

EAGLE QUARTER.

SEQUENTIAL TEST REPORT

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

The Kennet Centre,
Market Street/Bartholomew Street/Cheap Street/Market Place,
Newbury RG14 5EN

Lochailort Newbury Ltd

March 2021

LOCHAILORT

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1.0 Introduction & policy context

National Planning Policy Framework (February 2019)

- 1.1 Paragraph 158 of the *National Planning Policy Framework* confirms the purpose of the *Sequential Test*:

“The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.”

- 1.2 That is not to say that flood risk considerations are an overriding matter that take precedence over all other material considerations – quite the opposite. Rather, Government policy is to consider whether there are any “drier” sites for the proposed development ***which would be equally as appropriate in planning policy terms as the application site, and which would deliver the same wider public benefits.***

- 1.3 This is confirmed by *National Planning Policy Framework* paragraph 159:

“If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.”

- 1.4 Accordingly, it is very clear that Government policy confirms that it can be perfectly acceptable for development to take place outside the zones that are at the very lowest risk of flooding.

The proposed development

- 1.5 The applicant proposes a **truly mixed-use scheme** which replaces an outdated, underused and energy-inefficient single-use shopping centre with a mix of uses that includes:

- 1.5.1 Partial demolition of the existing *Kennet Centre*, removing all buildings currently on the other than the multi-storey car park and *Vue* cinema wing, which will be retained, refurbished and enhanced;
- 1.5.2 Erection of a new headquarters office building on Market Street with a gross internal floor area of approximately 4000m² (43,000sqft);
- 1.5.3 New flexible-use commercial units in the form of:
 - 1.5.3.1 A new incubator tech-hub building of approximately 2000 m² (21,500sqft) gross internal area designed to attract start-up and growing small-to-medium enterprises, but also with the potential to provide additional floorspace to the new headquarters office building if required
 - 1.5.3.2 Ground floor units fronting a new pedestrianised street targeted at independent, local and artisan retailers which start from 37m² (400sqft) and offer the potential to be combined or split as necessary to meet the needs of retail, café, restaurant, leisure, workshop or other occupiers;

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- 1.5.3.3 Craft carts, street food stalls, pop-up stands and other similar “retail incubator” commercial opportunities within the new onsite public realm;
 - 1.5.4 379 dwellings for private rent in a range of types and sizes, plus ancillary residents’ facilities which include:
 - 1.5.4.1 Reception & concierge
 - 1.5.4.2 Residents’ lounge
 - 1.5.4.3 Residents’ gym, including a squash court
 - 1.5.4.4 Private dining room
 - 1.5.4.5 Workspace
 - 1.5.4.6 A variety of rooftop terraces
 - 1.5.4.7 Car and cycle parking
 - 1.5.4.8 Back-of-house facilities for onsite management and maintenance
 - 1.5.5 A further 23 dwellings;
 - 1.5.6 Sustainable energy installations which negate the need for onsite use of fossil fuels;
 - 1.5.7 A new pedestrianised street between Market Street, Bartholomew Street and Market Place which will provide a vibrant new linked between the railway station and town centre;
 - 1.5.8 Improvements to the existing *Kennet Centre* multi-storey car park, including an additional level of car parking, new lifts, additional electric vehicle charging points, and a new pedestrian link into the development;
 - 1.5.9 Improvements to the existing *Vue* cinema wing, including a new pedestrian link into the development;
 - 1.5.10 Associated works, including a new pedestrian crossing on Market Street.
- 1.6 A more detailed assessment and explanation of the proposed development can be found in the ***Design & Access Statement*** that accompanies the application.
- Policy considerations for this mix and range of uses***
- 1.7 The proposed development includes a significant proportion and quantum of office, commercial and retail uses which the glossary to the *National Planning Policy Framework* confirms are “**Main town centre uses**”:
- “Main town centre uses: **Retail development** (including warehouse clubs and factory outlet centres); **leisure, entertainment** and more intensive sport and recreation uses (including **cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls**); **offices**; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).”*
- 1.8 *Main town centre uses* cannot simply be located anywhere. *National Planning Policy Framework* paragraph 86 confirms that a use-based “sequential test” applies to the siting of *Main town centre uses*:
- “Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. **Main town centre uses should be located in town centres**, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.”*

- 1.9 This policy goes to the very heart of the Government's focus on rejuvenating and revitalising our town centres, a long-standing policy imperative which has been given increasing importance in light of the devastating effects of Covid on town centres.
- 1.10 Consequently, when considering the flood risk-related *Sequential Test*, one must first apply the *Main town centre uses* sequential test. Simply put, it is wholly inappropriate to look for sites outside the town centre which might be at lower flood risk, because in this instance the nature and mix of uses proposed is **only acceptable within the town centre**.

