

REFERENCE NO - 19/505518		
APPLICATION PROPOSAL		
Demolition of existing buildings and redevelopment of the site for a 132-room hotel (Use Class C1) including rooftop restaurant and bar (Use Class A3/A4) and ancillary refuse and recycling storage, cycle parking, servicing arrangements and hard and soft landscaping.		
ADDRESS 12-14 Week Street, Maidstone, Kent, ME14 1RN		
RECOMMENDATION – APPROVE WITH CONDITIONS		
SUMMARY OF REASONS FOR RECOMMENDATION		
<ul style="list-style-type: none"> • The development is considered to be well designed and would provide a high quality building that would enhance the character and appearance of the Town Centre and local area in accordance with policies SP4 and DM1 of the Local Plan. • The proposals would regenerate a central Town Centre site with a high quality building, bring substantial economic benefits, and an increased diversity of town centre uses helping to achieve the aims of policy SP4 of the Local Plan and the 'Town Centre Vision' within the Local Plan. • The development would result in a low level of 'less than substantial' harm to the Maidstone Centre Conservation Area but this harm is outweighed by the public benefits associated with the economic and environmental benefits of the development in accordance with policy DM4 of the Local Plan and the NPPF. • The loss of a retail unit on Week Street and thus conflict with policy DM27 is outweighed by the economic and environmental benefits of the overall development. • Any other impacts from the development are either acceptable or can be mitigated. • Permission is therefore recommended subject to conditions. 		
REASON FOR REFERRAL TO COMMITTEE		
The Head of Planning & Development requires that the application is considered by Planning Committee in view of the large scale of the development in the Town Centre.		
WARD High Street	PARISH COUNCIL N/A	APPLICANT Assetrock Maidstone Ltd AGENT Avison Young
DECISION DUE DATE: 13/03/20	PUBLICITY EXPIRY DATE: 30/12/19	SITE VISIT DATE: December 2019, January and February 2020
PLANNING HISTORY		

Various applications relating to works, shopfronts and advertisements in connection with the retail unit, and applications for various buildings at the site.

1.0 DESCRIPTION OF SITE

- 1.01 The application site is located at the south end of Week Street and bounds Week Street to the west and Wyke Manor Road to the east. On the Week Street side it includes the former 'Mothercare' store which has a two storey shop frontage which lowers to the rear and covers most of the site. On the Wyke Manor Road side are a number of single and two storey buildings and a service access. To the south of the site is the 'Metrobank' building on Week Street and the 11/12 storey 'Colman House' office building. To the west and north are three storey retail buildings on Week Street. To the northeast is a private car park, and east is a three storey former telephone exchange building.
- 1.02 The Maidstone Town Centre Conservation Area abuts the west boundary of the site on Week Street and there are a number of Grade II listed buildings to the north, west and south. The site falls within the 'Primary Shopping Area' and the defined Town Centre in the Local Plan.

2.0 PROPOSAL

- 2.01 This application seeks permission for redevelopment of the site for a 132-room hotel including rooftop restaurant and bar. This would involve demolition of all buildings on the site including the building fronting Week Street.
- 2.02 The development would cover the entire site comprising a 9 storey building on the east side fronting Wyke Manor Road. This would lower to 4 storeys within the centre of the site, lowering again to a 3 storey frontage building on Week Street. The main hotel entrance would be off Week Street with the lobby and reception leading to a restaurant. Servicing of the hotel would be from Wyke Manor Road where there would be a secondary entrance from Wyke Manor Road which would also provide access to the rooftop bar/restaurant that would be open to the public. There would be a basement level providing rooms and the ground floor would include staff facilities, delivery/service access, refuse stores and cycle parking. The floors above would provide the remaining hotel rooms and the top floor would have an enclosed rooftop bar and restaurant.
- 2.03 In terms of appearance, the 9 storey building would be mainly faced with brickwork and glazing with detailing, layering, and interest provided through the use of materials, recesses and set-backs. The central 4 storey section would be finished with brickwork. The building on Week Street would have a mainly glazed frontage on the ground floor with brickwork and glazing above. A more detailed explanation of the design approach and an assessment of the design will be set out below.

2.04 The applicant has engaged in a significant pre-application process with officers via a Planning Performance Agreement, including a Kent Design Review Panel on a different earlier scheme, and also with MBC Members.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP4, SP18, SP21, SP23, DM1, DM2, DM4, DM5, DM6, DM8, DM16, DM18, DM21, DM23, DM27, DM29
- Kent Waste and Minerals Plan 2016
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- MBC Air Quality Guidance

4.0 LOCAL REPRESENTATIONS

4.01 **Local Residents:** 1 representation received raising the following (summarised) points:

- Concern regarding disruption to trade and vibrancy of the High Street during construction.

4.02 **MBC Visitor Economy & Events Manager:** Supports the application on the grounds that it is compatible with the Destination Management Plan (DMP) objectives for developing the tourism offer in the borough.

4.03 **'One Maidstone' Business Improvement District:** *"One Maidstone, the Business Improvement District, welcomes new investment being made into the town centre. Town centres have seen a need to adapt to the changes in customer and visitor behaviour; academic research demonstrates that for towns to continue to thrive that they need to provide an experience, and new reasons for people to visit. On this basis innovative uses of town centre units are a positive step towards maintaining the health of the town's business economy and would also support Maidstone's ability to stay ahead of national trends for vacancy rates."*

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 **Historic England:** Do not wish to offer any comments and suggest seeking the views of your specialist conservation and archaeological advisers, as relevant.

5.02 **MBC Conservation Officer:** Considers the development would result in a small degree of harm to the significance of the Maidstone Town Centre Conservation Area. (See more detail in the assessment below)

5.03 **KCC Highways: No objections** subject to conditions.

5.04 **KCC SUDs: No objections** subject to conditions.

5.05 **KCC Archaeology: No objections** subject to conditions.

5.06 **MBC Environmental Health:** No objections subject to conditions.

5.07 **Southern Water:** Can provide foul drainage and advise that sewer upgrades may be required for surface water.

5.08 **Kent Police:** Raise a number of issues which relate to either building regulations or the management of the development rather than planning matters.

6.0 APPRAISAL

6.01 Town Centre policy SP4 and the 'Town Centre Vision' within the Local Plan support the regeneration of the Town Centre, and sustaining and enhancing its shopping function and variety of business, leisure and cultural facilities. Hotel facilities would clearly support the aims to sustain and enhance the Town Centre providing accommodation for visitors to the town. The provision of a restaurant/bar is also supported by Town Centre policies.

6.02 The proposal would result in the loss of a retail unit on Week Street where policy DM27 (Primary Shopping Frontages) seeks to ensure retail (A1) remains the predominant use here. This policy can permit other retail or leisure uses but does not refer to hotel accommodation as potentially being acceptable. As such, there would be a conflict with this policy and this will be balanced against other material considerations.

6.03 The main issues for the development are considered to be as follows:

- Principle of a Tall Building
- Design, Massing & Materials
- Townscape Impacts
- Heritage Impacts
- Highways Impacts
- Residential Amenity
- Other Matters (Air Quality, Ecology, Drainage, Archaeology)
- Economic & Environmental Benefits

Principle of a Tall Building

6.04 The highest part of the building is 9 storeys which higher than the predominant scale of buildings in this part of the town centre that are largely 2-3 storeys. The notable exception to this is Colman House, at 11/12 storeys immediately adjacent. There are other notable tall buildings in and around the Town Centre including Maidstone House (9 storeys above street level), Brenchley House (7/8 storeys), and flats at Lower Stone Street (12/13

storeys), Mote Road (13/14 storeys), Wyatt Street (7 storeys), and Union Street (8 storeys) but these are some distance from the site.

6.05 Tall buildings are generally more appropriate in clusters and/or at low points such as river corridors where they are likely to have a lower impact and there is more breathing space around them. There are no clusters of tall buildings around the application site or within Maidstone and they are sporadically located across the town. There are some taller buildings located along the River Medway. The site is at relative high point in the town centre and so does not typically lend itself as being the most suitable location for a taller building but as outlined above the current character of Maidstone sees taller buildings spread across the town so this would not be entirely out of character with the current townscape. Colman House is clearly of relevance but does not mean that another tall building is necessarily acceptable.

6.06 However, I do not consider the height of the building alone is objectionable and it is the massing and articulation, detailing, materials of the building, and its design quality that are most relevant as to whether the building is acceptable, particularly as a taller building will usually be more prominent. The impacts upon the townscape and heritage are also critical factors. With the townscape being characterised by sporadic tall buildings, provided the design quality of the building is of a high standard then the principle of a 9 storey building is considered to be acceptable.

Design, Massing & Materials

6.07 In terms of massing the 9 storey part of the building is broken up considerably through a series of design responses that serve to mitigate its overall visual impact and to add interest to key elevations and at street level as follows:

- There is a 2 storey 'podium' fronting Wyke Manor Road with the remainder of the building above set back. This ensures the building is of an appropriate scale and reduces the net visual impact of the height when viewed at street level.
- There is a set back of the prominent northeast corner which breaks the width of the east elevation to Wyke Manor Road.
- The top floor is set further back to reduce the massing.
- On the north side the majority of the elevation is set back from the northeast corner again with the top floor recessed.
- The rear of part of the 9 storey element is much narrower providing another scaling back of the mass.
- The southern side of the building which would be largely obscured by Colman House has the rear sections set back.

With these measures the 9 storey part of the building is broken up considerably which serves to reduce the mass and provide interest.

- 6.08 The appearance and materials respond to the changes in mass with significant glazing and ragstone at street level on Wyke Manor Road to provide interest. Above, half of the building would be finished with brickwork and ragstone with the prominent northeast corner fully glazed which breaks up the width. The recessed top floor would also be fully glazed providing a 'light' top to the building and breaking up the height. The north side would be made up of the glazed corner with a brick/ragstone section set back, which, like the east elevation breaks up the width. The largely obscured south elevation includes brickwork with recessed areas and glazing which breaks up the mass. The narrow west side of the tall section where the lifts and stairs are proposed would be visible from the High Street and this is broken up with windows and a recessed vertical ragstone panel that runs the full height of the building. The 4 storey part would be predominantly brickwork.
- 6.09 Detailing is provided on the Wyke Manor Road frontage through the use of copper balustrading above the 2 storey 'podium' and to the top of the brickwork section above. The lower balustrading not only provides interest but also highlights the break between the street scaled element and the taller part of the building. The brickwork section would have recessed ragstone inserts around the window surrounds with copper banding between windows to provide continuity of materials with the balustrading. This provides good layering and interest and uses a quality local material. The glazed corner windows would feature metal banding between floors providing horizontal emphasis again with copper balustrading to the top. The brickwork section on the north side would be the same as the road frontage with recessed ragstone inserts and copper banding. The visible part of the south elevation would have recessed ragstone panels to break up the elevation and provide interest and a quality material. The building is well articulated with the windows providing strong vertical emphasis on the east elevation and the ragstone panels on the lower floors lining up with the window inserts above. The copper window divisions on the brick sections line up with the metal banding on the glazed corner.
- 6.10 The frontage building on Week Street would have a mainly glazed frontage on the ground floor which would wrap around the south side with ragstone to the sides and above. This would provide a high quality appearance and replace the poor appearance on the exposed corner which is blank. Above would be a simple brick façade with windows.
- 6.11 The proposed bricks are red clay multi stocks which are a relatively light colour and have good variation in tone and texture (Wienerberger Welham Antique). The applicant has chosen them as they consider they complement the local context and will blend in well. The bricks would not be dissimilar to those used on the existing Week Street frontage and the old Post Office building on the junction of High Street and Wyke Manor Road. It is considered that a more 'traditional' brick such as this is the right approach and it will complement surrounding buildings and work well with the ragstone. No physical brick sample has been provided due to a delay in obtaining samples so this will be required by condition to ensure it is acceptable. In terms of the ragstone, I consider straight coursed blocks as opposed to random rubble would be more appropriate for this modern building and the applicant agrees. The finish of the stone would either be honed or with a light texture which I

