

APPLICATION: MA/13/0772 Date: 29 April 2013 Received: 1 May 2013

APPLICANT: Mr David Tibbit

LOCATION: APCOA PARKING KING STREET MULTI STOREY, CHURCH STREET,
MAIDSTONE, KENT, ME14 1EN

PARISH: Maidstone

PROPOSAL: Demolition of existing multi storey car park, ground floor shop unit and public toilets and provision of surface level car park with 64 spaces, spaces for bikes and additional landscaping (resubmission of MA/13/0060) as shown on drawing numbers P115-2111-03, KSCP 0007/002C, KSCP 0007/003C1 and KSCP 0007/004C1 received on 1/5/13.

AGENDA DATE: 6th June 2013

CASE OFFICER: Peter Hockney

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, R8
- Government Policy: National Planning Policy Framework 2012

2. HISTORY

- MA/13/0060 – Demolition of existing multi storey car park, ground floor shop unit and public toilets and provision of surface level car park with 64 spaces, spaces for bikes and additional landscaping – APPROVED WITH CONDITIONS.

2.1 This application is made following amendments to the above approval. The amendments include the retention (in part) of the existing stairwell in the south eastern corner of the site and the retention of telecoms equipment along the western boundary of the site.

3. CONSULTATIONS

3.1 None received

4. REPRESENTATIONS

4.1 None received

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application site relates to an existing multi-storey pay and display car park with a retail unit on the ground floor at the junction of Church Street and King Street. The car park has a vehicular access from Church Street. The site is within the town centre area of Maidstone and near to the shopping and other town centre facilities and falls within the secondary shopping area as designated by policy R8 of the Maidstone Borough-Wide Local Plan (2000).

5.1.2 The site is bounded to the north of the site by the Holy Trinity Church Conservation Area. There are a number of listed buildings in the vicinity including 52 and 54 King Street (on the opposite side of King Street) and 56-60 Marsham Street (located to the north of the site).

5.1.3 The multi-storey car park covers the majority of the site and provides 239 car parking spaces, including 16 disabled spaces, over 6 floors (including the rooftop). The retail unit at ground floor is currently vacant and was last occupied by the foodstore 'Somerfield'.

5.2 Proposal

5.2.1 The application is a revision to the approved application MA/13/0060. This application is made following amendments to the above approval. The amendments include the retention (in part) of the existing stairwell in the south eastern corner of the site and the retention of telecoms equipment along the western boundary of the site. These are minor material amendments to the previous permission. In addition, details have been submitted to fulfil the requirements of the previous conditions that were imposed.

5.3 Principle of Development

5.3.1 The proposal would involve the loss of the existing multi-storey car park and the retail unit at ground floor. The site is within the secondary shopping area as designated by policy R8 of the Maidstone Borough-Wide Local Plan (2000). Within this area the policy states that the Council will permit a range of A1 (retail), A2 (financial and professional services) and A3 (food and drink) uses or any other uses appropriate in a shopping street. The policy does not explicitly

prevent the loss of such uses but the spirit is clearly to retain the vitality and viability of the town. The loss of the A1 retail unit and its replacement with a surface level car park would remove a vacant unit and replace it with a landscaped car park which is an appropriate alternative town centre use that would add to the vitality of the town centre and therefore to my mind would not be contrary to this policy.

5.3.2 The proposal would result in the reduction of the overall number of spaces available at the site but this would not be contrary to any national or local policies. The main use of the site would remain as a public car park as such is acceptable in principle.

5.3.3 The principle was accepted under the previous application.

5.4 Visual Impact

5.4.1 The existing multi storey car park is a large and monolithic building of unpleasant design which severely adversely affects the setting of the adjacent Holy Trinity Conservation Area and the listed building on the opposite side of King Street. The demolition of this building would negate this adverse impact and would open up views into the Conservation Area. This would be a visual improvement on the current situation. The Conservation Officer welcomes the demolition of the existing building and states that "whilst the best option for the townscape would be to redevelop the site with a suitably scaled and designed building, the use of the site for a surface car park along the lines proposed would be acceptable. The important part of the proposal is the strong boundary planting to the street edges which is necessary to maintain visual enclosure of the street frontages as well as to screen the parked cars."

5.4.2 The proposed surface level car park would include a significant level of landscaping which would add considerable greenery to this part of the town centre that is severely lacking in vegetation. This landscaping including the hardwood clad planters along the boundary with King Street, which is integral to the layout of the car park, would result in a considerable visual improvement to the site and the character and appearance of the surrounding area. The retention of the stairwell element or the telecoms development would not significantly change the visual impact.

5.4.3 Overall, the loss of the existing unattractive building and its replacement with a well landscaped surface level car park would have a positive visual impact on the character and appearance of the surrounding area and would improve the setting of the Conservation Area and nearby listed buildings.

