

**LAND OFF PUMP LANE
RAINHAM
KENT
ME8 7TJ**

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL REFERENCE: APP/A2280/W/20/3259868**

APPEAL BY A C GOATHAM & SON

INQUIRY DOCUMENT: Appellant's Note on Building Heights

PREPARED BY: Duncan Parr

15/04/2021

INQUIRY DOCUMENTS REF: ID 38

- 1.1. A review has been undertaken on behalf of the Appellant of the Note produced by Hannah Gunner (Planning Case Officer), appended to the Council's Parameter Note response dated March 2021. This is not considered to provide an accurate or complete representation of pre-application discussions. Supporting notes produced on behalf of the Appellant are enclosed (of Gary Symes, Robert Hughes and Gail Stoten).
- 1.2. I did not attend the design meeting on 8 November 2018 but I did attend at an earlier pre-application meeting on 1 October 2018, during which high level discussion was had regarding design and the appropriateness of adequate flexibility in order to allow possibly different developers / house builders to bring forward a variety of building types. Other design matters discussed, included:
 - a) It was agreed the applicant and council would agree a design approach and design code
 - b) The Council requested for the proposal be put before the Design Review Panel
 - c) A design meeting was arranged for 8 November 2018
- 1.3. Of all detail design issues discussed, building heights was not addressed. It was agreed the subsequent design meeting on 8 November 2018 would provide a suitable forum for detailed discussions (see note of Gary Symes).
- 1.4. I confirm that at no point during the application process did the Council question the up to 12m Parameter Plan, nor did it question the Design and Access Statement, in outlining the overall design strategy - including building heights. Concern regarding the design approach including height was not stated in the officer's report to Committee in recommending the application be refused.
- 1.5. An updated building heights plan was submitted as part of the appeal, but, as the Council notes, it did not update heights as it was intended to reflect greater buffer areas. If queries from the Council regarding heights in the Parameter Plan and the design approach described within the DAS (including building heights) had been received, these would have been promptly considered.
- 1.6. The updated Parameters Building Heights Plan (ref. 11047 PL 011 B) is consistent in reflecting the DAS strategy.
- 1.7. In reply to the Council's further notes on conceived landscape and heritage implications on this issue (notes of Mr. Etchells and Ms Wedd), are enclosed notes of Mr Hughes (Landscape) and Ms. Stoten (Heritage) which refer to the implications of **Parameter Plan drawing 11047 PL 011 B**.

Duncan Parr

22.3.21

Pump Lane Appeal

Note on Revised Height Parameter Plan PL-011-B

REF: GS

DATE: March 2021

Introduction

- 1.1 Revised height parameters plans have been submitted to the Inquiry, with plan **PL-011-B** now relied upon.
- 1.2 Plan PL-011-A replaced plan PL-004-A and plan PL-004-B. Plan PL-011-A showed a reduction of 2m in the maximum height of the built form in the southern part of the site, from 12m to 10m. Plan PL-011-B is a further revision of the maximum height parameters plan, which extends the 10m maximum height area to include the care home.
- 1.3 This note provides my response in the light of the assessments I have made on heritage in my written evidence and given orally at Inquiry, and also comments on the written responses from Ms Wedd on this matter, dated 2nd March and 7th March 2021.

Revision of parameters

- 1.4 The revised parameters plans (culminating in plan PL-011-B) gives certainty as to the maximum building heights within specific areas of the site. Previously, a comparatively larger area was covered by the maximum 12m parameter, and I had based my assessment on this.
- 1.5 The areas covered by the parameter revisions lie closest to York Farmhouse Grade II Listed building and the Lower Twydall Conservation Area, and to Chapel House and the Lower Rainham Conservation Area.
- 1.6 My assessment of the impact of the development on York Farmhouse was that no harm would occur. This conclusion is naturally unchanged by the change in parameters.
- 1.7 With regards to the Lower Twydall Conservation Area, the assessment in my evidence was that less than substantial harm at the lowermost end of the spectrum would occur. This was assessed on the basis of minimal intervisibility between the site and the asset, with proposed development set back, beyond existing mature intervening vegetation and beyond a buffer of open space where the site lies closest to the Conservation Area.
- 1.8 Whilst the reduction in the height parameter is likely to further reduce visibility of the development, some minimal intervisibility may still occur.

- 1.9 As such, whilst visibility is likely to be lessened, my assessment remains that less than substantial harm, and at the lowermost end of the spectrum, would occur for the Lower Twydall Conservation Area.
- 1.10 With regards to The Chapel House and Lower Rainham Conservation Area, the height parameter for the care home to the west has been reduced - from 12m to 10m.
- 1.11 In my evidence, I assessed less than substantial harm at the low end of the spectrum for the Chapel House, on the basis of the change of character of land formerly associated with the asset that would be visible from it, albeit set back behind a generous offset. The change to the height parameter will result in reduced visibility but, as the visibility will still be possible, the harm will remain within the band I assessed it as, in my evidence.
- 1.12 Similarly, the level of harm to the Lower Rainham Conservation Area will remain as less than substantial and at the lowermost end of the spectrum.

Ms Wedd's Notes

- 1.13 It should be noted that Ms Wedd's bullet point summary on the "*impact of the proposed development on the historic landscape of the site as the shared setting of a constellation of heritage assets*" in her notes does not appear to take account of the expansion of the limits of this area which she considers to be an 'asset' – a point she made during the round table discussion in direct response to a question of the Inspector.

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Note on Revised Building Heights Parameter Plan 11047 PL 011 B: Landscape and Visual Matters

of Robert Hughes, 22nd March 2021

1. This note has been prepared to address the revised Building Heights Parameter Plan (**drawing 11047 PL 011 B**) and update on how this drawing may, if at all, change the assessment of landscape and visual effects as identified by the Tyler Grange LVIA, and as set out in my evidence to the Inquiry.
2. The height parameters included in the Supplementary Environmental Statement submitted as part of the Appeal indicated a maximum building height of up to 12m, across the development parcels, with the exception of the proposed school and village centre which were limited to a maximum building height of up to 10m. These parameters had been illustrated on drawing 11047 PL 004 B.
3. As set-out within the LVIA prepared by Tyler Grange (CD8.4) and confirmed within my evidence to the Inquiry, the assessment of landscape and visual effects made by the LVIA is based upon the 12m height parameter as shown on drawing 11047 PL 004 B and therefore had then proceeded upon a worst-case scenario assessment (LVIA paragraph 28).
4. The reduction in maximum height parameters, as illustrated on the revised Building Height Parameter Plan (drawing 11047 PL 011 B), would result in a reduction in the magnitude of change and associated landscape and visual effects of the Proposed Development.
5. I note that this is also recognised by Mr Etchells in his note of 2nd March 2021, in stating: *“In principle, limiting the height of the new buildings within the higher, southern part of the site would reduce the likely landscape and visual effects slightly (as any reduction in the quantum of development would tend to.)”* (paragraph 3f). Mr Etchells goes on to state that: *“However, that would not in my view be a significant reduction”*
6. The above comments had been made by Mr Etchells with regard to drawing 11047 PL 004 A, which had indicated the reduction of building heights to 10m, across the southern site area, but which also included the care home, at 12m. The care home is now shown as included within the reduced height of 10m on drawing 11047 PL 011 B.
7. In addition to reducing the residual landscape and visual effects, lowering the maximum heights of built form would also allow mitigation landscape planting to effectively screen and filter buildings within a shorter timeframe. This would ensure the earlier assimilation into the landscape and mitigation of impacts on both the landscape character and visual amenity.

8. By retaining a maximum building height of up to 12m for those properties fronting the village green and in proximity to the village centre, there are continued opportunities to provide focal and feature buildings in these central spaces at the heart of the new community.
9. Lowering the height of the care home to a maximum of 10m and resulting smaller scale of development would reduce the impact of the Proposed development upon the views and visual amenity of residents of Pump Lane.
10. The reduction in heights to the south of the site and the care home would also reduce the prominence and impacts of development as experienced from Pump Lane, especially at the site entrances off the lane.
11. Reducing the height of development on the higher land to the south and southwest of the site would reduce the visual impact of the proposals in views from Motney Hill and Horrid Hill to the north, with the building heights reflecting that of development south of the railway line. The proposals would continue to be largely screened in views from the lower-lying land along the Saxon Shore Way and within the Riverside Country Park by trees along the shoreline and development on Lower Rainham Road. The residual visual effects would continue to be minor adverse as experienced from these locations.
12. Whilst the prominence of the proposed development as experienced from a number of properties adjacent to the site would be reduced, residents of those properties overlooking the railway line on the edge of Twydall would continue to result in the loss of views across the site.
13. The magnitude of change and associated visual impacts would be reduced. The significance of effects for most receptors would remain largely unchanged.
14. The overall landscape effects would remain as moderate adverse, at a site-wide scale. However, as detailed within this note there are a number of areas where there are some localised reductions in effects.
15. Despite the reduction in effects, having considered the revised height parameters as illustrated on drawing 11047 PL 011 B, I am of the opinion that the reduction in heights do not materially change my overall assessment of the residual landscape and visual effects of the Proposed Development.
16. As recognised by Mr Etchells in his notes of 2nd and 5th March 2021 (paragraphs 3g and 3d respectively) in both his assessment and the Tyler Grange LVIA, the categories of significance of effect are broad, allowing for a degree of change within them so as to not alter the overall assessment of effects, at a site-wide scale.

17. As detailed within the Design and Access Statement and recognised by Mr Etchells at paragraph 3a of his 2nd March 2021 note, it would be the intention for the majority of buildings across the proposal to be no more than 10m high.

18. The proposal can be designed within the amended height parameters as shown on drawing 11047 PL 011 B to ensure that the scale and character of development is appropriate to the local context and, furthermore, that the design, location, and number of taller buildings of up to 12m height are successfully incorporated into the scheme sensitively and as positive features.

22nd March 2021

Meeting with Medway officers 8th November 2018 - Land Off Pump Lane, Rainham, ME8 7TJ

I have been asked to provide comment on the note from Hannah Gunner submitted as part of the appeal (Note on Building Heights Parameters Plan March 2021) – ID 30.

Whilst I didn't issue a formal meeting note of our discussions on 08 November 2018, Ms Gunner's recollection of the meeting does not match mine. In this regard, I provide the following comments I have taken from my handwritten notes of the meeting.

The meeting took place at noon on 08 November 2018. I was accompanied by Mr Julian Bore, (landscape consultant) and Conor Healy (Planning Consultant). We met with Hannah Gunner, Duncan Burntsen and Paul Bratton.

1. HG & DB opened by asking if we could advise on likely timing of an application. It was however agreed that separate discussions (outside of this Design Meeting) between the applicant and Council would be best placed to discuss such matters of timings.
2. I suggested different options by which Medway might secure a set of 'Design Standards' that we could agree. It was noted however that detailed matters would be dealt with via reserved matters and conditions.
3. DB outlined that he would prefer to explore design matters in greater detail. However, I confirmed the application was outline with access only to be determined at this stage. So matters of layout, design etc. would be for subsequent reserved matters.
4. It was agreed that, for the purposes of the application, we would produce a detailed Design & Access Statement. I tabled previous examples of work and officers agreed that the level of detail and approach was reasonable.
5. It was agreed PRC would provide officers with a "proposal framework". The Council would then advise if the level of detail was adequate. The proposal framework was sent via email on 20 November 2018, but a response was not forthcoming.
6. The overall master plan was then discussed. HG, DB and PB understood that it would be difficult to achieve a single "Sense of Place" in a development of this scale and agreed that we would be better concentrating on delivering a number of inter-connected 'spaces' and 'character zones'.
7. DB and PB agreed that the perimeter landscaping was appropriate and related well to existing properties, especially along Lower Rainham Road. It was agreed that amenity spaces such as play, dog-walking facilities etc. should form part of the landscaped area.
8. Officers recognised that the site was almost sub-divided into quarters, which we could expand upon – almost as if they were four separate villages.
9. Mr Bore explained the topography of the site and outlined how the perimeter and internal landscaping proposed would screen the site well from viewpoints outside the site.
10. HG and PB indicated that they could see the benefits of not being too prescriptive within the final documentation. This would allow future developers to provide different design approaches. HG outlined that she did not rule out some elements of three storeys, for vertical articulation and way-marking. It was agreed the DAS would reflect these parameters – see section 5 of the Design and Access Statement (CD 5.10) pages 16 – 20. In my opinion the DAS and application plans reflect the views expressed by Officers at the meeting.

Gary Symes

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