

The Newbury Society response to Kennet Centre application 23/02094/FULMAJ for 426 flats etc (validated 25 Sept. 2023).

“23/02094/FULMAJ 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. The Mall, The Kennet Centre Newbury RG14 5EN.”

SUMMARY

The Newbury Society objects to the Lochailort application 23/02094/FULMAJ for the redevelopment of the Kennet Centre in Newbury with 426 flats etc. This application should be refused on the grounds that:

1. It is out of scale and proportion with the rest of Newbury town centre.
2. It is out of character with and harmful to the Newbury town centre conservation area and also to the heritage assets (listed buildings and otherwise) within it.
3. The design of the street-frontage of the flats in Market Street, and the street-frontage design of Block E (next to the multi-storey car park) in Bartholomew Street are all in need of improvement. These designs and those of Blocks A, B and S are not appropriate to the conservation area.
4. There is a substantial shortfall in affordable housing proposed: 19 units instead of the WBC policy requirement for 128 (15% of policy requirement).
5. There is a substantial shortfall in dedicated parking spaces for residents: 83 instead of the WBC policy requirement for 471 (18% of policy requirement).
6. The vehicle access proposals in Cheap Street would have a harmful effect on the circulation of town centre traffic as a whole; and the vehicle access proposed in Bartholomew Street is in an area which is currently pedestrianised for a significant part of each day.
7. There is a substantial shortfall in the provision of amenity space, less than 65% of the WBC policy requirement.

If in spite of objections the council is minded to approve this application, there should be comprehensive conditions attached covering:

1. Parking.
2. Public Open Space.

3. Amenity Space.
4. Archaeology.
5. The details of the construction process, in order to minimise disruption to commercial operation in the town centre.

Our detailed response follows:

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1. Introduction

The existing Kennet Centre/ Kennet Shopping forms a large and prominent part of Newbury town centre. It broadly responds to the rest of Newbury town centre in terms of its height, but otherwise is largely a poor design, of little architectural merit, loved by few, and commercially in relative decline over recent years. We do not object to redeveloping the Kennet Centre, and believe this can be a benefit to the town. However, this in itself does not mean that we would support all redevelopment proposals.

In order to add positively to Newbury in the long term, and help the town continue as an attractive destination and place to live, any redevelopment here should be sympathetic in design and scale to the surrounding part of the town centre. It should enhance Newbury.

The current redevelopment proposals show little consideration for the scale of Newbury's buildings, or the views of local people. They are unsuitable for Newbury, and harmful to the character of the town and the town centre conservation area.

2. Scale and Mass

2.1 In 2023 Newbury town centre consists overwhelmingly of two- and three-storey buildings, which form part of its character. These plans to redevelop the Kennet Centre remain out of proportion and scale with the existing buildings. This is at its most obvious in the elevations showing the street frontage in the central sections of Cheap Street and Bartholomew Street (north of the junctions with Market Street), as well as the elevations of Blocks A, B and S, and should be refused on these grounds.

2.2 The Newbury Historic Character Study (*NHCS*), in reviewing the town centre buildings, states “...the majority reach a maximum of three storeys.” [*NHCS* 2006 p. 21]. South of the River Kennet/ Kennet & Avon Canal, the present maximum height above ordinary ground level in the town centre conservation area is five storeys. Even this is in a very recent development (Weavers Yard, nearing completion 2023), increasing a former maximum height of four storeys. The plans currently proposed would increase the current maximum height, not by an incremental increase, but by an increase of 60% to 8 storeys (for Blocks A, B and S), which is excessive and represents a dramatic change in character for the town, which we oppose.

There are material issues for this application in the *Newbury Historic Character Study (NHCS)*, West Berkshire Archaeology Service 2006 (see Appendix 3). Among other comments, it states p. 21 “The Kennet Centre incorporates some older buildings in the northern part, uses brick and is the appropriate height, but is of little architectural merit.” (*NHCS* 2006 p. 21, our emphasis). This existing height is of two and three storeys.

