

# Notice of Meeting

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# Executive

**Thursday 19 November 2020 at 5.00pm**

**Please note that this meeting will adjourn at the conclusion of agenda item 6 when a Special Executive will take place. This Executive meeting will reconvene at the conclusion of the Special Executive.**

This meeting will be held in a virtual format in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020

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Date of despatch of Agenda: Wednesday 11 November 2020

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on (01635) 519462

e-mail: [executivecycle@westberks.gov.uk](mailto:executivecycle@westberks.gov.uk)

Further information and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)



To:	Councillors Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Ross Mackinnon, Richard Somner, Joanne Stewart and Howard Woollaston
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# Agenda

## Part I

Pages

- 1. Apologies for Absence**  
To receive apologies for inability to attend the meeting (if any).
- 2. Minutes** 5 - 16  
To approve as a correct record the Minutes of the meeting of the Executive held on 15 October 2020.
- 3. Declarations of Interest**  
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
- 4. Public Questions** 17 - 18  
Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.  
  
Please note that the list of public questions is shown under item 4 in the agenda pack.
- 5. Petitions**  
Councillors or Members of the public may present any petition which they have received. These will normally be referred to the appropriate Committee without discussion.

## Item as timetabled in the Forward Plan

Pages

- 6. London Road Industrial Estate - Avison Young Development Brief (EX3960)** 19 - 176  
Purpose: For the Executive to review again the Avison Young prepared draft London Road Industrial Estate Development Brief and to note feedback from public consultation which is reflected in the final version of the Development Brief.



7. **Members' Questions** 177 - 178  
Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

Please note that the list of Member questions is shown under item 7 in the agenda pack.

8. **Exclusion of Press and Public**  
RECOMMENDATION: That members of the press and public be excluded from the meeting during consideration of the following items as it is likely that there would be disclosure of exempt information of the description contained in the paragraphs of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item. [Rule 8.10.4 of the Constitution refers.](#)

## Part II

9. **Walnut Close Care Home (EX3963)** 179 - 216  
(Paragraph 2 - information identifying an individual)  
Purpose: To propose changes to the delivery of West Berkshire Council's in house care home services as a result of the impact of Covid-19.

Sarah Clarke  
Service Director: Strategy and Governance

### West Berkshire Council Strategy Priorities

#### Council Strategy Priorities:

**PC1: Ensure our vulnerable children and adults achieve better outcomes**

**PC2: Support everyone to reach their full potential**

**OFB1: Support businesses to start, develop and thrive in West Berkshire**

**GP1: Develop local infrastructure to support and grow the local economy**

**GP2: Maintain a green district**

**SIT1: Ensure sustainable services through innovation and partnerships**

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



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## DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## EXECUTIVE

### MINUTES OF THE MEETING HELD ON THURSDAY, 15 OCTOBER 2020

**Councillors Present:** Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Ross Mackinnon, Richard Somner, Joanne Stewart and Howard Woollaston

**Also Present:** John Ashworth (Executive Director - Place), Nick Carter (Chief Executive), Joseph Holmes (Executive Director - Resources), Andy Sharp (Executive Director (People)), Shiraz Sheikh (Legal Services Manager), Councillor Adrian Abbs, Councillor Peter Argyle, Councillor Phil Barnett, Councillor Jeff Beck, Councillor Jeff Brooks, Stephen Chard (Principal Policy Officer), Councillor Carlyne Culver, Councillor Lee Dillon, Councillor Owen Jeffery, Councillor Rick Jones, Councillor Alan Law, Councillor Alan Macro, Councillor David Marsh, Councillor Steve Masters, Councillor Erik Pattenden, Linda Pye (Principal Policy Officer), Councillor Garth Simpson and Councillor Tony Vickers

#### PART I

#### 27. Minutes

The Minutes of the meeting held on 3 September 2020 were approved as a true and correct record and signed by the Leader.

Councillor Ross Mackinnon agreed to provide a response to the query raised by Councillor Jeff Brooks at the last meeting in relation to the Treasury Management Annual Report.

#### 28. Declarations of Interest

There were no declarations of interest received.

#### 29. Public Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

- (a) The question submitted by Mr Ian Hall querying the estimated cost of CPOs on the LRIE would receive a written response from the Portfolio Holder for Finance and Economic Development.
- (b) The question submitted by Mr Ian Hall on the subject of how many jobs would be affected by the closure of businesses if the LRIE project goes ahead would receive a written response from the Portfolio Holder for Finance and Economic Development.
- (c) The question submitted by Mr Ian Hall on the subject of whether the Council had plans to extend the scope of the LRIE project to adjoining properties by means of CPO would receive a written response from the Portfolio Holder for Finance and Economic Development.
- (d) The question submitted by Mr Ian Hall asking if there was a non-fulfillment clause with St Modwen would receive a written response from the Portfolio Holder for Finance and Economic Development.

## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

- (e) The question submitted by Mr John Gotelee on the subject of why infrastructure and utilities was left out of the Avison Young brief would receive a written response from the Portfolio Holder for Finance and Economic Development.
- (f) The question submitted by Mr John Gotelee asking how much land would be put aside for future infrastructure needs, if the piecemeal option for development of the LRIE was chosen, would receive a written response from the Portfolio Holder for Finance and Economic Development.
- (g) The question submitted by Mr Stuart Gourley which sought assurance that there was enough PPE in schools was answered by the Portfolio Holder for Children, Young People and Education.
- (h) The question submitted by Mr Ian Hall on the subject of whether the Council would do an on-line video showing WBC's waste recycling process would receive a written response from the Portfolio Holder for Environment.
- (i) The question submitted by Mr Ian Hall on the subject of the recycling of clear transparent plastics would receive a written response from the Portfolio Holder for Environment.
- (j) The question submitted by Mr Ian Hall on the subject of the public engagement session on the London Road Industrial Estate would receive a written response from the Portfolio Holder for Finance and Economic Development.
- (k) The question submitted by Mr Ian Hall on the subject of building flats in a flood plain would receive a written response from the Portfolio Holder for Finance and Economic Development.
- (l) The question submitted by Mr Alan Pearce querying the drainage system installed when constructing the new A339 Road junction into the London Road Industrial Estate was answered by the Portfolio Holder for Finance and Economic Development.
- (m) The question submitted by Mr Alan Pearce on the subject of the settings of the devices installed to attenuate the flow and stop the urban runoff flowing into the Thames Water surface water sewer, when constructing the drainage system for the new A339 Road junction into the London Road Industrial Estate was answered by the Portfolio Holder for Finance and Economic Development.
- (n) The question submitted by Mr Alan Pearce on the subject of the Flood Risk Assessment for the A339/London Road Industrial Estate access was answered by the Portfolio Holder for Finance and Economic Development.
- (o) The question submitted by Mr Vaughan Miller on the subject of the projected total costs of closure of the Faraday Road Football Ground was answered by the Portfolio Holder for Finance and Economic Development.
- (p) The question submitted by Mr Peter Gower on the subject of the number of households currently threatened with homelessness and eligible for assessment and a personalised housing plan was answered by the Portfolio Holder for Planning and Housing.
- (q) The question submitted by Mr Peter Gower on the subject of the number of Council employees currently working with a household threatened with homelessness was answered by the Portfolio Holder for Planning and Housing.
- (r) The question submitted by Mr John Gotelee on the subject of the experience and qualifications in planning and housing held by the Portfolio Holder would receive a written answer from the Leader of the Council.

## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

- (s) The question submitted by Mr Paul Morgan on the subject of the land use class definition of the Newbury Football Ground would receive a written answer from the Portfolio Holder for Finance and Economic Development:

### 30. Petitions

Councillor Lee Dillon presented a petition, of behalf of Ms Sue Lister, containing 2,217 signatures which asked West Berkshire Council to protect and save Thatcham's ancient woodland and wildlife site for future generations. The petition was referred to the Service Director – Environment for a response.

### 31. Communications and Engagement Strategy 2020-2023 (EX3951)

The Executive considered a report (Agenda Item 6) concerning a proposed strategy for enhancing the Council's communications and engagement activities over the coming three years.

Councillor Lynne Doherty in introducing the report stated that in November 2019 the Council had invited the LGA to conduct a Peer Review. One of the key themes coming out of the feedback from that review was that the Council had been hiding its light under a bushel. They recommended that the Council should make communication central to the Council's thinking and at the heart of what it did for both residents and staff. This Strategy recognised that an effective engagement spectrum was wide and varied in approach. Feedback received in respect of the communications around Covid over recent months had been very positive and residents felt that they were being kept informed on recent events. However, in order to keep this level of communication going it was recognised that additional resources would be required. It would also be necessary to communicate directly to local residents and therefore a new delivery platform was set out within the Strategy. This was an e-mail platform and Councillor Doherty was pleased to announce that just prior to the meeting she had been informed that the Council had over 50,000 subscribers who had between them signed up to some 86,000 topic subscriptions. In the recent residents' survey over 81% of residents had stated that they preferred e-mail contact to any other form of contact.

The Strategy was looking to enhance consultation and engagement using different methods in order to actively seek feedback which would help to assist, shape and form policy. It was the deeper levels of engagement which involved collaboration and empowerment that had not been as fully formed as she would like and hopefully this was addressed in the Strategy. This should be done jointly with local residents and it was therefore necessary to ensure that appropriate mechanisms were in place in order to hear their voices. The community engagement framework set out in the report identified the first wave of priority actions that needed to be taken forward to improve engagement but also left a degree of flexibility to enable the Council to try different methods and to obtain feedback from residents on their preferred options. They would inform the Delivery Plan that would be brought back to the Corporate First Programme Board for sign off and monitoring going forward.

Councillor Doherty specifically highlighted paragraph 9.4 of the Strategy which set out the outcomes that the Council was seeking to deliver and section 10 which focused specifically on what the Council was seeking to do and gave details around some of the actions. Councillor Doherty felt that effective communication and engagement was vital to ensure that the services and the way that they were delivered met the needs of the residents that the authority served.

The report was seconded by Councillor Hilary Cole.

## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

Councillor Richard Somner referred to the Volunteer Centre for West Berkshire and in particular the work that they had done and continued to do in difficult circumstances. He asked if clarification could be provided as to how they would be included in this programme of work going forward and what their role might be. Councillor Doherty recognised the huge amount of work that they did in the area and stated that the process needed to be fair and equitable. The Council would be consulting with potential partners and other people who might want to be involved to make sure that there was an objective view across the district. Discussions would take place with stakeholders and the Volunteer Centre would certainly be involved in that process.

Councillor Tony Vickers supported the aim of the Strategy but referred to paragraph 4.11 in respect of the Resident Survey held in May 2020. He was concerned that too much emphasis had been placed on the results of the survey. The consultation had been on-line only and not all people had access to on-line methods of communication. These were very often the people that the Council needed to reach e.g. the vulnerable, elderly people with disabilities etc. Councillor Vickers asked for reassurance that this was not a self-selecting biased sample and that it tied in with the disbanding of the existing Community Panel and the reforming of something to replace it e.g. a Citizen Jury where there would be a representative panel. Councillor Lynne Doherty replied that the Council was aware that it had not received the breadth of response that it would have liked but the survey had been undertaken during Covid and obviously it was therefore necessary to ensure that it was an on-line survey as communication channels had been limited. When the survey results had been analysed it became evident that there was an under representation of younger people and discussions were being held with the Education Service to consider how the Council could engage more effectively with younger residents so that their voice could be heard. It was proposed that the survey would be repeated on a regular basis which would include actually going out and engaging with people in their communities.

Councillor Adrian Abbs noted that the Strategy referred to BAME and BAMER and he asked if there could be some consistency throughout the Strategy as to which was the appropriate term to use. Councillor Lynne Doherty noted that Councillor Owen Jeffery had also raised a number of typographical errors in the paper and the Chief Executive would be amending those prior to it going to digital print.

Councillor Erik Pattenden noted that there did not seem to be any baseline or milestones within the document and he therefore queried how it would be known whether any of the actions arising out of the Strategy were actually going to address the issues that had been identified. Councillor Doherty confirmed that there was a clear direction of travel within the Strategy and it was the Delivery Plan which would deliver the objectives set out within the Strategy and this would be monitored by the Customer First Programme Board.

Councillor Jeff Brooks referred to the issue around the use of on-line methods for consultation. He felt that it was essential to use traditional methods like paper in order to engage with hard to reach groups. There was not one mention of paper within the channels it was intended to use to communicate with these groups. Councillor Doherty responded that over recent months when the Council had important messages to get out to the community it had actually had leaflets delivered through doors and had put up posters across the district. Paper communications did not always fit with the environmentally friendly solutions in any event which was why there needed to be a balance. Looking at the demographics it was actually more of the older generation who had responded to the survey using on-line methods.



## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

Councillor Lee Dillon noted that in a previous response it was mentioned that the Delivery Plan would be monitored through the Customer First Programme Board. However, that Board did not have cross-party representation and he felt that it should come back through the Executive. In relation to the commissioning of a Local Infrastructure Organisation (LIO) despite the statements regarding partnerships and of not doing 'to' communities but doing 'with' them, this Strategy would have the opposite effect. In terms of the commissioning the Council already had a relationship with the Volunteer Centre and the services it provided for many years and indeed it had relied on the goodwill of the Volunteer Centre throughout the pandemic. The Volunteer Centre had built trust with the community and was well respected in West Berkshire. It had funding in place until March 2022 and it was therefore felt that the process should not start until the Autumn of 2021 as there could be a situation where two publicly funded organisations would be running concurrently which would be a duplication of effort. The Council should be working with the Volunteer Centre to build capacity. Councillor Lynne Doherty confirmed that the Council respected every partner that it worked with but she still felt that there was a need to go through a fair tendering process. She had had several discussions with the Volunteer Centre over recent months but this was about ambition and it was an important part of the strategy going forward. She recognised the work that had been done by the Volunteer Centre over the years and this was not about undermining that at all. This was about the scalability of an operation to ensure that the Council was future proofing how it engaged with all of its communities going forward. It provided an opportunity to have a conversation with all involved so that they could all feed into what it would look like which could then be tendered through a clear procurement process. She expected that the Volunteer Centre West Berkshire would be involved in that process and if they won the tender it would give them the security to build on. Councillor Jeff Beck concurred with the comments made by Councillor Dillon.

Councillor David Marsh queried if the report had been produced internally or whether external consultants had been involved. There seemed to be a lot of jargon in the strategy and he asked for an assurance that any communication should be in plain English as the one thing that would put members of the public off of engaging with the strategy was the use of jargon and management speak. Councillor Lynne Doherty confirmed that this was something that she was keen to achieve and there was something in the strategy about the use of plain English. Councillor Marsh asked who sat on the Communications Steering Group and it was confirmed that this was an Officer group who met weekly. Councillor Marsh stated that during the Covid pandemic the communications from the Council had been good but in terms of consulting he felt that the record had been generally poor, for example, the consultation on charging for green bins. Councillor Doherty commented that a consultation framework was in place but it was recognised that the Council could do more and since she had become Leader she was trying to ensure that that was the case. For example, the consultation on the Economic Development Strategy had consisted of a different level and form of consultation. Councillor Marsh asked if it was proposed to communicate more effectively with elected Members of the authority and he referred to an incident where he had only been informed of a significant planning application in his ward from a resident. Councillor Doherty confirmed that a lot of communication had taken place with Members e.g. a weekly e-mail, briefings and Member Development sessions. She suggested that Councillor Marsh should have a word with Planning as he should be copied in to any planning applications in his ward. Councillor Marsh also raised the point about the Leader writing the weekly blog and whether that was appropriate. Councillor Doherty responded that both she and the Chief Executive had been working jointly throughout the pandemic. There was nothing political about the blogs and she would have no issue with that whoever the Leader was.

## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

Councillor Owen Jeffery referred to page 39 paragraph 4.4 and the comments around engaging with Town and Parish Councils. He felt that the Council had a long way to go in terms of engaging with them. Councillor Lynne Doherty stated that she had a good level of communication with her Parish Councils – she attended meetings regularly, wrote a monthly report and had really good levels of communication with them. It was down to all Members to ensure that Town and Parish Councils were informed and that this communication was happening. Town and Parish Councils received the weekly updates and the Council would also be hosting a District/Parish Conference shortly to which all Town/Parish Councils had been invited to send representatives.

Councillor Hilary Cole agreed that the Council had worked hard over recent months to significantly increase the level of communication with local residents and the ways that the Council was looking to engage tied in very well with the recently announced government initiative to sustain the community spirit.

### **RESOLVED that:**

- (1) The actions set out in paragraph 2.9 of the attached document be approved;
- (2) The financial implications associated with these actions and how it was proposed to address them be noted;
- (3) It was noted that the Delivery Plan would be submitted to the Customer First Programme Board for approval by the end of November 2020.

**Reason for the decision:** The need to enhance the Council's communication and engagement activities had been highlighted from a number of different directions not least the ongoing Covid-19 Pandemic. This Paper sought to address this requirement through the development of a comprehensive Strategy with a range of recommendations aimed at enhancing both external and internal communications and the Council's wider engagement activities.

**Other options considered:** None.

### **32. Proposals for future Community Infrastructure Levy spending (EX3965)**

The Executive considered a report (Agenda Item 7) which looked at reshaping the priorities that CIL income was used to support. The report sought to review CIL income to provide further support for community led schemes as well as reshaping support so that it was more closely aligned to the Council Strategy approved in the previous year, which in turn reflected the Adopted Local Plan.

Councillor Ross Mackinnon in introducing the report stated that the paper sought to implement a pilot scheme to allocate half a million pounds from CIL funds to distribution to community groups to use on worthy local infrastructure schemes. A bidding process would be in place where community groups could apply directly to the Council for this top slice of self-funding. The vetting process would be similar to that used for Member bids. The funds would need to be spent on projects which met the definition of infrastructure.

The paper also recommended that the Council was not proposing to change the current percentage allocation of CIL funds. It was a way of getting funds to good projects to help communities prosper.

The report was seconded by Councillor Steve Ardagh-Walter.

Councillor Tony Vickers stated that it was good that the Council was earning money through its developments but it did not explain in the paper why there was such a massive underspend of CIL funds. He was worried that the Council might lose some of this money as he was aware that if it did not at least commit to spend on a particular

## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

project, within a certain time, then the money had to be returned to the developer. Councillor Mackinnon responded that the amount of CIL funds spent did not actually reflect what had been included in the Capital Programme. Councillor Hilary Cole clarified that she did not think that CIL money had to be returned to the developer as had been the case with s106 contributions.

Councillor Carolyn Culver noted that up to now 10% had been allocated in table 1.1 and 40% had been profiled in table 1.2. She stated that this was a significant shortfall and she was particularly interested about the money allocated for cycleways and how that compared to the money given for Active Travel. Could some of the CIL funding be used outside of Newbury as a lot of the Active Travel fund had been spent in the Newbury and Thatcham area? Councillor Ross Mackinnon felt that there needed to be a level of prudence here as there were uncertainties over future CIL levels. He hoped that the forecast CIL income levels did materialise in which case they would be allocated towards the capital programme but it was important not to over commit at this stage.

Councillor Adrian Abbs noted that there was a £5m underspend in CIL funding and suggested that more should be spent on environmental projects in order to meet the Environmental Emergency Declaration. He also noted that the percentage profiling was proposed to remain unchanged but they did not implicitly mention anything to do with targeting the emergency declaration. He would like to see a specific percentage of the CIL funding to be spent in this way. Councillor Mackinnon stated that no-one wanted to not spend CIL funding but the focus of this report was about top slicing a sum of £500k for small community projects.

Councillor Lee Dillon stated that the criteria for parish funding was 50%. Newbury and Thatcham would have a healthy precept but there would be some parishes who had very limited precepts and he wanted to be confident that if they could not match fund then they should not lose out on infrastructure money for the whole district. He therefore asked if the report could make clear at 4.10(d) that match funding was an aspiration rather than a necessity. Councillor Mackinnon replied that the schemes would be matched against the criteria set out in paragraph 4.10 but match funding would be an argument in favour but it would not be a hard and fast criteria.

Councillor Jeff Brooks felt that the Council was being too risk adverse as the forecast income was £20m and yet only £8k had been included in the Capital Strategy. It needed to be more ambitious. Councillor Mackinnon agreed that the Council wanted to allocate schemes but it was being cautious as it needed to be careful not to over commit funds – only time would tell.

Councillor Tony Vickers referred to Appendix A and in particular the On Street Electric Charging Points project which seemed to be dependent upon a Government grant bid. Councillor Mackinnon confirmed that he would get back to Councillor Vickers on that.

Councillor Steve Ardagh-Walter concluded that this was a really excellent initiative and the benefit would be around flexibility and responsiveness. This would help a wider range of groups and organisations as well as Town and Parish Councils. There needed to be sound robust governance around the projects to ensure that they were robust. He referred to the point made about match funding and the fact that there were other sources of funding as well and in particular Greenham Common Trust or the Member bid process could also contribute towards making projects happen.

### **RESOLVED that:**

- (1) the continued focus on the Adopted Local Plan and Infrastructure Delivery Plan and schemes highlighted in the Council Strategy (2019-23) and Recovery Strategy that

## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

supported this be approved and would be included in the Capital Strategy 2021 onwards.

- (2) A continued profiling of CIL funds of 35% education, 35% transport, 10% other services, with 15% to parishes (or 25% if they had a neighbourhood plan) and 5% for administration be approved.
- (3) A one off sum of up to £500k be approved to be used to “ensure sustainable services through innovation and partnerships” by allocating funding for community groups to bid to support the Adopted Local Plan and Infrastructure Delivery Plan Implications and Impact Assessment.

**Reason for the decision:** To ensure that there was a stronger link between CIL expenditure and the Council Strategy and, following the Covid-19 outbreak, the Covid Recovery Strategy.

**Other options considered:**

The Council could continue as it currently did; this would not have an impact as the CIL forecasts were already included in the financial forecasts. However, it did miss some opportunities as proposed in the paper.

Given uncertainties over future CIL levels, the Council could spread CIL out over an even longer period of time. This had been discounted due to the length of time to deliver schemes the CIL was intended to support.

### 33. **Response to the Overview and Scrutiny Management Commission Task Group Report on the London Road Industrial Estate (EX3956)**

The Executive considered a report (Agenda Item 8) concerning a response to the recommendations made in the report from the Overview & Scrutiny Management Commission (OSMC) task group on the London Road Industrial Estate (LRIE) that was presented to Members of the OSMC in July 2020.

Councillor Ross Mackinnon reported that the LRIE task group had been set up in April 2019 to review the LRIE project to 2018. The aim of the task group was to review what had been learnt from the project and to report back to the OSMC. The report had been received in July 2020. An action plan had been developed in relation to each of the 15 recommendations set out in the report where appropriate. A number of the recommendations had already been addressed as the Council had clearly developed its practices over the last ten years. However, the report had concluded that the Council had not intended to act illegally and had had regard to its legal obligations and the public contract regulations. The evidence was also clear that the Council had acted reasonably after taking expert advice from external providers. The task group would not have made any different decisions regarding the proposed development of the site.

Councillor Lynne Doherty seconded the report.

Councillor Graham Bridgman referred to recommendation 5 on page 134 of the agenda in respect of each Committee/Board reviewing the Terms of Reference on an annual basis. He felt that reviewing the Terms of Reference automatically was not the right approach and felt that the recommendation should be amended to state that they should be reviewed on a regular basis. Councillor Mackinnon felt that an annual review could take place at a very high level and would therefore not be that onerous. Councillor Bridgman responded that if it was suggested that it only needed to be a very high level review then the response to the recommendation needed to be amended to reflect that.

Councillor Lee Dillon was a member on the task group and he said that it was not necessarily to review the contents of the terms of reference but when a new member came on to the Committee then they needed to be made aware of the Terms of

## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

Reference so that they were aware what they were making decisions on and whether they were a decision making group or not. What he could not see in the report in the response from the Executive was any form of apology for the poor project management that had taken place at the time and he felt that some recommendations and an apology from the Administration was required. Councillor Mackinnon agreed but an organisation of this size would always be improving their project management methodology and internal processes as time progressed. The Council would always seek to improve methodology whenever it could and he felt that the response to the recommendations had demonstrated that.

Councillor Jeff Brooks referred to the comprehensive Project Management Methodology which had been included as an appendix to the report. However, it did not appear to be mandated across the authority. He also referred to project creep where the price kept increasing over time. A clever budget manager would take advantage of that loophole and he would like to have some reassurance that that would be tracked early on within the sign up process. Councillor Mackinnon confirmed that the Project Management Methodology had improved a great deal over the years and he was confident that the right processes were in place. However, the same level of methodology would not be appropriate for smaller projects. In relation to project creep Councillor Mackinnon felt that budget users were acting with integrity but he would ensure that it was closely monitored.

Councillor Steve Masters stated that the remit of the inquiry had been quite tight and he asked Councillor Mackinnon if he thought that the absence of any testimony from Les Gaulton was significant and what attempts had been made to contact him at the start of the process. Councillor Mackinnon responded that he had every faith that the task group operated in a proper manner but that question would need to be answered by the task group and in particular Sarah Clarke as it was she who had led the task group.

Councillor Owen Jeffery recalled when he was last on the Executive that he had been briefed about the subject of project management and the relevant software. He now found it incredible that a project of this size and importance never received a proper project management style. He recognised that the current Leader had not been involved at that time but the Chief Executive had been and he apparently had not felt it to be appropriate to put in and run proper project management software on such an enormous and vitally important issue. The result was that public money had been wasted and he asked whether there was any action that could or should have been taken on that issue. Councillor Lynne Doherty stated that the actions that had been laid out within the recommendations were the actions that she would approve.

Councillor Lynne Doherty thanked the task group for all the hard work that they had undertaken but she felt that the priority for the residents and businesses of West Berkshire was to move forward in order to provide them with economic stability and to make West Berkshire an attractive place to come and do business. She was happy with the overall conclusions and recommendations as set out in the report.

**RESOLVED that** the Executive noted the action plan in response to the recommendations raised by the LRIE task group.

**Reason for the decision:** To consider the report and recommendations from the LRIE task group.

**Other options considered:** The Executive could opt to do nothing with the report and leave it as it was; however, it was important that lessons were learnt where action had not been taken already in respect of the issues raised.

**34. 4 The Sector - new lease (Urgent Item)**

The Executive considered a report (Agenda Item 9) concerning the creation of a new lease. West Berkshire Council had freehold ownership of an office building in Newbury, 4 The Sector, which formed part of the Council's commercial property portfolio. The building comprised 28,700 sq. ft. of high grade office space and was currently vacant.

The purpose of this report was to recommend the creation of a new lease, for 8,000 sq. ft. (circa 28%) of the building.

**RESOLVED that** delegation be given to the Service Director for Strategy and Governance to enter into the lease for 8,000 sq. ft. of office space in 4 The Sector on the terms described in the report.

**Reason for the decision:** To secure occupation of the building.

**Other options considered:**

- (1) To decline the proposed lease and continue to market the vacant property on the basis of letting 100% of the space to a single tenant.
- (2) To dispose of the freehold, removing the property from the portfolio.
- (3) To convert the office space under permitted development to residential.

**35. Members' Questions**

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

- (a) The question submitted by Councillor Dennis Benneyworth querying whether the Council was ready to support those in economic hardship would receive a written response from the Leader of the Council.
- (b) The question submitted by Councillor Tom Marino on the subject of whether the Council would be signing up to the government's £2bn Kickstart scheme to help young people between the ages of 16 – 24 on Universal Credit into the work place was answered by the Portfolio Holder for Internal Governance.
- (c) The question submitted by Councillor Peter Argyle on the subject of what the Council was doing to help young people in to employment was answered by the Portfolio Holder for Children, Young People and Education.
- (d) The question submitted by Councillor Rick Jones on the subject of why the Culture Strategy and the Leisure Strategy were being developed in the midst of Covid-19 was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture.
- (e) The question submitted by Councillor Garth Simpson asking what provision was still in place in the district, after the ending of government food parcels, for those in our communities who were in clinical need of further support or experiencing food poverty was answered by the Leader of the Council.
- (f) The question submitted by Councillor Dennis Benneyworth on the subject of what preparation the Council had made in order to deliver the £500 Test and Trace Support Payment announced by the Government as part of the more recent response measures to Covid-19 would receive a written response from the Leader of the Council.
- (g) The question submitted by Councillor Tom Marino on the subject of how the Council's commercial property portfolio had been performing over the sixth months or so since the Covid pandemic emerged was answered by the Portfolio Holder for Finance and Economic Development.

## EXECUTIVE - 15 OCTOBER 2020 - MINUTES

- (h) The question submitted by Councillor Peter Argyle on the subject of how the Council was supporting young unaccompanied asylum seekers was answered by the Portfolio Holder for Children, Young People and Education.
- (i) The question submitted by Councillor Rick Jones on the subject of Covid testing capacity in the district was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture.
- (j) The question submitted by Councillor Phil Barnett on the subject of what measures were proposed to ensure the animals on Greenham Common were safe from vehicles along the perimeter roads was answered by the Portfolio Holder for Transport and Countryside.
- (k) The question submitted by Councillor Carlyne Culver on the subject of the Climate and Ecological Emergency Bill was answered by the Portfolio Holder for Environment.
- (l) The question submitted by Councillor Steve Masters on the subject of potential approaches by private security companies to be covid wardens in West Berkshire would receive a written response from the Leader of the Council.
- (m) The question submitted by Councillor David Marsh on the subject of the benefit to businesses in Newbury Town Centre from “people driving past their shops and restaurants” was answered by the Leader of the Council.
- (n) The question submitted by Councillor David Marsh on the subject of progress with implementing an agreed speed limit reduction was answered by the Portfolio Holder for Transport and Countryside.
- (o) The question submitted by Councillor David Marsh on the subject of whether targets had been achieved from the introduction of the 24-hour traffic-free zone in parts of Newbury Town Centre would receive a written response from the Portfolio Holder for Transport and Countryside.
- (p) The question submitted by Councillor David Marsh on the potential to reintroduce the 24-hour traffic-free zone in parts of Newbury Town Centre would receive a written response from the Portfolio Holder for Transport and Countryside.
- (q) The question submitted by Councillor Lee Dillon on the subject of the steps taken by the Council to ensure the impact of the withdrawal of services for clients and their carers (introduced in the March Coronavirus Act) has been understood and mitigated against was answered by the Portfolio Holders for Adult Social Care and Children, Young People and Education.
- (r) The question submitted by Councillor Alan Macro on the subject of the Council’s commitment to the local mental health concordat was answered by the Portfolio Holder for Public Health and Community Wellbeing, Leisure and Culture:
- (s) The question submitted by Councillor Lee Dillon querying whether the Council would be submitting a response to the Government consultation paper on Transparency and Competition was answered by the Portfolio Holder for Planning and Housing.
- (t) The question submitted by Councillor Adrian Abbs on the subject of the timeframe for the build out of large housing schemes and ‘local centres’ was answered by the Portfolio Holder for Planning and Housing.
- (u) The Question submitted by Councillor Alan Macro on the subject of the proposal to create wildflower verges on our rural roads and the impact of this on the safety of

**EXECUTIVE - 15 OCTOBER 2020 - MINUTES**

pedestrians and horse-riders who often needed to use verges to avoid traffic was answered by the Portfolio Holder for Transport and Countryside.

- (v) The question submitted by Councillor Alan Macro on the subject of covid marshals would receive a written response from the Leader of the Council.
- (w) The question submitted by Councillor Alan Macro on the subject of the condition of Walnut Close Care Home would receive a written response from the Portfolio Holder for Adult Social Care.
- (x) The question submitted by Councillor Erik Pattenden on the subject of the support being provided to those children in West Berkshire who were self-isolating at home was answered by the Portfolio Holder for Children, Young People and Education.
- (y) The question submitted by Councillor Erik Pattenden querying how many early years providers in West Berkshire were at risk of closure due to financial difficulties would receive a written response from the Portfolio Holder for Children, Young People and Education.
- (z) The question submitted by Councillor Adrian Abbs on the subject of additional solar capacity in West Berkshire was answered by the Portfolio Holder for Environment.

**36. Exclusion of Press and Public**

**RESOLVED that** members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

**37. 4 The Sector - new lease (Urgent Item)**

*(Paragraph 3 - information relating to financial/business affairs of particular person)*

The Executive considered an exempt report (Agenda Item 12) concerning the creation of a new lease, for 8,000 sq. ft. (circa 28%) of the office building in Newbury, 4 The Sector, which formed part of the Council’s commercial property portfolio.

**RESOLVED that** the recommendations in the exempt report be agreed.

**Reason for the decision:** as set out in the exempt report.

**Other options considered:** as set out in the exempt report.

*(The meeting commenced at 5.00pm and closed at 7.55pm)*

**CHAIRMAN** .....

**Date of Signature** .....



## Item 4:

### **Public Questions to be answered at the Executive meeting on 19 November 2020.**

Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(a) **Question submitted by Miriam Lee to the Portfolio Holder for Finance and Economic Development/Environment:**

*"How do West Berkshire Council intend to develop the London Road Estate such that the local area can meet its Zero Carbon by 2030 target?"*

(b) **Question submitted by John Gotelee to the Portfolio Holder for Finance and Economic Development:**

*"Could the executive outline what measures have been taken to protect the aquatic environment of the northcroft stream from well known toxic pollutants such as copper zinc cadmium and Polycyclic Hydrocarbon Aromatics?"*

(c) **Question submitted by John Gotelee to the Portfolio Holder for Finance and Economic Development:**

*"Taking into account any retro attenuation of the thames water sewer and the need for SUDs as mentioned in the Avison Young brief on the LRIE, how many acres does the executive envisage being taken up by SUDs / Attenuation ponds?"*

(d) **Question submitted by John Gotelee to the Portfolio Holder for Finance and Economic Development:**

*"How will the space being taken up by SUDs / Attenuation ponds on the LRIE impact on the viability of the project?"*

(e) **Question submitted by Paul Morgan to the Portfolio Holder for Finance and Economic Development:**

*"The Overview and Scrutiny Management Commission report from 28 July 2020 stated that the total cost of the (LRIE) project and litigation which followed was £946,000. Can you please provide a full breakdown of what is included in this £946,000 figure and when this money was spent?"*

(f) **Question submitted by Paul Morgan to the Portfolio Holder for Finance and Economic Development:**

*"The Overview and Scrutiny Management Commission report from 28 July 2020 stated that the total cost of the (LRIE) project and litigation which followed was £946,000. Can you please provide a full breakdown of what additional spend (actual, committed and proposed) has been made on this project on top of this £946,000?"*

(g) **Question submitted by Jack Harkness to the Portfolio Holder for Finance and Economic Development:**

*"Can the Council explain how they can re-provision the football ground without purchasing land as the requirements for re-provisioning of sports grounds are that there must not be a net reduction in overall sporting facilities?"*

## Item 4:

### **Public Questions to be answered at the Executive meeting on 19 November 2020.**

Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(h) **Question submitted by Paul Morgan to the Portfolio Holder for Finance and Economic Development:**

*"Is it the Council's policy and intention to sell the freehold of the Faraday Road football ground to a property developer?"*

(i) **Question submitted by Paul Morgan to the Portfolio Holder for Finance and Economic Development:**

*"If it is the Council's policy and intention to sell the freehold of the Faraday Road football ground to a property developer, what price do they anticipate receiving from this sale?"*

(j) **Question submitted by Graham Storey to the Portfolio Holder for Planning and Housing:**

*"Will the council commit to building at least 1000 homes for social rent to help the 2,300 households identified in the draft housing strategy as in need of social housing?"*

# London Road Industrial Estate – Avison Young Development Brief

<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	19 <sup>th</sup> November 2020
<b>Portfolio Member:</b>	Councillor Ross Mackinnon
<b>Date Portfolio Member agreed report:</b>	22 <sup>nd</sup> October 2020
<b>Report Author:</b>	Bill Bagnell
<b>Forward Plan Ref:</b>	EX3960

## 1 Purpose of the Report

- 1.1 For the Executive to review again the Avison Young prepared draft London Road Industrial Estate Development Brief and to note feedback from public consultation which is reflected in the final version of the Development Brief.
- 1.2 A further report on the next stages in the development of the Estate will be brought to a future Executive meeting to agree the next steps and progress on the site in light of this development brief and opportunities for the site.

## 2 Recommendation

- 2.1 That the Executive approves publication of the London Road Industrial Estate (LRIE) Development Brief in its final form post public consultation

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	There are no financial implications. The next steps to be taken in bringing forward regeneration on the LRIE are being considered in detail and where the scope and cost of this work will be the subject of a separate report to the Executive.
<b>Human Resource:</b>	N/A

<b>Legal:</b>	N/A			
<b>Risk Management:</b>	N/A			
<b>Property:</b>	None directly from this report, though any development of the site will have an impact			
<b>Policy:</b>	<p>The Executive has to be clear with regards to the Council’s role as Property Owner and its role as the Local Planning Authority and the two are clearly separate.</p> <p>The current Planning Policy for the London Road Industrial Estate has a general policy about supporting the opportunity for regeneration. The Local Plan Review to 2036 will have further policies protecting employment areas and encouraging economic growth. The development of London Road is also a key part of the Council Strategy 2019-23 priority “Develop local infrastructure, including housing, to support and grow the local economy”</p> <p>The work done on the draft Development Brief could then be submitted by the Council as landowner to the Local Planning Authority to support any detailed proposals for the estate, which the Local Planning Authority could use as evidence to support and justify any new policies in the Local Plan regarding the estate if the proposals were acceptable.</p>			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		N/A

<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		N/A
<b>Environmental Impact:</b>		X		The southern quarter of the London Road Industrial Estate is adjacent to open green space, the river and canal. Development should not compromise this area of good quality amenity space and should use it generally to enhance regeneration by maintaining and incorporating it within development proposals. It is probable that any outline application or individual applications will require a full Environmental Impact Assessment.
<b>Health Impact:</b>		X		N/A
<b>ICT Impact:</b>		X		N/A
<b>Digital Services Impact:</b>		X		N/A
<b>Council Strategy Priorities:</b>	X			To bring forward regeneration on the London Road Industrial Estate will be to realise a key strategic aim of the Council which has been publicly known since 2003 and is part of the 2019-23 Council Strategy
<b>Core Business:</b>		X		Wherever possible the Council should facilitate and help bring forward development that is in accordance with policy and helps create vibrant sustainable communities. Thoughtful regeneration of the LRIE will achieve that.
<b>Data Impact:</b>		X		N/A

<b>Consultation and Engagement:</b>	<p>Internal: Economic Development, Property Services, Planning Policy &amp; Legal Services</p> <p>External: LRIE leaseholders, tenants, sub-tenants, key stakeholders, some adjacent residents and the public.</p>
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## 4 Executive Summary

- 4.1 The regeneration of the London Road Industrial Estate (LRIE) has been a publicly known Council aspiration since publication of the 2003 Newbury Vision. It has remained a fixed item within all subsequent publications of the Newbury Vision.
- 4.2 The Council’s previous attempt to bring forward regeneration with a development partner failed due to legal action brought against and fought unsuccessfully by the council between 2015 and 2018.
- 4.3 In 2019 the Council reiterated its commitment to redeveloping the LRIE and in December 2019 the Council appointed Avison Young to produce a new LRIE Development Brief.
- 4.4 Avison Young completed the draft Development Brief by July 2020 which confirmed that redevelopment of the LRIE remained a viable proposition.

The draft Development Brief was put before the Executive on the 3<sup>rd</sup> September where the Executive noted the contents of the draft Development Brief and at the same time approved its publication as part of a public consultation exercise. The consultation process finished officially on the 5<sup>th</sup> November 2020 and where relevant points from that process and their findings have been recorded in an updated Development Brief. There were 74 individual responses to the consultation posted on the Council’s LRIE webpage, 8 emailed queries and separate detailed responses from the Liberal Democrat Group, Newbury Town Council, Newbury Society and Newbury Economic Development Company (EDC). In addition to the above the Council held two zoom public engagement events on the 8<sup>th</sup> Oct and 4<sup>th</sup> November 2020. Key points raised in the consultation were:

- Housing and residential development issues generally
- More business units to be delivered and less office space
- Is CPO beyond the Council’s freehold ownership a possibility?
- Brief should have status as a Planning document
- Brief should place emphasis on green issues, social well-being and climate emergency
- Housing on flood plain not acceptable
- Football should not move away from LRIE

- Concerns over ‘Baseline’ approach to development (plot by plot) as opposed to Masterplan approach
- Infrastructure & site conditions

4.5 This report presents again the Development Brief which has been appropriately amended to reflect consultation and seeks the Executive’s approval to publish the revised Development Brief in its final form.

## 5 Supporting Information

### Introduction

- 5.2 Avison Young completed the draft Development Brief July 2020. The document was reviewed internally and then presented to the Executive 3<sup>rd</sup> September 2020. The Executive noted its content and initiated public consultation on the document.
- 5.3 Public consultation, including stakeholders such as Newbury Town Council, Newbury Economic Development Company and Newbury Society and the BID, was completed 5<sup>th</sup> November 2020. The findings of that process have been recorded and where appropriate have caused the Development Brief to be amended. This report presents the final version of the Development Brief and recommends its publication.

### Background

- 5.4 During October and November 2019 a competitive tender process was run via Crown Commercial Services to secure consultants to produce a new LRIE Development Brief. The Crown Commercial Services framework gave the Council access to consultancy practices of regional and national size with the ability and experience to review the development options on a complex land holding such as the London Road Industrial Estate.
- 5.5 The draft Development Brief was completed as a document created for the Council as a landowner and where commercial outcomes, based on improved income and / or capital receipts, are as important as good quality regeneration if redevelopment proceeds in the years ahead. The brief has no formal status as a planning document but nonetheless puts forward proposals fully set out in the context of both local and national planning policy and where environmental constraints are likewise analysed.
- 5.6 Production of the Development Brief and confirmation that redevelopment remains a viable proposition is the first step of many in bringing forward regeneration on the LRIE. Later stages may throw up challenges that hamper redevelopment, but they will be met as and when they arise.

### Summary of the consultation process

- 5.7 The week commencing the 7<sup>th</sup> September 2020 LRIE leaseholders were contacted by email, passed the draft Development Brief and informed they would be invited to zoom consultation sessions by Avison Young, supported by the Council. Similarly the week commencing 14<sup>th</sup> Sept occupational tenants on the estate were contacted by mail informing them they had an opportunity to attend one of two zoom consultation session

with Avison Young on either the 6<sup>th</sup> or 7<sup>th</sup> October. This invitation was followed up by an estate letter drop on the 17<sup>th</sup> September to capture occupational tenants where the Council did not have email details.

