

<b>REFERENCE NO - 21/505452/LBC</b>		
<b>APPLICATION PROPOSAL</b> Listed Building Consent for works to re-position/re-build a section of ragstone wall (to facilitate the A20 Ashford Road and Willington Street Junction Capacity Improvement Scheme)		
<b>ADDRESS</b> Mote Park, A20 Ashford Road Junction with Willington Street, Maidstone		
<b>RECOMMENDATION – APPROVE WITH CONDITIONS</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>		
<ul style="list-style-type: none"> <li>• The proposals will result in a relatively low level of ‘less than substantial’ harm to the listed wall through its physical removal but mainly because the historic boundary of the Park here would be lost.</li> <li>• The works are required in connection with planned improvements to the A20/Willington Street junction to achieve additional capacity which is identified as a key and critical scheme in Maidstone Council’s Infrastructure Delivery Plan; is identified within Kent County Council’s Local Transport Plan as part of the ‘Maidstone Integrated Transport Package’; is largely funded by the Government’s ‘Local Growth Fund’; and which has been endorsed by Maidstone Council and Kent County Council through the Joint Transport Board.</li> <li>• The economic and social public benefits associated with the planned junction improvements, which will provide improved capacity at a key junction in the Maidstone urban area and assist in accommodating general background traffic growth and increased traffic from new employment and housing sites in the Local Plan, are considered to outweigh the relatively low level of heritage harm identified. This is in accordance with the NPPF and policy DM4 of the Local Plan.</li> </ul>		
<b>REASON FOR REFERRAL TO COMMITTEE</b>		
<ul style="list-style-type: none"> <li>• The application site falls upon land owned by Maidstone Borough Council and so in the interest of transparency.</li> </ul>		
<b>WARD</b> Shepway North	<b>PARISH – N/A</b>	<b>APPLICANT</b> Kent County Council (Transportation and Waste) <b>AGENT</b> WSP
<b>TARGET DECISION DATE</b> 10/12/21		<b>PUBLICITY EXPIRY DATE</b> 18/11/21

**1.0 DESCRIPTION OF SITE**

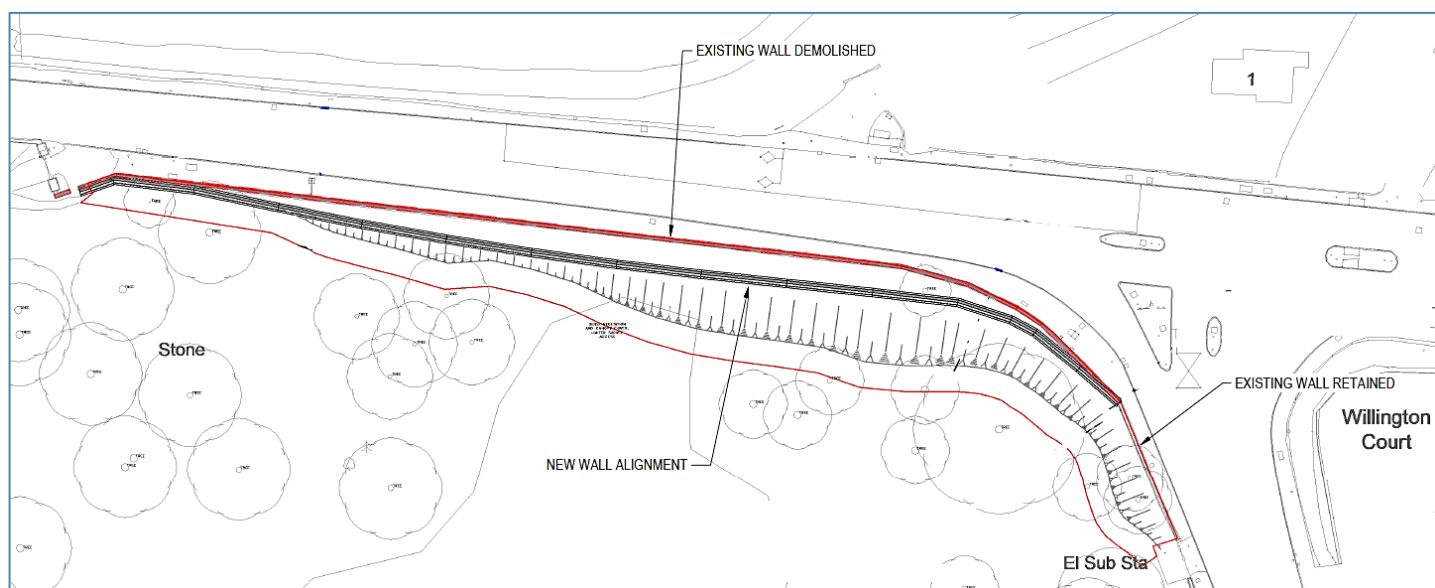
1.01 The application site relates to a parcel of land on the south side of the A20 west of its junction with Willington Street and includes a listed ragstone wall. The land falls within the grounds of Mote Park and extends approximately 125m from Willington Street westwards to the gated entrance to the Park.