2.3 The developers use the height of the existing BT Telephone Exchange in Bear Lane as one of the justifications for the height of its development proposals. This Exchange was built for the GPO, with planning permission granted in the mid-1960s, and work started in 1968 (*Newbury Weekly News*, May 16, 1968). This was three years before any conservation areas were introduced in Newbury, and over 20 years before the whole of the Kennet Centre became part of the town centre conservation area (Feb. 1990). When the boundary of the conservation area was drawn around the Kennet Centre, the Telephone Exchange was specifically left outside. The need for a direct-dial telephone exchange in the 1960s, the special position the GPO then held in planning terms, and the different planning regime of the 1960s together mean that this building should not offer any precedent for future town centre development. It is an eyesore. It was, and remains, clearly out of proportion to the rest of the town centre; described in the *NHCS* as “...a concrete tower out of place in its surroundings” (*NHCS* 2006 p. 33); and in the 2010 Pevsner as “Newbury’s tallest and most deplorable building” (Pevsner 2010 p. 399).

3. Effect on Conservation Area and Listed Buildings.

3.1 Bartholomew Street

The majority of Bartholomew Street consists of two and three-storey buildings on both sides. With this development, one eight-storey tower (Block B), and parts of another (Block S) will be visible from the west side of the street, intrusive and harmful to the character of

this street. In addition, this development would have a major effect on the listed building The Newbury pub (former Bricklayers Arms). The development would step up to the south from this two-storey building to a four-storey building, then step up again to a five-storey block of flats (part of Block E). And all this is with the eight-storey Block B behind. The five-storey block of flats would increase the height of the buildings around the small open space with a mature whitebeam tree by the entrance to the Kennet Centre. This outsize development as a whole will detract from the significance of The Newbury pub in the street scene, minimising it.

The Newbury pub (the former Bricklayers Arms, at 137 Bartholomew St), is a Grade II listed Georgian building, described in its listing as early 19th-century. It existed as the Bricklayers from at least 1830, although it was previously known as the Half-Moon and documents in the Royal Berkshire Archives date from 1778. Its earlier history can be traced back to 1761.

Directly opposite the proposed five-storey block of flats on Bartholomew Street are three heritage assets, including a listed building, nos. 16-24 Bartholomew St, which would all be impacted by this development:

No. 16 (or 16-17) is mid-C18 Georgian, a listed building alongside and above the archway through to former offices of Newbury Building Society, previously the dairy depot, and before that the South Berks Brewery.

No. 17-20 (or 18-20) C19 unlisted but imposing building, c.1870, built for butcher's Freebody, with ground floor frontage completely replaced.

Nos. 22-24, former Sovereign offices (now empty), previously Nixeys and Whitehorns bakeries.

Nearby 28 Bartholomew St. (former Charles Lucas & Marshall/ Coffin Mew) is listed Grade II* as a mid-C18th town house, with good doorcase etc.

3.2 Cheap Street

We accept that the architecture of the section of the Kennet Centre nearest the cinema is poor. This was part of Phase 1 of the Kennet Centre, and is three-storeys tall. The design detail of the proposed replacement is better, but as currently proposed it would be five storeys high, which is out of proportion to the rest of the street frontage here and in this part of the town centre. As such, it would be harmful to the setting of listed buildings nearby (on both sides of Cheap Street) and to the conservation area. Placing outsize buildings such as these on the street frontages minimises the significance of listed buildings and other heritage assets, and by diminishing them detracts from the character of the street scene.

The harm to local heritage caused by the excessive mass of the development is at its most evident in relation to two Grade II listed buildings in Cheap Street, nos. 33-34 (the former "Save the Children" etc) and no. 35 (the Catherine Wheel pub).

The Catherine Wheel is a two-storey pub with a distinctive battlemented appearance, which makes a significant contribution to the street scene. It has a history as the "Catherine Wheel" going back before the 1740s, with a 19th-century frontage designed by notable

Newbury architect James H. Money (the architect of Newbury Town Hall) and built by W. G. Adey of West Mills, Newbury, for a Newbury brewery (T. E. Hawkins' West Mills Brewery, which became part of the Newbury-based South Berks Brewery in 1897). Nos. 33-34 is dated "1679" on the gables, and is in a tile-hung style which is characteristic of Newbury buildings in the second half of the 17th century. Their survival is rare. The settings of these two buildings would be harmed by the 6-storey wing of Block A and by Block A itself which lie behind; and to the south on the street-frontage by the 5-storey Block C, higher than the cinema.

