

APPLICATION: MA/11/0076 Date: 14 December 2010 Received: 24 January 2011

APPLICANT: Mr Tom Hayes, Property Services

LOCATION: VINTERS PARK CREMATORIUM, BEARSTED ROAD, WEAVERING, MAIDSTONE, KENT, ME14 5LG

PARISH: Boxley, Maidstone

PROPOSAL: Covered wheelchair access extension to Book of Remembrance Hall as shown on drawing nos. PP1, EP1 and EE1 received 19/01/11, site location plan received 21/01/11, Design and Access statement received 24/01/11 and drawing no. PLP received 08/02/11

AGENDA DATE: 24th February 2011

CASE OFFICER: Kathryn Altieri

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

- The application has been submitted by Maidstone Borough Council's Property Services Department

## **1. POLICIES**

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV35
- South East Plan 2009: CC6, BE1
- Government Policy: PPS1 - Delivering Sustainable Development

## **2. HISTORY** (1974+)

- MA/09/0375 - Erection of covered walkway extension to cloisters and alterations to crematorium building including installation of air blast cooler, condenser unit and alterations to fenestration including insertion of access door to roof void - approved/granted with conditions
- MA/08/1681 - Change of use from 2no. former dwellings to create new (relocated) crematorium admin area with porch extensions, alterations to fenestration and internal layout. Demolition of double garage and provision of new car park - approved/granted with conditions
- MA/98/0728 - A full planning application for new building works consisting of an extension to the existing overflow car park, alterations to the front gates and the construction of new footpaths - approved/granted with conditions
- MA/95/0005 - Ducting and air-pump housing externally mounted at 1st floor flat roof level painted to match brickwork - approved/granted with conditions

- MA/94/1718 - Provision of a disabled ramp and access door on the west side of the building - approved/granted with conditions
- MA/81/1214 - Extension of treatment rooms, new staff room and w.c - approved/granted with conditions

### **3. CONSULTATIONS**

3.1 Boxley Parish Council wishes to see the application approved.

### **4. REPRESENTATIONS**

4.1 MBC Landscape Officer: Raises no objections;

"Following our discussion on this application, my view is that the cherry tree adjacent to the proposed development is likely to suffer significant root disturbance and possibly damage during construction of the proposal. Whilst the whole site is covered by a TPO (No.1 of 1954), it is an 'Area' classification and therefore only protects those trees that were present at the time that the TPO was made. I consider it unlikely that the Cherry was present at that time and is not, therefore, protected.

Assuming that the proposal will result in the loss of the tree, directly or indirectly, it must be considered whether that loss would be acceptable. Given its location close to buildings and drains, and the comparatively short lifespan of Cherry trees, I would not consider it to have a safe useful life expectancy that would make it a suitable candidate for long term retention and protection. I would not, therefore, raise an objection to the loss of the tree, subject to a replacement tree being required by condition.

As you noted, the tree has a commemorative plaque at its base, so removal may require permission/notification of interested parties."

### **5. CONSIDERATIONS**

#### *5.1 Site description*

5.1.1 The application site relates to Vinters Park Crematorium which is owned by Maidstone Borough Council. The Book of Remembrance Hall, which is the subject of this application, is found at the eastern end of the cloisters, with its octagonal entrance area facing the main car park.

5.1.2 Vehicle access to the site is from Bearsted Road, some 140m to the north-west of the roundabout/junction with New Cut Road and it is within the designated urban area of Maidstone. Newnham Court Farm is found to the north of the site and Maidstone Television Studios is sited to the south.

5.1.3 The application site also falls within an Area of Local Landscape Importance as designated by the Maidstone Borough Wide Local Plan 2000.

## **5.2 The Proposal**

5.2.1 The proposal is for the installation of a covered disabled persons/wheelchair user's access to the Book of Remembrance Hall. This would improve access to this facility by way of a new external opening and automated door.

5.2.2 Projecting 3m from the eastern elevation of the octagonal hallway, the extension would have ridge and eaves heights that would match that of the existing cloisters (some 3.8m and 2.3m respectively). Measuring some 2.7m in depth, the covered area would have a hipped roof design and the existing entrance would be blocked up. The low level wall would remain and a dropped kerb would also be installed.

## **5.3 Planning Issues**

### *Impact upon the property and surrounding area.*

5.3.1 The proposal, because of its modest scale and nature, would remain subordinate and ancillary to the existing building and it would not be visible from any public highway. Furthermore, its low ridge and eaves heights, its use of matching external materials and its hipped design would only further compliment the main building.

5.3.2 I therefore believe that this development would not overwhelm or destroy the character of the existing property and nor would it significantly affect the character and appearance of the area or adjacent buildings.

5.3.3 Furthermore, given the proposal's location, nature and modest scale, I do not consider that it would have a significant detrimental impact upon the character and landscape of the surrounding Area of Local Landscape Importance.

### *Impact upon neighbours*

5.3.4 The proposal, because of its scale, nature and distance from any residential property, would not have a significant detrimental impact upon the residential amenity of any neighbour, in terms of loss of privacy, outlook, daylight and sunlight.

Impact upon parking provision

5.3.5 The proposal, because of its location, scale and nature, would not have a significant impact upon the parking provision or generate any further need.

Impact upon surrounding trees

5.3.6 A Cherry tree is sited immediately adjacent to where the proposed works would take place and it is likely that during construction there would be significant root disturbance and damage.

5.3.7 However, whilst the entire site is covered by a Tree Preservation Order (No.1 of 1954) it is an 'Area' classification and therefore only protects those trees that were present at the time that the TPO was made. It is unlikely that this Cherry tree was present in 1954 and is not, therefore, protected.

5.3.8 The assumption is that the proposal would result in the loss of the tree and after considering the recommendations received from the Council's Landscape Officer, I am of the opinion that its loss would be acceptable. Indeed, given the tree's location close to buildings and drains, and the comparatively short lifespan of Cherry trees, I would not consider it to have a safe, useful life expectancy that would make it a suitable candidate for long term retention and protection.

5.3.9 Furthermore, to compensate for the loss of the Cherry tree, a new Cherry tree would be planted close by. A condition will be imposed to ensure that this is carried out in accordance with the submitted details.

## **6. CONCLUSION**

6.1 It is therefore considered overall that the proposal is acceptable with regard to the relevant provisions of the development plan and amenity impacts on the local environment and other material considerations such as are relevant. I therefore recommend conditional approval of the application on this basis.

## **7. RECOMMENDATION**

APPROVE 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 materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall match those used in the existing building;

Reason: To ensure a satisfactory appearance to the development. This is in accordance with policy ENV35 of the Maidstone Borough Wide Local Plan 2000, polices CC6 and BE1 of the South East Plan 2009 and PPS1.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: PP1 (proposed floor plans and elevations) received 19/01/11 and PLP received 08/02/11;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers. This is in accordance with policy ENV35 of the Maidstone Borough Wide Local Plan 2000, polices CC6 and BE1 of the South East Plan 2009 and PPS1.

4. All planting comprised in the submitted landscaping scheme, as shown on drawing no. PLP received 08/02/11, shall be carried out in the first planting or seeding seasons following the approval of the details, and any planting which within a period of ten years from the completion of the development, dies, is removed or becomes 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. This is in accordance with policy ENV6 of the Maidstone Borough-Wide Local Plan 2000 and policies CC6 and BE1 of the South-East Plan 2009.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.