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**Wouldham**                      **571728 163098**    **11 December 2014**    **TM/14/04151/RM**  
Burham Eccles  
Wouldham

Proposal:                      Reserved matters application for phase 1 being appearance, landscaping, layout and scale pursuant to outline application 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)

Location:                      Former Peters Pit And Peters Works Site Hall Road Wouldham Rochester Kent

Applicant:                      Trenport (Peters Village) Limited

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**1. Description:**

- 1.1 This application seeks the approval of reserved matters concerning the layout, scale, appearance and landscaping of the development now known as Peters Village which have been submitted pursuant to condition 1 imposed on outline planning permission TM/05/00989/OAEA (outline planning permission for formation of development platforms and creation of new community including residential development – 1000 units, mixed use village centre (including A1, A3 and B1 use), community facilities, primary school and associated highway works).
- 1.2 Members will be aware that the development of Peters Village has been a long standing strategic proposal which the Borough Council has supported. It constitutes the development of brownfield land and has long been seen as a good opportunity to create a new community with associated infrastructure, including major highway improvements and, importantly, a major contribution to the Borough’s housing stock, including affordable homes. The overall project has been assisted by Government advanced funding through the Local Infrastructure Fund and substantial investment is now being made in the Medway bridge, other road works and site preparation. It is most encouraging that after many years in preparation this key site is now progressing as envisaged by the current and previous Development Plans.
- 1.3 This submission provides details of the layout, scale, appearance and landscaping of the first 152 residential units. Condition 11 of the outline planning permission states that the maximum number of units that can be occupied prior to the Medway Valley crossing being opened to vehicular traffic is 150. This is also the maximum number of market units that can be occupied prior to the provision of the requisite affordable housing units being provided.
- 1.4 The submission also seeks to address the following conditions imposed upon the outline planning permission insofar as they relate to Phase 1 of the development:

- Condition 5 which requires the details to show land reserved for parking or garaging in accordance with the adopted KCC standards;
- Condition 12 which requires the details to show a scheme for the storage and screening of refuse;
- Condition 13 which requires the details to be accompanied by a scheme of landscaping and boundary treatment.

1.5 The supporting information submitted indicates that the layout and design of Phase 1 has been informed by the following:

- The approved details of the riverside walkway and on site roads;
- The existence and location of utilities including a water main which traverses north-south across the site, corridors for surface water outfalls to the river, and the location of electricity substations;
- The approved development parameters which define areas of developed and undeveloped land and the maximum permissible heights of buildings, which was established by the previously submitted Masterplan and is controlled by Condition 8.

1.6 The accommodation schedule is set out as follows: 28 x 2-bed apartments; 16 x 2 bed houses; 75 x 3 bed houses and 33 x 4 bed houses.

1.7 This phase comprises entirely market housing, consistent with the legal agreement entered into at the time of the outline planning permission being granted which allows for the first 150 units occupied being market housing.

1.8 In the area defined as Phase 1, the planning permission allows for buildings up to 5 storeys on the riverside, up to 4 storeys on land between the spine road and the riverside corridor and up to 2.5 storeys on that part of the land parcel to the east of the spine road. Condition 9 stated that 5 storey buildings should only be used at key corners and vistas.

## **2. Reason for reporting to Committee:**

2.1 Given the local significance of the development.

## **3. The Site:**

3.1 Construction work to deliver Peters Village and the Medway Valley Crossing recommenced in 2014. Works currently in progress include the construction of a new stretch of Court Road and road improvements to the south between the site and the A229 at Kits Coty. In accordance with the conditions imposed on the outline planning permission, this work must be completed prior to the construction of dwellings.

- 3.2 On-site works are also currently progressing with the necessary service provision being installed, reprofiling of the land and construction of a new river wall. The construction of on-site roads and works to deliver the new bridge have also commenced. The temporary diversion of Public Rights of Way within the site has been undertaken and I understand that an application to make permanent diversions and create new PROW (including a new bridleway along the riverfront) is presently with the Secretary of State for determination.
- 3.3 The area of Phase 1 is at the southern end of the Peter's Village development and will form the gateway of the site from the south. The majority of the land is within the area formerly occupied by Peter's Cement Works, and latterly a number of industrial occupiers.
- 3.4 The site area of Phase 1 is 4.99 hectares and is located predominately to the west and partly to the east of the proposed main spine road through the development, which runs broadly north-south (approved under planning permission TM/07/02143/RM).
- 3.5 The southern boundary of the site is formed by the southern extent of the wider development, beyond which is agricultural land.
- 3.6 To the west, Phase 1 is bounded by the wide swathe of the riverside walkway which includes a footpath and segregated bridleway. The details of these areas have also been approved by planning permission TM/07/02143/RM and no changes to this area are proposed by this application.
- 3.7 To the north and east are areas of land that will be developed as later phases of the wider development, apart from at the southern end where the development abuts the SSSI.