also consider is appropriate for a more contemporary building. Plant and equipment and lift overruns will be required on the roofs of the building and these are proposed to be screened by aluminium louvered enclosures which would be acceptable. The applicant has confirmed that any ducts, flues etc. will be internal as would rainwater guttering. Abseiling footings for some window cleaning would be required and these details can be provided by condition. This will ensure a clean finish to the building.

6.12 Overall, it is considered that the building is very well designed with considerable breaks in the massing through different heights, set-backs, use of materials and detailing. The different elements of the building are well articulated and quality materials are proposed. It is considered that the proposals would provide a high quality building that would enhance the character and appearance of the local area in accordance with policies SP4 and DM1 of the Local Plan.

6.13 The detailing of the building is critical to ensure a quality finish so conditions will be attached to provide details of fenestration, window reveals and recesses, masonry joints and junctions, details of the ragstone coursing, finishes and mortar, lighting, the rooftop plant and lift enclosures, balustrades, and prevent the installation of any external ducts, flues or similar features.

Townscape Impacts

6.14 The applicant has carried out a Townscape and Visual Impact Appraisal (TVIA). The TVIA identifies distinct townscape areas and assesses the value of these areas and how sensitive to change they are. It then assesses the visibility and impact of the development from 10 public vantage points within the surrounding area. This takes into account the Maidstone (Centre) Conservation Area Appraisal which identifies that the most important views into the town are from the opposite bank of the River Medway and that the spire associated with the former Church of Holy Trinity provides a focal point and landmark from outside the conservation area, particularly along the High Street. The methodology of the TVIA is in accordance with the relevant guidelines and it provides Accurate Visual Representations/Verified Views of the proposed development.

6.15 I consider that the public vantage points identified provide an appropriate visual appraisal of the development. In summary these are from parts of Week Street, along the High Street, Gabriel's Hill, King Street, Wyke Manor Road, Church Street, Trinity Square, and Buckland Hill. Having viewed the site from these public vantage points I consider that the main locations the development would be visible from are the High Street outside the Town Hall and further south, on Wyke Manor Road and further north on Church Street, and from parts of King Street. It is the taller section of the development that would be most visible from these areas.

6.16 From the High Street outside the Town Hall which I consider is the most sensitive area being within the historic centre and Conservation Area, and with a high townscape quality, the tallest part of the building would be visible. I agree with the assessment that the development would not have a

significant impact from here as it is only a narrow section of the 9 storey element that would be visible and it is set well back from Week Street. This section of the building would also be predominantly finished in brickwork a material sympathetic to the other buildings visible from the High Street. It is also seen in the context of the taller Colman House. Overall I do not consider it would be harmful to the character or appearance of the townscape from here. Further south on the High Street the impact is very similar and for the same reasons it would not be harmful.

6.17 From Wyke Manor Road and Church Street the development would be highly visible. The townscape quality here is relatively poor with Colman House visible and piecemeal buildings and parking areas associated with the rear service areas of shops on Week Street. The north elevation of the building would be prominent but the mass of the building from here is greatly broken up through variation in form and materials. It would also obscure a large part of Colman House with a high quality building and so it is considered it would actually improve the townscape from here.

6.18 From King Street at the junction with Wyke Manor Road the front of the 9 storey part would be visible and would reduce views of the sky beyond. The building here is broken by the set back above the second floor and further set back of the rooftop glazed section. I do not consider the views of the sky are particularly important and the set-backs ensure the street is not overly enclosed. The south elevation is also broken up with the proposed ragstone panels and overall I do not consider the building would be harmful to the character or appearance of the townscape from here.

6.19 From King Street further east, the top of the 9 storey part becomes visible above buildings on the north side of King Street. The front of the building is again broken by the form and materials and it would be seen adjacent to the taller Colman House. I do not consider the building would be harmful to the character or appearance of the townscape from here.

6.20 Overall, whilst the building would be visible from nearby public vantage points, for the reason above it would not be harmful to the character or appearance of the townscape in accordance with policies SP4 and DM1 of the Local Plan.

Heritage Impacts

6.21 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on decision makers, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, whilst Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The NPPF requires the local planning authority, when assessing an application to identify and assess the particular significance of any heritage asset that may be affected by the proposal. The applicant has submitted a Heritage Statement (HS) which has assessed the significance of

heritage assets (listed buildings and Conservation Areas) and the impact upon them.

