

TM/07/00436/RD

13 November 2007

Details of footpath, cycleway and bridleway strategy submitted pursuant to condition 26 of planning permission TM/05/00989/OAEA: Formation of development platforms and creation of new community including residential development, mixed-use village centre (including A1; A3 and B1 use), community facilities and primary school and associated highways works.

TM/07/00804/RD

16 May 2007

Details of Archaeology submitted pursuant to condition 31 of planning permission TM/05/00989/OAEA (Formation of development platforms and creation of new community) and condition 9 of planning permission TM/05/00990/FLEA (Construction of a single carriageway road crossing incorporating segregated pedestrian and cycle way).

TM/07/02143/RM Still under consideration

Reserved matters of development platforms, main on-site road network, landscaping and public open spaces submitted pursuant to conditions 1, 13, 14, 20 and 21 of planning permission TM/05/00989/OAEA: Formation of development platforms and creation of new community including residential development, mixed-use village centre (including A1, A3 and B1 use), community facilities and primary school and associated highways works.

TM/07/03042/RM Still under consideration

Reserved matters application for the construction of Greenway Link between Peters Village and Wouldham including provision of segregated footway/cycleway submitted pursuant to conditions 1 and 27 of planning consent TM/05/00989/OAEA (Formation of development platforms and creation of new community including residential development, mixed-use village centre (including A1; A3 and B1 use), community facilities and primary school and associated highways works).

5. Consultees (A&B):

5.1 Aylesford PC: No objection. There is concern that the realignment of the junction of Pilgrims Way and Bull Lane will reduce the sight lines to the east. Whilst work has been in progress the temporary traffic lights have made the junction infinitely safer. Traffic lights appear to be the solution in conjunction with new pedestrian crossing.

5.1.1 The road markings are applauded but APC believes that the 30mph limit should be extended to Hale Close to facilitate access to the adjacent properties.

5.2 Burham PC: Examine safety aspect of Church Street/Court Road pedestrian crossing for walkers etc (traffic speed). 17 Elms TPO. Extension of speed limit as discussed with Highways at Trenport meeting past Bull Lane to include 5 houses

Hale Place. Rochester Road/Pilgrims Way junction needs to be re examined safety aspects, camber of road. Could cause more problems than existing layout. Will it be fit for purpose? It must be right from the off.

- 5.2.1 Scarborough Lane and Margetts Lane should not be closed under any circumstances as previously mentioned by Burham Parish Council.
- 5.3 Wouldham PC: No comments. Support the request of Burham PC in seeking to have Scarborough Lane and Margetts Lane remain open rather than the present proposal to close both lanes. PC feels that the roundabout, the junction of Pilgrims Way and Rochester Road should be reinstated in the proposals. The PC feels that there is an urgent need for this now, let alone later when Peters Village and Bushey Wood is developed. All 3 villages are all working villages and there is a need to retain the links both the top and bottom roads.
- 5.4 DHH: No objection.
- 5.5 KCC Highways: The line of the proposed road is as agreed at previous meetings. It has been through a Stage 1 Technical Audit. It is likely to satisfy the requirements of a Stage 2 although one has not been carried out. This plan sets out the principle although there may be minor alterations following further discussions with the Parish Councils. The works are to accord with the requirements of the Highway Authority, be adopted and subject to a legal agreement.
- 5.6 Medway Council: No objections.
- 5.7 EA: No comments.
- 5.8 KCC PROW Office: In general I am happy with the proposals in so far as it affects the Public Rights of Way network. However, there are still two points that need clarification. Firstly I still require the specifications of the chestnut hurdles proposed to be installed on the bridleway section of Old Church Road as without these I am unable to authorise their installation.
- 5.8.1 Secondly, I am concerned that Public Bridleway MR10 running from Old Church Road to the junction with Scarborough Lane and Margetts Lane, could be used by locals trying to gain access to the new Medway crossing. Although I appreciate that the bridleway is open and available to vehicles at present, legally there is no public right to drive a vehicle along it and the surface is not suitable for regular vehicle use. To preserve the surface of the path and to ensure the safety of users, I would request that two or three bollards are installed at the junction with Scarborough Lane and Margetts Lane.

