

APPLICATION: MA/10/1271 Date: 19 July 2010 Received: 20 July 2010

APPLICANT: MBC - Leisure & Parks

LOCATION: MOTE PARK MAIDSTONE, WILLOW WAY, MAIDSTONE, KENT, ME15 7RN

PARISH: Maidstone

PROPOSAL: Proposed works include new DDA compliant footpath, steps and viewing point adjacent to Cafe area, new enclosed maintenance yard area adjacent to the existing WC/maintenance building, enlargement and formation of new car park facility to Mote Avenue car park, new hardstanding and repositioned model boat platform to the historic boathouse lake edge, new inner and outer circuit footpath, permitting wheelchair access around the park, formation of new car park facility at burning ground, repair of lake crossing causeway and new bridge construction as shown on drawing nos. 10111301-P-101revA, P-107, P-108, P-109, P-201, P-202, P-203, P-204, P-206, P-207, P-208, P-211, P-213, P-214, P-303 and Design and Access Statement, Archaeological investigation and specification, Flood Assessment, Sustainability report, Ecological Desk-top Study, Badger Survey, Great Crested Newt Survey and Water Vole Survey received 20/07/2010.

AGENDA DATE: 23rd September 2010

CASE OFFICER: Steve Clarke

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: ENV6, T13  
Central Government Policy: PPS1, PPS5, PPS9, PPG17

## 2. **HISTORY**

- 2.1 Mote Park has an extensive planning history the most relevant to the current proposals are as follows;

MA/97/0893: Erection of a replacement cafeteria: APPROVED 30/10/1997

MA/93/1544: Demolition of part and associated reinstatement (alteration work and relocation of golf kiosk and office): APPROVED 19/01/1994

### **3. CONSULTATIONS**

- 3.1 **Downswood Parish Council** (Consulted as an adjoining Parish Council): The Parish Council considers the above to be a good scheme. The only change we would like to be considered is replacing the wooden handrails with metal ones.
- 3.2 **English Heritage:** Have commented as follows:

'Summary: English Heritage fully supports the objectives of this proposal to improve access to and around the grade II registered Mote Park and to restore its parkland character where this has deteriorated in recent decades. However, we make recommendations here for how the detailed design of the works may be improved in conjunction with the site's conservation management plan so the special character of this important landscape is reinforced. We also suggest ways in which these improvements might be achieved through the planning process.

English Heritage Advice: Mote Park is on English Heritage's Register of Parks and Gardens of Special Historic Interest at grade II. It is an eighteenth/early nineteenth-century landscape park created from an earlier deer park at the eastern edge of Maidstone. At its heart is a large lake overlooked by a late eighteenth-century house, Mote House, itself listed at grade II\*. Directly to the north and east of the house are mid nineteenth-century pleasure grounds and towards the southern edge of the park is a grade II listed eye-catcher in the form of a Greek Doric temple built in 1801 by the Volunteers of Kent in tribute to the site's owner, Lord Romney. His new house replaced an earlier mansion, the remains of which survive along with earthworks associated with its formal gardens at the southern end of the lake. As an ensemble of house, park, gardens and garden buildings, the site is of considerable aesthetic value, whilst also deriving historical value from its association with Lord Romney and as a good illustration of the principles by which country house estates were typically laid out in the early nineteenth century.

This application proposes numerous improvements for the benefit of visitors to this publicly owned and managed park. These improvements include new and resurfaced paths to improve movement, enhanced facilities and the reinstatement of the site's parkland character where this has deteriorated.

We fully support the main objectives of this proposal, but have some concerns about the detailed design of various aspects of the scheme. We would not wish to prejudice the applicant's Heritage Lottery Fund bid by requiring changes at this stage that would delay the granting of planning permission for what is in general an excellent scheme. However, in order to ensure that any new works reinforce, rather than dilute the character of the designed historic landscape, we recommend that permission is only granted subject to conditions requiring the later approval of the following details:

- The type and colour of all new hard surfacing within the application site;

- A schedule of repairs to the waterfall structure at the north-eastern corner of the lake. We suggest that these works should include the re-facing in ragstone of the southern side of the parapet wall above the waterfall;
- Railings and handrails. It will be important to ensure that these are of a type appropriate to their parkland setting. The current proposals appear quite urban and municipal in appearance;
- Large-scale sections (1:10 or 1:20) through the terraced steps down to the western edge of the lake from the existing café. The objective should be to avoid large retaining walls by changing the pitch of the stairs and by using grass banks on either side to give the sort of soft edges that would be more appropriate in a parkland setting.