Listed buildings affected in Cheap Street opposite include the former Crown Post Office (1896, listed in 2008), no. 41 (early C19), no. 48 (C17 with C19 refronting), and nos. 49 and 50 (C17). In addition, no. 44 (C19, by local architect James H. Money) has been identified as high priority for local listing (NTCCAAMP), and we consider that it should be nationally-listed. There are additional listed buildings and heritage assets nearby, which would all be negatively impacted by these plans.

3.3 Market Street

The proposals for Market Street do not affect listed buildings, but they are out of scale and out of character for the conservation area. In Market St, Block S is six-storeys high (with eight storeys behind). This would replace what is essentially a two-storey building, next to the multi-storey car park. Opposite, are the three and four storeys of the Weavers Yard/ "Gateway"/ Grainger development, which already appear over-sized for Newbury town centre and the conservation area.

Towards the east end of Market Street, the proposal is for a six-storey block of flats next to the cinema: even higher than the cinema, which is already one for the highest buildings in the area.

3.4 Conservation Area

We dispute the statement in the developer's Planning Statement (September 2023) (section 14.6 p. 48) that the development "takes the opportunity to enhance the contribution the site makes to the conservation area and to the character of the surrounding area." We also challenge the statement in section 14.7 that this development is "seeking to preserve and protect the existing character of the Conservation Area." We see very little evidence that the developers are seeking to do this, and (judging from the plans) if they are, they certainly do not succeed.

The development would clearly detract from medium and long views of Newbury Town Centre conservation area, all through the year but especially in winter when there is no tree cover. This is already compromised by the Telephone Exchange, which is an eyesore. These views include (for example) the view from Abbey Close, between the A339 and Newtown Road and the view from the top of Goldwell Park; as well as views from further afield such as those from Enborne and Donnington.

We understand that for an ordinary planning application to be rejected, demonstrable harm must be shown, which we hope we have done. However, we also have to ask whether the development proposed in these applications would tend to preserve or enhance the Conservation Area as a whole? The obvious answer is “No.” It will negatively affect (to varying degrees) all the heritage assets around the Kennet Centre (listed buildings and otherwise), and it will cause significant harm to the Conservation Area. It is a harmful overdevelopment of this conservation area.

4. Conservation Area Appraisal

4.1 Considerable weight should be attached to the fact that this large site lies entirely within a conservation area. Government guidance defines a conservation area as an area “...designated because of its special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.” (Paragraph: 023 Reference ID: 18a-023-20190723 Revision date: 23 07 2019). The Planning (Listed Buildings and Conservation Areas) Act 1990 section 72 (1) states “...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area” (our emphasis). New buildings within conservation areas should respect the local context in terms of scale, mass or volume, footprint and site layout.

This site forms a substantial part of the Newbury Town Centre conservation area. The first parts of this conservation area were designated in 1971, and the area was extended to include the whole of the Kennet Centre in 1990. This was after the completion of the Centre (with the exception of the cinema); Phase 3 had been completed with the opening of the Kennet Centre multi-storey car park in April 1987.

The developers state that this conservation area was last reviewed in 2010 as part of the Core Strategy (Heritage Townscape and Visual Impact Assessment Part 1, Sept 2023, section 3.45 p. 20), but we are unaware of any published review. The West Berkshire Core Strategy (2006-2026), adopted in July 2012, actually states ““Conservation Area Appraisals will be undertaken for Newbury Town Centre Conservation Area and other conservation areas within the town” (West Berkshire Core Strategy (2006-2026), Development Plan Document, adopted July 2012 p. 26). This did not happen.

Following established practice, an adopted Conservation Area Appraisal (CAA) for this area would inform the planning approach to these applications. Such a document has never been created by West Berkshire Council or its predecessors. Nor (in spite of its role as the responsible authority) does West Berkshire Council have the documentary evidence which supported the extension of the conservation area in 1990, particularly the decision to include the whole of the Kennet Centre. In these circumstances, if the designation of Conservation Area means anything (which we think it should), we have to look to the relevant documentation which is available.

4.2 West Berkshire Council employed consultants to create a draft CAA for Newbury town centre (NTCCAAMP) which was submitted to the council in 2021 (*sic*). This only went out for

public consultation in January 2023 (*sic*), and since then no further progress has been made towards the adoption of the draft NTCCAAMP.

As far as documentation for this Conservation Area is concerned, this draft NTCCAAP is the closest WBC has come to a formal appraisal. It contains many flaws, but its description of the various “character areas” in Newbury town centre and its case for maximum heights is reasonable and professionally set-out in planning terms, and merits active consideration and weight. It is material to the issues in this application.