- 5.8 During the same period in September the Council’s LRIE webpage was updated inviting the public to view the draft Development Brief on-line and to leave comments on the LRIE webpage via a formal survey link. The on-line survey remained live until midnight 20<sup>th</sup> October 2020. Over the same period the webpage offered the public an opportunity to watch at 6pm 8 October a live presentation by elected members, officers and consultants and then invited the public to attend a live webinar 6pm 4 November 2020 where elected members, officers and consultants answered questions put to the panel during the session. The availability of this opportunity was advertised in the local press and via social media. The closing date for registering attendance on the final public event 4th November was midnight Sunday 1 November 2020.
- 5.9 It should be noted that consultation feedback included responses that addressed some or all of the main themes recorded in this report. Below is a summary table recording the main themes and related points:

**Table 1: Consultation responses, summary of response points and proposed amendments to the Development Brief**

Response Area	Summary of response	Recommended amendment to Development Brief
Housing and residential development issues generally (13 comments in total)	8 response with strong support for as much affordable housing as possible and to be social rent / shared ownership  5 responses not in favour of more residential development and with particular objection to flats	Brief to reinforce that redevelopment should be mixed use and where residential development is needed to financially support economically more challenging business space development
More business units to be delivered and less office space (9 comments in total)	There was a general presumption that business should be encouraged and protected. 5 responses were strongly in favour of Tech business provision and 4 responses saying more office is not appropriate	No major amendments proposed bar acknowledge comments.



Response Area	Summary of response	Recommended amendment to Development Brief
Is CPO beyond the Council's freehold ownership a possibility (3 comments)	Specific queries about residential garden land South of the A4 and West of the LRIE being subject to CPO to help facilitate redevelopment.	Brief to be amended within CPO section to confirm that CPO of residential back garden land South of the A4 and West of the LRIE will not be pursued by the Council.
Brief should have status as a Planning document (2 comments)	Comments that an expensive brief has little value if it cannot stand as a planning document	Brief to reinforce that it is produced for the Council as land owner.
Brief should place emphasis on green issues, social well-being and climate emergency (10 comments)	General observations that brief does not talk about or illustrate in detail cycle paths, greater connectivity to Victoria Park, align proposals specifically to climate emergency issues and the environment generally	Brief to note comments, explain that matters such as cycle routes and connectivity are dealt with at detailed planning stage and that proposals must align generally with Planning Policy requirements in terms of sustainability, build quality, materials etc.
Housing on flood plain not acceptable (13 comments)	A general presumption that residential development should not or cannot be delivered on land within flood zones	Brief to explain that providing appropriate mitigation measures are put in place, that detailed design at planning stage demonstrate how measures are to be built out and the Environment Agency can support these measures, housing on flood plain can achieve a safe consent
Concerns over 'Baseline' approach to development (plot by plot) as opposed to Masterplan approach (4 comments)	Concern that 'plot by plot' development is at the expense of development providing appropriate infrastructure to	Brief to explain the compromise between a masterplan delivery and 'plot by plot' delivery is not poor infrastructure but a compromise on the most

Response Area	Summary of response	Recommended amendment to Development Brief
	<p>deliver good redevelopment and that only a 'clean' site, where all existing buildings are removed, can deliver appropriate infrastructure.</p>	<p>efficient use of developable land within an overall vision for the site</p>
<p>Infrastructure &amp; site conditions (11 comments)</p>	<p>General comment that the brief is weakened by not considering in detail development infrastructure requirements and site conditions.</p>	<p>Brief to explain detailed engineer type surveys covering utilities, environmental issues, ground structure, potential contamination remediation and flood mitigation are studies to be undertaken once basic development viability has been confirmed in term of planning policy and market conditions and are an important part of the development proposals at that stage.</p>
<p>Football should not move away from LRIE (45 comments, of which 33 were exclusively about football)</p>	<p>General comments stating it is wrong to build on the old football ground</p>	<p>Brief to reinforce existing comments that the old football ground is integral to the successful redevelopment of the LRIE, where the Council has plans to re-provide football within the Newbury area and where these plans are supported by Sport England.</p>

5.10 Where relevant the final version of the Avison Young Development Brief has been updated to reflect feedback from the consultation process as requested by the Executive.

## Proposals

5.11 That the Executive approves publication of the final version of the Development Brief post consultation.

## 6 Other options considered

- 6.1 The Council should sell its freehold interest in the LRIE. Existing ground rents are fixed at a good yield and where ground rents are paid to the Council by the leaseholder regardless of occupational rents received by leaseholders. Any capital receipt could be invested in assets generating similar returns but would only maintain existing income levels and at the same time remove the Council's ability to bring forward regeneration on this run down part of Newbury. Moreover new owners might sit on existing LRIE freeholds, leaving the estate to further deteriorate and where the Council's control would be limited to that of planning authority.
- 6.2 To note the contents of the Avison Young Development Brief in its final form and for the Council to decide not to initiate and drive forward regeneration on the LRIE, leave the estate as it is and deal with change if and when it happens in the years ahead. This approach is likely to be overtaken by events where the Council has to engage and negotiate with leaseholders who will progressively bring forward their own schemes on Council freehold land in the same way FDL and NWN already have. It is preferable for the Council to be in control of events rather than react to them.

## 7 Conclusions

- 7.1 The Council has a Development Brief that confirms regeneration of the LRIE remains a viable proposition. The process will be long, challenging and potentially risky if the Council considers any element of self-delivery. Nonetheless bringing forward regeneration is within the Council's capability.
- 7.2 The consultation process has not thrown up matters that should alter the Council's intention to regenerate the LRIE nor deter the Council from taking the next steps in bringing forward regeneration on the LRIE.
- 7.3 The Council can choose to do nothing and leave the estate in its present state and rely on existing ground rents for the foreseeable future. However, this would be to turn its back on a long held Council aspiration, where the estate will further deteriorate and in the context of a Council that is already well informed about what it might seek from its earlier experience in the abortive process to secure a development partner.
- 7.4 On the basis that doing nothing or selling the Council's freehold interest are unacceptable options, the Executive will be acting reasonably if it approves publication of the final version of the Avison Young Development Brief.

## 8 Appendices

- 8.1 Appendix A – Equality Impact Assessment – Stage One
- 8.2 Appendix B – Data Protection Impact Assessment – Stage One

8.3 Appendix C – Revised Avison Young LRIE Development Brief

**Background Papers:**

EX3946 – paper to Executive on 3 September 2020

**Subject to Call-In:**

Yes: X      No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council’s position
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

**Wards affected:** Victoria Ward

**Officer details:**

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**Document Control**

<b>Document Ref:</b>		<b>Date Created:</b>	6 <sup>th</sup> October 2020
<b>Version:</b>	1st	<b>Date Modified:</b>	
<b>Author:</b>	Bill Bagnell		
<b>Owning Service</b>	Property Services		

**Change History**

Version	Date	Description	Change ID
1			
2			

## Appendix A

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:**
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	To note the contents of the Avison Young Development Brief and to consider what steps to take, if any, in further bringing forward regeneration on the London Road Industrial Estate.
<b>Summary of relevant legislation:</b>	N/A
<b>Does the proposed decision conflict with any of the Council’s key strategy priorities?</b>	No
<b>Name of assessor:</b>	Bill Bagnell
<b>Date of assessment:</b>	14 <sup>th</sup> July 2020

<b>Is this a:</b>		<b>Is this:</b>	
<b>Policy</b>	<b>No</b>	<b>Proposed</b>	<b>Yes</b>
<b>Strategy</b>	<b>No</b>	<b>Already exists and is being reviewed</b>	<b>Yes</b>
<b>Function</b>	<b>No</b>	<b>Is changing</b>	<b>No</b>
<b>Service</b>	<b>No</b>		

<b>What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	To agree the next steps in bringing forward regeneration of the LRIE.
<b>Objectives:</b>	To secure again a partner or partners who will manage the regeneration of Council freehold assets on the LRIE and where necessary and in support of that process for the Council to exercise its powers of compulsory purchase.
<b>Outcomes:</b>	Provision of BREEAM Excellent residential accommodation, new fit for purpose office accommodation and / or employment spaces and retail opportunities.
<b>Benefits:</b>	Secure and enhanced LRIE income, town centre affordable housing, improved employment opportunities and generally raise the run down profile of an important town centre location.

**Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.**

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	None	
Disability	None	
Gender Reassignment	None	
Marriage and Civil Partnership	None	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
Further Comments relating to the item:		
Regenerating the LRIE through redevelopment will be of benefit to the wider Newbury community.		

Result	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b> Regenerating the LRIE through redevelopment will be of benefit to the wider Newbury community.	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b> Regenerating the LRIE through redevelopment will be of benefit to the wider Newbury community.	

**If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.**

**If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area.**

You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

Identify next steps as appropriate:	
Stage Two required	Not required
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: **Bill Bagnell**

Date: **14<sup>th</sup> July 2020**

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) ([rachel.craggs@westberks.gov.uk](mailto:rachel.craggs@westberks.gov.uk)), for publication on the WBC website.



## Appendix B

### Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via [dp@westberks.gov.uk](mailto:dp@westberks.gov.uk)

Directorate:	Resources
Service:	Finance & Property
Team:	Property Services
Lead Officer:	Bill Bagnell
Title of Project/System:	LRIE Redevelopment
Date of Assessment:	14 <sup>th</sup> July 2020

#### Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></p> <p><i>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</i></p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will you be processing data on a large scale?</b></p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will any decisions be automated?</b></p> <p><i>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</i></p>	<input type="checkbox"/>	<b>X</b>

	Yes	No
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	X
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	X
Will you be using any novel, or technologically advanced systems or processes?	<input type="checkbox"/>	X
<p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

# London Road Industrial Estate: Development Brief

## Newbury, West Berkshire



11<sup>th</sup> November 2020 – FINAL

## Contents

1.	Introduction .....	1
2.	The Opportunity & Vision .....	3
3.	Site Context.....	4
4.	Site Analysis.....	6
5.	Planning History .....	15
6.	Policy Framework .....	21
7.	Development Principles.....	29
8.	Masterplans.....	47
9.	Delivery/Appraisal.....	52
10.	Summary of Consultation and Public Engagement .....	70
11.	Planning Application Deliverables .....	72
12.	Conclusion/Next Steps.....	74

## Appendices

Appendix I - Site Plan

Appendix II - Masterplan (WSP)

Appendix III - WBDC Policy Map

Appendix IV - Transport Review Note (AECOM)

Appendix V - Market Commentary

Appendix VI - Use of CPO

Appendix VII - Appraisal Assumptions

Appendix VIII - Further Information on Delivery Routes

Prepared By: Gardiner Hanson, Simon Zargar and Alexandra Curran

Status: **FINAL**

Date: 11<sup>th</sup> November 2020

For and on behalf of Avison Young (UK) Limited

# 1. Introduction

- 1.1 This Development Brief has been prepared on behalf of West Berkshire District Council (as landowner) to outline the planning potential and inform bids from potential development partners to bring forward redevelopment of the London Road Industrial Estate (LRIE) (henceforth referred to as ‘the Site’). The Site Location Plan for the Site is provided at **Appendix I**.
- 1.2 The Site is located on the edge of Newbury Town Centre and is currently occupied by a mixture of single and two storey light industrial, retail and office buildings, and a former football ground with associated clubhouse. The Site is under freehold ownership of West Berkshire District Council (WBDC) and totals 11.13 hectares (27.5 acres).
- 1.3 Regeneration of the Site is a key objective for the Council and supported by the Development Plan. This report has been commissioned by the Council as landowner, rather than in its capacity as Local Planning Authority, to understand its redevelopment options and the ability to maximize possible development receipts in the form of improved long-term revenues and/or capital receipts.
- 1.4 The purpose of this Development Brief is to consider the planning and market potential for redevelopment of the Site for mixed use development, including residential, having regard to relevant planning policies of the adopted development plan as well as other relevant planning guidance, and other material considerations.
- 1.5 The Development Brief includes two development scenarios for consideration; the first option outlines a ‘Site-Wide Comprehensive’ long-term masterplan for the entire Site which assumes there are no existing or future leaseholder constraints across the Site; the second ‘Initial Phased’ masterplan option takes into account the existing leaseholds across the Site and proposes a more strategic phased delivery for the masterplan. The masterplans are designed to be flexible and to adapt to changes both on the Estate and in the wider market over time. Any future detailed development proposals would be subject to any updated policy, planning guidance and material considerations relevant at the time of application.
- 1.6 Both the ‘Initial Phased’ masterplan and ‘Site-Wide Comprehensive’ masterplan options for the Site have been prepared by WSP (**Appendix II**), informed by transportation advice prepared by Aecom, environmental considerations prepared by Avison Young’s Environmental Planning Team and market/delivery advice from Avison Young’s Planning, Development and Regeneration Team.
- 1.7 The structure of the report is as follows:
- **Section 2 - Vision and Key Objectives:** summarises the landowner’s objectives both for the Site and for any future development partner to deliver the Site
  - **Section 3 - Site Context:** outlines the existing site context and its surrounds;
  - **Section 4 - Site Analysis:** identifies opportunities and constraints to development;
  - **Section 5 - Planning History:** summarises the planning history for the Site;

- **Section 6 - Policy Framework:** provides a summary of the existing and emerging policy framework relevant to the Site;
- **Section 7 - Development Principles:** outlines the development principles for the Site such as appropriate residential and employment land uses, urban design, open space, transport, and environmental/technical considerations. This section also highlights other key development management type matters which will need to be considered in any redevelopment;
- **Section 8 - Masterplan:** presents the indicative high-level 'Initial Phased' and 'Site-Wide Comprehensive' masterplan development scenarios that could be applied to the Site;
- **Section 9 - Delivery and Appraisal:** outlines advice in relation to existing tenants and neighbouring landowners. This includes land assembly advice to assist in the possible relocation of existing LRIE businesses and in respect of land acquisitions and disposals. This section also identifies any 'in kind' infrastructure requirements, likely CIL/S106 contributions and phasing considerations. The appraisal section provides an options appraisal addressing the balance of risk and reward to inform the possible delivery strategy and assesses the delivery options available and other relevant commercial property advice to sit alongside and support work on the development and planning elements of this project;
- **Section 10 - Summary of Consultation and Public Engagement:** outlines consultation and public engagement that has been undertaken with lessees, tenants and the general public prior to and following the initial first draft Development Brief being released to the general public.
- **Section 11 - Application Submission Requirements:** provides a summary of likely documentation which will be expected to be submitted as part of any future planning application; and
- **Section 12 - Conclusions/Next Steps:** summarises the Development Brief and sets out next steps.

## Purpose and Status of the Document

- 1.8 The purpose of this Document is to provide greater planning certainty to the Council (as landowner) or any future development partner about the Site's planning and development potential based on a conceptual masterplan, as well as to provide advice to the Council (as landowner) in respect of the constraints associated with its asset management of the Site(s) in lieu of the various existing leaseholds.
- 1.9 While this Development Brief is not intended to have any formal planning policy status, it should assist in informing the planning approach to future specific proposals on the Site and its disposal. The Development Brief has been produced for the Council as a landowner and where landowner interests are the drivers behind the Development Brief as opposed to the Council as Local Planning Authority.
- 1.10 Though the Development Brief has no status as a planning policy document, the Council has sought views from LRIE stakeholders and the public on the high-level proposals set out in the Development Brief. A summary of the commentary received via this engagement is set out in Section 10. Relevant observations have caused the Development Brief to be adjusted to reinforce parts of the Development Brief.

## 2. The Opportunity & Vision

### Opportunity

2.1 The opportunity for redeveloping London Road Industrial Estate is as follows:

- Consolidate employment land across the Site to provide purpose-built, high quality modern accommodation to meet occupier needs and attract new businesses to Newbury;
- Help meet WBDC housing needs through the creation of a new residential neighbourhood accommodating a mix of unit sizes and types;
- Greatly enhance the character of the area, creating high quality architecture befitting of the Site's location as a gateway to Newbury Town Centre, and enhancing the relationship with its surroundings, including Victoria Park and the River Kennet; and
- Increase permeability through the Site to better connect the Town Centre with communities to the north.

### Vision

2.2 We have defined the Vision for London Road Industrial Estate as follows:

By 2030 London Road Industrial Estate will be transformed into a vibrant, successful and diverse neighbourhood where people will want to live, work and visit. It will accommodate high quality sustainable developments which will better integrate the Site into its surroundings, and meet the needs of existing and future residents and businesses.

2.3 For the London Road Industrial Estate this means:

- Regeneration of an existing employment/light-industrial area into a sustainable mixed-use neighbourhood, comprising a mix of housing and various employment uses across a range of tenure types;
- A new urban district that positively contributes to Newbury's reputation for sustainable development focused around the nearby town centre and accessible transportation links;
- Enhanced connectivity through the Site, both to the Town Centre and to the wider area; and
- An environmentally sustainable neighbourhood, with access to open spaces.

### 3. Site Context

3.1 The Site is approximately 11.13ha in area and is shown outlined in red below in **Figure 1** (and **Appendix I**). The Site comprises a mixture of single and two storey light industrial, retail and office buildings, associated yard spaces, and a former football ground with associated clubhouse. The Site also contains several adopted highways including Fleming Road, Faraday Road, Ampere Road, Kelvin Road and Marconi Road.



**Figure 1 - LRIE Site Location**

3.2 The surrounding context of the Site comprises the following:

- West – the Site is bounded by the dual-carriage A339, beyond which lies Victoria Park with small areas of residential uses north of the park and Newbury Town Centre located further to the west;
- South – the Site is bounded to the south by the River Kennet and the Kennet & Avon Canal, and to the south east by the Dairy Farm allotments. On the opposite side of the River Kennet is an area predominantly in residential use and several light industrial sheds located further south east of the Site;
- East – the Site is bounded by several light industrial sheds that are accessed from within the Site via Ampere Road. Directly south of these industrial units is the Greenham Lock Marina located along the bank of the River Kennet;
- North – the Site is bounded by several big-box retail units that front onto the dual-carriage A4 London Road. On the opposite side of the A4 are areas predominantly in residential use.

3.3 The Site contains areas within Flood Zones 1, 2 and 3 and so has varying degrees of flood risk.

3.4 The Kennet and Avon Canal East Conservation Area, which predominantly comprises the canal bank east of Newbury Town Centre, partially encroaches on the southernmost edge of the Site along the edges of the



River Kennet & Avon Canal towpath. There are no listed heritage assets on the Site, but there is an existing Thames Water pumping station towards the centre of the Site which is understood to date from the Victorian period.

- 3.5 A more detailed review of the sub-parcels that comprise the broader Site is provided in Section 4.
- 3.6 The Site includes several plots which are subject to extant planning permissions, including a 2012 planning permission at Newbury Electronics, and a 2016 planning permission (as subsequently varied) for the Faraday Plaza mixed-use redevelopment scheme. These applications are detailed in Section 5 of this report.
- 3.7 For the purposes of this Development Brief we have included the relevant extant permissions within the proposed masterplan so it reflects the emerging context of the area and how such proposals could be appropriately integrated.
- 3.8 Applications have been made for redevelopment of two sites outside of the Council's red line ownership but immediately adjacent to the Site: a scheme for 35 flats with 1,700sqm office at 115 London Road and 92 flats with 2,358 sqm office on part of the Newspaper House site. These are discussed in detail within this report.

# 4. Site Analysis

## Site Layout

4.1 The Site comprises a potential developable area of approximately 11.13 hectares and consists of a total of 26 parcels (labeled from 13A – 13Z), as shown on the Site Plan provided below in **Figure 2**.

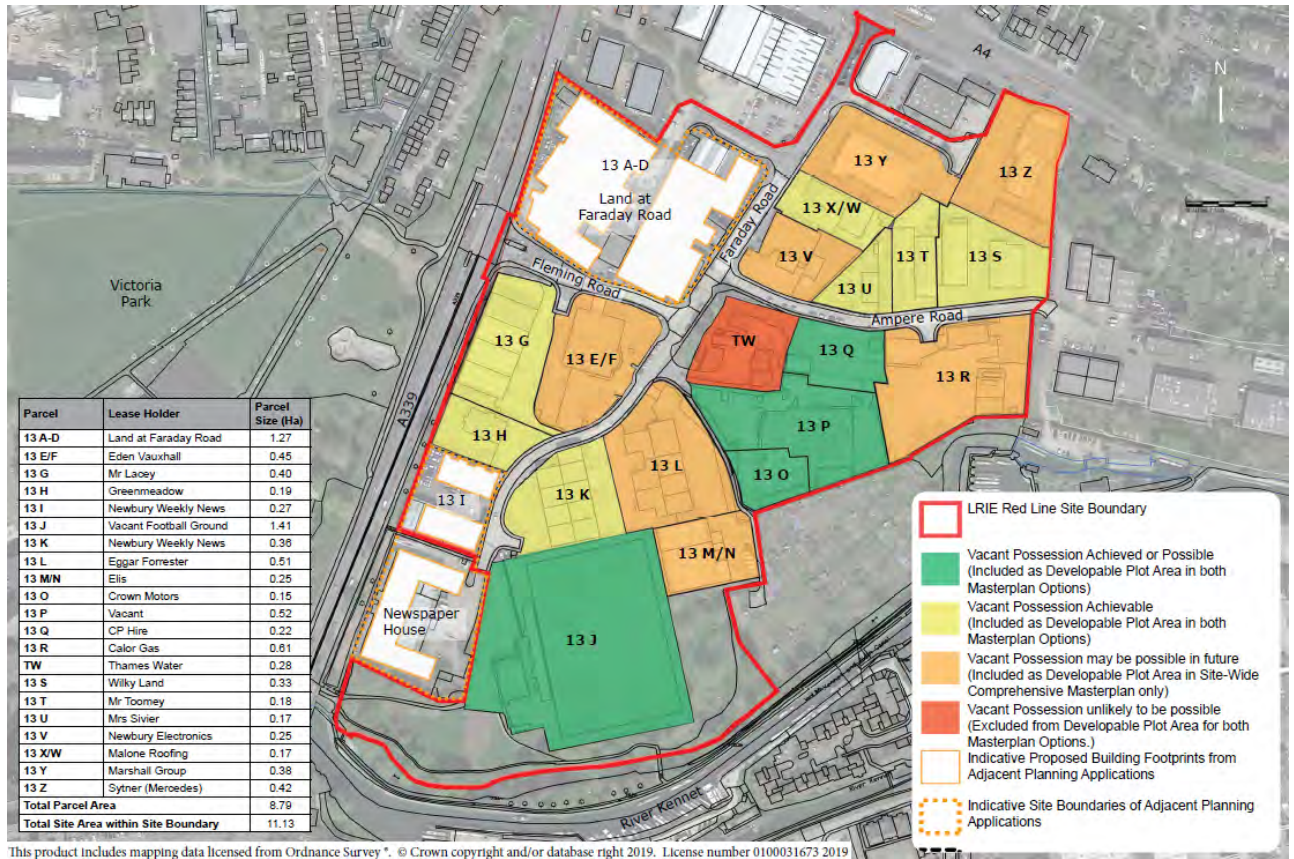


Figure 2 - LRIE - Sub-Parcel Site Plan

4.2 Many of these sub-parcels are currently tenanted under various short and long-term leaseholds albeit it is noted that the Council is the freeholder of all these parcels. This is discussed in greater detail in Section 9. We have tabulated the various parcels by parcel reference number, tenant, site area, approximate existing gross floor area, land use and Use Class below in **Table 1**.

Table 1- Schedule of Lessees across LRIE site

Parcel Ref. No.	Leaseholder	Approximate Site Area (Ha)	Gross Floor Area (SQM)	Land Use
13A	Marshall Motor Holding Plc	0.20	1,416	Dealership
13B	Faraday Investments	0.50	153.3	Light Industry
13C	Faraday Investments	0.15	846.2	Light Industry
13D	Faraday Investments	0.42	2,380	Light Industry
13E	Eden Vauxhall	0.29	2,719	Dealership
13F	Eden Vauxhall	0.16	1,161	Dealership
13G	Mr. Lacey	0.40	1,732	Light Industry
13H	Greenmeadow	0.19	411	Light Industry

Parcel Ref. No.	Leaseholder	Approximate Site Area (Ha)	Gross Floor Area (SQM)	Land Use
13I	Newbury Weekly News	0.27	1,122	Office
13J	Vacant Football Ground	1.41	-	Sports Facility
13K	Newbury Weekly News	0.36	1,520	Light Industrial
13L	Elis	0.51	1,570	Light Industrial
13M/N	Elis	0.25	1,461	Light Industrial
13O	Crown Motors	0.15	553	Dealership
13P	Vacant	0.52	-	-
13Q	CB Hire Ltd	0.22	127	Light Industry
13R	Calor Gas Ltd	0.61	417	Light Industry
TW	Thames Water	0.28	-	-
13S	Wilky Investments Ltd	0.33	1,453	Light Industry
13T	Mr. Toomey	0.24	404.	Dealership
13U	Mrs. Sivier	0.11	219	Dealership
13V	Newbury Electronics Ltd	0.25	717	Light Industry
13W	Malone Roofing	0.17	326	Light Industry
13Y	Marshall Motor Holdings Plc.	0.38	1,065	Dealership
13Z	Syntner Properties (Mercedes)	0.42	1,164	Dealership

4.3 Overall, we estimate that the Site currently accommodates an estimated 23,000sqm (GFA) of employment uses across the site, comprising circa:

- 1,122sqm of office (B1a/E Use Class) space;
- 13,114sqm of light industrial space (B1c/B2 Use Class); and
- 8,701sqm of car dealership (Sui Generis) uses.

4.4 Detailed building records were not available for the sub-parcels across the Site and therefore the above referenced floor area figures have been estimated utilising building footprint measurements from aerial photography of building footprints across the Site.

4.5 The following parcels are of note due to their unique presence within/adjacent to the Estate:

- **Parcels 13A-13D:** comprises the Faraday Plaza development site together with Marshall Motor's site and currently has a live planning application for mixed-use redevelopment comprising approximately 26,554sqm (gross external) of floor space providing offices (B1), retail (A1), Financial and Professional Services (A2), hotel (C1), restaurant (A3), hot food takeaways (A5) motor dealership and residential apartments (160 units including 48 affordable) together with 330 car parking spaces, new junction on to A339, site access and ancillary development (See Section 5);
- **Parcel 13I:** forms part of the Newspaper House development site which is currently being determined under an appeal against non-determination for the demolition of the existing Newspaper House and commercial buildings and redevelopment of the site for 71 flats and office accommodation together with parking and associated works (See Section 5);

- **Parcel 13J:** comprises the Newbury Football Club site which is currently vacant; and
- **Parcel 13R:** is tenanted by Calor Gas which is a Lower Tier site regulated by the Control of Major Accident Hazard (COMAH) Regulations.
- **Parcel TW:** is a Thames Water Pumping Station located near the centre of the Site (at the southern corner of Faraday Road and Ampere Road). This site will not form part of the site-wide masterplan as this use is assumed to be retained by the utility provider.

## Opportunities/Constraints

### Transportation/Access

#### Opportunities

- 4.6 The Site is in a highly sustainable location within 400 metres of Newbury Town Centre, and is easily accessible by a variety of transport options. Newbury Rail Station and Newbury Bus Station are located to the south within Newbury Town Centre approximately 800 metres from the centre of the Site where users can access regular Network Rail and National Express bus services to other Berkshire villages, Reading and mainline rail services to London Paddington. There are also several bus stops within a short walking distance from the Site.
- 4.7 The transportation site profile for the Site is shown below in **Figure 3**. London Road Industrial Estate is bound by two dual carriageways. The A4 London Road to the north and the A339 to the west which provide excellent vehicular access to the Site.

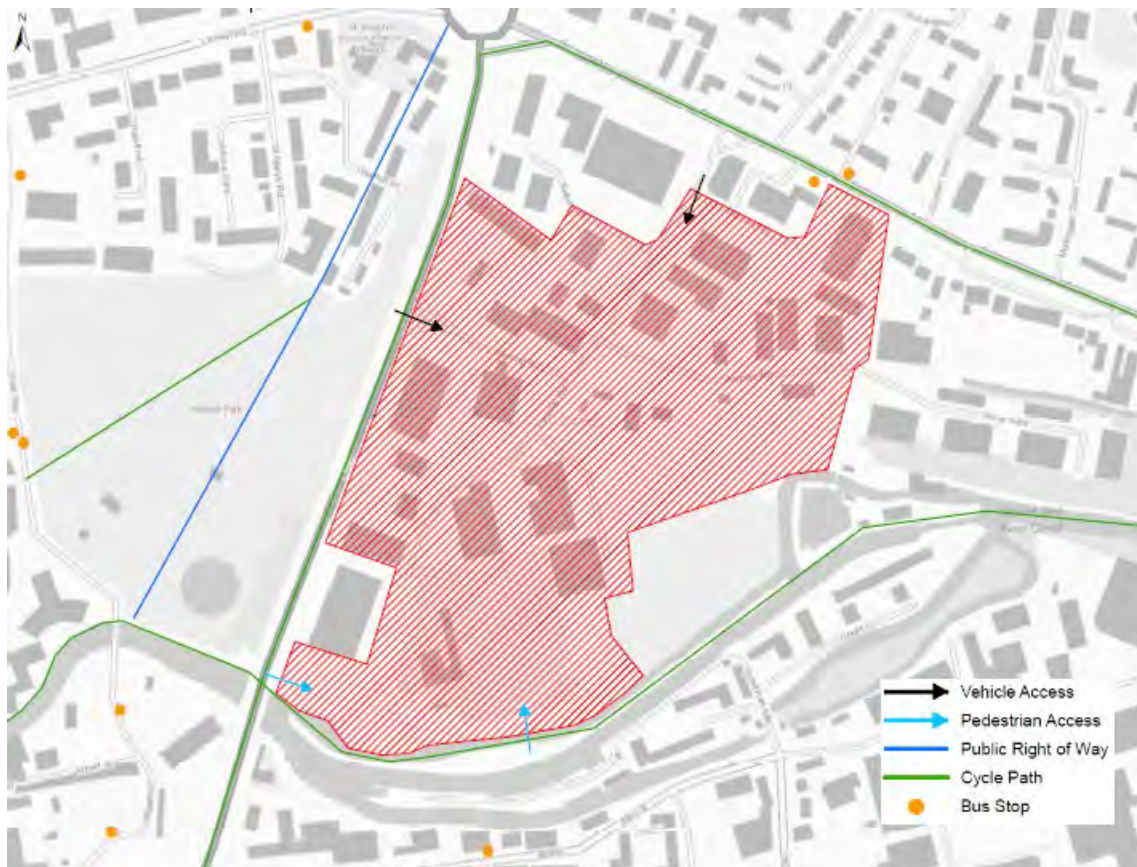


Figure 3 - Transportation Site Analysis (courtesy: AECOM)

- 4.8 The A4 provides key access to conurbations east and west of the Site, including Thatcham and Reading to the east, and Hungerford to the west. The A339, adjacent to the Site is a dual carriageway, which provides access to Basingstoke and Hampshire in the south, and converges with the A34 to the north, providing access to Oxford and the Midlands. Junction 13 of the M4 is located approximately four miles to the north of the Site.
- 4.9 The 'Robin Hood' Roundabout, where the A339/A4 meet, is located to the north west of the Site. This is a key junction within the Newbury Town road network, along with the A339/Bear Lane junction to the south of the Site, which is currently undergoing highway improvement works, to improve vehicular and pedestrian access to Newbury Town Centre which will overall benefit the future development of the Site.
- 4.10 Although there are no dedicated cycle facilities within the industrial estate (except for an Advanced Cycle Stop Line on the Fleming Road signalised junction), the nature of Faraday Road with low vehicular speeds is beneficial to cyclists. Adjacent to the Site dedicated cycle provision is well-provided with a dedicated cycle lane on the A4 to the east, which then transfers to a shared use foot/cycle way to the west of Faraday Road and continues south along the A339. A Toucan crossing enables pedestrians and cyclists to cross the A4/Faraday Road junction providing a connection between the industrial estate and north of the A4. There is also a Toucan Crossing on the A339 north of Fleming Road providing a connection to the residential area on the south side of London Road (west) and onwards towards the Town Centre. Providing direct connections to these already-established movement corridors would enhance connectivity through the Site and to surrounding areas.
- 4.11 In addition, the southern end of the industrial estate connects with the Canal Towpath and National Cycle Network Route 4 (NCN4), which provides direct pedestrian and cycle connections to Newbury Town Centre and its facilities along with the Rail and Bus Stations, as shown in Figure 2. Further afield NCN4 travels through several Berkshire towns, providing a key leisure and commuter route.

#### Constraints

- 4.12 Notwithstanding the location near the town centre and nearby public transportation links, the presence of the A339 and A4 dual carriageways that bound the Site can generate significant noise and air quality impacts generated from vehicular traffic which could contribute to health impacts for residents and an overall poor urban environment for residents, pedestrians and cyclists.
- 4.13 The road network surrounding the Site, including the Robin Hood roundabout and A339/Bear Lane, has historically been congested and consideration needs to be given to the masterplan to ensure that development on the Site does not have a detrimental impact at these two key junctions.
- 4.14 The hierarchy, and existing construction, of the surrounding highway network limits the potential for any further junction improvements or alternative vehicular access points.
- 4.15 The connections to both the A4 London Road and the A339 may encourage 'rat-running' traffic movements through the development if proper consideration is not given to prevent this through the development of the masterplan.

- 4.16 The change of use of the Site from commercial to residential is likely to bring about an increase in overall vehicle movements and in particular the movement of commercial vehicles, resulting in a detrimental impact on the surrounding transport network.
- 4.17 Potential for a mixture of commercial vehicle traffic with pedestrian/cycle movements could lead to safety issues if proper consideration is not given to prevent this through development of the masterplan.
- 4.18 Consideration will need to be given to how to ensure that the development does not encourage or facilitate ‘fly parking’ either by residents, employees, commuters and on race days.
- 4.19 Internally, the road network is already established, and we understand contains several underground utilities that would be costly to re-route should an alternative site layout be desired. This limits the layout options for the future redevelopment of the Site and suggests the current layout of the Site will likely need to be maintained.

## Physical and Environmental Constraints

### Opportunities

- 4.20 Along the southern boundary of the Site where it interfaces with the River Kennet & Avon Canal, there are existing areas of public open space and established vegetation.
- 4.21 There is the opportunity to use existing vegetation along the southern boundary of the Site to provide enhanced nature conservation features including notable species identified and this should be incorporated into the masterplan.
- 4.22 Due to the largely industrial nature of the estate, there is a good opportunity to introduce new open spaces and habitat enhancements within the masterplan which can provide aesthetic and biodiversity enhancement where possible. This could be in the form of SuDS sustainable drainage features, new street trees, or new parks and leisure facilities.

### Constraints

- 4.23 The Site is mostly within Flood Zone 2 (land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding) and Flood Zone 3 (land having a 1 in 100 or greater annual probability of river flooding) and so has a Medium to High risk of flooding. There is however a large area indicated to be in Flood Zone 1 (land having a less than 1 in 1,000 annual probability of river flooding) which represents the lowest Environmental Agency category of flood risk. This comprises most of the former football pitch site (parcel 13J) and the industrial building to the east currently used by a laundry service provider (parcel 13M/N) along with smaller areas to the north-west and north of the former football pitch site. It is also considered to be at a medium risk of canal flooding. However, the Site is within an area that benefits from flood defences. The current level of service of these defences is not known or whether they are sufficient for the lifetime of the development of the Site allowing for climate change. The extent of fluvial flooding across the site is shown in **Figure 4**.

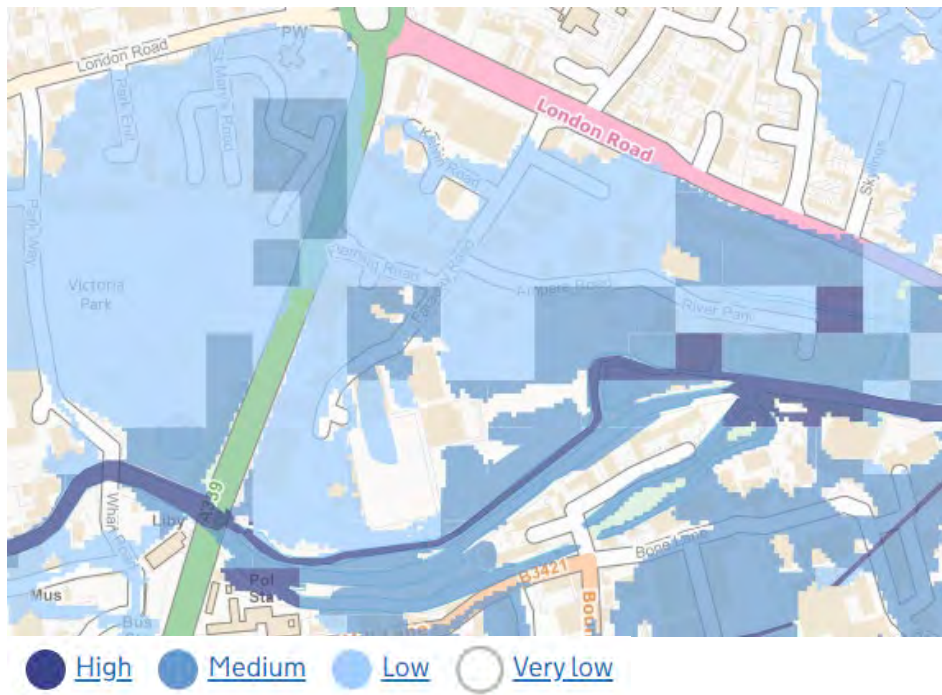


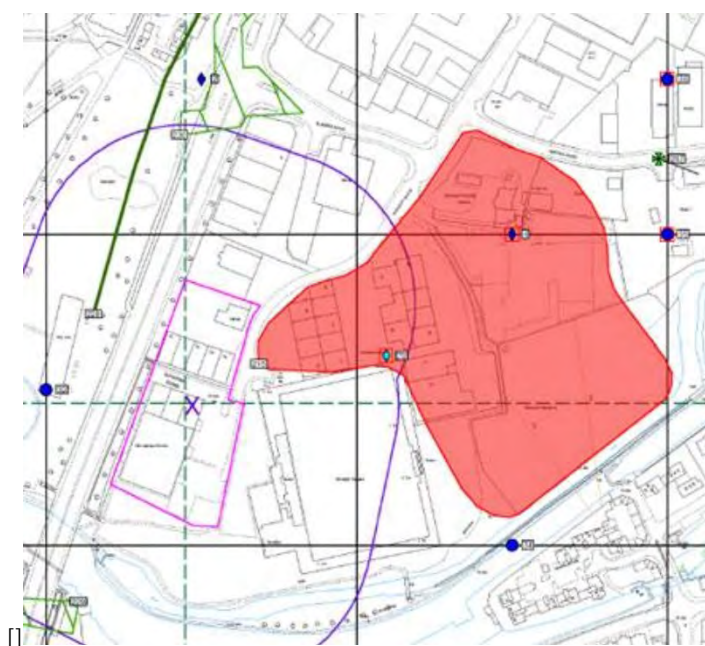
Figure 4 - Extent of fluvial flooding<sup>1</sup>

- 4.24 The West Berkshire SFRA confirms that the Site is located in a groundwater emergence zone and therefore an area considered at high risk from raised groundwater levels. This may influence the ability to use infiltration drainage to attenuate surface water drainage in extended wet periods and add to basement/ undercroft costs. There is also a critical drainage area to the west of the Site suggesting the Site would need significant attenuation of flows if draining into this area. The masterplan will need to respond to this by incorporating an extensive SuDS area at the southern end of the site adjacent to the river. This area would be sufficient in size to accommodate ground level changes as part of a flood management strategy, if considered appropriate, but would be subject to detailed design.
- 4.25 The FRA accompanying application 19/01281/OUTMAJ (see Section 5) notes that the SFRA advises that finished floor levels should be at least 300mm above the 1:100 +70% flood level (75.70m AOD). Therefore, finished first floor levels were proposed to be set at between 76.30-77.30m AOD, and the scheme has residential at first floor level and above. Rainwater harvesting, green roofs, pervious paving and attenuation storage for surface water management are proposed. This indicates that while the Site is at varying degrees of flood risk from various sources appropriate mitigation measures can be designed into proposals to enable the Site to be redeveloped.
- 4.26 A review of historic OS maps and review of planning applications on the Site indicate a history of a wide range of potentially contaminative uses on the Site including an abattoir, landfill accepting industrial and domestic waste, a range of engineering works, and a sewage pumping station. While it is evident that some of the planning permissions reviewed required remediation of contamination it can be expected that this will only have addressed part of the Site and can be expected to be to a standard suitable for the proposed use of the land in the relevant permission. The remediation undertaken can be expected to have been to a standard suitable for the proposed use and therefore the standard of remediation will need to be reviewed

<sup>1</sup><https://flood-warning-information.service.gov.uk/long-term-flood-risk/map?easting=447115&northing=167544&address=100081305196&map=SurfaceWater>

in the context of the uses proposed in the masterplan particularly where soft landscaped areas / gardens are proposed.

- 4.27 A web-based search identified a historical landfill site (deposited Waste including Inert, Industrial, Commercial and Household waste...). The presence of filled areas was noted in the submission documentation for planning application 19/01281/OUTMAJ (see below). The application noted information from the Environment Agency identifying a ‘four-hectare landfill filled with biodegradable waste in the 1950-60s. No licence and no info on capping. No site investigations /remediation documented for the site.’ The Envirocheck Report includes a plan (see **Figure 5**) that shows the extent of the landfill according to Environment Agency records along with other historic landfills in the surrounding area. A plan extract from the Envirocheck Report indicating the likely extent of the landfill is below. This landfill is indicated to extend beneath most of Parcel 13K, 13L, 13M/N, 13O, 13P, 13Q and the Thames Water pumping station.



**Figure 5 – Indicative extent of historic landfill<sup>2</sup>**

- 4.28 Online data sources indicate the Site has soils of high leaching potential which can possibly transmit a wide range of pollutants. The Site is located within the Source Protection Zone III (total catchment area) of a potable water abstraction point located 1km west. Therefore, remediation works will need to be carefully planned to reduce the risk of mobilisation of contamination during site works.
- 4.29 The River Kennet to the south of the Site is a designated SSSI so is sensitive to development and discharges from development adjacent to it. Therefore, site drainage solutions should include measures to prevent the discharge of contaminants to the river.
- 4.30 The Site is within an area subject to a Noise Action Plan in accordance with Directive 2002/49/EC. This indicates that noise sensitive land uses should be located away from the A339 to the west of the Site. The masterplan incorporates a buffer zone in which noise attenuation measures could be located and which also serves to provide a separation distance between the residential areas and the A339.