The design of the above aspects of the scheme should be considered with reference to the already completed conservation management plan for the site. We recommend that this plan should therefore be submitted as part of the current application so that it can be used to inform your Council's determination of the application and the subsequent consideration of the areas of detailed design highlighted above.

Finally, we have already provided advice on works to the Volunteers' Pavilion as part of our consultation response to a separate application, but we are also aware that as part of wider proposals for the landscape a proposal is being developed to encircle the Pavilion with a new set of railings. We suggest at this stage that the new railings should be set close up to the Pavilion to avoid appearing too dominant in key views of the building and, like the existing railings, should be laid out in a circle around the Pavilion.

Recommendation: English Heritage recommends that the conservation management plan for Mote Park should be submitted as part of the current application in order to inform your determination of the application and future consideration of issues of detailed design. If your Council is minded to support the current application, we also recommend that conditions are imposed on any permission requiring subsequent approval of the items of detailed design listed in this letter.

*(Officer comment: The conservation management plan was prepared to advise the preparation of the park-wide regeneration proposals much of which either does not constitute development or is development permitted under part 12 of the General Permitted Development Order 1995. It is not considered necessary therefore for the conservation management plan to be submitted as part of this application which only relates to a few elements of the wider proposals. The Conservation Officer concurs with this view. English Heritage's other comments are covered by suggested conditions or informatives.)*

### **3.3 Kent County Council Heritage Conservation:**

'Elements of the application are likely to involve groundworks in archaeologically sensitive parts of Mote Park, including the site of the former manor house. Other historic features from the middle ages to the Second World War are also thought to be present on or near the locations of the proposed works.

The applicant has carried out an initial desk-based walkover study of the site which has been useful in identifying areas of impact and has also been working with this office to agree an initial field evaluation strategy, the specification for which has been submitted

as part of the application. A condition securing the undertaking of this specified work, followed by appropriate mitigation should important archaeological remains be encountered would be appropriate for any forthcoming consent. I advise that the following be appended to any future permission.

*The development shall not commence until the applicant, or their agents or successors in title, has secured the implementation of;*

*(i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority and;*

*(ii) following on from the evaluation, any safeguarding measures to ensure preservation in-situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.*

*Reason: To enable the recording of any items of historical or archaeological interest pursuant to the advice in PPS5.'*

#### 3.4 **Natural England:** Have commented as follows;

##### **'Bats**

Natural England is satisfied that the survey information provided by the applicants suggests that no bats are utilising buildings, trees or other structures that are to be affected by the proposals. Consequently, we have no comments to make in relation to these species at present.

##### **Great crested newts**

Natural England is satisfied that the survey information provided by the applicants suggests that no great crested newts are utilising ponds or terrestrial habitat that will be affected by the proposals. Consequently, we have no comments to make in relation to these species at present.

##### **Water voles**

Natural England is satisfied that the survey information provided by the applicants demonstrates that no water voles are utilising features within the application site that are to be affected by the proposals.

##### **Widespread reptiles**

The survey information provided by the applicants indicates that reptiles are utilising features within the application site that are to be affected by the proposals. The proposals set out in the application, however, appear sufficient to mitigate any potential impacts on local reptile populations. Therefore, Natural England is satisfied that these proposals will not be detrimental to the population of reptiles, subject to the condition listed below.

- Prior to the commencement of any works which may affect reptiles or their habitat, a detailed mitigation strategy shall be submitted to, and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

##### **Badgers**

Natural England is satisfied that the survey information provided by the applicants demonstrates that no badgers are utilising features within the application site that are to be affected by the proposals. Consequently, Natural England has no comments to make in relation to this species at present.

### **Breeding birds**

Providing any site clearance works are conducted outside of the breeding bird season and replacement nesting opportunities are provided through the landscaping strategy at the detailed application stage, Natural England is satisfied that this proposal should not be detrimental to local breeding bird populations.'

