

<b>REFERENCE NO - 18/502327</b>			
<b>APPLICATION PROPOSAL</b> Demolition of existing cafe building and erection of new Mote Park Centre with associated terraces, bin storage area and car parking.			
<b>ADDRESS</b> Mote Park Maidstone, Willow Way, Maidstone, ME15 7RN			
<b>SUMMARY OF REASONS FOR RECOMMENDATION (APPROVE SUBJECT TO CONDITIONS)</b>			
<ul style="list-style-type: none"> <li>• The development is considered to be of high quality and the low harm caused to the historic park (Mote Park) and setting of Mote House, through the introduction of new buildings, would be outweighed by the clear public benefits of providing a modern visitor's facility and café for Mote Park.</li> <li>• The existing café would be removed and replaced by better designed buildings within the historic park.</li> <li>• Permission is therefore recommended.</li> </ul>			
<b>REASON FOR REFERRAL TO COMMITTEE</b> The applicant is Maidstone Borough Council.			
<b>WARD</b> Shepway North	<b>PARISH COUNCIL</b> N/A	<b>APPLICANT</b> Maidstone Borough Council <b>AGENT</b> Hazle McCormack Young LLP	
<b>DECISION DUE DATE</b> 20/08/18		<b>PUBLICITY EXPIRY DATE</b> 09/07/18	
<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
16/506505	Creation of an adventure zone to include high rope/wire climbing equipment, climbing wall, and adventure golf enclosed by 2.44m high fencing with associated ancillaries including a kiosk, footpaths, planting and overflow car parking.	APPROVED	14/07/17

## **1.0 DESCRIPTION OF SITE**

1.01 The application site relates to a grassed area in the northwest corner of Mote Park and includes the existing café and grounds keeper's buildings where there are a number of mature trees. The site is just to the east of the car park and north of the existing children's play areas, and is immediately north of the approved adventure zone (which is not yet constructed).

1.02 Mote Park is a Grade II Registered Park and Garden and Mote House (around 700m to the east) is a Grade II\* listed building. There is a Local Wildlife site which includes land around the café and grounds keeper's buildings.

## **2.0 PROPOSAL**

2.01 Permission is sought for two buildings, one larger main building that would be used as a new visitors centre with kitchen and café, meeting room space, toilets, and outdoor seating area, and the other smaller building with toilets and a coffee bar. The two buildings would be separate but linked by a timber pergola and a new pathway would run between them from the car park and link through to existing pathways to the north. New steps down towards the lake to the north would be provided and the existing café building would be demolished here. A bin store to the northwest of the building is also proposed which would be surrounded by metal fencing. The site has a very slight slope to the north and so levelling works for the buildings would be limited. The appearance and design of the buildings will be assessed and discussed in more detail below.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan (2011-2031): SS1, SP1, SP18, DM1, DM2, DM3, DM4, DM8, DM21, DM23
- Kent Waste and Minerals Plan 2016
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- MBC Public Art Guidance (2018)

## **4.0 LOCAL REPRESENTATIONS**

4.01 **Local Residents:** No representations received.

## **5.0 CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

5.01 **Historic England:** Do not require consultation.

5.02 **Natural England: No objections.**

5.03 **Conservation Officer: Raises no objections** outlining that the building and landscaping will not unduly harm or impinge upon the significance of the surrounding registered parkland and its historic built structures. The proposals cause less than substantial harm.

5.03 **Landscape Officer: Raises no objections** subject to pre-commencement/demolition conditions in accordance with BS5837: 2012 and the submitted AIA, which include details of the site storage/compound area. Landscape conditions are also required.

5.05 **KCC Highways:** No objections.