Listed Buildings

6.22 In terms of listed buildings assessed, the HS has narrowed this down to those located in the following clusters:

- The small cluster of listed buildings on Week Street.
- The northern side of High Street.
- The southern side of High Street and northern part of Gabriel's Hill.
- King Street.
- The former Church of Holy Trinity and adjoining former hospital on Marsham Street.

6.23 This is considered to be a correct assessment of those listed buildings whose settings may be affected. The HS provides a comprehensive assessment of the architectural and historical interest of the listed buildings and their significance.

Week Street, comprising: Water pump situated in passage beside No. 22 Week Street (GII); 22 Week Street (GII) and 18 Week Street (GII)

6.24 The historic interest and significance of these buildings derives from their fabric, architecture, and detailing. The front elevations of Nos. 18 and 22 also contribute to the tight sense of enclosure of Week Street and the diversity of styles which animate the streetscene.

6.25 The development would introduce a replacement 3 storey building on Week Street which is in-keeping with the prevailing scale of frontages. The design and appearance of this part of the building is considered to be of high quality as outlined in assessment above. For this reason the development would not harm the setting of these buildings. The higher parts of the development, by virtue of their setback, would not be readily visible in the context of these listed buildings.

The Northern Side of High Street, comprising: 1 High Street/1-7 Week Street (GII), National Westminster Bank 3 High Street (GII), 5 and 6 High Street (GII), 7 High Street (GII) and 8 and 9 High Street (GII*)

6.26 These buildings provide the frontage of commercial properties that form the corner of Week Street and High Street and continue west to enclose the northern side of High Street and are a very prominent element of the street scene. The HS considers, *"the frontage of varied periods and styles of elevations and the contrasting materials creates a grain of townscape that is typical of High Street, although this frontage is notable for the two formal elevations that are considerably wider than the adjoining properties and retain a higher status in the streetscene. The frontage overlooks Jubilee Square, which is enclosed by a similar grain of townscape to the south, the Town Hall to the west, summarised below, and has a slightly more open aspect to the east with the junctions of King Street, Week Street and Gabriel's*

Hill reducing the sense of enclosure. The 11 storey Colman House providing a prominent landmark at the eastern end of the space."

- 6.27 The proposed frontage building to Week Street would be visible in the context of some of these listed buildings but for the same reasons as above this would not harm the setting of this group of listed buildings. The upper part of the central 4 storey part of the development would be visible in the context of some of the listed buildings as would a narrow section of the 9 storey element. I agree with the HS that the 4 storey element does not compete with the listed buildings in terms of its appearance. A part of the taller section of the building would be seen in the backdrop of some of the listed buildings but I agree that it would cause a negligible change in the view experienced and it would not impact on the ability to appreciate their significance. I therefore do not consider it would harm the setting or significance of the above two groups of buildings.

The Southern Side of High Street and Northern part of Gabriel's Hill, comprising: The Town Hall (GII*), 89 Bank Street (GII), Nat West Bank 91 High Street (GII), 93-95 High Street (GII), 97A-98 High Street (GII), 99-100 High Street (GII), 4 and 6 Gabriel's Hill (GII), 5 and 7 Gabriel's Hill (GII) and 1 and 3 Gabriel's Hill (GII)

- 6.28 The HS states, *"the group on the southern side of High Street and Jubilee Square includes the Town Hall, which partly encloses the western side of the square, the southern side of High Street, between Bank Street and the corner of Gabriel's Hill, and the buildings that enclose the northern end of Gabriel's Hill. The group comprises a diverse range of periods and styles that represents a 'cross-section' through the architectural history of central Maidstone. The frontage of listed buildings between Bank Street and the corner of Gabriel's Hill have considerable group value and are representative of the key periods, styles of architecture, forms of construction and materials in central Maidstone."*
- 6.29 As with the listed buildings on the northern side, the upper part of the central four storey part of the development would be visible in the wider setting of some of these listed buildings and to a lesser degree the 9 storey element as you move eastwards where it is obscured by Colman House. For the same reasons above, I consider that the development would cause a negligible change in the view in respect to the listed buildings that enclose the southern side of the High Street and at the north end of Gabriel's Hill, and it would not impact on the ability to appreciate their significance. I also agree with the HS that the special interest of the listed frontage is best experienced in views to the south, across Jubilee Square, and the ability to appreciate the group of listed buildings would not be harmed by the proposed development as it would be behind you. I therefore do not consider it would harm the setting or significance of these buildings.

King Street, comprising: 2-4 King Street (GII), 20-22 King Street (GII), 24-26 King Street (GII), 52-54 King Street (GII), 70 King Street (GII), 72 King Street (GII), 74 King Street (GII), Brenchley Almshouses 76-82 King Street (GII), East Layne House 91 King Street (GII) and Clarendon Place 1-7 Church Street (GII)

- 6.30 Listed buildings on King Street are dispersed and predominantly on the south side as it extends from the High Street to Queen Anne Road with a line of listed buildings to the east of the 'Gateway' building. The HS considers that, *"generally, the listed buildings contribute to the enclosure and historic alignment of King Street. However, the modern buildings on either side of the timber framed building at No. 52 and 54 King Street have not been particularly sensitive to its character and similarly the construction of The Mall provides a crude addition to the street next to the grade II listed No. 20 and 22 King Street. The upper part of the street is also fragmented by the relatively large surface car park adjoining the junction with Church Street. Colman House is visible at the western end of King Street, however a series of kinetic views illustrate the slight change of alignment of King Street and the impact this has on the way in which Colman House is experienced."*
- 6.31 The development would be largely obscured from King Street between Wyke Manor Road and Church Street so would not affect any listed buildings on this stretch. Further east, the top of the 9 storey section would be visible above buildings on the north side of King Street and could be seen in the context of some of the listed buildings on either side of King Street. Due to the distance from these buildings and the context of Colman House and the wider varied townscape, the development would not harm the significance or setting of these listed buildings.