In the light of the above, Natural England have confirmed that they have no additional comments to make.

### 3.5 **Environment Agency:** Have commented as follows:

'We have no objection to the development provided the following planning conditions are imposed requiring a scheme to be agreed to ensure that the marginal habitat and riparian buffer of the lake and River Len is managed in such a way as to protect and enhance the ecological value of Mote Park.

#### Condition

Prior to the commencement of development a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for the marginal habitat and riparian edge of the lake, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- *detail extent of tree removal and planting*
- *details of maintenance regimes*
- *details of any new marginal habitats to improve the ecological value of the lake*
- *details of the proposed angling access improvements*

#### Reasons

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

Planning Policy Statement 9 (PPS9) requires that planning decisions should prevent harm to biodiversity interests (PPS9: Key Principles) and should also seek to enhance and expand biodiversity interests where possible. Article 10 of the Habitats Directive, and PPS9 (paragraph 12) stress the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

The River Len and Mote Park Lake form an important ecological corridor between the River Medway and River Len Local Nature Reserve and the wider countryside east of Maidstone. It is vitally important that the habitat in Mote Park is improved for wildlife.

We would be happy to work with Maidstone Borough Council on proposals to enhance the biodiversity of Mote Park Lake and wetland habitats.'

### 3.6 **Southern Water:** No objections

### 3.7 **EDF Energy:** No objections

### 3.8 **MBC Conservation:** Have commented as follows

Comments: Overall, we welcome the works proposed for the Stage 2 application for Heritage Lottery Funding. The changes should improve the access to and overall quality of experience of this Grade II registered park which surrounds Grade II\* listed Mote House and Grade II listed Kent Volunteers pavilion. We understand that we will be asked to comment on the proposed works to the pavilion and the kiosk in a future application.

The following elements are acceptable as indicated on the relevant plans from a conservation standpoint (some details are recommended to be addressed as conditions below):

- Path layout
- Formalisation of main car park
- Modifications to the café & WC/maintenance block, including steps
- Modifications to the boathouse area
- Works to burning ground area
- Repair of lake crossing causeway and bridge

A few proposed elements raise some areas of concern which we hope can be addressed by condition.

**Recommendation** It is, therefore, recommended that: On heritage grounds the application should be **APPROVED** with the following conditions.

Conditions: Throughout the scheme area, the following conditions would be appropriate to assure that the “finished product” preserves or enhances this heritage landscape and the setting of the related listed buildings:

- 1) Details of paving colour schemes
- 2) Full details of the design and materials of new handrails provided in the form of large-scale drawings
- 3) Full details of the design and materials of new signs to include information panels, provided in the form of large-scale drawings
- 4) Full details of the design, materials and number of new benches, picnic tables, and tree grilles provided in the form of large-scale drawings
- 5) Full details of the three “Escofet Lungo Mare” sculptures
- 6) Details of related planting schemes

Due to its prominent position, the viewing platform is one landscape feature which could use some further attention to detail to minimise the urban character as illustrated in the current drawing (10111301-214). As the lower retaining wall is proposed to be clad in stone, we suggest that the municipal-style handrail proposed be replaced with a ragstone wall, perhaps crenellated, in effect carrying the stonework up the face of the structure. This would relate better to the ragstone façades of the café and boathouse, and produce more of a “folly”, which would be a more likely feature found in a historic landscape park. We strongly recommend a similar approach to the spillway area, which is not included as part of this application.’

## **4. REPRESENTATIONS**

4.1 **CPRE Maidstone Branch** have advised that they are generally supportive of the application proposals and the balance they strike between improving access to the park and the measures for enhancement to biodiversity and wild places.

- They welcome the predominant use of timber of the external furniture and the proposed overhauling of the signage
- They recommend that any permission should be subject to a condition to submit and observe a Habitat and Biodiversity Management Plan.
- The access improvements are also considered acceptable and the removal of parking from the lake edge welcomed.
- The regeneration of Mote Park is composed of exciting proposals which should encourage more people to enjoy being on the park and as such is supported by CPRE Maidstone, providing that great care is given to the preservation of important habitats and the biodiversity they support, as the green land is an important element in the ability of people to enjoy the Park for its own sake and as the setting for the built facilities.