<sup>2</sup> Planning application 19/01281/OUTMAJ



- 4.31 The Site is located 525m north of the Newbury Air Quality Management Area (AQMA) located at the intersection of the A339 and St John’s Road. Traffic generated by the development may have an effect on this AQMA, but this will need to be addressed at the application stage when traffic generation and assignment to the road network and likely vehicle composition is known.
- 4.32 The area has considerable Mesolithic archaeology and evidence of medieval and post medieval activity. The Archaeologist’s response to planning application 19/00278/RESMAJ (see Section 5) noted that an evaluation of this application site indicated much relatively modern made ground, and previous advice for 12/00772/XOUTMAJ was that there will be no significant impact on the archaeological resource from this proposal. However, given the large-scale redevelopment of the Site the need for further archaeological investigations should be considered likely.
- 4.33 Victoria Park is located on the west side of the A339 to the west of the Site and the park itself lies at the eastern portion of the Newbury Conservation Area. This Conservation Area also includes part of the River Kennett river valley and includes the southern fringes of the Site adjacent to the river. The set back of the residential area from the A339 also serves to protect the setting of the park although the provision of housing along this frontage provides the opportunity to improve the park setting through sensitive massing and façade design.
- 4.34 The Site is not located within the North Wessex Downs Area of Outstanding Natural Beauty. The Site is unencumbered by Tree Preservation Orders or Public Rights of Way and so these features are not a constraint on the masterplan.
- 4.35 The Site is within a consultation zone of an HSE registered facility as shown in **Figure 6**. This facility is the Calor Gas Limited, Newbury Calor Depot Ampere Road (parcel 13R). This is a Lower Tier facility but still requires the masterplan to respond to the risks associated with this facility. A number of parcels are located within the ‘Inner’ and ‘Middle’ zones and the HSE guidance on the types and density of development within these zones has been taken into account in the masterplan though further liaison with the HSE is recommended to fully understand the extent of the constraints as a result of this facility.

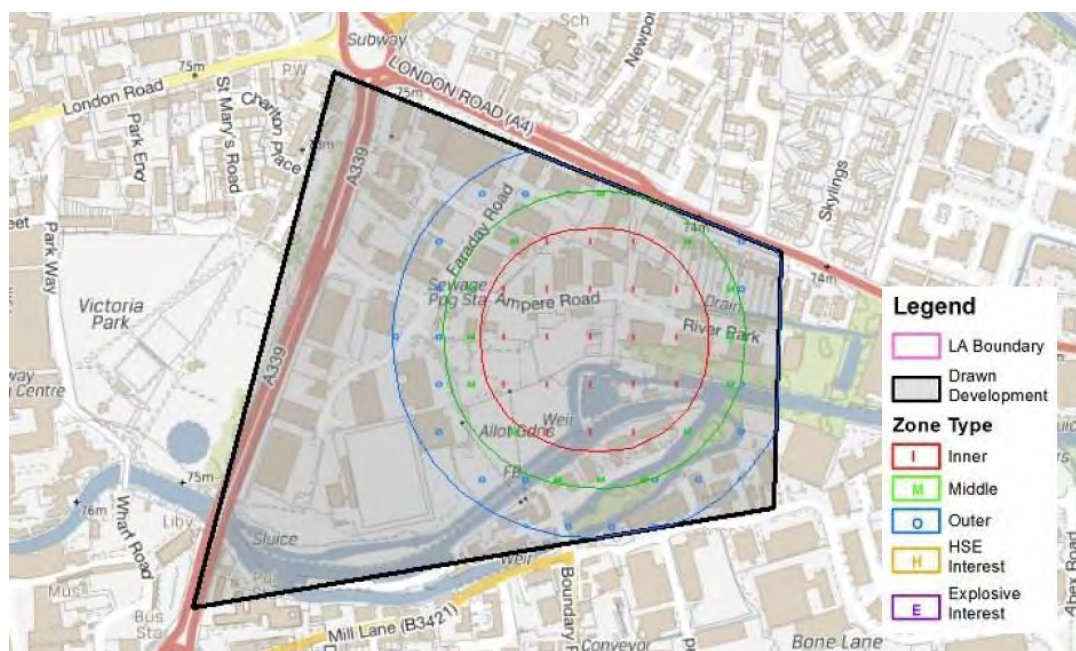


Figure 6 - HSE Consultation Zone Plan (courtesy: Health and Safety Executive)

- 4.36 It is also partly within an area with elevated radon potential, though this can be addressed through more detailed investigations and through detailed design if required.
- 4.37 Notwithstanding the various identified potential constraints that exist across the Site, these are generally not considered to present overwhelming challenges to redevelopment in future. Many technical and environmental constraints could likely be offset by the identification of suitable mitigation measures where necessary which will require detailed survey and engineering work to be commissioned and undertaken in future.

## 5. Planning History

- 5.1 As noted previously, the Site comprises a total of 26 sub-parcels (labeled from 13A – 13Z) and as such has a broad planning history.
- 5.2 This section provides a summary of significant applications within the LRIE, and notable recent planning applications in the immediate vicinity. It is not intended to be a comprehensive review of planning history for the Site. Full details regarding the wider site history, including historic records which are not available online, are available through WBDC’s Planning Department.

### Relevant Planning Applications

- 5.3 The following planning history review has been arranged in accordance with the sub-parcel plan shown below in **Figure 7**.

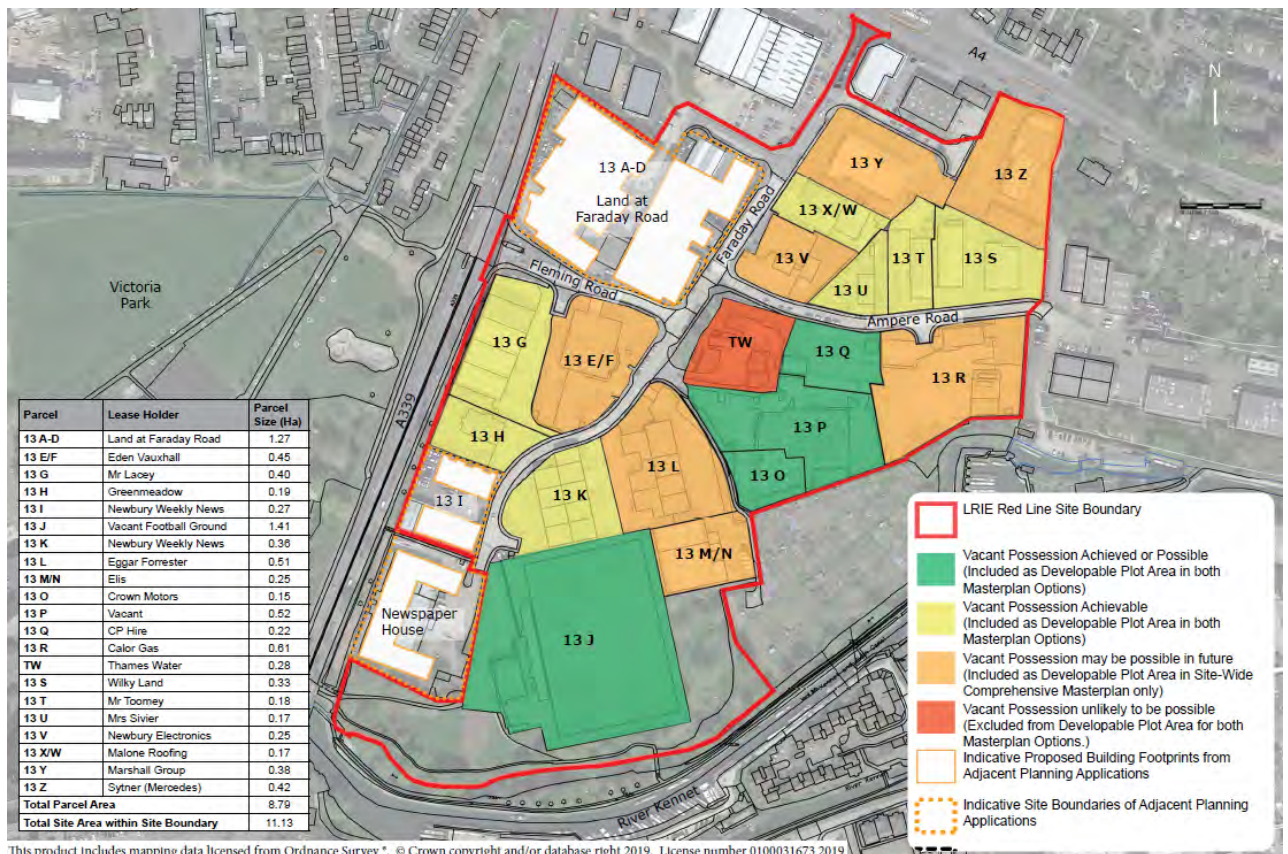



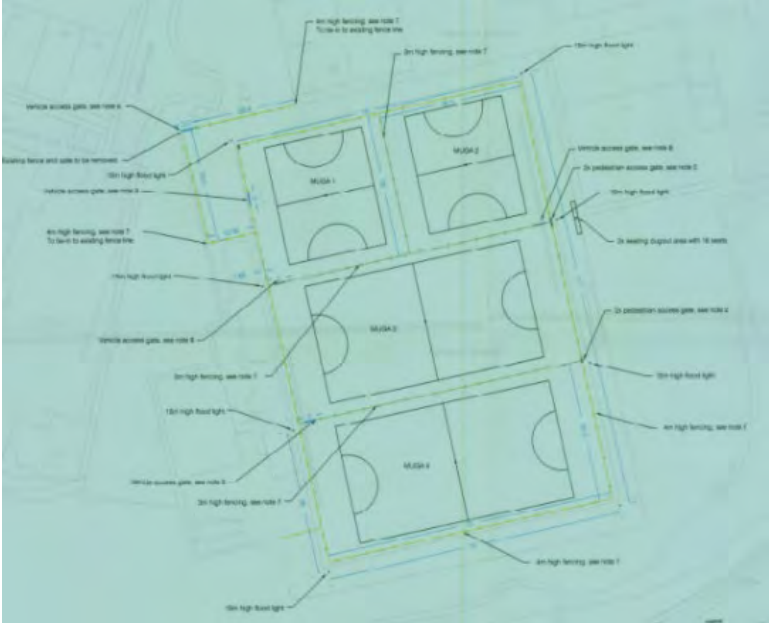
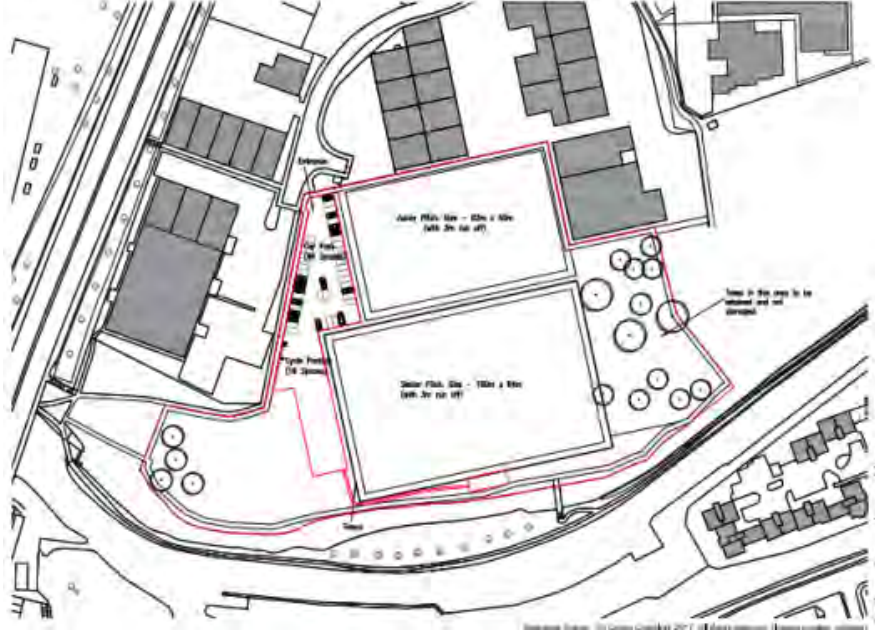
Figure 7 - LRIE - Sub-Parcel Site Plan

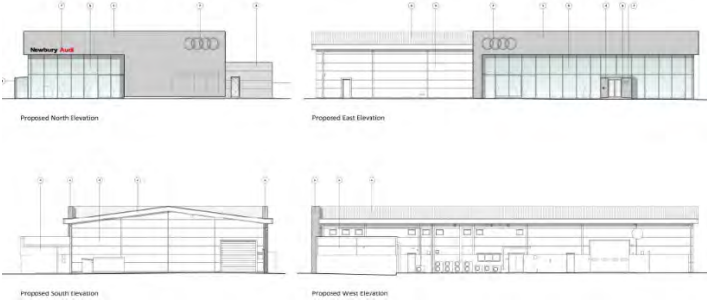

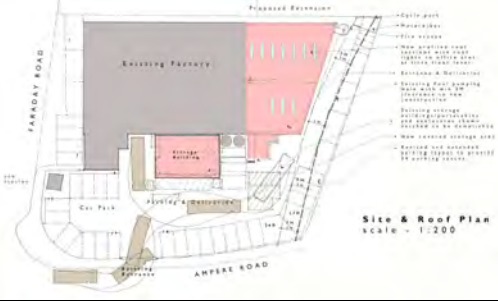
- 5.4 **Table 2** below provides a summary of the most relevant applications on the site within the past circa 10 years. A brief summary of each is provided, as well as their current status. The information below was correct as of 3rd July 2020 and is based on the available information contained on WBDC’s planning portal. This section is intended for background only and is not intended to be a commentary on the appropriateness, deliverability or suitability of these proposals. A number of these proposals are particularly relevant to the formulation of a masterplan for the estate and are therefore discussed in further detail in later Sections of this document.

Table 2 - Relevant Planning Applications with LRIE

Parcel Ref. No	Application Summary
13 A-D (Land Off Faraday and Kelvin Road):	<p><u>12/00772/XOUTMA</u></p> <p>Mixed use redevelopment comprising approximately 26,554sqm (gross external) of floor space providing offices (B1), retail (A1), Financial and Professional Services (A2), hotel (C1), restaurant (A3), hot food takeaways (A5) motor dealership and residential apartments (160 units including 48 affordable) together with 330 car parking spaces, new junction on to A339, site access and ancillary development.</p> <p><b>Refused 28 August 2014 and allowed at appeal (ref: APP/W0340/W/14/3002040) February 2016</b></p>
	<p><u>18/01553/OUTMAJ</u></p> <p>Variation of conditions for phasing of the above outline development. This required, inter alia, submission of the reserved matters and submission of a phasing plan for approval within 3 months.</p> <p><b>Approved 14 December 2018</b></p>
	<p><u>19/00278/RESMAJ</u></p> <p>Reserved matters following outline application allowed on appeal 12/00772/XOUTM as varied by 18/01553/OUTMAJ.</p> <p><b>Approved 31 May 2019.</b></p>
	 <p><b>Faraday Road Elevation</b> 1 : 250</p> <p><b>A339 Elevation</b> 1 : 250</p> <p><b>Fleming Road Elevation</b> 1 : 250</p>

Parcel Ref. No	Application Summary
	<p><u>19/00891/OUTMAJ</u></p> <p>S73 application for the variation of Condition 6 - Phasing of previously approved application 18/01553/OUTMAJ: to allow for the development to be phased as detailed in the submitted schedule. As per Condition 1 the development must be begun on or before the 31 May 2021 (that being two years from the date of approval of the reserved matters).</p> <p><b>Approved 11 July 2019</b></p>
	<p><u>19/02095/NONMAT</u></p> <p>Non-material amendment to add a condition listing all approved drawings</p> <p><b>Approved 16 September 2019</b></p>
13 I & Newspaper House	<p><u>18/00797/OUTMAJ</u></p> <p>Outline permission for demolition of existing Newspaper House and industrial units and redevelopment of the site for 82 flats and office accommodation together with parking and associated works. Matters to be considered: Access, Appearance, Layout and Scale.</p> <p><b>Withdrawn 30 January 2020</b></p>
	<p><u>19/01281/OUTMAJ</u></p> <p>Outline permission for demolition of existing Newspaper House and commercial buildings and redevelopment of the site for 71 flats and office accommodation together with parking and associated works. Matters to be considered: Access, Appearance, Layout and Scale.</p> <p><b>Committee Resolution to Refuse: 5 February 2020 – Appeal Refused – 8 October 2020</b></p>
	 <p>The image contains two architectural drawings. The top drawing is a perspective view of an existing site section, showing a long, low industrial-style building with a flat roof and a mix of brick and concrete finishes. The bottom drawing is a perspective view of a proposed development, showing a multi-story residential and commercial building with a mix of red brick, white panels, and dark grey accents. The drawings are set against a background of trees and a clear sky.</p>
	<p><u>18/01234/FUL</u></p> <p>Partial change of use from B1 to A3 (46sq.m). Conversion of existing loading bay to create shop front with canopy behind shutter and outside cafe seating area. Vent for extraction system.</p> <p><b>Approved 28 June 2018</b></p>
	<p><u>18/00792/FUL</u></p> <p>Change of use of existing motor dealership Unit 6 (Sui Generis) to Offices (B1 (a)) with associated parking.</p> <p><b>Approved 9 July 2018</b></p>

Parcel Ref. No	Application Summary
13 J (Newbury Football Club)	<p><u>19/00814/FUL</u></p> <p>Creation of 4 x multi-use games areas with replacement gates and new fencing; 8 x new floodlights (replacing existing 6 x floodlights). Application by West Berkshire Council</p> <p><b>Withdrawn 27 February 2020</b></p> 
	<p><u>18/00603/COMIND</u></p> <p>Renewal and expansion of existing football pitch including artificial pitches. Application by Newbury Community Football Group CIC.</p> <p><b>Appeal against non-determination withdrawn 25 February 2020</b></p> 
	<p><u>18/00604/OUT</u></p> <p>Outline permission for replacement of clubhouse and stand at Newbury Football Ground. Matters to be considered: Access and Layout. Application by Newbury Community Football Group CIC.</p> <p><b>Appeal against non-determination withdrawn 25 February 2020</b></p>
	<p><u>18/02046/DEMO</u></p> <p>Application for prior notification for demolition of spectator stand</p> <p><b>Prior Approval not Required – 14 September 2018</b></p>

Parcel Ref. No	Application Summary
<p>13 Y (Ridgeway Audi)</p>	<p><u>19/01420/FUL</u></p> <p>Refurbishment of existing showroom through the revision and re-configuration of ground and first floor accommodation, along with the rationalisation of the elevations. Proposals also include new external lighting.</p> <p><b>Approved – 7 August 2019</b></p> 
<p>13 P (Former Council Offices Site)</p>	<p><u>18/03417/FUL</u></p> <p>Change of use of former Council Offices site from B1 use to Sui Generis (Car Sales)</p> <p><b>Withdrawn 7 February 2019</b></p> <p><u>19/00463/FUL</u></p> <p>Change of use of former Council Offices site from B1 use to Sui Generis (Car Sales). The application proposed a car sales area, with space for customer parking, deliveries and car washing.</p> <p><b>Approved 24 October 2019</b></p> 
<p>13 V Newbury Electronics</p>	<p><u>11/00887/FULC</u></p> <p>Proposed 2 storey extension of existing factory including associated parking and removal of temporary buildings and enclosures.</p> <p><b>Approved 29 Dec 2011</b></p> 
	<p><u>12/01940/FUL</u></p> <p>Variation or Removal of Condition 2 (The development shall be carried out in accordance with drawing title number DP100 and DP101 received on 27th April 2011) - Not to build in accordance to approved plans.</p> <p><b>Approved 26 Sep 2012</b></p>

## Notable nearby Applications

5.5 Table 3 below provides a summary of the most relevant applications on the site within the past circa 5 years.

Table 3 - Relevant Notable Nearby Planning Applications

Parcel Ref. No	Application Summary
115 London Road	<p><u>16/00924/OUTMAJ</u></p> <p>Erection of 35 flats [10 affordable] with 1700m2 of office space and associated access and parking on the application site which is the north west section of the LRIE. This was an outline planning application with matters of access, scale and layout included.</p> <p><b>Approved on 1 November 2016</b></p>
	<p><u>17/01892/RESMAJ</u></p> <p>The appearance and landscaping reserved matters.</p> <p><b>Approved 31 October 2017</b></p>
	<p><u>19/02006/REM</u></p> <p>Amended reserved matters for appearance only were approved in September 2019.</p> <p><b>Approved 30 September 2019</b></p> <div data-bbox="424 958 1461 1617"> <p>West Elevation 1:200</p> <p>East Elevation 1:200</p> </div>



## 6. Policy Framework

6.1 The planning policy framework affecting the sites comprises the following:

- The National Planning Policy Framework; and
- The WBDC Development Plan.

### National Policy Context

6.2 The NPPF is a material consideration in the determination of planning applications. It sets out the Government's planning policies for England and how they are to be applied. The core message of the NPPF is a 'presumption in favour of sustainable development'.

6.3 The NPPF supports a plan-led approach and places great emphasis on the need for Authorities to have up to date plans in place. Development proposals that accord with an up to date development plan should be approved without delay. Where the development plan is absent, silent, or out-of-date, the default position is for permission to be granted, unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits or where specific NPPF policies indicate that development should be restricted.

The NPPF requires that due weight should be given to relevant policies in adopted plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the framework, the greater the weight they should be given). Limited weight may also be afforded to emerging planning policies according to their stage of preparation and consistency with NPPF policies.

### Emerging Government Guidance

#### Use Classes Order

6.4 Coming into force on 1<sup>st</sup> September 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (2020 No. 757) has generated significant changes to the way the Use Classes Order will be applied in future. In short, the regulations seek to 'amend and simplify' the system of 'town centre' use classes in England by creating a new broad Use Class E 'Commercial, Business and Service' which incorporates:

- Retail (previously A1)
- Restaurant (previously A3)
- Financial and professional services (previously A2)
- Offices (previously B1(a))

6.5 Along with other uses previously in Class D1 & D2 and other uses which are 'suitable for a town centre area' Class E will soon include:

- Indoors sport, recreation and fitness facilities (previously D2)
  - Medical and health facilities (previously D1)
  - Creches and day nurseries (previously D1)
  - Research and development facilities (previously B1(b))
  - Light industrial uses (previously B1(c))
- 6.6 Additionally, the Use Classes Order amendment has introduced new F1 and F2 Use Classes which apply to learning and non-residential institutions (i.e. schools, galleries, exhibition halls, churches, etc.) and local community use (i.e. local shops, community halls, outdoor sports facilities) respectively. The majority of these uses previously were classified as either D1 or D2 uses (except for the F1 local shops which was previously an A1 use).
- 6.7 The implications of the changes to the Use Class Order will provide additional future flexibility for developers and/or lessees as buildings or sites which were restricted to a particular lawful use may potentially be able to change the use of land or a building without the need for planning permission.
- 6.8 It is important to note that whilst changes within a singular Use Class does not constitute ‘development’ (and thus will not require Planning Permission), existing planning condition/S106 restrictions are likely to still be enforceable on existing developments and uses. For instance, if a building or other land is currently being used in a way falling within Class A1 (shops), A2 (financial and professional services), A3 (restaurants and cafés) or B1 (business) then it will be treated as though it is being used for a purpose specified in the new Class E. Change of use to another use within Class E will be allowed without the need for planning permission unless there are restrictions on the current approved use that restricts to a specific use for a specified amount of time. If a building is not currently being used or occupied for the use permitted under an existing planning permission, it will need to be brought into that use before it can then change to another use within Class E, F1 or F2.
- 6.9 It is still generally unclear how or if Local Planning Authorities will choose to seek ways to control land use where a new E or F Use Class is present and this will need to be monitored as updated Guidance is provided by Government.

### **Government's Planning for the future Consultation**

- 6.10 It should be noted that on the 6<sup>th</sup> August 2020 the Ministry of Housing, Community & Local Government released the ‘*Planning for the future*’ White Paper for consultation. The consultation proposes reforms of the planning system to streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed. Consultations on the Government’s reforms to the England Planning System will carry through the 29<sup>th</sup> October 2020 and therefore the impacts on any future redevelopment of the Site are still unclear, albeit noting they would not be expected to impact the future redevelopment potential of the Site in the short or long-term.

## WBDC Development Plan

6.11 The WBDC Development Plan is currently made up of the following documents:

- Core Strategy Development Plan Document (2006 - 2026) adopted July 2012;
- Housing Site Allocations Development Plan Document adopted May 2017; and
- West Berkshire District Local Plan 1991 - 2006 (Saved Policies 2007) as amended in July 2012 and May 2017.

6.12 The Council also has several adopted Supplementary Planning Documents and Guidance which would be material considerations in the determination of future planning applications:

- Sustainable Drainage Systems SPD (Dec 2018)
- Planning Obligations SPD (Dec 2014)
- Quality Design - West Berkshire SPD (June 2006)

## Emerging Policy Context

6.13 WBDC is currently undertaking their Regulation 18 consultation on the 'West Berkshire Local Plan Review to 2036'. As per the Council's current Local Development Scheme (April 2020), the Council completed their Regulation 18 consultation in February 2021. The Regulation 19 publication of the Local Plan Review is set to be released in May 2021. Following Regulation 19 consultation, the Council is expecting to submit their Draft Local Plan to the Secretary of State for Examination in Public in October 2021, with adoption of the updated Local Plan to be completed in December 2022.

## Adopted Policy Context

6.14 The following policy designations apply to the Site (as per the WBDC Core Strategy Proposals Map as shown in **Appendix III**):

- Newbury Settlement Boundary (Policy C1);
- Protected Employment Area;
- Flood Zone 2; and
- Flood Zone 3.

6.15 The redevelopment of the London Road Industrial Estate is a long-held vision of the Council, as originally set out in the Newbury Vision 2025 document (2003) and taken forward to the end of the current Plan period in the Newbury Vision 2026 document (2014). This envisions mixed-use redevelopment of the Site for the regeneration of existing employment uses and high-quality town centre residential units to make better use of this important gateway site. The Adopted Core Strategy is informed by this Vision.

- 6.16 Core Strategy Area Delivery Plan Policy 2 (Newbury) states that Newbury will deliver approximately 5,400 new homes over the plan period, contributing to its role and function as the largest urban area in WBDC. It recognises that there is significant development potential on previously developed land, particularly in the town centre and periphery. Newbury will be the main focus for business development over the plan period.
- 6.17 Protected Employment Areas, especially those in more accessible locations, will play a vital role in meeting the existing and future economic demands of the District. Regeneration of the Site immediately to the east of the town centre for mixed use and office developments is envisioned to create additional jobs and improve the environment of this part of the town. The appearance of key gateways to the town will be improved providing an enhanced identity for the town.

#### London Road Industrial Estate

- 6.18 Core Strategy Policy CS9 (Location and Type of Business Development) states that the Council will seek to facilitate and promote the growth of employment uses in the District by managing the growth of B1 floorspace to meet future requirements; managing the reduction of land for B2 uses whilst ensuring a sufficient supply is maintained; and the retaining suitably located sites for B8 uses. Any such B class uses will generally be directed to the District's Protected Employment Areas and assessed against their compatibility with surrounding land uses, and the capacity and impact that proposals would have on the surrounding road network. A range of types and sizes of employment sites and premises will be encouraged. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport. The Council will also promote the intensification, redevelopment, and upgrade of existing, vacant employment sites and premises for business development.
- 6.19 Core Strategy Policy CS9 also seeks to direct B1 office uses towards town and district centres. If no suitable sites are available for B1 uses within existing centres, then the sequential approach should be utilised, with the next preferable location being in edge of centre locations, or Protected Employment Areas.
- 6.20 Core Strategy Policy CS9 states that Protected Employment Areas are designated for B Use Classes. Proposals for employment-generating uses other than B class uses within Protected Employment Areas will be favorably considered where these would be complementary to the existing business uses in that location, and consistent with the integrity and function of the location for employment purposes. The supporting text recognises that the Site has the potential for redevelopment and the ability to deliver a greater employment base for the District (para. 5.53).
- 6.21 Within the Council's Housing and Site Allocation DPD (2017), the LRIE was not allocated but rather identified as an 'Area of Regeneration'. The supporting text further highlights the Council's vision for the redevelopment of the LRIE. The Site was described as not being efficiently laid out and that it did not provide an attractive environment for modern day use. It is not entirely clear why the Site was not allocated as part of the Site Allocation DPD, however, it was stated that the Site was included as an 'Area of Regeneration' within the DPD in order to make clear the Council's intentions and to add further potential flexibility into the housing provision.
- 6.22 The Housing and Site Allocation DPD states a key aspiration of the regeneration is to increase the type and level of employment opportunities on the Site, including the potential to provide a high quality office environment to supplement current office provision in Newbury Town Centre and to attract inward investment. This approach was considered to positively respond to the imbalance in employment uses

identified within the adopted Core Strategy (para 2.11). The wider LRIE site, both that within the protected employment area and that beyond, was stated to have potential for mixed-use development, including a mix of employment-generating uses and other appropriate commercial uses, and opportunities to provide residential development which could deliver additional homes in an attractive and sustainable environment within walking distance of Newbury town centre.

6.23 Core Strategy Policy CS1 (Delivering New Homes and Retaining the Housing Stock) highlights that new homes are to be primarily developed on sites which meet the following criteria:

- Suitable previously developed land within settlement boundaries;
- Other suitable land within settlement boundaries;
- Strategic sites and broad locations identified on the Core Strategy Key Diagram; and
- Land allocated for residential development in subsequent Development Plan Documents.

6.24 Although the Site is not currently allocated for redevelopment, the Housing and Site Allocation DPD identifies it as an 'Area of Regeneration'. It recognises that the Site has scope for comprehensive regeneration in order to maximise its potential (para 2.6). The key aspiration of regeneration of the Site is to increase the type and level of employment opportunities on the Site, including the potential to provide a high-quality office environment to supplement current office provision in Newbury Town Centre and to attract inward investment (para 2.11). The DPD recognises that the Site has potential for mixed-use development, including a mix of employment-generating uses and other appropriate commercial uses, and opportunities to provide residential development which could deliver additional homes in an attractive and sustainable environment within walking distance of Newbury town centre (para 2.12).

6.25 The adopted policy context for the Site is outlined within Section 7 (Development Principles), including how these will inform the masterplanning for the Site.

## Housing Need and Supply

6.26 The NPPF expects plan-making authorities to follow the standard approach for assessing local housing need, unless there are exceptional circumstances that justify an alternative. The methodology has been published as part of the PPG on housing and economic needs assessment.

6.27 As per the adopted Core Strategy, there is an objective to deliver 10,500 homes across West Berkshire between 2006-2026 (525 homes per annum), of which 5,400 (270 per annum) are envisioned to be located in Newbury (as per Core Strategy Area Delivery Plan Policy 2 - Newbury).

6.28 As per the Council's recently released Housing and Employment Land Availability Assessment (HELAA) (February 2020) and based on utilising Government's new standard methodology, the updated Local Housing Need (LHN) as of December 2019 for West Berkshire is 520 dwellings per annum (9,360 homes over the 2018 to 2036 plan period).

6.29 As a cautious approach, WBDC are utilising an LHN range of between 551 to 631 dwellings per annum (9,981 – 11,358 over the Local Plan Review period to 2036) which needs to be planned for as part of the Local Plan

Review. The Council has also clarified that the lower end of this range will be the LHN figure, calculated using the standard approach at the date of the submission of the draft Local Plan for Examination in Public, so the 551 homes per annum figure is likely to be updated prior to the indicative Local Plan Review submission date of October 2021.

6.30 As of March 2018, the housing supply position for WBDC is shown below in **Table 4**:

**Table 4 - WBDC Housing Supply (March 2018)**

Housing Supply Position – March 2018	No. of dwellings
Outstanding dwellings with permission	
Allocated sites	1,395
Non-allocated sites	2,793
Allocations without permission (March 2018)	2,570 – 2,625 approx.
Windfall allowance	1,600 approx.
Total (incl. windfall allowance)	8,358 - 8,413

6.31 With a LHN requirement of 9,918 - 11,358 dwellings and taking account of the current supply position, the initial indication is that the Local Plan Review will need to identify sites or broad locations to meet an additional requirement of 1,560 - 2,945 dwellings (87 – 163 dwellings per annum) over the period to 2036, which the allocation of the Site for residential-led mixed-use development would make a significant contribution towards.

## Employment Need

6.32 The Western Berkshire Economic Development Needs Assessment (WBEDNA) (October 2016) identified various levels of need for new offices up to 2036 under different employment growth scenarios. Given more recently published government policy and planning guidance, and the publication of more up to date economic forecasts, the Council has commissioned consultants to prepare an Employment Land Review (ELR) to inform the review of economic development and employment land policies. The ELR is nearing completion and will be published later this year. It will assess the future demand and need for office floorspace. Until such time as this work is completed, the Council cannot yet say what the identified need is. The HELAA will be updated to reflect the need for office floorspace once known.

6.33 The Western Berkshire EDNA also calculated need for industrial and warehouse floorspace to 2036. The ELR will also update this work and assess the future need and demand for industrial floorspace. Until such time as this work is completed, the Council cannot yet say what the identified need is, nor identify preferred locations for accommodating potential new employment land to meet defined needs. The HELAA will be updated to reflect the need for office, industrial and warehouse floorspace once known.

## Housing and Economic Land Availability Assessment

6.34 All local planning authorities are required by national planning policy and guidance to maintain an up-to-date picture of the amount of land that is available for new development, including land for housing and economic development. The Call for Sites process provides promoted sites to be assessed by the Council as

part of its Housing and Economic Land Availability Assessment (HELAA). The HELAA assesses potential development sites against a set of specific criteria to help determine if a given site should be allocated for a particular type of future development.

6.35 The LRIE site was submitted as part of the WBDC Call for Sites (site ref. NEW1) and has been reviewed by WBDC policy officers to inform the HELAA. The Council's initial findings related to Development Potential, Suitability, Availability and Achievability of NEW1 is summarised below in **Table 5**:

**Table 5 - WBDC HELAA Summary for NEW1**

HELAA Guidance	Topic	HELAA Comments
Development Potential	Residential Uses	<ul style="list-style-type: none"> <li>Site Area/Land Take: 3.1hectares</li> <li>Developable Area: 60%</li> <li>Developable Area: 1.86 hectares</li> <li>Density Ranges: 35 (houses); 70-90 (flats); 50 (mix)</li> <li>Site Issues: Fluvial flood risk, high groundwater levels, surface water flow paths, SSSI along southern boundary.</li> <li>Development Capacity: 30 houses OR 130-167 flats OR 93 dwellings (mix of flats and houses) but highlight there are known issues exist which may reduce these numbers</li> </ul>
	Non-Residential Uses	<ul style="list-style-type: none"> <li>Plot Ratio (Industrial B1c/B2/B8): 0.4</li> <li>Development Capacity (Industrial B1c/B2/B8): 12,400sqm</li> <li>Plot Ratio (Office B1a): 0.6</li> <li>Development Capacity (Office B1a): 18,600sqm</li> </ul>
Suitability	Highways/ Access	Highways England has advised that individually the site would unlikely materially impact the operation of the strategic road network.
	Flood Risk	<p>Low to high probability of flooding on the site.</p> <ul style="list-style-type: none"> <li>Flood Zone 3b (1.1% of site) Residential development should not be permitted in the functional floodplain.</li> <li>Flood Zone 3a (67.5% of site) High probability of flooding. Sequential test and exception test required.</li> <li>Flood Zone 2: (13% of site) Medium probability of flooding. Sequential test required.</li> <li>Flood zone 1: (18.4% of site). Low probability of flooding.</li> </ul> <p>Officers comments: Partially developable but due to very high ground water levels over whole site and the risk of some surface water flood flow paths, infiltration Sustainable Drainage Systems and below ground attenuation storage will not be acceptable. Therefore, significant space will be needed for at-ground level Sustainable Drainage Systems. Green Sustainable Drainage Systems would be most appropriate.</p>

HELAA Guidance	Topic	HELAA Comments
	Air Quality, Pollution & Contamination	The A4, A339, and Newbury Air Quality Management Area are nearby. Significant risk of Particulate Matter and Nitrogen Dioxide. High risk of contamination. High risk of noise and vibration problems to future occupants from road and commercial uses, and high risk to current neighbours from commercial uses.
	Environmental	<p>Site may be suitable if appropriate mitigation and avoidance measures are provided.</p> <p>Due to proximity of site to Site of Special Scientific Interest along southern boundary, buffer will be required.</p> <p>Site is within 0.5km of River Lambourn Special Area of Conservation. There is a risk of harmful impacts on Special Area of Conservation if adequate mitigation measures are not implemented.</p> <p>Up to date ecological surveys will therefore be needed to establish current site conditions, the presence of any protected species at the site, and if there are mitigation and avoidance measures.</p> <p>Net-gain in biodiversity should be delivered.</p>
	Heritage	A very small section of the southern part of the site lies within Newbury Conservation Area. The Conservation Area lies adjacent to the western and part of the eastern site boundaries. There is the potential for harm, although given the mature trees along eastern boundary of Victoria Park and the intervening A339, the impact is likely to be minimal.
	Archaeology	Numerous prehistoric finds suggestive of settlement. Very significant for the Mesolithic period. Desk-based assessment to better understand archaeological potential and survival. Fieldwork techniques to better understand the Mesolithic potential may be necessary.
Availability	-	<p>Confirmation that site is available subject to Council resolution as landowner.</p> <p>Redevelopment may involve the relocation of existing businesses, which may affect viability. Existing high value lease businesses (car showrooms) will remain unaffected by development both due to the cost of relocation and the positive contribution they make to the Estate. Further information required on details of leases.</p> <p>1-5-year timeframe for site being brought forward for development. 10 year for build-out of site.</p>
Achievability	-	<p>The site is not owned by a developer, but officers are aware that a development brief is being prepared.</p> <p>Suggestions that potential cost factors and high risk of contamination on site could constrain delivery of the site.</p>



## 7. Development Principles

- 7.1 This section outlines the development principles that have been utilised to inform the Initial Phased and Site-Wide Comprehensive masterplans for the Site which are presented in detail within Section 8 and **Appendix II** of this report.
- 7.2 The development principles are based on the currently adopted national and local policy framework for WBDC. As referenced in Section 6 of this report, WBDC are currently reviewing their local plan and therefore the following development principles would need to be reviewed as the WBDC Local Plan Review progresses towards adoption, which we note is currently projected to be in late 2022.
- 7.3 Redevelopment should realise the Council's long-term strategic vision of creating a new urban quarter within the LRIE Site. The WBDC Core Strategy sets out the NPPF objective for sustainable development and states that the Core Strategy Vision aims to build upon the existing settlement pattern and direct most development to those urban areas which have the infrastructure and facilities to support sustainable growth. Core Strategy Area Delivery Plan Policy 2 identifies Newbury as a focus for this growth. Saved Local Plan Policy OVS.1 states that 'The Council will follow the existing settlement pattern and hierarchy found within the district area in seeking sustainable locations for development which minimise the need to travel and with appropriate access to public transport services and other community facilities. In this context the Council would prefer to see the redevelopment of brownfield sites (land previously developed) than the use of 'greenfield' (undeveloped) land. The Initial Phased and Site-Wide Comprehensive masterplans for the Site can be seen to accord with the broad sustainable development objectives of Council and national policy.
- 7.4 Redevelopment of the Site should comprise the following:
- Phased redevelopment of all existing plots once vacated.
  - Residential uses are to include a mix of unit types, sizes and tenures that respond to local needs/requirements, complement existing and pipeline local supply, and contribute to achieving a mixed and balanced new sustainable community in Newbury.
  - An acceptable level of reprovided employment uses across the Site, which could include associated retail/service uses and residential uses on upper floors, where practical.
  - Appropriate parking for the proposed uses.
  - New sustainable transportation infrastructure that provides connections to the Town Centre and nearby public transportation hubs.
  - Provision of public open space for new residents which complements and contributes to Newbury's network of linked green infrastructure.
  - Sustainable design/construction and energy as set out in the Core Strategy and other pertinent Planning Guidance.

## Housing

- 7.5 The vision for the Site is that residential uses can be incorporated across the Site alongside employment-generating uses as part of a comprehensive regeneration of the estate.

### Housing Quantum

#### Relevant Considerations

- 7.6 The relevant considerations for determining the appropriate amount of housing are as follows:
- The NPPF requirement to boost significantly the supply of housing (para. 59) which includes a requirement on local planning authorities to meet local housing needs in their area and maintain a supply of deliverable sites to meet five-years' worth of housing requirements.
  - The currently stated WBDC target is to deliver between 551 to 631 new homes per annum within the District – noting this range is subject to being updated prior to submission of Local Plan to 2036 for Examination in Public in October 2021.
  - Highway infrastructure capacity.
  - Policy requirements associated with high-quality design; residential density; mix of housing sizes, types and tenures; land required for other land uses; and transport/highway infrastructure capacity.

#### Development Principles

- 7.7 Subject to the Council allocating the site for housing development as part of the Local Plan Review to 2036, the Council may expect housing to be the principal future land use on the Site. The Site is currently designated as Protected Employment Land, and therefore the principle of residential development at the Site is not yet supported in policy terms.
- 7.8 Should the policy designation for the Site change from Protected Employment Land to enable a mixed-use approach across the site, then a design-led approach should be taken to establish the appropriate amount of housing on the sites having regard to policy requirements associated with high quality design; density; mix of housing sizes, types and tenures; land required for other land uses; and infrastructure capacity (particularly highway). The provision of new housing should significantly contribute to the current Local Housing Need target of 551 to 631 homes per annum across the District.

### Mix of Housing Types, Tenures and Sizes

#### Relevant Considerations

- 7.9 The relevant considerations in determining the appropriate tenure mix are as follows:
- The NPPF requires planning authorities to ensure that their local plan meets their local housing needs for different groups in the community and be reflected in planning policies, including but not limited to affordable housing, families with children, older people, students, people with disabilities, service families and people who rent their homes (para 61). Policies and proposals should therefore include the delivery of a wide choice of high-quality homes to ensure the delivery of inclusive and mixed communities.

- Core Strategy Policy CS4 (Housing Type and Mix) does not provide specific policy requirements for housing type and unit mix, but rather states that housing development will be expected to deliver an appropriate mix of dwelling types and sizes to meet the identified needs of the District based on evidence of current housing needs assessments or other relevant evidence sources. Developments will make efficient use of land with greater intensity of development at places with good public transport accessibility. Higher densities above 50 dwellings per hectare may be achievable in town centres, particularly in parts of Newbury town centre, and along main transport routes and close to transport nodes.
- Core Strategy Policy CS6 (Affordable Housing) requires affordable housing to be provided on sites that propose greater than 5 dwellings, subject to economic viability, site suitability and units to be delivered. For previously developed sites that propose 15 dwellings or more or are greater than 0.5 hectares in area, 30% provision will be sought. The Council will seek a 70% social rented and 30% intermediate affordable split for affordable housing.
- West Berkshire’s most recent Strategic Housing Market Assessment (February 2016), which is subject to updated guidance while the Local Plan Review to 2036 progresses, suggests that the current housing needs for the Western Berkshire Housing Market Area are shown below in **Table 6**:

**Table 6 - SHMA (2016) Housing Needs**

	1-Bed	2-Bed	3-Bed	4+-Bed
Market	5-10%	25-30%	40-45%	20-25%
Affordable	30-35%	30-35%	25-35%	5-10%
All Dwellings	15%	30%	35%	20%

- Further updated evidence of local housing needs/requirements, recent completions, and committed supply is set out in the West Berkshire Annual Monitoring Report 2018 (January 2020), but is subject to annual review by the Council.

