



Historic England

Mr Matthew Shepherd
West Berkshire District Council
Council Offices - Planning Department
Market Street
Newbury
Berkshire
RG14 5LD

Direct Dial: 0207 973 3632

Our ref: P01566254

24 January 2024

Dear Mr Shepherd

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**THE MALL, THE KENNET CENTRE, NEWBURY, RG14 5EN
Application No. 23/02094/FULMAJ**

Thank you for your letter of 19 December 2023 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Summary

In our initial comments of 27 October 2023 we concluded that the proposed development would be harmful to the significance of the Newbury Conservation Area and the listed buildings within it partly due to the scale of the new buildings proposed, and partly due to design issues - some of the buildings proposed would compare poorly with the historic townscape of the conservation area, which is very good. We objected to the application as this harm was not clearly and convincingly justified, it could be reduced further through more sensitive design.

The applicant has responded with some minor alterations to elevations in response to our comments and defended other elements that they do not wish to change. More exemplar details have also been supplied. They have also questioned our assessment of the harm caused to the conservation area by the scale of the buildings proposed.

We have carefully considered the applicants response. We are not swayed by their arguments about the impact of scale, and remain of the view that this would harm the significance of the conservation area. Some of the changes to detailed design have made a real positive difference, particularly to block F, but other amendments, particularly to block E, have made a poor design even worse.

We cannot consider that the harm has been minimised or is clearly and convincingly



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justified, as is required by the NPPF until these design issues raised below are fully addressed and therefore our objection still stands. These issues are relatively minor and could easily be overcome with a little thought on the part of the design team.

Historic England Advice

The impact of the height of the proposed development on the significance of the Newbury Conservation Area and the listed buildings within it

In their response the applicant questions why we have concluded that the impact of the proposals in view 1 would be harmful whereas we did not identify harm in view 2, which is considerably closer. This is because as you get closer to the proposals your view is framed by the existing buildings along Northbrook Street. This obscures much of the proposed new development, meaning that its scale is less apparent. of development. In addition, the effect of parallax as you get closer reduces the apparent scale of the proposed buildings. By contrast in view 1 the greater distance means that the true scale of the development becomes apparent, and it would have a much greater visual impact than in view 2.

The applicant's response also attempts to play down the impact on view 8, where the proposed buildings would rise up above the ridge of the Grade II* listed Corn Store. The long, unbroken roof line of this building is one of its most distinctive architectural qualities and it forms a good ensemble in this view with the canal, the old wharf crane, the Grade II listed Stone Building, Wharf House and Town Hall. The new library adjacent has been carefully designed to harmonise with this group. A mass of buildings visible above the roof of the Corn Store would clutter this view, diminishing the viewer's ability to appreciate this group of listed buildings and entailing some harm to their significance. This harm may be of a high level, but remains material.

General design comments

In their response the applicant states that sections have been supplied showing the depth of the window reveals proposed. I cannot find these among the documents listed on the website.

Block E

The amendments proposed have made the appearance of the elevations of this block worse rather than better. Our principal concern with this elevation were the small windows flanking the oriels on the second floor of the central part of this wing. These are rather an odd feature made stranger by the lack of any apparent detailing to their surrounds. In response these have been enlarged to the point where they are touching the arched heads over the first-floor windows. This would look very odd. Returning these windows to their original size and giving them heads (for instance a gabled



brick flat arch) would address this issue.

The Adam details shared for the first time gives more confidence that the ground and first floor window heads would be of a high quality. The doorways remain overscale for the doors that they serve. At third floor level some the brickwork arches have been removed from over the wider windows, this again is a retrograde step, removing a feature that finished these opening in a neat way and matched the other windows on this floor.

Block C

Our main concern here is the size of the opening to the service yard. In response the applicant has made one of the piers very slightly wider and cited historical examples of very large openings with buildings over them.

We recognise that access needs to be provided for the service yard but question whether the opening needs to be as high (it could accommodate a double decker bus) and as wide (the service road narrows considerably behind the building). There is surely some scope to reduce its size.

The slight increase in the roof pitch and alterations to the central windows of the left-hand element of this block to make them appear as a continuous run of openings would noticeably improve the appearance of this part of the building.

The materials proposed for the left-hand part of the block are unclear. The elevations look like they are intended to be render. A note states that they will be beige brick, but it is unclear whether this refers to the cornice or the whole elevation. The Adam details imply brick. If brick were used it would improve the appearance of this part of the building and give a dignity to the gargantuan segmental arch proposed over the vehicular entrance than render would not.