## **5. CONSIDERATIONS**

### **5.1 Site Description**

5.1.1 Mote Park is an extensive Council owned and managed public park which extends to approximately 200ha and is located entirely within the defined urban area of Maidstone. It has been a public park since 1929. It is located to the east of Maidstone Town Centre and is roughly bounded by the A20 Ashford Road to the north, Willington Street to the east, Park Road/Plains Avenue/Claygate/School Lane to the south and Willow Way/West Park Road/York Road to the west. It is a Listed Grade II on the English Heritage Register of Gardens of Historic Interest and is also on their At Risk Register. Mote Park is also part of the Mote Park & River Len Local Wildlife Site designated in April 2009.

5.1.2 There are a number of buildings within the confines of the park, some of which are also listed buildings. The listed buildings are Mote House (Grade II\*) and Mote House Stables, Raigersfeld, Ye Old Bothy, Keeper's Cottage and Mote Cottage (all Grade II). Maidstone Leisure Centre is located within a section of the park close to and accessed from Willow Way and the Mote Cricket ground and Maidstone Rugby Club also abut the park to the east of Willow Way.

5.1.3 The park comprises extensive open access areas and also wooded areas with formal sports pitch provision, a 'pitch and put' course and a model railway and also equipped childrens' play areas. There is also a café building and car parking areas within the park.

5.1.4 The centrepiece of the park is Mote Park Lake which was formed by damming the Len Valley in around 1802. The River Len enters the eastern end of the park at its boundary with Willington Street, feeds the lake and exits the park into the Turkey Mill complex located adjacent to the northwest corner of the park.

## **5.2 Proposal**

5.2.1 The application has been submitted as the Council is seeking to regenerate Mote Park and has submitted a bid to the Heritage Lottery Fund to facilitate the regeneration of the park. The regeneration proposals involve a number of aspects only some of which have been considered as requiring planning permission with the remaining works either not constituting development or being works permitted by Part 12 of the General Permitted Development Order 1995 (As amended).

5.2.2 As stated above, not all elements of the regeneration project are considered to require planning permission. In summary, this application seeks consent for the following works.

1. A rebuilt and re-contoured step-less footpath together with a new mid-way viewing point to enable all-inclusive access from the café area by the Mote Avenue car park to the Boat House area at the lake side. These works will also involve a new stepped access from the café area to the new path and improvements to the landscaping around the existing WC/Maintenance building to the east of the café. The WC building will also be provided with a new fenced maintenance yard on its eastern side.
2. The main car park accessible from Mote Avenue will be remodelled and improved.
3. The existing parking area to the west of the boat house will be removed and a new pedestrian area and promenade created. The existing model boat platform will also be moved to the eastern side of the Boat House.
4. As mentioned above, a new inner and outer footpath circuit will be created permitting wheelchair access around the park,
5. A new car park facility will be provided at the 'burning ground' north east of Mote House accessed from Willington Street via the 'Park & Ride' car park entrance.
6. The existing lake crossing causeway at the eastern end of the lake will be repaired and a new bridge over the existing constructed.

I describe the proposals in more detail below, using the order set out above.

1: Café Area/WC & Maintenance Block

5.2.3 Access from the café to the boat house area adjacent to the lake is only currently achieved via a stepped ramp and does not accommodate wheelchair or

pushchair users. The WC/maintenance block is a unattractive building with extensive areas of unused hardstanding around it.

5.2.4 The proposals seek to provide a new ramped access utilising existing contours on the steep lakeside, which enables the ramp to meet the main path to the front of the café adjacent to the WC/maintenance building. Mid-way along the ramp a new viewing area is to be provided with interpretation and seating. This viewing area would comprise a new stone clad retaining wall built into the lakeside with railings above which would face out over the lake towards the boat house. A new stepped access would be created on the line of an existing unofficial path to the west of the café.

5.2.5 The area around the WC/maintenance building would be softened with additional landscaping and a fenced compound for vehicles provided on its eastern side with the fencing screened by new hedging.