2.0 Onsite flood risk classification

- 2.1 As explored in detail in the submitted *Site-Specific Flood Risk Assessment* (Robert Bird Group, February 2021) the Environment Agency classifies the majority of the site as lying in Flood Zone 1 (lowest risk of flooding) with a limited part of the site being within Flood Zone 2 (low probability of flooding).

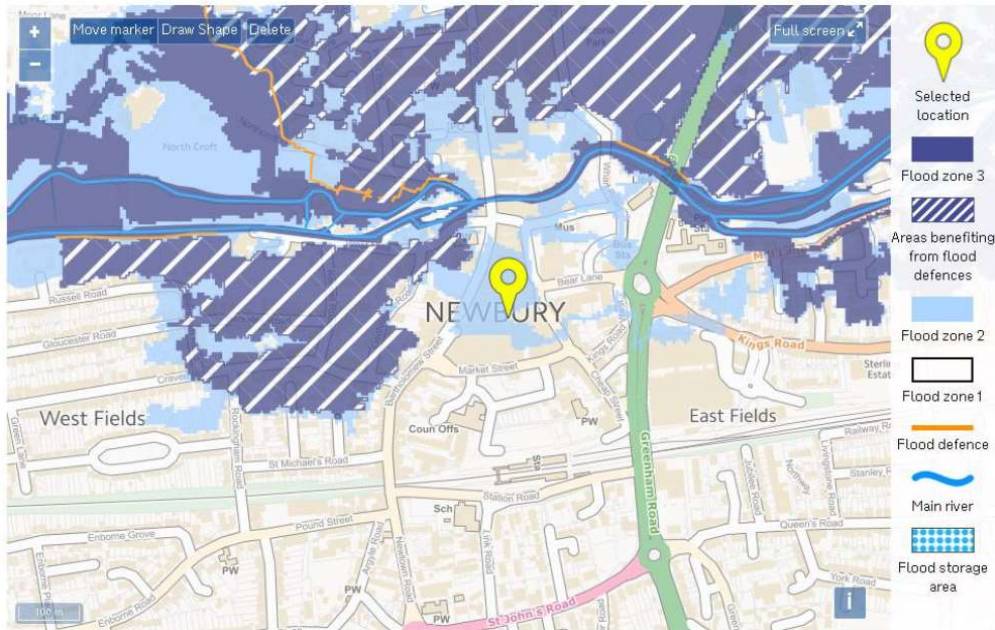


Figure 1: most of the site is in Flood Zone 1

- 2.2 The limited part of the site that lies within Flood Zone 2 is designated by the Environment Agency to be at risk of flooding from fluvial sources for events with between a 1 in 100 year and a 1 in 1000 year annual probability of occurring.

