

DC/20/3362/FUL and DC/20/3284/FUL - Land West of Chapel Road, Grundisburgh.

Grundisburgh & Culpho Parish Council Response

2nd November 2021

1. Introduction

- 1.1. Grundisburgh & Culpho Parish Council have spent considerable time reviewing the latest submissions by the applicant, and determined that there are still a significant number of problems with the application such that we must maintain our objection to the proposals in their present form.
- 1.2. We note that Planning Officers opted to put the application to Members before the public consultation period had expired and managed to achieve a very controversial approval (via Chairman's casting vote) subject to conditions and no material considerations coming forward during the remainder of the consultation period. The very wording of the Officer's recommendation (which was not published ahead of the committee) in itself shows that East Suffolk Council ('ESC'/'Council') intended to push through a decision despite knowing the proposals were incomplete.
- 1.3. It is our intention in this response to put forward a number of important and material considerations which are either new, or have not yet been given adequate attention by Officers demonstrating that their reports to committee were insufficient to allow Members to consider the full facts and discharge their statutory duties correctly.
- 1.4. The failure of the Council to achieve a majority vote in the Planning Committee at this late stage was significant and Officers, for the sake of this and future applications, need to reflect upon why half of the Planning Committee Members do not believe Officers' assessment of the proposals is accurate and would not vote to approve it.
- 1.5. In summary, the Council should not proceed to a delegated decision because Planning Officers have:
 - i. misled Members about the necessity to determine the application**
 - ii. misled Members regarding the report from the independent Transport Consultant**
 - iii. not presented all relevant material considerations to Members**
 - iv. have overstated the completeness of the application**
 - v. have overstated the application's conformance to required standards**
 - vi. not demonstrated that the development will be safe**

2. Failure to inform the Members about the power to decline to determine the similar planning application

- 2.1. The Chair of the Planning Committee sought to defer the planning application but was misled by the Planning Officers. The Chair was informed that the Council had to make a decision on the planning application to meet the timetable set by the Planning Inspectorate on a different planning application. They were in fact separate matters and the Councillors were not informed about the power of section 70B of the 1990 Planning Act as amended to decline to determine planning applications. This important material consideration was not put before Members.
- 2.2. In circumstances such as these, in which the Council and other parties are already engaged in a statutory appeal process which is set to arrive at a decision by or on behalf of the Secretary of State, the processing by the Council of what is not simply a similar twin track application, but in all practical respects an identical application, would not appear to provide any tangible public benefit.

- 2.3. The lack of diligence from the Officers has forced the Council to undertake considerable extra work and duplication of effort for the Council and local residents. The local residents are obliged to make comments on a planning application and planning appeal when they need not.
- 2.4. There is no assurance that, if the Council was to proceed to a determination of the planning application that the matter would then reach a final conclusion. The applicant could choose to bring an appeal in respect of either a refusal of permission or any conditions relating to a grant of permission which it might find unacceptable. If the matter is determined by delegated powers a judicial challenge of the planning application decision is likely as it can already be demonstrated that Members have not made a decision on the full facts.
- 2.5. There is considered to be no compelling reason for the proposal not to be determined simply through the appeal process under the first application which the applicant has chosen to activate. The actions of Officers, in conspiring to force a committee vote before all public representations have been received and material considerations made available for Members to review, demonstrates a disregard for due process and long established planning norms, and should be addressed by the Council.

2.6. Officers misled Members about the necessity to determine the application.

2.7. Officers have not presented all relevant material considerations to Members.

3. Lack of Species Surveys

- 3.1. The Planning Officers said in the Planning Committee meeting that proposed condition 6 requires a survey for bats because they might use the site when the development commences, which could be in three years time.
- 3.2. The proposed condition uses the word 'further' but there has been no species survey undertaken for bats. A habitat survey is not a species survey. It is clear that the habitat currently supports bats and the proposed condition tells us that we should survey for bats so why has it not been done at the planning application stage?
- 3.3. *'Prior to the removal of the tree identified as T7 in the Ecological Appraisal report (Aspect Ecology, July 2020) it will be subject to **further** survey for bats by a suitably qualified ecologist to determine if it is being used by roosting bats.'*
- 3.4. The failure to carry out species surveys is contrary to paragraph 99 of Circular 06/05:

'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.'
- 3.5. For example, there is a reasonable likelihood that bats will be present and affected by the proposal. Bats of different sizes can be seen to fly over the field but bats have different characteristics (foraging, breeding and hibernation) and some species are rarer than others. Are the bats in the area Barbastelle, Brown Long eared, Common Pipistelle, Natterer's, Noctule, Serotine, Soprano pipistrelle or Whiskered? Without undertaking a species survey you do not know and you cannot then balance the impact of the development on the bats species with any public interest benefits of providing houses in the way proposed.
- 3.6. Bat surveys should have been undertaken between May and September when bats are most active but this has not happened.