#### **4. Planning History (relevant):**

TM/05/00989/OAEA    Grant With Conditions    10 May 2006

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/06/03315/RD    Approved    5 December 2006

Details of phasing of the development submitted pursuant to condition 2 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/06/03364/RD    Approved    6 December 2006



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      Approved                      15 August 2008

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)

TM/07/03045/RM      Approved                      14 August 2008

Reserved matters application for the construction of new and improvements to existing highways between Peters Village and the junction of Rochester Road and Pilgrims Way submitted pursuant to conditions 1 and 26 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)

TM/07/03779/RD      Approved                      13 December 2007

Details of retention, interpretation and management programme for chalk faces submitted pursuant to condition 22 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/07/04389/RD      Approved                      25 February 2008

Details of piling submitted pursuant to condition 30 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/07/04473/FL      Approved                      7 August 2008

Additional infrastructure and associated landscaping as part of the new construction and improvements to existing rights of way between Peters Village and the junction of Rochester Road/Pilgrims Way

TM/08/02503/RD      Approved                      21 October 2008

Details of archaeological management submitted pursuant to condition 33 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/13/03948/FL      Approved      7 March 2014

Additional Infrastructure Improvements and associated landscaping as part of the construction of new and improvements to existing rights of way between Peters Village residential development and the junction of Rochester Road and Pilgrims Way (re-submission of planning permission TM/07/04473/FL)

TM/14/03387/RD      Approved      22 December 2014

Further details of site investigation works and remediation strategy submitted pursuant to condition 6 of planning permission TM/05/00989/OAEA and condition 8 of planning permission TM/05/00990/FLEA

TM/15/00533/RD      Pending Consideration

Details of Travel Plan pursuant to condition 37 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)

## **5. Consultees:**

5.1 Wouldham PC: WPC has concerns with the amount of parking for phase 1. It feels that there are insufficient spaces with only 36 visitor's spaces for 152 houses. WPC approves of the narrower roads to encourage slower speeds but feels this must be accompanied by adequate parking otherwise the roads will become blocked by parked vehicles.

5.1.1 WPC has concerns with the 2 space tandem parking spaces. Although it appreciates that the minimum standards have just been met, WPC feels that from personal experience on dealing with parking issues in the Pilgrims Reach development (Oldfield Drive), people will not use both spaces to park 2 cars in tandem. This in turn will lead to more on-street parking which will cause access problems on the narrow inner roads.

5.1.2 WPC has concerns regarding what are the sewerage arrangements for phase 1 but understands that the applicant is not required to submit these details as part of this submission.

5.1.3 WPC is pleased with the overall layout of phase 1 and was pleased to note the height of the properties.

*Additional Comments:*

- 5.1.4 Wouldham Parish Council would like to make the following comments on the additional information received on the above application.
- 5.1.5 Wouldham Parish Council is concerned that Trenport has classed this development as suburban. WPC believes the correct class should be suburban edge/village/rural and would like confirmation from TMBC on this.
- 5.1.6 With regard to the parking WPC has concerns about the size of the parking spaces. It is inevitable that there will be people parking work vehicles overnight so the size of the parking spaces needs to allow for this.
- 5.1.7 WPC still has concerns regarding the tandem parking arrangements and note that the applicant has not provided any further information regarding this.
- 5.1.8 WPC are happy with the arrangements for the car ports and the mix of housing for phase 1.
- 5.1.9 WPC are happy with a toddler play area by the riverside footpath area although it would like to suggest 2 further areas which the applicant may like to consider (plan has been provided)
- 5.2 Burham PC: Originally commented that they had no observations to make. Subsequently, the following representations were received: 'Parking will be a problem on site. Four bed houses with only two parking spaces so that a lot of the visitor parking will be in permanent use.'
- 5.3 KCC PROW: Comments made regarding the processes needed by which to divert PROW.
- 5.4 Medway Council: No objections.
- 5.5 Private Reps: 237 + site + press notice/0X/5R/0S. 5 letters of objection received from 2 contributors, making the following objections and observations:
- Concerned that the elderly and disabled will not be sufficiently catered for with the development;
  - There are no 1-bed dwellings to be provided within this phase of the development when there is a need for this type of accommodation, particularly to accommodate the elderly and young adults living with their parents;
  - Concerned about the way in which parking is to be provided – many of the spaces are not independently accessible – large number of car ports with parking in front, blocking access. Inadequate parking would result in increased on street parking which would become a major problem very quickly;

