces will be used by the occupants, the two areas enjoy 86% direct sunlight. As such, there is sufficient access to well-lit amenity and the overshadowing performance levels are considered good.
- 11.20 An acceptable commuted sum in respect of public open space will be agreed with WBC.
- The residential element of the proposals which provide a contribution towards the Council's housing supply in a highly sustainable location with a wide mix of units is compliant with Local Plan policies CS1, CS4, Area Delivery Plan Policy 2, paragraphs 60, 86 and 119 of the NPPF and the Nationally Described Space Standards.

12.0 Viability

Policy

- 12.1 Local Plan policy CS6 advises that in order to address the need for affordable housing in West Berkshire a proportion of affordable homes will be sought from residential development. The Council's priority and starting expectation will be for affordable housing to be provided on-site. The policy continues to add that subject to the economics of provision on sites of more than 15 dwellings 30% affordable housing provision will be sought on previously developed land. Proposed provision below this level is required to be fully justified by the applicant through clear evidence set out in a viability assessment (using an agreed toolkit) which will be used to help inform the negotiated process.
- 12.2 In relation to the provision of affordable housing, paragraph 65 of the NPPF states:
- "Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups."*
- 12.3 The paragraph continues by stating that:
- "Exemptions to this 10% requirement should also be made where the site or proposed development:*
- a) provides solely for Build to Rent homes;....."*

Assessment

- 12.4 The viability report will be submitted with the planning application and independently assessed.
- 12.5 In terms of affordable housing, 19 affordable discount market rent units are sought on the site subject to viability. The potential provision has been made as a result of removing the additional floor on the multi-storey car park from the previous scheme proposals which is estimated to save approximately £1m, with the remaining £600k to be spent on upgrades to the MSCP.

13.0 Design Quality

Design policy

- 13.1 Local Plan policy CS14 requires development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development but the way in which it functions. Considerations of design and layout must be informed by the wider context having regard to the wider locality. Development is required to contribute positively to local distinctiveness and sense of place.
- 13.2 Development proposals are expected to: create safe environments; make good provision for access by all transport modes; ensure environments are accessible to all and give priority to pedestrian and cycle access providing linkages and integration with surrounding uses and open spaces; make efficient use of land respecting the density and character of the surrounding area; conserve and enhance the historic and cultural assets of West Berkshire and enhance the public realm. The policy also requires development to take on a sustainable design to minimise carbon dioxide emissions through energy efficiency and the incorporation of renewable energy technology.
- 13.3 Part 12 of the NPPF seeks to achieve well-designed places. Decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history whilst not discouraging appropriate innovation or change; establish a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive places to live, work and visit; optimise the potential of each site; create places that are self-inclusive and accessible (para. 130).
- 13.4 Paragraph 132 requires design quality to be considered throughout the evolution and assessment of proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
- 13.5 Significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (para. 134).
- 13.6 At the local level, the Council in conjunction with Hemingway Design and others have prepared a Newbury Town Centre Masterplan that seeks to promote a vision for the town based on the changing patterns in retail and the impact of COVID-19. Key principles include:
- Broadening the leisure, community and cultural 'experience', the town centre can be transformed into a 'multi-functional' space, attracting more visitors and increasing dwell time.

- Make the town centre more 'walkable' and increase the appeal of the town's spaces, buildings and key assets by enhancing north-south and east-west permeability by foot.
- Improve the sense of arrive for pedestrians, cyclists, rail and bus uses by enhancing arrival spaces and improving links from the rail centre to the town centre, improving routes for pedestrians and cyclists.
- A greener town centre.
- A more sociable town – support opportunities for spill out space for cafes and restaurants.
- A more cultural town.
- Promote the heritage of Newbury as an "independent" market town supporting independent businesses and recognising that the proposals for Eagle Quarter will provide units catered for small independent businesses.
- Delivery of new office space particularly on delivering smaller, fit-for-purpose new office space for small businesses, start-ups and those looking for workspace closer to home.

13.7 The Masterplan also makes specific reference to the proposals site noting that, 'The Eagle Quarter Proposals should also ensure that care is taken with the public realm to encourage visitors to the leisure facilities to visit the independent pubs and restaurants in Cheap Street.'

Assessment

- 13.8 From the outset the applicant has recognised the significant opportunity that is presented to replace the existing 1970's inward facing shopping centre with a new high-quality development with a design that better responds to its location in the Newbury Town Conservation Area and adjacent listed building whilst increasing permeability through the town.
- 13.9 The applicant appointed highly regarded architects Collado Collins to design the scheme in consultation with specialist heritage consultants Montague Evans. This was to ensure that the scheme conserved and enhanced the character of the conservation area and respected the setting of the listed buildings. Collado Collins went through a rigorous design process taking into account the constraints and opportunities that have to be considered in the design of the scheme.
- 13.10 Professor Robert Adam PhD, RIBA, Hon RIAS, RSA, has also been instructed to review and re-evaluate the architecture and appearance of the proposed buildings which front onto Market Place and Bartholomew Street.
- 13.11 The scheme is predominately similar to application reference 21/00379/FULMAJ, albeit, with a reduced massing and change from office floorspace in Block S to residential. It carefully considers various concerns raised from the previous application in relation to heights, views and heritage, as well as subsequent pre-application discussions with the WBC and Members. The extent of the proposed amendments have been balanced with the overall viability of the scheme. A summary of the key design changes from the previous application are as follows:
- 2 storeys have been removed from Blocks A and B;
 - A storey has been removed from on Block E; and

- The additional floor originally proposed in the MSCP has been removed.
 - New wing added to Block S to compensate for the loss of units in A,B,E.
- 13.12 The Verified Views (Appeal Scheme Comparison) document in **Appendix 1** clearly shows the reduction of the proposed scheme compared to the appeal scheme, and that it sits comfortably in the viewpoints.
- 13.13 The result is a scheme of exceptional design quality that relates to the historic character of Newbury while vastly improving the street elevations and the relationships of the proposal site with adjacent and nearby listed buildings and the conservation area. The proposed development will replace a fading and out of date shopping centre, which relates poorly to its surroundings, with a bespoke residential-led redevelopment of the highest quality which will, in turn, act as a catalyst for the wider regeneration of Newbury town centre.
- 13.14 A full evaluation of the site and surrounding area including a detailed analysis of the existing buildings is set out in the DAS, along with details of the scheme evolution, consultation, design principles and the proposals.
- 13.15 Key features of the scheme design are:
- The scheme is made up of 9 residential blocks ranging from 2 to 8 storeys in height. In comparison with the appeal scheme, the tallest elements, Blocks A and B have been reduced by 2 storeys from 9 to 7. Block S is up to 8 storeys high but remains broadly the same height as the office block previously in this location.
 - The opening up of the site through the creation of new landscaped pedestrian routes, public spaces and new streets which provides new linkages between Market Street, Bartholomew Street and Cheap Street and that connect the main areas of pedestrian activity and interest such as the railway station, Market Place, the Corn Exchange, St Nicolas, the High Street and the River in a manner that is vibrant, direct, legible, active, safe, well lit and seamless.
 - The creation of new public spaces including a new square which will allow for cultural events.
 - The introduction of active frontages on all existing and new streets to create additional ground floor activity and frontages overlooking new streets and squares.
 - The over-arching design concept is to create a collection of buildings of high quality that are contemporary, yet contextual reflecting the industrial and textile heritage of the area.
 - A design that reflects and respects the character of this part of Newbury as a historic market town, the Newbury Town Centre Conservation Area and adjacent and nearby listed buildings. Where new buildings sit alongside listed or character buildings and towards the more historical northern end of the site, the buildings are lower, fragmented, relate to the historical plot patterns and pay close attention to the forms of the existing buildings forming these street edges. The perimeter blocks have been designed to reflect the historic plot pattern, form, design and use of the perimeter streets.
 - Towards the southern and central area of the site where the buildings are newer, larger, and where the historical industrial uses were located, the texture of the design changes a little

with buildings of a larger scale and more industrial aesthetic. The internal part of the site has been planned to allow permeability and the buildings reflect the past historic Eagle Works' use of the site and draw on a local palette of materials.