- 3.7. This matter has not been addressed in the Planning Committee report and the Council cannot make a sound planning decision until the full facts are known. There is no reference to the requirements of the Circular in the Committee report under the planning policy section. In ignoring those requirements, the Council have reduced the review of ecological impacts to a post-decision tick-box exercise, with no real weight to prevent damaging development.
- 3.8. Officers have not presented all relevant material considerations to Members.**
- 3.9. Officers have overstated the completeness of the application.**
- 3.10. Officers have overstated the application's conformance to required standards.**

4. Design

4.1. The plans do not include:

- 1) existing or proposed levels for the dwellings and roads
- 2) sections through the site
- 3) sections through this site extending into neighbouring land
- 4) strip elevations

4.2. This is not only contrary to the Local Validation List requirements of East Suffolk Council which was published in October 2020 but weakens any confidence in the assessment of the scheme. If you do not know the proposed finished floor levels of the dwellings on what basis can you assess the impact of the scheme on the area, between the proposed dwellings and the impact of the proposal on neighbouring dwellings?

4.3. The failure to require such plans is maladministration and highlights that the scheme has not been considered in relation to the site or neighbouring dwellings. The absence of this basic detail has been highlighted to the Local Planning Authority on numerous occasions and their response is that it can be provided as a planning condition. This means that the Local Planning Authority recognise that the requirement for finished floor levels is a necessity but equally they have not scrutinised the design as submitted at this full application stage.

4.4. The NPPF 2021 highlights the importance of design and engaging communities as part of the design process. This has not been done. Paragraph 126 of the NPPF states that:

*"The creation of high quality, beautiful and sustainable buildings and places is **fundamental** to what the planning and development process **should** achieve."*

4.5. It would take a leap of faith to conclude that the proposal meets a fundamental objective of the NPPF where there is an absence of information that demonstrates that the proposal has been thought through, let alone feel designed.

4.6. Paragraph 2.4 of the Planning Committee report states:

'The site slopes downwards north to south and west to east, with a change in levels between NW (highest) and SE (lowest) points being 7.75m.'

4.7. In paragraph 7.44 the Members were told that:

'Topographically, the site falls from north to south with a level difference of 8m over a distance of 300m.'

4.8. Does the site slope from north to south or north-west to south-east? With such changes in levels it is imperative that the existing and finished floor levels are known before a

determination can be made on the impact of the proposal on the character of the area and the neighbouring properties. Instead the analysis simply states in paragraph 7.99 of the Committee report:

'7.99 It is considered that sufficient space and separation exists between the proposed dwellings to ensure that the amenities of the occupants are not adversely affected by overlooking or loss of privacy. Similarly, it is considered that there is sufficient separation between the proposed dwellings and the existing dwellings to the north to ensure that the amenities of the existing properties are not adversely affected.'

4.9. The proposed levels are not known, the distances between dwellings have not been stated, the relationship between facing windows is not explained. The opinion given in 7.99 is not based on facts and those facts have not been presented to Members.

4.10. Officers have not presented all relevant material considerations to Members.

4.11. Officers have overstated the completeness of the application.

4.12. Officers have overstated the application's conformance to required standards

5. Human Rights

5.1. The Members were not informed about the Human Rights Act or shown how it is being followed in this case.

5.2. Article 8 (the substantive right of respect for a person's home) and Protocol 1 Article 1 (the substantive right of peaceful enjoyment of one's possessions which include one's home and other land) are directly relevant to this case.

5.3. Notice was not served on the landowners of footpath 20 because reliance was placed on the ability of the Highway Authority to undertake works under the Highway Act. Additionally, residents of Lower Road are expected to accommodate the increased traffic volumes by keeping their private driveways clear to allow vehicles to use them as 'informal passing places' (as described by Planning Officers in reports and in committee).

