

APPLICATION: MA/13/0060 Date: 27 December 2012 Received: 22 January 2013

APPLICANT: Mr David Tibbit

LOCATION: APCOA PARKING KING STREET MULTI STOREY, CHURCH STREET, MAIDSTONE, MAIDSTONE, KENT, ME14 1EN

PARISH: Maidstone

PROPOSAL: Demolition of existing multi storey car park, ground floor shop unit and public toilets and provision of surface level car park with 64 spaces, spaces for bikes and additional landscaping as shown on drawing numbers 12388/S1, KSCP 0007/001, KSCP 0007/002B, KSCP 0007/003B and KSCP 0007/004B received on 22/1/13.

AGENDA DATE: 14th March 2013

CASE OFFICER: Peter Hockney

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

- the Council is the applicant

## 1. **POLICIES**

- Maidstone Borough-Wide Local Plan 2000: R8
- South East Plan 2009: BE1, BE6
- Government Policy: NPPF 2012

## 2. **HISTORY**

- 2.1 There is no relevant planning history for this site. Some planning applications have been submitted in relation to advertisement consents but these have no direct bearing on this application.

## 3. **CONSULTATIONS**

- 3.1 **MBC Conservation Officer** raises no objections to the application on heritage grounds subject to a condition requiring the implementation of the submitted landscaping scheme prior to the first use of the car park.
- 3.2 **Kent Highway Services** raise no objections to the application on highway safety grounds stating:-

"The application proposes the closure of the existing access/egress onto Church Street and the creation of a new access onto King Street. A ghosted right turn lane is proposed and the existing disabled parking bays/taxi parking and bus stop are to be relocated. Additionally the adjacent footways are to be resurfaced with new dropped kerb crossings provided. These works within the highway will be subject to a S278 Agreement and subject to the submission and approval of detailed drawings I do not wish to raise objection."

#### **4. REPRESENTATIONS**

- 4.1 **One letter of objection** has been received on the grounds that the reduction in the number of visitor spaces available in the car park would further restrict on street car parking spaces for residents.

#### **5. CONSIDERATIONS**

##### **5.1 Site Description**

5.1.1 The application site relates to an existing multi-storey pay and display car park with a retail unit on the ground floor at the junction of Church Street and King Street. The car park has a vehicular access from Church Street. The site is within the town centre area of Maidstone and near to the shopping and other town centre facilities and falls within the secondary shopping area as designated by policy R8 of the Maidstone Borough-Wide Local Plan (2000).

5.1.2 The site is bounded to the north of the site by the Holy Trinity Church Conservation Area. There are a number of listed buildings in the vicinity including 52 and 54 King Street (on the opposite side of King Street) and 56-60 Marsham Street (located to the north of the site).

5.1.3 The multi-storey car park covers the majority of the site and provides 239 car parking spaces, including 16 disabled spaces, over 6 floors (including the rooftop). The retail unit at ground floor is currently vacant and was last occupied by the foodstore 'Somerfield'.

##### **5.2 Proposal**

5.2.1 The application seeks full planning permission for the demolition of the existing car park and the creation of a new surface level car park. The proposed car park would have a significant level of landscaping and a new two way vehicular access onto King Street.

5.2.2 The proposed car park would include 68 car parking spaces, including 4 disabled spaces. There would be retaining walls around the boundaries of the parking area with new landscaping included within these areas.

### **5.3 Principle of Development**

5.3.1 The proposal would involve the loss of the existing multi-storey car park and the retail unit at ground floor. The site is within the secondary shopping area as designated by policy R8 of the Maidstone Borough-Wide Local Plan (2000). Within this area the policy states that the Council will permit a range of A1 (retail), A2 (financial and professional services) and A3 (food and drink) uses or any other uses appropriate in a shopping street. The policy does not explicitly prevent the loss of such uses but the spirit is clearly to retain the vitality and viability of the town. The loss of the A1 retail unit and its replacement with a surface level car park would remove a vacant unit and replace it with a landscaped car park which is an appropriate alternative town centre use that would add to the vitality of the town centre and therefore to my mind would not be contrary to this policy.

5.3.2 The proposal would result in the reduction of the overall number of spaces available at the site but this would not be contrary to any national or local policies. The main use of the site would remain as a public car park as such is acceptable in principle.

### **5.4 Visual Impact**

5.4.1 The existing multi storey car park is a large and monolithic building of unpleasant design which severely adversely affects the setting of the adjacent Holy Trinity Conservation Area and the listed building on the opposite side of King Street. The demolition of this building would negate this adverse impact and would open up views into the Conservation Area. This would be a visual improvement on the current situation. The Conservation Officer welcomes the demolition of the existing building and states that "whilst the best option for the townscape would be to redevelop the site with a suitably scaled and designed building, the use of the site for a surface car park along the lines proposed would be acceptable. The important part of the proposal is the strong boundary planting to the street edges which is necessary to maintain visual enclosure of the street frontages as well as to screen the parked cars."