Development Principles

- 7.10 As the Council does not provide specific unit mix or housing type requirements within policy, the masterplan seeks to provide an acceptable mix based on local needs and market considerations, including the requirement to provide a compliant level of affordable housing provision.
- 7.11 The Council will expect the maximum viable proportion of affordable housing to be provided, having regard to the Council’s 30% target for previously developed land. Future applicants will be strongly encouraged to exceed this policy target.
- 7.12 As a starting point the Council will require an affordable mix of 70% Social Rent and 30% Intermediate tenures in line with up to date policy targets. However, the Council may welcome a greater proportion of

intermediate tenure units in order to achieve a more balanced tenure mix to reflect objectives of extending home ownership opportunities.

## Residential Densities

### Relevant Considerations

7.13 The relevant considerations in determining appropriate residential densities are as follows:

- The NPPF requires that development makes efficient use of land, taking into account identified needs and housing types, local market conditions and viability, the availability and capacity of infrastructure and services, maintaining local character and ensuring development is well-designed, attractive and healthy (para. 122). The NPPF also suggests that where Authorities have an existing or anticipated shortage of land to meet housing needs, that Authorities should avoid homes being built at low densities, and that policies support the optimisation of land through adopting minimum density standards and where appropriate applying density ranges in particular areas that reflect the accessibility and potential of sites (para. 123).
- Core Strategy Policy CS4 (Housing Type and Mix) states developments will make efficient use of land with greater intensity of development at places with good public transport accessibility and that higher densities above 50 dwellings per hectare may be achievable in town centres, particularly in parts of Newbury town centre, and along main transport routes and close to transport nodes.
- West Berkshire has also released an updated 'Density Pattern Book' which was last reviewed for the 2013 SHLAA. WBDC is currently updating its Local Plan, and this capacity assessment tool forms an important element of the HELAA process, as well as informing discussions with landowners and site allocations. The Density Pattern Book would classify the LRIE as a 'Large Town (Near Main Routes)' which supports 35dph for houses, 70-90dph for flats, and 50dph for mixed of flats and houses. The Density Pattern Book also suggests that large sites >5ha would have a net developable area of 60%.

### Development Principles

7.14 Based on the Council utilising the 'Density Pattern Book' as part of its HELAA site assessments, the masterplan will utilise the suggested density ranges for 'Large Town (Near Main Routes)' which supports flatted developments at a range between 70dph-90dph.

## Housing Specification

### Relevant Considerations

7.15 The relevant considerations in determining appropriate housing specifications are as follows:

- The NPPF requires planning authorities to ensure that their local plan meets their local housing needs for different groups in the community such as families with children, older people, students, and people with disabilities (para 61).
- There are no current local policies related to internal floorspace standards, therefore development should be brought forward in accordance with the Government's Nationally Described Space Standards (NDSS) (2015) or subsequent updated standards.

- Local Plan Saved Policy HSG.8 (Housing to Meet the Needs of Disabled People) requires appropriate features to be incorporated into new housing to meet the needs of people with disabilities in accordance with current Building Regulations 2010 (as amended) to design to the specification for M4(2) and M4(3) categories. There is no specific ratio for the amount of accessible units required within policy, but it is expected that a 10% provision will be included as part of the Local Plan to 2036 update in line with industry practice.
- West Berkshire’s Quality Design SPD also highlights that residential amenity be considered as part of development proposals. This requires that separation distances of at least 9m be provided between the frontages of buildings, 21m be provided between rear facing facades, daylight and sunlight considerations are taken into account, 25sqm of communal open space be provided per 1 or 2 bed flatted units and 40sqm of communal open space be provided for 3 bed+ units.
- The NPPF also highlights that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward to help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards (para. 150).
- Core Strategy Policy CS15 (Sustainable Construction and Energy Efficiency) highlights that new residential development should meet the ‘Code for Sustainable Homes Level 6’ – albeit noting these technical standards have now been withdrawn by the Government and new development must be built in accordance with the up-to-date Building Regulations. All major development should also meet the Government’s Zero Carbon targets or other Government aspirations which are subject to change.

#### Development Principles

7.16 Based on the relevant considerations, the Council will expect the following standards to be achieved:

- All homes to meet/exceed the minimum internal floorspace standards set out in the NDSS (2015) or subsequent updated standards.
- 10% of homes to be fully wheelchair accessible in accordance with M4(3) of the Building Regulations (2010 as amended).
- 100% of homes would be expected to meet Lifetime Homes standards.
- Provision of adequate private and outdoor communal amenity space for all new homes; for flatted developments this could mean the provision of roof level amenity spaces. The currently adopted guidance suggests a minimum acceptable level of provision of 25sqm per 1 or 2 bed units and 40sqm per 3 bed+ units for communal outdoor space.
- All homes/developments to be designed to meet up to date Building Regulations in terms of environmental performance and Zero Carbon targets.

## Employment

7.17 The Council will likely welcome additional B1 employment uses as part of any redevelopment and will expect new residential development to be served by appropriate information/communications utilities in order to support local employment (including home working).

### Relevant Considerations

7.18 The relevant considerations in determining the appropriate amount, type, form and location of any retail development are as follows:

- The NPPF requires Authorities to set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration. Authorities should also set out policies and criteria within local plans and identify strategic sites to meet anticipated needs over the plan period. Policies should also be flexible enough to accommodate needs not addressed within the local plan (para. 81).
- The Site is designated as a Protected Employment Area. Core Strategy Policy CS9 states that Protected Employment Areas are designated for B Use Classes. Proposals for employment-generating uses other than B class uses within Protected Employment Areas will be favorably considered where these would be complementary to the existing business uses in that location, and are consistent with the integrity and function of the location for employment purposes. The supporting text recognises that the London Road Industrial Estate has the potential for redevelopment and the ability to deliver a greater employment base for the District (para 5.53).
- Local Plan Saved Policy ECON.1 (Retention of Existing Employment Sites) seeks to retain key employment sites. Redevelopment of existing employment uses will be permitted where redevelopment proposals are of a scale and character appropriate to the surrounding environment, the proposals do not negatively harm transport infrastructure or environmental features.
- Subject to any changes in policy as part of the Local Plan Review to 2036, the LRIE site is currently protected for employment related uses.

### Development Principles

7.19 Employment-related uses should be reintegrated within the broader site masterplan and a satisfactory quantum of employment floorspace should be reprovided to achieve similar employment density (measured in Full Time Employment (FTE)) as existing across the Site.

7.20 The masterplan has been developed under the assumption that the site will likely be allocated for mixed-use residential-led redevelopment as part of the Local Plan Review to 2036 therefore a net loss in employment floorspace may be needed, but could be offset by the introduction of B1 uses that have higher employment density ratios.

7.21 B1a Office uses should be located in highly visible locations to meet commercial requirements and B1c/B2/B8 uses should be located in suitable accessible locations (i.e. to accommodate HGVs potentially needing to access the sites).

## Community Facilities

### Relevant Considerations

7.22 The relevant considerations in determining potential provision of community facilities is as follows:

- The NPPF highlights planning policies and decisions should help provide social, recreational and cultural facilities and services the community needs, including the provision of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities. Councils should also take an integrated approach to considering the location of housing, economic uses and community facilities and services (para. 92).
- The NPPF also places great weight on the need to create additional school capacity to meet the needs of existing and new communities (para 94) and encourages an integrated approach to the location of housing, economic uses, and community facilities/services (para 70).
- Core Strategy Area Delivery Plan Policy 2 (Newbury) protects existing community facilities and where appropriate seeks to enhance such facilities.
- This proposed scale of development or the LRIE Call for Sites submission (i.e. 333 units) was considered modest and Council officers have confirmed that there is likely sufficient capacity currently in nearby schools to accommodate any future LRIE impacts. This will be dependent on the size of development and the mix of flats/houses that eventually proposed.
- Flats typically create lower impact, in particular in the older age groups. The primary schools in the area have capacity at present but there is no current capacity in local secondary schools. The timing of the development will also be key, as secondary numbers are expected to peak in September 2022 and 2023. Currently we have no capacity in years 2-6 at primary, but do have some capacity in years R & 1.

### Development Principles

7.23 No specific community facilities would be proposed as part of the indicative masterplanning exercise. Any future integration of community facilities should be considered as part of the Local Plan Review to 2036 and as part of any future potential site allocation or site-specific planning application.

## Open Space

### Relevant Considerations

7.24 The relevant considerations in determining the planning potential for existing and proposed open space are as follows:

- The NPPF recognises (para 96) that access to high quality open spaces can make an appropriate contribution to the health and wellbeing of local communities. It requires local authorities to undertake robust and up to date assessments of the need for open space provision, which should determine what is required in new developments.

- The NPPF also states (para 97) that existing open space should not be built on unless an assessment has been undertaken demonstrating the land to be surplus to requirements, or the loss would be replaced with equivalent or better provision in terms of quantity and quality of space in a suitable location, or the development is for alternative sports facilities where the benefits outweigh the loss of the current or former use.
- Core Strategy CS18 (Green Infrastructure) states that new developments will make provision for high quality and multifunctional open spaces of an appropriate size and will also provide links to the existing green infrastructure network. The policy also highlights that the loss of green infrastructure will not be permitted unless an area of green infrastructure of equal or greater size is provided in an appropriate alternative location.
- Local Plan Saved Policy RL.1(Public Open Space Provision in Residential Development Schemes) highlights public open space (POS) provision is required where >10 units proposed and should be provided on-site where feasible. The current guidance is between 3 - 4.3ha is to be provided per 1,000 population (\*utilise 2.6 persons/dwelling) and that POS should be minimum 0.2ha in size.
- The Site is adjacent to Victoria Park and the River Kennet & Avon Canal Towpath, and as such is considered to have good access to existing open space that provides opportunities for recreation and leisure activities.

#### Development Principles

7.25 Development across the Site will be expected to provide open space in accordance with current policy guidelines. This could include, but not limited to the following:

- An alternative and suitable replacement facility for the football ground would be required to be provided prior to its disposal and potential redevelopment.
- Local park/open spaces within the site plus pocket parks/small open spaces where practical. These could include a range of facilities including a Neighbourhood Equipped Area for Play (NEAP) and associated green space for passive recreation with associated nature conservation.
- New pedestrian and cycle routes to provide linkages to key destinations in the surrounding area such as:
  - Tree planting (as part of Streetscaping works and development proposals) to enhance its nature conservation and aesthetic value.
  - Improvements to existing parks and open spaces in the local area to supplement on-site provision where necessary.

7.26 The Council will likely encourage innovative solutions to providing an appropriate amount of high quality public open space on the Site, whilst balancing any such requirement with the need to make an efficient and effective use of the land in order to optimise its housing output in particular. Proposals that layer (allow the dual-use) of land for public open space, built development, and sustainable urban drainage infrastructure would be supported in principle (to include the provision of publicly accessible podium decks and green roofs over car parking areas, and active use of roofs), all of which would be subject to detailed design at the planning application stage.



## Urban Design

### Relevant Considerations

7.27 The relevant considerations in determining the urban design requirements include:

- The NPPF highlights that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short-term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (para. 127).
- Core Strategy Policy CS14 (Design Principles) expects development to demonstrate the following design principles:
  - Create safe environments, addressing crime prevention and community safety.
  - Make good provision for access by all transport modes.
  - Ensure environments are accessible to all and give priority to pedestrian and cycle access providing linkages and integration with surrounding uses and open spaces.
  - Make efficient use of land whilst respecting the density, character, landscape and biodiversity of the surrounding area. Consider opportunities for a mix of uses, buildings and landscaping.
  - Consider opportunities for public art. Conserve and enhance the historic and cultural assets of West Berkshire.
  - Provide, conserve and enhance biodiversity and create linkages between green spaces and wildlife corridors.
  - Make a clear distinction between public and private spaces and enhance the public realm.
- Quality Design SPD highlights a number of design considerations that should be considered when designing new developments and includes guidance on height, scale and massing, roof form, materiality, frontage composition, boundary treatments, residential amenity considerations, and the location of parking (which highlights that underground or undercroft parking is preferred for higher density developments).

### Development Principles

7.28 Optimising the development potential of the Site is dependent on high-quality design; therefore, the Council will expect the highest standards of design to be incorporated – which will be subject to detailed design at the planning application stage.

- 7.29 The masterplan will take into consideration the aspects of good design principles in the context of the site constraints associated with existing development and an established road network.
- 7.30 Buildings should generally be no greater than 5 storeys in height and should be cohesively arranged to ensure a positive townscape and scale can be delivered.
- 7.31 The layout of the Site will depend on when parcels become available for development, but consideration for each development plot will need to ensure mitigation can be provided to minimise impacts from the adjacent strategic road network, whilst also maximising opportunities for development to positively integrate with the existing green infrastructure and environmental features towards the southern portion of the Site such as the River Kennet & Avon Canal.
- 7.32 The Council may also in future require a site-wide Design Code to be prepared which should set out a detailed design guide that builds upon development parameters established under the proposed masterplan for the Site. This should include (not limited to): layout; building scale, density, massing and height; landscape and public realm; vehicle/pedestrian access/movement; and inclusive access.
- 7.33 The Quality Design SPD also highlights that new development should consider future development opportunities nearby leaving options open for later development to be implemented in a sensitive and complementary way. Development should therefore be delivered across the site in a strategic way which relates to adjoining sites and enables the Site to be delivered in a coordinated phased approach.

## Transport

### Relevant Considerations

- 7.34 The relevant considerations relating to transport are as follows:
- The NPPF recognises the role that transport plays in facilitating sustainable development and requires that needs are balanced in favour of sustainable transport modes, giving people a real choice in how they travel.
    - Core Strategy Policy CS13 (Transport) expects development that will generate a transport impact to be required to demonstrate the following:
      - Reduce the need to travel.
      - Improve and promote opportunities for healthy and safe travel.
      - Improve travel choice and facilitate sustainable travel particularly within, between and to main urban areas and rural service centres.
      - Demonstrate good access to key services and facilities.
      - Minimise the impact of all forms of travel on the environment and help tackle climate change.
      - Mitigate the impact on the local transport network and the strategic road network.
  - In addition, the following local and regional policies and guidance will also be considered:
    - Parking standards set out in the Housing Site Allocations DPD (2006-2026) – adopted May 2017;
    - West Berkshire District Local Plan (1991-2006) (Saved Policies 2007) – as amended in July 2012 and May 2017; and

- Local Transport Plan for West Berkshire (2011-2026).

#### Development Principles

- 7.35 The Authorities require development proposals to be informed by a Transport Assessment (TA) with future travel demands controlled via robust Travel Plans for each land use. The TA/Travel Plans should form a key part of the evidence base that justifies the quantum of development on this Site. The scope of the TA should be agreed with the Local Highway Authority. The outcomes of this assessment should determine the need for (and scope of) off and on-site transport infrastructure works needed to support the development (including walking and cycling).
- 7.36 The West Berkshire VISSIM Transport Model which covers the wider Site will be required to be used and analysed to determine the impacts of the development.

#### Access

- 7.37 Access arrangements into the wider site will be retained to allow all movements from A339/Fleming Road and A4/Faraday Road. This will help to limit any excess traffic on the 'Robin Hood' roundabout where the A4/A339 meets.
- 7.38 Vehicular access into individual plots will consider either retaining or rationalising access arrangements where possible and will ensure access into remaining units within the Site is still achievable. Walking and cycling permeability through the Site will be a key consideration of the internal road network and in particular, access to the Canal Towpath along the southern boundary of the Site should be enhanced.

#### Parking Provision

- 7.39 Housing Site Allocations DPD Policy P1 sets out residential parking standards, summarised below in **Table 7**:

**Table 7 - WBDC Residential Parking Standards**

	Flats (+1 additional space per 5 flats for visitors)		
Bedrooms	1	2	3+
Zone 2	1.25	1.5	2

- 7.40 The West Berkshire District Local Plan (Saved Policies 2007) sets out non-residential maximum parking standards relevant to the Site which are shown below in **Table 8**:

**Table 8 - WBDC Non-Residential Parking Standards**

Land Use	Maximum Provision
Business (B1)	1 per 25m <sup>2</sup> up to 2500m <sup>2</sup> 1 per 30m <sup>2</sup> above 2500m <sup>2</sup>
General Industry and Storage/Distribution (B2 – B8)	1 per 25m <sup>2</sup> up to 235m <sup>2</sup> 1 per 50m <sup>2</sup> over 235m <sup>2</sup>

- 7.41 It is noted that in more accessible locations, such as town centres, less stringent standards may potentially be applied.

7.42 It is recognised that some development plots may have a mix of residential and office land uses. Given the typical daily traffic patterns where residents with cars will leave their parking space during the daytime and return at night and employment uses will require parking spaces during the daytime and leave at night it is considered appropriate that parking is shared between uses where feasible. In these development plots, a significant reduction from the parking standard should be considered.

7.43 Therefore, it is suggested that, as a guide, the parking standards shown below in **Table 9** be applied to the masterplan proposals:

**Table 9 - Suggested Parking Standards for Proposed LRIE Regeneration**

Land Use	Suggested Provision
Residential	1 per unit
Business (B1a/E)	1 per 50m <sup>2</sup>
Light Industry (B1c/B2)	1 per 100m <sup>2</sup>
Light Industry (B8)	1 per 250m <sup>2</sup>

7.44 AECOM has produced a transport review summary note which is provided at **Appendix IV** and outlines the initial transportation context of the Site and identifies future investigations that will need to be undertaken to assess the masterplan development proposals.

## Environment/Sustainability

7.45 The Council will expect development proposals to be consistent with environmental-related policies as set out in the Core Strategy and other pertinent Planning Guidance. We address environmental-related policy considerations below.

### Flood Risk

7.46 The relevant considerations in determining the flood risk requirements include:

#### Relevant Considerations

- The NPPF (para. 55) states ‘Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.’ Where it is not possible development would provide wider sustainability benefits to the community that outweigh the flood risk; and be safe for its lifetime.
- Core Strategy Policy CS16 (Flooding) echoes this guidance and states, inter alia, ‘When development has to be located in flood risk areas, it should be safe and not increase flood risk elsewhere, reducing the risk where possible and taking into account climate change’ and goes on to require that the benefits of the development to the community outweigh the risk of flooding are demonstrated and that the development would not have an impact on the capacity of an area to store floodwater or a detrimental impact on the flow of fluvial flood water, surface water or obstruct the run-off of water due to high levels of groundwater. All development sites should manage surface water in a sustainable

manner through the use of Sustainable Drainage Methods (SuDS) to provide attenuation to greenfield run-off rates and volumes. Addressing flood risk issues at the various Plots and identifying appropriate mitigation measures will require early liaison with the Lead Local Flood Authority and the Environment Agency.

#### Development Principles

- 7.47 As much of the site is constrained by flood risk impacts, higher risk uses such as residential should be avoided at ground floor levels and where practical in areas that are not designated as Flood Zone 3. The masterplan will seek to provide a suitable layout that could mitigate against flood risk impacts, but will be subject to detailed design on a site by site basis.

## Hazard Sites

#### Relevant Considerations

- 7.48 The relevant considerations in determining the flood risk requirements include:
- The NPPF (para. 45) states that 'Local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them'.
  - The Core Strategy does not address hazards of this type directly. However, saved Local Plan Policy OVS.7 (Hazardous Substances) states that 'The Council will not permit development which on advice from the Health and Safety Executive would cause unacceptable risk or harm to personal safety due to the presence of hazardous substances on the site or other land in the vicinity'. As noted earlier further consultation with the HSE will be required to inform the masterplan.

#### Development Principles

- 7.49 Due to the presence of the Calor Gas facility (as shown in Figure 6) which is regulated by HSE guidelines, residential uses would not be suitable within the HSE 'inner hazard zone' unless the facility was removed from the site. As such, non-residential land uses would be proposed within the 'inner zone' of the facility but could revert to residential uses once and if the facility were to be removed.

## Ground Conditions

#### Relevant Considerations

- 7.50 The relevant considerations in determining the ground conditions and contamination include:
- NPPF paragraph 178 requires local authorities to ensure ground conditions are such that a site is suitable for its intended use and that any remediation measures to achieve this are undertaken prior to the use commencing. Paragraph 5.105 notes that the integration of a SuDS scheme is dependent upon inter alia the soil conditions of the site and its surrounding area, and so the application of SuDS required through Policy CS16 may not be acceptable due to contamination. Early liaison with the Environmental Health Department and the Environment Agency will be required.

### Development Principles

7.51 The masterplan does not attempt to specifically address potential ground conditions or contamination impacts as these would be addressed at detailed design.

## **Noise**

### Relevant Considerations

7.52 The relevant considerations in determining the ground conditions and contamination include:

- The NPPF (para. 170(e)) requires new development to not contribute to or be subject to unacceptable levels of noise pollution. Paragraph 180 'Planning policies and decisions should also ensure that new development is appropriate for its location' taking into account the likely effects of pollution including noise. The Core Strategy does not address noise directly.
- Saved Local Plan policy OVS6 (Noise Pollution) states that proposals for noise-sensitive developments should have regard to the following existing sources of noise e.g. from roads, railways and ... industrial and commercial developments... and the need for appropriate sound insulation measures'. The masterplan has been cognizant of this issue in its formulation to date but further work will be required at the detailed application stage to demonstrate that this policy requirement can be met.

### Development Principles

7.53 The masterplan does not attempt to specifically address potential impacts related to archaeology impacts as these would be addressed at detailed design.

## **Archaeology**

### Relevant Considerations

7.54 The relevant considerations related to addressing determining archaeology impacts include:

- The NPPF (para. 189) states that where a site includes, or has the potential to include, archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and if necessary a field evaluation.
- The Core Strategy and saved Local Plan policies do not address archaeology. Notwithstanding this the NPPF requirement means that a desk based assessment of the Plots will be required initially and there maybe a need for further work in due course.

### Development Principles

7.55 The masterplan does not attempt to specifically address potential archaeology impacts as these would be addressed at detailed design.

## Energy

### Relevant Considerations

7.56 The relevant considerations related to ensuring development accords with energy/sustainability policy include:

- The NPPF (para 155) states that local planning authorities should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant that this is not feasible or viable.
- Core Strategy identifies in Chapter 2 the opportunity for ‘delivering renewable energy schemes through the development of strategic sites’ and Policy CS14 (Design Principles) states all development proposals will be expected to seek to minimise carbon dioxide emissions through sustainable design and construction, energy efficiency, and the incorporation of renewable energy technology as appropriate and in accordance with Core Strategy Policy CS15 (Sustainable Construction and Energy Efficiency).’
- For Major development there is a requirement to meet Code for Sustainable Homes Level 6 and BREEAM ‘Excellent’ standards and Zero Carbon. Local Plan saved Policy OVS.10 (Energy Efficiency) requirements add further to this. This policy states that the Council will seek design principles which facilitate energy efficiency and these will use appropriate siting, form, orientation and layout of buildings in order to maximise the benefits of positive solar (or natural) heating, lighting and ventilation; the use of soft landscaping including tree planting, to increase summer shading and reduce heat loss in winter; and the use where appropriate of energy efficient technology for heating, power and lighting.

### Development Principles

7.57 The masterplan will attempt to address these requirements through building layout and landscaping areas and other requirements can be addressed at detailed design.

## Biodiversity

### Relevant Considerations

7.58 The relevant considerations related to ensuring development accords with energy/sustainability policy include:

- The NPPF (para. 8(c)) states development should ‘contribute to protecting and enhancing biodiversity,’ as part of conserving and enhancing the natural environment. Paragraph 174(b) requires the pursuit of opportunities for securing measurable net gains for biodiversity.
- Core Strategy Policy CS17 (Biodiversity and Geodiversity) states that to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity in accordance with the Berkshire Biodiversity Action Plan.
- Saved Local Plan Policy ENV 8 (Active Nature Conservation Measures) encourages the management of land and water areas for nature conservation purposes and the creation of nature reserves in connection with new development.

- The Council will have regard to the existing nature conservation value of the site and the opportunity and potential to manage the site following development to protect and enhance the habitat and wildlife value of the area in a sustainable manner.
- In order to conserve and enhance the environmental capacity of the District, all new development is expected to maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.

#### Development Principles

- 7.59 The Masterplan would provide opportunities to enhance biodiversity on the Site through the need to incorporate green spaces and green roofs and, subject to further detailed design, the planting of suitable native species to link with the river corridor to the south.
- 7.60 Opportunities will be taken to create links between natural habitats and, in particular, strategic opportunities for biodiversity improvement will be actively pursued within the Biodiversity Opportunity Areas.

## Other General Development Matters

### Habitat Regulation Assessment

- 7.61 It should be borne in mind that the Site is in proximity to three European Sites and as such the requirements of the Habitat regulations will need to be considered in due course. The three European Sites are:
- River Lambourn Special Area of Conservation (SAC) - designated for floating formations of water crowfoot and populations of bullhead and brook lamprey.
  - Kennet & Lambourn Floodplain SAC - designated for the presence of Desmoulin's whorl snail.
  - Kennet Valley Alderwoods SAC – designated due to the presence of ash-alder woodland in the Kennet floodplain area.
- 7.62 As the implementation of the Core Strategy (2010) may affect the integrity of these European Sites a Habitats Regulations Assessment (HRA) was undertaken in relation to the Core Strategy. The LRIE is a Protected Employment Area under the Core Strategy (Policy CS10). This policy was considered in the HRA for the Core Strategy and the following two issues were identified:
- Air quality deposition.
  - Hydrology (i.e. alteration, pollution, enrichment – including from water abstraction and wastewater treatment discharges).
- 7.63 No adverse effects on the integrity of the above European Sites was identified as part of the HRA for the Core Strategy related to Policy CS10. However, the LRIE site is not specifically considered within the HRA. The HRA also states that 'consideration will still need to be given to potential impacts as further Development Plan documents are produced as part of the Local Development Framework and as individual schemes are proposed. This assessment does not preclude the need for consideration to be given to potential impacts on the Natura 2000 sites in an assessment of individual planning applications, as there is always a risk that insensitively designed schemes could result in harm'.



- 7.64 The HELAA is a technical assessment and not a policy / plan document and therefore has not been subject to HRA. The proposed uses at the LRIE under proposed allocation reference NEW1 include residential, employment and retail. The HELAA assessment of the Site notes that the 'Site is within 0.5km of River Lambourn Special Area of Conservation. There is a risk of harmful impacts on Special Area of Conservation if adequate mitigation measures are not implemented.' Consequently, given the proximity to the European Sites noted above, a project specific HRA will likely be needed.
- 7.65 With the land-uses proposed, there are a range of additional potential effects which would need to be considered in addition to the air quality deposition and hydrology issues noted above. These include:
- Disturbance (noise, recreation etc.)
  - Predation
  - Vandalism
  - Impacts on site management plans.
- 7.66 If the masterplan is to be adopted as a plan to guide development then a HRA will need to be considered. If the Development Brief is not adopted as a plan to guide development the requirements of the Habitat Regulations will need to be considered at the planning application stage and the application screened for HRA in the first instance and an HRA assessment may be required.

### **Consideration of the Need for Environmental Impact Assessment**

- 7.67 As outlined further in Section 8, the overall development brief proposal would provide 4.11ha of development of which over one hectare would be non-dwelling house development and would include over 150 residential units. As such the overall development brief area would exceed two of the three criteria relating to paragraph 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations). As such, if a planning application for the Development Brief proposals as a whole was submitted it would be 'Schedule 2' development and need to be screened to determine whether formal EIA in accordance with the EIA regulations is required.
- 7.68 Of course, it is unlikely that this scenario would occur, and it is probable that plots would be brought forward separately by different developers on a piecemeal basis. The EIA Regulations remain a consideration for the delivery of the plots as these regulations require the consideration of the 'project' not just the planning application. In practice this requires a consideration of the interdependence or linkages between the various plots of the development brief area.
- 7.69 Consideration should be given in the delivery strategy to determine whether the delivery of individual plots should reasonably be considered part of a single project. Determining what constitutes the 'project' for the purposes of the EIA Regulations is a matter of judgment for the local planning authority, though R v Canterbury City Council (July 2019) established factors that may be relevant considerations. These factors are common ownership, simultaneous determinations, functional interdependence and whether the proposal can be considered a standalone scheme justified on its own merits.

7.70 Applying the factors outlined above, it should be noted it may be that the extent to which each plot can be considered a standalone development scheme and not be functionally dependent on another plot for something without which it would be unacceptable in planning terms (for example if a given plot relied on open space provision elsewhere on site) or would not be able to function effectively as a standalone scheme will need to be further considered as detailed proposals for the Site emerge. This may allow the redevelopment of some plots to reasonably be pursued as independent schemes but may mean that others are linked and would be considered a 'project' in the context of the EIA Regulations and so may need to be screened together as part of any future planning applications.

## 8. Masterplans

- 8.1 This section presents the two conceptual masterplans that have been prepared by WSP (the full design pack is provided at **Appendix II**) which demonstrates how redevelopment could come forward in line with the development plan, having regard to relevant material considerations discussed in the previous section.
- 8.2 The two conceptual masterplans consist of a 'Initial Phased' masterplan and a more holistic 'Site-Wide Comprehensive' masterplan, both of which are comprised of a number of 'development plots' which have been arranged based on the existing parcels (as outlined in Section 4) and the various leasehold interests across the Site. Within both masterplans, the 'Land at Faraday Road' site, and the Newspaper House site have been shown indicatively to demonstrate how the development plots could come forward and integrate with these sites should they be delivered in accordance with current development proposals as outlined in Section 5.
- 8.3 Each masterplan includes a mix of C3 (Residential), B1a/E (Office), B1c/B2 (Light & General Industrial) and B8 (Storage and Distribution) uses. The proposed employment quantum has been provided on the basis that they are considered to provide a similar quantum of employment floorspace (in FTE) as currently exists in accordance with Core Strategy CS9.

### Initial Phased Masterplan

- 8.4 The Initial Phased masterplan is shown below in **Figure 8** (please see **Appendix II** for detailed plot by plot proposals and quantum of development).



Figure 8 - Initial Phased Masterplan

8.5 The Initial Phased masterplan includes four initial development plots (1,2, 3 and 4) which are considered potentially available to come forward in the next 0 – 6 years, subject to an appropriate development strategy being established. This includes development opportunities that could reasonably be expected to be realised over the medium term and may require the relocation of existing businesses.

8.6 Development plots 1 and 3 are both proposed for B1c/B2/B8 industrial uses, whereas plot 2 comprises a mix of B1a/E office uses and C3 residential uses. **Table 10** below highlights the Initial Phased masterplan would deliver the following quantum of development:

**Table 10 - Initial Phased Masterplan Development Quantums**

Bldg. Ref. No.	Plot Size (Ha)	Use	Type	Gross Floor Area (Sqm)	Total Building Storeys	No. of Residential Units	Residential Density (dph)	Parking Spaces	Open Space Provision
<b>Plot 1 (Initial Phased)</b>									
Bldg A		B1c/B2/B8	Industrial	600	1			10	
Bldg B		B1c/B2/B8	Industrial	1,250	1			22	
Bldg C		B1c/B2/B8	Industrial	1,000	1			17	
<b>Total</b>	<b>0.85</b>			<b>2,850</b>				<b>49</b>	
<b>Plot 2 (Initial Phased)</b>									
Bldg D		B1a/E	Office	865				12	
		C3	Residential	2,595	5	37		37	
Bldg E		B1a/E	Office	208				3	
		C3	Residential	416	3	6		6	
Bldg F		B1a/E	Office	600				8	
		C3	Residential	1,800	5	25		25	
<b>Total</b>	<b>0.6</b>			<b>6,484</b>		<b>68</b>	<b>113.3</b>	<b>91</b>	<b>0.17</b>
<b>Plot 3 (Initial Phased)</b>									
Bldg G		B1c/B2/B8	Industrial	900	1			11	
Bldg H		B1c/B2/B8	Industrial	1,650	1			20	
<b>Total</b>	<b>0.89</b>			<b>2,550</b>				<b>31</b>	
<b>Plot 4 (Initial Phased)</b>									
Bldg I		B1a/E	Office	900	2			13	
Bldg J		B1a/E	Office	900	2			13	
Bldg K		C3	Residential	1,800	3	26		26	
Bldg L		C3	Residential	13,000	3/5	186		186	
<b>Total</b>	<b>1.77</b>			<b>16,600</b>		<b>212</b>	<b>119.8</b>	<b>238</b>	<b>1.57</b>
<b>TOTAL</b>	<b>4.11</b>			<b>28,484</b>		<b>280</b>	<b>68.1</b>	<b>409</b>	<b>1.74</b>

8.7 In total, the Initial Phased Masterplan suggests the following quantums of development could be delivered:

- B1a/E Office: 3,473sqm
- B1c/B2/B8 General Industrial: 5,400sqm
- C3 Residential: 19,611sqm (280 units)

8.8 It should be noted that the above-noted quantum would be subject to detailed design and therefore the figures presented are an initial high-level review of the capacity of the Site based on the Initial Phased approach.

8.9 For a summary and discussion of the key delivery considerations associated with the Initial Phased masterplan, please refer to Section 10 of this report.

### Site-Wide Comprehensive Masterplan

The Site-Wide Comprehensive masterplan, as shown below in **Figure 9** (full details provided at **Appendix II**), includes the development of plots which could come forward in the longer term (6-10+ years), subject to an appropriate development strategy being established. These constitute more complex opportunities where existing businesses’ premises may already be fit for purpose and have had significant investment over recent years.



**Figure 9 - Site-Wide Comprehensive Masterplan**

8.10 Development plots 1, 5, 6 and 10 are proposed for B1c/B2/B8 industrial uses, plots 3, 7 and 8 are proposed for C3 residential use only, and plots 2, 4 and 9 are proposed to have a mix of B1a/E office and C3 residential uses.

8.11 Plot 3, which was proposed as B1c/B2/B8 light industrial within the Initial Phased masterplan, is now proposed as C3 residential. This has been proposed as residential use under the assumption that the Calor Gas site (development plot 8) has been relocated and the associated hazard zone has been removed from the Site, enabling residential uses in this section of the Site.

8.12 **Table 11** below highlights the Site-Wide Comprehensive masterplan would deliver the following quantum of development:

Table 11 - Site-Wide Comprehensive Masterplan Development Quantums

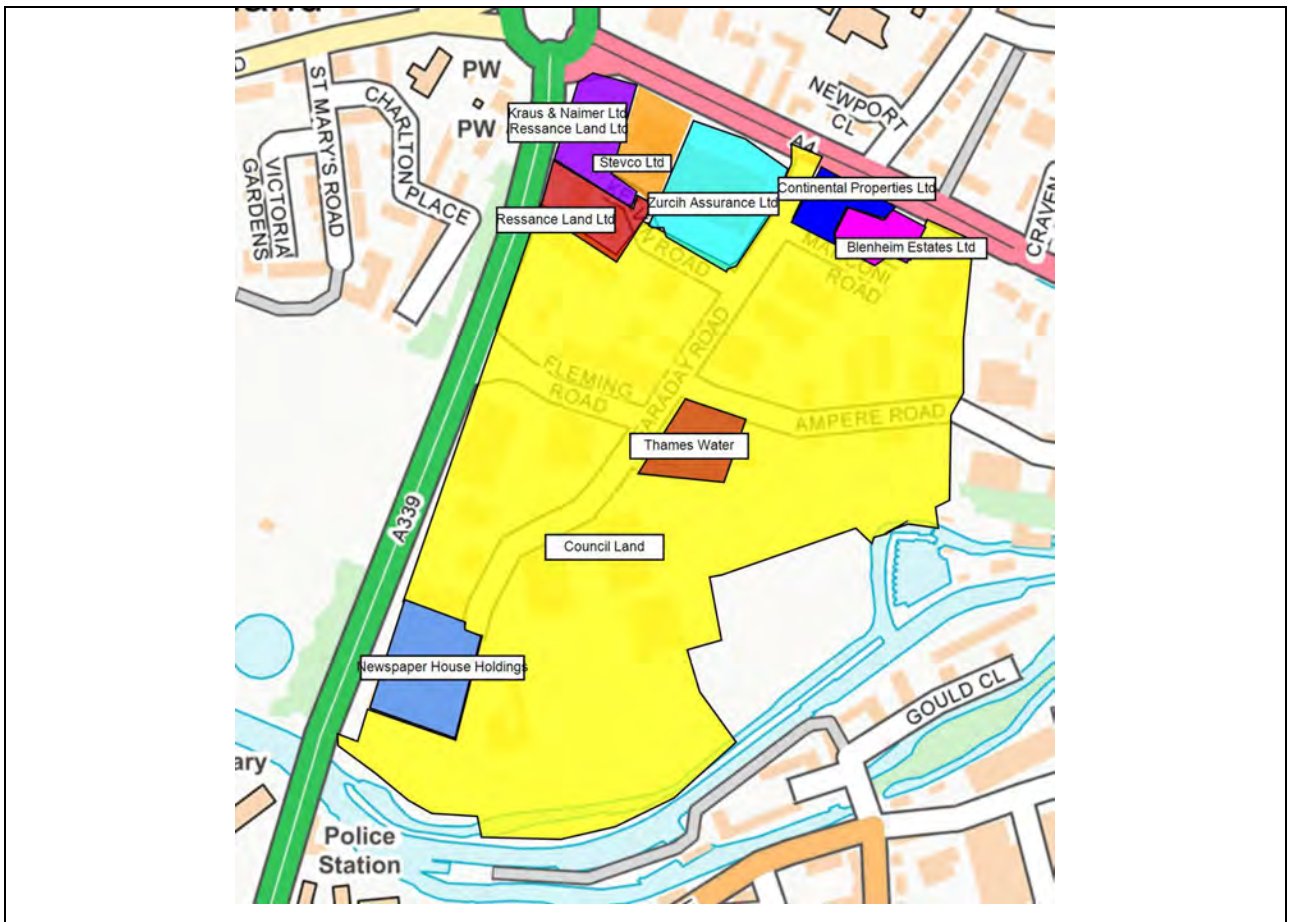
Bldg. Ref. No.	Plot Size (Ha)	Use	Type	Gross Floor Area (Sqm)	Total Building Storeys	No. of Residential Units	Residential Density (dph)	Parking Spaces	Open Space Provision
<b>Plot 1</b>									
Bldg A		B1c/B2/B8	Industrial	600	1			10	
Bldg B		B1c/B2/B8	Industrial	1,250	1			22	
Bldg C		B1c/B2/B8	Industrial	1,000	1			17	
<b>Total</b>	<b>0.85</b>			<b>2,850</b>				<b>49</b>	
<b>Plot 2</b>									
Bldg D		B1a/E	Office	865				12	
		C3	Residential	2,595	5	37		37	
Bldg E		B1a/E	Office	208				3	
		C3	Residential	416	3	6		6	
Bldg F		B1a/E	Office	600				8	
		C3	Residential	1,800	5	25		25	
<b>Total</b>	<b>0.6</b>			<b>6,484</b>		<b>68</b>	<b>113.3</b>	<b>91</b>	<b>0.17</b>
<b>Plot 3</b>									
Bldg G		C3	Residential	3,030	5	35		35	
Bldg H		C3	Residential	4,840	5	57		57	
<b>Total</b>	<b>0.89</b>			<b>7,870</b>		<b>92</b>	<b>103.4</b>	<b>92</b>	<b>0.32</b>
<b>Plot 4</b>									
Bldg I		B1a/E	Office	900	2			13	
Bldg J		B1a/E	Office	900	2			13	
Bldg K		C3	Residential	1,800	3	26		26	
Bldg L		C3	Residential	13,000	3/5	186		186	
<b>Total</b>	<b>1.77</b>			<b>16,600</b>		<b>212</b>	<b>119.8</b>	<b>238</b>	<b>1.57</b>
<b>Plot 5</b>									
Bldg M	0.38	B1c/B2/B8	Industrial	1,440	1			18	
<b>Plot 6</b>									
Bldg N	0.25	B1c/B2/B8	Industrial	600	1			14	
<b>Plot 7</b>									
Bldg O	0.45	C3	Residential	5,358	4	72	160.0	72	0.14
<b>Plot 8</b>									
Bldg P	0.61	C3	Residential	4,725	5	58	95.1	58	0.31
<b>Plot 9</b>									
Bldg Q		B1a/E	Office	1,650	3			42	
Bldg R		B1a/E	Office	900	2			23	
Bldg S		C3	Residential	3,240	4	42	55.3	42	
<b>Total</b>	<b>0.76</b>			<b>5,790</b>		<b>42</b>	<b>55.3</b>	<b>107</b>	<b>0.20</b>
<b>Plot 10</b>									
Bldg T	0.42	B1c/B2/B8	Industrial	1,800				18	
<b>TOTAL</b>	<b>6.98</b>			<b>53,517</b>		<b>544</b>	<b>77.9</b>	<b>757</b>	<b>2.71</b>

- 8.13 In total, the Site-Wide Comprehensive Masterplan suggests the following quantum of development could be delivered:
- B1a/E Office: 6,023sqm
  - B1c/B2/B8 General Industrial: 6,690sqm
  - C3 Residential: 40,804sqm (544 units)
- 8.14 It should be noted that the above-noted quantum would be subject to detailed design and therefore the figures presented are an initial high-level review of the capacity of the Site based on the Site-Wide Comprehensive approach.
- 8.15 We also note that implementing a phased redevelopment (in contrast to site-wide comprehensive redevelopment) is not considered to compromise the ability to potentially deliver future interdependent site-wide infrastructure (such as road network and utilities upgrades, drainage attenuation, pedestrian/cycle routes, open spaces, etc) as needed. Broader site-wide infrastructure requirements will need to be considered in future alongside detailed design work and in consultation with the Council (as Local Planning Authority) and other relevant statutory consultees.
- 8.16 Additionally, should phased delivery progress, it would be expected that each phased development would be expected to demonstrate that it would not prejudice the delivery of other plots within the Estate.
- 8.17 A broader summary and discussion related to the viability and delivery options associated with the Initial Phased masterplan is outlined in the following section of the report.

## 9. Delivery/Appraisal

### The Current Estate

- 9.1 The Council is freehold owner of the majority, c 25 acres, of the Estate. It is therefore in a strong position to help and encourage redevelopment. However, its interest is subject to a number of long leases, covering c 18 acres, which curtail its ability to deliver new development.
- 9.2 The balance of the Estate is held freehold by seven other parties; we are advised that Rissance has exercised an Option to acquire the freehold of 115 London Road. In some cases, these freehold interests are subject to multiple occupational leases.
- 9.3 The plan below provides an overview of the freehold interests.