5.4. The two 'substantive rights' listed above enable those affected by the planning process to reinforce their objections by stating that to allow such a development to proceed would infringe their human rights. In the case of footpath 20, the landowners have not been informed about the planning application and have not therefore been given a fair hearing.

5.5. The planning committee report has not provided the fair balance between the public interest in changing footpath 20 and the individual's right to use their land. This material consideration is missing from the assessment.

5.6. For Lower Road, the same is true; the concerns of those residents have been dismissed entirely and Planning Officers have seen fit to describe private driveways as a design feature of the local highway network that will support safe and suitable access to the development. They have not considered the rights of the residents impacted by increased traffic volumes, and whether they consent to their private property being used in this way.

5.7. Officers have not presented all relevant material considerations to Members.

6. Discrepancies in the latest traffic data demonstrate that the cumulative impact of the development on the highway network has not been properly assessed

- 6.1. We welcome the provision of new traffic data to finally enable proper assessment of the cumulative impact of development on the local highway network, but our examination of the latest data has uncovered inconsistencies and leads us to very different findings to those of the applicant.
- 6.2. Specifically, if we contrast the applicant's forecast distribution of traffic in/out of the development via Park Road (57%) and Lower Road (43%) against the recorded total daily traffic volumes on those roads (466 and 528 respectively) the measured realities simply do not reflect the applicant's forecast.
- 6.3. So one of two possibilities is evident (or a combination):
 - (a) the traffic volumes measured on Park Road are un-representatively low or;
 - (b) the applicant's forecasted traffic distribution between Park Road and Lower Road is incorrect.
- 6.4. Table 1 shows how each of the scenarios can be corrected using simple formulations. Our workings are available for review.

Scenario	Total Daily Traffic Volumes Park Road	% Village Traffic using Park Road	Daily Village Traffic using Park Road (calculated)	Total Daily Village Traffic Volumes (Chapel Road)	Daily Village Traffic using Lower Road (calculated)	% Village Traffic using Lower Road	Total Daily Traffic Volumes Lower Road
Current Traffic Data as presented by Applicant	466	57%	164	288	124	43%	528
The traffic data presented by the applicant is not consistent with their original forecasts; Lower Road cannot see more traffic than Park Road with the suggested traffic flows into/out of the village via Chapel Road and the balanced volumes of through-traffic East<->West observed.							
a) Traffic Data corrected assuming unrepresentatively low traffic volumes (fuel crisis?)	577	57%	203	357	154	43%	528
	+24%			+24%			
b) Traffic Data corrected assuming inaccurate traffic distribution forecast between Park Road and Lower Road	466	39%	112	288	176	61%	528
		-32%				+42%	

Table 1

6.5. Scenario a) Possible impact of the 'Fuel Crisis' on measured traffic volumes

- 6.6. The applicant recognised in their latest submissions that their traffic measurements took place during the fuel crisis where we know from media outlets that East Anglia was amongst the worst impacted areas.
- 6.7. There is no doubt that there was an overall net reduction in traffic movement during the fuel crisis; varying significantly based on the level of fuel availability in each area.

6.8. If we consider the applicant's forecast traffic split between Park Road and Lower Road to be accurate, we would need to see traffic volumes on Park Road **24% higher** than those observed to achieve the forecast 57%/43% split between the access roads.



6.9. Uplifting the measured daily traffic volumes by 24% equates to a 'normal' level of **577 vehicle movements per day as opposed to the 466 observed.**

6.10. Combining this figure with the 438 vehicle movements predicted from the development, all of which will use some part of Park Road, you reach a daily traffic volume of **1005 vehicle movements** post-development, breaching the 1000 vehicle limit for both 'Quiet Lanes' designation and LTN 1/20 guidance for safe, mixed traffic use where speed limits are 30mph.

6.11. **Officers have overstated the application's conformance to required standards.**

6.12. **Officers have not demonstrated that the development will be safe.**

6.13. Scenario b) Inaccurate forecasting of traffic split between Lower Road and Park Road

6.14. However, if we instead consider the recently measured traffic volumes along Park Road to be typical, to achieve coherence with the applicant's traffic modelling we would need to revisit the forecast split of traffic between Park Road and Lower Road, claimed by the applicant to be 57%/43% respectively.

