

REFERENCE NO - 20/502286/FULL		
APPLICATION PROPOSAL		
External alterations to the existing Lockmeadow Leisure Centre, including removal of gated car park entrance, cladding of existing circular columns in PPC aluminium rectangular sections, re-painting of existing guttering and high level fascias, replacement of low level railings with flat bar sections, and removal of existing southern cattle market structure and car park railings.		
ADDRESS Lockmeadow Leisure Complex Barker Road Maidstone ME16 8LW		
RECOMMENDATION – APPROVE SUBJECT TO CONDITIONS		
SUMMARY OF REASONS FOR RECOMMENDATION		
<ul style="list-style-type: none"> The development causes no harm and permission is therefore recommended subject to conditions. 		
REASON FOR REFERRAL TO COMMITTEE		
The applicant is Maidstone Borough Council		
WARD Fant	PARISH/TOWN COUNCIL	APPLICANT Maidstone Borough Council AGENT Jones Hargreaves
TARGET DECISION DATE 01/09/20		PUBLICITY EXPIRY DATE 09/07/20

Relevant Planning History

96/0537 – Full application for new market buildings, surface and semi basement car park for 670 cars, a multi-screen cinema, bowls centre, night club, restaurants, unit for bingo only or health and fitness and children’s play centre, market square, town square and town park - Approved

04/0608 - Installation of 'The Stag' sculpture between the leisure centre and the Lockmeadow footbridge, as shown on dwg No. 1430/1 received on 31.03.04., and amended by dwg nos 1430/2/1a and 3/a received on 19.05.04 - Approved

04/2024 - An application for advertisement consent for the installation of 5 No internally illuminated advertisement poster display panels to be erected on light columns within car park as shown on 1 un-numbered 1:1250 scaled location plan, and dwg nos. S-2000210-01 dwg received 27.10.04 - Approved

16/505628/FULL - Installation of a new facade to the existing leisure complex (replacement of existing), the enclosure of an existing terrace to create 180sqm of new floorspace and the installation of one internally illuminated fascia sign - Approved

16/505629/ADV - Advertisement Consent for 1 x internally illuminated fascia sign
Approved Decision Date: 18.08.2016

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site is the Lockmeadow entertainment complex located within the defined town centre boundary of Maidstone. The Lockmeadow development was approved and implemented under planning application reference MA/96/0537.
- 1.02 The site is located in close proximity to Maidstone West Railway Station in an area with a varied mix of uses, including light industrial, retail, civic, commercial and residential. The southern and eastern boundaries of the site are adjacent to the River Medway and the River Medway Towpath.
- 1.03 The site and main pedestrian entrance to the complex face to the north onto Barker Street. The main car park entrance is to the west of the site with access to the building from the rear southern elevation.

2.0 PROPOSAL

- 2.01 Maidstone Borough Council has taken on the leasehold for Lockmeadow and is seeking to improve the appearance of the building and facilities to make the complex a key destination for leisure activities in the town centre. The application seeks to update the appearance of the building with the use of cladding over circular columns and curved profiles above car park openings, removal of gated car park entrance, removal of cow shed structure to the south of the car park and new external lighting.

3.0 POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017: SP4, DM1, DM4, DM8, DM29
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

4.0 LOCAL REPRESENTATIONS

Local Residents:

- 4.01 3 representations received from local residents raising the following (summarised) issues:
 - Removal of the gated car park entrance resulting in anti-social behaviour by car drivers and overnight parking by heavy goods vehicles
 - Request that trees along the southern boundary remain as these were planted to reduce noise
 - Welcome visual improvements to the building

5.0 CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

- 5.01 Kent County Council Highways – No comment
- 5.02 KCC Flood Risk – No comment
- 5.03 Kent Police – Important that any proposed alterations do not compromise the security of the parking areas as such areas can provide opportunities for crime and anti-social behaviour. Entrance gates should be retained in the interests of crime prevention, however if the gates are to be removed then swing arm barrier gates and height restriction barriers should be installed.