5.4.2 The proposed surface level car park would include a significant level of landscaping which would add considerable greenery to this part of the town centre that is severely lacking in vegetation. This landscaping including the hardwood clad planters along the boundary with King Street, which is integral to

the layout of the car park, would result in a considerable visual improvement to the site and the character and appearance of the surrounding area.

5.4.3 Overall, the loss of the existing unattractive building and its replacement with a well landscaped surface level car park would have a positive visual impact on the character and appearance of the surrounding area and would improve the setting of the Conservation Area and nearby listed buildings.

## **5.5 Residential Amenity**

5.5.1 There are residential properties in the vicinity to the north of the application site. The demolition of the building would remove a large and dominant building from south of many of these properties. It would undoubtedly improve the outlook from many of these properties.

5.5.2 The proposed use would not result in a significant adverse impact on the residential amenity level of nearby occupiers and would be acceptable on these grounds.

## **5.6 Highways**

5.6.1 The proposal would alter the access arrangements from an access in and out of the multi-storey car park from Church Street to an access point to the surface level car park from King Street. This change to the arrangement has been examined by Kent Highway Services, who are happy with the access arrangements with regard to highway safety considerations.

5.6.2 A letter of objection has been received from a nearby resident on the grounds that the proposed car park would provide a significantly lower number of spaces than the existing car park and as a result this would impact on the availability of on street car parking for nearby residents. The loss of the existing car park would remove some off street car parking capacity. However, I do not consider that this would be significant given that there is currently a charge for overnight car parking at the multi-storey whereas overnight parking (7pm to 7am) at the Sainsbury car park on the opposite side of King Street is free. Even if there is some displacement of car parking from the multi-storey car park to surrounding streets then this may cause inconvenience but would not in itself result in an adverse impact on highway safety.

5.6.3 The proposal would have no significant impact on highway safety.

## **5.7 Landscaping**

5.7.1 The proposed scheme includes a significant amount of landscaping that would soften the appearance of the car park and screen the cars from views from King Street. The landscaping proposals would add considerably to the improvement of the area and it would be essential to ensure the proposals are planted prior to the commencement of the use of the car park. The species proposed include beech hedging and dogwood and full details including numbers of plants and their size at planting would be submitted as part of a condition.

## **6. CONCLUSION**

6.1 The proposal would result in the demolition of the existing multi-storey car park and therefore the loss of the large, monolithic building that has a significant adverse impact on the character and appearance of the area. The loss of the building would also improve the historic character of the Conservation Area and the setting of the nearby listed buildings. The Conservation Officer raises no objections to the proposals.

6.2 The proposed surface level car park with a significant level of landscaping would improve character and appearance of the area and the view from King Street. There would be no significant impact on residential amenity and the demolition of the existing car park would improve the outlook from many residential properties.

6.3 The changes to the access arrangements have resulted in no objections being raised by Kent Highway Services and the proposals would have no significant impact on highway safety. I do not consider that there would be a significant displacement of parking to the surrounding streets and even if there was the additional on street car parking pressures this would not result in a significant impact on highway safety.

6.4 The proposals are acceptable and would result in a significant improvement to the character and appearance of the site and its contribution to the surrounding area.

## **7. 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 shall not commence until, written details and samples of the materials to be used in the construction of the car park surfaces and retaining walls 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 in accordance with policy BE6 of the South East Plan (2009).

3. 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 which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000) and BE6 of the South East Plan (2009).

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out prior to the first use of the car park; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000) and BE6 of the South East Plan (2009).

5. No development shall commence until full details of any lighting including measures to prevent light spillage from the site have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details;

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers and the visual amenity of the surrounding area in accordance with

policy BE6 of the South East Plan (2009) and guidance in the National Planning Policy Framework 2012.

6. The development hereby permitted shall be carried out in accordance with the following approved plans:  
KSCP 0007/002B, KSCP 0007/003B and KSCP 0007/004B;

Reason: To ensure the quality of the development is maintained in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000) and BE6 of the South East Plan (2009).

### **Informatives set out below**

There shall be provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

There shall be provision of measures to prevent the discharge of surface water onto the highway.

There shall be provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: [www.kent.gov.uk/roads\\_and\\_transport.aspx](http://www.kent.gov.uk/roads_and_transport.aspx) or telephone: 08458 247800) in order to obtain the necessary Application Pack.

### Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted and no further assistance was required.

The application was approved without delay.

The applicant/agent was provided with formal pre-application advice.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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 the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.