For the first time steel gates are shown in the opening to the service yard. These would look forbidding rather than promoting the active and attractive street frontage aimed for. They could be softened by taking more decorative approach to the design or switching to solid timber.

The additional details provided allays our concerns regarding other elements of the design of this block.

Block F

The alterations to this block have addressed most of our concerns and result now looks much more attractive. The only element that does not work well is the band of grey bricks laid end-on between first and second floors. This very modern feature jars



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with the otherwise very traditional look of the building. A thick projecting string course in the same brick as the rest of the building laid in the same direction would work rather better.

We note that railings have been added to the left-hand wing, presumably as the parapet height has been dropped. These would be necessary but a simpler design that does not draw the eye would be suggested.

Block H

Additional details supplied give more confidence that this would be a well detailed and attractive building. Reducing the size of the second-floor window, and enlarging the eagle, which didn't quite fill the space, are improvements.

The overall impact of the scheme

We remain of the view that these proposals remain at odds with the historic character of Newbury's townscape and would harm the Newbury Conservation Area and the setting of many of the listed buildings within it.

The National Planning Policy Framework divides harm to heritage assets into two categories: substantial, which is a very high bar requiring all, or a good deal, of the significance of a heritage asset to be removed for it to be reached; and less than substantial, which encompasses a very wide range of harm, from hardly material, to something just below that high bar.

We do not consider the harm to the conservation area to be substantial; but these proposals would compromise the experience of being in the conservation area (and that of the listed buildings within it) from a number of ways, causing a moderate level of harm.

Legislative and Planning Policy Considerations for this proposal

In determining this application, you have a statutory duty, as set out in sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

This application also needs to be assessed against the policies contained within the National Planning Policy Framework (NPPF 2021) relating to the historic environment, particularly paragraphs 194, which requires an application to describe the significance of any heritage assets affected; 195, which stresses the need to avoid or minimise any



conflict between the a heritage asset's significance and any aspect of the proposals affecting it; 197, which emphasises the desirably of sustaining and enhancing the significance of heritage assets; 199, which requires great weight to be given to conserving the significance of designated heritage assets (which includes listed buildings and conservation areas); 200, which requires clear and convincing justification for any harm to the significance of a designated heritage asset; and 202, which requires harm to significance to be weighed against public benefits.

The NPPF policies on design also apply in this case, particularly paragraph 130, which states that planning decision should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting; and paragraph 134, which states that development that is not well designed should be refused.

Also of relevance is Area Delivery Plan Policy 2 of West Berkshire Council's Core Strategy (2012). This states that development in Newbury "will respect the historic environment of the town" and that "opportunities will be taken to enhance the townscape". The site is not included within the Council's Housing Site Allocations DPD (2017).

Historic England's position on the proposals

As we have said in the past, redeveloping the Kennet Centre offers a rare chance to greatly enhance the town centre, but it must be done very sensitively: the mistakes of the past should not be repeated. The current proposals fail to take this opportunity. They would harm rather than enhance the character of the conservation area.

Given the harmful nature of the proposals, the requirement of legislation to have special regard to the preservation of listed buildings and their setting, the requirement of the NPPF to give great weight to the conservation of designated heritage assets and the fact that this development does not respect the historic environment of Newbury as required by the Council's Core Strategy, there should be a presumption against this development.

Therefore, our recommendation is that the application should be refused unless the Council are convinced that, having worked through paragraphs 194-202 of the NPPF, the harm is clearly and convincingly justified. Given the great weight that should be given to that harm in the planning balance, meaningful public benefits would be needed to outweigh it.

The proposals are edging closer to a point where we could accept that there is a clear and convincing justification for the harm. However, the outstanding issues with block E and to a lesser extent block C means that the harm could meaningfully be reduced further while still delivering the ambitions of the scheme. Furthermore, we do not



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consider that the proposals satisfy the policies on good design set out in the NPPF.

This is such an important site for Newbury that it is important to get the best possible solution here. We urge the Council to take a long-term view and a robust approach when considering this application.

Recommendation

Historic England objects to the application on heritage grounds.

This application would harm the Newbury Conservation Area and many of the listed buildings within it. The Council should refuse it unless they are confident that this harm has clear and convincing justification and is outweighed by public benefits, as is required by the NPPF.

Improving the appearance of blocks C and E would meaningfully reduce the level of harm. If the issues of design we have raised in our letter were addressed, we would reconsider our objection.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

Yours sincerely

Richard Peats

Team Leader

E-mail: richard.peats@HistoricEngland.org.uk

