

<b>REFERENCE NO - 23/501688/FULL</b>			
<b>APPLICATION PROPOSAL</b> Conversion of redundant public conveniences into a police office with shared mess room and toilets with storage room.			
<b>ADDRESS</b> Brenchley Gardens, Station Road, Maidstone			
<b>RECOMMENDATION – APPROVE PERMISSION</b>			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> <ul style="list-style-type: none"> <li>• The proposed uses are acceptable and would not cause harm to the amenity of the surrounding area in terms of noise or disturbance.</li> <li>• The proposed changes to the building are acceptable and the low level of harm to the Conservation Area from the four window roller shutters would be outweighed by the public benefits of bringing the vacant toilets back into use, and a use that may help reduce anti-social behaviour issues at Brenchley Gardens.</li> </ul>			
<b>REASON FOR REFERRAL TO COMMITTEE</b> <ul style="list-style-type: none"> <li>• The Council is the applicant.</li> </ul>			
<b>WARD</b> High Street	<b>PARISH COUNCIL</b> N/A	<b>APPLICANT</b> Maidstone Borough Council <b>AGENT</b> MBC	
<b>CASE OFFICER:</b> Richard Timms	<b>VALIDATION DATE:</b> 28/04/23	<b>DECISION DUE DATE:</b> 21/07/23	
<b>ADVERTISED AS A DEPARTURE: NO</b>			
<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
08/2292	Reinstatement of railings and brick piers, provision of new curved steps with handrails, laying of new paths around bandstand and upgrade public conveniences to include improved access	APPROVED	20/03/09
70/0669	Erection of public conveniences	APPROVED	15/01/71
65/0337	Erection of public conveniences	APPROVED	16/06/65

## **1.0 DESCRIPTION OF SITE**

1.01 The application relates to former public toilets which have been closed for a number of years in the northeast corner of Brenchley Gardens in the town centre. The building is single storey with a mono-pitched roof and faced in grey brickwork.

1.02 The building falls within the Chillington House Conservation Area (CA) which covers the Gardens and there are a number of listed buildings nearby within the CA area including the Cenotaph (GII\*), a finial from the House of Commons Debating Chamber (GII), Statue on Stone Plinth (Daphne and Apollo) (GII), The Old Water Conduit Head (GII), and Chillington House (GII\*).

## **2.0 PROPOSAL**

2.01 Permission is sought for a change of use of the building to two separate uses: offices for Kent Police and a storage and mess room for 'Maidstone Borough Services' for the storage of street sweeping equipment. Each will include a private WC.

2.02 Changes to the building include bricking up some windows and doors on all elevations; inserting four new larger windows across the east, south and west elevations; and moving a door and inserting a new roller shutter door on the east elevation with internal shutter housing. The four new windows would have roller shutters with external shutter housing. Existing hard surfacing would be extended to provide access to the new doors on the east side, and an area would be replaced with landscaping.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP4, SP18, DM1, DM4, DM20, DM21
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Maidstone Local Plan Review (Regulation 22)
- Chillington House Conservation Area Appraisal & Management Plan (2021)

## **4.0 LOCAL REPRESENTATIONS**

4.03 **Local Residents:** One representation received raising the following (summarised) points:

- Excellent idea and will benefit the town as a whole and not just the gardens.

## **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 **MBC Conservation Officer: No objections.** Will not harm the setting of listed buildings or the Conservation Area.

5.02 **KCC Rights of Way: No objections.**

5.03 **KCC Archaeology:** If there are groundworks recommend a condition.

## 6.0 **APPRAISAL**

6.01 The key issues are considered to be the following:

- Impact on the Conservation Area and Setting of Listed Buildings
- Acceptability and Impact of Uses

### Impact on the Conservation Area and Setting of Listed Buildings

6.02 The building is in the CA and within the setting of listed buildings. It detracts from the character of the CA as recognised by the CA Appraisal and Management Plan but is low in height, in the northeast corner, and partly screened by vegetation so is not overly prominent.