1.02 The focus of this listed building consent application is the listed wall which in places retains the land behind, is relatively low in height at the east end by the junction, and then increases in height as it heads west. Behind the wall the land is mainly overgrown with scrub and trees.

1.03 The wall is listed by virtue of it being a structure within the curtilage of the Grade II\* listed Mote House, the curtilage of which is considered to be the grounds of Mote Park. Mote Park itself is a 'Grade II registered Park and Garden' and the majority of the wall and application site falls within its boundaries.

## 2.0 PROPOSAL

2.01 The application seeks listed building consent to re-position/re-build a section of the listed wall further back from its current position as shown below. The length of wall that would be re-positioned is approximately 130m and the maximum set-back is 3m in the centre.



2.02 The reason for the proposal is to accommodate planned works to the A20/Wilmington Street junction to improve capacity and reduce traffic congestion. The junction works themselves, which includes the engineering works required to move the wall back, do not require planning permission and can be carried out under the Highway Authorities permitted development rights.

2.03 In order to ensure the minimum works necessary are proposed the applicant has been questioned as to why the extent of works/set-back of the wall is required as a grass verge would be left in front of the re-positioned wall. The applicant has advised that the widening of the carriageway requires the kerb line to be moved to the south, such that it would coincide with or be slightly behind the current wall location. The underground services, signal equipment, street lighting, and the digital message sign (that are in the existing grass verge) would then be within/under the widened road and so

would need to be relocated into a new verge. The verge width of 2.5m is the minimum required to accommodate all the services and sign, which have to be safely accessible for inspection and maintenance. The 'Design Manual for Roads and Bridges' also seeks such verges in the interest of safety. This is considered reasonable to justify the extent of proposed works to set-back the listed wall.

2.04 The applicant has submitted a Method Statement for re-building the wall which outlines that it will be carefully dismantled and re-built using the existing stone where feasible and with an appropriate lime mortar mix. New reinforced footings will be used to ensure the long-term stability of the wall.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan 2017: SP18, DM4
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

### **4.0 LOCAL REPRESENTATIONS**

4.01 **Local Residents:** No representations received.

### **5.0 CONSULTATIONS**

5.01 **Historic England:** Do not wish to offer any comments and suggest seeking the views of our specialist conservation adviser.

5.02 **MBC Conservation Officer: No objections subject to conditions.**

*"I agree with the assessment made by the applicant that taking down the wall and relocating it will cause harm to the wall and I would also agree that the harm is at a level of less than substantial. The NPPF requires the applicant to explain why there is a public benefit in moving the wall and to ensure that any harm is kept to an absolute minimum."*

### **6.0 APPRAISAL**

6.01 The only considerations for listed building consent applications are the architectural or historic interest of the listed building and its setting. So, the assessment relates to the impact upon the listed wall and the setting of Mote House and no other matters can be taken into account. If harm is caused, then any public benefits of the proposals should be weighed against this harm.