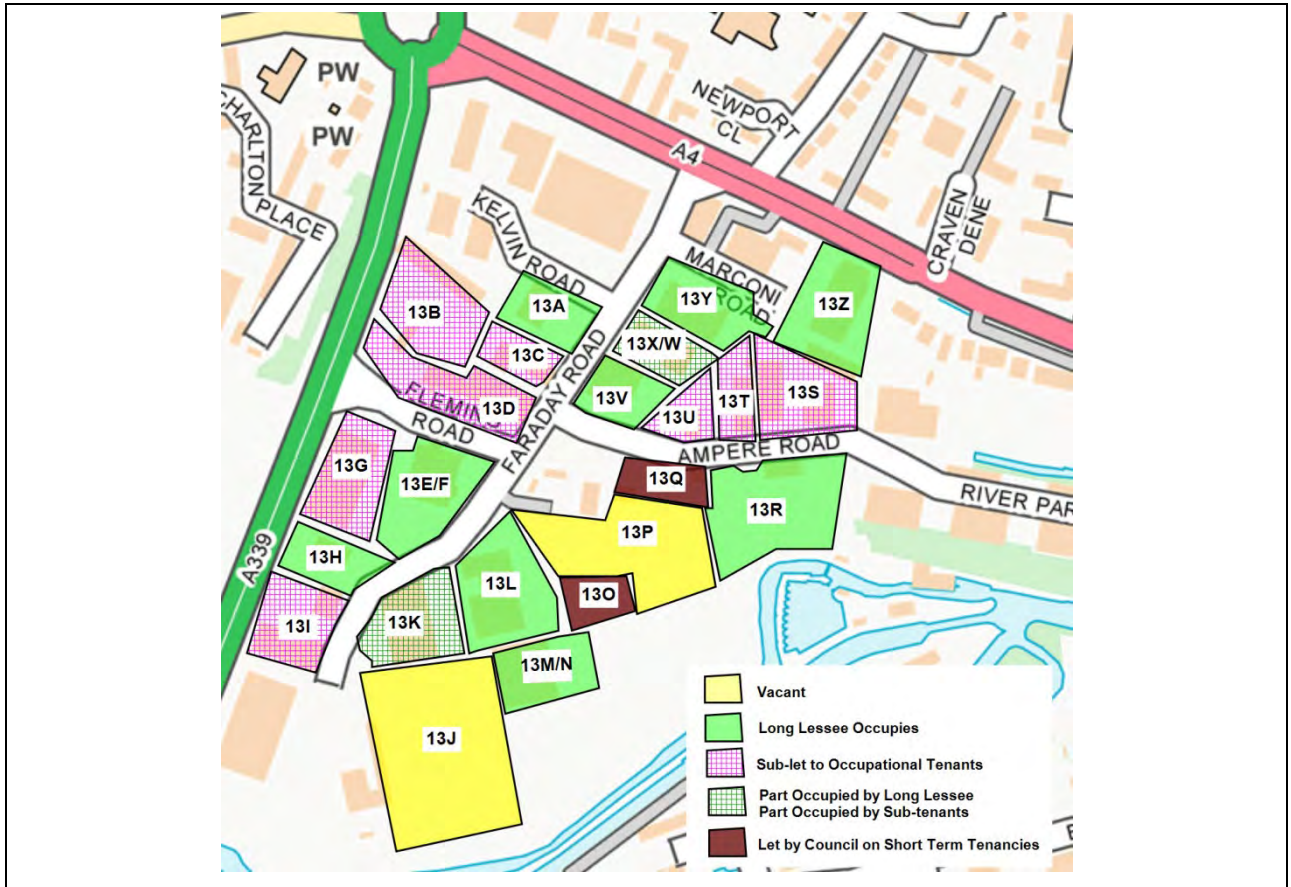
Plan of Freehold Ownerships

- 9.4 We are instructed to focus on the Council’s freehold as delineated in Section 3 of this brief. However, Merchants Court has already been redeveloped, and 115 London Road, which has an extant planning consent is expected to be redeveloped in the near term. Newspaper House, which is vacant, for sale, has just lost its appeal for refusal of planning consent for redevelopment, and it remains to be seen what approach the freeholder will now take but we anticipate some form of development to be brought forward by the mid-term. We have no information as to the intentions of the other owners; we believe that there is no likelihood of Thames Water ceasing its use of its land as a pumping station in the near/medium term.



### Long Leasehold Interests

- 9.5 The Council currently receives circa £400,000 per annum in ground rents from its freehold that is subject to long leases. The unexpired term of the leases vary from 24 to 87 years.
- 9.6 A number of long leaseholders occupy their plots for their own business use, but a significant number are sub-lets.
- 9.7 The plan below provides an overview of the leasehold interests within the Council’s freehold.



Plan of Interests across Council’s Freehold Land

- 9.8 The table below shows the balance of interests across the Council’s land based on an estimate of acreage:

Status	Approximate Area (Acres)	Percentage of Council Land
Long Leaseholder occupies for business use	7.00	39%
Sub-let by Long Leaseholder to Occupational Business Tenants	4.93	28%
Vacant	3.96	22%
Long Leaseholder both occupies and sub-lets to Occupational Business Tenants	1.26	7%
Let by Council on short-term tenancies	0.68	4%
<b>Combined</b>	<b>17.83</b>	

Existing Development Proposals within the Council's Freehold

9.9 Five parcels have/are being promoted by the long lessee for redevelopment:

Parcels	Applicant	Proposals	Status
13A/13B/13C/13D	Faraday Investments Ltd	160 flats with office, restaurant/takeaway, retail, financial and professional, hotel and sui generis uses	Planning permission has been achieved. Faraday Investments do not hold the long lease on 13A which is held by Marshall Group
13I (Proposed for development as part of a wider application which includes the neighbouring freehold land owned by Newspaper House Holdings Ltd)	Newspaper House Holdings Ltd	71 flats with 3,700 sq. m B1 office space	Refused at Appeal (October 2020)

9.10 It is unlikely that neither the Faraday scheme or Newspaper House proposal (if permission is achieved in the fullness of time) can be delivered without the agreement of the Council as freeholder. We have not had sight of the leases, but we assume that all the existing leases restrict the use of the land and buildings to their existing, current use. The Council's consent to a change of use will, therefore, be required. There is an ability for a long lessee to seek a change of use through an application to the Upper Tribunal (Lands Chamber) under S84 Law of Property Act 1925, but the power of the Lands Chamber is discretionary so an applicant cannot guarantee success should the Council decide not to grant a modification. We also anticipate that the existing leases will contain other covenants which will need to be changed in order to facilitate development. Some of these changes may be able to be secured by the tenant through Landlord & Tenant legislation, but some are likely to be at the discretion of the freeholder, for example changes to the ground rent provisions. We also consider it unlikely in most cases that any investor or external funder would be willing to finance a development scheme without an extension to the lease; the required length of term would depend on the proposed use.

9.11 These points may not arise if the proposals are from a long lessee who is also the occupier wishing to make changes for their own needs; a recent example is the works by Marshalls to upgrade the Audi site.

Engagement with Estate Occupants and Stakeholders

9.12 As instructed we have sought to engage with all estate occupants, neighbouring freeholders and other stakeholders who could be identified to discuss their thoughts on the proposed redevelopment of the Estate, at the outset of the project. This engagement has, however, had to be conducted during the national lockdown imposed by the Government as result of the Coronavirus outbreak, which has curtailed what we have been able to do. Further details and summary of the public engagement are set out in Section 10 of this report.

## Delivery Considerations

9.13 In evaluating possible approaches to delivery we have had regard to a number of issues. These are addressed in the table below.

Issue	How could this impede development?	Response
<b>Tenure</b>	<p>The Council owns the freehold of most of the Estate, but the majority is let on long leases. The Council therefore has an element of passive control, but no right to bring long leases to an end unless the tenant is willing.</p> <p>There are a significant number of occupational tenancies. We are not aware of the individual lease terms, but many might effectively prohibit redevelopment for some time unless tenants are willing to be bought out.</p> <p>To ensure sufficient development capacity to deliver new and improved uses some occupants will need to vacate.</p>	<p>It may be possible for the Council to acquire some of the long leaseholds or the Council may be able to partner with an existing lessee. In some cases, it is expected that the lessee will simply want to agree terms for changes to the leases as highlighted in Para 1.10.</p> <p>The Council will need to understand whether existing occupational leases can be brought to end under the current lease provisions.</p>
<b>Existing Rights</b>	<p>We have not been provided with a report on title.</p> <p>Any existing rights will need to be taken into account. There are existing rights of way including access rights by vehicle and foot for users of the Estate and neighbouring occupants. This will include the Riverpark Industrial Estate.</p>	<p>We are not proposing any changes to the principal means of access/egress.</p> <p>If there are other third-party rights that are affected by proposals the Council may need to use its right to appropriate or CPO powers, absent agreement being reached by negotiation.</p>
<b>Parcel Characteristics</b>	<p>The existing parcels vary in shape and size. The majority provide sufficient capacity to deliver new uses in isolation. However, these do not necessarily allow for the most efficient use of land where parcels could be combined to deliver further development capacity.</p>	<p>We have considered how parcels can be combined to create larger development plots which utilise the land to its fullest capacity. Delivery will require interventions by the Council if these identified sites do not come forward organically.</p>

Issue	How could this impede development?	Response
Access	<p>Access must be sufficient for the quantum and type of uses proposed.</p>	<p>We have assumed that access will continue via the existing road network.</p> <p>Our high-level testing suggests that there is sufficient road capacity for the proposed scale of development we have suggested.</p> <p>Access routes could be amended to allow for improved land capacity on the Estate. The Council, as Highways Authority, is able to deal with such issues should any changes be required.</p> <p>Please see Section 4 for further information on existing access.</p>
Services	<p>There may be reinforcement/upgrade works required to ensure capacity of services is sufficient to serve any proposed development.</p>	<p>Given our understanding thus far of the complexity of buried services on Site, we have assumed that there is currently sufficient capacity to serve the proposed development and no lift and shift works will be required. However, any lift and shift work is likely to be costly and the need for it considered more likely to arise in a comprehensive development scenario.</p>
Environmental	<p>Constraints include developing within Flood Zones 2 and 3, potential historic contamination, noise within the Estate and developing within a Healthy &amp; Safety Executive consultation zone.</p> <p>The Health and Safety Executive (HSE) has established a hazard zone within the vicinity of the Calor Gas site, parcel 13R. This precludes the development of residential uses within the inner and middle hazard zones and the limits the quantum of employment uses (based on number of employees). The inner and middle zones cover the majority of parcels 13O/P/Q and some of parcels 13S/T/U.</p> <p>Please see Section 4 for further detail on environmental constraints.</p>	<p>Full due diligence with regards to environmental constraints and risks will be required prior to any development being promoted.</p> <p>We have had regard to the environmental information which is available to us in establishing a suitable masterplan design.</p> <p>In particular we have taken advantage of parcel 13J, the old football ground, which is within the lower risk flood zone (Zone 1), for residential use.</p> <p>Our review of a phased approach assumes that residential development on parcels 13O/P/Q is prohibited as a result of the HSE hazard zone. A comprehensive approach which involves the relocation and vacant possession of the Calor Gas site would allow for the delivery of residential on parcels 13O/P/Q, but we note that</p>

Issue	How could this impede development?	Response
		<p>the site is likely to be expensive to acquire and the case for a CPO will be challenging. Use of the Calor Gas site could also be considered for B1 use and provide relocation opportunities for occupiers within the estate, subject to viability.</p> <p>A phased approach (i.e. where the Calor site is not included) could provide opportunities for adjacent parcels to be used for pro tem industrial uses, providing meanwhile decant space for existing tenants while other development plots are being developed.</p>
<p><b>Adjoining/ Adjacent Land</b></p>	<p>Where new uses are proposed consideration will need to be given to their compatibility with existing, neighbouring uses - for example where residential is proposed near or next to existing industrial uses.</p> <p>The appearance and operational use of neighbouring sites might prevent, or impact upon the viability of, the introduction of residential uses.</p> <p>Uses on neighbouring freeholds would need to be considered as part of a wholesale/comprehensive redevelopment of the Estate. For a phased approach the uses on neighbouring parcels within the Council’s freehold would need to be considered as adjacent land is brought forward for redevelopment.</p>	<p>Design of the masterplan considers neighbouring uses and, where there may be overlooking or potential noise issues, landscaping barriers are proposed.</p> <p>The location of residential blocks should be considered at an early stage in relation to the delivery strategy and viability. This may have a bearing on whether selective CPO should be considered to acquire critical sites.</p> <p>Notwithstanding the challenges associated with CPO, it remains an option for the Council. However, the Council has confirmed it has no intention of exercising CPO in respect of back garden land to residential properties South of the A4 and East of the London Road Industrial Estate.</p>
<p><b>Proposed Uses</b></p>	<p>New development will need to include employment uses to satisfy planning policy. This includes office use, and as of October 2020 we note that take-up in out-of-town markets is c. 42% below its ten-year quarterly average. The dual challenges of a shrinking economy and structural shifts following COVID19 mean that there is currently a great deal of uncertainty regarding the robustness of an office market.</p> <p>Our research indicates that the market for pre-lets in Newbury prior</p>	<p>We have proposed a mix of uses including employment.</p> <p>The intention would be to provide potential decant opportunities for existing industrial occupiers.</p> <p>Residential use is the most viable, but we do not consider it to be appropriate within certain parts of the Estate, for example to the north of Ampere Road.</p>

Issue	How could this impede development?	Response
	<p>to the pandemic was already weak. It should therefore be noted the grant of planning consent will not, per se, therefore lead to the construction of office buildings nor will a strategy that is reliant on a pre-let or forward sale.</p> <p>Residential uses would require the potential loss of ground rents to the Council and CIL to be payable (albeit with set off for existing floorspace).</p> <p>An analysis of the commercial and residential markets is in <b>Appendix V</b>.</p>	<p>Within a phased approach we have proposed residential within the early stages of development to help support viability and delivery.</p> <p>It is quite possible that no private developer or investor is willing to construct an office building speculatively, even when there is a recovery in the economy. If the Council is determined, either as planning authority or as landowner, that offices are a necessary and important use within the Estate, then the Council may have to directly intervene. This might include direct development, partnering in a joint venture, co-investing or by underwriting all or part of the risk by applying its covenant through a lease.</p> <p>Market appetite from end-users for any new uses must be considered in detail, and it will change over time. A phased approach would provide opportunities in the future to respond to changes. A comprehensive approach is more likely to reflect the present market and flexibility may not be as easily built in.</p>
<p><b>Viability</b></p>	<p>The market dynamics in Newbury indicate that values currently remain challenged, especially for office use (see above under Proposed Uses), which directly hinders the viability position of the development opportunities.</p> <p>The impact of the pandemic on development remains to be established. Residential development has recommenced but principally on sites that were already under construction; new starts are scarce. Demand for industrial opportunities is considered to be good, albeit more muted than it was prior to the lockdown. As noted earlier, office development is very challenged.</p> <p>The opportunity to cross-subsidise is considered to be limited as we do not favour mixed-use buildings, for example offices plus housing. Any surplus, for example from a housing scheme, will only be realised on completion.</p>	<p>This could be tackled in part through the development mix that comes forward, using higher value, more viable residential development to support the commercial element. However, it will also result in more reliance being placed on securing funding to improve the viability position for individual development zones.</p> <p>Viability considerations will change over the medium to long term as market factors evolve. Uses which were initially unviable may become a more viable proposition and vice versa. The market for proposed uses will need to be monitored as development across the Estate progresses.</p> <p>With a phased approach there will be an opportunity for a continued review of viability and for the opportunity to consider uses that are then viable.</p>

## Drivers for Change

9.14 The masterplan is designed to be flexible and to adapt to changes both on the Estate and in the wider market. We have highlighted below some particular considerations which may evolve over time and should therefore be monitored to ensure that proposed development and the delivery approach is taking advantage of available opportunities.

Issue	How could this affect proposed development?
<b>Neighbouring Development</b>	<p>On the Council’s land new residential-led development has already been proposed on Parcels 13A-D and 13I (alongside redevelopment of the neighbouring freehold of Newspaper House). As noted at para 9.10, it is likely that proposals on the Council’s land cannot be effected without the Council’s consent as landlord, and agreements will need to be reached ahead of commencement of development.</p> <p>Our proposals for the Council’s land assume that the developments will come forward as proposed, and the masterplans, therefore, consider how proposed development on the Council’s land will interact with them. However, other long leaseholders may wish to bring forward their plots for redevelopment, subject to the Council’s agreement.</p> <p>There is an opportunity for the Council to work with long leaseholders to shape proposals on the Estate.</p> <p>It should be noted that not all long leaseholders will have the expertise or appetite to bring forward redevelopment.</p>
<b>Business Requirements</b>	<p>There is significant economic uncertainty at present, and, therefore, both internal and external factors may lead to the departure of some of the current occupiers. Likewise, the requirement of some occupiers for additional space can be anticipated to change as a result of current economic conditions.</p> <p>The Council should continue to engage with tenants to understand their individual requirements. This will alert the Council to opportunities, which will arise, to create parcels that can be redeveloped, perhaps in conjunction with the long lessee or with third parties.</p> <p>Relocation of tenants should be looked at wherever possible and appropriate. Relocation outside of the estate poses challenges due to the scarcity of suitable available land within the Council’s ownership. Purchase of additional land should be considered subject to viability. Phasing of the development should be considered to allow for where possible temporary decant or ‘one-move’ relocation within the estate or elsewhere.</p>
<b>Parcel 13R – Calor Gas</b>	<p>A phased approach assumes that parcels adjacent to 13R are not suitable for residential development as a result of the HSE Hazard Zone.</p> <p>There should be further engagement with Calor Gas and HSE to fully understand the requirements of the Hazard Zone as well to see if there are opportunities for relocation, perhaps in the medium term, to allow the prospect of residential development on Plot 3. Equally, this site could be considered for new B1 industrial uses, subject to viability.</p> <p>It should be noted that the Hazard Zone will also affect any plans that may come forward for the redevelopment of Riverpark Industrial Estate. This may present the Council with an opportunity to share the cost of relocating Calor Gas or buying out its interest.</p> <p>A balance will need to be struck between the potential costs of reaching an agreement with Calor Gas to move and the potential value of freeing up the parcel to allow for</p>

residential or B1 industrial development on Plot 3.

Consideration needs to be given whether the long-term redevelopment of the plots adjacent to 13R is held back and pro tem arrangements are put in place/continued until the long-term intentions of Calor Gas, and perhaps those of the owner of Riverpark, are established. Such parcels could provide temporary decant space for existing tenants on the estate while other plots are being developed. In financial terms this would include a consideration of the net present value of the income to the Council under various scenarios.

## Delivery Approach

- 9.15 As the majority freeholder the Council has the opportunity to play an important role in helping unlock further value through redevelopment, which will deliver affordable homes, public realm improvements, as well as new employment opportunities. In particular the Council can assist in ensuring a holistic approach to redevelopment of the Estate.
- 9.16 However, the approach to delivery will be guided by many of the issues discussed above.

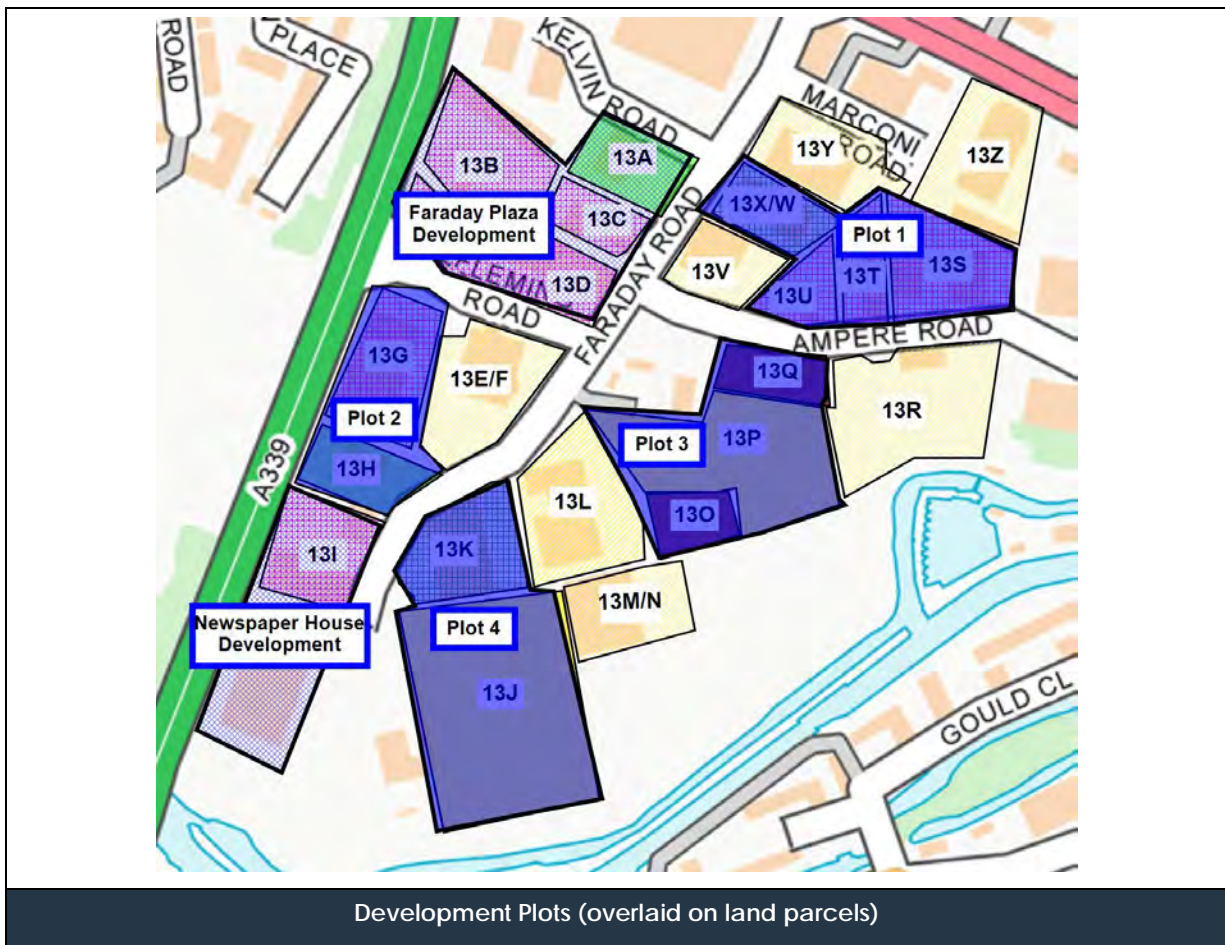
## Site-Wide Comprehensive Approach

- 9.17 One approach to delivery of the masterplan would be to undertake a completely comprehensive development where vacant possession is secured across the Council's land, possibly on a phased basis, prior to undertaking site-wide redevelopment. This would allow for a holistic scheme and give the Council control as to what is delivered, subject to market conditions.
- 9.18 However, there are a number of barriers to achieving comprehensive development:
- **Cost/CPO:** There will be significant costs associated with achieving vacant possession. This will include the purchase of the long leasehold interests and moving or extinguishing existing business tenancies. It is unlikely that every long leaseholder would be willing to sell, and it may be necessary to compel them through the use of the Council's CPO powers. CPO would be the only means necessary to secure certainty that the whole site can be assembled within a reasonable timeframe. However, CPO is a costly process, should only be used as a last resort and must be in the public interest. Use of CPO powers is discussed in further detail in **Appendix VI**.
  - **On-going development:** Some long leaseholders are already bringing forward their parcels for redevelopment. This calls into question the necessity of a comprehensive approach.
  - **Loss of Existing Businesses & Income:** We understand that there are few alternative locations for businesses to relocate to. An attempt to compel existing occupiers to move is likely to mean considerable opposition unless suitable, alternative accommodation is readily available. In the meantime it could mean a significant reduction in the Council's ground rent income and business rates in the short to medium term.
  - **Viability:** it is not clear to us that a comprehensive scheme is of greater value, and we strongly doubt that any uplift in the council's land receipts, capital and income, will exceed the costs of obtaining vacant possession, including a CPO.



### Initial Phased Approach

- 9.19 Delivery of development could also be approached on a plot by plot (phased) basis, following a ‘road map’ of potential plots that could more readily be brought forward in the early to medium term.
- 9.20 This can reflect the timing that may be initiated by an existing tenant and/or a head lessee. It will be less costly for the Council. The Council may choose to make early interventions where it holds more control or circumstance dictates that it is required. This may be achieved by negotiation and agreement with the existing long leaseholder(s).
- 9.21 A phased approach could involve working with parties who have already gone through the planning approval process. This could encourage other long leaseholders to bring their plots forward for development. However, we note that some, perhaps many, of the existing long leaseholders may have neither the expertise nor the appetite to be involved in a development process.
- 9.22 As part of a phased approach we have considered where early opportunities may lie to kick-start development on the Estate. In particular we have sought to establish which parcels are likely to come forward within the short term (< 3 years), the medium term (3 – 6 years) and the long term (6+ years). Short and medium term areas have been combined into four development plots and form the basis of the Initial Phased masterplan.
- 9.23 The four development plots are:



- 9.24 Proposed phasing showing the grouping of individual parcels is as follows:

Timeframe	Short Term < 3 years	Medium Term 3-6 years	Long Term 6-10+ years
<3 years	Faraday Developments Scheme		
	13A,13B,13D,13C		
	Plot 3		
	13O,13P,13Q		
3-6 years	Plot 4		
	13J	13K	
		Plot 1	
		13T, 13U, 13S, 13W	
		Plot 2	
6-10+ years		13G, 13H	
		Newspaper House Scheme	
		13I	Remaining Parcels
			13E/F, 13L, 13M/N, 13R, 13V, 13Y, 13Z

9.25 The proposals and considerations of the plots within the Initial Phased masterplan are outlined in the table below:

	Plot 1	Plot 2	Plot 3	Plot 4
Parcels	13T, 13U, 13S, 13X/W	13G, 13H	13O,13P,13Q	13J, 13K
Timeframe	Medium term	Medium term	Short term	Short/Medium term
Lease Structure	All plots let on long leases. All long leaseholders sublet to a number of business occupants	All plots let on long leases. 13H occupied by long lessee. 13G sublet to business occupants.	No long leases. Plot 13O and 13Q let on short term leases	13K is let on a long-term lease with a number of sublets. 13J is currently vacant and the site of a former football ground
No. of existing Businesses	c 7	c 6	2	c 9
Existing Uses	Incl. car dealerships, cleanroom supplier, roofing specialist	Automotive	Automotive	Mostly automotive
Proposed Uses	Light Industrial	Office & Residential	Light Industrial	Office & Residential
Advantages	Provides new	Provides new	Only plot where all parcels	Plot 4 provides a

	Plot 1	Plot 2	Plot 3	Plot 4
	<p>employment space</p> <p>Can be used to decant existing tenants which will free up development capacity elsewhere</p>	<p>employment space</p> <p>Prominent office location overlooking A339 and corner of A339/Fleming Road</p> <p>Residential overlooking Victoria Park</p>	<p>are within 'short term' category</p> <p>Council has full control</p> <p>Vacant Possession can be achieved relatively swiftly without significant cost</p> <p>Provides new employment space which can be used to decant existing tenants and free up development capacity elsewhere</p>	<p>significant early stage opportunity to kick start regeneration within the area given the vacant football club land, which provides a vital quantum of land for early residential development, and thus receipts to aid redevelopment of other plots.</p> <p>This is a substantial plot for the provision of residential uses.</p>
<b>Challenges</b>	<p>Acquisition of long leaseholds and relocation of existing businesses required</p> <p>Impacted by the HSE Zone which limits quantum and type of development</p>	<p>Acquisition of long leaseholds and relocation of existing businesses required</p> <p>Under-croft parking required</p> <p>Consideration needs to be given to neighbouring industrial use on 13E/F. Visual buffer required</p> <p>Office space required in planning policy terms is unlikely to be financially viable and the LPA may need to reconsider its policy</p>	<p>We have not had sight of the existing short-term leases and are unaware of any security of tenure provisions</p> <p>Neighbouring parcel 13R is occupied by Calor Gas. HSE Zone resulting from Calor Gas's use of 13R precludes the possibility of residential development on Plot 3. If vacant possession of Plot 13R can be secured there is an opportunity for new residential development on Plot 3 which would improve viability of redevelopment</p> <p>Thought will need to be given to whether Plot 3 is brought forward for long term industrial development or whether protem/interim uses continue until a clearer picture over the possible relocation of Calor Gas is achieved</p> <p>If residential is provided there is an opportunity, as part of the wider masterplan, for a significant residential zone by using Plots 13I and 13M/N to connect Plots 3 and 4</p>	<p>Acquisition of long leasehold and relocation of existing businesses required on 13K.</p> <p>Office space required in planning policy terms is unlikely to be financially viable and the LPA may need to reconsider its policy</p>

9.26 This phased delivery approach provides a broad projection of possible delivery expectations, which acts as a guide for understanding the sequencing of interventions on the Estate. This can also act as a tool for the Council to monitor and review progress. However, this is a guide which should be expected to evolve over time, influenced by a range of different factors with land interests being a critical one.

## Comparing Approaches

9.27 We set out a summary of the advantages and disadvantages to each approach in the table below.

	Advantages	Disadvantages
<b>Site-Wide Comprehensive Approach</b>	<p>Opportunity to consider fully the site constraints and provide holistic solutions (e.g. to flooding) from the outset</p> <p>Comprehensive joined-up design with complementary uses and best use of land</p> <p>Could allow for greater quantum of residential development with the removal of the HSE Hazard Zone</p>	<p>Will require the use of CPO across the majority of the Estate. This would be costly and is unlikely to be popular with existing occupiers resulting in significant objections. It may also be difficult to justify the use of CPO</p> <p>Loss of existing businesses on the Estate and potentially within the local area. Limited opportunities for decanting into new development space, or locally</p> <p>The proposals will respond to the market conditions that broadly prevail and likely to preclude uses, such as offices, that are currently not viable or require the Council to bear the risk/cost</p> <p>Not many developers readily undertake mixed-use development so likely to have multiple partners, in which case not certain that the answer will be better than that for Phased Approach</p>
<b>Initial Phased Approach</b>	<p>Provides the greatest opportunity to retain existing businesses within the Estate so less contentious</p> <p>Allows for a flexible approach which will help ensure that viable uses are proposed in line with market conditions so likely to maximise the Council’s return</p> <p>Allows opportunities for long leaseholders to bring forward development themselves with the Council still able to influence development</p> <p>Does not require a costly CPO of the whole Estate</p>	<p>HSE Hazard Zone would need to be considered and therefore the opportunity to provide residential on Plot 3 may be lost in the short/medium term</p> <p>Other environmental constraints will need to be mitigated on a plot by plot basis which may be more costly than a comprehensive mitigation strategy</p> <p>Consideration must be given to neighbouring uses. Could impact value where neighbouring uses are not desirable</p> <p>May require use of CPO on some individual parcels</p> <p>Scale of opportunity may be attractive to some potential delivery partners</p>

## Appraisals

- 9.28 We have undertaken an appraisal analysis of the Initial Phased masterplan plots. Our analysis provides indicative figures to illustrate whether, in principle, uses of this scale are broadly viable and deliverable. The outcomes of this section are on the basis of a number of high-level development, financing and cash flow assumptions and as such the outcomes should be seen in the context of these assumptions and not the actual returns that the Council will generate.
- 9.29 Our approach is to review the likely value of the land based on the proposed schemes without the costs of acquiring the existing commercial interests and obtaining vacant possession. Costs of acquisition have then been estimated separately using high-level assumptions and deducted from the land values to provide a net value for each scheme (noted as a surplus or deficit in the tables below). If the net value generated is positive then it can be said to be viable, that is it makes more money than it loses including providing sufficient profit. If the land value is negative then the scheme is not considered viable.
- 9.30 Our acquisition cost assumes only the investment interest for each plot is acquired and the individual business occupants are vacated by way of existing lease provisions. These figures are based on high-level estimates and should be viewed as indicative only.

### CIL/S106

- 9.31 Any proposed development will also be expected to meet planning obligations including CIL and S106.
- 9.32 The West Berkshire District Council's CIL Charging Schedule took effect in April 2015. CIL will therefore be payable on relevant new development on the Estate. For Newbury the rates chargeable on any net developable area are currently as follows:

Type of Development	Use Class	CIL Rate per sq m
Residential	C3 & C4	£75
Retail	A1 to A5	£125
Offices	B1a to B1c	£0
Industrial	B2	£0
Warehousing	B8	£0
Hotels	C1	£0
Residential Institutions	C2 & C2a	£0
Community and all other uses	-	£0

### Appraisal Results

#### Plot 1 and Plot 3

- 9.33 We have assessed the industrial plots on the basis of a £ per acre rate for industrial development land of £750,000 per acre. This is our assumption of what a developer would likely pay for the land once they have factored in future development receipts and the costs likely to be incurred in undertaking the industrial development, including allowing for development profit. This rate is based on our review of relevant land comparables and discussions with industrial agents.

9.34 The results of our analysis are as follows:

	Plot 1	Plot 3
Proposed Uses (GEA)	30,700 sq ft Industrial	27,500 sq ft Industrial
Acres	2.1	2.2
Total Land Value	£1.5m	£1.5m
Total Acquisition Costs	£1m	Nil
Surplus/Deficit	£0.5m	£1.5m

#### Plot 2 and Plot 4 – Mixed Use Proposals

9.35 Both Plot 2 and Plot 4 propose a mix of residential and office accommodation.

9.36 Based on current market assumptions the office elements in isolation produce little or no land value. To produce a reasonable level of profit there would need to be significant improvement in office rental values in excess of current prime rents (£25 per sq ft) or a reduction in build costs by more than 10%. We do not consider this level of improvement is likely in the short to medium term.

9.37 Our analysis therefore focuses on the land value which can be derived from the residential elements. We have run appraisals to estimate all future development receipts and the costs likely to be incurred in undertaking the residential development, including allowing for development profit. Once all costs have been subtracted from values the leftover or 'residual' amount is the value the development can afford to pay for the land in question.

9.38 We have assumed a policy compliant level of affordable housing (30%).

9.39 We have made reasonable allowances for the cost of remediation and infrastructure. At this early stage it has not been appropriate to undertake surveys to inform the cost position, but the Council will be commissioning relevant reports as part of Stage 2 of this project if there is a decision to take proposals further.

9.40 All assumptions used in the viability analysis are derived from AY's market analysis and experience in dealing with similar schemes. Details of all assumptions made are available at **Appendix VII**.

9.41 A summary of the appraisals for Plot 2 and Plot 4 are provided in the table below.

	Plot 2	Plot 4
Proposed Uses (GEA)	52,000 sq ft Residential & 18,000 sq ft Offices	160,000 sq ft Residential & 19,000 sq ft Offices
Proposed Residential Units	68	212
Total Net Development Value	£15.3m	£47.8m
Costs (incl. Finance)	£11.7m	£35.7m
Profit	£2.6m	£8.1m

	Plot 2	Plot 4
Proposed Uses (GEA)	52,000 sq ft Residential & 18,000 sq ft Offices	160,000 sq ft Residential & 19,000 sq ft Offices
Proposed Residential Units	68	212
Total Land Value	£1.0m	£3.9m
Total Acquisition Costs	£0.5m	£0.4m
Surplus/Deficit	£0.5m	£3.5m

- 9.42 Prior to deduction of acquisition costs the land value above reflects a rate per gross acre of between £700,000 and £900,000. The land value derived from delivery of residential is only marginally in excess of the land value derived from industrial uses.
- 9.43 However, our analysis suggests that all four plots generate positive residual land values whilst allowing headroom if costs are higher than our high-level assumptions indicate. They are inherently viable including allowances for appropriate development profit and accounting for current planning policy requirements.
- 9.44 Whilst the schemes themselves are inherently viable, whether they are viable in the sense of being delivered in reality will depend on the cost of acquiring the ground leases (where applicable). We have made high-level assumptions based on the existing rental levels but this assumes that the plots are available for acquisition. In reality, the Council or a developer would potentially have to pay in excess of our estimates including possible compensation costs associated with terminating existing occupational tenancies.
- 9.45 Further to this, small movements in sales values, build costs, and/or acquisitions costs could impact negatively on viability.
- 9.46 In particular the surplus on Plots 1 and 2 is only marginally in excess of the assumed acquisitions costs. If assumptions differ from those currently adopted it may be necessary for public sector intervention and/or a flexible approach to developer contributions.
- 9.47 We have run a sensitivity analysis to demonstrate the impact of changes in sales values and build costs on the viability of Plot 2 and Plot 4.

	Sensitivity Iteration	Residual Land Value	Surplus/Deficit*
Plot 2	£10psf increase in build costs	£0.5m	£nil
	10% decrease in sales values	£0.3m	-£0.2m
	£10psf increase in build costs and 10% decrease in sales values	-£0.3m	-£0.7m
Plot 4	£10psf increase in build costs	£2.5m	£2.1m
	10% decrease in sales values	£1.7m	£1.3m
	£10psf increase in build costs and 10% decrease in sales values	£0.2m	-£0.2m

\*RLV less acquisition costs

9.48 Once acquisitions costs are deducted, a combined £10 psf increase in build costs and 10% decrease in sales values would produce a deficit on both Plot 2 and Plot 4 and they would therefore be considered unviable.

## Routes to Delivery

9.49 There is a wider range of potential routes available to the Council ranging from simple disposal for delivery by the private sector, through to directly undertaking the development itself, with partnership options available in between. The options available will also be limited by the certainty of achieving vacant possession where it is required and also whether sufficient capacity for development can be achieved. Thought will also be needed around the variety of uses across the Estate and the market appetite for delivery of these either as separate opportunities or as one.

9.50 The various delivery routes (Site Disposals, Development Agreements (DAs), Joint Ventures or Self Delivery) have advantages and disadvantages. The features of these different delivery approaches broadly fall into the following categories:

- Financial return;
- Risk;
- Control (over quality and design as well as programme);
- Resource required (including internal funding or staff and expertise at the Council); and
- Procurement (time and complexity).

9.51 The strengths and weaknesses of the approaches are summarised below:

	Site Disposals	Individual Site DAs	Multi-site DA	Individual Site JVs	Self-Delivery
Financial Return	●	●	●	●	●
Risk	●	●	●	●	●
Control	●	●	●	●	●
Resource	●	●	●	●	●
Procurement/ Set-Up	●	●	●	●	●

9.52 Within the table above, the stronger green colour represents a preferable position for the Council, whilst red represents a poor position. The colours are assigned on the assumption that the Council will seek to maximise returns and control, and minimise risk, resource allocation and procurement time and complexity.

9.53 These are very much illustrative and should be taken as an approximate representation of the relative features of each approach rather than definitive, given any one approach can be modified. Broadly though, the above illustrates that direct delivery could yield the greatest return and control, with the most



risk, and disposal or Land Sale would minimise risk, complexity and resource commitment, though with the least return and control.

- 9.54 The optimal choice will depend on the specific objectives of the Council which should be fully established. These requirements may necessitate a degree of control exceeding that which may typically be afforded through simple disposal of the land.
- 9.55 Each of the characteristics of the approaches is discussed in greater detail in a full commentary provided at **Appendix VIII**.

## 10. Summary of Consultation and Public Engagement

### Initial Engagement Prior to Publication of Draft Development Brief

- 10.1 When we first embarked upon the Brief in April 2020, we sent both emails and letters, and had telephone conversations with some of the parties who asked to speak with us. We also spoke to an online meeting of Newbury Town Council. A summary of this initial engagement is as follows:

**Table 12 - Initial Engagement with Stakeholders Prior to Publication of Draft Development Brief**

Interest	Number contacted	Number of replies
Neighbouring Freeholders	7	1
Long Leaseholders	15	11
Occupational Tenants	41	5
Other Stakeholders (directly adjacent residents, business occupants / tenants of freeholders outside the Council's freehold ownership, Newbury BID & Newbury Town Council)	63	4

- 10.2 From the responses and discussions we drew the following points. A number of the existing businesses on the Estate are frustrated with the continued uncertainty surrounding potential future redevelopment. It has been noted that long term security/certainty is critical to secure investment, and this in turn has led to a lack of investment in new infrastructure/buildings. Some comments suggest that the existing parcels/properties do not meet the space requirements of the existing businesses. It has been highlighted that the lack of new or vacant industrial property within Newbury means that businesses on the Estate which might wish to move to accommodation that is better-suited to their needs are unable to do so. This is likely to result in objections to a wholesale/comprehensive approach to redevelopment of the Estate, particularly if it does not include a relocation strategy.
- 10.3 However, it should be noted that we did not receive a large response from occupational tenants so we would not presume that the above comments are representative of all occupiers. Given the lockdown and the great uncertainty this has/continues to cause for businesses, it is not surprising that the response was muted. However, in our experience occupational tenants frequently stay silent until discussions are pushed further or they are more urgently affected by proposals.
- 10.4 We would also note there appears to be a small number of vacant units on the Estate but the majority are fully let. It is yet to be seen whether the on-going impact of COVID-19 will change the vacancy rate on the Estate or the space/typology requirements of existing businesses. Further engagement will be required to fully establish the position of existing businesses on the Estate as part of the next stage of work.

### Engagement following Publication of Draft Brief

- 10.5 Following release of the draft Development Brief during the week commencing the 7<sup>th</sup> September 2020, LRIE tenants were contacted by letter or email, provided with the draft Development Brief and invited to zoom consultation sessions by Avison Young, supported by the Council. Sessions for occupiers were held on 6<sup>th</sup> and 7<sup>th</sup> October 2020, and sessions for long leaseholders were held at a time convenient for them. This invitation

was followed up by an estate letter drop on the 17<sup>th</sup> September to capture occupational tenants where the Council did not have email details.

10.6 Overall, the response from tenants of the Estate reflects largely the initial response, in that we did not receive a large take-up from occupiers but long leaseholders more readily came forward. The feedback reiterated the comments noted in 10.2 above. In addition we received comments indicating that occupiers on the estate feel outside of the process and efforts should be made to improve communications between them and the Council to encourage greater involvement in the future of the Estate.

10.7 During the same period in September 2020 when Leaseholders were being engaged with, the Council's LRIE webpage was updated inviting the public to view the draft Development Brief on-line and to leave comments on the LRIE webpage via a formal survey link. The on-line survey remained live until midnight 20<sup>th</sup> October 2020. Over the same period the webpage offered the public an opportunity to watch a live presentation by elected members, officers and Avison Young at 6pm on 8<sup>th</sup> October, and subsequently invited the public to attend a live webinar at 6pm on 4<sup>th</sup> November 2020 where elected members, officers and Avison Young answered questions put to the panel during the session. The availability of this opportunity was advertised in the local press and via social media. The closing date for registering attendance for the public event on 4<sup>th</sup> November was midnight Sunday 1<sup>st</sup> November 2020.