- The massing of the scheme has been carefully designed those sensitive edges along the streets are respected with small scale buildings, seamlessly fitting in with the existing context, and taller buildings are placed in the centre of the site where it is appropriate and reminiscent of the historical patterns of buildings and forms on the site.
- The tallest part of these proposals will be below the tallest existing buildings in Newbury – in particular below the height of the Town Hall clock tower and the BT Building.
- A palette of materials that is predominantly based on brickwork which is a widely used material in the area. The main brickwork has been chosen in several hues, examples of which can be found in the area and to enhance the character will be used in various bonds and patterns. To complement the brickwork, details such as canopies, balustrades and window frames and proposed in dark grey metal as a symbolic recognition of the ironworks heritage of the site. The proposed blue brick, tinted cement based material and bronze effect metal details are a reflection of the textile heritage of the area, and the colour of woad seeds and the dye hues they create. For the proposed buildings on parts of the more sensitive principal street elevations, materials have a traditional character that relates to their immediate surroundings such as stucco, render, brickwork, timber, hanging clay wall tiles, slate and stained or painted timber.
- A significant improvement to the public realm by providing high quality hard landscape in public areas with new trees and planting as well as places for people to sit.
- The provision of hard and soft landscape in private communal residential gardens to create high quality amenity space.

- 13.16 The proposals are also considered to entirely meet the aspirations of the Newbury Town Centre Masterplan delivering a new residential, retail, office and leisure quarter, increasing the offer in the town centre, improving legibility, creating new public spaces and flexible office and retail units catering for small, independent and start-up businesses.

Summary and conclusion

- 13.17 The scheme design has been through a rigorous process of design evolution with a careful analysis of the site and its surrounding context. This process has resulted in a high quality and sustainable design that respects and enhances the character and appearance of the area and will result in a well-designed place. The design and layout have also been informed by the failure of the layout of the existing shopping centre and the desire to create new legible pedestrian routes to improve connectivity around the town centre and the sites context in the conservation area and adjacent to listed buildings. The proposed layout and design of the scheme will allow the development to function well and significantly add to the overall quality of the area over the lifetime of the development.
- 13.18 The proposed design that has been developed by two highly experienced architect Collado Collins and Robert Adam will contribute positively to local distinctiveness and enhance the historic sense of place of this part of Newbury Town Centre. The design of the individual buildings will be highly

bespoke to this part of the town centre and the architecture and proposed landscape will be sympathetic to local character and history resulting in a visually attractive development.

- 13.19 The proposed development will also create a safe environment with active frontages at street level and passive surveillance from uses on upper floors. The scheme creates new pedestrian routes and a link through to Newbury railway station and is in close proximity to local bus stops therefore making provision for access by all transport modes. Priority will be given to pedestrian access providing new linkages and will integrate with surrounding uses.
- 13.20 The scheme will make efficient use of this previously developed land, optimising the potential of the site to accommodate an appropriate amount of mix used development and will support local facilities. As demonstrated in the DAS and Heritage Report (see below) it will respect the density and character of the surrounding area and conserve and enhance the historic assets as well as enhancing the public realm. A strong sense of place will be established with the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive place to live, work and visit. As set out in more detail below, the development will have a sustainable design minimising carbon dioxide emission through energy efficiency and the incorporation of renewable energy technology.
- 13.21 In accordance with paragraph 134 of the NPPF, the development reflects local design policies and Government guidance on design and will help in raising the standard of design in Newbury Town Centre and fits in with the overall form and layout of its surroundings. As such significant weight should be given to this high quality of design in accordance with paragraph 134 of the NPPF.
- 13.22 The above demonstrates that the proposals are therefore compliant with Policy CS 14, the relevant paragraphs of the NPPF including paragraphs 130 – 134, the National Design Guide and the draft Newbury Town Centre Masterplan.

14.0 Heritage and Views

Heritage Policy

- 14.1 Local Plan policy CS19 seeks the conservation and enhancement of the diversity and local distinctiveness of landscape character, with the natural, cultural and functional components of its character to be considered as a whole adopting a holistic approach. Particular regard should be had to the conservation and enhancement of heritage assets and their settings.
- 14.2 Part 16 of the NPPF “Conserving and enhancing the historic environment” highlights the importance to conserve and enhance the historic environment and requires a description of the significance of any heritage assets affected, including any contribution made by their setting (para 194). In determining applications, the NPPF requires LPA to take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness (para 197).
- 14.3 This section goes onto state where development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para 202).
- 14.4 Additionally, Paragraph 206 seeks for proposals within Conservation Areas to preserve those elements of the setting that make a positive contribution to the asset and should be treated favourably.

Assessment

- 14.5 A Heritage, Townscape and Visual Impact Assessment (HTVIA) has been prepared by specialist Montague Evans.
- 14.6 The assessment finds that through the removal of the existing Kennet Centre, which is currently detrimental to the Newbury Conservation Area, the proposal takes the opportunity to enhance the contribution the Site makes to the Conservation Area and to the character of the surrounding area, thus complying with Policy CS19 “Historic Environment and Landscape Character” and paragraph 194 and 206 of the NPPF.
- 14.7 The development aims to better reveal and celebrate the original historic significance the Site has, which accommodated the Eagle Works, a once important contributor to the industrial and engineering history of Newbury producing various engineering innovations of national importance. The regeneration of the Site promotes the areas local distinctiveness through high quality development, seeking to preserve and protect the exiting character of the Conservation Area.
- 14.8 A number of benefits have been identified within the assessment as a result of the proposed development:

- The redesign of the perimeter buildings along Bartholomew Road, Cheap Street and Market Place, further taking into account the vernacular of Newbury and the special interest of the town centre;
- Further articulation and detailing of the taller elements;
- Replacing blank frontages at ground floor with animated and active commercial uses, particularly on the streets on the perimeter of the site;
- The introduction of those uses themselves enhance the character of this part of the conservation area, and reflect the historic pattern of residential and commercial uses which was lost with the first development of the Kennet Centre;
- Introducing a fenestration pattern at upper floors that better reflects the historic streetscape;
- Introducing a varied roofline around the perimeter of the site that better reflects the historic development of this part of the conservation area;
- The removal of large blank blocks generally and the introduction of a development that better reflects the historic grain of this part of the conservation area;
- The use of appropriate materials including the use of brick along with architectural detailing and fenestration which reference the historic buildings within the town centre and the former industrial heritage of the site; and
- A development pattern that introduces permeability to the site that allows a visitor to see into and out of the site, including hitherto inaccessible views of the town hall tower.

- 14.9 As identified above there are a number of statutorily listed buildings on and within proximity to the Site. The assessment concludes the overall significance of any listed building will not be harmed by the proposed development, thus complying with policy CS19 and paragraph 194 of the NPPF which seeks to conserve and enhance heritage assets.
- 14.10 The report also assesses the proposal with regards to the townscape and finds the proposed development to reflect and enhance the character of Newbury. The proposal opens up the currently opaque site with a series of openings, yards and passages running through the Site, including a new civic square to the south of the Site.
- 14.11 The views of the proposed development are set out in the assessment, which shows the development is not visible from the most sensitive parts of the canal side path. The assessment goes on to demonstrate that where the proposed development can be seen in limited positions, the impact is negligible as a result of angled views and the high-quality design. In circumstances where the development is more visible in closer locations the proposal offers an enhanced and improved view than what is currently experienced from the existing Kennet Centre.
- 14.12 Overall, the assessment finds there are a greater number of elements that benefits the town centre, few potential impacts and therefore that the revised scheme represents a shift in balance towards the beneficial side relative to the previous scheme. The scheme therefore results in less than substantial harm and is outweighed by the public benefits the scheme offers, including the provision of housing, high quality services including retail, restaurants, offices, delivering open space, and

increasing connectivity throughout Newbury Town Centre through opening up the Site and providing links throughout.

14.13 In light of the above, the proposed development complies with local and national policy.

15.0 Open Space and Landscaping

Policy

- 15.1 Local Plan policy RL1 seeks the provision of open space in residential developments of 10 or more dwellings to satisfy recreation and leisure needs of the community.
- 15.2 Policy CS14 expects developments to consider opportunities for landscaping.

Assessment

- 15.3 The existing building has no external landscaping and the centre is enclosed. The proposed redevelopment will significantly increase the amount of open space and landscaping over the existing situation. Detailed landscape plans have been prepared and further detail of the landscape strategy is included within the Landscape Design Statement. This explains how the brief for the landscape is based on a design that engages with the townscape context, opens up new pedestrian routes that offer opportunities for mixed uses spilling out from the ground floor, creating a vibrant and varied experience.



Figure 7: Extract from Landscape Masterplan

- 15.4 New public open space is proposed at ground floor level. New streets are proposed to link Market Street, Bartholomew Street and Cheap Street with open spaces and a new civic square (Eagle Square). These new streets and spaces provide the opportunity for cafes and other activities in the proposed commercial units to spill out onto the open spaces. The spaces will have new trees and planters along with benches and timber seating for members of the public to enjoy. The design of the new square will invite people into the space, with new trees and planting and spacious pavement in all areas for multiple events and activities. The new square (Eagle Square) includes a location for performing arts space and is directly connected to a courtyard with events space and seating. The public realm to the south responds to the development to the south and the connection with Newbury station.
- 15.5 Podium communal garden spaces are proposed from 1st to 8th floors and are distributed across the site (see Figure 8). The communal roof gardens provide shared space for residents and all spaces will be accessible by all residents.



Figure 8: Extract from Landscape Masterplan: Podiums and Roofs

- 15.6 Spaces at 2nd and 3rd floors are also designed to offer visual character, from flats looking onto them and circulation routes.
- 15.7 A variety of seating and tables are proposed to encourage sociable use of the communal spaces. Raised planters for growing food such as herbs and vegetables are proposed and fitness equipment is included in some gardens to encourage health and well-being, as a key role of outdoor space. It is recognised that there is an opportunity to increase biodiversity on the site and the landscape design strategy therefore integrates a range of planting types within the accessible communal roof gardens. Non-accessible biodiverse roofs are also proposed at various levels. Further details can be developed and provided by a planning condition.
- 15.8 In accordance with policies CS19 and RL1 the landscape proposals are integral to the overall design and the opportunity has been taken in the design to extend the retail offer and introduce other activities into the public realm. The proposals provide attractive new public open space on the ground floor which will allow for activities to spill out from the commercial units into the street and events to take place making use of the bandstand and places for people to sit. A number of communal residential gardens are proposed for future occupants of the residential units that provides soft landscape and seating areas. A communal terrace is also provided for office users. The development will provide for the leisure needs of the new residential community and visitors to the scheme.

16.0 Transport

Policy

- 16.1 Local Plan policy CS 13 requires development that generates a transport impact to: reduce the need to travel; improve and promote opportunities for healthy and safe travel; improve travel choice and facilitate sustainable travel; demonstrate good access to key services and facilities; minimise the impact of all forms of travel on the environment and help tackle climate change; mitigate the impact on the local transport network and the strategic road network. Transport Assessments/Statements and Travel Plans to support planning proposals are required in accordance with national guidance.
- 16.2 In terms of car parking provision, the West Berkshire Council Housing Site Allocations (HSA) DPD dated May 2017, provides details of the Parking Standards for New Residential Development in Policy P1. The site is in Zone 1 Newbury town centre where parking (as a minimum) the following should be provided:
- 0.75 spaces for a 1 bed flat;
 - 1 space for a 2 bed flat;
 - 2 spaces for a 3 bed flat; and
 - Plus 1 additional space per 5 flats.
- 16.3 The policy does advise that there may be exceptional circumstances where there is a case for providing parking that does not accord with the above levels. These cases will be considered on an individual basis.
- 16.4 Part 9 of the NPPF seeks to promote sustainable transport, a summary of the relevant paragraphs is provided in section 8 of this statement. Paragraph 105 advises that significant development should be focused on locations which are sustainable. In respect of car parking, para 107 advises that in town centres local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.
- 16.5 Paragraph 110 advises that when assessing planning applications, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. 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 would be severe (para.111).
- 16.6 Paragraph 112 advises that proposals should a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between

pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Assessment

16.7 The planning application is accompanied by a Transport Assessment ("TA"), Framework Travel Plan and Framework Servicing and Management Plan. Following submission, the Council's Highways Officer made a number of comments in July 2021 on the information provided in the TA and requested further information in order to be able to fully assess the proposals.

16.8 A Transport Statement provides details of existing parking capacity in the Kennet Centre MSCP, parking occupancy rates, how the spaces will be used and managed for the different uses; and trip generation.

Cycle Parking

16.9 In accordance with WBC's "Cycle and Motorcycle Advice and Standards for New Development" (2014) document, the proposal would require 630 spaces for the residential use. A total of 632 spaces are proposed across the development in secure and accessible bike stores.

Car Club

16.10 A total of 3 car club spaces are proposed in addition to the existing space on site.

Car parking

16.11 It is intended that the proposed development will be a low-car development given its highly sustainable location in the town centre, very close to the railway station and bus routes, as well as the services and facilities available within the centre of Newbury and the scheme itself noting that Built to Rent residential use provides a range of onsite facilities that reduces the need to travel by car. This will be supported by the on-site car club and exceptional cycle facilities provided.

16.12 As set out in the TA, car parking surveys demonstrate that the Kennet Centre MSCP currently operates with ample spare capacity. Other car parks within Newbury Town Centre also demonstrate significant spare capacity.

16.13 There are currently 415 spaces within the existing MSCP at the Kennet Centre. This will reduce to 392 spaces as part of the development proposals. This provision sits alongside the 83 undercroft parking spaces for the residential element of the development. As such there would be an overall provision of 475 spaces on site. Policy P1 requires a total of 471 spaces for the proposed residential units and visitor spaces.

16.14 The spare capacity in the MSCP (and across the town centre as a whole) lends itself to incorporating parking for the proposed development within the MSCP as well as the 83 spaces proposed on site. It is considered that, like the adjacent Market Street development (16/00547/FULEXT), exceptional circumstances should be applied to this proposal and parking levels adjusted to take account of the exceptionally good public transport availability within minute of the site, and its town centre location.

- 16.15 Furthermore, the provision of high-quality Build-to-Rent accommodation at the Kennet Centre with exemplary residents' amenities would significantly reduce the need for residents to own a car. Amenities proposed on site include a:
- Reception & concierge;
 - Residents' lounges;
 - Residents' leisure facilities including a gym and squash court;
 - Meeting rooms/ dining rooms;
 - Co-working spaces;
 - Business / meeting suites (providing space for formal/informal meetings);
 - A variety of rooftop terraces;
 - Cycle parking;
 - Cycle workshop offering cycle repair / servicing and associated equipment for sale;
 - Car club spaces x 3
 - A library of things. This would include items which residents can borrow on a daily or weekly basis such as tools; and
 - Back-of-house facilities for onsite management and maintenance
- 16.16 The business/meeting suites would provide spaces for formal and informal meetings and is conveniently located giving easy access to residents and to the greater business community of Newbury. A dedicated meeting space can give clients a good first impression and provides the right atmosphere in which to conduct business without distractions, interruptions and noise.
- 16.17 The on-site leisure facilities (gym and such court) would mean residents do not need to leave the building and can use their own bathroom at home afterwards, avoiding having to venture out in bad weather, particularly in the winter months. The provision of onsite leisure facilities would also encourage people to exercise and builds a community for users and their guests. The biggest barrier to going to the gym is the inconvenience. An on-site gym can therefore make a big difference.
- 16.18 Overall, it is considered that the amenities provided on site as well as its central location at the heart of Newbury town centre would provide the opportunity for residents to live, work and enjoy life without the need to own a private motor vehicle.
- 16.19 WBC set no specific parking standards for non-residential developments. Instead, the level of vehicular parking required for non-residential developments is judged on a case-by-case basis. Therefore, to determine the required non-residential parking provision, vehicle trip rates have been downloaded from the TRICS database for the proposed non-residential land uses. Overall, the non-residential parking occupancy figures demonstrate that the Kennet Centre MSCP would operate with significant spare capacity throughout the day.
- 16.20 Overall, the TA demonstrates that the provision of 83 parking spaces on-site alongside the dual use of the 392 spaces within the MSCP is sufficient to cater for the predicted parking demand for the

development proposals. There is also significant capacity in the public car parks throughout the town centre. This level of provision accords with Policy P1 of the Housing Site Allocations DPD 2006-2026 and specifically the site is considered an 'exceptional circumstance' in terms of its location within the centre of Newbury and the onsite amenity that will be provided to residents, reducing the need to leave the complex or local area to service their needs.

- 16.21 Consideration has been given to the Market Street development (16/00547/FULEXT) which included residential parking provision at a rate of 0.58 spaces per unit. This is considered very generous with demand likely to be much lower on the site for the following reasons:
- The highly sustainable location of the site;
 - The proximity to employment, retail, leisure, education and health facilities;
 - The provision of 3 new car club spaces on site (in addition to the existing car club space);
 - The significant increase in home working and online shopping since the figure was agreed in 2016/17; and
 - The type of units proposed on site i.e., Build-to-Rent.
- 16.22 In light of the above, the parking demand by residents is therefore likely to be significantly lower than 0.58 spaces per unit. As such, the TA demonstrates that a rate of 0.4 spaces per unit would afford sufficient parking provision on site. This approach is considered acceptable as it is consistent with the approved Market Street development.
- 16.23 In conclusion the development proposals would provide sufficient on-site parking provision. The principle of the dual use for parking proposed has been considered acceptable by the WBC's highways officer and parking team during discussions prior to the submission of the application.