#### Impact upon the architectural or historic interest of the listed wall

6.02 The wall is constructed of Kentish ragstone and the applicants Heritage Statement states that the wall, *"was constructed in the 1790s when the park was enlarged by the 3rd Baron Romney. The section of the boundary wall within the Site, which is proposed to be relocated, is likely to be a combination of the original boundary wall along the western stretch, and a*

*rebuilt section dating circa 1940s/50s along the eastern stretch, where OS maps show a reconfiguration."*

6.03 The condition assessment carried out by a qualified surveyor concludes that, *"although overall the wall is in a fair structural condition, there are areas which require attention. There are a few cracks and areas of damage and/or loss of stone along the wall, most of which has been caused by vegetation and tree roots growing into the wall, pushing on its structure. The vegetation in general is encroaching on the wall in some areas, which will eventually lead to more damage."*

6.04 The applicant has described the 'significance' of the listed wall as required by the NPPF stating that, *"The Ragstone Boundary Wall is an integral and historic part of Mote Park dating from the late-18<sup>th</sup> century and is of medium significance. The wall is split into two distinct halves, one which has been rebuilt and one which is in original condition. The section of ragstone boundary wall located within the western half of the Site is original, does not appear to have been altered or rebuilt, and for this reason is an asset of medium significance derived from its historic and aesthetic values."*

*"The section of ragstone boundary wall located within the eastern half of the Site comprises a rebuilt corner section and the section along the southern side of Ashford Road terminating just before the historic gate. This section of the wall, is of low heritage significance, as derived from its limited evidential, historical and aesthetic value. The relocation and rebuilding of the wall has reduced its significance, but it still continues to mark the corner boundary of the park providing a continuation of the historic wall. Furthermore, this section of wall is at the very distant edge of the park, far away from the historic core where the key landscape features and other designated assets are situated. Its immediate setting adjacent to the busy Ashford Road also impacts on its significance."*

6.05 I would agree that the main significance and value of the wall is the fact that it defines the historic boundary of the Park. I also consider that it's prominence as the boundary of the Park is important. Whilst broken in places by entrances, it continues alongside the A20 for approximately 1km west towards Maidstone town centre and approximately 1.3km south alongside Willington Street and is in the main, highly visible. However, the section of wall to which this application relates includes parts that were rebuilt in the 20<sup>th</sup> century and just under half (61m) is low in height (around 0.8m) and so this part does not contribute as positively as the higher section, which at the application site is around 1.6m high.

6.06 It is considered that the proposals will inevitably result in harm to the listed wall through its physical removal but mainly as it would be moved and so the historic boundary of the Park here would be lost. However, I agree with the applicant and Conservation Officer that this level of harm would be 'less than substantial'. I consider it would be a relatively low level of such harm because it would only relate to a very small section of the Park's overall historic boundary, relates in part to a re-built and low section of walling, and it would be only be moved by a maximum of 3m.

### Public Benefits

- 6.07 Paragraph 200 states that, *"Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification."* The works are proposed to accommodate the planned junction improvements, and these is considered to represent a sound justification for some heritage impact.
- 6.08 Paragraph 202 states that where there is 'less than substantial harm' this should be weighed against the public benefits of the proposal. The only reason for the proposed works and thus the associated public benefits are those which arise from the junction improvement.
- 6.09 The junction improvement is identified as a key and critical scheme in Maidstone Council's Infrastructure Delivery Plan and is identified within Kent County Council's Local Transport Plan as part of the 'Maidstone Integrated Transport Package', a project approved by the South East Local Enterprise Partnership and which is largely funded by the Government's 'Local Growth Fund'. Improvements at this junction to achieve additional capacity have also been endorsed by Maidstone Council and Kent County Council through the Joint Transport Board.
- 6.10 The junction currently operates over capacity in the AM and PM peaks and KCC's consultation document on the scheme estimates considerable improvements to congestion in region of 35% in the AM and PM peaks and states:
- "The key objectives for this scheme are to:*
- *Improve the efficiency of the junction thereby reducing congestion.*
  - *Improve journey times and the reliability of journey times.*
  - *Improve Road Safety.*
- Achieving these will unlock other benefits including:*
- *Increasing capacity on the network to better accommodate further development.*
  - *Improve air quality."*
- 6.11 For these reasons, there are clear public benefits from such a critical scheme, which will provide improved capacity at a key junction in the Maidstone urban area and assist in accommodating general background traffic growth and increased traffic from new employment (Woodcut Farm) and housing sites in the Local Plan. This will deliver economic and social benefits by supporting such housing and employment growth and these benefits are considered to attract significant weight. So, whilst giving great weight to the conservation of heritage assets in line with the NPPF, it is considered that there is sufficient justification for the works to facilitate junction improvements, and the associated public benefits are sufficient to outweigh the relatively low level of heritage harm identified. This is in accordance with the NPPF and policy DM4 of the Local Plan.

