

LOCHAILORT NEWBURY LIMITED

EAGLE HOUSE
108-110 JERMYN STREET
LONDON
SW1Y 6EE

TEL: 020 3468 4933

Debra Inston
West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

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Dear Debra

Eagle Quarter II - Sequential Test Update

This application is supported by the Sequential Test Report prepared by Savills and submitted for the appeal submitted (and now withdrawn) in respect of the previous application reference: 21/000379/FULMAJ which sought consent for 367 Build to Rent units with flexible commercial floorspace and associated facilities.

This revised proposal 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.”

The proposal comprises the following specific uses:

- 426 Build to Rent units;
- Office floorspace;
- Ground floor retail, café, leisure, workshop, restaurant/ bar units fronting the new pedestrianised street and targeted at small, local and/ or artisan businesses. These start at 37 sqm in size and can be combined/ split as required;
- Potential space for GP surgery/ health centre;
- Craft carts, market stalls, pop up stands and other similar ‘retail incubator’ commercial opportunities within the new pedestrian street; and
- A ‘Library of Things’ and Co-wheels facility. .

According to the Environment Agency's online map for flooding the site is located in Flood Zones 1 and 2 and is therefore considered to be part in low and part in medium risk of flooding. The National Planning Policy Framework (NPPF), revised in 2021, sets out the relevant requirements in undertaking development in areas identified as potential risk of flooding, and Paragraph 159 states that development should be directed away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere (NPPF, Paragraph 159). Directing development away from areas at highest risk if the crux of the Sequential Test, and making a development safe without increasing flood risk elsewhere is the basis for the Exceptions Test. As a result, conformity with the Sequential Test and Exceptions Test is required at the site.

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The Savills Sequential Test reviewed total of 351 sites identified in the Council's Housing and Economic Land Availability Assessment (January 2023), the housing allocations in the Core Strategy and Housing Site Allocations Development Plan Document, and the sites in the Five Year Housing Land Supply Report (November 2022). These sites were filtered and discounted as required, with 56 sites (10 major and 46 minor) identified as potential alternative sites for the purposes of the Sequential Test. To establish whether any of these 56 sites could be suitable alternatives for the proposed development, these were assessed against the specifics of the appeal scheme including the 367 Build to Rent units.

The specific Build to Rent model of development requires a minimum size threshold of 250 units as a result of the high level of communal facilities and operational demand of this type of development. Of the 56 potential sites identified by the Sequential Test, the largest site would provide for 200 units, and therefore none of are of a suitable size to support the proposed development. The report concludes that the total number of units on minor sites total 79 so too few. On this basis, the report concludes that the Sequential Test was passed.

The current application proposal amends the appeal scheme as follows:

- Increase in residential accommodation from 367 to 426 units;
- The removal of the HQ office floorspace amounting to an overall reduction in office floorspace;
- The remaining elements of the scheme remain as per the appeal scheme.

It is considered that there has been no material change in respect of the basis for the Sequential Test search. The documents used for the purposes of the search, comprising the Housing and Economic Land Availability Assessment (January 2023), the housing allocations within the adopted Core Strategy and Housing Site Allocations Development Plan Document, and the sites within the Five Year Housing Land Supply Report (November 2022) remain in situ and therefore valid for the purposes of this planning application.

In respect of its conclusions, while there is a reduction in office floorspace, the proposal remains a Build to Rent scheme. As set out in the previous report, a minimum of 250 units is required for a viable build to rent model and there are no available site for more than 200 units.

Furthermore, as demonstrated in the submitted FRA, there is no flooding risk and as set out in the Planning Statement, there are significant planning benefits arising from the comprehensive regeneration of the site.

It therefore remains the case that both the Sequential Test and Exceptions Test are considered to be passed and the development is fully in accordance with Policy CS16 (Flooding) of the WBC Core Strategy and NPPF and NPPG.

Yours sincerely

Sarah Ballantyne-Way
Planning Director