Trip Generation

- 16.24 A number of exercises have been undertaken to calculate the existing and proposed trip generation. The above trip generation calculations demonstrate that the development proposals would result in a significant reduction in vehicle trips throughout the day, with more than 3,800 trips removed from the local highway network. The proposed development also removes HGV trips from the local highway network that are currently associated with the Kennet Centre. The morning peak hour shows a slight increase in trips (+30 vehicles). This is due to the different trip profiles associated with the change in land uses. i.e. residential vs commercial. The evening peak shows a major decrease in vehicle trips with 220 fewer vehicle trips.
- 16.25 As demonstrated in the TA, there will be no impacts on highway safety in the adjoining streets. The scheme will create new pedestrian friendly links between the surrounding streets and the scheme makes excellent provision for cyclists. As such the proposals are in accordance with Policy CS 13 and Part 9 of the NPPF.

Deliveries and Servicing

- 16.26 Full details of delivery and servicing proposals are outlined in the Framework Deliveries and Servicing Management Plan submitted with the application.

- 16.27 In summary, residential deliveries will only be accepted at the dedicated loading bays accessed via Cheap Street and Bartholomew Street. The building has been designed so that every resident in a Build to Rent apartment can access the Concierge – and thus their deliveries – from within the building.

Refuse

- 16.28 In terms of refuse, the building has been designed with several refuse stores across the scheme, conveniently located on the ground floor adjacent to the lifts. A private refuse company will manage the collection of waste on site and a Premises Assistant will carefully manage the refuse storage areas and ensure the smooth running of the waste strategy, rotating the litre Euobins within the refuse rooms so that the bins do not overflow and always have adequate capacity, particularly at peak times. The carry distance guidance within MfS will be adhered to.
- 16.29 Where residents have arranged with the Concierge for bulky refuse items to be collected, these will be stored in the main refuse room awaiting collection.
- 16.30 On refuse/recycling collection days the bins requiring emptying will be prepared for collection, either from the internal covered service bays or, in the cases of Block D and Block G only, from the Market Street service layby and from Cheap Street respectively. Clear routes are provided from the bin stores. A private refuse company will be responsible for collecting the waste.
- 16.31 Full details of refuse arrangements are outlined in the Framework Deliveries and Servicing Management Plan and DAS submitted with the application.

17.0 Ecology

Policy

- 17.1 Local Plan Policy CS 17 requires all new development to maximise opportunities to achieve net gains in biodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan. Paragraph 174 of the NPPF requires planning decisions to enhance the natural and local environment by providing net gains for biodiversity.

Assessment

- 17.2 An Ecological Assessment ("EA") prepared by EPR is submitted with the planning application. This found that overall, the habitats on site were found to be of little nature conservation value, being comprised almost solely of buildings and hardstanding.
- 17.3 A number of bat surveys were undertaken to check for the presence of bats. A single common Pipistrelle bat was recorded on two occasions. The surveys have demonstrated that the buildings are unlikely to support anything but a day roost for low numbers of Common Pipistrelle bat and the roosting feature is very likely to be a crevice behind a tile. The surveys completed are sufficient to characterise the roost present, evaluate the bat assemblage and inform a mitigation strategy. Further bat surveys will be required prior to an application for a Natural England mitigation licence and additional detail on the precise roosting feature will be gathered during those surveys.
- 17.4 The EA concludes that subject to implementation of the proposed measures outlined within this Ecological Impact Assessment, the proposed development will not result in any significant residual negative effects on the remaining Important Ecological Features within the Zone of Influence (Zoi) of the proposals. The scheme will deliver biodiversity net gain through installation of integrated nest boxes and the implementation of green roofs and terraces designed to maximise benefits for biodiversity.
- 17.5 The scheme is in a highly serviced town centre site that will be subject to significant footfall so will need to be mainly hard surface. Ground floor spaces need to be flexible to support temporary uses and the way that individual units use the space immediately outside their unit and therefore a flexible hard-wearing space is required for the design. Above ground floor a range of roof terraces split between biodiversity and communal amenity designed to provide a wide range of habitats that reflect their location and use.
- 17.6 Furthermore, when compared to the current situation (building and hard standing with a single tree), the proposed ground floor, landscaping, green elements of the communal gardens and terraces, biodiverse roofs and biosolar roofs which will incorporate wildlife friendly planting will provide a significant increase in biodiversity value within the site in accordance with Policies CS14 and CS17. Numerous trees are proposed at street level and it is anticipated that a planning condition will require further development of the strategy in conjunction with the project ecologist and landscape and ecology officers at the Council. Details of lighting, bat boxes, enhancements for breeding birds can be dealt with by planning conditions (see EPR Response to LPA submitted with this application. Whilst this was submitted for the previous application the commentary on planning conditions still remain applicable).

- 17.7 In respect of the green roof, the proposals have been designed to accommodate a green roof substrate depth of up to 100mm in all areas apart from the roof of the existing multi storey car park. It is anticipated that this depth of substrate will enable the establishment of a biodiverse roof which incorporates wildflowers rather than only sedums and other features that will provide valuable variation and help to create habitats for invertebrates.
- 17.8 Details of lighting, bat boxes, enhancements for breeding birds can be dealt with by planning conditions.
- 17.9 Overall, the proposals which will provide significant biodiversity enhancements and gain over the existing situation on the site are therefore in accordance with Policy CS 17 and paragraph 174 of the NPPF.

18.0 Archaeology

Policy

- 18.1 There is no specific policy relating to archaeology in the Local Plan. Policy CS 19 relates to the impact of development on heritage assets, but this is more in terms of above ground heritage assets. Part 16 of the NPPF seeks to conserve and enhance heritage assets and details of the policy are set out above in section 8 of this statement.

Assessment

- 18.2 Oxford Archaeology has prepared an Archaeological Desk Based Assessment in respect of the site and proposed development.
- 18.3 The desk-based assessment has identified a small number of known heritage assets of early prehistoric, Roman and early medieval date within the site and wider study area, suggestive of some level of activity during these periods.
- 18.4 The report highlights the low potential for the survival of archaeological remains within the site, as a result of the development of the medieval and post-medieval town of Newbury and more significantly the construction of the Kennet Centre in the later 20th century, which most probably heavily truncated, if not completely removed, any earlier deposits that may have been present.
- 18.5 The report concludes that there is a limited potential for remains to survive in proximity of the extant historic buildings located along the site boundary and at a greater depth below ground level and any such deposits would be affected by the proposed development. Monitoring may be required during intrusive ground works by the West Berkshire County Council Archaeologist in order to identify and record any archaeological deposits located within the site. This can be satisfactorily secured via a watching brief planning condition.
- 18.6 With a planning condition to secure a watching brief during the implementation of the ground works, the scope of which to be agreed with the Council's Archaeologist, the proposed development will not result in any harm to any potential archaeological remains and is accordance with the policies in Part 16 of the NPPF.

19.0 Flood Risk Assessment and SuDs

Policy

- 19.1 Local Plan policy CS 16 advises that the sequential approach in accordance with the NPPF will be strictly applied across the District. When development has to be located in flood risk areas, it should be safe and not increase flood risk elsewhere, reducing the risk where possible and taking into account climate change.
- 19.2 Development will only be permitted if it can be demonstrated that: through the sequential test, the benefits of the development to the community outweigh the risk of flooding; it would not have an impact on the capacity of an area to store floodwater; it would not have a detrimental impact on the flow of fluvial flood water, surface water or obstruct the run-off of water due to high levels of groundwater; appropriate measures required to manage any flood risk can be implemented; provision is made for the long term maintenance and management of mitigation measures; and safe access and exit from the site can be provided under both frequent and extreme flood conditions.
- 19.3 The policy also requires surface water to be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS).
- 19.4 Part 14 of the NPPF sets out national policy on planning and flood risk. This directs development away from areas of high flood risk to areas with the lowest risk of flooding from any source (para. 162). When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; the development is appropriately flood resistant; it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan (para. 167).
- 19.5 Paragraph 168 adds that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Assessment

- 19.6 A Flood Risk Assessment and Drainage Statement (prepared by Robert Bird Group) is submitted with the planning application. The site falls mostly within Flood Zone 1 (lowest risk of flooding) with only a limited part within Flood Zone 2. A Sequential Test Report was therefore also submitted with the planning application to see if there are any alternative sites currently available or allocated for development in Newbury Town Centre.
- 19.7 The Sequential Test report confirms that the mix of Main town centre uses proposes means that in planning policy terms, the development must be located within the town centre. Much of Newbury town centre falls within Flood Zone 3 or Flood Zone 2 and is therefore not sequentially preferable to the application site. Of those potential alternative sites that fall within Flood Zone 1, none has been identified as being available or suitable for the mix and quantum of Main town centre uses that has been proposed on the application site. The report concludes that the Sequential Test is complied with.