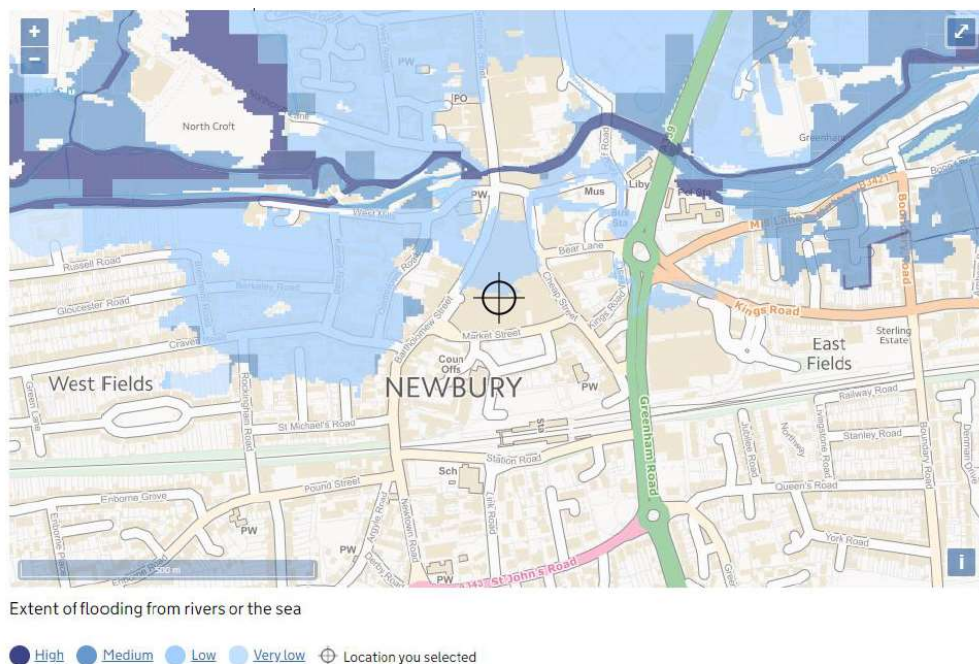


Figure 2: Environment Agency's risk of fluvial flooding map

- 2.3 Most of the site already falls within Flood Zone 1, which has the lowest possible risk of flooding and is the sequentially-preferable location for any type of development. If only this portion of the site were proposed for development, no *sequential test* would be necessary.
- 2.4 However, the application is for the comprehensive redevelopment of the *Kennet Centre* which includes the modest parts of the site which fall within Flood Zone 2. It is not possible to disaggregate the redevelopment of that part of the site from the rest of the development.

3.0 Defining the *Sequential Test* search area

- 3.1 Most of the application site falls within the sequentially-preferable Flood Zone 1 and only a limited part of the site falls within Flood Zone 2. Consequently, for an alternative site to be sequentially-preferable in flood risk terms, the *entirety* of that site would have to lie within Flood Zone 1.
- 3.2 Additionally, applying the entirely separate *Main town centre uses* sequential test means that any alternative site must also fall *entirely within the town centre*.
- 3.3 This results in a limited search area in which the *Sequential Test* needs to be applied:

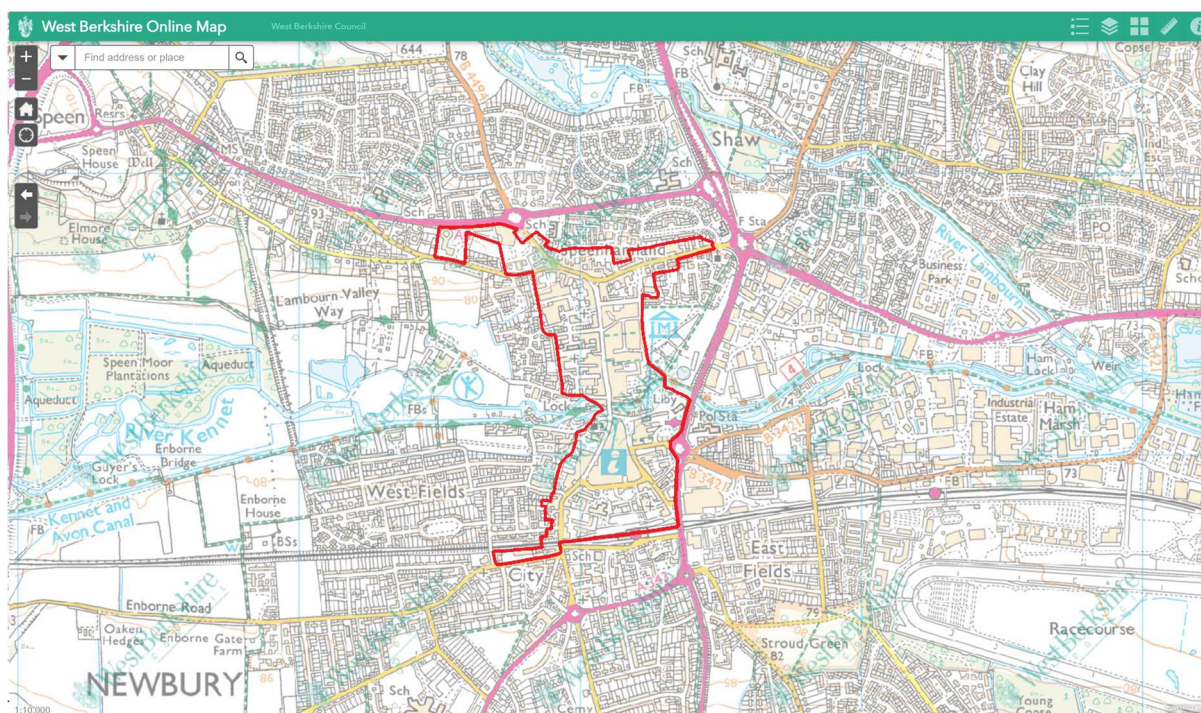


Figure 3: Newbury town centre as defined in the adopted Core Strategy

- 3.4 Next it is necessary to overlay Flood Zone 3 and Flood Zone 2 onto this search area, to exclude those parts of the defined Town Centre which are not sequentially-preferable in flood risk terms to the application site:

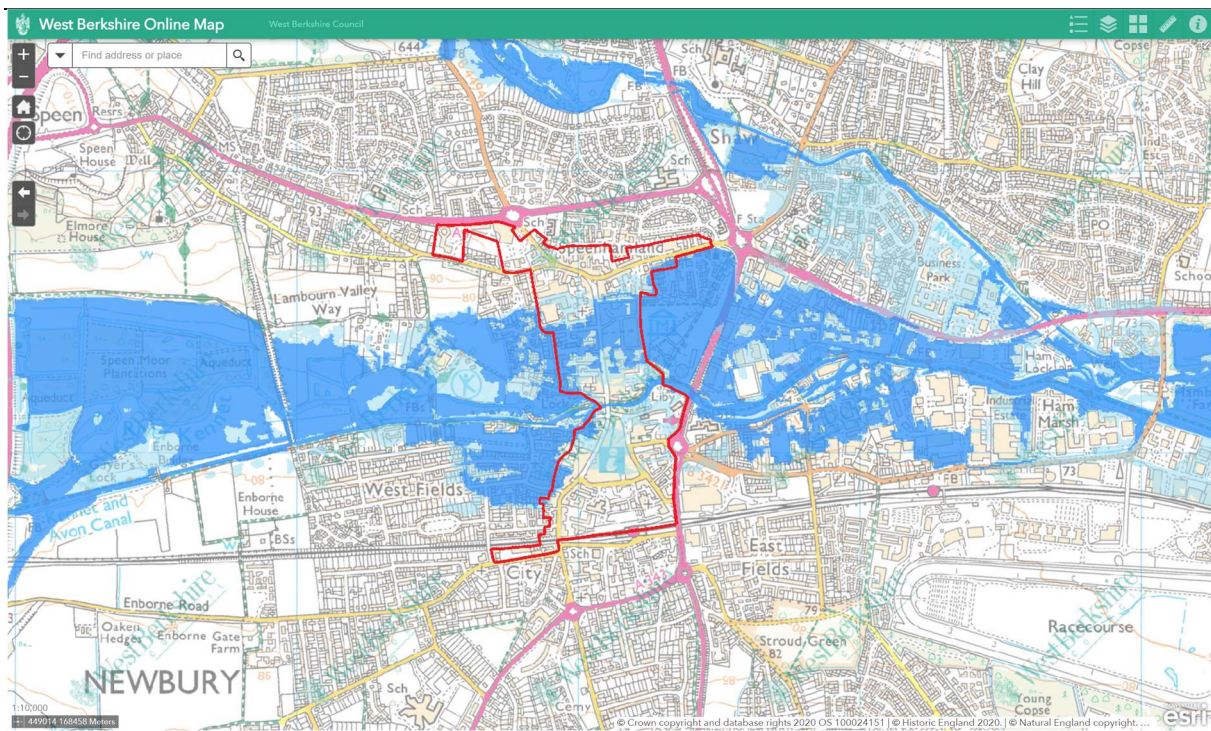


Figure 4: the defined Town Centre with Flood Zone 3 and Flood Zone 2 overlaid

3.5 This then gives a series of clearly defined search areas for the *Sequential Test*:

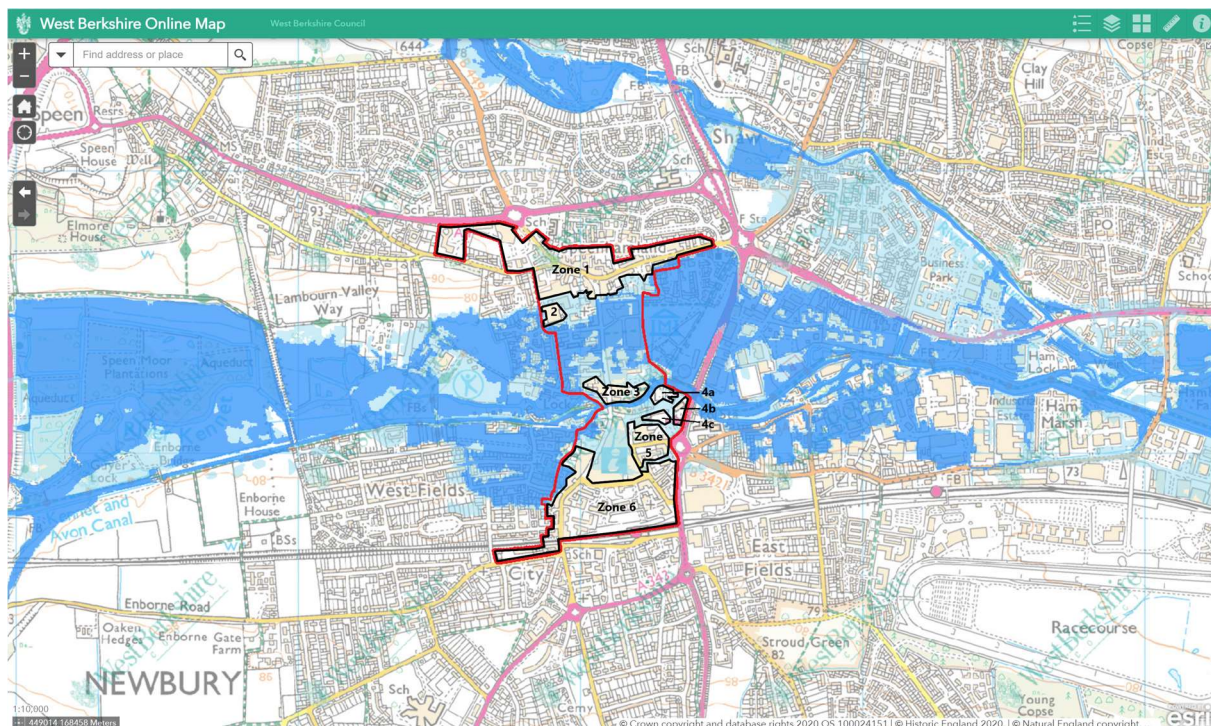


Figure 5: identified search zones for the *Sequential Test*

4.0 Search Zone 1: Town Centre (North)

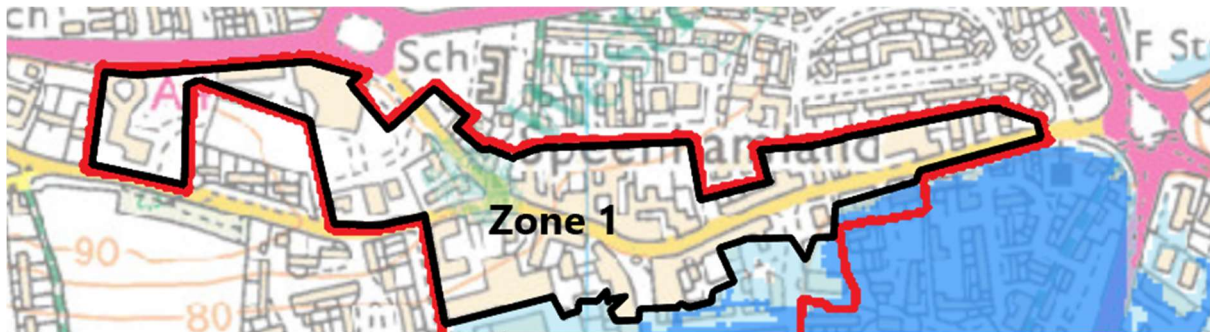


Figure 6: Search Zone 1

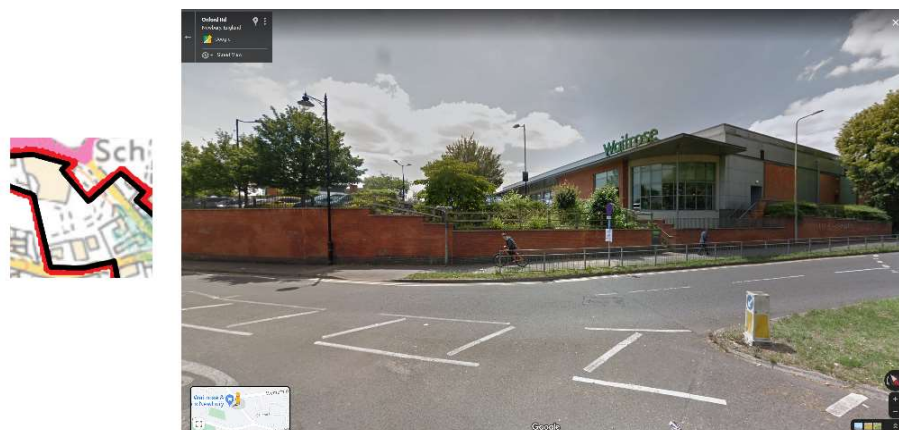
4.1 This is the northerly part of the defined Town Centre, south of the A4 Western Avenue and principally containing land and buildings on London Road, Oxford Street and Old Bath Road.

4.2 An assessment of this search zone reveals the following:

4.2.1 **Microfocus** is an occupied office building that is not available for development and is not allocated for development in the adopted *Local Plan*:



4.2.2 **Waitrose** is an operating supermarket & car park that is not available for development and is not allocated for development in the adopted *Local Plan*:



- 4.2.3 **Strawberry Hill Medical Centre** is an operational primary care facility that is not available for development and is not allocated for development in the adopted *Local Plan*::



- 4.2.4 **Pelican Lane car park** is a public car park owned and operated by West Berkshire Council. It is not available for development and is not allocated for development in the adopted *Local Plan*::



- 4.2.5 **Travelodge** is a modern hotel-led mixed-use scheme that is not available for Development and is not allocated for redevelopment in the adopted *Local Plan*::



Summary

- 4.3 There are currently no sites available or allocated for development within Search Zone 1.

5.0 Search Zone 2: Former Bayer offices



Figure 7: Search Zone 2

- 5.1 Search Zone 2 is a single building, the former Bayer offices.
- 5.2 It is a 3.2 acre site occupied by a 121,000sqft office building, which is vacant.
- 5.3 The site is available for development, and has an extant prior approval (dated 24th September 2018) for conversion to 191 apartments.