6.15. This leads to an adjusted Park Road/Lower Road split of 39%/61%, which results in a significant shift in the forecast vehicle movements along Lower Road after development. In this scenario, Lower Road could experience **795 vehicle movements per day**, up from the **528 observed currently**, and would therefore become the **primary development site access in terms of traffic volumes.**

6.16. Considering the very limited width of Lower Road and the lack of footways this could have a severe impact on traffic flow and the safety of pedestrians in particular, and has not been assessed by the Local Highway Authority nor Local Planning Authority.

6.17. Indeed, in their original objection from 9th October 2020, where 80 dwellings were proposed on the site, SCC noted the sensitivity of the local highway network to development and clearly stated:

"we object to the submitted proposal on this basis as it provides a greater impact on the highway network than can be mitigated by the agreed measures, in addition to the issues listed overleaf"

6.18. If it can be demonstrated that an (upwardly) revised traffic impact of 70 dwellings upon Lower Road is equivalent or greater than the original assumptions surrounding 80 dwellings then the Local highway Authority must surely revert back to their original position of objection.

6.19. Based on these discrepancies between the data presented by the applicant and their forecast traffic movements, it is likely that the cumulative impact of development on the surrounding highway network has not been properly assessed based on accurate data and coherent modelling. Officers and Members have not therefore judged the proposals in line with the requirements of NPPF 2021 before reaching an approval:

“111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”

6.20. It is deeply concerning that SCC issued their PINS statement on the 11th October 2021 in apparent support of the development, before even seeing the updated traffic data from the applicant.

6.21. Officers have not demonstrated that the development will be safe.

7. Highway improvements remain significantly below recognised standards and indicate that access to the new development will not be safe

7.1. We will focus on two aspects of the highway improvements, detailed in the latest submissions, that are required to enable the development - demonstrating that the proposed designs are substandard.

7.2. Visibility Splays from Local Junctions earmarked for improvement

7.3. SCC, as the Local Highway Authority have stated, in their PINS statement from the 11th October 2021:

‘it is not a requirement for all off site junctions to be brought fully to modern design standards, especially when they are historic junctions, built before these standards were applied’.

7.4. SCC have misadvised ESC on this matter since a planning application needs to demonstrate, irrespective of the age of the junctions involved, that ‘safe and suitable access to the site can be achieved for all users’ as per para 110 (b) of the NPPF. The standard to be applied is ‘**safe**’ not merely ‘*improved*’ as incorrectly suggested by SCC.

7.5. Additionally, the SCC ‘Streets Guide 2020’, in Appendix G, states:

*“The purpose of this position statement is to provide guidance for the application of “Manual for Streets” to the minimum visibility requirements at new junctions and new minor accesses within the public highway maintained or to be adopted by Suffolk County Council. It should be used in conjunction with the process for determining visibility splays for junctions and private accesses (DM-P-03-11). **It should also form the basis of judging the suitability of existing junctions and access during the planning process** although it is acknowledged that other factors will also need to be considered”*

7.6. This passage clearly demonstrates that existing junctions directly relating to development should be assessed against the modern design standards detailed in that document, which neither SCC nor Planning Officers have done before presenting the application to Members. In the event of any exceptions to these standards being granted in favour of an application, these should be explained in order to allow Members to base their decision on the full facts, and not merely rely on a lack of objection from the Local Highway Authority to judge whether or not the development will be safe.

7.7. Table 2 below summarises the visibility splays offered in the application (and discussed in the recent submissions) and compares these to the standards detailed in SCC guidance.

Junction/Direction		Visibility Splay Requirement	Visibility Splay(s) Offered (after improvements)	
B1079/Lower Road (North)	Setback	4.5m	2.4m	2.4m
	Visibility	120m	67m	90m
	Target	nearside edge of carriageway	nearside edge of carriageway	centreline of carriageway
B1079/Lower Road (South)	Setback	4.5m	2.4m	
	Visibility	90m	90m	
	Target	nearside edge of carriageway	nearside edge of carriageway	
C323/Park Road (North)	Setback	2.4m	2.4m	
	Visibility	90m	90m	
	Target	nearside edge of carriageway	nearside edge of carriageway	
C323/Park Road (South)	Setback	2.4m	2.4m	2m
	Visibility	90m	<40m	63m
	Target	nearside edge of carriageway	nearside edge of carriageway	centreline of carriageway

Table 2

7.8. It is clear that the levels of visibility for both junctions will be significantly lower than those prescribed in national and SCC design guidance yet it has not been adequately explained why such compromises are acceptable and how they will deliver 'safe and suitable access for all users', despite their obvious shortcomings.