## **6.0 APPRAISAL**

6.01 The principle of a visitor's centre and associated facilities within Mote Park is acceptable and the main considerations are as follows:

- Design and appearance
- Impact upon Mote Park and Mote House
- Landscaping & Trees
- Highways & Parking

### Design & Appearance

6.02 The main building is a single storey flat roof structure with a height of approximately 4m. It would have a simple box form with interest provided through the use of materials. Zinc standing seam cladding would be used as the main facing material and this would be broken up with large amounts of glazing, particularly on the south side where the main entrance to the café would be, and the use of larch cladding. A ragstone plinth would also provide a quality feature to the building. The west elevation of the building also provides this mix of materials and glazing so that it has an active frontage to visitor's approaching from the car park. An open terrace area with freestanding roof overhang on the east side of the building would provide a quality appearance here. The building will also be provided with 79 solar PV cells on the roof. Overall, the building is considered to represent a high design quality with the use of good quality materials that can be secured by condition. A BREEAM Very Good Standard will be secured by condition in line with policy DM2.

6.03 The toilet/coffee bar building would be a simple flat roof building set slightly lower than the main building at approximately 3m. It would be finished with larch cladding and feature a large cantilevered steel pergola roof on the east side to provide cover. The building would be linked to the main building by way of a timber pergola between the two. The west elevation of the building would be finished with ragstone blocks and Mote Park signage which would provide a quality face when approaching from the car park. The design of this building is considered to be of good quality that fits in with the design and appearance of the main building. The bin store area would be enclosed by metal railings and new hedging which can be secured to screen/soften its appearance.

6.04 Surface materials would include natural stone paving between the building and tar with chippings for all other surfaces, which are considered to provide a good quality setting to the buildings.

6.05 For the above reasons, the proposals are considered to present a high quality development in accordance with policy DM1 of the Local Plan.

#### Impact upon Mote Park and Mote House

6.06 The proposals would introduce buildings into an area that is currently open and undeveloped and has historically been so. The buildings are limited in height and grouped near to existing development being the car park, paths and the play area. The existing café would also be demolished so open up an area here. For these reasons it is considered that the impact upon the historic park and setting of Mote House would be low and any harm to their significance would be less than substantial. The proposals would therefore have some conflict with policy DM14 of the Local Plan as they would not conserve the significance of the heritage assets. The accompanying text to this policy outlines that any harm should be weighed against wider benefits of the development as outlined in the NPPF (paragraph 134). In balancing matters, it is concluded that the clear public benefits of providing a modern visitor's facility and café for Mote Park would outweigh the harm in this case. In addition, the existing café would be removed and replaced by better designed buildings within the historic park.

#### Landscaping & Trees

6.07 The new buildings would require the removal of 4 small trees and their loss would not be objectionable. The bin store would require the removal of a larger hornbeam tree which does contribute positively to the area. It is a category B tree (rather than A) so its loss is not an overriding factor but I consider a replacement should be provided. There are mature trees close to the new building(s) and very close to the existing café to be demolished. The Landscape Officer is satisfied these can be retained subject to a condition requiring an arboricultural method statement.

6.08 Planting is relatively limited with an area of shrub planting on the east side of the building, hedging around the bin store, and grass areas. This area of Mote Park is mainly open and grassed and so I consider this is reflective of the character here. I consider a tree to replace the hornbeam is appropriate to mitigate its loss and will require this by condition.

#### Highways & Parking

6.09 No additional parking is proposed as part of this application. Whilst the proposals would provide meeting space, which does not currently exist, I do not consider this warrants any increase in parking and ultimately there would be no highway safety issues on public highway. Kent Highways have raised no objections. Cycle parking is proposed which can be secured. Sixteen existing parking spaces would be altered to provide disabled parking bays, in addition to two existing.

## Other Matters

6.10 The submitted assessments conclude that there would be no harmful ecological impacts and some enhancements are proposed in the form of two bat boxes. Lighting details can be provided by condition to ensure they are appropriate for bats. Surface water from the roofs will be attenuated by the use of sedum matting on the southern roof and soakaways would be used. The Council's public art guidance seeks art for significant public buildings, which I consider this is. A condition will therefore be attached requiring a Public Art Delivery Plan.

