

APPLICATION: MA/08/1921 Date: 23 September 2008 Received: 23 September 2008

APPLICANT: Citygrove Securities PLC & ESN Ltd.

LOCATION: ST. PETERS WHARF AND LAND ADJOINING, ST. PETERS STREET, MAIDSTONE

PROPOSAL: Erection of a six-storey hotel (class C1) and a single storey retail building, with associated landscaping, riverside walkway improvements and car parking - submission of details received on 22 September 2008 pursuant to MA/07/1325 being details of condition 9 details of the facilities for the storage of refuse, condition 11 details of landscaping and condition 16 details of a green travel plan, in accordance with the green travel plan; plan number 1120-TN-500; 906-402; 906-404 received on the 23 September 2008, together with 906-003E; 1120-C-503 A; and 1120L-C-502 received on the 23 March 2009.

AGENDA DATE: 11th June 2009

CASE OFFICER: Chris Hawkins

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

- At a previous Planning Committee, Members requested that full details of the soft landscaping be brought back for their consideration.

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6

Kent & Medway Structure Plan 2006: QL1

Village Design Statement: N/A

Government Policy: PPS1

HISTORY

MA/09/0434 - St Peters Wharf, St Peters Street, Maidstone. An application for advertisement consent for the erection of 1 internally illuminated post sign, 5 internally illuminated wall signs and 1 non illuminated post sign. Approved.

MA/09/0419 - St Peters Wharf, St Peters Street, Maidstone. Advertisement consent for erection of 1 no. illuminated fascia sign and 5 no. non-illuminated fascia signs. Approved.

- MA/09/0031 - St Peters Wharf, St Peters Street, Maidstone. Variation of condition 15 of Planning Permission MA/07/1325 (The retail unit hereby permitted shall not be used for the sale of food or other convenience goods, as defined in Table 3 of Annex A of PPS6 'Planning for Town Centres) To allow the sale of food ancillary to the predominant land use. Approved.
- MA/09/0026 - St Peters Wharf, St Peters Street, Maidstone. Extension of existing approved (MA/07/1325) retail mezzanine floor by 200 sqm (Class A1). Approved.
- MA/08/2502 - St Peters Wharf, St Peters Street, Maidstone. Advertisement consent for the erection of 1no. internally illuminated free-standing monolith sign, 5no. internally illuminated fascia signs and 1no. non-illuminated free-standing directional sign. Withdrawn.
- MA/07/1325 - St Peters Wharf, St Peters Street, Maidstone. Erection of a six-storey hotel (class C1) and a single storey retail building, with associated landscaping, riverside walkway improvements and car parking - Approved.
- MA/ 06/0865 - St Peters Wharf, St Peters Street, Maidstone. Minor modifications to the retail warehousing approved under MA/99/1225 & MA/05/0710 - Approved.
- MA/06/0867 - St Peters Wharf, St Peters Street, Maidstone. Duplicate application to above - Appeal against non- determination - Withdrawn.
- MA/06/0066 - St Peters Wharf, St Peters Street, Maidstone. Variation of condition 11 of MA/01/1818 re A3 use - Approved.
- MA/05/0701 - Variation of Condition 1 of Planning Permission MA/99/1225 (variation of condition 5 of MA/98/0979 to allow a greater range in sales of goods at approved retail warehouse) to allow a further period of two years in which to implement the development - Approved.
- MA/04/2445 - St Peters Wharf, St Peters Street, Maidstone. Mixed use regeneration scheme comprising A1, A3 & C3 residential development with new access, associated car parking, service yard, pedestrianisation and landscaping improvements including alterations to existing car park - Refused.
- MA/03/2376 - St Peters Street, Maidstone. Application for a non food retail warehouse together with restaurant and landscaped piazza - Not determined.

- MA/03/0321 - St Peters Street, Maidstone. Amendments to Restaurant permitted under MA/01/1818 - Resolved to grant planning permission subject to Deed of Variation to s106 Agreement - Not signed.
- MA/01/1818 - St Peters Street, Maidstone. Application for a restaurant and landscaped piazza – Approved.
- MA/00/0118 - St Peters Street, Maidstone. Non food retail warehouse together with restaurant and piazza - Refused and appeal dismissed August 2001.
- MA/99/1225 - St Peters Street, Maidstone. Variation of condition 05 to allow a greater range in sales of goods at retail warehouse approved under MA/98/0979 - Approved.
- MA/98/0979 - St Peters Street, Maidstone. Redevelopment to provide non food retail warehouse together with restaurant and landscaped piazza - Approved.

