

APPLICATION: MA/13/0345 Date: 28 February 2013 Received: 28 February 2013

APPLICANT: Maidstone Borough Council

LOCATION: LOWER, HIGH STREET, MAIDSTONE, KENT

PARISH: Maidstone

PROPOSAL: Listed building consent is sought for the relocation of canon and plinth together with the installation of illuminate lighting as shown on Plan numbers 301, 302, 304, 319, 320, Design and Access Statement and Application Form received 28th February 2013 and Plan numbers 312 RevA, 310 RevA, 314, E001 RevC02.

AGENDA DATE: 6th June 2013

CASE OFFICER: Kevin Hope

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: R9, ENV6
- Village Design Statement: N/A
- Government Policy: National Planning Policy Framework 2012

## **2. HISTORY**

MA/10/0254 - High Street and King Street, Maidstone. Application for the provision of new ramps, steps and landing areas on the south side of Bishops Way to improve pedestrian connection from the High Street to the Bridge and the closure of one existing subway, relocation of the cannon and its placement on a new plinth, removal of 4 existing Plane Trees and their replacement with 8 Cherry and 7 Hornbeam Trees, provision of illumination for the Queen's Monument, the relocated cannon and other listed buildings and ancillary works thereto, together with other works including the realignment and re-paving of carriageways and pedestrian areas and crossing points, the relocation of 'bus stops and shelters, taxi ranks, loading bays and disabled parking bays and the removal/relocation and/or provision of

new street furniture including benches, lighting, leaning-posts, telephone boxes, removal of planters and shrubs and the relocation of the existing CCTV pole by the cannon – (Withdrawn).

MA/10/0255 - High Street and King Street, Maidstone. Application for listed building consent for the relocation of the cannon and its placement on a new plinth together with installation of lighting to illuminate the Queen's Monument, the relocated cannon and other listed buildings and ancillary works thereto – (Withdrawn).

MA/10/0691 - Planning application for the provision of new ramps, steps and landing areas on the south side of Bishops Way to improve pedestrian connection from the High Street to the Bridge and the closure of one existing subway, relocation of the cannon and its placement on a new plinth, removal of 3 existing Plane Trees and 1 Field Maple and their replacement with 8 Cherry and 7 Hornbeam Trees, provision of illumination for the Queen's Monument, the relocated cannon and other listed buildings and ancillary works thereto, in connection with other works (which do not require the benefit of planning permission) including the realignment and re-paving of carriageways and pedestrian areas and crossing points, the relocation of 'bus stops and shelters, taxi ranks, loading bays and disabled parking bays and the removal/relocation and/or provision of new street furniture including benches, lighting, leaning-posts, telephone boxes, removal of planters and shrubs and the relocation of the existing CCTV pole by the cannon – (Approved with conditions).

- 2.1 There have been a significant number of other planning applications within the High Street and King Street area, however, none of these are considered to be relevant in the determination of this planning application.

### **3. CONSULTATIONS**

- **Conservation Officer** – Raises no objections with the following comments:-

*The canon is to be re-sited within the new landscaping works for the Lower High Street. The new position has been the subject of pre-application discussions and is considered to be appropriate. The existing ragstone plinth is to be re-used. I raise no objection to this application on heritage grounds subject to conditions re the preparation of a sample panel of ragstone for approval and the painting of the canon black.*

### **4. REPRESENTATIONS**

- 4.1 No representations have been received.

## **5. CONSIDERATIONS**

### **5.1 Site Description**

- 5.1.1 The application site covers the bottom section of the High Street from its junction with Bank Street and Mill Street to the junction with the A229 Fairmeadow. Planning permission has been previously granted for the redevelopment of this area including changes to paving and layout of this area under planning permission MA/10/0691.
- 5.1.2 This area has seen some changes as a result of the re-development works to the upper section of the High Street and as a result part of the existing road has been closed. The main linking road between Fairmeadow and the High Street is now two way to facilitate this change. This is primarily used by buses and includes a number of bus stops.
- 5.1.3 At the junction with Mill Street, all through traffic is directed away from the main shopping centre. This is a traffic light controlled junction, with a pedestrian crossing linking into Bank Street. It is at this point that phase 1 of the redevelopment works start which run through to King Street which have now been completed.
- 5.1.4 The area subject to this application lies within the core of Maidstone and is within the Maidstone Town Centre Conservation Area. This area is also fronted by a number of historically significant buildings, many of which contain historic shop-fronts or facades including the cannon which is Grade II listed.