Holy Trinity and Marsham Street, comprising: Church of Holy Trinity (GII) and Ophthalmic Hospital (GII)

- 6.32 The HS states that, *"the church of Holy Trinity has a complex setting that enables the special architectural and historic interest of the building to be appreciated and experienced to varying degrees. The list entry states that the church forms a group with Nos. 1 to 9 and Nos. 21 to 29 Church Street, although those residential properties are not listed and comprise two distinct styles and periods of building. The church spire is also prominent above the three storey terraces of Marsham Street, east of the church, which combine to create a coherent townscape with a sense of formality. The special architectural interest is best experienced from the immediately adjoining streets of Church Street and Marsham Street and also the churchyard associated with the church itself, with which the church has a very clear historic association. Holy Trinity is located on the slightly higher ground that rises to the north-east of High Street. Many glimpses of the church spire are therefore gained from vantage points throughout central Maidstone, allowing the church to be experienced to a greater or lesser extent. In this context the spire of Holy Trinity is partially visible in a series of kinetic views from High Street, although it is experienced in the backdrop to a commercial townscape, including the presence of Colman House."*
- 6.33 I agree with the HS that the special interest of the Church is best experienced from Church Street, Marsham Street and the associated churchyard, and that the development would not affect these views. Nor would views from Church Street be affected. For these reasons the setting of the Church would not be harmed.

6.34 Overall, it is considered that the development would not harm the setting or significance of any listed buildings. The Conservation Officer agrees that whilst the proposed development would be visible within the context of a great number of listed buildings on High Street, Week Street, King Street, Gabriel's Hill and Church Street, it would not have a direct or harmful impact on their setting.

Conservation Areas

6.35 The site is outside but adjoins the Maidstone Centre Conservation Area (MCCA) to the west, the Holy Trinity Conservation Area (HTCA) is around 75m to the north, the Chillington House Conservation Area (CHCA) is around 210m to the northwest, and the Ashford Road Conservation Area (ARCA) is around 290m to the east. It is considered that the development has the potential to impact upon the MCCA, HTCA and ARCA but due to its distance and the lack of clear views from CHCA it would not have any discernible impact on this CA.

Maidstone Centre Conservation Area

6.36 The MCCA Conservation Area Appraisal (2009) summarises some of the qualities of the CA as follows:

- *A fine example of a medieval planned new town development which retains its original gridded street plan and a high concentration of historic buildings, both listed and unlisted, which give it a strong historic character despite modern redevelopments.*
- *In many places, evidence of the original medieval burgage plots survive, resulting in a characteristic small-scale grain to development and a variety to street frontages.*
- *Most development is still of 2-4 storey height, with only a few modern exceptions to this.*
- *For the most part there is a relatively restricted palette of materials – red and yellow brick or stucco/render for walls, clay tiles or slates for roofs.*
- *Whilst buildings of all ages from medieval times to the 21st Century are represented, the Georgian period has a particularly strong influence on the overall look of the Conservation Area, both in terms of buildings originally dating from the 18th and early 19th Centuries and also in the re-fronting of older properties and the design of more recent buildings.*
- *It is a highly urban area, with continuously built-up streets with building lines being largely consistent and being set at the back edge of pavements, open forecourts being virtually non-existent.*

6.37 The proposed development would not be visible from the vast majority of the conservation area due to the tight grain of the street pattern and enclosure of buildings. I agree with the HS that it would not impact on the ability to appreciate the historic interest of the street pattern or the layers of history represented by the diverse styles and forms of construction of buildings within the CA.

6.38 Views of the Holy Trinity Church spire are possible from the High Street from as far west as Mill Street and whilst it is seen in the context of other buildings this is considered to be an important landmark and view from within the MCCA. During pre-application discussions maintaining views of the spire was a key requirement of the Council and the development has been designed to retain a gap between the proposal and spire when viewed from places in the High Street. The elevation is also reserved in its design and appearance so as not to compete with the spire. However, it would reduce the existing gap between the spire and Colman House and reduce its prominence. The Conservation Officer has also raised this pointing out that views of the Church from the MCCA are identified in the area's appraisal as contributing to its significance. The Conservation Officer considers that the development would result in a small degree of harm to the significance of the MCCA for this reason and I agree within this conclusion.

6.39 This level of harm is considered to be less than substantial and so in line with policy DM4 of the Local Plan and the NPPF, this harm must be weighed against any public benefits of the development which will be carried out later in this assessment.

Holy Trinity Conservation Area

6.40 The HTCA Appraisal (2007) summarises some of the qualities of the CA as follows:

- *The Conservation Area is a fine example of the late Georgian expansion of Maidstone, a period when the town first started to outgrow the confines of the medieval settlement.*
- *It exhibits a very consistent character in the terms of building materials, scale, architectural style and layout, and development of the area was more or less completed within the 50 years between 1800 and 1850.*
- *Within the Conservation Area itself a very high proportion of the original buildings remain and there are few intrusions to weaken the character.*

6.41 I agree with the HS that the proposed development would not be visible from key parts of the CA, such as Holy Trinity Churchyard and Marsham Street. Where it would be visible from the corner of the CA at the junction of Union Street and Church Street, it would be seen against the backdrop of Colman House. As stated above, the north side of the building would provide an interesting elevation through variation in massing and materials. It would obscure a large part of Colman House with a high quality building and so it is considered that it would actually improve/enhance views from the HTCCA from here.