10.8 Overall, the public consultation feedback included 74 total responses that addressed a number of the main themes highlighted in this report as follows:

- Housing and residential development issues generally (i.e. affordable housing, density and flats);
- More business/industrial units to be delivered and less office space;
- Queries related to the Council's CPO powers and if this would be utilised;;
- Brief should place emphasis on green issues, social well-being and climate emergency;
- Housing on flood plain is not considered acceptable;
- Concerns over 'Initial Phased' approach to development (plot by plot) as opposed to 'Site-Wide Comprehensive' Masterplan approach
- Infrastructure & site conditions and why initial detailed site investigations have not been undertaken; and
- Concerns over the loss of the Football Ground and the Council's intentions on how or if this would be replaced.

10.9 Engagement with leaseholders, occupiers, the general public and other key stakeholders has been a valuable and fruitful exercise in helping identify a number of key themes and issues that will need to be further considered as part of future stages of work. We would recommend that the Council (as landowner) continue to identify and programme appropriate engagement activities with key stakeholder groups to inform how the regeneration of the Estate continues to evolve and progress.

## 11. Planning Application Deliverables

11.1 We note that any future planning applications within the LRIE Site should be accompanied by the requisite suite of documentation as set out in WBC’s planning validation ‘Local List of Documents’ checklist (September 2018) and any subsequent update.

11.2 It is recommended that pre-application discussions are undertaken with WBDC (as Local Planning Authority) prior to any submission to agree the scope of the documentation to be provided. The submissions will be proportionate to the scale and nature of the proposals but should include all the requisite information required to assess conformity with the current Development Plan policies at time of submission. As set out in the checklist, this could include the following documentation:

- Application Fee
- Application Form, Certificates and Notices
- Site Location Plan & Site Plan
- Existing & Proposed Elevations, Floor plans (incl. roof plans), Sections
- Design & Access Statement (including photographs and photomontages)
- Sustainable Construction and Energy Efficiency Report
- Affordable Housing Statement
- Air Quality Assessment
- Biodiversity Survey & Report
- Daylight/Sunlight Assessment
- Economic Statement
- Environmental Statement
- Town Centre Uses Evidence
- Foul Sewage and Utilities Assessment
- Heritage Statement
- Land Contamination Assessment
- Landfill Statement
- Landscape Details
- Lighting Assessment

- Noise Impact Assessment
- Open Space Assessment
- Planning Obligation Draft Heads of Terms
- Planning Statement
- Site Waste Management Plan
- Statement of Community Involvement
- Structural Survey
- Transport Assessment & Parking Provision Details
- Travel Plan
- Tree Survey/Arboricultural Impact Assessment
- Ventilation/Extraction Statement

11.3 Where a plot is brought forward in isolation and not part of a wider masterplan approach, such an application should include an assessment of the impact of the proposed development on the delivery of the overall masterplan. It should be demonstrated that the proposed development will not prejudice the delivery of development of neighbouring plots.

## 12. Conclusion/Next Steps

- 12.1 The Site comprises 26 separate parcels equating to 11.13 ha of previously developed land which could become available for redevelopment over the next c. 10 years plus, subject to the implementation of a viable delivery strategy.
- 12.2 At present, we estimate there is approximately 23,000 sqm of B1/B2/B8 and Sui Generis employment-related floor area across the various parcels that comprise the Site.
- 12.3 In planning policy terms, the West Berkshire District Council development plan designates the Site as a Protected Employment Area which therefore requires the existing level of FTE employment provision to be reprovided across the Site if it were to be redeveloped.
- 12.4 As the Council is currently reviewing its Local Plan, it is unclear if the Site will continue to be designated as a Protected Employment Area or if through the Local Plan Review to 2036 process, the Council will identify alternative employment land, which could potentially allocate and release the Site for alternative uses.
- 12.5 Two conceptual masterplans have been developed based on a number of key development principles in accordance with the current WBDC development plan to demonstrate a potential form and quantum of development that could be delivered as part of a phased development scenario.
- 12.6 The first 'Initial Phased' masterplan option represents a potential redevelopment scenario comprising parcels that could become available in the immediate to short term (0-6 years); and the second 'Site-Wide Comprehensive' masterplan option represents a more holistic site-wide approach which could be delivered in the medium term to long-term (6 – 10+ years). Both options would be subject to existing businesses being relocated within the Site, vacating the Site or being relocated elsewhere in the District to enable development.
- 12.7 Should the 'Initial Phased' masterplan be implemented, this suggests redevelopment could support approximately 280 residential units, comprising 19,611sqm of residential floor area in buildings up to 5 storeys in height, 3,473 sqm of B1a/E office use and 5,400 sqm of B2/B8/Sui Generis employment use
- 12.8 Should the 'Site-Wide Comprehensive' masterplan be implemented, this suggests redevelopment could support approximately 544 residential units, comprising 40,804sqm of residential floor area in buildings up to 5 storeys in height, 6,023 sqm of B1a/E office use and 6,690 sqm of B2/B8/Sui Generis employment use.
- 12.9 Further detailed trip generation and VISSIM traffic modelling will need to be progressed as part of the next stage of work for the two masterplan/development scenarios to understand potential impacts to the broader road network beyond the Site.
- 12.10 An initial development appraisal has been undertaken on the Initial Phased masterplan option, highlighting the strategic opportunities and constraints related to its delivery. We propose that potential next steps for the Council are as follows:

- Undertake VISSIM traffic modelling to determine the transport related impacts of the proposed Site-Wide Comprehensive masterplan to identify potentially required road network upgrades and mitigation measures.
- Consideration of the need to undertake detailed site investigations as needed to further identify potential technical and environmental constraints that could impact future delivery (i.e. flood risk & drainage, utility capacity, site contamination, etc).
- Continue to engage with stakeholders to better understand short to medium term issues which could impact delivery and ensure opportunities are fully captured, and to understand the needs of tenants in terms of their space requirements or expansion plans to inform possible development solutions. Further engagement will also help inform the preparation of more accurate property cost estimates.
- Continue to review of the local market for vacant units to provide opportunities for relocating or decanting existing businesses. This includes remaining live to potential opportunities which might arise directly adjacent to this Brief's red line, and which might aid development solutions.
- Establish a full set of objectives for redevelopment to enable a delivery option appraisal to be undertaken. This will involve determining the key requirements for the scheme(s) and a sense of relative priority of the objectives, together with an assessment of the extent to which each of the delivery routes meets those objectives, balanced against any disadvantages (e.g. a heavy resource requirement).
- Ensure the size of the potential opportunity available to developers is attractive. The football ground is identified as a critical early stage opportunity to provide sufficient development capacity as well as financial support to other parts of the development based on employment. Further consideration will also be required of how vacant possession on other short to medium term plots can be achieved and how development capacity can be enhanced.
- Explore whether there are any public sector funding possibilities available to facilitate more comprehensive development.
- Continue to engage with the Council (as Local Planning Authority) regarding the allocation of the Site as part of the Local Plan Review. Promotion of the Site for mixed use redevelopment in line with this Development Brief.
- Should site allocation not be possible through the Local Plan Review, an appropriate planning strategy should be identified and considered in consultation with the Council (as Local Planning Authority) to ensure a coordinated masterplanned regeneration of the Site be achieved.
- Should individual leaseholder phased development come forward and where proposals largely fit the 'grain' of WBDC redevelopment aspirations, engagement in pre-application discussions with the Council (as Local Planning Authority) and other key stakeholders prior to the preparation and submission of any planning application(s).

# Appendix I

## Site Location Plan





 Red Line Site Boundary

# Appendix II

## Masterplan Design Pack (WSP)

# London Road Industrial Estate (LRIE) Development Brief

NOVEMBER 2020


AVISON  
YOUNG

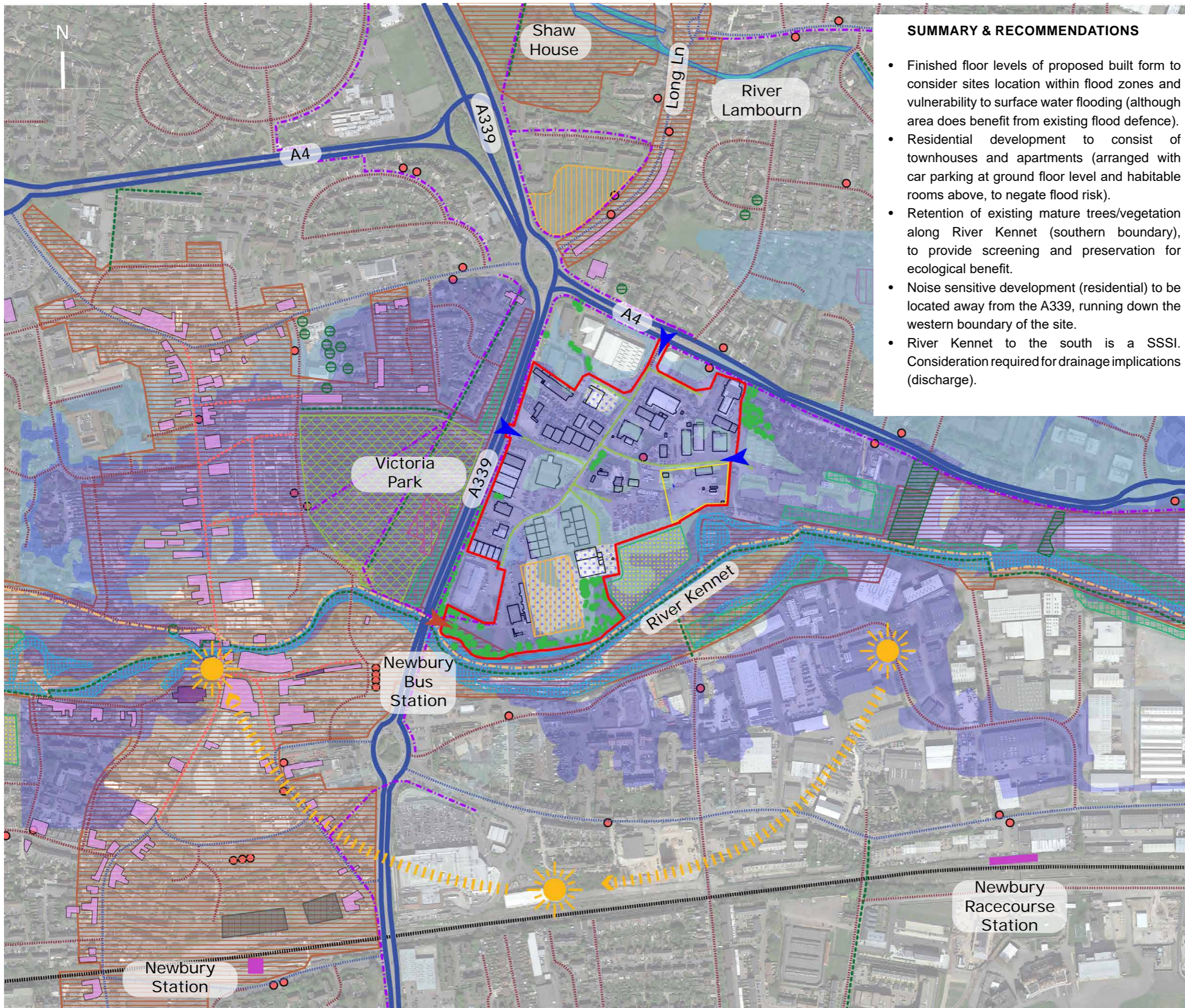


# CONTENT

<b>Site Location Plan</b>	<b>2</b>
<b>Landscape Constraints Mapping</b>	<b>3</b>
<b>Vacant Possession Categories – Developable/Non-Developable Parcels</b>	<b>4</b>
<b>Initial Phased Masterplan</b>	<b>5</b>
<b>Site-Wide Comprehensive Masterplan</b>	<b>12</b>



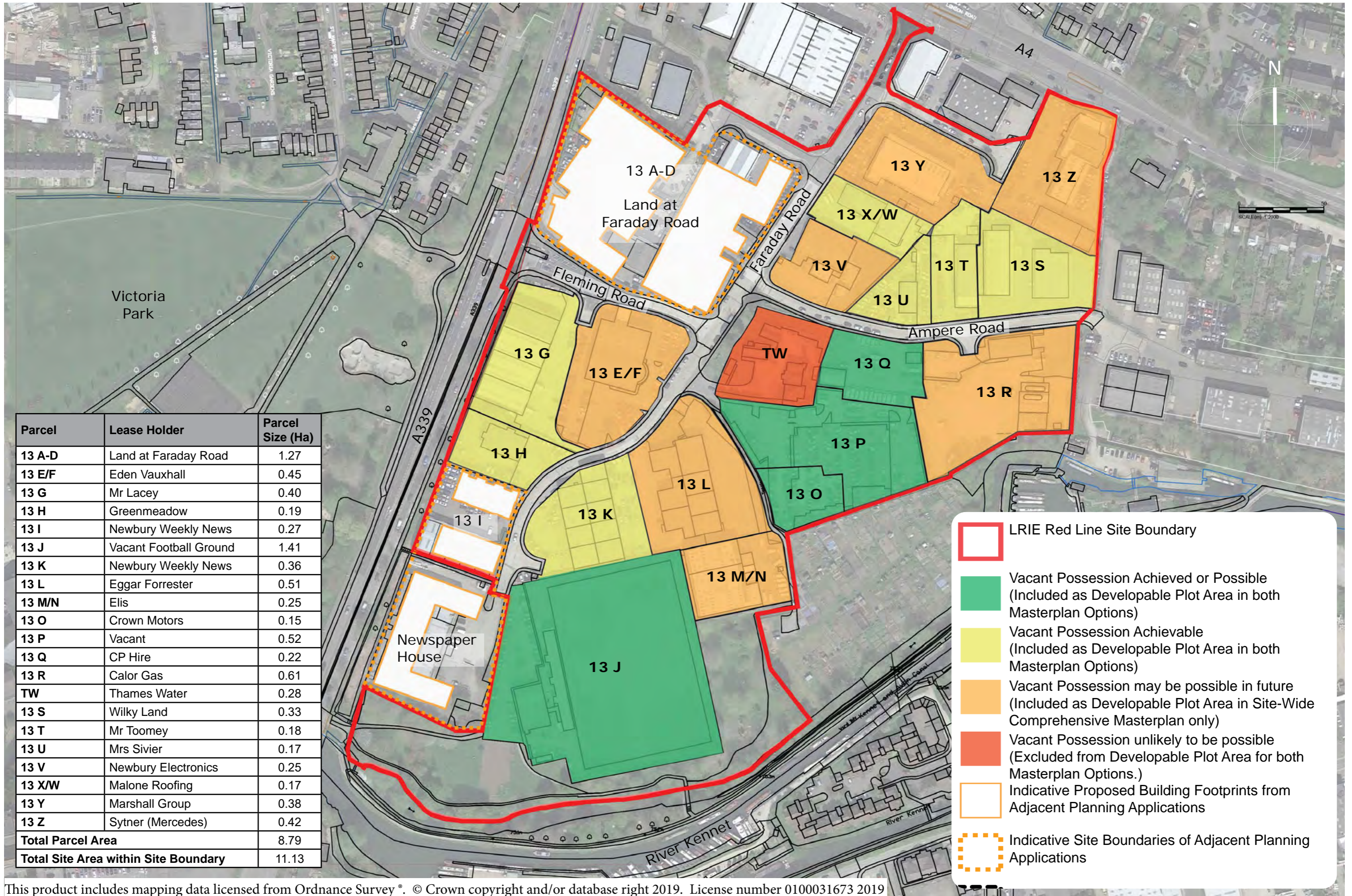
 Red Line Site Boundary



**SUMMARY & RECOMMENDATIONS**

- Finished floor levels of proposed built form to consider sites location within flood zones and vulnerability to surface water flooding (although area does benefit from existing flood defence).
- Residential development to consist of townhouses and apartments (arranged with car parking at ground floor level and habitable rooms above, to negate flood risk).
- Retention of existing mature trees/vegetation along River Kennet (southern boundary), to provide screening and preservation for ecological benefit.
- Noise sensitive development (residential) to be located away from the A339, running down the western boundary of the site.
- River Kennet to the south is a SSSI. Consideration required for drainage implications (discharge).

- KEY**
- Red Line Site Boundary
  - Existing Vehicular Access
  - Existing Pedestrian Access
  - Existing Buildings On-Site
  - Existing Established Vegetation
  - Flood Zone 3
  - Flood Zone 2
  - Flood Zone 1 (On Site)
  - Grade I Listed Building
  - Grade II Listed Buildings
  - Conservation Area
  - Special Area of Conversation
  - Sites of Special Scientific Interest
  - Bus Stop
  - Train Station
  - Primary Vehicular Route (Off-Site)
  - Secondary Vehicular Route (Off-Site)
  - Tertiary Vehicular Route (Off-Site)
  - Tertiary Vehicular Route (On-Site)
  - Pedestrian Route (Off-Site)
  - National Cycle Route
  - Urban Cycle Route
  - Railway Line (Off Site)
  - Public Right of Ways
  - Play Area
  - Sports Ground
  - Allotments
  - Park
  - Woodland
  - TPO Protected Trees
  - Calor Gas Facility
  - Sun Path



Parcel	Lease Holder	Parcel Size (Ha)
13 A-D	Land at Faraday Road	1.27
13 E/F	Eden Vauxhall	0.45
13 G	Mr Lacey	0.40
13 H	Greenmeadow	0.19
13 I	Newbury Weekly News	0.27
13 J	Vacant Football Ground	1.41
13 K	Newbury Weekly News	0.36
13 L	Eggar Forrester	0.51
13 M/N	Elis	0.25
13 O	Crown Motors	0.15
13 P	Vacant	0.52
13 Q	CP Hire	0.22
13 R	Calor Gas	0.61
TW	Thames Water	0.28
13 S	Wilky Land	0.33
13 T	Mr Toomey	0.18
13 U	Mrs Sivier	0.17
13 V	Newbury Electronics	0.25
13 X/W	Malone Roofing	0.17
13 Y	Marshall Group	0.38
13 Z	Sytner (Mercedes)	0.42
<b>Total Parcel Area</b>		<b>8.79</b>
<b>Total Site Area within Site Boundary</b>		<b>11.13</b>

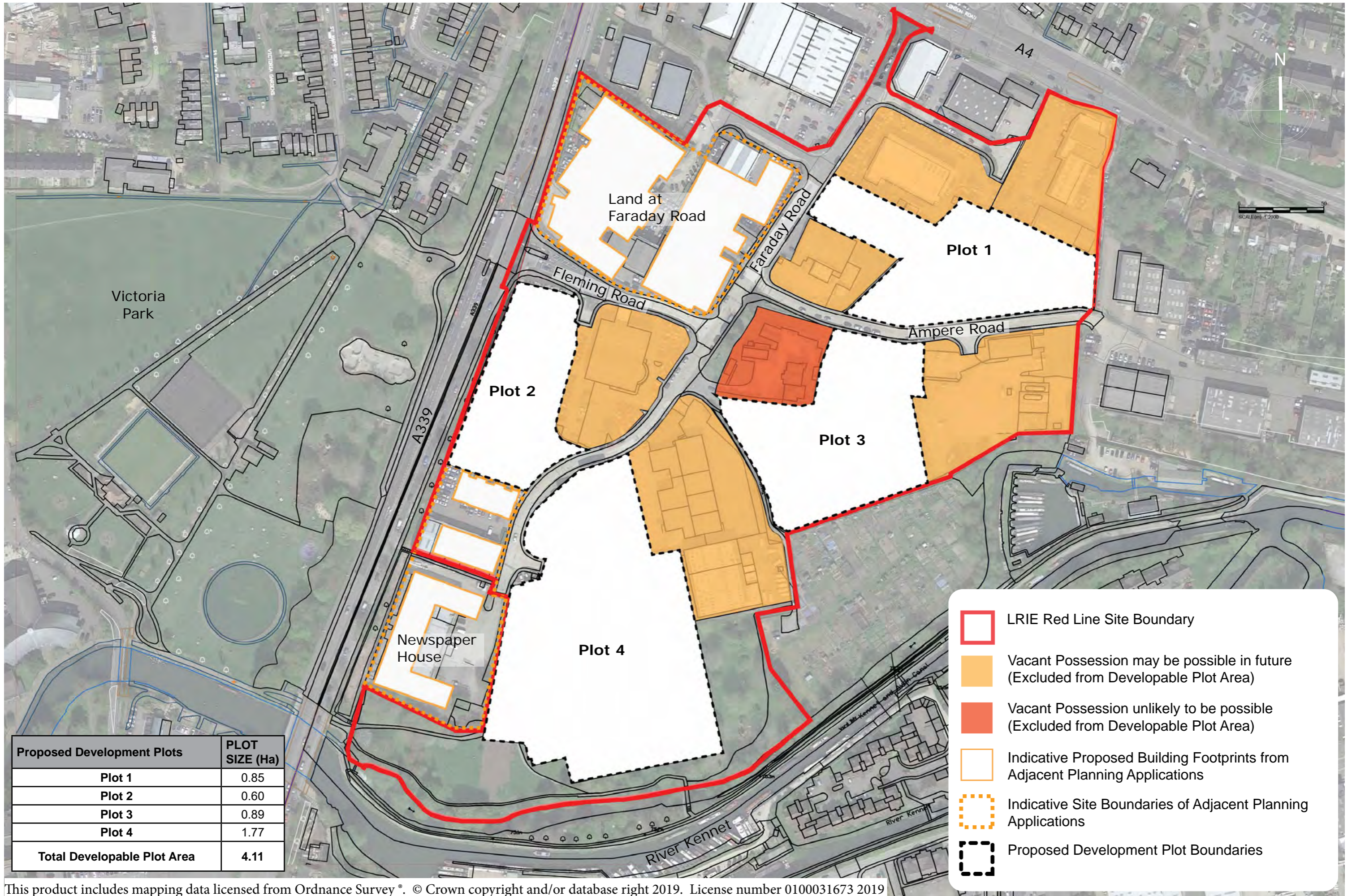
- LRIE Red Line Site Boundary
- Vacant Possession Achieved or Possible (Included as Developable Plot Area in both Masterplan Options)
- Vacant Possession Achievable (Included as Developable Plot Area in both Masterplan Options)
- Vacant Possession may be possible in future (Included as Developable Plot Area in Site-Wide Comprehensive Masterplan only)
- Vacant Possession unlikely to be possible (Excluded from Developable Plot Area for both Masterplan Options.)
- Indicative Proposed Building Footprints from Adjacent Planning Applications
- Indicative Site Boundaries of Adjacent Planning Applications

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# INITIAL PHASED MASTERPLAN





Proposed Development Plots	PLOT SIZE (Ha)
Plot 1	0.85
Plot 2	0.60
Plot 3	0.89
Plot 4	1.77
<b>Total Developable Plot Area</b>	<b>4.11</b>

-  LRIE Red Line Site Boundary
-  Vacant Possession may be possible in future (Excluded from Developable Plot Area)
-  Vacant Possession unlikely to be possible (Excluded from Developable Plot Area)
-  Indicative Proposed Building Footprints from Adjacent Planning Applications
-  Indicative Site Boundaries of Adjacent Planning Applications
-  Proposed Development Plot Boundaries

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Proposed Development Plots	PLOT SIZE (Ha)
Plot 1	0.85
Plot 2	0.60
Plot 3	0.89
Plot 4	1.77
<b>Total Developable Plot Area</b>	<b>4.11</b>

- LRIE Red Line Site Boundary
- Vacant Possession may be possible in future (Excluded from Developable Plot Area)
- Vacant Possession unlikely to be possible (Excluded from Developable Plot Area)
- Indicative Proposed Building Footprints from Adjacent Planning Applications
- Indicative Site Boundaries of Adjacent Planning Applications
- Proposed Development Plot Boundaries

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**INDICATIVE BUILDING SCHEDULE**

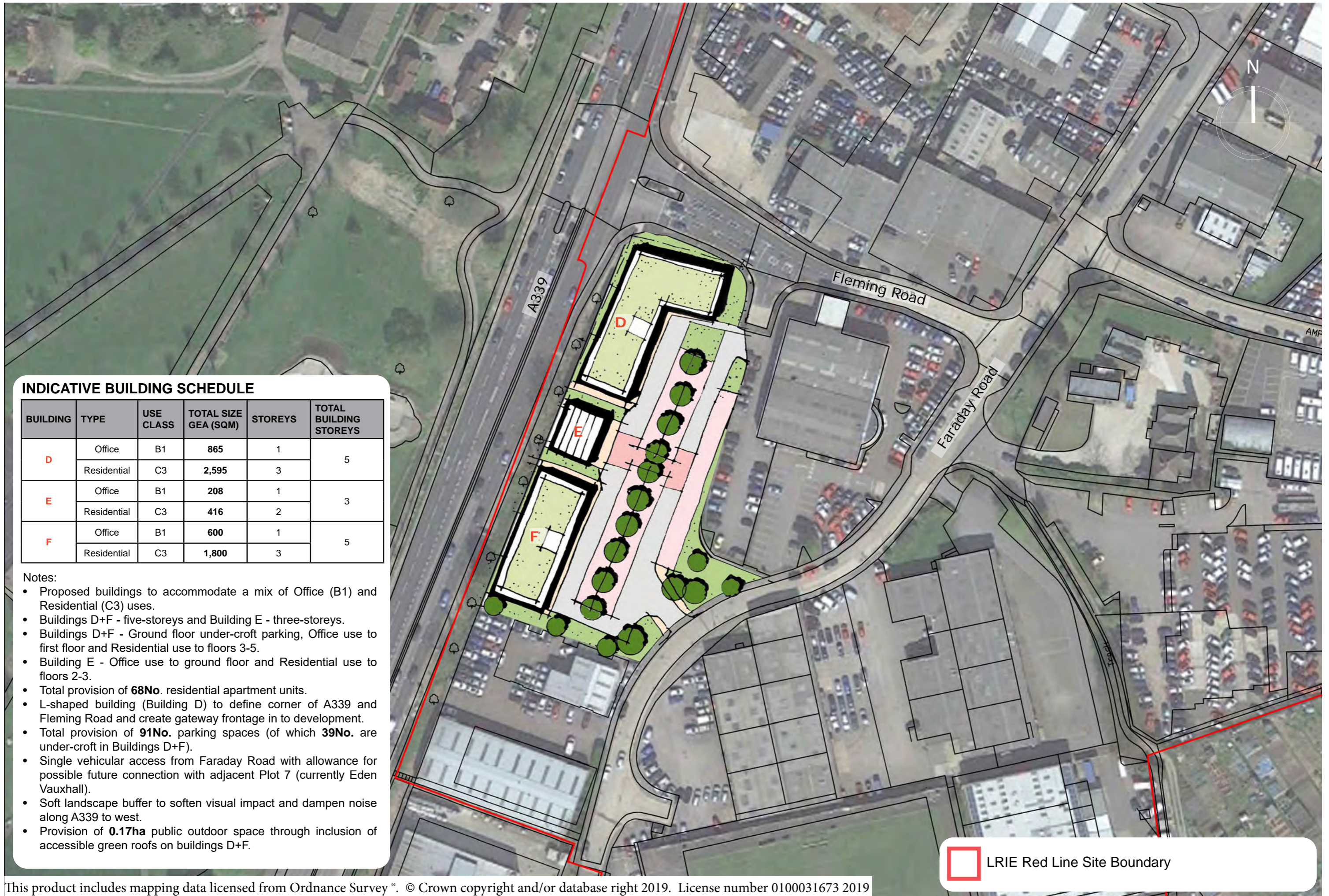
BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
A	Light Industrial	B2 / B8	600	1	1
B	Light Industrial	B2 / B8	1,250	1	1
C	Light Industrial	B2 / B8	1,000	1	1

**Notes:**

- All proposed buildings to accommodate Light Industrial (B2/B8) use. Double height ground floor.
- Total provision of **49No.** car parking spaces.
- Buildings located to define streetscapes and hide service yards to rear.
- New vehicular access from Faraday Road and use of existing connections with Ampere Road.
- Allowance for future vehicular access connection to adjacent Plot 10.
- Soft landscape treatment around plot perimeter and along streetscapes to soften visual impact and break up massing of new buildings.

 LRIE Red Line Site Boundary


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**INDICATIVE BUILDING SCHEDULE**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
D	Office	B1	865	1	5
	Residential	C3	2,595	3	
E	Office	B1	208	1	3
	Residential	C3	416	2	
F	Office	B1	600	1	5
	Residential	C3	1,800	3	

- Notes:
- Proposed buildings to accommodate a mix of Office (B1) and Residential (C3) uses.
  - Buildings D+F - five-storeys and Building E - three-storeys.
  - Buildings D+F - Ground floor under-croft parking, Office use to first floor and Residential use to floors 3-5.
  - Building E - Office use to ground floor and Residential use to floors 2-3.
  - Total provision of **68No.** residential apartment units.
  - L-shaped building (Building D) to define corner of A339 and Fleming Road and create gateway frontage in to development.
  - Total provision of **91No.** parking spaces (of which **39No.** are under-croft in Buildings D+F).
  - Single vehicular access from Faraday Road with allowance for possible future connection with adjacent Plot 7 (currently Eden Vauxhall).
  - Soft landscape buffer to soften visual impact and dampen noise along A339 to west.
  - Provision of **0.17ha** public outdoor space through inclusion of accessible green roofs on buildings D+F.

 LRIE Red Line Site Boundary

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N

**INDICATIVE BUILDING SCHEDULE**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
G(i)	Light Industrial	B2 / B8	900	1	1
H(i)	Light Industrial	B2 / B8	1,650	1	1

**Notes:**

- All proposed buildings to accommodate Light Industrial (B2/B8) use. Double height ground floor.
- Provision of **31No.** parking spaces.
- Use of existing vehicular access connection with Faraday Road.
- Soft landscape treatment between adjacent plots and along streetscapes to soften visual impact and break up massing of proposed new buildings.

 LRIE Red Line Site Boundary


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**INDICATIVE BUILDING SCHEDULE**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	BUILDING STOREYS	TOTAL BUILDING STOREYS
I	Office	B1	900	2	2
J	Office	B1	900	2	2
K	Residential	C3	1,800	3	3
L	Residential	C3	13,000	2/4	3/5

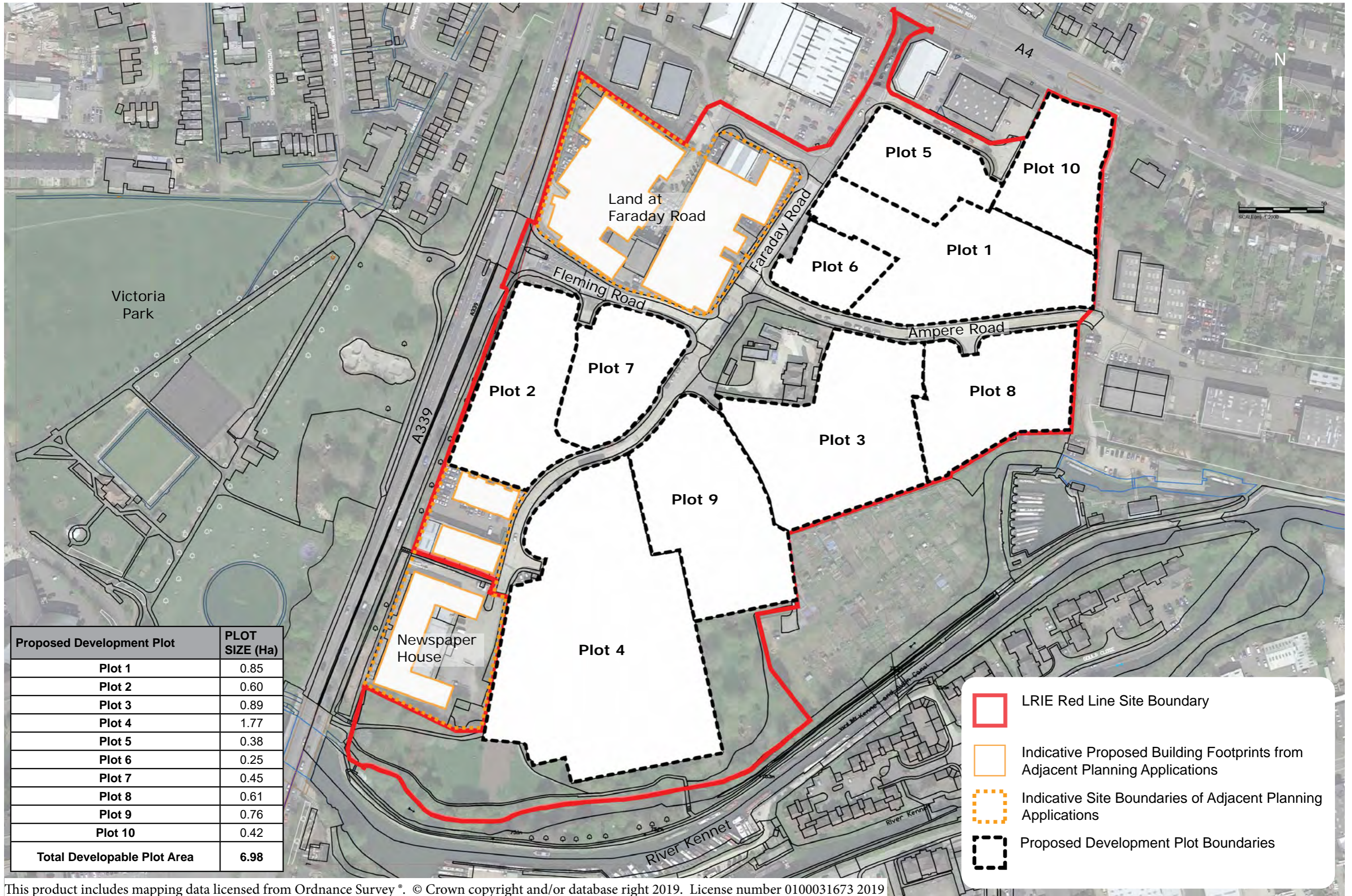
- Notes:
- Proposed buildings to accommodate Office (B1) and residential (C3) uses.
  - Buildings I+J - two storey Office use.
  - Building K - three storey Residential use.
  - Buildings L - ground floor under-croft parking with Residential use on floors 2-5.
  - Total provision of **212No.** residential apartment units.
  - Total provision of **238No.** parking spaces (of which **80No.** is under-croft in Building L).
  - Retention of existing open space to east and west of the plot for public open space provision (**0.44Ha**).
  - Soft landscape treatment to soften visual impact of proposed massing and integrate built form in to surrounding open space to south of site.

 LRIE Red Line Site Boundary





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# **SITE-WIDE COMPREHENSIVE MASTERPLAN**



Proposed Development Plot	PLOT SIZE (Ha)
Plot 1	0.85
Plot 2	0.60
Plot 3	0.89
Plot 4	1.77
Plot 5	0.38
Plot 6	0.25
Plot 7	0.45
Plot 8	0.61
Plot 9	0.76
Plot 10	0.42
<b>Total Developable Plot Area</b>	<b>6.98</b>

-  LRIE Red Line Site Boundary
-  Indicative Proposed Building Footprints from Adjacent Planning Applications
-  Indicative Site Boundaries of Adjacent Planning Applications
-  Proposed Development Plot Boundaries

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Proposed Development Plot	PLOT SIZE (Ha)
Plot 1	0.85
Plot 2	0.60
Plot 3	0.89
Plot 4	1.77
Plot 5	0.38
Plot 6	0.25
Plot 7	0.45
Plot 8	0.61
Plot 9	0.76
Plot 10	0.42
<b>Total Developable Plot Area</b>	<b>6.98</b>

- LRIE Red Line Site Boundary
- Indicative Proposed Building Footprints from Adjacent Planning Applications
- Indicative Site Boundaries of Adjacent Planning Applications
- Proposed Development Plot Boundaries

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**INDICATIVE BUILDING SCHEDULE – PLOT 1**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
A	Light Industrial	B2 / B8	600	1	1
B	Light Industrial	B2 / B8	1,250	1	1
C	Light Industrial	B2 / B8	1,000	1	1

Notes:


- All proposed buildings to accommodate Light Industrial (B2/B8) use. Double height ground floor.
- Total provision of **49No.** car parking spaces.
- Buildings located to define streetscapes and hide service yards to rear.
- New vehicular access from Faraday Road and use of existing connections with Ampere Road.
- Soft landscape treatment around plot perimeter and along streetscapes to soften visual impact and break up massing of new buildings.

**INDICATIVE BUILDING SCHEDULE – PLOT 10**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
T	Light Industrial	B2 / B8	1,800	1	1

Notes:

- Proposed building to accommodate Light Industrial (B2/B8) use. Double height ground floor.
- Total provision of **18No.** car parking spaces.
- Building located to reinforce streetscape along A4 to north and hide service yard to rear.
- Proposed vehicular access in to Plot through adjacent Plot 1, with exit only on to A4 to north.
- Soft landscape treatment between adjacent plots and along streetscapes to soften visual impact and break up massing of new buildings.
- Allowance for future vehicular access connection to Plot 1.
- Soft landscape treatment around plot perimeter and along streetscapes to soften visual impact and break up massing of new buildings.

 LRIE Red Line Site Boundary

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**INDICATIVE BUILDING SCHEDULE – PLOT 3**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
G(ii)	Residential	C3	3,030	4	5
H(ii)	Residential	C3	4,830	4	5

Notes:


- Proposed five-storey buildings to accommodate residential (C3) use.
- Ground floor under-croft parking with Residential use on floors 2-5.
- Vehicular access from Faraday Road and Ampere Road.
- Total provision of **92No.** apartment units.
- Total provision of **92No.** car parking spaces (of which **65No.** are under-croft at Building G+H).
- Provision of public open space adjacent to each building (total **0.32Ha**).
- Soft landscape buffer around plot boundary with adjacent Thames Water site and to east of Plot 9.

**INDICATIVE BUILDING SCHEDULE – PLOT 8**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
P	Residential	C3	4,725	4	5

Notes:

- Proposed five-storey building to accommodate residential (C3) use.
- Ground floor under-croft parking with Residential use on floors 2-5.
- Vehicular access from Ampere Road.
- Total provision of **58No.** apartment units.
- Total provision of **58No.** car parking spaces (of which **38No.** are under-croft at Building P).
- Provision of public open space to south of building to maximise south-facing aspect (**0.31Ha**).
- Linear soft landscape buffer along Ampere Road boundary to north to soften visual impact of proposed new building and screen views of nearby development in Plot 1.

 LRIE Red Line Site Boundary

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**INDICATIVE BUILDING SCHEDULE – PLOT 5**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
M	Light Industrial	B2 / B8	1,440	1	1

- Notes:
- Proposed building to accommodate Light Industrial (B2/B8) use. Double height ground floor.
  - Provision of **18No.** car parking spaces.
  - Vehicular access from existing turning head to north-east corner of plot.
  - Building located to define streetscape along Faraday Road. Service yard hidden to rear of plot.
  - Soft landscape treatment to northern and southern plot boundaries to soften visual impact of proposed new building.

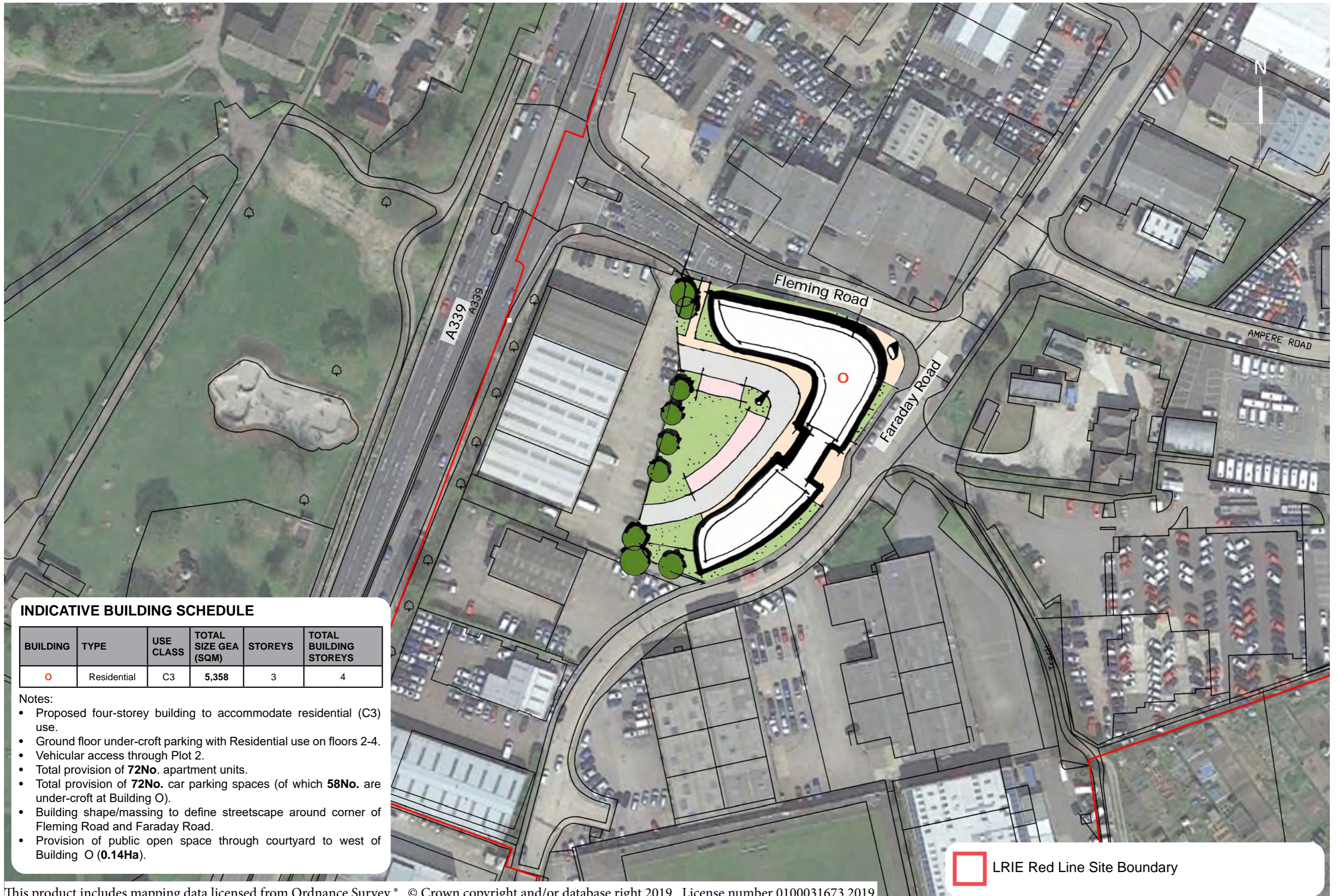
**INDICATIVE BUILDING SCHEDULE – PLOT 6**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
N	Light Industrial	B2 / B8	600	1	1

- Notes:
- Proposed building to accommodate Light Industrial (B2/B8) use. Double height ground floor.
  - Provision of **14No.** car parking spaces.
  - Vehicular access from Faraday Road.
  - Building located to define corner of Faraday Road and Ampere Road. Service yard hidden to north of building.
  - Soft landscape treatment to plot boundaries to soften visual impact of proposed new building.