- 5.4 Search Zone 2 is too small to accommodate the range and mix of uses proposed on the application site, and is already committed for residential redevelopment. It is discounted accordingly.

6.0 Search Zone 3: North of the River Kennet



Figure 8: Search Zone 3

- 6.1 Search Zone 3 comprises a narrow strip of land which forms an “island” entirely surrounded by Flood Zone 3 and Flood Zone 2.
- 6.2 There are currently no buildings or vacant land within this search zone that are available for development. There are no sites with this search zone that have been allocated for development in the adopted *Local Plan*.

7.0 Search Zone 4: Bus station and car parks

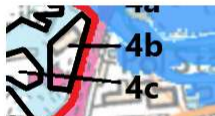


Figure 9: Search Zone 4

- 7.1 Zone 4a comprises **Wharf car park**, a public car park owned and operated by West Berkshire Council. It is not available for development and is not allocated for development in the adopted *Local Plan*::



- 7.2 Zone 4b is **Newbury Bus Interchange**, a modern public transport facility that opened in late 2018. It is not available for development and is not allocated for redevelopment in the adopted *Local Plan*::



- 7.3 Zone 4c is **Newbury Central car park**, a public car park owned and operated by West Berkshire Council. It is not available for development and is not allocated for development in the adopted *Local Plan*::



Summary

- 7.4 There are no sites currently available or allocated for development within Search Zone 4.

8.0 Search Zone 5: Bear Lane



Figure 10: Search Zone 5

- 8.1 **Newbury Sorting Office** is currently an operational Royal Mail facility. Whilst it is likely to come forward for redevelopment in due course, it is only a fraction of the size of the application site and is simply too small to accommodate the quantum and mix of uses that is proposed. It is not allocated for development in the adopted *Local Plan*. For all these reasons, it is discounted accordingly.