Ashford Road Conservation Area

6.42 The ARCA Appraisal (2008) summarises some of the qualities of the CA as follows:

- *The Conservation Area is a fine example of a late Georgian/early Victorian well-to-do suburb just outside the confines of the medieval town.*
- *It exhibits a very consistent character in terms of building materials, scale, architectural style and layouts, and development was completed largely between 1820 and 1860.*
- *Within the Conservation Area itself all the original buildings remain except for no. 5 Ashford Road, demolished in 1973 and whose site now lies under Wat Tyler Way;*

6.43 Views of the top of the 9 storey section would be possible above buildings visible from King Street where it meets Albion Place but due to the distance and the context of Colman House, the development would not harm the significance or appreciation of the ARCA.

Highways Impacts

6.44 The site is located at a highly sustainable location within Maidstone's Town Centre allowing for good public transport access, non-car trips, and linked trips. The development does not propose any on-site parking which is acceptable at this highly sustainable site. Any visitors and staff who do arrive by car would have to use local parking and car parks many of which are 24 hour, or drop off on local roads. The anticipated impact from traffic during peak times is negligible and would not have any severe impact on the local highway network. Kent Highways also consider this to be the case and raise no objections. The development will include 14 cycle parking spaces on-site with changing rooms, showers and lockers to promote cycling.

6.45 Servicing is proposed outside the site on Wyke Manor Road. The applicant is proposing to change one of the disabled parking bays on Wyke Manor Road to allow it to be used for loading/unloading to restricted times outside of shop opening hours. This would be subject to a separate Traffic Regulation Order process that the applicant can pursue which may or may not be successful. Kent Highways have requested a condition requiring that this servicing arrangement be secured. In my view this is not essential as there are dedicated loading bays on King Street which are around 80m away and so a condition is not necessary. Whilst they are not as convenient for the operator, this would not result in any highway safety issues.

6.46 Kent Highways also request conditions for a Demolition and Construction Management Plan; highway condition surveys before and after construction of the development with commitment provided to fund the repair of any damage caused by vehicles related to the development; and measures to prevent the discharge of surface water onto the highway. I do consider the scale of the development being on a relatively constrained site and within in a busy area means that a Construction Management Plan is appropriate in the interest of highway safety in this case. Any damage to the public highway is not a material planning consideration and surface water will be dealt with on site as outlined in the details of drainage below.

Residential Amenity

- 6.47 There are not many residential properties near to the site. The nearest are flats 1-3, 24 Week Street around 25m north of the site, a block of flats (1-8 Goring Place) around 80m to the northeast and flats (97A-B High Street) around 50m to the south. The applicant has carried out a daylight assessment of the impact of the development on all these properties and for sunlight on the properties to the north only as they have south facing windows to the development. The assessment shows that the impact on daylight and sunlight to any of these properties would be within guidelines and I therefore do not consider there would be any harmful impacts upon daylight or sunlight.
- 6.48 In terms of outlook from any windows, the taller section of the building would be at an oblique angle around 40m away from the windows of flats 1-3, 24 Week Street. Because of this distance and angle, combined with the varied townscape character it is not considered that the development would result in overbearing or oppressive impacts when viewed from those windows. In addition the taller Colman House already exists behind the site at this point. For the flats at 1-8 Goring Place, the taller section would be around 80m away and would sit in front of the taller Colman House such that there would be no harmful impact on outlook. For the properties on the High Street, the taller section would be obscured by Colman House.
- 6.49 With regards to noise and disturbance, I do not consider the use of the hotel or rooftop bar would result in any impacts above that already experienced in this town centre location which has many day and night time uses nearby. The applicant is proposing opening hours of 10am to 11pm on weekdays, until 1am on Saturdays and until 8pm on Sundays for the public bar/restaurant. It is considered that these hours are acceptable in this town centre location where there are other similar uses opening to these hours. The impacts on residential amenity are therefore in accordance with policy DM1.
- 6.50 The development would be in close proximity to north facing windows on Colman House. This building is in use as offices and the impact upon the outlook or light for an office use is not a material consideration.

Other Matters

Air Quality

- 6.51 The site is adjacent to an Air Quality Management Area (AQMA) for NO₂, which runs along King Street south of the site. The AQMA encompasses the main roads around Maidstone. An air quality assessment has been submitted which assesses the impact of increased vehicle movements associated with the development (visitors, staff and servicing) and the fact that many of these would be to local car parks rather than the site. It concludes that any increases in NO₂ concentrations would be negligible and Environmental Health agree with this conclusion and raise no objections. In line with the Council's Air Quality Planning Guidance, an emissions mitigation calculation has been used to quantify potential emissions from the development and provides a suggested mitigation value for proportionate mitigation. A number of potential mitigation measures which are predominantly outlined within the

Travel Plan have been put forward and the specific measures can be secured by condition.

Drainage

- 6.52 Surface water currently drains to mains surface water drains within the vicinity. The proposal is to reduce the current run-off rates from the site by around 75% but still discharge to the mains sewer. Because a basement is proposed and the site is to be fully developed there is no space for below-ground storage options or features such as swales. As such, it is proposed to provide a 'green' planted roof with a flow restriction device. This will cover an area of 500m² across two levels on the roof above the bar and on the 4th floor roof space.
- 6.53 KCC LLFA raises no objections to the principles of the proposals subject to discharge rates to the mains surface water sewers being agreed with Southern Water. Southern Water has advised that provided discharge rates are no greater than existing this will be acceptable. As rates are expected to be lower this seems to be achievable. KCC recommended a condition to provide the fine details of the SUDs scheme which can ensure this is the case.
- 6.54 Foul drainage would go to the mains sewers and Southern Water have confirmed there is capacity.