19.8 A summary of the main findings of the flood risk assessment are as follows:

- The development is mainly located in Flood Zone 1
- The proposed use for the development is classified as 'more vulnerable', in Flood Zone 2 'more vulnerable' development is allowed, passing the sequential test without the need to apply the exception test.
- The development is located in an area deemed to be at risk of flooding from surface water, i.e. events with less than a 1 in 100 year probability of occurring
- Flood risk to the development arising from groundwater is considered to be low due to the fact it does not lie in a groundwater emergence zone.
- Flood risk from artificial sources is considered to be low.
- Despite the low risk of flooding occurring on the site, the following recommendations are proposed for inclusion in the design to reduce the impact of flooding:
- Finished floor levels to be set above finished external ground levels
- Site levels to be managed to prevent ponding adjacent to buildings
- Proposed drainage network for the site to reduce existing surface water discharge rates and attenuate discharge volumes from the site through the incorporation of SuDS measures
- Proposed drainage network to prevent above ground flooding for the 1 in 30 year storm event and prevent flooding from affecting buildings for the 1 in 100 year storm event factored for climate change.

19.9 An assessment of the SuDS measures that can be included on site comprise the following options as the most appropriate for inclusion in the design of the site drainage network:

- Green roofs;
- Blue roofs;
- Permeable Paving
- Rain gardens and bio-retention areas
- Below ground attenuation tanks.

19.10 The proposals are considered to comply with Local Plan policy CS 16 and paragraphs 167 and 168 of the NPPF.

20.0 Sustainability and Energy

Policy

- 20.1 Local Plan policy CS 15 requires new residential development to meet Code for Sustainable Homes Level 6 and non-residential development BREEAM Excellent. Major residential and non-residential development is required to be Zero Carbon, unless it can be demonstrated that such provision is not technically or economically viable.
- 20.2 Policy CS14 requires all development proposals to seek to minimise carbon dioxide emissions through sustainable design and construction, energy efficiency, and the incorporation of renewable energy technology as appropriate and in accordance with Policy CS15: Sustainable Construction and Energy Efficiency.
- 20.3 Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions. New development should be planned for in ways that help to reduce greenhouse gas emissions, such as through location, orientation and design (para. 154).
- 20.4 In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Assessment

- 20.5 The proposals will incorporate ground source heat pumps providing efficient and renewable heating and cooling throughout the development. This will help the proposals meet with net zero in the future. The residential and commercial uses will incorporate measures to improve water efficiency, flood risk attenuation; measures to deliver a net gain in biodiversity; maximise the re-use of materials and limit end of life disposal in landfill; the procurement of sustainable materials; reduction in the need to travel by private means of transport through proximity to public transport and the town centre and the provision of a high number of cycle parking spaces and the incorporation of pollution prevention measures into the scheme design.
- 20.6 Furthermore, it is also material to note that the proposed development will replace an extremely inefficient and outdated 1970's shopping centre. Whilst details are not available to make a detailed comparison, based on the size and use of the building, the existing Kennet Centre is predicted to currently emit approximately 3,040 tonnes of CO₂ per annum using CIBSE Guide F benchmark figures. The scheme put forward is targeted to emit 325 tonnes per year, a 90% reduction in emissions. Furthermore, the all-electric scheme will be futureproofed for future grid decarbonisation, which is in full accord with future homes standards helping to meet West Berkshire.
- 20.7 In accordance with the policy CS14, the proposed development will achieve a BREEAM "Excellent" rating for the retail space (72.51%).
- 20.8 The Sustainability and Energy Report confirms that the development is projected to achieve a reduction in Carbon emissions of 48% from the adoption of the renewable and low carbon technologies, directly connected to the site. This is significantly higher than the requirements of Part

L (2021) and demonstrates alignment with all of the sustainability policies in the West Berkshire Council Core Strategy, specifically policies CS 13, CS 14, CS 15, CS 16, CS17 & CS 18.

21.0 Environmental Amenity

Policy

- 21.1 Saved Local Plan Policy OVS.5 only permits development where proposals do not give rise to an unacceptable pollution of the environment. Proposals should have regard to the need to ensure the adequate storage and disposal of waste materials; and hours of operation.
- 21.2 Saved Local Plan Policy OVS.6 requires appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated.
- 21.3 Paragraph 130 of the NPPF requires planning decisions to ensure that developments create a high standard of amenity for existing and future users.

Assessment - Noise

- 21.4 A Noise Assessment prepared by Stuart Michael Associates is submitted with the planning application. The report identifies potential impacts from the local highway network, traffic generated from the proposed development and from construction activities.
- 21.5 Within the development site, an assessment has been undertaken of the predicted noise levels at all of the façades and at all floor levels. Where façade noise levels are above 50 dB during the daytime and 45 dB during the night time, mitigation measures are proposed to ensure internal noise levels meet BS 8233:2014, WHO guidelines and local planning policy
- 21.6 Outside of the site, potential impacts from development generated traffic on local sensitive receptors have been assessed and the results indicate that the impacts will have “No Change” or of Slight significance. Therefore, no mitigation is proposed.
- 21.7 The report has also calculated the potential worst-case impacts of construction noise at nearby sensitive receptors. Best practical means should be adopted to minimise construction noise insofar as possible.
- 21.8 The report concludes that the proposed development is in accordance with WHO Guidelines, British Standards, and WBC local policy. Thus, noise should not be an overriding reason for withholding the granting of planning permission for this site.
- 21.9 The Council’s Environmental Health team have raised no objections subject to conditions requiring the commitments in the Noise Report are followed including the implementation of the suggested double glazing specification, limits on noise at the nearest sensitive receptor during the construction process and hours of operation during the construction of the development. They also recommend conditions on delivery hours and hours for eating and drinking in external areas.

Assessment - Air Quality

- 21.10 An Air Quality Assessment has been prepared by Stuart Michael Associates Limited and is submitted with the planning application.
- 21.11 Impacts from development generated traffic and the constraints on the development have been assessed. The Assessment concludes that the magnitude of change in annual mean NO₂, PM₁₀,

and PM2.5 concentrations due to development generated traffic is predicted to be “Imperceptible” at the locations of all modelled sensitive receptors. Moreover, concentrations of air pollutants are well below their NAQO objective values. Therefore, the significance of development is considered Negligible.

- 21.12 The impacts of the various phases of the construction process have been assessed and the Assessment concludes that with the implementation of the appropriate mitigation measures the residual effects during the earthworks and construction of the Development will be “Not Significant”.
- 21.13 The overall conclusion of the assessment is that taking into account the proposed development’s negligible increase in air pollution during the operational stage, and the “not significant” impact arising from dust during the construction stage, it can be concluded that air quality should not be a determining factor in refusing planning consent.
- 21.14 The above demonstrates that with the proposed conditions in place the proposals will not result in any adverse impacts on residential amenity in accordance with saved Local Plan policies OVS.5 and OVS.6 and NPPF paragraph 130.

22.0 CIL, Section 106, Section 278 Summary

Community Infrastructure Levy

- 22.1 The West Berkshire CIL charging schedule was adopted in April 2015 and has not been subject to any amendments. The proposed development is liable for CIL.

S.106 and S.278 Contributions

- 22.2 The following s.106 contributions are anticipated to be made:
1. Provision of a 'Library of Things' on site.
 2. Provision of affordable housing.
 3. Provision of 'Co-Wheels' on site to support cyclists and encourage cycling.
 4. Improvements to the Multi-Storey Car Park on site.
 5. Financial Contribution towards Public Open Space.
 6. Purchase of season tickets for the Kennet Centre for an initial period of 3 years
 7. Improvements to Market Street including the provision of a new pedestrian crossing.
 8. Re-wilding of the proposed roof terraces.
 9. Space within the new square for community performances in connection with the Corn Exchange.
 10. Contribution towards an Eagle Quarter Community Matters group (facilitating community development, anti-loneliness and support.
 11. Contribution towards the Secret Garden project, specifically:
 - A £2,000 bursary/ sponsorship for community organisations to adopt the 2 x raised beds on Loch Island (already donated by Lochailort) - £100 per raised bed per annum for 10 years.
 - A contribution and works in kind to achieve disabled access to the Globe Gardens.
 - A contribution towards the rebuilding of part of the Secret Garden wall which is structurally unsound.
 12. S.278 – Works to the public highway.

