



Waldringfield

Parish Council

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The Planning Inspectorate
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Appeal Reference: APP/J3530/W/19/3229396

LPA Reference DC/18/3623/FUL (Eureka, Cliff Road, Waldringfield, Suffolk, IP12 4QL – demolition of existing building and erection of 3 houses and 1 bungalow. Alterations to existing access)

Dear Attila,

Waldringfield Parish Council wishes to submit its comments regarding this application and to urge the inspector to refuse the appeal for the following reasons:

1. The Parish Council supports fully the statements made by SCDC/East Suffolk Council in its refusal of planning permission document dated 22nd March 2019 in that:

"The additional dwelling and repositioning of the previously consented four-bed dwellings and associated impacts upon parking and turning arrangements represent a cramped form of over development of the site, that would neither preserve or enhance the character of the AONB. The proposal is therefore contrary to local policies SP15, DM7 and DM21, and the principles of the NPPF."

2. We would add that there is very limited on-site parking and no provision for garaging or outside storage. The area described as visitor parking – for one car only – is woefully insufficient for four dwellings when the parking provision attached to each dwelling is minimal. Each of the four households is likely to have at least 2 cars. One visitor parking space for all four properties is therefore insufficient and will result in off-site street parking causing unacceptable levels of obstruction on Cliff Road.

3. There is insufficient provision of an on-site turning area especially for delivery vehicles. This will result in a) delivery vehicles reversing onto the street or b) delivery vehicles parking on the street and causing unacceptable obstruction and road safety hazard, particularly at this highly sensitive location immediately next to the primary school.

4. In addition, the Parish Council continues to be extremely concerned regarding the negative impact that this application will have on road safety as the proposed shared drive and access are completely inadequate and do not meet the basic minimum requirements.

5. The minimum requirement for an open shared drive is 4.5 metres. If bounded by a fence or hedge etc, as is the Eureka drive, the minimum requirement is 5.5 metres. The proposal shows a width of only 4.2 metres at its widest and only 3.2 metres at the access point. In addition, the proposal does not provide the minimum required visibility splay at the access point and visibility is further restricted by a very large, well established oak tree which is the subject of a TPO.

6. The average width of a basic saloon car is 2.07 metres. It is correct to say that in theory, two cars (total 4.14 metres) could be placed alongside each other on this shared driveway leaving a theoretical gap of 0.06 metres or **2.36 inches**. In other words, if two cars tried to pass each other on this driveway they would have to do so with a 0.02 metre or **less than 1 inch** between

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each car and between the other side of each car and the fence. We would argue that even the most proficient of drivers would not be able to do this.

7. The inevitable result will be that vehicles will have to reverse back out onto Cliff Road, immediately next to the school entrance. This hazard is increased by the very limited visibility splay, the narrowness of the road, the roadside parking of cars, delivery vans, coaches associated with the school and the nearby 90-degree bend in the road.

8. It is worth noting that Cliff Road is the main route into Waldringfield and carries considerably greater levels of traffic than might be expected in this rural location. Reports from a speed indicator device (SID) recently located on this route showed total traffic movements of 34,024 over a four-week period.

9. We have raised these serious road safety issues in relation to both the initial planning application DC/16/0510/FUL and to DC/18/3623/FUL, the subject of this appeal. We are also very concerned and frustrated regarding the way in which these safety issues have not been addressed and the contradictory and inconsistent way in which these matters have been handled.

We would summarise this matter as follows:

10. Initial planning application DC/16/0510/FUL was refused by officers in 2016 under delegated authority. The reason given was that the development comprises poor design and will give the site an overly cramped appearance. In this decision the planning officers made no reference to the proposed access to the development which contravened a) the minimum visibility splay requirements when driveways join the public highway and b) the minimum effective width requirements of shared driveways.

11. Suffolk Highways response ignored these statutory minimum requirements, suggested minor modifications to the design of the access and offered no objection to the application.

12. Waldringfield Parish Council was very concerned about this surprising and extremely unusual approach by Suffolk Highways as we consider this to be a particularly dangerous location as it is immediately next to the school and in our view the concessions made regarding the access should have been, at the very least, challenged by SCDC. The planning officers did not appear to do so.

13. The applicant took the matter to appeal and the application was approved.

14. A further application DC/18/3623/FUL, the subject of this appeal, was subsequently submitted. This time the application was supported by planning officers who recommended approval.

15. However, the response from Suffolk Highways dated 3rd December 2018 recommended refusal of this application. (copy attached). It states:

"Notice is hereby given that the County Council as Highways Authority recommends that permission be refused for the following reasons:

The proposed alterations to the access are unsatisfactory as an entry width of approx. 3.3m is proposed due to the location of the existing tree. The proposed development of 4 new dwellings would see an intensification of use of the access for which the minimum acceptable width for a shared access is 4.5m.