## **7.0 CONCLUSION**

7.01 For the reasons outlined above the proposals are considered to be of high quality and the low harm caused to the historic park and setting of Mote House would be outweighed by the clear public benefits of providing a modern visitor's facility and café for Mote Park. Permission is therefore recommended.

## **8.0 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. No development (including demolition) shall take place until an Arboricultural method statement (AMS) in accordance with the current edition of BS 5837 has been submitted to and approved in writing by the local planning authority. The AMS shall detail implementation of any aspect of the development that has the potential to result in the loss of or damage to trees, including their roots, and take account of site access, demolition and construction activities, foundations, service runs and level changes. It should also detail any tree works necessary to implement the approved scheme and include a tree protection plan in accordance with the current edition of BS 5837. No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. These measures 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 protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

3. No development above slab level shall take place until details of the materials and colours to be used for the hard surfaces have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before the first occupation of the buildings and maintained thereafter.

Reason: To ensure a high quality external appearance to the development.

4. No development above slab level shall take place until details of lighting have been submitted to and approved in writing by the local planning authority. Details shall include designs, heights, luminance levels and measures to shield and direct light from the light sources so as to prevent light pollution and limit any impact upon bats and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: To ensure a high quality appearance to the development.

5. No development above slab level shall take place until a sample panel for the ragstone plinths and facings have been submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented on site.

Reason: To ensure a high quality appearance to the development.

6. No development above slab level shall take place until specific details of the landscape scheme, which shall be designed in accordance with the principles of the Council's landscape character guidance, has been submitted to and approved in writing by the local planning authority. The scheme shall include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the need to provide robust native hedge planting around the bin store and a replacement tree.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

7. No development above slab level shall take place until details of means of enclosure for the bin store hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained thereafter.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

8. The development shall not be occupied until a written statement of public art to be provided on site in the form of a Public Art Delivery Plan has been submitted to and approved in writing by the local planning authority. This should include the selection and commissioning process, the artist's brief, the budget, possible form, materials and locations of public art, the timetable for provision, maintenance agreement and community engagement, and the development shall be carried out in accordance with the approved details.

Reason: To comply with the Council's public art guidance.

9. Prior to the first operation of the premises, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the DEFRA publication Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems January 2005. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: In the interests of local amenity.

10. The existing café building as outlined in blue on drawing no. 1956\_005 P1 shall be demolished and the resulting materials and debris removed from the site to the satisfaction of the local planning authority within 3 months of the first occupation of the building hereby permitted;

Reason: To prevent an overdevelopment of the site and to safeguard the character and appearance of the surrounding area.

11. The approved details of the cycle parking shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England ) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: In the interests of promoting sustainable travel.

12. All planting, seeding and turfing specified in the approved landscape details shall be carried out either before or in the first planting season (October to February) following the occupation of the building(s) or the completion of the development, whichever is the sooner; and seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value

has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

13. The buildings shall achieve a Very Good BREEAM 2018 rating. A final certificate shall be issued to the Local Planning Authority for written approval to certify that a Very Good BREEAM 2018 rating has been achieved within 6 months of the first occupation of the development.

Reason: To ensure a sustainable and energy efficient form of development.

14. The materials to be used in the construction of the external surfaces of the building shall be as stated on drawing nos. 1956\_ 015 P1 and 1956\_ 020 P1 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development.

15. No open storage of plant, materials, products, goods for sale or hire or waste shall take place on the land;

Reason: To safeguard the character and appearance of the surrounding area.

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

1956\_001 P1, 1956\_005 P1, 1956\_006 P1, 1956\_008 P1, 1956\_010 P1, 1956\_011 P1, 1956\_015 P1, 1956\_020 P1, and 1956\_021 P1.

Reason: To ensure the development is undertaken satisfactorily.

Case Officer: Richard Timms