Ecology

- 6.55 This is a brownfield site with minimal if any ecological value so mitigation is not necessary. Therefore the proposals provide for enhancements in the form of the green 'planted' roof which is proportionate. Other enhancements such as bird, bat, and bee bricks would also be appropriate and can be secured via condition.

Sustainable Design

- 6.56 The building will meet a 'BREEAM Very Good' standard as required by policy DM2 of the Local Plan. The building strategy focuses on the fabric of the building to reduce emissions and save energy demand and includes 150m² of south facing PV panels on the 4th floor roof to further contribute to energy and carbon reduction.

Archaeology

- 6.57 KCC Heritage advises that there is potential for significant archaeology to survive on this site and conclude that a condition requiring details of archaeological work and details of foundations designs and any other proposals involving below ground excavation are provided prior to the commencement of development. This would ensure that any features of archaeological interest are properly examined and recorded, and if necessary preserved in situ in accordance with policy DM4 of the Local Plan.

Environmental Impact Assessment

6.58 The scale of the development is well below any relevant thresholds for EIA development. It is not considered that the characteristics or size of the development are such that significant environmental impacts are likely to arise or that would warrant an EIA.

Representations

6.59 Any disruption to trade in the local area during construction is not a material planning consideration.

Economic & Environmental Benefits

6.60 The applicant has calculated that the hotel would bring approximately £1.2 million of additional visitor spending per year for Maidstone. This has been calculated based on the estimated number of visitors per year and their likely spend (within both the hotel and other local uses such as visitor attractions, retail, and leisure uses) which have been worked out using 'The Economic Impact of Tourism Kent – 2017' reports which provide an overview of tourism activity in Kent for 2017 and were commissioned on behalf of 'Visit Kent'. The proposals would also create an estimated 53 additional full time jobs for the hotel and 13 for the bar/restaurant. Whilst these are estimated, there is no doubt that the proposals would bring substantial economic benefits through spending in Maidstone and the Town Centre, and from the creation of new jobs.

6.61 For the reasons outlined above it is considered that the proposed building represents high quality design and would serve to enhance the character, appearance and vitality of the local area which is in accordance with policies SP4 and DM1 of the Local Plan and the NPPF. The proposals would therefore also bring environmental benefits to the town centre location through improvements in the townscape, an increased diversity of town centre uses and enhanced vitality and viability.

Balancing of Matters

6.62 As outlined in the assessment above there is some conflict with policy DM27 (Primary Shopping Frontages) as the proposal would result in the loss of a retail unit on Week Street where policy seeks to ensure retail (A1) remains the predominant use here. The proposals would also result in a low level of 'less than substantial harm' to the Maidstone Centre Conservation Area. In line with policy DM4 of the Local Plan and the NPPF this harm must be weighed against the public benefits for the development.

6.63 National Planning Practice Guidance states that, "*public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives.*" In this case, it is considered that the economic and environmental benefits outlined above would be on such a scale so as to be regarded as significant wider public benefits and that this would outweigh the low level of 'less than substantial' harm to the Maidstone Centre Conservation Area. This is in accordance with policy DM4 of the Local Plan and the NPPF.

6.64 In addition these benefits are considered to outweigh the loss of an A1 retail unit and the conflict with policy DM27. The proposals would regenerate the site and clearly bring visitors to the town centre which would help to enhance the vitality and viability of the town centre as a whole.

7.0 CONCLUSION

7.01 The development is considered to be very well designed with considerable breaks in the massing through different heights, set-backs, use of materials and detailing. The different elements of the building are well articulated and quality materials are proposed. It is considered that the proposals would provide a high quality building that would enhance the local area and would not cause harm to the character or appearance of the townscape in accordance with policies SP4 and DM1 of the Local Plan.

7.02 The proposals would regenerate a central Town Centre site with a high quality building and bring substantial economic benefits helping to achieve the aims of policy SP4 of the Local Plan and the 'Town Centre Vision' within the Local Plan.

7.03 The development would result in the low level of 'less than substantial' harm to the Maidstone Centre Conservation Area but this harm is outweighed by the significant public benefits associated with the economic and environmental benefits of the development in accordance with policy DM4 of the Local Plan and the NPPF.

7.04 The loss of a retail unit on Week Street and thus conflict with policy DM27 is outweighed by the economic and environmental benefits of the overall development.

7.05 Any other impacts from the development are either acceptable or can be mitigated by condition.

7.06 Therefore permission is recommended subject to the conditions as set out below.

8.0 RECOMMENDATION

APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:

Approved Plans

1. The development hereby permitted shall be carried out in accordance with the Proposed Plans as listed on the Drawing Register & Issue Sheet received on 11.11.19.

Reason: To clarify which plans have been approved and to ensure a high quality development.

Time Limit

2. 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.

Compliance

3. The development shall be carried out in accordance with the external building materials as outlined within the Design & Access Statement and as shown on the proposed plans as follows:

- a) Light red coloured stock bricks
- b) Ragstone inserts around the window surrounds on the north and east elevations of the 9 storey section
- c) Ragstone cladding on the ground and first floors on the east elevation of the 9 storey section
- d) Ragstone recessed inserts on the south and west elevations of the 9 storey section
- e) Ragstone on the Week Street frontage
- f) Copper window divisions
- g) Copper balustrading
- h) Metal banding on the fully glazed sections including the roof top floor

Reason: To ensure a high quality development is delivered.