23.0 Planning Balance and Conclusions

- 23.1 This Planning Statement has been prepared by Lochailort Newbury Ltd, the applicant, to support the amended proposals for the redevelopment of The Kennet Centre, located on Market Street, Bartholomew Street, Market Place, and Cheap Street, Newbury, RG14 5EN ("the Site"), submitted to West Berkshire Council ("WBC" or "the Council").
- 23.2 The planning application seeks:
- "Full planning permission for the redevelopment of the Kennet Centre comprising the partial demolition of the existing building on site and the development of new residential dwellings (Use Class C3) and residents' ancillary facilities; commercial, business and service floorspace including office (Class E (a, b, c, d, e, f, and g)); access, parking, and cycle parking; landscaping and open space; sustainable energy installations; associated works, and alterations to the retained Vue Cinema and multi storey car park."*
- 23.3 The proposal will deliver 426 new build to rent homes (including 19 affordable discount market rent units subject to viability) and approximately 3,116.87 sqm of Use Class E floorspace alongside significant new areas of public realm, new retail and commercial spaces for independent shops, cafes, and restaurants as well as office and commercial space.
- 23.4 The site currently comprises the Kennet shopping centre, built in the 1970's which has a high vacancy rate, cannot find occupants for the anchor units, is inward looking and is in a state of decline. The proposed development involves the demolition of the majority of the centre with the exception of the Vue cinema and multi-storey car park.
- 23.5 The proposal is for the construction of new buildings that have been sensitively designed through a collaborative process between Collado Collins architects and Professor Robert Adam PhD, RIBA, Hon RIAS, RSA to take account of the site's context within the historic Newbury town centre and conservation area and in close proximity to a number of listed buildings. The scheme will open up the site increasing legibility and new pedestrian routes to link the railway station and new development to the south with the remainder of the town centre.
- 23.6 The introduction of residential development will increase footfall in the town centre and the retail offer proposed will complement the offer in the existing centre increasing trade and the vitality of the town.
- 23.7 There is no specific adopted policy for the Kennet shopping centre. This statement has demonstrated that the proposals are in accordance with the policies in the development plan and the national planning policy in the NPPF and the National Design Guidance.
- 23.8 The scheme will result in a significant number of economic, environmental and social planning benefits to existing and future local businesses and residents, visitors and the local economy as follows:

Economic benefits

- The Kennet Centre is no longer fit for purpose and its comprehensive regeneration will provide a catalyst with wider regeneration benefits to the town centre.

- The rejuvenation and regeneration of Newbury Town Centre creating an expanded retail offer to attract more visitors to the town centre increasing footfall benefiting the wider town centre.
- The creation of a new mixed use quarter that will enhance the attractiveness of Newbury Town Centre as a destination, with new spaces for local, independent and artisan businesses that will help enhance Newbury's unique and special identity as a market town.
- New bespoke commercial units targeted to local, independent and artisan businesses offered on flexible size, terms and uses that will invigorate the retail and leisure offering in this part of the town centre, without prejudicing the viability of other retail offerings such as that at Parkway.
- The introduction of sustainable new homes in the town centre that will increase the population of the town centre and footfall increasing the vitality and viability of the town centre and the patronage of existing shops, services and businesses.
- The provision of new housing, workspace, health centre and retail floorspace for local and independent retailers.
- The provision of flexible workspaces.
- Retention and improvement of the Vue cinema and leisure facilities.
- The creation of 360 FTE jobs during the construction process and 134 net additional FTE jobs once the development is operational.
- Additional expenditure arising from 426 new build to rent households amounting to £7.5m per annum.
- New Homes Bonus to the Council and S106 and CIL payments to WBC.

Environmental benefits

- A reduction in carbon emissions when compared to the existing Kennet Centre by circa 90%.
- The redevelopment of the site and provision of new homes, retail units and office space in a highly sustainable location.
- The effective and optimal use of a brownfield site.
- Design of the highest quality, reflecting the historic centre of Newbury as well as creating a contemporary heart to the scheme.
- The provision of new public squares and spaces.
- A significant enhancement to the setting of the listed buildings adjacent to and in the vicinity of the site.
- A significant enhancement to the character of the Newbury Town Conservation Area.
- Enhanced landscaping through the provision of new trees and shrubs assisting with the greening of the town centre.
- Biodiversity enhancements and gain.

- The provision of renewable energy through ground source heat pumps to provide hot water, heating and cooling without the use of any on-site fossil fuels.
- The re-use and enhancement of the existing Multi-Storey Car Park on site including incorporating EVCPs.
- A total of 53 electric vehicle charging points provided in the MSCP and undercroft parking.
- An on-site car club (with 3 new spaces) that will provide flexible transport options to complement the scheme's close proximity to Newbury's railway station and bus station.
- On site cycle hire and workshop to encourage residents to cycle.
- Traffic free routes and spaces creating new links for the surrounding area.
- A new direct pedestrian route from the town centre and bus station to the railway station through the site making sustainable modes more attractive.
- A Library of Things to enable the re-use of everyday items.

Social benefits

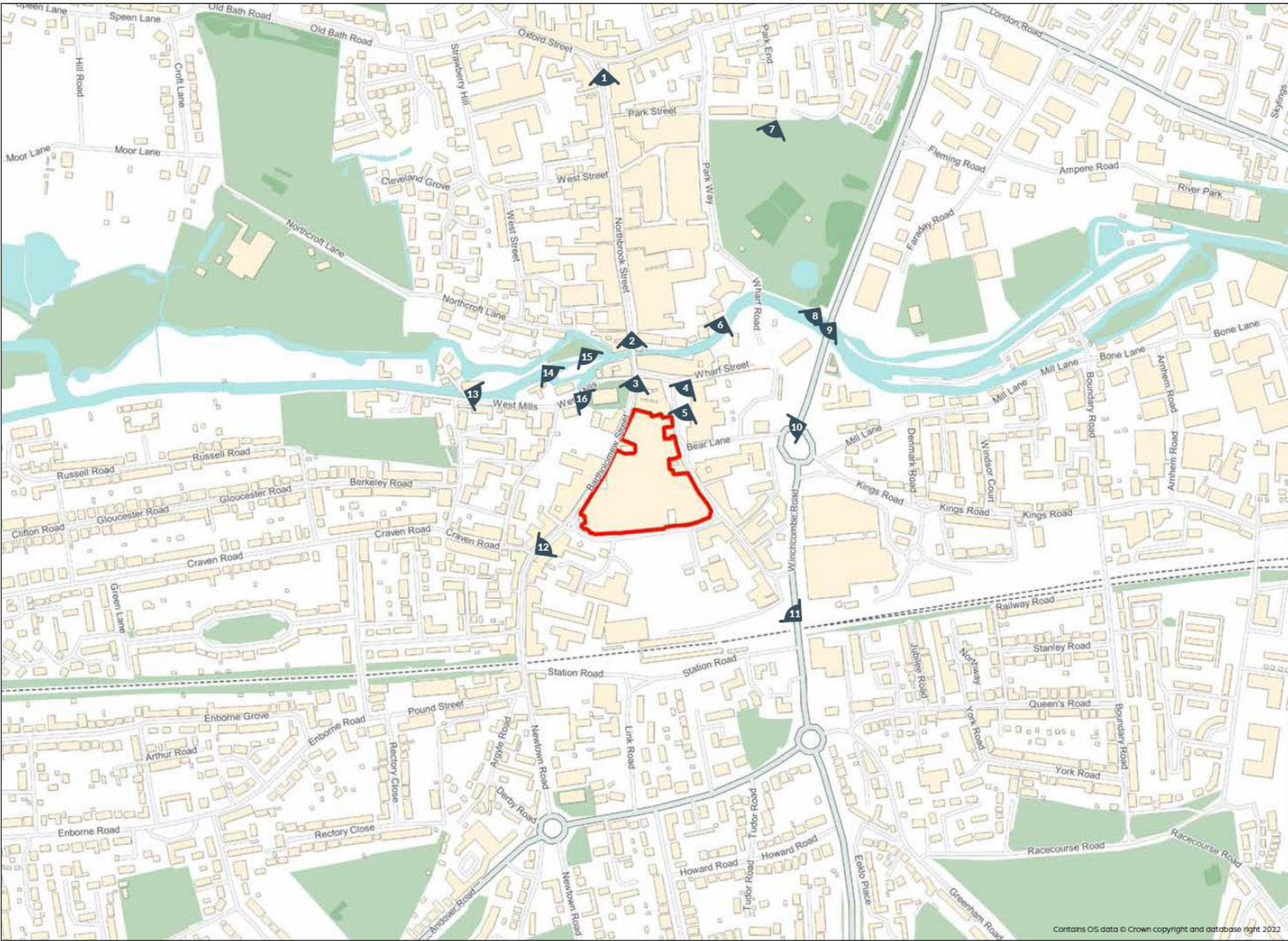
- The creation of a new mixed-use community.
- The provision of new high-quality Build-to-Rent residential units providing long term secure tenancies and high quality residents facilities and amenities in this sustainable location.
- Increase in jobs in the town centre.
- Purposely designed accommodation opportunities for new local start ups and social enterprises.
- New public open space, performing areas, outdoor seating and regenerated environment.
- An enhanced leisure offering.
- Potential space for a new GP health centre.
- Payments for local infrastructure through the Community Infrastructure Levy and S106.