2: The Main Car Park (accessed from Mote Avenue)

5.2.6 Currently the car park comprises a large expanse of broken 'grasscrete' blocks with no demarcation of spaces, surface water drainage or vehicular control. The car park is to be resurfaced. The access ways will be surfaced in a combination of bitmac with a 'fibredec' natural stone dressing. The parking bays will be constructed from porous 'Cedec' self binding gravel with the bay edges along the access ways delineated with granite setts. Two electric vehicle charge points are also to be provided within the car park. The car park will also be landscaped, with new tree and shrub planting.

3: Boat House Promenade

5.2.7 This area is currently used for disabled 'blue-badge' car parking and is subject to flooding. The 'blue-badge' parking is to be relocated to the roadway between the main car park and the café. This has enabled the removal of parking from the waters edge and its replacement by a new tree avenue further landscaping and tree planting, new benches and sculptural play elements together with new granite banding and fibredec surfacing. The aim is to provide a new lakeside promenade. The flooding will be alleviated by the changes to the spillway proposed but will still potentially occur due to the minimal difference between pavement and lake levels.

5.2.8 The existing model boat launch platform on the west side of the boat house is to be demolished and moved to the eastern side of boat house in a new timber-decked enclosure with timber guard rails.

4: The Inner and Outer Circuit Footpath

- 5.2.9 This element of the proposal seeks to link existing footpaths/roadways in the park through the construction of new fibredec dressed pathways 2.4m wide to enable the provision of an inner and outer circuit around the lake and the park.
- 5.2.10 On the inner circuit, the majority of the proposed pathway currently exists. New sections are located at the eastern end of the lake to the front of Mote House passing over the new bridge and returning along the western lake shore on the eastern side of the pitch and put course. The footpaths are set back from the lake edge to enable the retention and proper management of the lake-side planting and trees and to avoid intrusive engineering works.
- 5.2.11 On the outer circuit, again, much of the route currently exists. A single new section of footpath west of the School Lane entrance passing to the north of Keepers Cottage and running northwards to the site of the original Mote House north of the Pavilion is to be provided.
- 5.2.12 In addition to the inner and outer circuit, a new 1.8m wide fibredec surfaced pathway is to be provided from the lakeside to the model railway as well as a new 1.8m wide fibredec surfaced footway from the York Road entrance and new footpaths linking the Claygate entrance to the outer circuit along the line of the 17<sup>th</sup> Century 'Carriage Drive' to the site of the original manor house. It is also proposed to link the outer and inner circuits either side of the lake bridge.

#### 5: The Burning Ground

- 5.2.13 The Burning Ground is situated to the north east of Mote House between it and the walled garden and is accessed from Willington Street via the Park and Ride car park entrance. This area comprises a large area of gravel hardstanding and has been used for the storage of soil and general landscape materials in the past.
- 5.2.14 It is proposed to surface the area with Cedec self binding gravel and utilise it as a new 32 space car park. Existing landscaping around its edges will be retained and a new tree shrub and wildflower grassed area provided in the centre of the car park. The car park is well located in relation to the proposed outer park footpath circuit.

#### 6: The Bridge Crossing

- 5.2.15 A causeway and footpath lead to the crossing which separates the lake from the Len Wetland area at the eastern end of the lake to the south of Mote House. Historically what is known as the Great Bridge was situated in the area. Currently, the crossing is formed from two concrete weirs with a short narrow timber bridge section. Either side of the weirs the causeway is falling into the lake and the paths are heavily worn. The crossing itself is often flooded.

5.2.16 The proposed new bridge would span 20m and is 3.5m in width. It will be constructed from steel and timber (with the steel elements timber-clad). It will span and bridge over the entire existing weirs which are to be retained. The causeway is to be reinforced with soft engineering techniques utilising willow faggots which will be weaved together with introduced reed planting. The inner lake circuit will pass along the revitalised causeway in a safe and more accessible manner.

5.2.17 The application is accompanied by a Design and Access Statement, a Sustainability Report, Ecological desk top study, Great Crested Newt, Badger and Water Vole Surveys, an Archaeological Investigation Specification and a Flood Assessment for the Lake which is classed as a reservoir. These studies have been used to influence the design of the current proposals and also the wider landscape management proposals for the Park which do not require planning permission.