4. The development shall be carried out in accordance with the installation of PV Panels as shown on drawing no. A-100-004 RevPL0.

Reason: To ensure a high quality development is delivered.

5. All planting, seeding and turfing specified in the approved green roof landscape details shall be carried out in the first planting season (October to February) following the commencement of the use of the building and any planting which fails to establish or plants which, within five years from the commencement of the use 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: To ensure a high quality development is delivered and in the interest of biodiversity enhancement and surface water drainage.

Pre-Commencement

6. No development shall take place, including any demolition works, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan shall provide for:

- a) Locations for loading/unloading and storage of plant, waste and construction materials;
- b) Details of any necessary temporary traffic management measures;
- c) Arrangements for the turning of vehicles;
- d) Arrangements to receive abnormal loads or unusually large vehicles;

Reason: In the interests of highway safety highway both during the demolition and construction phase of the development.

7. No development shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the principles contained within the Outline SUDS Strategy report by Surface Property (October 2019) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- a) That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- b) Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding.

8. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a phased programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

9. No development shall take place until details of foundations designs and any other proposals involving below ground excavation have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that due regard is had to the preservation in situ of any important archaeological remains.

10. No development above basement level shall take place until the following details have been submitted to an approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- a) Large scale plans of all window reveals including those with ragstone panel recesses. Details shall show sufficient recesses in order to provide depth and layering of materials as outlined and shown within the Design & Access Statement
- b) Large scale plans showing details of all ragstone panel recesses as outlined and shown within the Design & Access Statement
- c) Details of all windows and frames including glazed areas and metal banding
- d) Details of masonry joints between any brickwork and stonework
- e) Details of masonry joints between brickwork or stonework and any windows or glazing
- f) Details of expansion joints which shall be located to minimise their impact
- g) Details of coping to the top of the brickwork sections
- h) Details of any fixings and footings for window cleaning equipment which shall be designed and positioned to limit their visibility
- i) Details of the copper balustrades and banding
- j) Details of rooftop plant and lift enclosures
- k) Samples of the 'Wienerberger Welham Antique' stock brick or an alternative stock brick of similar colour and variation in tone and texture.

Reason: To ensure a high quality development is delivered.

11. No development above basement level shall take place until a landscape scheme for the green roofs on the 4th floor roof and roof top levels has been submitted to and approved in writing by the local planning authority. The scheme shall include a planting specification, a programme of implementation and a 5 year management plan.

Reason: To ensure a high quality development is delivered and in the interest of biodiversity enhancement and surface water drainage.

12. No development above basement level shall take place until a sample panel of the ragstone, which shall be straight coursed with a honed or light textured finish, has been constructed on site for inspection and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a high quality appearance.

13. No development above basement level shall take place until details of any external lighting have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained.

Reason: To ensure a high quality appearance.

14. No development above basement level shall take place until details for the provision of bird, bat, and bee bricks have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained.

Reason: In the interests of biodiversity enhancement.

15. No development above basement level shall take place until details of a scheme for the extraction and treatment of cooking fumes has been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented prior to the first use of the premises and thereafter maintained to the satisfaction of the local planning authority. Any external installations shall be positioned to limit their visibility from public vantage points.

Reason: To safeguard the enjoyment of their properties by nearby residential occupiers and to ensure a high quality appearance.

16. No development above basement level shall take place until a Building Maintenance Plan covering the external appearance of the elevations of the building has been submitted to and approved in writing by the local planning authority. The Plan shall provide the following:

- a) Details of the methods of building inspection and frequency
- b) Details of the impacts upon the building that need to be rectified such as water streaking and staining
- c) Measures to clean or rectify any impacts identified and the timescales for doing so

The approved Plan shall thereafter be adhered to for the lifetime of the building.

Reason: To ensure the high quality appearance of the development is maintained.

Pre-Occupation

17. The development shall not be occupied until a final Travel Plan in accordance with Planning Practice Guidance and following the principles of the submitted Travel Plan, including arrangements for payment of a monitoring fee, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall quantify what measures or offsetting schemes are to be provided to reduce the transport related air pollution of the development and follow the mitigation principles outlined in the Air Quality Assessment (January 2020). The approved Travel Plan shall thereafter be implemented and maintained.

Reason: In the interest of sustainable transport and mitigating impacts upon air quality.

18. The development shall not be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent

person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to neighbouring land are minimised, and to ensure that the development as constructed is compliant and subsequently maintained.

Restrictions

19. No fans, louvers, ducts, vents, flues, or other similar apparatus shall be installed externally without the prior written approval of the Local Planning Authority apart from any approved under condition 15.

Reason: To ensure a high quality appearance.

20. The roof top bar and restaurant shall not be open to members of the public outside the hours of 10am to 11pm Monday to Friday, 10am on a Saturday through to 1am on a Sunday, and 10am to 8pm on Sundays.

Reason: To accord with the hours applied for and those that have been assessed and to safeguard the enjoyment of their properties by nearby residential occupiers.

21. The hotel shall be used for C1 use only and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any statutory instrument revoking and re-enacting those Orders with or without modification);

Reason: To accord with the terms of the planning permission.

22. The roof top bar and restaurant shall be used for A3 or A4 use only and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any statutory instrument revoking and re-enacting those Orders with or without modification);

Reason: To accord with the terms of the planning permission.