5.5 Residential Amenity

- 5.5.1 There are residential properties in the vicinity to the north of the application site. The demolition of the building would remove a large and dominant building from south of many of these properties. It would undoubtedly improve the outlook from many of these properties.
- 5.5.2 The proposed use would not result in a significant adverse impact on the residential amenity level of nearby occupiers and would be acceptable on these grounds. There would be no significant change in relation to the minor changes to the proposal.

5.6 Highways

- 5.6.1 The proposal would alter the access arrangements from an access in and out of the multi-storey car park from Church Street to an access point to the surface level car park from King Street. This change to the arrangement has been examined by Kent Highway Services, who are happy with the access arrangements with regard to highway safety considerations.
- 5.6.2 A letter of objection has been received from a nearby resident on the grounds that the proposed car park would provide a significantly lower number of spaces than the existing car park and as a result this would impact on the availability of on street car parking for nearby residents. The loss of the existing car park would remove some off street car parking capacity. However, I do not consider that this would be significant given that there is currently a charge for overnight car parking at the multi-storey whereas overnight parking (7pm to 7am) at the Sainsbury car park on the opposite side of King Street is free. Even if there is some displacement of car parking from the multi-storey car park to surrounding streets then this may cause inconvenience but would not in itself result in an adverse impact on highway safety.
- 5.6.3 The proposal would have no significant impact on highway safety and would be unchanged from the approved development.

5.7 Landscaping

- 5.7.1 The proposed scheme includes a significant amount of landscaping that would soften the appearance of the car park and screen the cars from views from King Street. The landscaping proposals would add considerably to the improvement of the area and it would be essential to ensure the proposals are planted prior to the commencement of the use of the car park. The species proposed include beech hedging and dogwood and full details of numbers of plants and their size at planting have been provided and would provide a suitable level of coverage

for the landscaped areas. These areas would be managed by the Council's Grounds Maintenance Team. These details are acceptable and the implementation should be conditioned.

5.8 Other Matters

- 5.8.1 Details of lighting have been submitted. These show a total of 7 light columns at 6m in height (2 doubles and 5 singles). A light spillage plan has been submitted that ensures that there would be no light spillage to any residential property and any spillage outside the application site would be negligible. These lighting details are acceptable and a condition requiring further details would not be required.
- 5.8.2 Details of the surfacing to the car park have been provided. These include black asphalt for the majority of the surfacing with a band of 100mmx100mmx100mm of granite sets at the entrance to the car park. These would assist in improving the visual appearance of the car park as well as reducing the speed of cars entering and leaving the site. These details are considered acceptable and would be appropriate for the use.

6. CONCLUSION

- 6.1 The proposal would result in the demolition of the existing multi-storey car park and therefore the loss of the large, monolithic building that has a significant adverse impact on the character and appearance of the area. The loss of the building would also improve the historic character of the Conservation Area and the setting of the nearby listed buildings. The Conservation Officer raises no objections to the proposals.
- 6.2 The proposed surface level car park with a significant level of landscaping would improve character and appearance of the area and the view from King Street. There would be no significant impact on residential amenity and the demolition of the existing car park would improve the outlook from many residential properties.
- 6.3 The changes to the access arrangements have resulted in no objections being raised by Kent Highway Services and the proposals would have no significant impact on highway safety. I do not consider that there would be a significant displacement of parking to the surrounding streets and even if there was the additional on street car parking pressures this would not result in a significant impact on highway safety.

- 6.4 The proposals are acceptable and would result in a significant improvement to the character and appearance of the site and its contribution to the surrounding area.

7. RECOMMENDATION

Following the expiry of the consultation period and no issues being raised that have not been considered I BE DELEGATED POWER TO 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 be constructed using the approved surface materials as submitted;

Reason: To ensure a satisfactory appearance to the development in accordance with guidance contained in the National Planning Policy Framework (2012).

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out prior to the first use of the car park; 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 in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000).

4. The development shall be carried out in accordance with the approved details as submitted;

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers and the visual amenity of the surrounding area in accordance with guidance in the National Planning Policy Framework 2012.

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

KSCP 0007/002C, KSCP 0007/003C1 and KSCP 0007/004C1;

Reason: To ensure the quality of the development is maintained in accordance with policies ENV6 of the Maidstone Borough-Wide Local Plan (2000).

Informatives set out below

There shall be provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

There shall be provision of measures to prevent the discharge of surface water onto the highway.

There shall be provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 08458 247800) in order to obtain the necessary Application Pack.

The applicant is encouraged to maximise the number of dedicated disabled parking bays, but not at the expense of the overall numbers of parking spaces.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted and no further assistance was required.

The application was approved without delay.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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.