

REPORT SUMMARY

REFERENCE NO - 21/502008/FULL		
APPLICATION PROPOSAL To extend existing terrace and proposed new doors on the South East side of Lockmeadow complex.		
ADDRESS Lockmeadow Leisure Complex Barker Road Maidstone Kent		
RECOMMENDATION – APPROVE SUBJECT TO CONDITIONS		
SUMMARY OF REASONS FOR RECOMMENDATION 1. The development causes no harm and permission is therefore recommended subject to conditions.		
REASON FOR REFERRAL TO COMMITTEE The applicant is Maidstone Borough Council.		
WARD Fant	PARISH/TOWN COUNCIL	APPLICANT Alexa Kersting-Woods AGENT FL.Architects Ltd
DECISION DUE DATE 16/06/21	PUBLICITY EXPIRY DATE 14/06/21	OFFICER SITE VISIT DATE 06/05/21

Relevant Planning History

96/0537 – Full application for new market buildings, surface and semi basement car park for 670 cars, a multi-screen cinema, bowls centre, night club, restaurants, unit for bingo only or health and fitness and children’s play centre, market square, town square and town park – Approved

16/505628/FULL - Installation of a new facade to the existing leisure complex (replacement of existing), the enclosure of an existing terrace to create 180sqm of new floorspace and the installation of one internally illuminated fascia sign - Approved

20/502286/FULL - External alterations to the existing Lockmeadow Leisure Centre, including removal of gated car park entrance, cladding of existing circular columns in PPC aluminium rectangular sections, repainting of existing guttering and high level fascias, replacement of low level railings with flat bar sections, and removal of existing southern cattle market structure and car park railings – Approved

1.0 DESCRIPTION OF SITE

- 1.01 The application site is the Lockmeadow entertainment complex located within the defined town centre boundary. The Lockmeadow development was approved and implemented under planning application reference MA/96/0537.

- 1.02 The site is located in close proximity to Maidstone West Railway Station in an area with a varied mix of uses, including light industrial, retail, civic, commercial and residential. The southern and eastern boundaries of the site are adjacent to the River Medway and the River Medway Towpath.
- 1.03 The site and main pedestrian entrance to the complex face to the north onto Barker Street. The existing terrace is located adjacent to main car park to the south of the building.

2.0 PROPOSAL

- 2.01 Maidstone Borough Council has taken on the leasehold for Lockmeadow and is seeking to improve the appearance of the building and facilities to make the complex a key destination for leisure activities in the town centre.
- 2.02 The existing terrace was permitted under application reference: 11/1841 is currently used for an outdoor dining area for the existing restaurant at the rear of the Lockmeadow complex. This application seeks to extend this existing terrace from its current 96m² to 278m² to provide additional seating area for restaurants and pubs within Lockmeadow. The materials would match the existing decking and would have 3 access points, one directly from Lockmeadow, one from the car park and one directly from the restaurant.

3.0 POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017: SP4, DM1, DM29
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

4.0 LOCAL REPRESENTATIONS

Local Residents:

- 4.01 No comments received.

5.0 CONSULTATIONS

- 5.01 MBC Environmental Health – No objection
- 5.02 Kent County Council Highways – No comment
- 5.03 KCC Flood Risk – No comment
- 5.04 Environment Agency – No comment

6.0 APPRAISAL

Main Issues

- 6.01 The key issues for consideration relate to:
- Principle of Development
 - Visual Impact
 - Local Amenity

- Flood Risk
- Other Matters

Principle of Development

- 6.02 Policy SP4 of the Local Plan sets out the vision for the town centre and seeks to provide a variety of well-integrated attractions for all ages including leisure, tourism, cultural facilities and improved access for all. In addition, policy DM29 outlines that proposals for leisure in the town centre will be permitted subject to the proposal not impacting on local amenity and that the proposal retains an 'active frontage'.
- 6.03 The principle of the proposal to enhance the leisure complex is acceptable and in accordance with Local Plan policies SP4 and DM29 subject to the discussion of the material considerations below, namely visual impact and local amenity.