- Pleased to see a southern gateway to ensure users of MR15 can easily access MR10 – hope a similar “northern gateway” is planned for bridleway users crossing the Greenway to access the riverside bridleway;
- Question the way in which parking provision has been calculated, using the suburban location rather than village;
- Lack of independently accessible parking spaces;
- Agree car port design enhances visual amenity but objects to the phrase ‘urban design’ for a village in a rural area;
- Car ports and parking spaces should be suitable for works vans;
- Pleased the main playing field and associated play equipment will be available by mid-2016 and sure the new residents will appreciate the provision of local toddler play areas near the riverside, so this will be achieved too;
- This is a village, not a suburban location;
- Majority of neighbour disputes are caused by poor parking design, this needs to be avoided within Peters Village;
- Access roads are very narrow which will cause a problem if residents park on street;
- Needs to be more parking than the minimum offered.

## **6. Determining Issues:**

6.1 One of the core principles contained within the NPPF centres on the need to always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Similarly, TMBCS policy CP24 sets out the general criteria for all new development including a provision that development must respect the site and its surroundings and that it will not be permitted where it would be detrimental to the built environment and amenity of a locality. This is supported by policy SQ1 of the MDE DPD which states that all new development proposals should protect, conserve and where possible enhance:

- the character and local distinctiveness of the area including any historical and architectural interest and the prevailing level of tranquillity;



- the distinctive setting of and relationship between, the pattern of settlement, roads and the landscape, urban form and important views.
- 6.2 This initial phase is formed as two parcels within the southern area of the wider Village. It has been informed by the need to positively address the river frontage and the main arterial spine roads, as well as the parkland and adjacent SSSI. It forms a key gateway to the overall development from the south. The main spine road will bisect this phase of the development, forming a riverside area to the west and a 'parkland' area to the east. Secondary access roads are proposed to lead from the spine road into the development areas, formed as narrow lane type streets, which have the result of creating small development blocks and strong street frontages, forming a strong sense of place.
- 6.3 The layout positively responds to the river frontage by providing taller buildings in the form of apartments and town houses, the principle of which was accepted through the outline planning permission. One of the central streets within this parcel of the development is described as a "boulevard", which would serve to create a vista from the spine road and a strong visual connection with the river frontage.
- 6.4 The area to the east of the spine road is proposed to be less densely developed in order to take into account the parkland setting beyond which is a positive response to the immediate surroundings of the site and should be welcomed.
- 6.5 One of the key concerns raised during the course of this application in connection with the proposed layout of Phase 1 relates to the level of parking provision to serve the development. Concerns have been raised in respect of the overall amount of parking to serve the development and the particular form this will take (including the use of car barns and tandem parking spaces).
- 6.6 Policy CP2 of the TMBCS requires new development to be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres. Since the original submission and following some fruitful discussions with the applicant, amended plans have been submitted which increase the amount of allocated parking to accord with IGN3: Residential Parking which has been adopted for DC purposes. As Members will be aware IGN3 does not count garages in its calculation of parking provision to serve residential developments and this approach has been endorsed by TMBC. It does however accept the use of open fronted car ports or car barns in all locations, subject to good design. The guidance notes that parking spaces are best provided side by side or in another independently accessible form although tandem parking arrangements within new residential developments such as this are not precluded.
- 6.7 A question has been raised regarding the categorisation of this site for the purposes of applying the adopted parking standards, particularly whether the site should be defined as 'suburban' or 'village' for these purposes. There is nothing contained within IGN3 that defines the term 'suburban' compared to 'suburban

edge/village/rural' and consequently there is a judgement to be made based on the specific locational characteristics of the site. Clearly, the categories in IG3 seek to reflect the propensity to own or use private cars dependent on the accessibility of day-to-day facilities and the availability of alternative forms of transport. Whilst the development is set in a semi-rural context, in terms of accessibility and public transport it will, in locational terms, be more akin to a 'suburban' rather than a 'rural' development. On-site facilities, including the primary school and local retail and medical facilities, will reduce the need to use the private car. In any event, and I will return to this later, whatever categorisation is felt to be appropriate the number of spaces now provided is satisfactory.