The draft NTCCAAMP proposes maximum heights which relate to existing building heights in different parts of the town centre. It states that “Building heights for each character area should respect the established building heights in the immediate area, as set out in Chapter 12...” (13.10 POL6 b.).

The maximum height for development in “Character Area 6: Kennet Centre” (pp. 180 &c) set out in the draft Appraisal is **five** storeys. “Maximum building height is brought by Weavers Yard development, at the equivalent of five storeys...” (12.77 p. 195).

4.3 We would ask WBC to consider the relevant sections of the draft NTCCAAMP as an assessment by expert planning professionals Heritage Architecture and G. L. Hearn of the existing maximum heights above ordinary ground-level in the Kennet Centre area, and their considered recommendation for a maximum height limit for new development.

We wish to emphasize this. For the Kennet Centre area, assessed by planning consultants, the draft CAA proposes there should be a maximum height of five storeys.

5. Design

5.1 The majority of the street-frontage designs in Cheap Street and Bartholomew Street were put forward as revisions to part of the previous application for this site (21/00380/FULMAJ). These Robert Adam designs (but in specific cases not their scale) are acceptable to The Newbury Society, even though we have some sympathy for Historic England’s previous comments about the fine detail.

5.2 However, we are concerned about the designs which have not changed significantly, i.e. those not addressed by Adam, including the design of the five-storey block of flats in Bartholomew Street (Block E), and the six-storey block of flats next to the cinema in Market Street (Block D). In addition, we have concerns about the design of the Market Street frontage of the new Block S, next to the multi-storey car park.

5.3 None of the designs for Blocks A, B, D, E (southern part) and S are suited to the character of the Newbury town centre conservation area. Could any objective observer legitimately say, for example, on viewing the eastern (New Street) elevation of the proposed Block S, that it tends to “preserve and enhance” this conservation area?

6. Affordable Housing

6.1 The developer's Planning Statement (received by WBC 25/9/2023, section 1.1 p. 3) says that the plans include "19 affordable discount market rent units subject to viability." This 19 out of 426 flats, or 4.46% of the total is proposed at this stage, but is still "subject to viability." It should be remembered that in all three versions of the previous application for this site, the same developers consistently resisted any inclusion of affordable housing, and they produced reports to make the case that this was unaffordable.

6.2 To reach the WBC policy target of 30% for affordable housing would require 127.8 of the 426 flats to be affordable. The tentative Lochailort proposal is therefore for 15% of the minimum policy requirement. Given the high level of need for affordable housing in this area, we do not think that any residential development on the Kennet Centre site should be considered unless it at least meets the minimum policy requirement for affordable housing set out by WBC's own standards.

7. Parking

7.1 According to West Berkshire Council's planning policies, the number of parking spaces required by the 426 flats in this development in a "Zone 1" area is 471, a figure acknowledged by the developers (Planning Statement section 16). This is an average of only 1.1 spaces per flat; and this figure is based on the "Zone 1" calculation which already takes into account the town centre location, with its increased sustainability. The developers are proposing only 83 spaces specifically dedicated to the users of the flats, in the "undercroft" (Planning Statement section 16.13 p. 55), with access from Bartholomew Street.

7.2 As we understand it, the developer's case for approval in terms of parking provision depends on five arguments, which need to be assessed separately:

7.2.1. Firstly, that this is a sustainable site. This is something already taken into account in the reduced policy requirements for "Zone 1" areas, and no further concessions should be made on grounds of sustainability.

7.2.2. Secondly, that this development should be treated as an "exceptional" case (Planning Statement section 16.14 p. 55), and that therefore the council's minimum totals should not apply. Clearly, WBC needs to consider the grounds on which this development could be considered exceptional. If it were to offer genuinely affordable housing at a level above the required policy numbers, this might weigh into the balance here; but this does not apply; nor are there facilities which can be considered of such benefit to Newbury as a whole that this would outweigh the problems which would result from inadequate parking. We do not consider that there are such positive features of this development that it should be considered "exceptional" in these planning terms.

7.2.3. Thirdly, the developers argue that the total number of spaces in the Kennet Centre multi-storey car park (392) should be considered part of this development's total parking provision, added to the 83 in the undercroft to give a total of 475 spaces against the 471

required, even though they make clear that these spaces would not be earmarked for residents' use. The Transport Assessment (section 7.3 p. 28) states specifically "Parking in the Kennet Centre MSCP would be unallocated and would be available on a first come first served basis. Again, there would be no discounted rate for residents parking." We do not consider therefore that these spaces can be considered dedicated spaces for this development, and do not consider that they should be taken into account without a published legal agreement as part of this application, dedicating spaces to the use of the development occupiers.

The figures produced by the developers in their Transport Statement section 7 indicate that there is some spare capacity in the Kennet Centre multi-storey car park, with more at certain times of day (particularly overnight). However, this spare capacity does not show the required number of spaces available in the 17.00-19.00 bracket, when many of those using their cars for work return home.

Some legal arrangement for the use of spaces on the upper floors of this car park might increase the number of spaces available to this development. But even if there were enough capacity in the Kennet Centre multi-storey to service this development satisfactorily, for dedicated use of the occupants of the flats, this is unlikely to meet the total number of spaces required. Some of the spaces in this car park need to be retained for other users: for users of the cinema, for shoppers (both in and around the Kennet Centre) and for visitors to Newbury town centre. To do otherwise would be harmful to Newbury and to its wider commercial interests.

It is up to the developers to set out any formal arrangements for the use of spaces in this car park, and justify these. Having failed to do so as part of this application, the 392 spaces (or any part of them) should not be considered as part of this application's parking provision. That just leaves the 83 spaces, or 18% of the policy requirement for this development.

7.2.4. Fourthly, that there is spare capacity more widely in Newbury's car parks. Although most car parks are unlikely to show 100% occupancy throughout the day, this in itself is contestable (especially considering trends for future use, and the likely effect of the major development at Sandford on parking needs for traffic approaching Newbury town centre from the south).

But even if there were enough capacity in Newbury's car parks to service this development satisfactorily, it would be wholly inequitable to absolve this application from conforming to the required parking standards while holding other developments to that standard. In effect, it would negate the whole WBC parking policy.

7.2.5. And fifthly, that the reduced parking requirement the developers say applies for the Weavers Yard development (next to the railway station) should be extended to this development (Planning Statement section 16.22 p. 57). However, if there is indeed a shortfall of spaces in the Weaver's Yard development, it makes it even more important that this Kennet Centre development should meet the required parking standards. If the lowest figure which has been agreed in practice were to set the standard for development as a whole, again this negates the whole of WBC's parking policy.

7.3 In addition, in considering the provision of parking, WBC needs to take into account the number of spaces lost as a consequence of this the development, including the 66 parking spaces above the former TK MAX, with access from the present multi-storey, as well as the spaces on the upper deck of the centre itself.

7.4 The predictable consequence of the significant shortfall in parking provision proposed would be competition for on-street spaces in nearby streets, including those in the Westfields area, which is already a contentious issue; this would cause significant harm.

With no weight attached to the developer's five arguments used to justify the shortfall in parking spaces, this application should be rejected on parking grounds.

8. Access and traffic

8.1 The access arch from Cheap Street (by the bus-stop, just along from the Catherine Wheel) remains seriously problematic. This is an access to service a large proportion of the flats, with services including refuse collection. Yet it lies within a part of Cheap Street which has become significantly busier since the Bear Lane access towards the town centre and The Wharf was closed, and traffic re-routed via this section of Cheap Street.

8.2 The only dedicated residential parking for this scheme (the 83-space "undercroft") is expected to use an access point in Bartholomew Street which is currently within the pedestrianised scheme for the town centre, with limited hours of access. The hours of pedestrianisation are currently under review with the option of limiting vehicle access further.

9. Public Open Space

9.1 In terms of quality of life and the well-being of residents, we would prefer to see the required amount of Public Open Space, or a significant part of it, included in this development, which is not the case in this application. If WBC considers that a financial payment ("commuted sum") is acceptable instead, in order for WBC to provide additional Public Open Space in or around Newbury, any financial contribution from the developers would need to be large enough to purchase land for this purpose.

10. Amenity Space

10.1 We understand that, by including the square metre-age of the balconies to the flats, the developers claimed to meet 60% of the WBC policy requirement for amenity space on the previous scheme (21/00379/FULMAJ, appeal withdrawn Sept. 2023).