5.2.18 Overall, the Mote Park Regeneration Project will secure an extensive long-term landscape and ecological management programme for the Park's woodland and open areas and including the lake side and measures to improve the enjoyment of the Park by its visitors and its biodiversity and ecology. Access throughout the Park is to be improved, principally through the creation of new inner and outer footpath circuits and new paths from the York Road and Claygate entrances. The steep path from the café area to the boat house is to be rebuilt and made accessible to all sections of the community. Existing conflict between vehicles and pedestrians in the Park will be reduced by restricting vehicular access within the park only to certain areas. In addition, the existing street furniture in the Park will be upgraded and replaced with a common theme and also better public information signs and interpretation boards provided. The final main improvement is to close the Boat House sluice into Turkey Mill and for works to take place to dredge and re-open the existing spillway and stream at the western end of the lake to provide a natural outflow into Turkey Mill.

## **ASSESSMENT**

### **5.3 Principle of Development**

5.3.1 These proposals which seek to improve access to and throughout the park and for the wider project as a whole, to regenerate Mote Park are welcomed. Mote Park is a significant asset to the Borough and town and should be accessible to all sections of the community. The proposed footpaths and other alterations will enhance the facility and access to it and, through the associated long-term management plans for the park that are not part of this application, will also ensure that this is not at the expense of the ecology and biodiversity within it.

## **5.4 Visual impact and impact on Registered Historic Park**

5.4.1 The key consideration of this application is whether the proposals would preserve or enhance the Registered Historic Park.

5.4.2 New build works are largely limited to the areas around the café and the boat house, the burning ground and the existing causeway.

5.4.3 The improvements to the existing 'Mote Avenue' car park and the introduction of landscaping to this area are considered to be an improvement to the current situation. The works around the café will ensure access for all sections of the community to the lake edge by the boat house is possible. Whilst 'blue-badge' parking adjacent to the boat house is to be relocated to the café area and this clearly further away than the current parking, the new footway/ramped access to the lake will still enable access to be gained to this area. The benefit will be that vehicles and pedestrians will be better segregated than is currently the case.

5.4.4 The reduction in the level of hardstanding and the provision of increased landscaping around the WC/Maintenance block to the east of the café is considered to be an improvement to the current situation. The fencing to the new compound east of the building will be screened by new native hedge planting.

5.4.5 The new boat house promenade will provide a new feature alongside the lake and also enable the relocation of the model boat launching area to the east of the boathouse which will be a visual improvement.

5.4.6 I concur with the views of the Conservation Officer regarding the treatment of the viewing platform and consider that revised detailing showing a ragstone faced retaining wall and crenellated safety enclosure would be more in keeping with the adjacent café and the ragstone boat house from where it will be clearly visible. This can be the subject of a condition. Likewise so can the treatment of the proposed steps to the west of the café building as recommended by English Heritage.

5.4.7 The proposed car park on the burning ground will not affect the existing trees around the edge of the site which are shown to be retained. The car park will be broken up by new landscaping including the central planted island. There are no objections in terms of the character of this section of the historic park.

5.4.8 The proposed bridge and alterations to the causeway are also considered to be acceptable. The engineering works proposed to stabilise the causeway are 'soft' natural engineering using willow faggots and reed planting. These have been designed in conjunction with Kent Wildlife Trust. They will provide a soft natural

edge to this part of the proposals at the 'wilder' end of the lake. The proposed bridge will make the crossing of the causeway safer and fully inclusive. No objections are raised to the design of the proposed bridge.

5.4.9 The proposed pathways, particularly the new sections of the inner circuit at the eastern end of the lake have been re-routed to move them further way from the lake edge. In addition, the routing has been considered in the light of advice from Kent County Council Heritage Conservation as the route crosses the area of former cascades which were a feature of the original manor house in the park and which ran down towards the lake at its eastern end. No objections are raised to the proposals from an archaeological point of view subject to the implementation of an agreed programme of works, which the specification for which has been submitted as part of the application. No objections are raised to the impact of the new pathways which will have an appropriate surface treatment allowing all weather access on the character and appearance of the park.

