

LOCHAILORT NEWBURY LIMITED

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Matthew Shepherd
Planning Department
West Berkshire Council
Market Street
Newbury
Berkshire RG14 5LD

28th June 2024

Dear Matthew,

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 response to the Council's Highways response of 18th June 2024, and to also provide an update in respect of the Noise monitoring we are carrying out at The Newbury public house.

We are grateful for the highways comments and hopeful that we can now come to an agreement in respect of the parking provision proposed on site. Essentially, four issues are raised in the response, that require further discussion and agreement. These are as follows and our responses to each is included:

- a. A financial contribution of £500,000 towards the upgrading and replacement of the town centre VMS, with any contribution timings to be agreed.

I can confirm that this is acceptable in principle however we would ask that justification for and evidence of the cost and how it would be split with the Council is provided at the earliest opportunity.

- b. The 66 car parking spaces used by the Council.

There appears to be a misunderstanding in respect of this matter. As part of the proposals, we are removing the car park above the old Sainsburys/ TK Maxx and these amount to 66 spaces. However, these are not allocated to West Berkshire Council. The entire car park is leased to WBC and there is some WBC parking on site associated the Parking Team, but none are allocated specifically to WBC. This has been confirmed with Ian Martinez in the Council's Parking Team.

- c. A financial contribution towards the upgrading of Market Street MSCP for use by shoppers. The exact details of this and what is required is still to be finalised.

It is unclear what this would entail however it is our view that as the car park is brand new and was designed to meet planning policy requirements, as set out in the 2016 committee report, there is little that can be done in respect of upgrading it. Furthermore, the new VMS would assist in directing shoppers to this car park.

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In respect of the scheme, we are delivering the following transport and highways works which are set out below with the estimated costs:

- *Amendment to Market Street/ Bartholomew Street Traffic Signal Control junction - £300,000*
- *Pedestrian/ Cycle Link Upgrade to Bartholomew Street - £500,000*
- *Travel Plan - £10,000*
- *Travel Packs - £21,350 (427 x £50)*
- *Travel Plan Co-ordinator - £150,000 (5 x £30,000)*
- *Cycle/ Public Transport Vouchers - £256,200 (427 x £600)*
- *Car Share - £150,000*

*The further contribution of circa £500,000 towards the VMS means that the estimated Transport and Highways contribution for this proposal is circa **£1,887,550** and given the viability position, we would urge that the Council take this into consideration when reviewing the need for upgrades to the modern Market Street carpark. A considerable contribution that would make fundamental changes to the carpark would simply not be a viable option for the scheme.*

d. To agree all details regarding the CPMP including all financial aspects.

A draft CPMP has already been submitted with this application. Our Transport Consultant is reviewing this in the light of the latest Highways Response, and we will submit this for consideration. We would anticipate that this would be secured via condition with the financial contributions, which are outlined above, set out in the associated S106 Agreement.

We would ask that these matters be discussed with Paul Goddard as a matter of urgency on his return in order to meet the next available committee date.

Regarding noise, I have attached the reports from the last 2 weeks. Noise is being recorded continuously from 2 locations, one fronting onto Bartholomew Street, adjacent to The Newbury, and one at the rear close to the roof terrace. The noise reports have recorded events taking place on Thursday, Friday and Saturday evenings. These comprise live music events, such as the regular open mic night on Thursdays, live bands on weekend evenings and recorded music.

Having reviewed the Premises Licence for The Newbury, I would draw your attention to the requirements set out within it. This makes clear that the performance of live music can only take place indoors (see page 1). Further relevant restrictions are set out in Annex 2 (page 8) in respect of when the roof terrace can be used, noise levels on Bartholomew Street and how the volume of recorded music on the terrace is to be controlled.

In response to your email and our telephone conversation, you have advised that because Paul Goddard does not return until 8th July and you are on leave for the 24th July committee, we will not meet the deadlines for a July committee. This is very disappointing and I would urge that you reconsider. We can quickly respond to any matters arising regarding Parking on Paul Goddard's return, and can look to agree Heads of Terms with you in the meantime.

Alternatively, I would request that we seek to agree the Heads of Terms and get the S106 Agreement drafted ahead of meeting on 21st August so that the permission can be issued as quickly as possible following that date.

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I would be most grateful if you would consider these matters and seek to get a response from Paul at the earliest opportunity on his return.

I look forward to hearing from you.

Yours sincerely

Sarah Ballantyne-Way
Planning Director