- 6.8 The overall design quality of the scheme must also be taken into account when considering levels of parking provision and how it is designed into schemes such as this. Replacing tandem parking with 'side by side' arrangements across the entire site would result in a very loose knit grain with significant gaps between buildings. This would adversely affect the resultant built environment, in contrast with the proposed design where a greater sense of enclosure and continuous frontage is created as a fundamental design approach. Additionally, a requirement for 'side by side' parking across the Phase would significantly reduce effective use of the site and previously developed land, contrary to core planning principles of the NPPF. Notwithstanding this position, it is of course necessary to remember that the delivery of 1000 units does assume a range of densities through different character areas within the development, with this riverside area being the highest. Of course, alternative parking arrangements – with the possibility of a greater proportion of 'side-by-side' parking - could form part of detailed design solutions in the later phases where assumed densities are lower, without compromising the overall units across the development as a whole or the design quality of the scheme. Each individual Phase will need to be assessed on its own merits in this regard.
- 6.9 Notwithstanding these important considerations, the applicants have positively responded to the local concern in this regard and have taken the opportunity to re-evaluate the overall level of parking, including the level of tandem spaces proposed, across Phase 1 to establish whether any opportunities exist to reconfigure the layouts of individual plots where appropriate to do so, having regard to the wider implications for the aesthetics of the development. As a result, amended plans have recently been submitted which allow for the inclusion of a total of 11 further parking spaces. Three of these are on-plot at plots 71, 87, and 151, which are all 4-bed units, giving each of these units 3 spaces in total (2 side by side plus a car port). The additional spaces can be acceptably provided in respect of these specific plots, given the configuration of the layout, without introducing large and unsightly gaps in the street scene. A further 8 spaces are provided as flexible communal/visitor spaces on street. These have been specifically 'designed in' to the streetscape between areas of verge/landscaping. The scheme now therefore provides 44 such communal spaces either on-street or in parking courts.

- 6.10 These amendments bring the total parking provision across Phase 1 to 313 spaces. This exceeds IGN3 standards by 15 if the 'Suburban' edge/village/rural were to be applied (as suggested by some local residents) or an excess of 61 spaces if the 'Suburban' standard were to apply. In either case, the level of parking required by IGN3 would be exceeded by some margin and is therefore considered to be acceptable.
- 6.11 In addition, the plans have been amended to remove gates at the rear of car ports where there is another parking space behind, with the second space now located effectively outside of the garden fence. I consider that this alteration will allow for a more useable form of car parking and will encourage the use of on-plot parking.
- 6.12 The applicants have also advised that each property will be bound by a management regime imposed as a covenant through the Management Company. This will further prevent changes to properties such as the enclosure of car ports and will be a tool for effectively ensuring no loss of on-plot parking. The applicant has provided a supporting document which summarises the estate wide covenants, stating that it is intended that the estate rent charge deed will impose various covenants on the owners of the various units, allowing Trenport/ManCo to enforce the covenants direct against the owners of those units. Examples of the form of covenants that are proposed, insofar as they relate to parking, include the following:
- To prevent any occupier or visitor infringing any parking covenants.
  - Not to park any vehicle, caravan, trailer, boat or vehicle of any kind on any part of the rent charge land except that Authorised Vehicles may be parked on driveways, any vehicle, caravan, trailer, boat may be parked in a garage. An Authorised Vehicle would be defined to be a private motor vehicle or motorcycle or a commercial vehicle which commercial vehicle is no more than 4.8 metres long or 2.4 metres wide or 2 metres high.
  - Commercial vehicles (which are not Authorised Vehicles) may only be parked if delivering or collecting goods or temporarily attending as part of a bonafide service or maintenance operation.
  - No vehicle may be parked on or otherwise obstruct any shared accessway adjacent or nearby properties so as to obstruct its use by others.
  - Not to park on Estate Roads except in designated areas.
  - Not to use any carport or car barn as habitable space or otherwise than to house vehicles.
  - Not to use any garage (provided in addition to ING 3 parking requirements) as habitable space or otherwise than to house vehicles or for storage.

[DPHEH: There are no garage spaces proposed within Phase 1 of the development.]