CONSULTATIONS

Maidstone Borough Council Landscape Officer was consulted and raised no objection to the proposal.

Kent County Council Highways Authority were consulted and raised no objections to this proposal.

REPRESENTATIONS

No representations have been received with regards to this proposal.

BACKGROUND

As can be seen from the section above, the site has a significant planning history, however, this application relates only to the submission of details concerning planning application MA/07/1751. This permission was granted by Members at the Planning Committee meeting held on the 22 November 2008, and this recommendation was on the basis that the matters of materials and landscaping be brought back before Members for consideration prior to their discharge. Members have already seen and approved the application for the materials and this report refers to the submission of details for the landscaping.

CONSIDERATIONS

Site Description

The application site lies on the western bank of the River Medway, to the west of Maidstone Town Centre. It is accessed off St Peter's Street. The site is roughly triangular in shape tapering at the southern end adjacent to the gyratory system. The application site comprises of the former gasworks land, which has been vacant for a number of years, together with the 3 large retail units - Homebase, TkMaxx and Hobbycraft - and the car parking and servicing areas associated with those units immediately to the north of the vacant land. On the opposite side of St Peter's Street lies a Wickes superstore and St Peter's Church (now used a children's day nursery). Immediately to the east the site abuts the walkway which runs along the west bank of the River Medway. The site is highly visible from the main approaches to the town centre.

Work has now commenced on site, with the shell of the retail unit in situ, and part of the framework for the proposed hotel erected.

Proposal

This application seeks to discharge the relating to conditions as imposed upon planning application reference number MA/07/1325, which was granted planning permission by Members on the 22 November 2007 for the erection of a six-storey hotel (class C1) and a single storey retail building, with associated landscaping, riverside walkway improvements and car parking: condition 9 (refuse storage); 11 (landscaping) and 16 (green travel plan). These conditions were as following:

9. No development shall take place until details of the facilities for the storage of refuse on the site have been submitted to and approve din writing by the local planning authority, and the approved facilities shall be provided before the first use of the buildings and maintained thereafter.

11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species in accordance with the Council's adopted Landscape Character Assessment and Landscape Guidelines. The scheme shall be designed to address the setting of the development within this important riverside site and in addition to planting around the hotel and retail unit shall make provision for the planting of suitable shrubs to screen the vertical surfaces between the development and the riverside walk;

16. Before any part of the development hereby permitted is first occupied details of a Green Travel plan shall be submitted to and approved in writing by the local planning authority. The proposals of the Travel Plan shall be implemented upon first use of any part of the buildings and continue at all times thereafter, subject to review after one year following implementation and then at intervals of not less than 2 years thereafter;

At the Planning Committee Meeting of 22 November 2007, Members requested that prior to their determination, details of the landscaping be put before them for their consideration, and determination. This application will therefore concentrate upon the landscaping element of the proposal (whilst also addressing the other two matters) for your consideration.

Landscaping (condition 11)

Members may recall that at the Planning Committee meeting held on the 8 January 2009 the matter of materials (including the surface materials and position of planters) was discussed, and it was agreed that consultations should be held between Officers, Members and the applicant, to give the riverside a softer edge. At this meeting it was agreed that a raised planter should be moved closer to the edge, repositioning the planter adjacent to the riverside, with the pathway moved to be adjacent to the building, which would enable trailing plants to be grown over the side, and also for the riverside walkway to have a more attractive character. These alterations have been made, and submitted as part of this soft landscaping proposal. Discussions were also held outlining suitable species and locations for a number of trees, in particular to the front of the proposed hotel building.

This raised planter is to be positioned alongside the river walkway, and would be triangular in shape. It is proposed that within this planter, 3 *Betula pendula* (Birch) be planted, together with 3 *Amelanchier canadensis* (small deciduous shrub which grows to 0.5-8metres in height, with white flowers), a number of geranium, *Carex pendula* (a distinctive form of sedge), and *Rosa 'Kent'* (Rose). It is considered that this mix of planting within this planter would result in an attractive and soft edge to this side of the building, which due to its possible height would screen (part of) it. The use of birch trees within this location is considered acceptable, and in accordance with the Councils adopted guidelines.