LRIE Red Line Site Boundary

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**INDICATIVE BUILDING SCHEDULE**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
O	Residential	C3	5,358	3	4

**Notes:**

- Proposed four-storey building to accommodate residential (C3) use.
- Ground floor under-croft parking with Residential use on floors 2-4.
- Vehicular access through Plot 2.
- Total provision of **72No.** apartment units.
- Total provision of **72No.** car parking spaces (of which **58No.** are under-croft at Building O).
- Building shape/massing to define streetscape around corner of Fleming Road and Faraday Road.
- Provision of public open space through courtyard to west of Building O (**0.14Ha**).

 LRIE Red Line Site Boundary

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**INDICATIVE BUILDING SCHEDULE**

BUILDING	TYPE	USE CLASS	TOTAL SIZE GEA (SQM)	STOREYS	TOTAL BUILDING STOREYS
Q	Office	B1	1,650	2	3
R	Office	B1	900	2	2
S	Residential	C3	3,240	3	4

**Notes:**

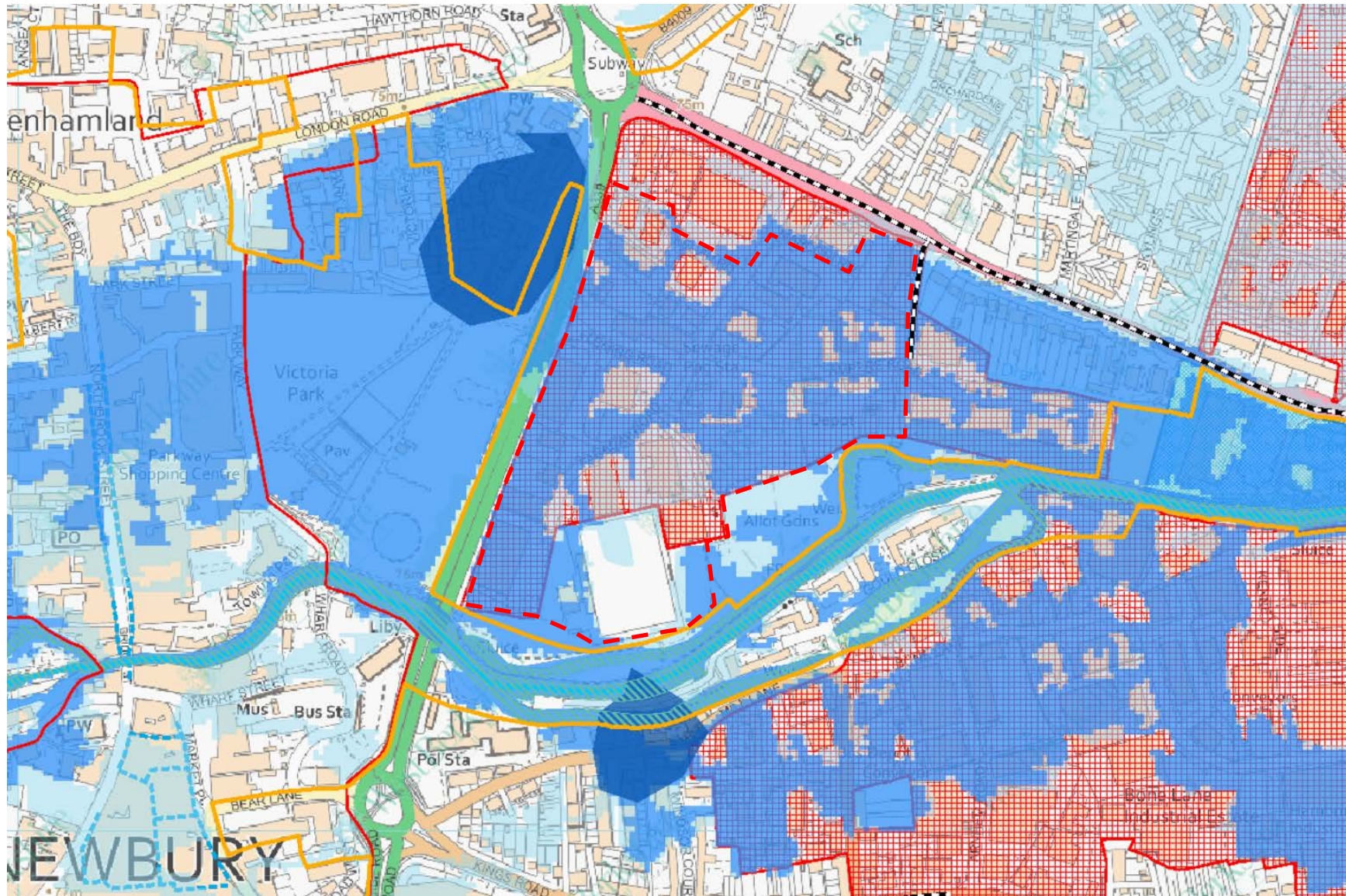
- Proposed buildings to accommodate Office (B1) and residential (C3) uses with ground floor under-croft parking.
- Building Q - Three-storey. Ground floor under-croft car parking, with Office use of floors 2-3.
- Building R - Two-storey Office Use.
- Building S - four-storey. Ground floor under-croft car parking, with Residential use on floors 2-4.
- Vehicular access through Plot 3.
- Total provision of **42No.** apartment units.
- Total provision of **107No.** car parking spaces (of which 64 is under-croft at buildings Q+S).
- Provision of public open space adjacent to Building S and to centre of Plot (**0.20Ha**).
- Soft landscape to define boundary with Plot 3.

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# Appendix III

## WBDC Policy Map

WBDC Policies Map - London Road Industrial Estate





### Policies Map Legend

Settlement Boundary	
Conservation Areas	
Town Centre Commercial Area	
Protected Employment Area	
Housing Site Allocation – DPD	
Strategic Site Allocation – Core Strategy	
Road Schemes	
Registered Park & Garden	
Thames Basin Heath SPA – 5km	
Thames Basin Heath SPA – 7km	
Flood Zone 2	
Flood Zone 3	
Biodiversity Opportunity Area	
Local Wildlife Area	
AONB	

# Appendix IV

## Transport Review Note (AECOM)

# London Road Industrial Estate (Transport)

<b>Client name</b> Avison Young	<b>Project name</b> LRIE	<b>Date</b> 09 November 2020	<b>Project number</b> 60620479
<b>Prepared by</b> Natasha Smithson	<b>Checked by</b> Fiona Ahmed	<b>Verified by</b> Steve Wallis	

## Revision History

Revision	Revision date	Details	Authorised	Name	Position
0	30/09/2020	Draft to AY	SW	Steve Wallis	Regional Director
1	05/10/2020	Final to AY	AK	Alex Keene	Associate Director
2	05/11/2020	Amendments	AK	Alex Keene	Associate Director
3	09/11/2020	Amendments	AK	Alex Keene	Associate Director

## 1. Introduction

- 1.1 AECOM have been commissioned by Avison Young to provide transportation technical support for the redevelopment of the London Road Industrial Estate (LRIE) in Newbury, on behalf of the landowner (West Berkshire District Council).
- 1.2 This Technical Note sets out the transportation considerations to support the Development Brief. Due to Covid-19, the information within this Technical Note has been determined through a desk-based study, but also draws upon previous studies undertaken for the Site<sup>1</sup> as well as observations from a site visit undertaken on 10<sup>th</sup> July 2019.

## 2. Site Location

- 2.1 LRIE is bound by two dual carriageways. The A4 London Road to the north and the A339 to the west. The southern boundary of the Site is bounded by the River Kennet. To the east of the Site are light industrial buildings.
- 2.2 The A4 provides key access to conurbations east and west of the Site, including Thatcham and Reading to the east, and Hungerford to the west. The A339, adjacent to the Site is a dual carriageway, which provides access to Basingstoke and Hampshire to the south, and converges with the A34 to the north, providing access to Oxford and the Midlands. Junction 13 of the M4 is located approximately four miles to the north of the Site.
- 2.3 The 'Robin Hood' roundabout where the A339/A4 meet is located to the north west of the Site. This is a key junction within the Newbury Town road network, along with the A339/Bear Lane junction to the south of the Site, which has recently undergone highway improvement works, to improve vehicular and pedestrian access to Newbury town centre.
- 2.4 The Site is well located to provide sustainable development in line with the policies set out in the National Planning Policy Framework and the West Berkshire Core Strategy Development Plan.

## 3. Existing Vehicular Access

- 3.1 There are two vehicular access points to the Site via 'all moves' signalised junctions located at the A339/Fleming Road and the A4/Faraday Road. Both the A4 London Road and A339 are subject to 40mph speed restrictions.
- 3.2 Faraday Road (as shown in **Figure 1**) provides the main (north/south) spine road through LRIE running from the A4 at its northern end and terminating at a Pay and Display Car Park in the southern end. Faraday Road is a no through road after its junction with Fleming Road, approximately 220m south from its northernmost point.

<sup>1</sup> AECOM (2019) *Site NEW1 – London Road Industrial Estate*

**Figure 1 – View from Faraday Road Towards the A4 All Moves Signalised Junction**



Source: Google Maps © 2020

3.3 Fleming Road (as shown in **Figure 2**) provides an east west link between Faraday Road and the A339. The speed limit on Faraday Road and Fleming Road is 30mph, but due to the volume of accesses and vehicles manoeuvring vehicular speeds, when observed during a site visit, appeared to be lower.

**Figure 2 – View of Fleming Road Towards the A339 All Moves Signalised Junction**



Source: AECOM

- 3.4 The connections between the A4 London Road and the A339 may encourage 'rat-running' traffic movements through the development and will be considered in the development of the masterplan to prevent this.
- 3.5 The internal roads can accommodate two-way vehicular traffic and adjacent side roads have bellmouths wide enough to accommodate large vehicles turning, due to the traditional industrial land uses associated with the Site.

### Existing Parking Provision

- 3.6 There is a Pay and Display Car Park at the southern end of the Site, there are on-street parking laybys and observations during a site visit indicated that they were heavily used.

## 4. Existing Pedestrian and Cycle Access

- 4.1 Although there are no dedicated cycle facilities within the industrial estate (except for an Advanced Cycle Stop Line on the Fleming Road signalised junction), the nature of Faraday Road with low vehicular speeds is beneficial to cyclists. Adjacent to the Site dedicated cycle provision is well provided with an on-carriageway cycle lane on the A4 to the east, which then transfers to a shared use foot/cycle way to the west of Faraday Road and continues south along the A339. A Toucan crossing enables pedestrians and cyclists to cross the A4/Faraday Road junction providing a connection between the industrial estate and north of the A4.
- 4.2 There is also a Toucan Crossing on the A339 north of Fleming Road providing a connection to the residential area on the west side of the A339 and onwards towards the town centre.
- 4.3 In addition, the southern end of the industrial estate connects with the Canal Towpath and National Cycle Network Route 4 (NCN4), which provides direct pedestrian and cycle connections to Newbury town centre and its facilities along with the rail and bus stations, as shown in **Figure 3**. Further afield National Cycle Network Route 4 travels through several Berkshire towns, providing a key leisure and commuter route.

**Figure 3 – View of shared use foot/cycle way from south of site towards Newbury Town Centre**



Source: AECOM

## 5. Existing Public Transport Access

### Bus

- 5.1 Newbury bus station is located at the Wharf on the opposite side of the A339 to the Site, which is less than 800 metres from the centre of the Site. The bus station relocated here in 2018 and regular bus services are provided to other Berkshire villages and Reading, as well as regional and national services operated by National Express.
- 5.2 In addition to the bus station to the west of the Site, there are both eastbound and westbound stops, on the A4 approximately 100 metres east of the Faraday Road junction with the A4. Services at these stops are 1a, 1c and 1d which operate on an hourly circular route between Newbury and Thatcham between 09:00 and 19:00 Monday to Saturday. There are no services on a Sunday.

### Train

- 5.3 Newbury and Newbury Racecourse rail stations are located approximately 1.2km and 1.6km south of the Site respectively and are managed by Great Western Railway. Newbury rail station provides a half-hourly local service to and from Reading and an hourly service to and from London Paddington. Long distance services to and from Penzance also stop at Newbury rail station around three times a day. The station has a car park with 240 parking spaces, as well as 45 bicycle stands and eight key operated bicycle lockers.
- 5.4 Newbury Racecourse rail station is served by the half-hourly service between Reading and Newbury. Additional services, during large events at the Racecourse additional services are put on, including a shuttle service to and from Reading. The station does not offer any car parking facilities, however there is an on-platform cycle storage facility.

### Taxi Rank

- 5.5 A taxi rank for Newbury is located on the Wharf outside the Museum, less than 1km from the Site. There are also six taxi bays at the entrance to Newbury Station, approximately 1.2km south of the Site.

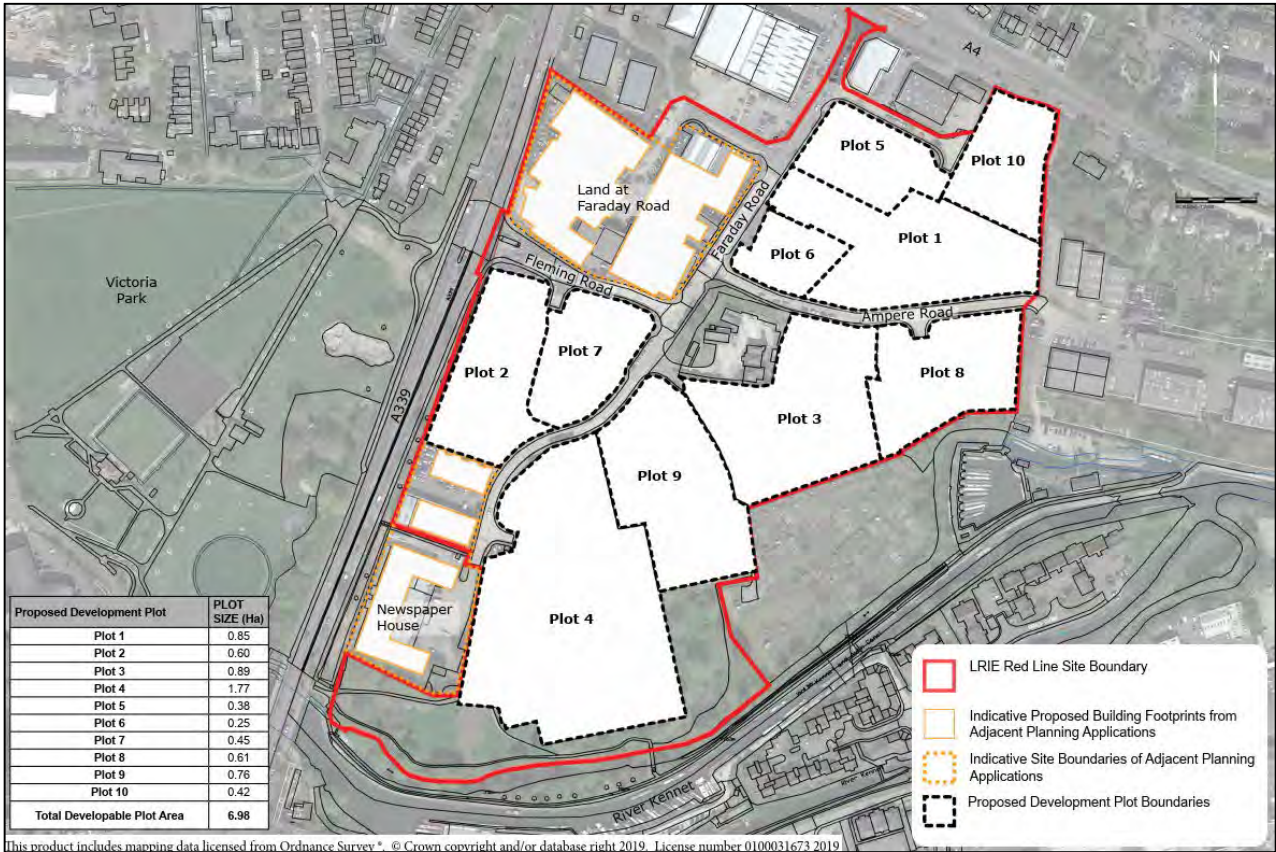
### Car Club

- 5.6 Newbury has five car club vehicles available across the town provided by Co-Wheels and located within 1.5km walking distance from the centre of the Site. These are located on West Street (1km west of Site), Boundary Road (1.4km south of Site), as well as three in Newbury town centre (1.2km southwest of Site).

## 6. Development Proposals

- 6.1 The LRIE encompasses an area of 11.13ha. Proposals within the Development Brief indicate a mixed-use development of the Site comprising of 10 parcel plots as shown in **Figure 4**.
- 6.2 The units at the far northern end between the A4 and Fleming Road/Marconi Road will remain as retail and car showrooms, as well as Newspaper House remaining as an office in the southwestern corner.

**Figure 4 – Parcel Plots**



Source: Avison Young (2020) *London Road Industrial Estate: Development Brief*

- 6.3 Two conceptual masterplans have been developed. These are an Initial Phased Masterplan and a Site-Wide Comprehensive Masterplan. These are based on existing parcel plots as well as the various leasehold interests across the Site and when the leases expire. In addition, the Health and Safety Executive (HSE) registered facility, Calor Gas (located within Plot 8), requires the Masterplan to respond to risks associated with this facility. The type and density of development within the 'Inner' and 'Middle' zones has been guided by HSE guidance, and has been taken into account within the Initial Phased Masterplan, and has assumed the risks have been removed if the Calor Gas facility is relocated in the Site-Wide Comprehensive Masterplan.
- 6.4 The existing land use of the Site and proposed Initial Phased and Site-Wide Comprehensive Masterplan land uses are summarised in **Table 1**.

**Table 1 – Existing Land Use and Initial Phased and Site-Wide Comprehensive Masterplans**

Plot	Existing Land Use	Initial Phased Masterplan	Site-Wide Comprehensive Masterplan
Plot 1	1,453sqm Light Industry (GFA)	2,850sqm Light Industry (GFA)	2,850sqm Light Industry (GFA)
Plot 2	404sqm Light Industry (GFA)	1,673sqm Office (GFA) 68 Residential Units	1,673sqm Office (GFA) 68 Residential Units
Plot 3	680sqm Light Industry (GFA) 0.52ha Vacant (Site Area)	2,550sqm Light Industry (GFA)	92 Residential Units
Plot 4	1,520sqm Office (GFA) 1.41ha Vacant (Site Area)	1,800sqm Office (GFA) 212 Residential Units	1,800sqm Office (GFA) 212 Residential Units
Plot 5	1,065sqm Light Industry (GFA)	-	1,440sqm Light Industry (GFA)
Plot 6	717sqm Light Industry (GFA)	-	600sqm Light Industry (GFA)
Plot 7	3,880sqm Light Industry (GFA)	-	72 Residential Units
Plot 8	417sqm Light Industry (GFA)	-	58 Residential Units
Plot 9	1,570sqm Office (GFA) 1,461sqm Light Industry (GFA)	-	2,550sqm Office (GFA) 42 Residential Units
Plot 10	1,164sqm Light Industry (GFA)	-	1,800sqm Light Industry (GFA)

6.5 The Initial Phased Masterplan includes four initial development plots which are considered potentially available to come forward in the next 0-5 years, while the Site-Wide Comprehensive Masterplan includes plots that could come forward in the longer term (5-10 years).

### Proposed Vehicular Access

6.6 The two existing vehicular site accesses from A4 London Road and A339 are of adequate standard and will remain in situ.

6.7 Vehicular access to individual plots will consider either retaining or rationalising access arrangements where possible and will ensure that access into remaining units within the Site is still achievable.

### Proposed Parking Provision

6.8 The Housing Site Allocations DPD (adopted May 2017) Policy P1 sets out residential parking standards, summarised as follows:

**Table 2 – Residential Parking Standards (Housing Site Allocations DPD Policy P1)**

	Flats (+1 Additional Space per 5 Flats for Visitors)		
	1	2	3
Bedrooms			
Zone 2	1.25	1.5	2

6.9 The West Berkshire District Local Plan (Saved Policies 2007) sets out non-residential maximum parking standards relevant to the Site. This sets out the following:



**Table 3 – Non-Residential Parking Standards (West Berkshire District Local Plan)**

Land Use	Maximum Provision
Business (B1)	1 per 25sqm up to 2,500sqm 1 per 30sqm above 2,500sqm
General Industry and Storage/Distribution (B2-B8)	1 per 25sqm up to 235sqm 1 per 30sqm above 235sqm

6.10 Therefore, the parking provision for the Site based on West Berkshire standards is set out in **Table 4**.

**Table 4 – Proposed Parking Provision**

Plot	Parking Provision (based on West Berkshire Standards)	Proposed Parking (as per Development Brief)
<b>Initial Phased Masterplan</b>		
Plot 1	97	49
Plot 2	183	91
Plot 3	87	31
Plot 4	432	238
<b>Total</b>	<b>798</b>	<b>409</b>
<b>Site-Wide Comprehensive Masterplan</b>		
Plot 1	97	49
Plot 2	183	91
Plot 3	156	92
Plot 4	432	238
Plot 5	50	18
Plot 6	22	14
Plot 7	122	72
Plot 8	99	58
Plot 9	173	107
Plot 10	62	18
<b>Total</b>	<b>1,395</b>	<b>757</b>

6.11 Based on the information in **Table 4**, the overall development will provide significantly less parking than the current West Berkshire parking standards. This aligns to the key themes around sustainable transport set out in the Draft Environmental Strategy 2020-2030 which was prepared following West Berkshire declaration of a Climate Emergency in July 2019. It should be noted that the parking provision on each individual plot will be subject to review and justification provided within the Transport Assessment prepared to support any planning application.

### **Proposed Walking and Cycling Access**

6.12 Walking and cycling permeability through the Site will be a key consideration of the internal road network and in particular, access to the Canal Towpath along the southern boundary of the Site will be enhanced.

## Proposed Public Transport Access

6.13 There is potential to divert a bus route through the Site to further improve connectivity to the town centre and railway stations. Further details of this will be subject to review within a Transport Assessment.

The location of the Site also makes it an ideal location for a car club, in line with Policy SC2 in the Local Transport Plan.

## 7. Next Steps

- 7.1 The road network surrounding the Site, including the Robin Hood roundabout and A339/Bear Lane, has historically been congested and consideration needs to be given to the Masterplan to ensure that development on the Site does not have a detrimental impact at any junctions surrounding the Site.
- 7.2 A trip generation for the Site will be derived using industry standard TRICS for the existing and proposed land uses in order to ascertain the net change of the Proposed Development and determine its impact on the local transport network.
- 7.3 AECOM have requested the most recent traffic data information from the Newbury Town Centre VISSIM model, which is currently undergoing an update to produce 2026 and 2036 Core Scenario models using the 2017 Base Year model. The trip generation and distribution set out in Section 9 and 10 of this Technical Note should be run as an additional two scenarios in 2026 and 2036 to assess the local traffic impacts of the LRIE development.
- 7.4 The results from the modelling of the two additional scenarios will determine whether, and where, individual junction modelling may be required to understand the impact at the junction level and determine whether mitigation may be required. It is anticipated that key junctions around the Site will require further investigation in individual junction modelling, and include:
  - A4 London Road/Faraday Road signalised junction;
  - A339/Fleming Road signalised junction;
  - A339/A343/Greenham Road roundabout junction;
  - A339/Kings Road/Bear Lane signalised roundabout junction; and
  - A339/London Road/Western Avenue signalised roundabout junction.
- 7.5 As part of the next stage of works it would also be useful to hold discussions with public transport operators to understand the potential of diverting an existing bus route through the Site to connect with town centre and the railway station.

## 8. Summary/Conclusion

- 8.1 The proposed development in the centre of Newbury comprises a change of use from largely office and light industry, to residential, office and light industry through an Initial Phased Masterplan and a Site-Wide Comprehensive Masterplan. The vehicular accesses are well established with signal junctions onto the A339 along the western boundary of the Site and A4 London Road north of the site. These site access points would be maintained.
- 8.2 The change of use would be expected to increase the number of vehicular trips to the Site and therefore will require further investigation once traffic data information from the Newbury Town Centre VISSIM model can be provided at the following junctions:
  - A4 London Road/Faraday Road signalised junction;
  - A339/Fleming Road signalised junction;
  - A339/A343/Greenham Road roundabout junction;
  - A339/Kings Road/Bear Lane signalised roundabout junction; and
  - A339/London Road/Western Avenue signalised roundabout junction.
- 8.3 However, there are opportunities to increase the use of sustainable and active modes given its location near to Newbury town centre. Car parking levels should be set in order to reduce the level of car trips and promote the use of sustainable travel.

# Appendix V

## Market Commentary

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# Market Analysis

## Residential

### *National Market Overview*

- 1.1 The 'lockdown' measures in response to Covid-19 outbreak have drastically impacted activity in the housing market, effectively putting it 'on hold'. The majority of transactions will be postponed until after some relaxation of lockdown restrictions.
- 1.2 The housing market had begun the year on positive footing pre-crisis and this should help to aid recovery when restrictions are lifted. However, the key factor behind the housing market's performance over the rest of the year will be the economy and to what extent government measures mitigate damage to it.
- 1.3 The RICS UK Residential Survey, typically a good lead indicator of housing market strength, reported a fall in new enquiries of 74% during March, following three consecutive months of increases. Sales volumes were also down by 69% in March across the UK and new instructions showed a fall of 72%. The survey reported a net balance of -34% predicting short-term falls in house prices (over the year to come) but the market is expected to be more resilient over the medium term. Over the next 5 years, a majority of respondents – net balance of 72% - see house prices increasing.
- 1.4 Prior to the impact of Covid-19, there were positive signs in the UK housing market. Nationwide's UK house price index showed a positive reading for Q1 2020, prior to the lockdown measures being implemented. Overall, house prices were up 2.5% in the year to Q1 2020, the largest increase since Q1 2018 when a 2.5% increase was also recorded. Other indicators were also positive with the Halifax house price index reporting a 2.1% quarter-on-quarter rise in Q1 2020, rising to 3.0% year-on-year, and Rightmove reporting a decline in the average time properties spent on the market, down to 67 days from 76 March to February. Despite the encouraging start, the indices lag the market meaning that the impacts of the Covid crisis are yet to surface although according to Hometrack, there have been 373,000 paused transactions during the lockdown period – amounting to £82billion of value, and £1 billion of estate agency sales revenue.
- 1.5 UK housing property transaction statistics for February 2020 report that there was a 6.0% increase in volumes across the UK year-on-year (ONS). This positive performance goes against the decline transactional volumes that have been observed across the UK housing market over the past 4 years. On a monthly basis, February transaction volumes were 4.5% up on January 2020.

### Housing Delivery

- 1.6 Covid-19 has caused many development sites to close which will have a significant impact on housing delivery in 2020. However, the situation is consistently changing, with several major developers now

resuming work on some sites while maintaining social distancing measures. Glenigan has reported there are almost 3,500 suspended sites (all property), accounting for 39% of all projects currently on site and a similar proportion of work by value, but these suspensions are not evenly spread across the industry. More extensive shut downs are in place in Scotland and Northern Ireland at the request of the devolved authorities: 79% of sites in Northern Ireland and 80% in Scotland are currently suspended.

- 1.7 Private housing is the worst affected sector with 60% of sites currently suspended.
- 1.8 Encouragingly though, Glenigan have also found that work has now resumed on 10% of sites that were initially suspended at the outset of the lockdown. Market news suggests that this will continue to increase, with talks underway with the Local Government Association to extend permitted working hours and Build UK is seeking guidance of use of PPE on sites.
- 1.9 Prior to this housing completions had been rising steadily since 2012-13, and totalled circa 241,000 net additional dwellings for 2018-19 (ONS). This figure exceeds the previous peak set in 2007-08 to achieve the highest annual net additional dwellings since the turn of the millennium.

#### Outlook

- 1.10 The strength of the market when the lockdown measures are lifted will largely be determined the wider economic recovery.
- 1.11 Forecasts of the economic impact and recovery from the crisis are frequently changing, as is the crisis itself. The presence of multiple unknowns (such as the length of the lockdown period, the possibility of a second wave, vaccine development timelines) exacerbates the process. However, there is broad consensus that the UK will enter a deep recession in the second quarter of 2020, with significant economic recovery unlikely until 2021. Unemployment is forecast to climb to 6% (Capital Economics), or possibly up to 10% according to the OBR. Individuals who have been placed on furlough will be receiving around 80% of their wages depending on their previous pay and company policies. This will bring financial strain for many and subdue housing market performance.
- 1.12 Conversely, historically low interest rates (now at 0.1%) should help support house price growth over the longer-term as the market recovers. Although the historically low interest rates and bond yields may encourage investment in development in the long-run, delayed housing developments will also restrict the much-needed supply in the short-term, which may put some upward pressure on house prices in the medium term. There may also be some pent-up demand as those individuals who have put their property searches on hold and have managed to weather the crisis snap back into action.

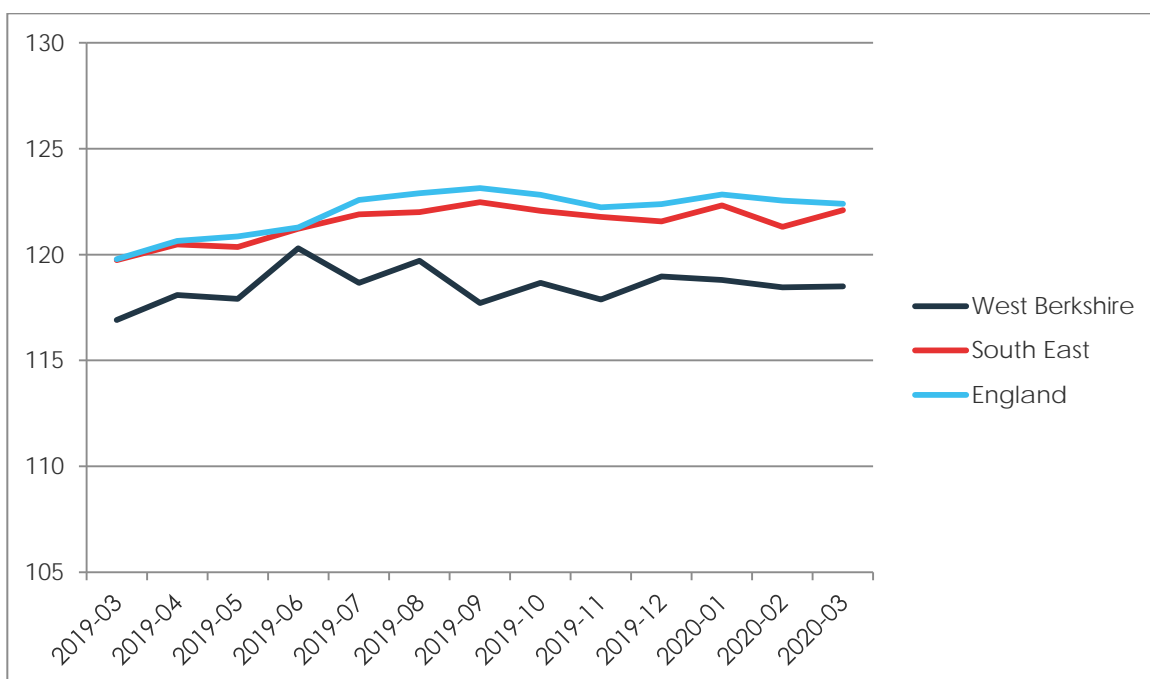
**Local Market Overview**

1.13 Land Registry Data in the graph below compares the change in the House Price Index (HPI) of England, South East and West Berkshire over the last year to March 2020. This indicates that the HPI for England, South East and West Berkshire have all increased nominally over the last year.

1.14 In particular the HPI for West Berkshire has fluctuated over the last year with a low of 116.91 in March 2019 and a peak of 120.91 in June 2019.

	March 2019	March 2020
West Berkshire	116.91	118.49
South East	119.74	122.09
England	119.78	122.39

Source: Land registry, 2020



Source: Land registry, 2020

1.15 Land Registry Data in the table below provides the average sold prices in West Berkshire over the 12 months to March 2020. Across the board average prices have risen nominally by c. 0.20-1.85%, with the semi-detached market seeing the largest increase in value.

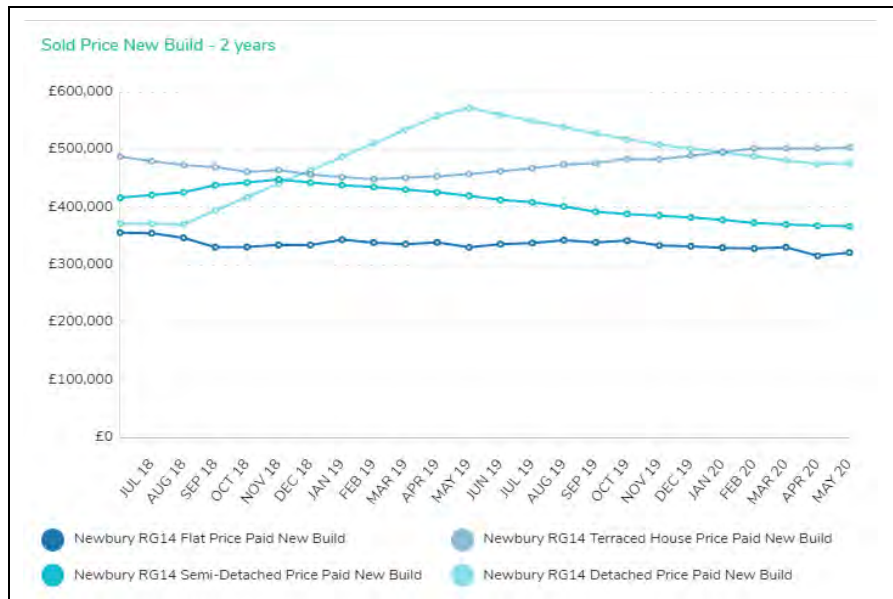
West Berkshire	March 2019	March 2020	% Change
Detached	£566,158	£574,230	1.43%
Semi	£340,201	£346,478	1.85%
Terraced	£271,964	£276,340	1.61%
Flat	£197,480	£197,874	0.20%

Source: Land registry, 2020

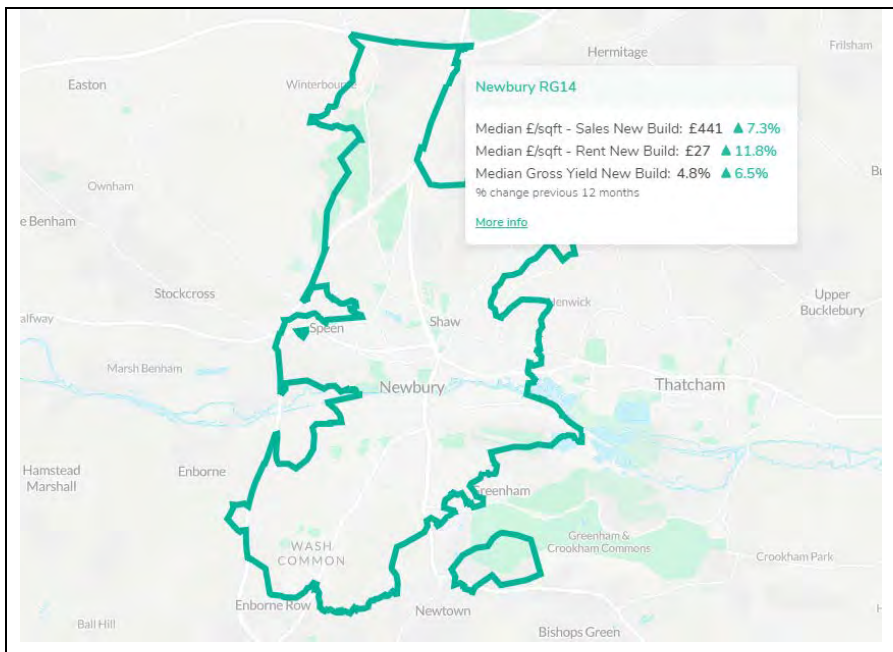
1.16 It should be noted that the sample size for the data in these tables is small, which can provide for volatile results.

1.17 The median price paid for all new build property within Newbury over the last 12 months was £352,226, which represents a decrease of -5% over the period. The median price per square foot over this period was £441 psf. From the position in May 2018 to May 2020 terraced and detached new build houses have overall seen an increase in the price paid while semi-detached and flat prices have fallen, as illustrated in the graph below.

1.18 Over the last 2 years new build house prices fluctuated fairly significantly for detached houses however it should be noted that new build data is based on a fairly small data set which may reflect the volatile price changes.



Source: Realyse, 2020



Source: Realyse, 2020

### **Local Market Activity**

- 1.19 The Estate is well located within walking distance of Newbury town centre and the train station. Newbury is also fairly well connected as a commuter location to Reading, however, it does not benefit from the proximity of locations such as Theale which attract higher residential values. In terms of rail links there are frequent and direct service connecting Newbury to Reading in 15 minutes and London Paddington in around fifty-five minutes.
- 1.20 Recent residential development in Newbury is predominantly made up of high density flatted development. The majority of new build development is located at Newbury Racecourse, with a mix of flats and terraced housing proposed at the scheme. Other notable schemes currently on the market in Newbury include:
- **The Chase, Newbury Racecourse.** Currently under construction and for sale. The scheme will deliver 600+ new homes with a mix of 2, 3 and 4 bed houses. 38 properties have sold at an average price of £426,000 per dwelling.
  - **Kingsman Way, Newbury Racecourse.** Scheme comprises 10 blocks containing 366 flats with a mix of 1, 2 & 3 beds. 15 flats have sold at an average price of £314,000 per dwelling.
  - **Park Reach, St Marys Road.** Complete and for sale. Scheme comprises 14 flats with a mix of 1 and 2 beds. 2 x 1 bed and 9 x 2 beds have sold at an average price of £320,000 (£446 psf).
  - **Steel Hill Apartment, Newton Road.** Complete and for sale. Scheme comprises 37 flats with a mix of 1 and 2 beds. Three flats have sold at an average price of £246,000 (£424 psf).
  - **Carcaixent Square, London Road.** Complete and for sale. Office to residential conversion comprises 120 flats with a mix of 1 and 2 beds. One beds are currently on the market from £145,000 to £220,000 and two beds from £175,000 to £250,000.
- 1.21 There are also a number of residential schemes currently under construction and in the planning stages in Newbury including:
- **Market Street, Newbury.** PRS Scheme by Grainger will deliver 232 residential homes, providing a mix of apartments, duplexes and houses, with 10,200 sqft of commercial space. *Under Construction.*
  - **Bath Road, Speen.** Planning application approved for 104 residential dwellings. *Under Construction.*
  - **Faraday Plaza.** 160 Apartments (of which 48 will be affordable) with commercial space. 4-6 storeys. *Planning Consent.*
  - **Sandleford Park.** 2,000 Homes south of Newbury - Hybrid applications pending determination, previous applications refused. Predominantly housed (detached, semi and terraced) with some apartments.
  - **Newspaper House** – Planning Application for 71 flats, 24x 1 beds, 43x 2 beds, 4x 3 beds. Of which 12x 1 bedroom and 9x 2 bedroom would be affordable. *Appeal against non-determination currently underway.*



- **115 London Road.** Consent for 35 flats with a mix of 1, 2 and 3 beds and 1700 m2 office space.  
*Planning Consent.*

## Office

### *National Market Overview*

- 1.22 Total take-up across the Big Nine office markets (Birmingham, Bristol, Cardiff, Edinburgh, Glasgow, Leeds, Liverpool, Manchester and Newcastle) amounted to 8.8 million sq ft in 2019, 3% above the ten year average, albeit below the 10 million sq ft achieved in the previous two years. The heightened uncertainty surrounding Brexit and false deadlines resulted in the total being down on the previous two years, but comparable to 2016.
- 1.23 Due to the coronavirus pandemic, all non-essential firms in the UK are in a state of lockdown, either working remotely where possible or temporarily ceasing operations entirely. As a result, curtailed business activity will almost certainly have a detrimental impact on take up over 2020. In the longer term, demand-side implications are uncertain. A bounce-back in activity may be expected after the lockdown ends, although there may well be residual consolidation and business caution, while continued impacts of flexible working practices may deliver added uncertainty.
- 1.24 Future supply is likely to be impacted by current trends. Schemes underway are likely to be delayed by government directives, a lack of manpower and the increased scarcity and rising costs of resources in the coming months. In the longer term, we would expect new construction starts to be held back to reflect reduced demand from occupiers and cautious financing from investors. A similar trend was seen in most centres across the UK post-Global Financial Crisis.
- 1.25 Investment activity in the UK commercial market achieved £13.4 billion in Q1 2020 (Property Data). Although down on the 5 year quarterly average, this figure was marginally up on the same period in 2019. Overseas investors accounted for 71% of the quarter's investment activity as UK institutions recorded their lowest quarterly investment volume since 2009.
- 1.26 While some deals which were already in their late stages have completed, it is unlikely that investors will have new interests until the economic outlook is clearer, adopting a wait and see attitude. Financers are also unlikely to offer funds in the absence of accurate valuations due to the exceptional circumstances. Hence lockdown restrictions are likely to have notable impacts on Q2 investment and potentially continuing for the remainder of the year.
- 1.27 COVID-19 has resulted in many investors reassessing market pricing, and pausing new activity, as the economic implications of the outbreak and lockdown become more apparent. The likely property impacts will be lower levels of liquidity, at least through Q2 and Q3 of 2020, with property market pricing at risk the longer the economic and business impacts are extended.

### *Local Market Overview*

- 1.28 Given the current economic shock, it is worth analysing annual trends to understand the strength of demand in the local market. In terms of annual trends in Newbury, take up in 2019 was estimated to be 14,000 sq ft

according to PMA, a 52% fall compared with 2018. To put the 2019 take up level in Newbury in a historic context, the annual average since the 2008 crash has been 60,000 sq ft.