- 6.13 Whilst such covenants are not enforceable in their own right through the planning system, the applicant has advised that in the event of any breach of the rent charge covenants by the owner of a unit, Trenport/ManCo would be entitled to enforce those covenants direct against the owner of the unit under the rent charge mechanism. Whilst I would recommend a planning condition be imposed to ensure the car ports remain open fronted, and conditions already exist as part of the outline planning permission in order to retain parking layouts more generally, I consider that the restrictions proposed by the applicant will contribute significantly to the robustness of the level of control that can be afforded across the site.
- 6.14 Concern has also been raised regarding the width of the estate roads within Phase 1, with reference made that these are too narrow to allow for the safe flow of traffic particularly if on-street parking occurs. In my view, the provision of visitor and communal spaces across the Phase will ensure that more general on street parking should not prove problematic. Furthermore, it is a commonly held principle of design that narrowing roads actually restricts on-street parking as drivers will seek to park in locations where their cars are not at risk i.e. the designated spaces provided, even if that means they will have to walk further to their destination. Additionally, the use of appropriately designed bollards will prevent people parking on verges.
- 6.15 Turning to the scale and appearance of the development, the scheme comprises a mix of house sizes, predominately 2 and 2.5 storey houses, interspersed with 3 storey houses, principally along the main arterial road and riverside. Two 4 storey apartment blocks of apartments are proposed along the western river frontage. This provides visual variety across the Phase whilst ensuring suitable amounts of integration.
- 6.16 Brickwork and tiles are intended to be the predominant building material in order to create a sense of cohesion across the development but render, tile hanging and boarding are also to be used to create some visual variety and interest, which is appropriate here.
- 6.17 The proposed landscaping across the site has been carefully considered and will provide a positive contribution to the character and appearance of the development. Concern was raised regarding the absence of any designated open space within Phase 1. It must be recognised that the significant, strategic elements of public open space will be delivered through future phases, including specifically the central playing fields, including equipped play areas, which will be provided by mid-2016. Notwithstanding this, the applicants have responded positively to the particular concern regarding this Phase by reviewing the provision of local toddler play areas (LAPS) and believe it would be possible to provide some facilities in the

riverside area without impacting upon the proposed public rights of way. Further detail on this is expected shortly and will be reported as a Supplementary matter.

- 6.18 I acknowledge that Wouldham PC, although welcoming the inclusion of the facilities described above, have suggested two further areas that could be utilised as additional play space. It is my view that these suggested areas, which lie just to the east of the main spine road, and to the northern end of the site, are very small in overall area and would not contribute significantly to the offer of designated play space across the development. Furthermore, they would be located in close proximity to residential properties and the estate roads, which is not necessarily appropriate for such uses. As such, the proposed layout cannot be considered as unacceptable without these smaller pockets of play space.
- 6.19 Objection has been raised regarding the mix of units across the development, particularly that the absence of 1 bed units within this Phase is not meeting an identified need in the area. Again, I would stress that this is one Phase of a much larger overall residential development. Later phases will undoubtedly contain alternative mixes of housing types to respond wholly to the housing need of the area, and these will be assessed as they come forward having due regard to the Phases that have come before, including the mix proposed by this application. Additionally, it should be recognised that this Phase will provide for a good number of 3 and 4 bed family units, another important element of housing need generally across the Borough, which should be welcomed.
- 6.20 Wouldham PC continues to have concerns regarding the absence of any information setting out the layout of the sewerage network to serve this Phase. Although I can appreciate this concern, this is beyond the level of detail to be expected to form part of a reserved matters submission such as this. There is no requirement for the applicant to provide this level of detail as part of their planning application.
- 6.21 I consider that the physical form of the residential development proposed by this application is a good example of contemporary design, appropriately arranged and detailed. The suggested palette of materials to be utilised is appropriate here and would contribute to a high quality environment reflecting the 'gateway' status of the southern end of the site. I therefore recommend that planning permission be granted subject to the imposition of conditions controlling the car ports and future management of car parking.

## **7. Recommendation:**

- 7.1 **Grant Planning Permission** subject to the following:

### **Conditions:**

- 1 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995

(including any Order revoking or re-enacting that Order, with or without modification) no doors or other means of enclosing the car ports hereby approved shall be installed to the front elevation of the car ports.

Reason: Enclosure of the car ports could reduce their use for vehicle parking and development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

**Informative:**

- 1 The applicant is reminded of the fact that the WSP Ground Remediation Method Statement needs to suitably reflect the level of private garden space to be provided across this Phase particularly in light of the need to fully comply with condition 6 of planning permission TM/05/00989/OAEA and condition 8 of planning permission TM/05/00990/FLEA which necessitates the submission of further information in due course.

Contact: Emma Keefe