### **5.2 Proposal**

- 5.2.1 Listed building consent is sought for the relocation of cannon and plinth together with the installation of lighting.
- 5.2.2 The previous planning application for the redevelopment included the planting of trees in this location and the relocation of the cannon and plinth. This proposal comprises a revised location of the cannon together with a revised plinth.
- 5.2.3 The proposed lighting would comprise a number of uplighting installations under the trees and to the side of the cannon to provide some night illumination.

### **5.3 Principle of development**

- 5.3.1 The principle of this development has already been established through the approval of the previous listed building consent which provides the host to the development works. This permission seeks to amend key elements as described above.

### **5.4 Visual Impact and design**

- 5.4.1 The most fundamental change within this proposal is the amendment to the location and style of the cannon plinth. The previous application saw the construction of a granite stepped plinth of a large square form to create the plinth to the listed cannon. This was to be sited at the eastern section of the pedestrian area close to the junction with Mill Street. Following consideration after the completion of phase 1, the position and style of the plinth has been revised which now proposes to have a maintained ground floor level with granite seat bases to both the eastern and western sides. A granite upstand in kerb units would then be installed to both the northern and southern sides of the plinth. The cannon would sit centrally within this area with its existing ragstone plinth retained and re-used. There would be an area of soft planting around the cannon plinth to soften the appearance and impact upon the cannon itself.
- 5.4.2 The Conservation Officer has been consulted on this proposal with regard to the impact upon the listed cannon and has raised no objections provided that a sample panel of the ragstone is provided on site prior to the works taking place and that the cannon is painted black. Both of these points I consider are appropriate and suitable conditions shall be imposed to secure this. Comments have been raised within the representations received with regard to the impact upon the listed cannon. As the existing ragstone plinth is to be retained, much of the existing character and setting of the listed cannon would be retained. This would also have an identical fixing to the plinth as existing further reducing any visual harm. There have also been significant discussions between the Conservation Officer and the agents to ensure that the impact upon the listed cannon is reduced and to achieve a suitable outcome with regard to the impact upon the cannon and surrounding conservation area.
- 5.4.3 The proposed illumination is considered appropriate and would provide some texturing to the appearance of the development at night and would also enhance the overall appearance. I therefore do not consider that there would be any harm to the listed cannon or any visual harm to the conservation area or surrounding streetscene as a result of this proposal.

## **5.6 Neighbouring Amenity**

- 5.6.1 With regard to neighbouring amenity, due to the nature of the works and their proximity to neighbouring properties, I do not consider that there would be a significant impact upon neighbouring amenity.

## **6. CONCLUSION**

- 6.1 For the reasons outlined above, I consider the development would not cause any demonstrable harm to the character or appearance of the listed cannon or any neighbouring buildings and would not have a detrimental impact upon the character or appearance of the surrounding Conservation Area. I therefore consider 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**

I therefore recommend approval 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 Cannon shall be painted black and maintained as such to the satisfaction of the Local Planning Authority;

Reason: To maintain the appearance and character of the listed cannon in accordance with the guidance contained within the National Planning Policy Framework 2012.

3. The development shall not commence until, a sample panel of ragstone is constructed independently on site for the prior inspection of the Local Planning Authority.

The development shall be carried out in accordance with the approved details;

Reason: To ensure the appearance and the character of the building are maintained in accordance with the National Planning Policy Framework 2012.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan numbers 301, 302, 304, 319, 320, Design and Access Statement and Application Form received 28th February 2013 and Plan numbers 312 RevA, 310 RevA, 314, E001 RevC02.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with policy ENV6 of the Maidstone Borough Wide Local Plan 2000 and the guidance contained within the National Planning Policy Framework 2012.

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.