6.03 Originally the proposals were to re-clad the building in a green coloured render. Officers did not consider this was appropriate as render can poorly weather and very soon have an unsightly appearance through marking, water run-off, staining etc. and this would harm the heritage assets. Therefore it is considered appropriate to retain the brickwork and brick up the openings with matching bricks. This was advised to the applicant who has amended the plans.

6.04 The external changes to the building through bricking up openings would not result in harm to the appearance of the building subject to matching brickwork and mortar being used (as proposed). The new windows would be dark blue steel framed to match existing and the new door would be dark blue steel to match. They would also not harm the character or appearance of the CA or setting of listed buildings as they would have a neutral impact. As such they would conserve these heritage assets as required by policy DM4 of the Local Plan.

6.05 The roller shutters on four windows would be grey coloured and have a projecting box to the top. These are not attractive features when closed or through the external housing, and would cause a low level of harm to the appearance of the building and CA. The applicant has stated the roller shutters are an additional security measure and the nature of converting the building into a police office is likely lead to people feeling that there are things of value within the building. They state that, "*at the moment the building is identified by visitors as an eyesore and something that makes them feel less safe in the park. Our use of the building is to change that and improve guardianship.*"

6.06 On balance, the low level of harm from the roller shutters and external boxes is considered to be outweighed by the public benefits of bringing the building back into use, and a use that may help reduce anti-social behaviour issues at Brenchley Gardens. The new roller shutter door on the east elevation has internal housing and is not as prominent so is acceptable.

6.07 Limited groundworks are proposed with a small extension of hard surfacing on the east side to provide access but another area would be removed/replaced with landscaping so there would be a neutral impact. Conditions can ensure native planting to benefit biodiversity and integrated niches for wildlife can be secured for proportionate biodiversity net gains based on the limited physical development proposed. The applicant has confirmed the surfacing will go only to depth of 20cm and on this basis archaeology conditions are not concerned necessary.

#### Acceptability and Impact of Uses

6.08 The proposed uses as offices and the storage of street sweeping equipment would not cause harm to the local area through noise or disturbance and are acceptable. The limited number of people using the building would be able to use public transport to access the site or use local car parks. Policy DM20 seeks to prevent the loss of community facilities but the public toilets have been closed for a number of years so there would be no loss of this facility.

### **7.0 CONCLUSION**

7.01 The proposed change in use of the building would not result in any harm to the local area through noise or disturbance. The proposed changes to the building are acceptable and the low level of harm to the Conservation Area from the window roller shutters/shutter housing would be outweighed by the public benefits of bringing the vacant toilets back into use, and a use that may help reduce anti-social behaviour issues at Brenchley Gardens in accordance with policies SP18, DM1, and DM4 of the Local Plan.

### **8.0 RECOMMENDATION**

**APPROVE 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:

1905/P1a; 1905/P1b; 1905/P1c; 1628/9, and PP1.

Reason: To clarify which plans have been approved and to ensure a satisfactory appearance to the development.

3. The bricks and mortar used to infill the openings (windows and doors) on the building as shown on the approved plans shall match that used in the existing building in colour, tone, and texture.

Reason: To ensure a satisfactory appearance to the development.

4. The approved windows shall have frames that match those in used in the existing building in terms of materials, colour, and size/thickness.

Reason: To ensure a satisfactory appearance to the development.

5. The works to the building hereby approved shall not commence until a landscape scheme, (for the area where the existing hard surfacing is to be removed as shown on drawing no. 1628/9), designed in accordance with the principles of the Council's landscape character guidance, has been submitted to and approved in writing by the local planning authority. The scheme shall show native species with a planting specification, programme of implementation, and a 5 year management plan.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

6. The works to the building hereby approved shall not commence until details for a scheme for the enhancement of biodiversity have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods into the building such as swift bricks, bat tubes/bricks, or bee bricks. 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.

7. All planting, seeding and turfing specified in the approved landscape details shall be carried out either before or in the first planting season (October to February) following the occupation of the building or the completion of the development, whichever is the sooner; and seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of the building die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.