Surrounding the hotel building on all road frontages (as well as the river frontage), it is propose to plant five *Tilia cordata* (small leafed Lime). These are proposed to be set at relatively regular intervals (approx 4metres apart) and address the curvature within the street. These trees, together with the manner in which they are planted will address the regular appearance of the building behind, as well as providing a soft edge to this building frontage. In addition, these trees are particularly proficient in reducing the polluting effects of motor vehicles – within a location where there are large numbers of vehicle movements each day.

To the south of the hotel building, it is proposed to plant four *Butula pendula* (Birch) trees, which when viewed in conjunction with the trees within the raised planter, will give the riverside a more cohesive landscape. These trees grow to up to 25metres in height (although they may be more restricted in this location), and flower in early spring, and as such will add both colour and variety to this riverside area.

Additional landscaping will also be provided within these areas, in the form of *Carpinus betulus* (hornbeam); *Hedera helix* (Ivy) – as requested by Members at the previous meeting – *Carex pendula* (sedge); *Cornus alba* (dogwood); *Narcissus* (similar to daffodils); *Amelanchier canadensis* (small shrub with white flowers) amongst others. These are considered once more to provide not only native species, but in addition, a good mix of colour and height, giving the landscaping a real depth, and vibrancy at differing times of the year.

Between the hotel and the retail unit it is proposed that a row of three *Pyrus calleryana* (Pear) trees are proposed (on the hotel side of the access) which can grow up to 20metres in height with a rounded crown. These trees again blossom in the springtime, with only small fruit produced (less than 1cm in diameter). On the opposite side of the access, and running to the front of the retail store, it is proposed that (within raised planters) five additional *Pyrus calleryana* (Pear) be planted, which will give this access point a relatively formal appearance. These trees are considered to be acceptable within this location.

Fronting on to St Peter's Street, five additional *Tilia cordata* (lime) trees are proposed. These will be within a raised planter (one – to the front of the retail unit) and within an area of open ground to the front of the existing car park in St Peter's Street. Again, within these areas other planting, such as *Rosa 'Kent'*, and *Amelanchier Canadensis* is proposed.

Overall it is considered that this proposal would comply with the Council's objectives and would give this part of the River Medway a softer edge. The species proposed are broadly in accordance with the Council's adopted guidelines, and as such, it is considered that this part of the submission is acceptable and the condition should therefore be discharged.

Travel Plan (Condition 16)

The submitted travel plan has been assessed by the County Council Highways Authority and they raise no objections to the plan. This travel plan sets out the occupiers of the units will encourage all staff to use public transport, walk or cycle, and will work with bus operators to maintain and enhance the flow of travel information to its staff.

Car sharing will also be promoted (with no provision made on site for employees parking), and the operators will be obliged to ensure that those members of staff working late at night can return home safely.

Visitors to the hotel will also be made aware of alternative means of transport to reduce the reliance of the motor car. There are only a small number of car parking spaces provided within the development, which was considered acceptable at the point of determination by virtue of the town centre location, and the three railway stations within walking distance of the site. This will also encourage both visitors, staff and shoppers to take alternative means of travel to the site.

It is therefore recommended that this condition be discharged.

Refuse Storage (Condition 9)

Details have been submitted of the refused storage facilities of the retail store, which demonstrate that this will be located within the service yard of the proposal, which is adjacent to St Peters Street. This will be screened from the St Peters Street frontage, and as such would result detract from the character and appearance of the area. It is therefore recommended that this condition be discharged.

Conclusions

It is therefore concluded that the applicant has demonstrated that a good level of landscaping provision can be provided within the application site, having taken on board Members concerns from the previous meeting (which were that the development did not provide a soft or well landscaped edge to the river side walk, and that there would therefore be a dominance of hardstanding). This application sees the provision of a number of native species, which will provide a soft setting to these commercial premises which will enhance the character and appearance of the river side walk. It is also considered that the details submitted concerning the travel plan and refuse storage are acceptable. It is therefore recommended that the conditions be discharged.

RECOMMENDATION

Discharge conditions 9 (refuse storage), 11 (landscaping) and 16 (travel plan) of planning permission MA/07/1325.

Informatives set out below

The position of the raised planter adjacent to the riverside walk shall be as per plan number 1120L-C-503 Rev A (as submitted on the 23 March 2009, and not as per plan number 906-003E which only demonstrates the species to be planted on site.

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 Kent and Medway Structure Plan 2006) and there are no overriding material considerations to indicate a refusal of planning consent.