### Impact upon the Setting of Mote House

6.12 Whilst it is considered that the wider registered Park and its boundaries form part of its setting, in view of the small section of the Park's overall historic boundary that would be altered and the distance from the building (0.5km), it is considered that the proposals would not result in any harm to the setting of Mote House itself.

### Conditions

6.13 Conditions are attached requiring that the Method Statement, which was amended on request of the Conservation Officer, is adhered to. Other conditions will ensure the works only take place in connection with any junction improvements, historic recording of the wall, and a sample panel of new walling.

### Other Matters

6.14 As stated earlier in the report, under listed building consent only the architectural or historic interest of listed buildings and their settings can be taken into account. However, the applicant is conscience that moving the wall and the subsequent engineering operations (which do not require planning permission) will result in other impacts including the removal of lower grade trees, and on ecology. They have carried out ecological appraisals and liaised with MBC's Parks & Open Spaces Team to agree some replacement tree planting and new landscaping (woodland edge and grassland planting), wildlife boxes, and log piles which would provide some ecological benefits. These have been provided for information purposes and informatives are attached to request that these are carried out.

## **7.0 CONCLUSION**

7.01 The proposals will result in a relatively low level of 'less than substantial' harm to the listed wall through its physical removal but mainly because the historic boundary of the Park here would be lost.

7.02 The works are required in connection with planned improvements to the A20/Willington Street junction to achieve additional capacity which is identified as a key and critical scheme in Maidstone Council's Infrastructure Delivery Plan, is identified within Kent County Council's Local Transport Plan as part of the 'Maidstone Integrated Transport Package', is largely funded by the Government's 'Local Growth Fund', and which have been endorsed by Maidstone Council and Kent County Council through the Joint Transport Board.

7.03 The economic and social public benefits associated with the planned junction improvements, which will provide improved capacity at a key junction in the Maidstone urban area and assist in accommodating general background traffic growth and increased traffic from new employment and housing sites in the Local Plan, are considered to outweigh the relatively low level of heritage harm identified. This is in accordance with the NPPF and policy DM4 of the Local Plan.

## 8.0 RECOMMENDATION

### **Approve Listed Building Consent subject the conditions set out below:**

#### 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 hereby permitted shall be carried out in accordance with the following approved plans:

70075920-PA-0100-001 Rev 1 (Site Plan)  
A20-WSP-ZZ-00-DR-S-001 Rev P2 (New Wall Alignment Plan and Section)  
A20-WSP-ZZ-00-DR-S-003 P1 (Existing and Proposed Elevations)

Reason: To clarify which plans have been approved and to ensure the replacement wall is of sufficient quality.

3. The works to the listed wall shall not commence until a timeframe for carrying out the works to the wall and commencing the junction improvements has been submitted to and approved in writing by the local planning authority. The works to the wall shall be carried out in accordance with the approved details.

Reason: To ensure the works only take place in connection with the junction improvements as the associated public benefits are the only justification for the approved works.

4. The demolition of the existing wall shall not commence until a Historic England Level 2 Historic Building Recording of the wall has been undertaken and submitted to and approved in writing by the local planning authority.

Reason: To record the character, appearance and alignment of the existing wall which is of historical significance.

5. Works on rebuilding the wall shall not commence until a sample panel for the new wall has been constructed on site for inspection and approval in writing by the local planning authority. The wall re-build shall be undertaken in accordance with the approved details.

Reason: To ensure the appearance and construction of the replacement wall is acceptable.

6. The demolition of the existing wall and construction of the replacement wall shall be carried out in accordance with the Heritage Method Statement dated November 2021.

Reason: To ensure the appearance and construction of the replacement wall is acceptable.

Informatives:

1. The applicant should ensure the landscaping scheme as shown on drawing no. 70075920-DD-A20-3000-001 Rev P01 is carried out in the first available planting season following completion of the approved works.
2. The applicant should ensure that wildlife legislation, and any relevant ecological surveys and recommendations are adhered to, and works should proceed under Precautionary Methods of Working to prevent any risks to protected species.
3. The applicant should ensure the biodiversity enhancements as outlined at paragraph 3.1.15 of 'Planning, Design and Access Statement' are carried out following completion of the approved works.
4. The applicant should agree with the Council's Parks & Open Spaces Section an Arboricultural Method Statement including a tree protection plan to ensure retained trees are suitably protected.