23.9 The applicant respectfully requests that the application is approved.

Appendix 1

AVR

LONDON



VIEWS LOCATION PLAN

- Application Site
- 1. Clock Tower
- 2. Northbrook Street
- 3. Bridge Street
- 4. Market Place
- 5. Corn Exchange
- 6. Canal Walk
- 7. Victoria Park
- 8. The Wharf
- 9. A339 Bridge
- 10. A339 Roundabout
- 11. A339 Railway Bridge
- 12. Bartholomew Street
- 13. Swing Bridge
- 14. Tow Path
- 15. Newbury Lock
- 16. St Nicolas Church Hall

LOCATION:
Kennet Shopping Centre, Newbury

DATE:
September 2022

SCALE:
1:6000 @ A3

FIGURE 8.1 View Location Plan

▲ NORTH



MONTAGU EVANS
CHARTERED SURVEYORS
5 BODLON STREET,
LONDON W1J 8BA
T: 020 7493 4002
WWW.MONTAGU-EVANS.CO.UK

Kennet Centre Newbury
Newbury
July 2023



ME2303 Kennet Centre Newbury ST230UG3

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1.6 m above ground

08:11 19 March 2023



Kennet Centre Newbury
Newbury
July 2023



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1.6 m above ground

08:11 19 March 2023

Kennet Centre Newbury
Newbury
July 2023



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1.6 m above ground

08:11 19 March 2023



Kennet Centre Newbury
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1.6 m above ground

08:11 19 March 2023



Kennet Centre Newbury
Newbury
July 2023



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1.6 m above ground

15:02 19 March 2023



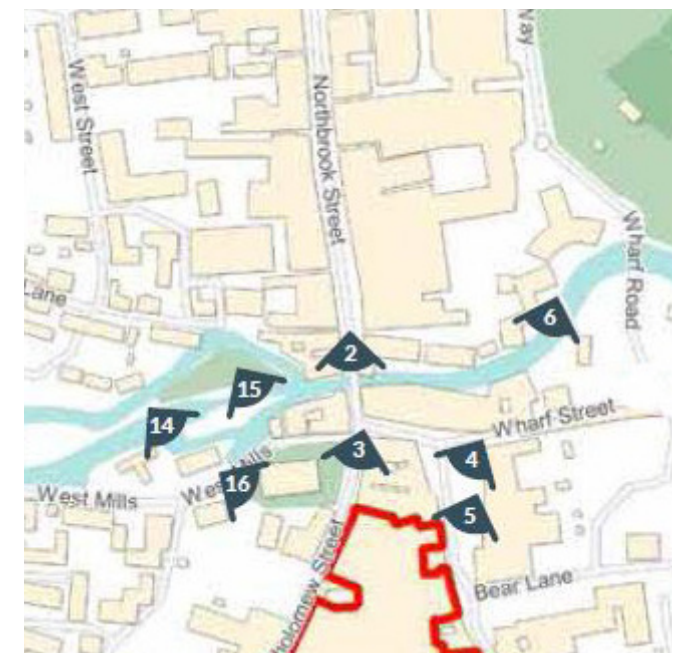
Kennet Centre Newbury
Newbury
July 2023



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1.6 m above ground

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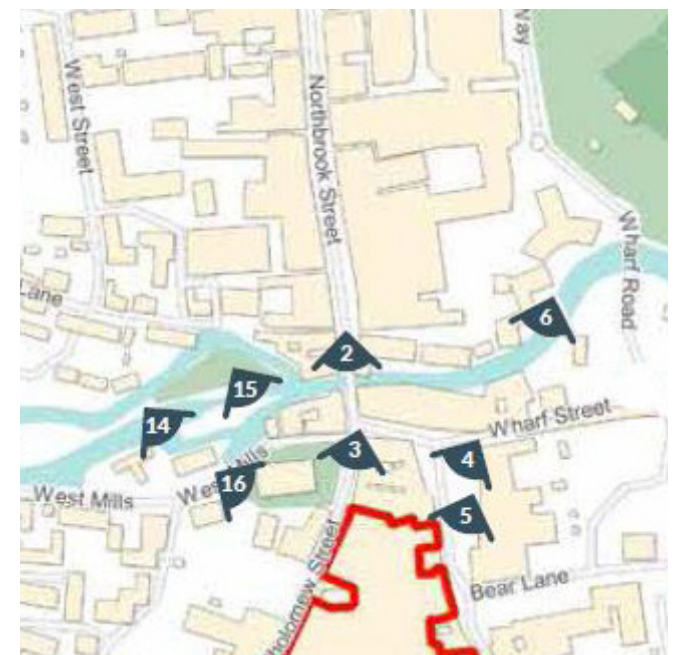
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Newbury
July 2023



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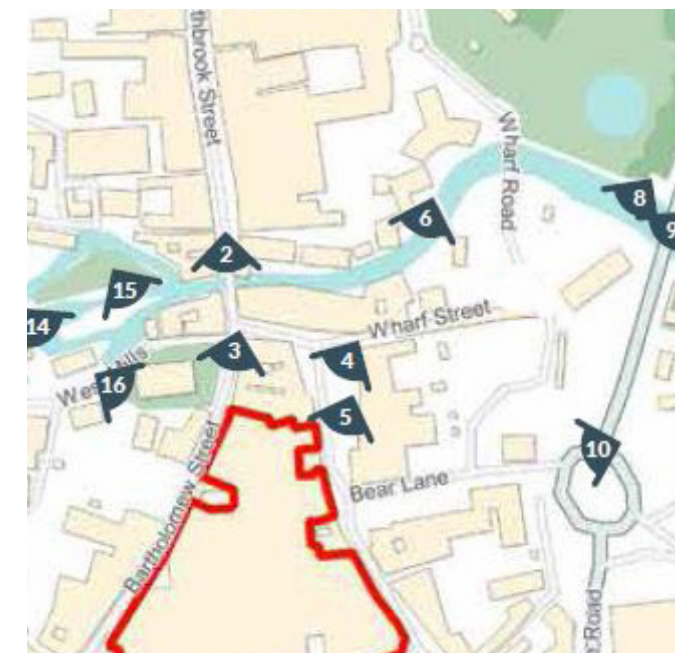
Kennet Centre Newbury
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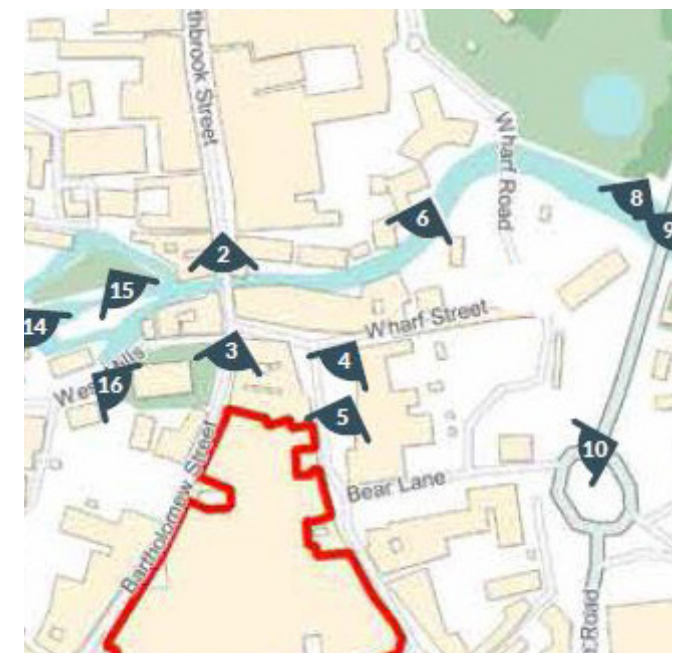
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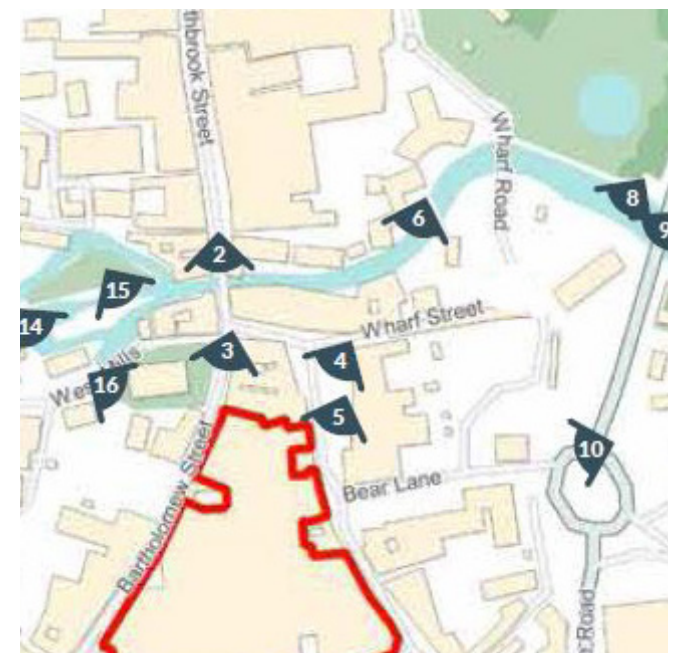


