

DC/18/04811

There are two items of correspondence to report since the publication of the Committee report.

i) Needham Town Council's representative commented on 25th February as follows:

The Town Council's highways consultant has now considered the comments received from SCC Highway Authority. As you are aware, the Highways Statement submitted with the Town Council's objection raised six objections to the scheme. Due to the information set out by SCC I can advise that two of the reasons for objecting can now be removed (Objections 4 and 6). The other four objections identified remain as set out below:

- 1. Objection 1 - Poor footway infrastructure and increased potential for conflict between the vehicular and vulnerable road users.**
Objection remains as there are no proposals to make any improvements to pedestrian facilities.
- 2. Objection 2 – Lack of suitable infrastructure for cyclist in the immediate vicinity of the Site (“The provision of cycle parking is welcomed, but the wider highway infrastructure has not been addressed”).**
Objection remains as there are no proposals to make any improvements to cycling facilities.
- 3. Objection 3 - Substandard visibility at School Street/The Causeway and The Causeway/High Street junctions is considered detrimental to highway safety.**
Whilst SCC seems to accept the substandard visibility given low traffic volumes and speeds, this does not comply with DMRB and Manual for Streets standards citing that using a coloured surfacing and improvement to road marking at the junction would sufficiently resolve the problem, our objection therefore remains.
- 4. Objection 4 - Lack of detailed accident analysis required to verify involvement of vulnerable road users or HGV's.**
Objection can be removed, SCC has cited 2 accident in last 10 years.
- 5. Objection 5 - Failure to present a fully usable parking layout for proposed development, assess on street parking during peak hours, taking account for parking impact of the community centre events.**
Objection remains as no assessment of parking stress during peak hours and during the events at the community facilities.
- 6. Objection 6 - Failure to assess current levels of traffic at key local junction and assess the impact of event traffic on local highway network.**
Objection can be removed based on the information available, no assessment during events.

This is however reliant for items 1 / 3 / 5 on the argument that the former use cannot be discounted against the planned development.

ii) The applicant's agent has responded to these, and other recent comments as below:

Thank you for forwarding recent comments from the Town Council's representative dated 11th February 2019 and 25th February 2019 in respect of the above application.

We note that the Town Council have removed their objections referenced 4 and 6, which we are pleased to see. However, neither of these two new responses have provided any new

evidence and we consider they are largely subjective in nature. Accordingly, our previous responses to these matters, referring only to material planning considerations, remains.

As you are aware, in the meantime we have moved to a pragmatic conclusion with Suffolk County Council Highways Authority. The Highway Authority has determined that “the development does not result in an intensification of the access compared to previous school use and taking all the above into account, it is our opinion that this development would not have a severe impact (NPPF para 109) therefore we do not object to the proposal.” In addition, the authority has given due diligence to a schedule of conditions which would enhance the quality of the development and enable development proposals to proceed.

Despite the County Council’s response, the Town Council’s retention of their objections is on the basis that they do not accept the impacts arising from the existing lawful use of the site. We content that the local planning authority must consider the traffic generated by a proposed development against any harm from the trip generation of the existing use, or one that could lawfully replace it, and this is evidenced in planning case law. It follows that any calculation of the traffic generation impact of a new development will need to take account of the amount of traffic to be expected from the possible continuation of any previous site activity, as well as alternative lawful uses on that site (the fall-back position).

We have previously provided this evidence in correspondence and in the submitted Transport Statement. The Town Council have suggested that “if the D1 use is proved acceptable”, which has never been in question, then the residential flow of traffic would be reversed. Indeed, the pattern of flow of traffic would vary, but it remains, as clearly evidenced, that the number of movements in these periods still remains lower for the proposed use than the existing use.

The Town Council have also suggested comparison to a doctors surgery is “not considered appropriate”, but this is a valid D1 use and therefore this is a basic material consideration. The LPA are required to make this comparison in order to have cognisance of any fall-back position should permission be refused.

Based on the foregoing, we do not consider there to be any evidence that the surrounding highways network is so deficient to warrant refusal of this application, especially in the context of the existing lawful use of the site which has been evidenced as being more intense in terms of movements. Nonetheless, as we have previously re-iterated, the applicant is committed to providing reasonable improvements to existing issues where they are able to do so. As you are aware, we have been working pro-actively with Suffolk County Council as Highway Authority for this site, and we will continue to work with them to satisfy the Grampian conditions and other conditions that they have proposed should planning permission be granted.