Additionally, inadequate visibility splays have been evidenced as a minimum splay of 2.4 x 43m should be shown in both directions. Any reduction in the required distance will need to be evidenced by a traffic speed survey that is conducted over a period of 7 days.

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Please amend the access width and illustrate how the above visibility splays can be achieved in order to address the above concerns."

16. So, on the first application DC/16/0510/FUL for 3 houses and modified access the planning officers refused permission and Suffolk Highways didn't object to the application but on DC/18/3623/FUL for 4 houses and the same access detail, the planning officers recommended approval and Suffolk Highways objected in strong terms. The access treatment and layout is precisely the same in both DC/16/0510/FUL and DC/18/3623/FUL and yet each elicited entirely different responses from Suffolk Highways.

17. As can be seen from our previous statements, the Parish Council agrees entirely with the contents of this letter from Suffolk Highways as the proposed shared drive and access are completely inadequate and do not meet the statutory requirements for road safety.

18. On 14th December, after the public consultation period had ended, planning officers wrote to Suffolk Highways questioning the views expressed in the letter of 3rd December, pointing out that these views differed from those expressed re the previous application and suggesting *"it would therefore be useful if your comments could be reissued."* An apparently somewhat reluctant response from Highways dated 19th December states *"although the proposal is not ideal, we will have to accept the proposal."* Followed by a further email from highways on 25th January 2019 which includes the view that *"However, there does not appear to be a clear turning area for delivery vehicles."*

19. The Parish Council is not questioning the motivation of any of the officers concerned nor are we suggesting any impropriety but nonetheless we do feel that these obvious inconsistencies between Suffolk Highways approval of the proposed access on DC/16/0510/FUL and its initial strong objection to the self-same access on DC/18/3623/FUL require investigation and further clarification.

20. We realise that given there is extant consent for DC/16/0510/FUL this may limit the degree of corrective action. We also do not understand fully whether this is something that would come under the remit of the appeal process or whether it would have to be brought via judicial review. However, we do ask that you at least take into account these conflicting responses when considering this particular case.

21. Finally, given the substantial submission (Statement of Case) by the applicant's agent and the many quotations it includes, we feel that we must highlight/clarify some of the most obvious inaccuracies.

- Para 2.2 (1.3) states that a *"cluster of large detached dwellings are party to its (the site) northern and eastern boundaries"*. This is not correct. The site is bounded by a pair of semi-detached cottages and two detached dormer bungalows.
- Para 5.5 (6.5) we do not agree that new four-bedroomed properties provide *"accommodation for those seeking to downsize and remain in the village"*. We suggest that a four-bedroomed house is actually a "large" house not one suitable for downsizing into.
- Para 5.17 states *"Furthermore, the minutes of the Planning Committee meeting identify that the decision was not a unanimous one, being recorded as 'determined by a majority vote'. However, it is noted that the Chairman of the Planning Committee proposed approval of the development, which was seconded but lost at vote. Therefore, it is clear that this proposal had the support of the Planning Officer, the support of the Head of Planning and Coastal Management (who is the signatory of the schedule for the Planning Committee) and the support of the Chairman of the Planning Committee, and also some support within the committee itself. It is fair to say, therefore, that whilst the appellant recognises the democratic nature of the decision-making process, there was significant support for the proposal."* The Parish Council disputes the assertion that because the Chairman of the Planning Committee, in the applicant's words, "proposed approval of the development" it therefore is clear that the proposal had *"the support of the Chairman of*

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the Planning Committee". The minutes of the Planning Committee Meeting state "She (the Chair) noted that the Council had refused the application for three dwellings on the site and that planning permission had been granted on appeal. She considered that the new application did not resolve the issues of what had been approved on appeal and could not support the application." The minutes go on to record that she then "moved to the recommendation to approve, which was proposed, seconded and by a majority vote FAILED".

We say that the minutes show that the chair "could not support the application" and was simply putting to the vote the planning officer's "recommendation to approve". Whilst a couple of members of the committee voted to support the application it was not a close vote, a significant majority of members voted against the application. It is therefore incorrect for the applicant to assert that there was "*significant support for the proposal*".

22. In conclusion, the Parish Council acknowledges that the extant application DC/16/0510/FUL, approved on appeal, is a material consideration with regards to DC/18/3623/FUL but we would respectfully ask the Inspector to also consider the material considerations highlighted in our submission.

Attached:

- Suffolk Highways response to DC/18/3623/FUL dated 3rd December
- Email trails between SCDC and Suffolk Highways 1
- Email trails between SCDC and Suffolk Highways 2

Yours sincerely,



Rebecca Todd
Parish Clerk for Waldringfield Parish Council