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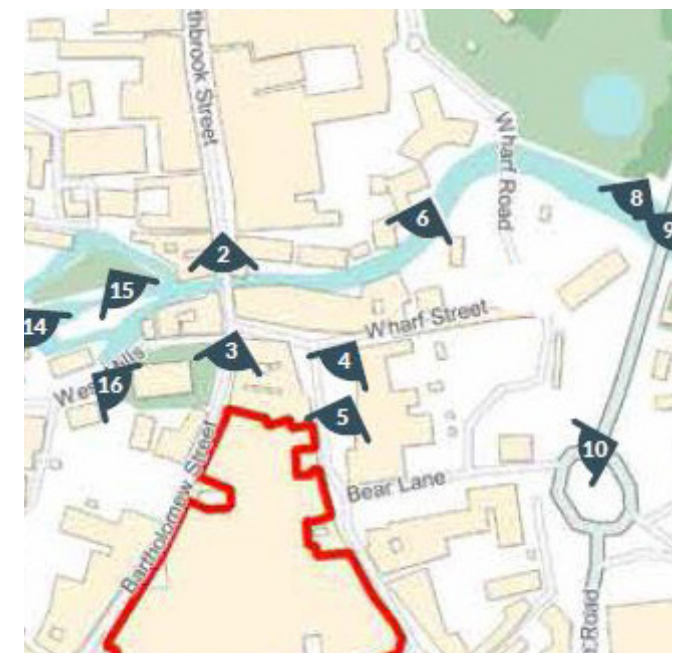
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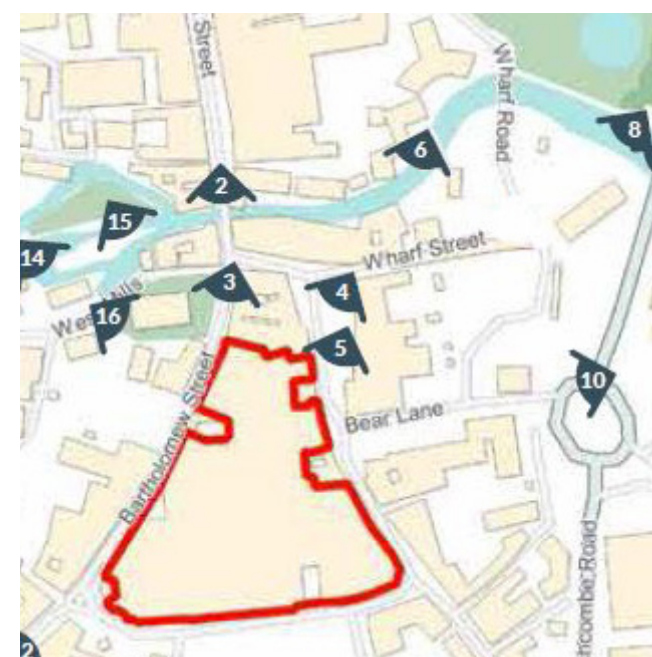


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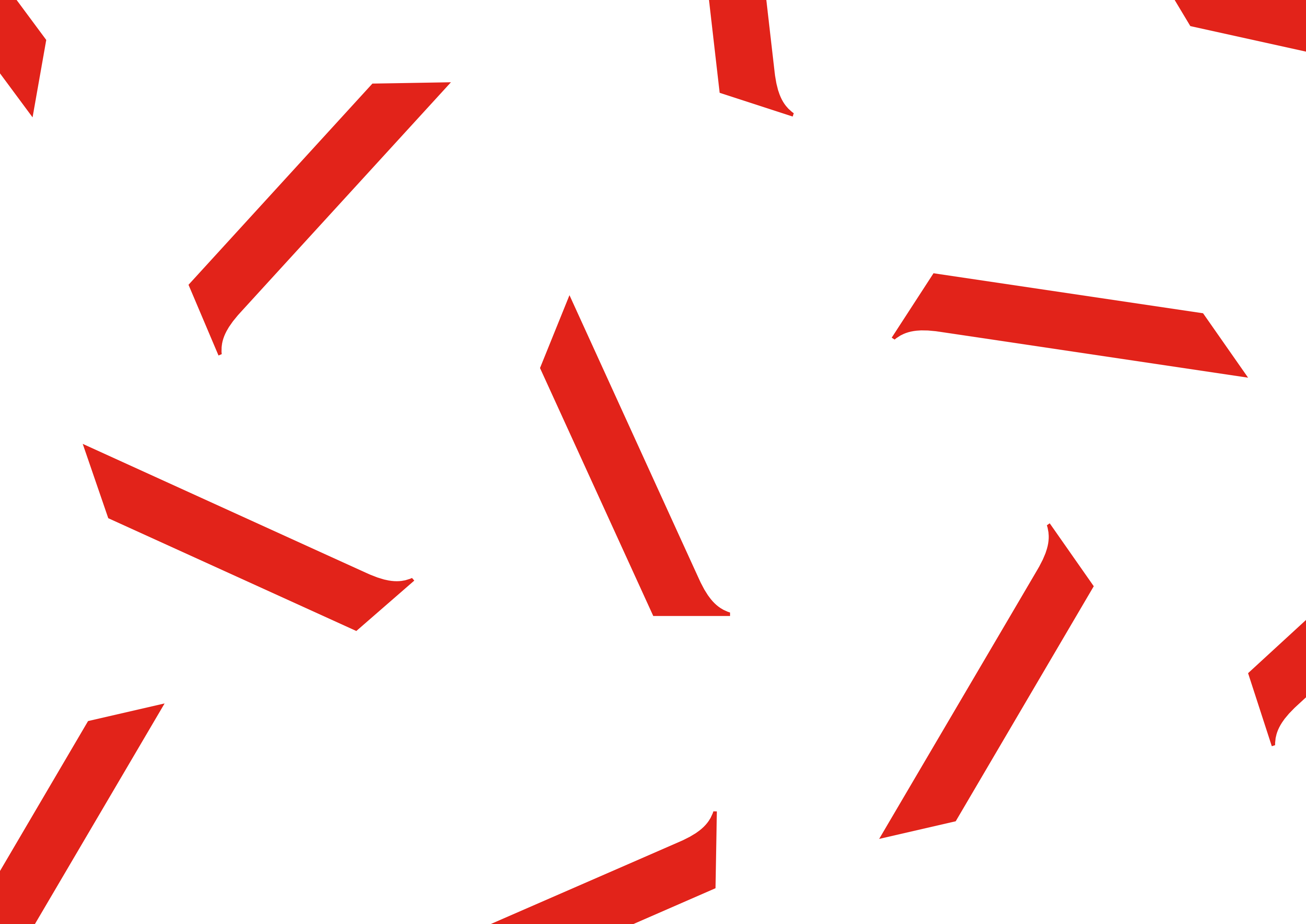


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