- 5.9 Natural England: Recommends that the species to be planted as part of the landscaping scheme should be of a native origin and preferably local provenance and subject to the use of native species, I can confirm that Natural England has no further comments to make.
- 5.10 KCC Heritage: **Initial comments:** The first concern was over the impact on the Neolithic causewayed enclosure and a possible similar enclosure adjacent, underneath the projected line of New Court Road. On the basis of present information, there is insufficient information on the second enclosure to confirm whether or not it is a significant Neolithic feature and therefore the priority needs to be minimising the impact of the infrastructure on the existing, known Neolithic causewayed enclosure. There is already an agreed programme of archaeological fieldwork covering the construction of the road but I would like to encourage further consideration of the landscaping and design of the road.
- 5.10.1 The design and landscaping of the New Court Road should ensure there is minimal visual impact on the setting of the Neolithic causewayed enclosure. I suggest all trees should be removed and any essential vegetation should be low with shallow root systems. The road should sit well within the land and not stand up on an embankment. There should be minimal “urbanisation” of the road with limited use of street furniture, such as lamp posts and signs, as far as possible. Would it be possible for New Court Road to look like the current country lanes in this area?
- 5.10.2 The other heritage concern in relation to this application for the infrastructure referred to the need for preservation in situ of the “limekilns”. This application sets out details for two new tunnels through this structure and to construct a new road over the top. Archaeological fieldwork has clarified that the limekilns no longer seem to survive. The main structure is now interpreted as a retaining wall. This wall in itself is still of heritage interest as it visibly reflects substantial rebuild and re-use and was obviously of importance to the post medieval cement industrial workings here. Part of a railway line was located and the wall may have been maintained to support this railway line.
- 5.10.3 This wall is of historic importance and I recommend it is preserved in situ as far as possible. The entrance to the new tunnels should be set forward in a bank so that the required 10m entranceway does not remove 10m of walling. The only part of the wall to be removed should be the width of the tunnel itself. This work should be done carefully in order to minimise disturbance to the wall. In addition, construction of the road should not have any impact on this wall. Protection measures should be in place prior to construction work commencing. The wall merits being preserved and visible to locals and visitors. It would benefit from conservation and repair works, which would also serve to ensure it forms a secure foundation for the new road. These conservation works and protection measures will be covered in the Condition 33 Management Plan. On the basis of this new information, interpretation and assessment, I consider heritage concerns can now

be addressed through conditions. **Views on submission of further archaeological evaluation awaited.**

5.11 Ramblers' Association: No response.

5.12 British Horse Society: The junction of Rochester Road and Pilgrims Way needs to be constructed with due regard to horses crossing into and out of the byway. Particularly, access needs to be retained during construction and a surface that is non-slip for horses needs to be specified. There is sufficient width for shared use with walkers and cyclists, and some equestrian chicanes are shown, so we hope we are correct in assuming that horses will be catered for along the whole length of Court Road.

5.13 Private Reps: 48/0S/0X/0R. No response.

5.14 A8 Site Notice & Press Notice: 3 letters received objecting on the following grounds:

- Roundabout would be inappropriate for cyclists and horse riders;
- The proposed will urbanise the rural character of the area;
- No details of the surfacing of the southern section of MR10;
- Clear signage provided around Burham Court as to who can use this part of Court Road;
- If equestrians are permitted on the cycleway, a sign including them would be a consideration;
- Scarborough Lane and Margetts Lane should be closed to general traffic.

6. Determining Issues (A&B):

6.1 The main issues to be considered are whether the proposals will deliver the required infrastructure, whether the proposals will detract from the visual amenity of the locality and whether the proposals will constitute highway hazards.

6.2 These applications provide the full details for the southern access road from the southern boundary of the main development site to Rochester Road/A229. They provide the highway infrastructure improvements as required in the Outline Planning Permission TM/05/00989/OAEA, as well as delivering the footpath, bridleway and cycleway works as set out in the approved access strategy (condition 26). The proposed southern highway works include:

- Improvements and realignment of Court Road;
- Enhancement of bridleway MR10;

- Provision of a segregated footpath and cycleway running alongside Court Road to Burham;
- A series of crossing points;
- Provision of a footpath around Alex Hill to link Court Road, Burham to Bull Lane, Eccles;
- Traffic calming measures on Pilgrims Way prior to the Bull Lane junction;
- Improved Pilgrims Way/Rochester Road junction.

6.3 All the approved southern highway works identified in the Outline Planning Permission and the Access Strategy have been included as part of these applications. These applications deal with the detailed design for delivering the agreed highway infrastructure works.

6.4 Members will note that TM/07/04473/FL is an application for additional infrastructure works and associated landscaping. This application essentially picks up all the works that lie outside the extent of the red line on the outline planning permission TM/05/00989/OAEA. The majority of these additional works are to deliver the combined segregated footpath cycleway works, as well as additional landscaping, linking bridleway MR10 to the riverside and meeting technical requirements, in order to meet highway safety audits, i.e., taking account of the topography of the existing road and surrounding land. The principle of these additional works has already been established in approving the Access Strategy (Condition 26) and, therefore, there is no objection in principle to these works, which will provide the infrastructure improvements to the local area, particularly the provision of the footpath and cycleway link to Burham. Therefore, the proposed works in this rural location are necessary and acceptable to deliver this strategic housing site.

6.5 The proposed works have been sensitively designed in this location, with extensive landscaping along large parts of southern access road. It is proposed to plant hedging with trees at various intervals from Scarborough Lane through to the junction of Court Road and Rochester Road. Ten TPO trees at the junction of Court Road and Church Street are to be removed. These poplar and alder trees are in a poor condition and will be replaced with 10 semi-mature Holm Oak trees. This is an acceptable arrangement. The proposed landscaping scheme uses trees, hedging and grasses of native origin. The proposed highway works will be softened by the extensive landscaping, which will help to ensure that the development will not detract from the visual amenity of the locality, the wider landscape or rural character of the area.