5.4.10 The project as a whole and the elements that are the subject of this application have followed extensive ecological surveys of the site and have been designed with the results of these surveys in mind. I would remind Members that the wider long-term landscape management proposals within the Park do not require planning permission and are not part of this application.

5.4.11 It is considered necessary to request that details of the railings and other furniture within the site are submitted for approval along with details of the surface treatment of parking and pavement areas and the boat house promenade area, to ensure that the character and appearance of the park are not adversely affected. The comments made by English Heritage relating to the waterfall are noted. This does not form part of the current application and the issue is addressed by means of an informative

5.4.12 Subject to these conditions and the revised details of the treatment of the viewing platform, no objections are raised to the visual impact of the development or its impact on the registered historic park.

## **6. CONCLUSION**

6.1 Whilst much of the proposed work in the Heritage Lottery Fund bid does not require planning permission, the elements that do require permission and which are included in this application, have been designed in consultation with English Heritage, Kent Wildlife Trust, Natural England and other agencies including the Environment Agency. The scheme will enhance access to and throughout Mote Park but the associated long-term management plans for the park will ensure that this is not at the expense of its ecology and biodiversity.

6.2 Subject to detailed conditions as recommended by the statutory and other consultees, the following recommendation is therefore appropriate.

## **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 the applicant, or their agents or successors in title, has secured the implementation of;
  - (i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority and;
  - (ii) following on from the evaluation, any safeguarding measures to ensure preservation in-situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.

Reason: To enable the recording of any items of historical or archaeological interest pursuant to the advice in PPS5.

3. Prior to the commencement of any works which may affect reptiles or their habitat, a detailed mitigation strategy shall be submitted to, and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

Reason: In the interests of biodiversity and ecology pursuant to the advice in PPS9.

4. 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 and to ensure a satisfactory appearance to the development pursuant to policy ENV6 of the Maidstone Borough-wide Local Plan 2000.

5. The development shall not commence until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for the marginal habitat and riparian edge of the lake, has been submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- (i) detail extent of tree removal and planting
- (ii) details of maintenance regimes
- (iii) details of any new marginal habitats to improve the ecological value of the lake
- (iv) details of the proposed angling access improvements

Reasons: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with the advice in PPS9.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; 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 pursuant to policy ENV6 of the Maidstone Borough-wide Local Plan 2000.

7. All trees to be retained must be protected by barriers and/or ground protection in accordance with BS 5837 (2005) 'Trees in Relation to Construction- Recommendations'. No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development pursuant to policy ENV6 of the Maidstone Borough-wide Local Plan 2000.

8. The development shall not commence until details, of the following matters have been submitted to and approved by the local planning authority;
  - (i) Details of the paving colour schemes and details of the surfacing of the pathways and car parking areas
  - (ii) Details including large scale drawings of the design and materials of new handrails
  - (iii) Details including large scale drawings of the design and materials of proposed signage and information panels
  - (iv) Details including large scale drawings, of the number, design and materials of new benches, picnic tables and tree grills
  - (v) Details of the three proposed 'Escofet Lungo Mare' sculptures
  - (vi) Large scale sections (1:10 or 1:20) through the terraced steps down to the western edge of the lake from the existing cafe. The details shall show the avoidance of large retaining walls through changing the pitch of the stairs and by using grass banks on either side.

The development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: To ensure a satisfactory visual appearance to the development pursuant to the advice in PPS1 and PPS5

9. Notwithstanding the details shown on drawing no. 10111301-P-214, the development shall not commence until revised details of the retaining wall and safety rails to the viewing platform have been submitted to and approved by the local planning authority. The revised details shall show;
  - (i) Ragstone cladding to the lower section of the retaining wall
  - (ii) The replacement of the currently proposed iron balustrade and timber handrail with a crenellated ragstone wall

The development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: To ensure a satisfactory appearance to the development pursuant to the advice in PPS1 and PPS5.

**Informatives set out below**

You are advised to consult the Council's Conservation Officer and English Heritage regarding the schedule of proposed repairs to the waterfall structure at the north-eastern corner of the lake. These repairs should include the re-facing in ragstone of the southern side of the parapet wall above the waterfall.

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 there are no overriding material considerations to indicate a refusal of planning consent.