10.2 On this application, according to the developers' Planning Statement (section 11.16 p. 41) the WBC policy requirement for amenity space (in the WBC Quality Design SPD) is 25 sq.

m. of amenity space per unit, which would require 10,650 sq. m. for this development as a whole. Instead, according to the same section, the developers are providing 2,572.7 sq. m. of private amenity space “in the form of gardens and balconies,” plus 4,272.48 sq. m. of communal amenity space “in the form of podiums and terraces.”

In summary, this is 6,845.18 sq. m. of amenity space out of a policy requirement for 10,650, or 64.27%. We do not think this is an acceptable percentage, and the shortfall is so substantial we think it should be considered as grounds for refusal.

10.3 The developers state “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” (section 11.16 p. 41). However, it is our view that amenity space is even more necessary in an urban location (in spite of its “sustainability”) than a rural location, and the developers should be held to a figure much closer to that required by planning policy.

11. Economic development

11.1 The Newbury Society accepts that the Kennet Centre/ “Kennet Shopping” has been in commercial decline over the past 20 years for a variety of reasons (particularly since 2011), and that an element of re-purposing or reinvention is needed. The Newbury Society accepts that this could be combined with a substantial element of housing, and (given the size of the flats currently proposed) consider that somewhere in the order of 250 flats could be acceptable for this site.

11.2 As regards the reinvention or repurposing of the Kennet Centre, the Society notes research from the Local Government Association dated July 27, 2023, which presents a long list of potential types of repurposing for shopping centres (or parts of them), among others:

- Food and beverage
- Galleries
- Council services
- Arts and culture
- Markets
- Enterprise/ incubator space
- Jobcentres
- Wellbeing services
- Market halls
- Active leisure
- Hotels
- Offices
- Micro-brewery
- Artisan arcades
- Education

This is not an exhaustive list, but it does help to illustrate that the best long-term use of the Kennet Centre is not necessarily 90% residential (approx., with just over 5% retail), as proposed in this application.

11.3 Most of the economic benefits suggested on Lochailort's behalf for this development would apply to any successful redevelopment of the centre; but those which increased the long-term attraction of Newbury would perform better.

11.4 For Newbury to offer a continuing attraction to visitors means paying a special attention to its character and atmosphere, and the human scale of the buildings in its town centre. It has to put the accent on individuality and differentiate itself from towns such as Reading and Basingstoke, and to do this it needs to value and make the most of its historic buildings.

"The task ahead is to ensure that Newbury continues to grow and prosper without destroying its historic character." (*Historic Newbury Fit for the Future: The Newbury Historic Character Study*, West Berkshire Archaeology Service, 2006 p. 4).

And more specifically, "...the historic town of Newbury offers the opportunity for using enhancement of the historic environment as a means of promoting economic activity... Sustainable development that acknowledges and respects historic character is crucial to this process." (*Historic Newbury Fit for the Future: The Newbury Historic Character Study*, West Berkshire Archaeology Service, 2006 p. 22).

12. Archaeology

12.1 Specifically in relation to the Roman period, there was a significant Roman cemetery nearby on what is now the Sainsburys site, and such a cemetery would normally sit alongside a Roman road, the route of which has not been identified. Given the previous findings of Roman building materials and possible Roman-period ditches within the Kennet Centre area (S. D. Ford in "Excavations: Newbury town centre 1971-74", in *Transactions of Newbury District Field Club* vol. 12 no. 4, 1976 p. 29 and figs.), we consider there is medium-to-high potential for Roman-period finds on this site.

12.2 Given that this area is in the heart of the medieval town (see Astill 1978 etc); given the valuable information revealed by excavations across part of this area from the 1970s to the 1990s (see e.g. A. G. Vince et al *Excavations in Newbury, Berkshire, 1979-1990*, Wessex Archaeology 1997); and given the high chance of survival in many areas below a certain depth; we urge that an appropriate contractor be brought in to undertake a programme of trial trenches and test pits before any construction begins.

13. Local Opposition

13.1 In spite of the developers' claims in their Statement of Community Involvement, including section 3.5 (p. 7), local public opinion is overwhelmingly against these plans.

13.2 Letters. 303 letters of objection were sent to West Berkshire Council opposing the previous applications for this site, and appear on the West Berkshire Council planning website. Many reasons were included for the objections, but scale, height and character dominated; many of these objections apply to the current proposals.

Petition. In response to news of the planning appeal for the previous applications (21/00379/FULMAJ), The Newbury Society launched a petition against the proposals. In less than three weeks we had collected over 2,000 signatures opposing the plans, and by the beginning of September (when the appeal was withdrawn) the total was 2,354.

13.3 Given that this is the fourth set of plans associated with the Lochailort redevelopment of the Kennet Centre, the council should study the responses to earlier versions of the plans as well as pay careful attention to the detail of the current consultation responses and letters of objection.

14. Problems with developer's submission documents

There are serious problems with some of the information submitted by Lochailort and its representatives in support of this application, including errors and misleading information.

14.1 Much of the history of Newbury which appears in the Design and Access Statement section 1.3 "Newbury through the Ages" is misleading or simply inaccurate. Even its history of the Kennet Centre bears no relation to reality: "...the arrival of the Kennet Centre in 1967 which was completed some 23 years later in 1980." The first phase of the Kennet Centre opened in 1972, the second in 1985, the third (which included building the multi-storey car park) in 1987. It appears to ignore the actual history of Newbury (which does appear accurately elsewhere, such as in the archaeological report) and to be constructed as an argument to support the desirability of substantial change.

14.2 The Statement of Community Involvement is no better.

The original exhibition staged by the developers in 2020, in advance of the first Lochailort planning application, included no external views of the development; no views showing how it would interact with the existing town centre street scenes.

The Statement of Community Involvement lists extensive consultation and suggests widespread support for the developer's plans. "The Statement of Community Involvement sets out the extensive steps that the applicant has taken to engage with the Local Authority and the wider community from the inception of the design process, and the overwhelming positive feedback that has been received as a result of that consultation." Statement of Community Involvement section 3.5 (p. 7). The Newbury Society was invited to one meeting, which essentially consisted of a sales pitch for the first (highly unsuitable) development. It has not been invited to any discussions in relation to the current application. As for "positive feedback," it is difficult to relate this to the hundreds of letters of objection received by WBC to the previous plans, the strength of feeling expressed in those

letters, and to the 2,000-plus signatures opposing the plans gathered by The Newbury Society in less than three weeks once Lochailort attempted to take those plans to appeal (see elsewhere).

In the Statement of Community Involvement, the developers state that they “will seek to consult with the local community through a permanent exhibition of boards within the Kennet Centre throughout the determination period of the application” (SCI 1.10 p. 4). This exhibition consists of 15 display boards in a unit of the Kennet Centre, each with text accompanied by a map or pictures. None of these boards show any of the elevations for what is proposed. They do show instead some of the developers’ “verified views,” but there are no clear images of the major blocks in this proposed development, Blocks A, B and S. Block S, which is the largest block proposed at 8-storeys plus roof, with 121 flats, is noticeable in its complete absence.

14.3 In assessing the impact of these development plans on the conservation area, the images previously labelled by the developers as “Accurate Visual Representations” or “A.V.R.s” and now as “Verified Views” should be considered alongside other images including elevations, street views and photographs, and should be accorded less weight in the analysis than the elevations.

Our understanding is that the “Verified Views” have no more legal standing than artists’ impressions, and therefore would expect any assessment of the impact of the development to be judged primarily from other sources, such as the building elevations and plans, which we understand would be legally binding on the developer. We are also concerned that these “Verified Views” have been given undue prominence on the WBC planning website.

We note that among other features, the display in the Kennet Centre (under the heading “Proposed Site Layout”) claims that the development will include “50+% Residential parking.” It is unclear whether this relates to 50% of the flats, or 50% of the policy requirement, but given the figures in the section on parking (above), this appears to be misleading.

14.4 The developer’s Planning Statement (September 2023) states (section 13.15 pp. 45-46) that towards the southern end of the site “the buildings reflect past historic Eagle Works use of the site...” The Eagle Iron Works of Plenty & Son were not more than three storeys in height, and (apart from the access) were entirely concealed behind the street frontages. How the currently-proposed eight-storey modern blocks of flats “reflect” this, is beyond us.

The images of industrial works from Kent, Wiltshire, Dorset, and Hertfordshire included in the Design and Access Statement Part 7 p. 57, which the developers suggest can be “regarded as typical of 19th century industrial architecture in England,” and “would have been typical in West Berkshire too” (2.16.4 p. 56), are on a different (larger) scale and bear no relationship to the Eagle Iron Works in Newbury.

This erroneous association is a repeated theme within the developers’ submissions, suggestive of industry on the scale of Yorkshire cloth mills. The Design and Access Statement Part 10, section 7.1.8 p. 130 states “The proposed scheme draws its inspiration

from the rich history of the site, namely the Eagle Works factory and Kersey cloths making...” The Kersey cloth manufactured in Newbury in the medieval and Tudor period would have been made in two-storey, timber-framed buildings.

14.5 In relation to Newbury’s “Urban Grain” (Design and Access Statement Part 3, section 2.8 p. 26), the developers state “During the industrial periods in the 19th and 20th centuries, and particularly after the arrival of the railway, development for industry and commerce around the area of the station produced larger buildings on larger plots, removing the tight urban grain, and becomes more functional in aesthetic and nature.” While this may be true elsewhere, this is simply not true for Newbury. The urban grain along the whole of Cheap Street (including St Mary’s Hill) and Bartholomew Street broadly retains its medieval pattern throughout the Victorian period and through the 20th century to the post-war period. The contrast with plot sizes north of the Kennet (where Elliotts Albert Works was located) simply did not exist. South of the station, through the late 19th and early 20th centuries, plot size actually decreases. The largest-scale industrial development within or around the Kennet Centre site is that of the Eagle Iron Works, which (apart from being concealed from view with the exception of an entrance scaled to other buildings in Cheap Street) occupied a fraction of the Kennet Centre’s footprint and was never more than three storeys in height.

Section 2.8.7 states “the site itself and the area to the south is characterised by coarser grain of larger building footprints. Buildings are three to four (commercial) storeys high...” The existing Kennet Centre is in fact two and three storeys in height (leaving aside the cinema and car park, which do not form part of this application). So are the vast majority of buildings adjoining or opposite in Cheap Street and Bartholomew Street, and (in spite of the recently-completed Weaver’s Yard) this is still largely typical of the area.

14.6 Given the importance of this development and its overall mass, a scale model would have been particularly useful as part of the consultation process.

15. Conditions during construction process

If WBC is minded to approve this application, it needs to give careful consideration to the conditions which should be imposed during the construction process, given the amount of disruption this would cause to Newbury town centre as a whole. Given the difficult economic environment for some town-centre shops and businesses at this time, care needs to be taken to avoid adding difficulties to their operation.

We would ask for WBC to consider a wide range of controls, including:

A phased development.

A construction transport plan, with lorry/plant access points and routes to be specified.

Construction traffic should not use Cheap Street, which (since the changes to Bear Lane) is under heavy pressure, especially at certain times of day.

A limitation on working hours.

Noise control.

Particular conditions should apply where it is expected or likely that surrounding roads will need to be closed e.g. for drainage/sewage, gas and other services.

16. Conclusion

16.1 Given the review of the various aspects of this scheme given above, the Newbury Society objects to the Lochailort application 23/02094/FULMAJ for the redevelopment of the Kennet Centre in Newbury with 426 flats etc., on the grounds that:

1. It is out of scale and proportion with the rest of Newbury town centre.
2. It is out of character with and harmful to the Newbury town centre conservation area and also to the heritage assets (listed buildings and otherwise) within it.
3. The design of the street-frontage of the flats in Market Street, and the street-frontage design of Block E (next to the multi-storey car park) in Bartholomew Street are all in need of improvement. These designs and those of Blocks A, B and S are not appropriate to the conservation area.
4. There is a substantial shortfall in affordable housing proposed: 19 units instead of the WBC policy requirement for 128.
5. There is a substantial shortfall in dedicated parking spaces for residents: 83 instead of the WBC policy requirement for 471.
6. The vehicle access proposals in Cheap Street would have a harmful effect on the circulation of town centre traffic as a whole; and the vehicle access proposed in Bartholomew Street is in an area which is currently pedestrianised for a significant part of each day.
7. There is a substantial shortfall in the provision of amenity space, less than 65% of the WBC policy requirement.

16.2 If the council is minded to approve this application, there should be comprehensive conditions attached covering:

1. Parking (preferably a binding legal agreement in advance).
2. Public Open Space.
3. Amenity Space.
4. Archaeology.
5. The phasing and details of the construction process, in order to minimise disruption to commercial operation in the town centre.

The Newbury Society
October 2023

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