- 8.2 Similarly, whilst the **Queens Hotel private car park** may come forward for development in due course, it is simply too small to be comparable to the application site and could not accommodate the quantum or mix of uses that is proposed. It is not allocated for development in the adopted *Local Plan*:



Summary

- 8.3 There are no sites currently available or allocated for development within Search Zone 5.

9.0 Search Zone 6: Town Centre (South)

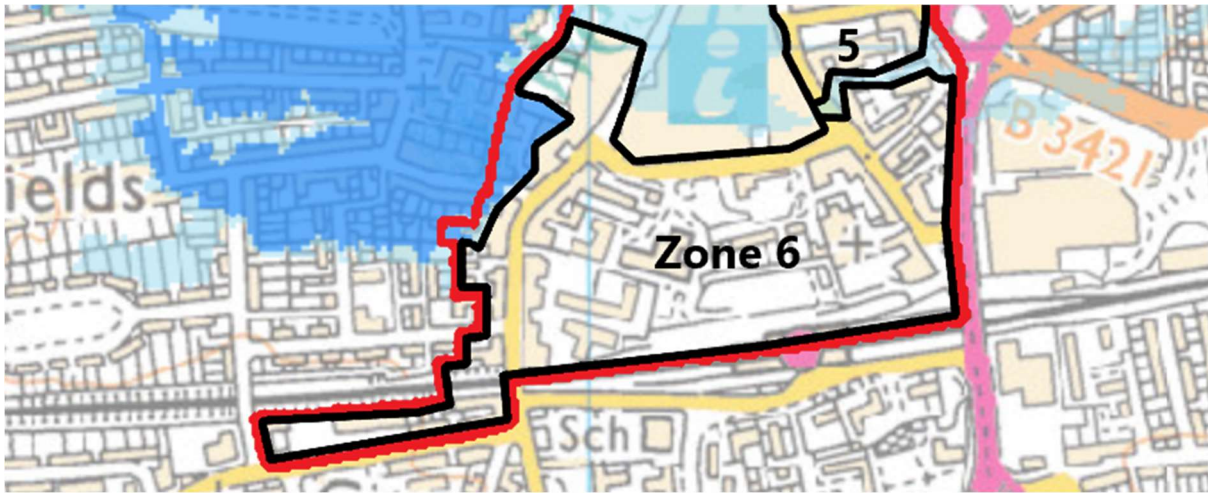
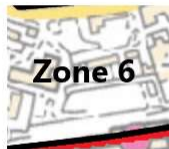


Figure 11: Search Zone 6

- 9.1 The majority of this zone, the **Market Street development** between Market Street and the railway station is already in the process of being redeveloped:



- 9.2 The **Eight Bells car park** is a public car parking facility owned and operated by West Berkshire Council. It is not available for development and has not been allocated for development in the adopted *Local Plan*:



Summary

- 9.3 There are no sites currently available or allocated for development within Search Zone 6.

10.0 Wider public benefits of the proposed development

10.1 The **benefits** of the proposed development are numerous and carry significant weight:

	A benefit that carries significant weight
	A benefit that carries great weight
	A benefit that carries some weight

10.2 Wider benefits

- **Retention and improvement** of the **Vue cinema** and leisure facilities
- New streets that will create a crucial **new pedestrianised link between the railway station and the Town Centre & bus station**
- The removal of an outdated and underused shopping centre in favour of a comprehensive regeneration scheme will **provide a catalyst with wider regeneration benefits** to the town centre and its **urban rejuvenation**
- New **sustainable homes in the Town Centre** will drive footfall and increase the patronage of existing local shops and businesses
- Creation of a **new mixed-use quarter** will enhance the attractiveness of the Town Centre as a destination, with new spaces for **local, independent and artisan businesses** that will help enhance Newbury's unique and special identity
- Redevelopment will make a **significant contribution to reducing CO₂ emissions** in a major and positive response to the locally-declared Climate Emergency
- **Hundreds of permanent new jobs** will be created both on the site itself and in the wider economy