- 5.04 KCC PROW – PROW KMX30 goes around the eastern section of the site and should not affect this application.
- 5.05 MBC Environmental Health – Concern with the removal of the entrance gate, but no objection to the overall proposal subject to a condition requiring the installation of electric vehicle charging points.
- 5.06 Natural England – No comment

6.0 APPRAISAL

Main Issues

- 6.01 The key issues for consideration relate to:
- Principle of Development
 - Visual Impact
 - Local Amenity and Security
 - Other Matters

Principle of Development

- 6.02 The proposal is to update the external appearance of the existing Lockmeadow leisure complex that is located within the town centre of Maidstone. The leisure complex was constructed in the late 1990's and has undergone minor alteration in recent years including a new main entrance to the front elevation facing on to Barker Street. The new leaseholder wishes to improve the external appearance of the existing building and its visibility through updating dated features of the building, such as the columns and to tie in recent improvements to the front entrance to the building (approved under application reference 16/505628/FULL) in terms of design and colour.
- 6.03 Policy SP4 of the Local Plan sets out the vision for the town centre and seeks to provide a variety of well-integrated attractions for all ages including leisure, tourism, cultural facilities and improved access for all. In addition, policy DM29 outlines that proposals for leisure in the town centre will be permitted subject to the proposal not impacting on local amenity and that the proposal retains an 'active frontage'.
- 6.04 The principle of the proposal to enhance the leisure complex is considered to be acceptable and in accordance with Local Plan policies SP4 and DM29 subject to the discussion of the material considerations below, namely visual impact and local amenity.

Visual Impact

- 6.05 In respect of design, Local Plan policy DM1 (principles of good design) states that proposals should provide a high quality design which responds to areas of heritage, townscape and landscape value or which uplift an area of poor environmental quality.
- 6.06 The application site is not listed and it is not within a Conservation Area. All Saints Conservation Area is located to the east of the River Medway 80m to the east of the application site. The applicant is proposing external alterations to modernise the appearance of the building with the following main elements:

- The existing blue circular columns are to be over clad in PPC aluminum rectangular sections.
- New lighting to column bases
- Curved profile above car park openings to be over clad with PPC aluminum
- Painting of existing guttering
- Existing railings of car park openings to be replaced with flat bars

6.07 It is considered that the minor external changes outlined above would improve the appearance of the existing building. The proposed alterations are complementary to the overall style and design of the existing building and respect and respond positively to the existing buildings, streetscape and wider context. The application building is prominent within views and it is considered that the proposed external alterations are of a suitable high quality design uplifting the building and area, would not cause harm to the Conservation Area and is in accordance with policy DM1 and DM4 of the Local Plan.

Local Amenity and Security

- 6.08 Objections have been received from 3 residents and concern has been raised by Kent Police and Environmental Health to the removal of the entrance gates to the car park. Policy DM1 of the Local Plan states that proposals should create a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour.
- 6.09 The demolition of buildings constitutes 'building operations' under section 55(1A) of the 1990 Act and therefore comes within the definition of 'development'. However, the demolition of most types of gates, fences and walls are permitted development of the Second Schedule to the General Permitted Development Order, part 11, Class C which allows for the demolition of the whole or any part of any gates, fences, walls etc. The application site is not listed, or a conservation area, and the gates and walls could be removed without the need for planning permission.
- 6.10 Notwithstanding the above, the applicant has provided an impact assessment of the proposed changes to the security of the site, including the car park, which outlines that the site is currently covered by 52 CCTV cameras, and employs security for the site 24 hours a day. The applicant also states that at present the gates to the car park are not closed at night due to the cinema not having specific shut down times and there being an informal arrangements with local residents which allows approximately 30 cars to park on site overnight without charge. With regard to the demolition of the cow shed structure, this does not appear to serve any useful purpose and its removal would result in increased visibility and security of the River Medway Towpath to the south. In addition, permission would not be required for its removal.
- 6.11 Therefore as the security gates and cow shed structure can be removed under permitted development rights and having regard to the night time use of the car park by local residents, combined with the onsite security that is currently provided, no objection is raised to the removal of the gates and fences or cow shed structure.

Other Matters

- 6.12 The applicant is proposing to include uplighting to the exterior of the building to illuminate the building's elevations. Lighting can be an important factor of good design and appropriate types and levels of lighting can contribute positively towards a sense of place. It is recognised that carefully designed external lighting can enhance the night time economy and have benefits for security and the viability of recreational facilities. Policy DM8 of the Local Plan sets out that proposals for external lighting will be permitted where (inter alia) it is demonstrated that the minimum amount of lighting necessary to achieve its purpose is proposed; the design and specification of the lighting would minimise glare and light spillage and that the lighting scheme would not be visually detrimental to its immediate or wider setting. Therefore the principle of external lighting is considered to be acceptable and in accordance with policy DM8, however a condition is recommended requiring the specific details of lighting, including lux levels, hours of operation and light spillage to be submitted for approval by the Council prior to the installation of any lighting on the external elevations of the building.
- 6.13 The Environmental Health Team has been consulted and has no objection to the proposal subject to a condition requiring the installation of electric car charging points. The proposal is for minor external changes rather than new floorspace and the proposal would not affect the number of parking spaces available or the use on site. It is therefore considered that a condition requiring electric car charging points would not meet the tests set out in NPPF paragraph 55, specifically with regard to being relevant to the development to be permitted.
- 6.14 One resident has raised concern with the loss of trees along the southern boundary adjacent to the River Medway as this landscaped buffer provides an acoustic barrier to nearby residential properties. The applicant has confirmed that no trees will be lost as part of this application.
- 6.15 The application documents include a number of details with regard to additional signage at the sites, however the applicant is aware that the proposed advertising/signage would require a separate advertisement consent application. Should planning permission be granted an informative would be included to remind the applicant of the need for an advertisement consent.
- 6.16 The application site is located in flood zones 2 and 3, however the proposal would not add additional floorspace, or additional parking spaces and no objection is raised in terms of flood risk. KCC Flood Risk team raise no objection to this proposal.
- 6.17 In accordance with NPPF paragraph 170 the applicant has agreed that the proposal would provide for biodiversity net gain. A condition is included that requires specific details of these biodiversity enhancement measures to be submitted for approval.

PUBLIC SECTOR EQUALITY DUTY

- 6.18 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7.0 RECOMMENDATION

GRANT planning permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No. AP(0)001 – Block Plan

Drawing No. AP(0)005 – Existing Elevations

Drawing No. AP(0)006 – Existing Elevations

Drawing No. AP(0)007 – Existing Elevations

Drawing No. AP(0)009 – Existing Elevations, Market Hall

Drawing No. AP(0)010 – Proposed Elevations

Drawing No. AP(0)011 – Proposed Elevations

Drawing No. AP(0)012 – Proposed Elevations

Drawing No. AP(0)014 – Proposed Elevations, Market Hall

Drawing No. AP(0)015 – Proposed Elevations, Market Hall

Drawing No. AP(0)020 – Proposed Block Plan

Drawing No. AP(0)100 – Site Location Plan

Design and Access Statement – Received 28/05/2020

Reason: To clarify which plans have been approved.

3. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination, predicted lighting contours and hours of use, have been first submitted to, and approved in writing by, the Local Planning Authority. Any external lighting that is installed shall accord with the details so approved.

Reason: To safeguard visual amenity.

4. The materials to be used in the development hereby approved shall be as indicated on the approved plans unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development

5. Prior to the final completion of the works hereby permitted, details for a scheme for the enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity by means such as bird boxes, bee bricks and bat boxes. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter.

Reason: To protect and enhance the ecology and biodiversity on the site in the future.

INFORMATIVES

1. The applicant is reminded that the proposed advertisement /signage would require a separate advertisement consent application.

Case Officer: Adam Reynolds

Planning Committee Report
23rd July 2020