

Supplemental Items for Western Area Planning Committee

**Wednesday 10 September 2025 at 5.00
pm**

**in Council Chamber Council Offices
Market Street Newbury**

Part I

Page No.

(1) 25/00391/FULMAJ Newbury Town Council

5 - 14



WestBerkshire
C O U N C I L

Supplemental Items
Western Area Planning Committee to be held on Wednesday 10 September 2025
(continued)

- Proposal:** 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 resident's ancillary facilities; commercial floorspace (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 block and additional floor to multi storey car park.
- Location:** The Mall, The Kennet Centre, Newbury RG14 5EN
- Applicant:** Lochailort Newbury Ltd
- Recommendation:** PROVIDED THAT a Section 106 Agreement has been completed within 6 months (or such longer period that may be authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee), to delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed in section 8 of this report (or minor and inconsequential amendments to those conditions authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee).
- Or, if the Section 106 legal agreement is not completed, to delegate to the Development Manager to REFUSE PLANNING PERMISSION for the reasons listed in this report.

Sarah Clarke.

Sarah Clarke
Executive Director - Resources

For further information about this/these item(s), or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on e-mail: executivecycle@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.



West Berkshire
C O U N C I L

**WESTERN AREA PLANNING COMMITTEE
DATED 10 SEPTEMBER 2025**

UPDATE REPORT

This report sets out the running order for tonight's Committee meeting. It indicates the order in which the applications will be heard, the officer presenting and anyone who has registered to speak either in favour or against the application.

Those people attending to take part in the pre-arranged Public Speaking sections are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

Any additional information that has been received since the main agenda was printed will be contained in this report. It may for instance make reference to amended plans and further letters of support or objection. This report must therefore be read in conjunction with the main agenda.

The report is divided into four main parts:

Part 1 - relates to items not being considered at the meeting,
Part 2 - any applications that have been deferred for a site visit,
Part 3 - applications where members of the public wish to speak,
Part 4 - applications that have not attracted public speaking.

Part 1 N/A

Part 2 N/A

Part 3 Item (1) 25/00391/FULMAJ – The Mall, The Kennet Centre, Newbury, RG14 5EN Pages 5 - 164

Part 4 N/A

This page is intentionally left blank

WESTERN AREA PLANNING COMMITTEE

10TH SEPTEMBER 2025

UPDATE REPORT

Item No: (1) **Application No:** 25/00391/FULMAJ **Page No.** 5-164
Site: The Mall The Kennet Centre Newbury RG14 5EN

1. Registered Speakers

Please refer to List of Speakers provided under separate cover.

2. Additional Consultation Responses

Public representations:	One further letter of representation was submitted to the Council. This outlined concern over the accuracy of the submitted retail assessment of Newbury. It raised concerns that premises had since become occupied, had leases agreed on them, or where undergoing works for shops to move in. The letter of objection went on to outline concerns with the loss of the kennet centre shopping and the impact this may have on Newbury now and into the future. It raises concerns in regard to the proposed development driving a wedge between the north and south of the town centre. It raises that development should look to parkway as to how the town centre should be development. It raises concern in regard to the cost of buying dwellings in the town centre noting that many in weavers yard are vacant. It objects to the lack of affordable units in the proposed development.
--------------------------------	---

3. Officers Comment on representation

Officers in response to this letter notes that the retail reports are a snapshot in time and that changes in the retail environment will be inevitable. The original report submitted by the agents outlined 49 vacant units in the town centre. The Council has received an updated vacancy report from the applicant which outlines 41 vacant units. However, this report describes that some premises are under offer, and some will be occupied in due course. For instance, 28-29 Bartholmew Street is being constructed to be a Greggs, but they are moving from their original location. Therefore, there is fluidity in occupation even in the newly submitted report than Councillors must be aware off.

Whilst a lower figure of vacancy could be put forwards officers are still content that the arguments made in the committee report are still valid and can still be considered relevant. The Kennet Centre has a high level of vacancy and there are a number of units outside of

the Kennet Centre that are also vacant. The Eagle Quarter Appeal decision letter outlines in paragraph 100 notes that *“The existing KC is largely vacant, and it is a site where residential led redevelopment should be targeted.”*

Furthermore, in regard to concerns raised as to the scheme dividing the town centre it is noted that the Eagle Quarter appeal inspector gave “modest” weight to the proposed of a north to south street through the appeal scheme in paragraph 110. In addition, the committee report explains that delivery of affordable housing is not possible on this a matter agreed by the Councils consultant and accepted by the appeal inspector on Eagle Quarter.

4. Energy and climate change

Our external consultants WSP have reviewed the applicant’s updated BREEAM information and carbon offsetting calculator. They have advised that some areas require further clarification, specifically feasibility studies for proposed low and zero carbon technologies, inconsistencies in Net Zero Carbon (Operational Energy) Offsetting Calculators input values, and a clear justification for why onsite net zero cannot be achieved. However, our Climate and Ecological Emergency Officer has reviewed WSPs comments and have advised that they are satisfied that any outstanding matters can be dealt with by condition and a S106 requiring a detailed Energy Statement.

Regarding the justification for not achieving onsite net zero carbon emissions, the Case Officer is satisfied that this has been sufficiently demonstrated. It was previously accepted that the earlier, refused scheme could not deliver onsite net zero carbon emissions due to viability constraints. Given that the current proposal is a significantly reduced scheme, the Case Officer is equally content that it would not be economically viable to do so in this instance either.

This conclusion is supported by the applicant’s Financial Viability Assessment, which confirms that the development is unviable. The Council’s independent consultants, Dixon Searle, have reviewed and agreed with this assessment.

5. Updated Recommendation Commentary

The following updated recommendation includes further conditions and heads of terms. The reason for the updates is summarised below:

- Maximum Water Consumption - A further condition is recommended to ensure compliance with DM7 of the Local Plan. DM7 outlines how development is required to minimise water use by incorporating appropriate water efficiency and water recycling measures. The recommended condition delivers these policies aim.
- Update to the Heads of Terms after further consultation with the Economic Development Officer, Environment Officer and Waste Officer.
- An additional Energy Efficiency heads of term is required to ensure that the development complies with Policy DM4 of the West Berkshire Local Plan Review 2023 – 2041. This will require an updated Outline Energy Statement to be agreed.
- BREEAM condition amended to require that the development shall not be first occupied until a final certificate has been issued certifying that BREEAM excellent rating has been achieved
- Ground levels and finished floor levels condition amended to include LLFA in approving condition due to connection between ground levels and the finalised drainage strategy.

6. Updated Recommendation

The recommendation remains as set out in the agenda committee report, subject to the following additional/amended conditions.

Additional conditions

49.	Maximum water consumption All new residential developments shall meet the Building Regulations optional higher water efficiency standard of 110 litres per person per day, using the 'Fittings Approach' as set out in table 2.2 of the Building Regulations part G2. No dwelling hereby permitted shall be occupied until this standard has been achieved for that dwelling. This standard shall be complied with for that dwelling and retained in perpetuity thereafter. Reason: To ensure development is designed to be water efficient and reduce water consumption in accordance with the National Planning Policy Framework and Policy DM7 of the West Berkshire Local Plan 2023-2041.
-----	---

Amended conditions

42	BREEAM All the non-residential areas of the development hereby permitted shall achieve a rating of "Excellent" under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The development shall not be first occupied until a final certificate has been issued certifying that this rating has been achieved, and a copy of the certificate has been provided to the Local Planning Authority. Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policies SP5 and DM4 of the West Berkshire Local Plan Review 2023-2041.
48.	Ground levels and finished floor levels No above ground construction development shall take place until details of existing and proposed ground levels and finished floor levels of the development (phased as appropriate), have been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. Thereafter the development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land, and to ensure that ground levels do not have a significant impact on the drainage strategy. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP6, SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.

Updated S016 Heads of Terms

Contribution to BID

£35,000 is requested by the Economic Development Officer. This obligation has come about through meetings between the economic development officer and Newbury BID.

They have outlined how they wish for a contribution of £25,000 to support the council in the creation of a website for the Newbury aspect of the Berkshire LVEP, which would encourage tourism to Newbury (and would help to offset some of the Kennet centre's impact).

The Newbury Bid is also seeking support through wrapping vacant shop windows to help reduce the negative perception vacant units have on the town centre. As the Kennet Centre redevelopment will directly reduce the current floorspace within the town centre, it is sought the developer contributes funding in addition to the previously mentioned funding to help improve the atmosphere of the town during the autumn/winter campaign while promoting the vacant units in different ways. A contribution of £10,000 is sought for this.

Energy Efficiency Scheme

Financial obligation to deliver a development which complies with Policy DM4 of the West Berkshire Local Plan Review 2023 – 2041 with an updated Outline Energy Statement.

Private Waste Collection/Management Strategy

A strategy must be in place to ensure that waste and recycling services provided within the development are equivalent in quality and scope to those offered by West Berkshire Council and maintained in perpetuity.

Development shall not commence until a comprehensive Waste Collection and Management Strategy has been submitted to and approved by West Berkshire Council (WBC).

No occupation of any dwelling within the development shall occur until the Management Entity has entered into a formal contract with an Authorised Person for the collection of private household waste, in accordance with the approved strategy.

The Waste Collection/Management Strategy must include, but is not limited to, the following details:

- Management Entity: Identification and contact details of the entity responsible for overseeing waste collection.
- Appointed Waste Collection Company: Details of the company either appointed or invited to tender for the role of waste collector, acting as an Authorised Person under the Owner's statutory duty.
- Waste Collection Points: Specific locations within the development where residents will deposit household waste for collection.
- Collection Vehicles: Description of the vehicles to be used for waste collection, including type and capacity.
- Collection Schedule: Frequency, timing, and logistical arrangements for waste collection services provided by the Authorised Person.
- Funding Mechanism: Explanation of how the provision of bins and the cost of waste collection services will be funded.
- Futureproofing: Recycling services must be futureproofed to meet the requirements and timeframes of Simpler Recycling regulations, as well as any future legislation governing waste collections from residential properties

This page is intentionally left blank

WESTERN AREA PLANNING COMMITTEE

10th SEPTEMBER 2025

LIST OF SPEAKERS

Item: 4(1) Application: 25/00391/FULMAJ Page No: 5-164 Site: - The Mall, The Kennet Centre, Newbury, RG14 5EN	
Presenting Planning Officer:	Matthew Shepherd
Parish Council representative:	Councillor Roger Hunneman on behalf of Newbury Town Council
Objector(s):	Mr Richard Tait
Supporter(s):	
Applicant/Agent:	Mr Hugo Haig Mrs Sarah Ballantyne-Way Mr Richard Farley
Ward Member(s):	Councillor Martin Colston Councillor Louise Sturgess

This page is intentionally left blank