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FAO: Bob Dray
West Berkshire Council
Market Street
Newbury
Berkshire RG14 5LD

6th March 2024

Dear Bob

Planning Application: Eagle Quarter II, Kennet Centre, The Mall, The Kennet Centre, Newbury, RG14 5EN

Planning Reference: 23/02094/FUL

I am writing to you in respect of the Highways consultation response from Paul Goddard and his continuing objection to the proposals on parking grounds notwithstanding agreeing to the principle of our approach as part of our discussions prior to withdrawing our appeal. Furthermore, he has refused, to date, to attend a meeting to discuss matters contrary to the PPA we have agreed with the Council for our application.

In respect of his continued objection to our scheme, we consider this to be wholly contrary to the discussions that we had over the summer 2023, the conclusion of which was that we would withdraw our appeal. Our decision to withdraw an appeal, that had been submitted at considerable expense, was done on the basis of our discussions and agreements, but essentially on the basis of goodwill and trust between parties.

We believed we had agreement on the following matters:

1. The principle of dual use of the MSCP for public and private use.
2. The removal of the additional floor of car parking on the MSCP.
3. The use of TRICS in identifying the parking requirements on the site.
4. The acceptability in principle of the above approach.

We also understood that the principle of dual use of the Multi-Storey Car Park and proposals at the Kennet Centre would be considered in the context of the wider parking studies being undertaken for Newbury town centre, particularly on the basis of widespread underuse of public car parks locally.

Our proposals in fact responded directly to Paul's suggestion on how best to deal with parking on site at our meeting with him on 15th August 2023 where he stated (as recorded at our meeting),

Now what I was hoping for a possible way out of this is not to have lots of car parking just for the use of residents because that would take up a lot of space. Is have dual use parking which actually is exactly the same thing that is going on in the Market Street development which I mentioned earlier...there is an extensive multi storey carpark with about 500 spaces next to the train station it was built with the development and during weekdays 150 of those spaces are used by west Berkshire council and so then they are empty during the evenings and weekends so they are then available for residents. Now that is a potential option that I was kind of hoping and thinking that you could go down because you do have a myriad of uses within the development that could lend themselves to that. And then you are complying with the parking standards instead of actually physically providing the parking spaces all that's required.

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You are providing the parking by other means. So, then I can argue with the elected members and any other planning application that comes in oh this proposal did comply with the parking in this way and that way. And I understand that you've been liaising with the council about the council's own parking strategy have you not? Because a lot of the car park that is within the shopping centre is used by the council.

This is exactly what we have done. I acknowledge that the overall number of units have now increased on site compared with the appeal scheme, but that this was accompanied by a reduction in the level of commercial floorspace proposed on site. In any event, it was made clear to officers during the appeal discussions that the scheme was changing, and these changes have now been fully justified by our Transport Consultants in their TA submitted with the application, subsequent TA Addendum, Car Park Management Plan and Framework Servicing Management Plan submitted on 18th December, and now a further response submitted on 19th February.

Furthermore, the information we submitted demonstrates that our proposals deliver a slightly better parking ratio during the day and at night when compared with the Market Street development. The consented Market Street development achieves a parking ratio of 0.58 spaces per apartment during the daytime and 1.1 spaces per apartment at night. Our application achieves a parking ratio of 0.70 spaces per apartment during the daytime and 1.12 spaces at night. This level of parking provision exceeds what was considered acceptable for the Market Street development.

This has been ignored, with excuses set out in respect to what constitutes 'exceptional circumstances' in Policy P1 (note ii) and that the Market Street development was approved prior to the Council's latest parking spaces.

In response to this, the similarities between the Kennet Centre site and Market Street site are obvious and cannot be ignored, and we consider that we have a parking solution that is comparable with that approved at Market Street. Specifically, I would draw your attention to the Committee Report for the Market Street scheme. The site is considered '*an exceptional circumstance*' (see paragraph 7.8.3) and paragraph 7.6.10 confirms that the current West Berkshire Council Housing Site Allocations DPD Parking Standards for New Residential Development were referred to. The committee report, at paragraph 7.6.11 also acknowledges that due to the sustainable location, the full parking requirement would be unlikely to be required, and that the dual use of the car park would result in a satisfactory level of parking across the site. I have attached this report for ease of reference.

Following our discussions with the Council, we agreed to withdraw our appeal on the basis of a number of agreed matters, with the principle of dual use of the MSCP being fundamental to our decision. We therefore have a legitimate expectation that this agreement is adhered to, but it is seemingly being ignored by the Highways Officer, and the matter compounded by his refusal to meet.

I would be most grateful if you can take this matter up with Paul and strongly urge that he meet with us at his earliest convenience. Our meeting with him on 15th August was pragmatic and helpful, and I would hope that we can reach some agreement in person.

I look forward to hearing from you.

Yours sincerely



Sarah Ballantyne-Way
Planning Director