Visual Impact

- 6.04 Local Plan policy DM1 (principles of good design) states that proposals should provide a high quality design which responds to areas of heritage, townscape and landscape value or which uplift an area of poor environmental quality.
- 6.05 In terms of materials, the decking would match the existing with white render elevations, metal balustrade and a wooden decking surface.
- 6.06 It is considered that the extension to the rear decking area would be sympathetic to the existing building with its matching materials and would not cause harm to the visual amenity of the site or surrounding area. The proposal is therefore in accordance with policy DM1 of the Local Plan.

Local Amenity

- 6.07 Local Plan policy DM1 (principles of good design) criterion iv. requires proposals to respect the amenities of occupiers of neighbouring properties. In addition, policy DM29 (Leisure and community uses in the town centre) criterion i. states that proposals will be permitted where they will not have a significant impact on local amenity.
- 6.08 The closest residential properties are located to the south east and south west of the site and these are the most likely to be impacted as a result of the proposal due to the potential for an increase in activity and noise. However, these properties are located 130m away beyond the existing market hall, car parking and on the opposite side of the River Medway. In addition the site is located within the town centre boundary where it is not unreasonable to expect outdoor seating areas for leisure sites such as this. It is not considered that the proposal would give rise to such a level of noise and disturbance to result in a loss of amenity for any residential property. The proposal would not cause overlooking to any neighbouring property due to the separation distances.
- 6.09 It is noted that the existing terrace under condition 4 restricts the hours of use beyond 23:00 Monday to Sunday and condition 5 which states that no amplified

music can be played on the terrace area. The applicant has agreed that these conditions will be carried over for the new terrace area. The proposal is therefore in accordance with policies DM1 and DM29 of the Local Plan.

Flood Risk

- 6.10 The site is located within Flood Zone 3 and the application is supported by a Flood Risk Assessment (FRA). KCC Drainage has no comment on the application, and the Environment Agency also has no comment but refer to their 'Standing Advice'.
- 6.11 The application is classed as minor non-residential development as the extension has a proposed footprint extension of less than 250m². The submitted FRA considers that due to the raised level of the terrace it would be located above ground level by 1.8m which is the same level as 1:100+35% climate change event. As such the terrace is considered to be minor development and an extension to an existing terrace that will be above the modelled flood level for the 1:100 year level event and would have a negligible impact to flood risk elsewhere. The proposal is in accordance with policy DM1 of the Local Plan which states that proposals should avoid inappropriate development within areas at risk from flooding, or to mitigate any potential impacts.

Other Matters

- 6.12 No trees would be lost due to the nature of the proposal, scale and siting and there are considered to be no ecological issues as the site is located on hardstanding.
- 6.13 The application site is not listed, and it is not within a Conservation Area. The All Saints Conservation Area is located to the east of the River Medway 80m to the east of the application site. Due to the nature of the application to extend an existing decking area and the distance, it is not considered that the proposal would result in harm to the setting of the Conservation Area.
- 6.14 Measures to provide biodiversity net gain were included under condition 5 of application reference 20/502286/FULL and these details were subsequently discharged under application reference 20/504623/SUB. Due to the active nature of the extended terrace it is not considered to be an appropriate structure on which to create new habitat and therefore it is not considered necessary to require further additional ecological enhancements as part of this minor application.

PUBLIC SECTOR EQUALITY DUTY

- 6.15 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

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

Drawing No. 316(GA)001 Rev A – Site Location and Block Plans
Drawing No. 316(GA)021 Rev 2 – Proposed Ground Floor Plan
Drawing No. 316(GA)027 Rev 1 – Proposed Elevation
Drawing No. 316(GA)028 Rev 2 – Proposed Elevation
Design and Access Statement – Received 12/04/2021

Reason: To clarify which plans have been approved.

3. The materials to be used in the development hereby approved shall be as indicated on the approved plans unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development.

4. The terrace hereby permitted shall not be used outside the hours of 09:00 to 23:00 on any day.

Reason: To safeguard the enjoyment of their properties by residential occupiers.

5. No musical equipment and/or electrically amplified sound shall be so installed, maintained and operated on the terracing hereby permitted so as to prevent the transmission of noise and/or vibration to any adjacent premises;

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers.