

APPLICATION: MA/10/0255 Date: 17 February 2010 Received: 17 February 2010

APPLICANT: Maidstone Borough Council

LOCATION: TOWN CENTRE REDEVELOPMENT, HIGH STREET, MAIDSTONE,
KENT

PARISH: Maidstone

PROPOSAL: Application for listed building consent for the relocation of the canon and its placement on a new plinth together with installation of lighting to illuminate the Queen's Monument, the relocated canon and other listed buildings and ancillary works thereto in accordance with the High Street Lighting Proposal, Design and Access Statement, Design and Light Level Calculations, and drawing numbers 728-004; and tree measurement list submitted on 17 February 2010.

AGENDA DATE: 8th April 2010

CASE OFFICER: Chris Hawkins

The recommendation for this application is being reported to Committee for decision because:

- The Council is the applicant

POLICIES

Maidstone Borough-Wide Local Plan 2000: N/A

South East Plan 2009: BE6

Village Design Statement: N/A

Government Policy: PPS5

1.0 HISTORY

- 1.1 There have been a significant number of planning and listed building applications within the town centre, however, none of these are considered to be relevant in the determination of this planning application.

2.0 CONSULTATIONS

- 2.1 **English Heritage** have been consulted and advise that this application should be determined in accordance with the policies within the Development Plan and following the Council's 'in house' Conservation advice.

2.2 Kent County Council Archaeology were consulted and have raised no objections to this proposal subject to the imposition of a suitable condition requiring the provision of an archaeological assessment – a condition has been suggested within this report.

2.3 Maidstone Borough Council Conservation Officer was consulted and made the following comments: -

2.3.1 'These proposals have been the subject of a competition and much discussion. They are generally acceptable and welcome, but I do have some concerns re the lighting proposals regarding the number of light fittings proposed to be fixed to the Natwest Bank at the top of Bank Street and the fixing of light fittings to the ceramic-tiled façade of 94-95 High Street which are likely to damage the original Victorian tiles.'

2.3.2 *Officer Comment: I have suggested that a condition be imposed that requires precise details of the fixings of the lights to be submitted to the Local Planning Authority prior to the commencements of any works on site. This should address the matter of concern with regards to the lights impacting upon the existing tiles upon the façade of 94-95 High Street. With regards to the number of lights proposed upon the National Westminster bank, whilst there are numerous lights proposed, I do not consider the number proposed would detrimentally impact upon the historic fabric of the building, nor its setting. I have spoken to the Councils Conservation Officer on this matter, and whilst he is of the opinion that it would be preferable to see less lighting introduced, he does not wish to object to the proposal in its current form.

3.0 REPRESENTATIONS

3.1 No representations have been made with regards to this listed building consent. Although representations have been made about the overall scheme, these relate to the planning application.

4.0 CONSIDERATIONS

4.1 Site Description

4.1.1 The application site covers the full length of the High Street from its junction with Fairmeadow, running up through the High Street, running up to the junction of King Street and Wyke Manor Road. This covers a total of 1.2 hectares. The most westerly part of the application site forms part of the A229, at the junction of Fairmeadow and Bishops Way. This is a particularly well used highway, carrying significant volumes of traffic through the centre of Maidstone, linking the Medway Towns to the north and Hastings to the south. At present a subway

runs beneath this road for pedestrian movements, as well as a pelican crossing at road level.

- 4.1.3 As one moves eastwards into the core town centre the pavements follow the lines of the existing buildings which splay out on the southern side, producing a wider central area, which currently houses a cannon. There are bus stops located on the southern side of the street, and a bus lane on the opposite side of the street running eastwards. The High Street at this point is lined by a mixture of buildings, some of significant age, whilst others are of a more recent construction.
- 4.1.4 A junction with Mill Street results in all through traffic being directed away from the main shopping centre. This is a traffic light controlled junction, with a pedestrian crossing linking into Bank Street. It is at this point that the shopping area effectively 'splits' into two distinct streets – Bank Street running to the south, and the High Street continuing on the northern side. There are small flower beds on the northern side of the High Street at the junction with Mill Street.
- 4.1.5 This area lies within the core of the Maidstone Conservation Area, and is fronted by a number of historically significant buildings, many of which contain historic shop-fronts or facades. The greatest concentration of listed buildings are clustered around the Upper High Street area and within Bank Street. This area also contains the Town Hall, a Grade II* listed building, which dates back to 1764. Bank Street contains many buildings dating from between 1500 and 1700, and is of significant historical importance. At present, this road is part pedestrianised, with limited vehicular movements allowed (subject to time of day, deliveries etc.).
- 4.1.6 There are vehicular movements within the Town Centre at present – buses and taxis predominantly, as well as providing an element of disabled parking on street. There is a relatively wide pavement on the north side of the High Street at this point, which is relatively free of clutter.
- 4.1.7 To the north-east of the Town Hall is an open area, which contains the Queen Victoria statue, located centrally within the highway. This area has a cluster of bus stops on either side of the street and a central area set aside for waiting taxis. Pedestrian movements at this point of the street are limited to two narrow pavements on either side of the road (whilst not physically narrow, the siting of the bus stops makes them appear as such).
- 4.1.8 Further eastwards, and the character of the street changes significantly. There is a pedestrian crossing that links The Mall shopping centre and Week Street (this is constructed of pavers, denoting the change in its use), and beyond this, traffic controls which prevent private cars from entering the area from the east. This

area is flanked predominantly by rather unremarkable buildings to the north, and the shopping centre to the south. Much of this area falls outside of the Conservation Area.

4.1.9 Overall, it can be seen that the site contains areas which vary significantly in their character, despite all being within the core town centre area.

4.2 Proposal

4.2.1 This application is for listed building consent for the lighting to be proposed on a number of listed buildings throughout the High Street. This lighting would be energy efficient and would be permanently attached to the buildings. These lamps would produce a white light, with the fixings being of the same colour of as each of the buildings, to reduce their visual impact. Metal Halide lights have been proposed as these are considered to produce the most suitable form of light for these listed buildings. The lighting strategy submitted sets out to provide three distinct zones – the east destination zone, west destination zone, and a main pedestrian route linking the two (a vehicular link is also proposed). It is proposed to encourage most of the pedestrian footfall to move along Bank Street between the two main 'zones' which would consist of mostly architectural façade lighting – much of which forms part of this application. The lighting strategy would see the highest levels of luminance at the lower end of the High Street. The proposed light levels plan show that much of this light would be approximately 50 lx, whereas the majority of Bank Street would be illuminated to around 6.25-12.50 lx.

4.2.2 The lighting would vary in size, ranging from 441mm in depth to 170mm in depth, depending on the lighting requirements, and the sensitivity of the building. The lights would range from 1Watt (uplighters located within the ground) to 70Watts (luminaire for lighting selected features and up-lighting facades). The lighting would be attached to the following Grade II listed buildings: -

- 100 High Street – lighting attached at eaves level;
- 97 High Street – lighting attached above second floor;
- 95-94 High Street – lighting above fascias and one down-lighter between second and third floor;
- 91 High Street – up-lighters within ground to front of building and above ground floor;
- 89-90 High Street - lighting between first and second floor;
- 88 High Street – lighting on side elevation above fascia;
- 86 High Street – up-lighters above fascia;
- 85 High Street – up-lighters above first floor bay window;
- 83-84 High Street – up-lighters above fascia;
- 82 High Street – up-lighting above fascia;

- 80-81 High Street – up-lighting above fascia;
- 79 High Street – up-lighting above fascia;
- 77 High Street – lighting above fascia;
- 76 High Street – lighting above fascia and removal of existing lighting;
- 74 High Street – lighting above fascia and removal of existing lighting;
- 73 High Street – lighting above fascia;
- 70 High Street – lighting above fascia;
- 69 High Street – lighting above fascia;
- 64 High Street – lighting above fascia and between first and second floor;
- Alleyway between 5-6 Middle Row – lighting within alleyway;
- Alleyway between 10-11 Middle Row – lighting within alleyway;
- 1 Middle Row – lighting above fascia;
- 18 High Street – lighting above fascia;
- 1 & 38 Royal Star Arcade – lighting above fascia and to illuminate sign;
- 3 High Street – lighting above ground floor level;
- 1 High Street/1 Week Street – lighting above fascia;
- 8 King Street – lighting at 2nd floor level;
- 1 Gabriel’s Hill – lighting at 2nd floor.

4.2.3 The lighting proposed to be located on Grade II* listed buildings is as follows: -

- Town Hall – up-lighters within ground to all elevations and between ground and first floor. Up-lighting on roof to illuminate dome;
- 78 High Street – lighting proposed under overhang, beneath second floor;
- 8-9 High Street – lighting above fascia, and beneath public footpath to Market Colonnade.

4.2.4 Lighting proposed on Queen Victoria statue: -

- Four up-lighters inside the monument
- Four up-lighters within the ground on two sides of the statue.

4.2.5 In addition, a new granite surround is proposed to be positioned around the statue, which is to be designed in collaboration with an artist.

4.2.6 This application also considers the implications of moving the cannon, with the erection of a new plinth. The cannon would be relocated from its existing position, within a lower High Street, closer to 64-65 High Street, Maidstone. The cannon plinth would be some 7.5metres away from these properties. It is proposed that utilities cabinets are also sited within this location, although these would turn their back on the cannon itself. The new plinth is to be constructed on a granite surface, with granite cladding on any vertical elevation. The plinth would step down to the west – towards the river. It would have an overall length of 19metres, with a maximum width of 5.7metres.

4.3 Impact upon Listed Buildings

- 4.3.1 As Members can see from the Agenda, a planning application has also been submitted for this site. This planning application assesses some of the physical changes to the High Street. This listed building application purely assesses the impact that the proposed lighting would have upon the listed buildings, and the proposed alterations to the cannon and statue.
- 4.3.2 Additional lighting around the Queen Victoria statue would provide additional interest in the structure, and also highlight it during the evening hours. No objections have been raised with regards to this proposal, and I see no reason for this to prove to be unacceptable. I therefore consider that this element of the scheme to be acceptable. Likewise, I consider that the new granite base would help ensure that the statue is suitably integrated into the remainder of the High Street improvements, whilst also being of a sufficient quality of material to reflect its importance. I therefore conclude that the proposed works to this structure will enhance its setting, and therefore comply with the objectives of Policy BE6 of the South East Plan (2009) and PPS5.
- 4.3.3 The lighting proposed on all of the listed buildings has been carefully considered by the applicant, and attempt to bring many of these high quality buildings into greater prominence within the street scene. As can be seen from the above, the Council's Conservation Officer has raised no objection, on all but two of the proposals – one being the number of lights proposed upon the National Westminster bank, and the other raising concern about the fixings on 94-95 High Street, as this is a tiled façade – and concern is raised that this may affect the tiles. Whilst there are a significant number of lights proposed on the National Westminster Bank building (8 in total), this is a relatively wide building, and prominent in the street scene. In addition, the level of lights proposed relates directly to the overall street lighting strategy within the area, and this therefore negates the need to see additional lighting columns erected within the locality, which might have a greater impact on the setting of the listed buildings from longer distance views.
- 4.3.4 With regards to the impact upon the tiles on 94-95 High Street, I propose that a suitable condition can be imposed to require details of fixings to be submitted and approved prior to the commencement of works on site. This should ensure that the tiles can be protected during any works.
- 4.3.5 As stated above, I consider that the lighting upon the buildings has been carefully considered by the applicant. The submission shows that the lighting would be positioned in such a way as to minimise the impact upon the form of the listed buildings – i.e. often located directly above the fascia, or between floors – thereby not breaking up the natural rhythm of the properties, and would be directed so as to highlight the features of particular interest. For example

within Bank Street, many of the buildings are particularly ornate, and the up-lighting would further highlight these details. Likewise, buildings with a strong vertical emphasis, would have lighting that reflects this characteristic – with light directed upwards, and often between the vertical elements.

- 4.5.6 The repositioning of the cannon would certainly improve its setting from its current situation. At present it is within a particularly isolated location, surrounded by vehicle movements, and is relatively inaccessible for pedestrians. As such, it becomes somewhat 'lost' within the townscape. This proposal would see it become a more prominent feature, that would encourage visitors to view it, and understand its historical context/importance. The plinth would be constructed of suitably high quality materials, and, as with the statue, reflect the character of the remainder of the High Street improvements.
- 4.5.7 Overall, I consider that the proposals put forward would enhance the character and appearance of the listed buildings within the High Street/King Street, with the holistic approach undertaken ensuring that the proposal would be delivered to a high standard. I therefore consider that the proposal is in accordance with PPS5 and Policy BE6 of the South East Plan (2009).

4.6 Other Matters

- 4.6.1 As this is a listed building consent, it is not appropriate to consider any planning matters as part of this application. I do not consider that there are any other issues that would affect the fabric, or setting of the listed buildings that require further discussion.

5.0 Conclusion

- 5.0.1 I therefore consider that this proposal would preserve, and in some instances enhance the setting and appearance of the listed buildings within the High Street, and as such the proposal complies with the policies within the Development Plan and PPS5. I therefore recommend that Members give this application favourable consideration propose that GOSE grant listed building consent subject to the conditions as set out below.

RECOMMENDATION

Recommend to GOSE that LISTED BUILDING CONSENT be granted subject to the following conditions:

1. The works to which this consent relates must be begun before the expiration of three years from the date of this consent;

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development and to preserve the setting of the adjacent listed buildings in accordance with PPS5.

3. No development shall take place until precise details of the fixings of the lights to the existing listing buildings, and monuments have been submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the historic fabric of the listed buildings of architectural and historic interest in accordance with PPS5.

Informatives set out below

Adequate and suitable provision in the form of water sprays should be used to reduce dust from demolition work.

You are advised to ensure that the appointed contractor(s) is/are registered with the 'Considerate Constructors Scheme' and that the site is thereafter managed in accordance with the Scheme. Further information can be found at www.considerateconstructorsscheme.org.uk

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.