10.3 Local benefits: Sustainability

- The *Kennet Centre's* poor environmental performance will be radically and permanently improved with a comprehensive redevelopment that uses **sustainable energy** solutions in place of fossil fuels, targeting an **annual CO₂ saving of 388 tonnes** compared to the current Building Regulations standards and up to **2,557 tonnes** compared with the existing *Kennet Centre*
 - A **Ground-Source Heat Pump** to provide carbon-free hot water, heating and cooling to the development without the use of any onsite fossil fuels
 - Adding **photovoltaic panels** to the existing multi-storey car park, as well as on the roof of the new offices, could in itself save a targeted 45 tonnes of annual CO₂ emissions
 - An onsite **car club** will provide flexible transport options that complement the scheme's close proximity to Newbury's railway station and bus station
 - Several additional **electric vehicle charging points** will be provided within the development as well as in the existing multi-storey car park
 - An **onsite cycle workshop** will encourage cycling with day-to-day repair facilities, cycle servicing and cycle hire facilities including electric bicycles and potentially electric scooters, complementing the **610 onsite cycle parking spaces**
 - A **net biodiversity gain** through the provision of targeted habitat enhancements

10.4 Connectivity

- New streets that will create a crucial **new pedestrianised link between the railway station and the Town Centre**
- Trips between the railway station and bus station will be **more direct** and **more attractive**
- Creation of these new pedestrian routes will repair crucial linkages, encouraging **increased footfall** in the town centre, and make **sustainable travel modes more attractive**
- The pedestrianised new streets will feature **new trees and planting** resulting in urban greening of this part of the Town Centre, with a **sense of place** and identity for the town
- New **public spaces** form part of the high quality public realm, incorporating **street trading opportunities** and **public performance spaces** – including a new **bandstand**

10.5 Economy

- The *Kennet Centre* is no longer fit-for purpose and the removal of the outdated and underused shopping centre for a comprehensive regeneration scheme will **provide a catalyst with wider regeneration benefits** to the town centre and its **urban rejuvenation**
- The new **bespoke commercial units** that are targeted to **local, independent and artisan businesses** and offered on **flexible sizes, terms and uses** 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
- A new **state-of-the-art environmentally sustainable headquarters office building** provides a golden opportunity to an existing major employer to relocate to modern purpose-built offices in the town centre, avoiding the continued leaching of office jobs to the edge of the town or out of the District completely
- The **tech incubator hub** will provide flexible office space for high-tech and other start-up businesses, providing a valuable new facility that it currently lacking in Newbury and ideally placed to take advantage of the high-tech cluster in Newbury
- **Hundreds of construction jobs** will be created

10.6 Architecture

- **Outstanding architecture**, rooted in the site's history, will transform an inward-looking shopping centre into an outward-facing development that embraces, rather than ignores, its place at the heart of the Town Centre
- The new **public realm tree planting** will contribute to landscape enhancement, habitat enhancement, urban greening, and itself make a modest contribution to **CO₂ reduction** targets
- Potential for **modular construction** designed-in from the outset, with its benefits of faster construction, reduced disruption, and less embedded CO₂

10.7 Facilities

- New **sustainable homes in the Town Centre** will drive footfall and increase the patronage of existing local shops and businesses
- An **enhanced leisure offering** for the Town Centre, including reworking of the existing Vue cinema wing and the addition of **new restaurants with indoor and outdoor seating**
- New **Health Centre/GP Surgery** facility, on a single level and ideally sized for a range of consulting and other health facilities

- Extensive amenities and facilities for the residents including **access to extensive private open space** as well as **exclusive leisure, social and wellbeing facilities**
- Betterment of the existing multi-storey car park turning it into a **solar car park** including
 - Additional car parking spaces
 - Additional electric vehicle charging points
 - Rooftop solar panels
 - New lifts
 - New lighting and signage

10.8 In accordance with *National Planning Policy Framework* paragraph 159, these are all **wider sustainable development objectives** which this specific proposed mix and quantum of uses together provide, **that would either be undeliverable or contrary to policy on any other site** in West Berkshire.

11.0 Summary

- 11.1 The site falls mostly within Flood Zone 1 (lowest risk of flooding) with only a limited part within Flood Zone 2. Only a site wholly within Flood Zone 1 would be sequentially preferable.
- 11.2 The mix of *Main town centre uses* proposes means that in planning policy terms, the development **must be located within the town centre**.
- 11.3 Much of Newbury town centre falls within Flood Zone 3 or Flood Zone 2, and is therefore not sequentially preferable to the application site.
- 11.4 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.
- 11.5 Consequently, **the *Sequential Test* is complied with**.