- 1.29 PMA (Property Market Analysis) estimate availability in Newbury, based on data from EGI, which includes space under construction and due to complete within the next 6 months, to have risen by 11% to total 89,000 sq ft over the year to Q4-2019. The 2019 availability equates to a vacancy rate of 2.1% for Newbury, below the 5.7% in the Wider South East Market Area.
- 1.30 We are aware of no recently completed office development in Newbury. There is currently a total of 27,000 sq ft under construction across the Newbury market. All of the space under construction is expected to complete in 2020. The total under construction equates to less than 1% of existing stock. The figure on average across the Wider South East centres is 1.5%.
- 1.31 Analysing the profile of space under construction in Newbury, 26% is currently being built speculatively. The current speculative share on average across the wider south east centres is 46%. By location, all of the space currently underway in Newbury is situated out of town. The town centre/out of town split across the wider south east centres averages 26/74. The share of town centre development in Newbury from 2007 onwards is 4%.
- 1.32 Top headline rents in Newbury improved over 2019 to stand at £25.00 psf. This rent is reflective of space in the out of town market. The town centre rents remained at £17.50 psf where stock primarily consists of older stand-alone office buildings. Top rents are at Arlington Business Park in Theale. A rent of £28.50 was achieved in Q2 2019 at Building 1430 to Daly for 4,100 sq ft.
- 1.33 It is worth revisiting the aftermath of the Global Financial Crisis (GFC) to analyse the scale of rental decline that was seen in this previous crisis period. While the drivers of the GFC differ from the current coronavirus situation, we can draw some indication of the potential impact to rents we may witness in the coming months. Following the GFC, prime rents declined on average by -37% in Central London, where markets were already looking expensive, and where high levels of development had been seen. In contrast, rents declined on average by between -10-15% in the Big 6, Rest GB, Wider South East and M25 West market areas. As would be expected, there was typically greater volatility by individual centre; Newbury saw a -2.9% fall in rents during the downturn following the GFC.
- 1.34 Prime capital values in Newbury, based on our prime market rent and yield data, were estimated to stand at £262 psf in the TC at Q4 2019. At this level, town centre capital values were 25% below the average for the Wider South East market area. Prime yields in Newbury are currently estimated to be 6.5% driven mainly by sales in Theale. One notable sale on London Road Newbury was 61,385 sq ft Rivergate House which sold at a net initial yield of 7.5% (£253 psf) in Q4 2019.
- 1.35 Arlington Business Park was sold on 26<sup>th</sup> February 2020 to CapitaLand for £129.25m representing a capital value of approximately £297psf. Patron bought the business park in May 2015 for £75m at c.5.7% NIY.

#### ***Local Market Activity***

- 1.36 In Newbury town centre there is limited Grade B office space in stand-alone office buildings including St Mary's House and Georgian House. Notable stock also includes West Mills Yard, Kennet Road, which is a small courtyard office development of 12 properties.

- 1.37 Within Newbury itself office stock is predominantly located at Newbury Business Park and Kingfisher Court. Newbury Business Park provides Grade A office space, in particular new office space at The Sector features Raised Access floors, VRF Air con, LG& Compliant LED pendant lighting, shower room on each floor and occupational density of 1:8 sq m. Kingfisher Court is a 2 storey Grade B business park featuring; flexible internal layout, suspended ceilings, recessed category 2 lighting, gas warm air heating, 13 amp ring main, 3 phase power option and on-site parking.
- 1.38 115 London Road is not yet under construction but will provide a 4 storey Grade A building featuring; raised access floors, exposed services, LG7 compliant LED pendant lighting, electric car charging points and heating & cooling systems.
- 1.39 Out of town business parks include Arlington Business Park, Theale and Greenham Business Park, Thatcham, which both provide Grade A office space. Arlington Business Park represents the top of the market office space.
- 1.40 Refurbishments of existing office space have been popular over the last 5 years, including Arlington Business Park, Newbury Business Park and Rivergate House.
- 1.41 As noted above there has been a lack of new office completions over the last couple of years in Newbury. There is one office scheme currently under construction, namely New Greenham Business Park, where 27,000 sq ft of Grade A office space currently under construction at Plot 105 which is due to complete in Q3 2020. There are also opportunities for businesses to design and build B1, B2 & B8 space across Greenham Business Park, offering a minimum size of 7,500 sq ft in three locations.
- 1.42 Notable schemes in the pipeline in Newbury include:
- Newbury Business Park, London Road – Full planning permission granted – 145,434 sq ft (all office)
  - Building 3 (The Sector), Newbury Business Park, London Road – Full planning permission granted – 23,961 sq ft (all office). Fully let to Cirrus Logic.
  - Medway House (4 The Sector), Newbury Business Park, London Road - Full planning permission granted – 15,104 sq ft (office component to be determined). All space available to let at £25 psf.
  - Faraday Rd / Kelvin Rd - Outline planning permission granted – 62,355 sq ft (office component of larger mixed scheme)
  - 115 London Rd - Outline planning permission granted – 18,299 sq ft (all office)

### **Agent Commentary**

- 1.43 Conversations with local agents indicate that Newbury is a local market unlike Theale and Basingstoke that benefit from large occupiers and overspill from the Reading office market. There is a two tier office market in Newbury with prime rents of c. £25 per sq ft. There are limited big occupiers in Newbury and most stock tends to be older Grade A space at c. £22 psf. Agents noted that a majority of office space is located within Newbury Business Park.

- 1.44 In relation to the Estate itself agents have suggested that despite the Estate being located c 1 mile from the train station people in locations like Newbury are more geared towards driving and therefore any development would need to ensure sufficient parking.
- 1.45 Office space would need to be flexible, such as 5 storey building totalling 20,000 to 30,000 sq ft with larger lets of up to 10,000 sq ft as well as smaller floor plates for smaller occupiers. It is understood that shared space would be acceptable but it would have to be provided in separate wings to make the space feel separate.
- 1.46 Office space will predominantly be attractive to local tenants with a range of professional occupiers, as well as industrial with neighbouring office space. It will be important to visually and physically separate the office space from any industrial units perhaps with separate entrances to the Estate.
- 1.47 In terms of the rent free period agents have suggested that assuming the office space was complete and on the market it is likely that tenants would expect a 12-15 months' rent free period for a 5 year lease, 15-18 months for a 10 year lease with a 5 year break clause (i.e. 3-6 months' rent free in year 6) and 24 months for a straight 10 year lease.
- 1.48 It is likely that the development will need to be established as an office location before attracting a sufficient number of occupiers. As a result we envisage that any office development on the Estate will need to happen on a speculative basis. However, if there are opportunities to secure one or two large lettings in the early stages of development then this will help to attract further occupiers.

## Industrial

### *National Market Overview*

- 1.49 Demand for industrial property continues to rise, albeit at a slower pace last year. The latest data from the Office of National Statistic indicates that although the level of online retail in the UK continues to grow, the pace has slowed in recent years. In comparison to at the start of the decade where growth at 20% a year was commonplace, from 2018 onwards this growth has slowed to under 10%. At this stage slowing retail growth has had no material impact on the market as online retailers are continuing to take space. Recently, supermarkets and discounters have set significant requirements for logistical facilities across the UK to cope with the additional demand from Covid-19. However, looking forward, it is expected that supply chain disruptions from Covid-19 will impact the industrial and warehouse sectors.
- 1.50 Longer term, the sector continues to be underpinned by the growth in e-commerce which could be further accelerated by trends adopted during the lockdown. However, the slowdown in the global economy and Brexit uncertainty have weighed on the sector to some extent. Average rental growth increased by 3.1% in the 12 months to December (MSCI Monthly Index). This is robust but it's a slowdown from the circa 4% pa growth seen in the previous three years.
- 1.51 The UK is expected to see a significant hit to its economy in 2020 as a direct consequence of the response to the spread of COVID-19. PMA are forecasting recession for Q2 and Q3 of 2020 and it would be reasonable to suggest rents will face downward pressure due to decreased demand and a likely rise in availability. However, it is worth noting that in practice, an expected dearth in letting activity in the coming months could mask an underlying fall in market rental levels.

1.52 Investment activity suffered as a result of Brexit uncertainty. The increased clarity in recent months is a positive for investors although concerns remain over the nature of our future relationship with the EU. Covid-19 will have a short term impact on activity – particularly through the lack of valuation capacity as site visits are suspended, comparable evidence is limited and market uncertainty reigns – but long-run demand will remain. There is significant appetite in the market and considerable amounts of capital to invest, primarily in the industrial and office sectors, hence investments are likely to be postponed rather than pulled entirely.

#### *Local Market Overview*

1.53 PMA estimated that take up in Newbury actually rose 41% in 2019 to 126,000 sq ft. At this level, take up in Newbury was 18% above the 5 year average. Availability in Newbury actually fell by 19% over the same period, to stand at 183,000 sq ft, based on data provided by EGI. At this level, the vacancy rate in Newbury stood at an estimated 2.0%.

1.54 Pre-lets and purpose-builds have been of little importance. Over the five years to Q4 2019 the amount of space pre-let/purpose-built in Newbury averaged 9,000 sq ft per year, or 8% of take up. There were no pre-lets/purpose-builds over the 12 months to Q4 2019.

1.55 Big Sheds - units of over 100,000 sq ft - are of little importance in Newbury, with more activity seen within smaller production/warehouse units. Over the five years to Q4 2019 the 25,000 to 50,000 sq ft size band saw the largest share of take up at 33%. In comparison, over the 12 months to Q4 2019, the 50,000 to 100,000 sq ft size band saw the largest share of take up at 51%.

1.56 At present we are aware of no space under construction in the Newbury industrial market and a majority of the stock in the town centre is evidently of secondary nature. This suggests that there is very limited supply of industrial buildings in the market.

1.57 There is currently 2.7 million sq ft of space in the Newbury development pipeline. Of this, 2.5 million sq ft has planning permission, and 0.3 million sq ft is more preliminary.

1.58 Top rents in Newbury remain unchanged over the last 12 months standing at £7.25 psf at the end of 2019. At this level rents in Newbury are below the South East average. Comparable industrial rents range from c. £6 per sq ft for secondary older products through to £15.40 per sq ft for modern new build.

1.59 There has recently been a small amount of speculative development along Hambridge Road which has been quickly let at prime rents of £9.50 to £15.40. We are not aware of any further development planned in Newbury however we understand that development is planned in the neighbouring Thatcham industrial areas.

1.60 It is worth revisiting the aftermath of the Global Financial Crisis to analyse the scale of rental decline that was seen in this previous crisis period. While the drivers of the GFC differ from the current coronavirus situation, we can draw some indication of the potential impacts to rents we may witness in the coming months. Following the GFC, prime Standard Industrial rents declined on average by around 10% in the Distribution Ring, Fringe South and Key South East market. As would be expected, there was greater volatility by individual centre. Newbury saw rents decline by -11.1% following the GFC.

### ***Local Market Activity***

- 1.61 Existing industrial stock is predominantly located at West Berkshire Industrial Estate, Arnhem Road Industrial, Turnpike Industrial Estate and Bone Lane Industrial Estate. Units are typically 1970/80s brick built units with roller shutters. Rents range from c. £5.70 to £9.00 per sq ft depending on the use and specification.
- 1.62 New industrial space within Newbury is predominantly located at Nexus Park, which delivered c. 80,000 sq ft in 2017 at c. £9.50 to £15.40 per sq ft. Nexus Park comprises seven high quality new units with steel portal frames, sheet metal cladding, pitched roofs and fitted open plan first floor offices. The industrial specification includes minimum 8.5 clear height, electric loading doors, floor loading 37.5kN per sq m, 3 Phase power supply and all mains services.
- 1.63 As noted above there has been a lack of new industrial completions over the last couple of years in Newbury. There are no industrial schemes currently under construction in Newbury, however Beenham Industrial Estate near Reading is currently under construction and will deliver two new high quality industrial / warehouse units. The space is available to let at £12.50 per sq ft representing the higher values achievable towards Reading.
- 1.64 Within the Newbury pipeline, there are 7 schemes of over 100,000 sq ft. These schemes equate to 57% of the proposed floorspace in the centre. A majority of the development pipeline is located towards Thatcham with a significant amount of B2/B8 use with planning permission at New Greenham Park.

### ***Agent Commentary***

- 1.65 Conversations with local agents indicate that the industrial market in Newbury is not as strong as the neighbouring markets of Basingstoke and Reading. Rental values are lower and therefore are likely to attract smaller occupiers and independent businesses.
- 1.66 In terms of the industrial space that may be suitable on Estate it is likely that a number of smaller units of 3,000-10,000 sq ft or one or two slightly larger units of 20,000-50,000 sq ft would be suitable, with eaves of the 8m for the smaller and 10-10.5 m for the larger units.
- 1.67 Not all industrial occupiers will need 24/7 access however it is expected that there will need to be some buffering between the proposed industrial and residential uses.

## **Retail**

### ***National Market Overview***

- 1.68 Covid-19 will exacerbate the structural challenges faced by the retail market, despite the exceptional measures to mitigate impact. The Centre for Retail Research estimated over 143,000 jobs losses in 2019 as a result of more than 16,000 stores closing. Unfortunately 2020 is unlikely to be any better for the retail market as the CRR suggests that over 20,000 stores may not reopen when government restrictions have been lifted. Reflecting the difficult conditions, average retail rental values fell by -4.7% in 2019, down from -2.6% in 2018 (MSCI Monthly Index).

- 1.69 Top achievable prime retail rents across most UK towns and cities have been marked down significantly in recent quarters, reflecting the wider malaise impacting the UK retail sector as a consequence of both the diversion of retail sales to online and the combined impact of both rising costs and the pressure to discount on retailer profitability. These issues are particularly acute for those retailers burdened with legacy store portfolios and debt and this is clearly evident in the number of store closures resulting from corporate failure, CVAs and rationalisation programmes that are impacting the retail sector.
- 1.70 The outlook for prime retail rents has undoubtedly weakened further given the impact of the response to the COVID-19 pandemic on the wider retail and leisure sector. Indeed, PMA expect a decline in prime town centre rents over the course of 2020 of around -13% on average across the PROMIS 200 towns.
- 1.71 All-property equivalent yields have edged up to 6% amid weak economic outlook and stress in the retail property sector. Consequently, all-property average capital value growth fell further negative to -3.0% in the year to December (MSCI Monthly Index), down from 2.1% a year earlier.
- 1.72 There had already been an adverse shift in investor sentiment towards the UK retail sector prior to the hiatus caused by the response to the COVID-19 pandemic as the market reacted to the growing evidence of downward pressure on retail rents as a direct consequence of the impact of online retail and rising operating costs on retailer profitability. This was clearly evident in the recent outward movement in prime unit shop and shopping centre yields, albeit within the context of a much reduced level of retail investment activity.
- 1.73 Longer term, the changes that businesses, government and individuals will implement during the Covid-19 crisis will accelerate some trends already evident in the market, including de-globalisation of supply chains and a shift towards online retail.
- 1.74 Given that the response to the COVID-19 pandemic required the halting of most non-essential construction projects for several weeks, we expect a delay to the commencement and completion of any active retail and leisure developments.

#### ***Local Market Overview***

- 1.75 Town centre retail floorspace in Newbury is estimated at 0.96 million sq ft, above the Average Resilient Town average and ranking the town 108 of the PROMIS Centres on this measure. The retail offer of Newbury was boosted in October 2011 with the opening of the 300,000 sq ft Parkway centre, anchored by Debenhams and comprising some 50 unit shops. The Kennet Centre also provides 290,000 sq ft of retail space which opened in 1972 and was extended in 2009.
- 1.76 At the end 2019, agent sources estimated top achievable prime rents in Newbury at £75 psf Zone A, this represents no change on the mid 2019 level of prime rents.
- 1.77 Key competing retail centres include Basingstoke, Marlborough, Andover and Reading, all within 20 miles of Newbury. Reading and Basingstoke are achieving much higher rental values of £225 psf ZA and £125 psf ZA respectively, while Marlborough rents are £75 psf ZA and Andover are £45 psf ZA.
- 1.78 Agent sources placed prime retail unit shop yields in Newbury at 5.9% at end 2019, showing an outward yield shift of 64 basis points on the level 6 months previous.

1.79 There are no town centre retail schemes of note in the pipeline for Newbury.

## Hotels & Leisure

- 1.80 Prior to the Covid-19 global pandemic, the UK hotel market recorded £6.0 billion of investment in 2019. This extraordinary level of capital investment is being driven by continued strong demand from investors seeking long term, secure income streams, diversification of portfolios and a long term trends towards experiential travel and location based experiences. Of course the global pandemic has impact all of this in the short term, as it has nearly every corner of the market, but prior to this momentum in the sector was strong.
- 1.81 The existing leisure provision is predominantly located at Lakeside Leisure Park, Market Place and the Kennet Centre which provide leisure facilities including a bowling alley and a number of cinemas.
- 1.82 The existing hotel provision in Newbury includes a Travelodge and Premier Inn as well as a number of independent 3/4 star hotels.
- 1.83 In the development pipeline Newbury Race Course has full planning permission to provide a 123 bed hotel as part of the larger mixed use scheme.

### *Agent Commentary*

- 1.84 Commentary from our specialist Hotels & Leisure team suggests that the majority of hotel occupants consist of either Travelodge or Premier Inn. While there may be some independent hotels in Newbury it is likely that they would expect to purchase a freehold rather than occupy on a lease arrangement.
- 1.85 Travelodge and Premier Inn already have hotels within Newbury and therefore it would be a high risk to development new hotel space without securing an operator in advance. In addition, if any pre-let fell through there would be a very limited number of other operators in the market who may then be interested.



# Appendix VI

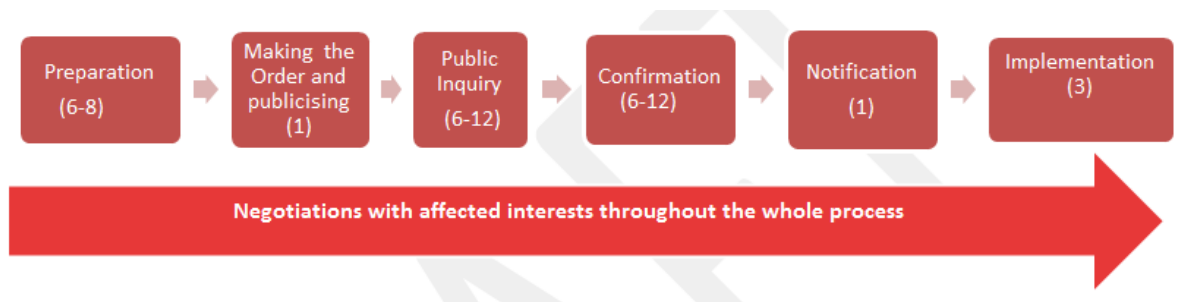
## Use of CPO

## Use of CPO

- 1.1 Use of compulsory purchase is a powerful tool particularly in delivering a comprehensive development because it allows the acquiring authority (in this case the Council) to secure ownership and vacant possession of the necessary sites across the board. However, it is not to be used lightly: an order has to demonstrate the development would provide economic, environmental and social benefits, it must be proved to be in the public interest, and would require the Council to actively negotiate with all affected parties to try to reach a voluntary agreement ahead of inquiry. It is a tool of last resort. As a local authority the Council would need to adhere to its Public Sector Equality Duty, demonstrating regard to protected characteristics of any affected tenants or occupiers and instigating mitigation measures which might include an active role in creating a relocation strategy. Buying out interests pursuant to CPO incurs additional costs, including fees, loss and disturbance payments on top of market value. It therefore represents a time-consuming, resource-heavy and costly process, and without a strong case a CPO can fail. With a strong case, however, CPO can be essential in providing certainty of achieving vacant possession within a given timeframe.
- 1.2 We have not considered in any detail the Council's ability to meet the CPO tests and the likelihood of securing grant of powers. If a CPO were to be granted over the red line it would give the Council certainty of gaining vacant possession of the Estate within an indicative timeframe. It should be noted however that given the demand for industrial space and likely infrastructure costs associated with redevelopment, it is possible that that the cost of acquiring interests on the basis of the investment value of their existing use, plus the other heads of claim associated with relocating or extinguishing businesses, could exceed the residual value of the land on a redevelopment basis. This could have a material impact on project viability and deliverability.
- 1.3 Alternatively, if the Council sought a development on a phased basis that relies in part on long leaseholders on the Estate bringing forward development together with the Council directing redevelopment where it is able or has more control, it is likely to result in the site assembly costs being significantly less than if the businesses are able to claim for relocation or extinguishment (assuming it is possible for the Council or long leaseholder to secure vacant possession of sites using lease provisions). An approach on this basis however does require acceptance that not all parcels will come forward. In some instances, however, selective use of CPO could be considered to achieve possession of certain non-controversial or critical parcels as and when the need arises into the long term.
- 1.4 Notwithstanding the challenges associated with CPO, it remains an option for the Council. However, the Council has confirmed it has no intention of exercising CPO in respect of back garden land to residential properties South of the A4 and East of the London Road Industrial Estate'.

## Timeframe

- 1.5 We would recommend allowing up to 24 months for the complete compulsory purchase process. One of the key benefits of using compulsory purchase is that it provides more certainty on timetabling and ensuring timely delivery of a scheme, although timeframes vary by scheme.
- 1.6 The process of obtaining and executing a CPO is summarised below (estimated number of months per stage in brackets).



- 1.7 Most S.226 CPOs are now determined by the Inspector if the issues are considered of local rather than national importance, with decisions generally being made within 12 weeks of the close of the inquiry and therefore shortening the overall delivery programme.

## Compensation

- 1.8 If an interest is compulsorily acquired, the claimant is entitled to compensation which is assessed based on the statutory principles which govern the assessment of compulsory purchase compensation, commonly referred to as the Statutory Compensation Code (sometimes also known as the Compulsory Purchase Code).
- 1.9 The overriding principle at the core of compensation is the principle of equivalence. This means that when a claimant has land taken he should end up in financial terms in a position where he is no worse or no better off than he was prior to the acquisition.
- 1.10 The heads of claim likely to be relevant in this case assuming an interest has been compulsorily acquired, are as follows:
- land taken;
  - severance and injurious affection
  - statutory loss payment;
  - disturbance/ reinvestment costs or any other matter not directly based on the value of land; and
  - reasonable professional fees.

- 1.11 Both the owners of land and those occupying land by virtue of a lease or licence will have a separate claim and the nature of the relationship between the parties will have an impact on the calculation of each claim.
- 1.12 The Council should also be mindful of potentially artificially creating ransom value. If attempts are made to acquire the whole by agreement and it proves impossible bar the last few remaining interests, then those parties may be able to claim ransom value. If ransom value or marriage value exists in the absence of a CPO then that can form the basis of compensation. In some cases ransom value can be artificially created in such a scenario, however this can be avoided with an appropriate structured land assembly strategy.
- 1.13 In order to ensure the issues associated with site assembly on any particular scheme are fully understood and de-risked, it is best practice to prepare a Site Assembly Strategy for the project. It is also best practice to prepare a Property Cost Estimate to allow project viability modelling to take account of the realistic cost of assembling the interests required to deliver the scheme.

#### **Costs associated with CPO Process**

- 1.14 We set out below indicative costs associated with the CPO process:

<b>Type of Order</b>	<b>Process Costs (£)</b>	<b>Comments</b>
<b>Small highways or non-controversial development/regeneration scheme</b>	£50-100,000	Assuming few or no objections, with objections withdrawn prior to public inquiry.
<b>Medium sized town centre development</b>	£150-500,000	Assuming objections and short public inquiry (1-3 days)
<b>Estate regeneration project or large controversial scheme</b>	£500,000-1m+	Assuming numerous objections, public inquiry in excess of 5 days, wide variety of technical witnesses required and senior counsel.

# Appendix VII

## Appraisal Assumptions

## Appraisal Assumptions

Item	Assumption
Revenue	<p><u>Private</u></p> <p>1 bed flat    538 sq ft    £210,000</p> <p>2 bed flat    667 sq ft    £265,000</p> <p>Parking Space                    £12,000</p> <p><u>Affordable Rented</u></p> <p>1 bed flat                                    £122,000</p> <p>2 bed flat                                    £150,000</p> <p>3 bed flat                                    £175,000</p> <p><u>Shared Ownership</u></p> <p>1 bed flat                                    £155,000</p> <p>2 bed flat                                    £195,000</p> <p>3 bed flat                                    £221,000</p> <p>Industrial Development Land    £750,000 per acre less purchasers costs</p>
Affordable	30% affordable (70% affordable rented, 30% intermediate)
Build cost including prelims, externals, overhead & profit	<p>Flats                                    £160psf</p> <p>Surface Parking                    £3,000/space</p> <p>Under-croft Parking                £8,000/space</p>
Contingency	5% of build costs
S106	£1,500/unit
Infrastructure / Remediation (incl. fees and contingency)	<p>Infrastructure                    £4,000/unit</p> <p>Remediation                    £2,000/unit</p>
CIL	£75 p sm on residential
Professional fees	6%
Planning Costs	<p>Plot 1    £30,000</p> <p>Plot 4    £50,000</p>
Marketing/Agency	<p>1.25% Marketing on Private Residential</p> <p>1.25% Sales Agent Fee on Private Residential</p>



# Appendix VIII

## Further Information on Delivery Routes



## Further Discussion of Delivery Approaches

### Self-Delivery

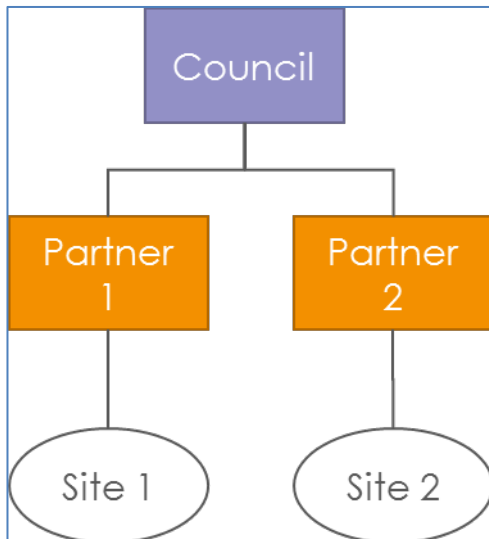
- 1.1 Either by way of taking a lead on the contractor role itself, or by appointing a Design & Build contractor to carry out the works, this option assumes the Council will undertake all aspects of development and is fully exposed to all risks, including sales risk and construction risk (where a D&B approach is not taken). Essentially in this option the Council acts as a developer.
- 1.2 This affords greater control to the Council, not only in the form and nature of development as above but over its delivery including managing programme, selecting and managing sub-contractors etc. With this control comes the full resource requirement associated with acting as a developer and managing the whole development process from planning through to completion. It does also require that the Council has the expertise manage this process and secure a planning permission that is deliverable.
- 1.3 There is significant resource required, including cost, to develop the proposal to the point where a contractor can be appointed, i.e. securing planning permission.

### Site Disposals

- 1.4 This effectively represents a 'do minimum' option where the Council promotes the plots simply by selling them. This would typically be by marketing through informal tender, disposing of the sites to the highest bidder.
- 1.5 Whilst this option has the advantage of being relatively quick and straightforward to undertake, its disadvantages are numerous. The Council would have very little control over development under this option. It could dispose of sites using planning and development briefs to steer the form of development, though this is only a slight extension of planning policy and once the sites are sold the Council has no further ability to influence other than through pre-application discussions and development control. The Council's ability to secure the outcomes it wants from development is very limited and only reactive.
- 1.6 Disposal in this manner is also unlikely to secure the best financial outcomes for the Council. All development risk is being taken by the private sector, and the market will price this accordingly. Though the Council will receive an upfront payment in the form of land value, it will not participate in profits or benefit from value uplifts delivered by development on an individual site or by virtue of other development being delivered nearby.
- 1.7 It is also likely that any market participant would expect the long leasehold interests to have been extinguished before proceeding with a purchase of a site or the whole Estate.

- 1.8 This option is primarily included as a 'baseline' only, as something for the other delivery options to be compared against in order to provide context.

## Individual Site Development Agreements



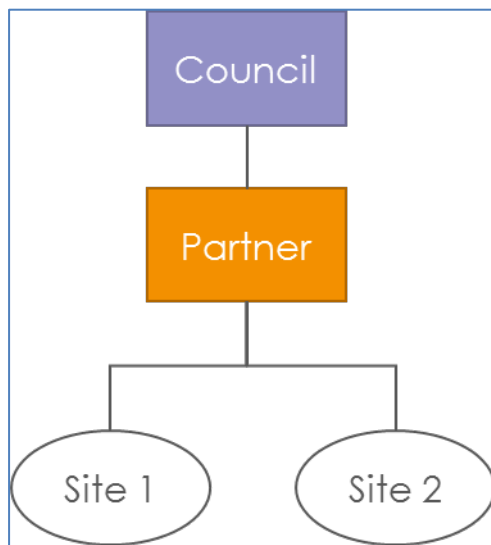
1.9 Development Agreements are contracts with a development partner for the delivery of a specific scheme. Typically they include a lot of detail regarding objectives and parameters for the development of a site, either with reference to a planning permission or (more commonly) with the intention that the partner will secure planning permission in accordance with the defined parameters.

1.10 The contract can be used to set delivery milestones, programme and place other restrictions on the operation of the delivery partner, for example with respect to procurement of supply chains. It can also include wider goals such as those related to sustainability or social value, though these can often be difficult to define.

- 1.11 DAs therefore afford much greater control to the Council over the form and nature of development brought forwards. However, the nature of DAs is such that once signed, controls tend only to be negative and reactive in nature. Typically the development partner submits proposals for approval which could be rejected if not aligned with the Project Objectives, but without scope for involvement in reshaping those proposals, and once in operation poor performance is disincentivised with the threat of breach of the agreement. This is something of a blunt instrument and as a result generally thresholds for poor performance (e.g. delays, poor sharing of information etc.) are quite high.
- 1.12 There is the potential for some risk and profit participation by the Council through DA structures. Rather than take a land receipt upfront akin to simply selling the site, some or all of this receipt can be deferred and/or subject to the performance of the scheme. This may have the effect of increasing returns where the scheme performs well and/or where agreements are drafted so that information required to determine scheme performance is limited and transparent. Often though such overage or profit share mechanisms necessitate full reviews of scheme costs as well as values to determine profitability, which can be opaque. For this reason usually land payments are preferred within DAs, and even where there is a large degree of deferment and sharing in upside at least some form of minimum land payment is agreed.
- 1.13 Under this option separate DAs would be prepared for each site individually. This has the advantage of being specifically tailored to each, especially given the sites will come forwards

sequentially over time and this affords the most opportunity to define scheme parameter for each site as late as possible, reflecting priorities and market realities at the time. There is also the potential to vary the actual delivery approach with different partners, focussing more on a contracting relationship in one case and a development partnership in another, for example. The disadvantage is that this will require multiple procurements and the resource associated with negotiating and monitoring multiple agreements either over time or at the same time.

## Single Multi-site Development Agreement

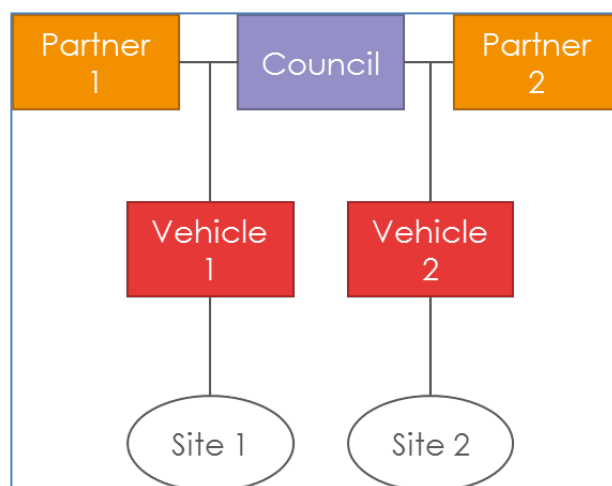


1.14 This option utilises the same delivery mechanism as the one previous, i.e. a DA, but proposes a single DA with a single partner to act across multiple sites.

1.15 The characteristics are predominantly the same as for multiple single-site DAs. Where the option differs is that it represents lower set up cost and on-going resource requirement in operation, though arguably sacrifices some flexibility in delivery per site. A single DA will only need to be procured once, and monitored once in operation.

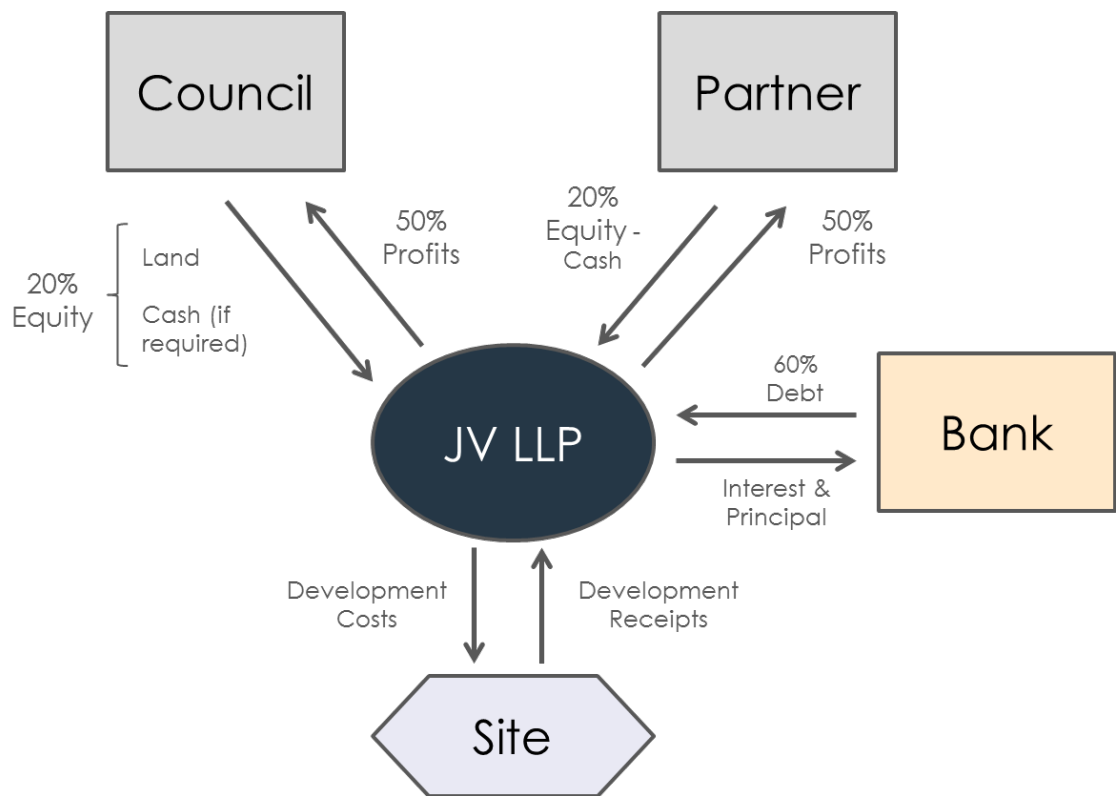
1.16 A multi-site DA can also be set up with some flexibility in the form of development to be delivered per site. However, this will be fettered compared to individual site DAs. The fact that future sites will have to be defined at an earlier stage in a multi-site DA will mean either that there is more difficulty in amending proposals for it later, or necessitate loose specification at an earlier stage, which can be difficult for the private sector to price and hence difficult for the Council to secure value for.

1.17 Flexibility in delivery approach is more difficult to achieve in a multi-site agreement by virtue of the same partner working on each site. Some partners may be content to operate in varied ways, perhaps through the use of different subsidiaries or in a consortium with another party, though there may be relatively few market participants prepared to act on this basis.



## Individual Site Joint Ventures

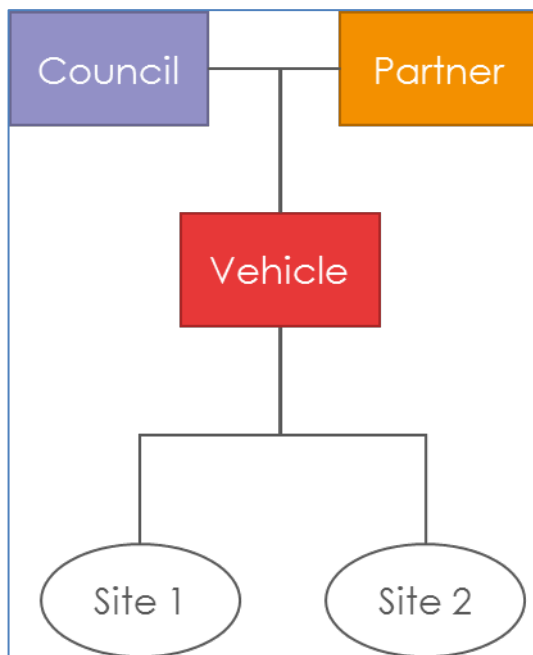
- 1.18 A Joint Venture is a formal partnership with another party based on joint decision-making and control over development. They can be contractual or corporate, i.e. formed as a distinct vehicle, and we would recommend the latter in this case for tax and vires reasons (see section 0 below).
- 1.19 In forming a corporate JV a separate entity is formed in which the parties are shareholders. This is the entity which carries out development. Typically JVs take a '50/50' structure, where the parties have equal membership, decision-making rights and controls, commitments to investment and shares of profits.
- 1.20 Under this delivery option the Council would not typically receive a land payment for the sites to be developed; rather the land will be invested into the JV in order that the Council receives its share of profits. The Council's land is its equity investment. In a 50/50 structure this will be matched by the partner in the form of cash, and the remaining funds required to deliver the development will be met by debt financing. It will be necessary to capitalise the JV sufficiently to secure this debt, typically equity will be required up to 40% of the total development cost requirement. In the event the Council's share of this requirement (i.e. 20% of overall costs) is not met by land value, its contribution may need to be topped up with cash. There may also be the potential to use mezzanine finance to reduce the equity requirement in this case (see section 6 below).
- 1.21 Under this structure the Council is directly participating in development risk, in combination with the partner. Its land is invested with no up-front payment and returns are only realised in the event the JV is profitable. Returns in the form of profits are issued only after all debt finance is paid off.
- 1.22 It is important to note that under a JV as returns are distributed in the form of profits they are accounted as revenue to the Council.
- 1.23 A more detailed structure diagram below illustrates these cashflows:



- 1.24 In terms of governance, in a 50/50 structure all development decisions are made jointly between the parties. This means the Council has direct control over matters including design, planning submissions, programme and phasing, uses and marketing. That said, the control is fettered given all decisions must be made jointly. If there is no agreement between the parties this leads to 'deadlock'; in other words each party effectively has a veto over the other. This can ultimately lead to termination. To help prevent this, the JV will have a detailed business plan and clear objectives which the members must act in accordance with. The objectives are set as early as procurement and the conclusion of procurement typically provides a draft business plan that the parties agree in concluding negotiations.
- 1.25 JVs are complex by nature and require relatively longer and more expensive procurement processes to establish. This and the fetters on control also mean that the market is relatively thinner for willing partners than for the other delivery options. JVs also require resource from the Council once in operation. Officers will be required to act as board members within the JV, which necessitates not only a time commitment but also that officers have sufficient expertise to make development decisions. The relevant delegated authorities will also need to be in place. Once a board member, officers will have to make decisions in the commercial interests of the JV, and it is important to avoid any conflicts with wider Council functions so far as possible.
- 1.26 In the case of separate JVs for each site, this set up and operational time, resource and cost requirement is multiplied given there will be multiple JVs in operation, potentially at the same time. Market interest will also be tempered if the development opportunity, and hence potential returns, is not of sufficient scale to justify the procurement and operational costs and

resource. There may also be difficulties in running multiple JVs in that the interests of one may conflict with another. A potential advantage of this approach may be enhanced flexibility in the nature of development delivered on each site and in the manner of delivery, given there can be different partners per JV. However, as described below this should be capable of being secured in a single multi-site JV as well.

## Single Multi-site Joint Venture



1.27 The characteristics of this option are the same as for the single-site JV described above, except that in this case there is only one entity progressing development across multiple sites over time.

1.28 This approach will be of greater interest to the market as multi-sites provide greater scale to justify the expense, complexity and fettered control of a JV. There will also be less resource implications for the Council, requiring only one procurement process (assuming it is drawn sufficiently widely to capture future pipeline sites) and one entity to operate in the future. This approach also avoids potential

conflicts between multiple JVs.

1.29 Despite there only being one JV it can be structured to nevertheless retain flexibility over the form and nature of development on each site akin to a series of individual JVs. Provided this is set out at the procurement stage and a suitable partner is selected, the JV can retain the ability to make joint decisions on uses, scale, form etc. on a site-by-site basis and over time. JVs can also be used to direct different delivery approaches per site, for example directly delivering one site and disposing of another after securing planning and servicing it, again assuming this is set out clearly from the beginning and a partner is chosen which is comfortable with this approach.

# Contact Details

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## Item 7:

### **Member Questions to be answered at the Executive meeting on 19 November 2020.**

Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(a) **Question submitted by Councillor Jeff Beck to the Portfolio Holder for Planning and Housing:**

*"Is there any requirement for additional hostel provision during the winter in West Berkshire to accommodate the homeless?"*

(b) **Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Environment:**

*"Can the Portfolio Holder for Environment please explain why properties in Conservation Areas seeking to install solar panels need to apply for Certificates of Lawfulness given the Council's stated strategic priority to maintain a green district?"*

(c) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Finance and Economic Development:**

*"Could the Executive outline what amounts of financial assistance (Budgeted and additional) were allocated to the local foodbank and Citizens Advice Bureau from March 2020 until now?"*

(d) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Public Health and Community Wellbeing:**

*"How many families in receipt of free school meals received additional direct support from the Council during half term?"*

(e) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Internal Governance:**

*"What were the average waiting times for callers during half term when telephoning the council helpline?"*

(f) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Finance and Economic Development:**

*"53 days (at the time of writing) before the United Kingdom leaves the European Union transition period, potentially with no Trade agreement, what is the Council doing and what has it done to help local businesses prepare for this eventuality?"*

(g) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Planning and Housing/Transport and Countryside:**

*"What is the average time taken (since late March) to process and determine a change of use application by a local retailer – particularly in the hospitality sector – so that they can rapidly adjust their business - with pavement seating, for instance - in order to respond to Covid restrictions?"*

## Item 7:

### **Member Questions to be answered at the Executive meeting on 19 November 2020.**

Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(h) **Question submitted by Councillor Andy Moore to the Portfolio Holder for Finance and Economic Development/Transport and Countryside:**

*“What plans does this Council have to consult the Ward Members for Newbury Central and Newbury Town Council on the ongoing WBC initiatives such as the possibility of extending the hours of pedestrianisation in the town, and the Newbury Town Centre design and consultation, with potential impact on Newbury Town Centre?”*

(i) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Public Health and Community Wellbeing:**

*“How many people have been referred by this Council to the West Berkshire Foodbank since the first Covid-19 lock-down started in March?”*

# Agenda Item 9.

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