6.6 In addition, the proposed improved road has been designed to be a “country lane”, with no streetlighting, limited signage, verges designed without kerbs and no significant land raising. The proposed works will not create an urban feature and

as highlighted above will for large parts feature native hedgerows, with occasional feathered trees, so that the character of the improved roads reflects the general openness of this part of the east bank. The proposed works and limited tree planting to the south of the Neolithic Causeway Camp at Margetts Lane will not significantly harm the setting of this archaeological feature in the landscape.

- 6.7 The proposed highway works have been subject to detailed discussions with KCC Highways, who have confirmed that the works are acceptable and are likely to meet the Stage 2 Technical Safety Audit. Therefore, alterations to the road layout, realigned sections of Court Road, the improved Rochester Road/Pilgrims Way junction and the crossing points are all acceptable in highway safety terms.
- 6.8 The matter of whether or not Scarborough Lane and Margetts Lane are closed to vehicular traffic is not a matter for consideration as part of these applications. These are matters for Traffic Regulations Orders through KCC, and as such are subject to separate legislation. Members will note that there are also differing views on whether this should occur and this is the matter that the KCC refer to in their comments as needing to be discussed with the PCs. However, I would reiterate that a sum of £10K is available to assist KCC if they wish to pursue a Traffic Regulation Order to prohibit vehicular access from Scarborough Lane to Court Road. I understand that KCC is currently still reviewing the speed limits along the improved road, including along the Pilgrims Way stretch. Ultimately, it is for KCC to decide the speed limits along this road.
- 6.9 KCC PROW Office have raised no objection to the works subject to the submission of details of the chestnut hurdles, the details of which have recently been submitted and KCC comments on these details will be reported in the supplementary papers. KCC PROW Office has raised no objection to the detailed proposals for the improvements to MR10, by introducing an yielding surface, the series of crossing points including at the junction of Rochester Road and Pilgrims Way (which BHS commented upon) and the new combined footpath cycleway.
- 6.10 In terms of the archaeological matters raised by KCC Heritage, the applicant has submitted an additional report to deal with the impact of the road affecting a wall and seeking to address the concerns of KCC Heritage. The alterations to the wall are to provide newt tunnels under the road. Therefore, we have a scenario of nature conservation interests competing against archaeological interests. The views of KCC Heritage on the further archaeological assessment will be reported in the supplementary papers.
- 6.11 A number of other matters have been raised which are not material to this application, but need clarifying, for example, the application does not include a roundabout at the junction of Rochester Road and Pilgrims Way. Also, Aylesford PC suggests the provision of traffic lights at the junction of Bull Lane and Pilgrims Way, however, this would be an unacceptable urban feature in this rural location. This proposal is not supported by the other Parish Councils.

6.12 In light of the above considerations, I am satisfied that the proposed works are appropriate and will deliver the infrastructure improvements for the Peters Village development and local area, therefore, I find these details acceptable.

7. Recommendation:

(A) TM/07/03045/RM:

7.1 **Approve Reserved Matters** in accordance with the following submitted details: Letters dated the 2 August 2007 and the 28 May 2008, Planning, Design and Access Statement received on the 7 August 2007, Supplementary Statement received on the 21 December 2007, Tree Survey Extract dated 31 October 2007, Archaeological Evaluation Report dated May 2008 and by drawings 4172 501, 1378/TS/5, 1378/TS/6, 1378/TS/7, 1880/OFF/PL/101A, 1880/OFF/PL/102A, 1880/OFF/PL/103A, 1880/OFF/PL/104A, 1880/OFF/PL/105A, 1880/OFF/PL/106A, 1880/OFF/PL/107A, 1880/OFF/PL/108A, 1880/OFF/PL/109A, 1880/OFF/PL/110A, 1880/OFF/PL/111A, 1880/OFF/PL/112A, 1880/OFF/PL/114A, 1378/OFF/01D, 1378/OFF/05C, 1378/OFF/06C, 1378/OFF/07C, 1378/OFF/08C, 1378/EW/06A, 1378/EW/07A

(B) TM/07/04473/FL:

7.2 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 28 May 2008, Tree Survey Extract dated 31 October 2007, Planning, Design and Access Statement received on the 21 December 2007, Archaeological Evaluation Report dated May 2008, drawings 1378/TS/5, 1378/TS/6, 1378/TS/7, 1880/OFF/PL/101A, 1880/OFF/PL/102A, 1880/OFF/PL/103A, 1880/OFF/PL/104A, 1880/OFF/PL/105A, 1880/OFF/PL/106A, 1880/OFF/PL/107A, 1880/OFF/PL/108A, 1880/OFF/PL/109A, 1880/OFF/PL/110A, 1880/OFF/PL/111A, 1880/OFF/PL/112A, 1880/OFF/PL/114A, 1378/OFF/01D, 1378/OFF/05C, 1378/OFF/06C, 1378/OFF/07C, 1378/OFF/08C, 1378/EW/06A, 1378/EW/07A, 4172 505, 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 pursuance of Section 91 of the Town and Country Planning Act 1990.

2. The scheme of landscaping and boundary treatment shown on the approved plans shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting 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: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

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