7.9. It should also be noted that for the improvements to the junction of Lower Road/B1079 to happen, it appears that land outside of the the highway is needed for carriageway widening. No evidence that this is deliverable has been supplied by the applicant, and Officers have not specified whether the design will require compulsory purchase of land by the Council.

7.10. Officers have not presented all relevant material considerations to Members.

7.11. Officers have overstated the application's conformance to required standards.

7.12. Officers have not demonstrated that the development will be safe.

7.13. Highway design for Park Road

7.14. The applicant finally provided traffic data for Park Road in October 2021. Only now could any party fully assess the proposed highway design for Park Road's improvements, and judge whether or not they were 'safe and suitable' as required by the NPPF.

7.15. Nowhere in any planning policy or guidance does a highway design exist with the following combination of characteristics, as will describe Park Road after development:

- (1) 4.8m carriageway width
- (2) direct access to dwellings
- (3) shared surface ie. no footways or cycle lane
- (4) primary cycling route

- (5) secondary pedestrian route
- (6) primary vehicle route
- (7) potential vehicle movements in excess of 1000 per day (see section 6 above)
- (8) 30mph speed limit
- (9) On-street parking requirements

7.16. Although the applicant has sought to downplay many of these aspects individually, if you consider the proposals together it is deeply concerning that the Local Highway Authority have approved this highway design with such a dangerous mix of characteristics, that in their own guidance say is 'Not permitted'.

7.17. Furthermore, when you consider that this design may come at the cost of permanently damaging the setting of Grundisburgh Hall Parkland after road widening there is even more reason to examine the detail of the proposals before making a decision.

7.18. SCCs 'Streets Guide 2020', shown below, shows that a 'shared surface' should not be permitted as a primary, or even secondary, vehicle access route. Park Road is set to remain a shared surface route since no footways are proposed as part of the improvement works.

7.19. Although 'Streets Guide' has been produced in consultation with ESC, SCC will no doubt argue that modern design standards should not be applied to historic lanes. However, they do need to demonstrate, irrespective of the age of the highways involved, that 'safe and suitable access to the site can be achieved for all users' as per para 110 (b) of the NPPF. The standard to be applied is 'safe' not merely 'improved' as incorrectly suggested by SCC.

	Footpath	Footway	Shared footway cycle track	Shared path*	Cycle track	Cycle lane	Shared surface	Tertiary carriageway	Secondary carriageway	Main carriageway
Primary pedestrian route	★	★	✓	★	✗	✗	✓	✗	✗	✗
Secondary pedestrian route	★	★	★	★	✗	✗	★	✗	✗	✗
Primary cycling route	✗	✗	✗	★	★	✓	✓	✓	✗	✗
Secondary cycling route	✗	✗	✓	★	★	✓	★	✓	✓	✗
Primary vehicle route	✗	✗	✗	✗	✗	✗	✗	✗	✗	★
Secondary vehicle route	✗	✗	✗	✗	✗	✗	✗	✗	★	✗
Access vehicle route	✗	✗	✗	✗	✗	✗	★	★	✗	✗

- ★ Best practice
- ✓ Acceptable
- ✗ Not permitted

Table 2 – Infrastructure Provision for pedestrian, cycling and vehicular routes

*Refer to section 3.1.3.2 for when a shared path is classed as best practice

Suffolk Design: Streets Guide 2020, table from page 52

7.20. Widening Park Road will also likely lead to increased road speeds (page 31, 'Pedestrian Safety Report' World Health Organisation 2013), and in combination with increased use of the lane by motorists and cyclists, significant mitigation is required to maintain current levels of safety, much less improve them. This necessary mitigation has not yet been offered.

7.21. Members should have been given a clear explanation as to how the proposed design achieves the required levels of safety but this has not been provided. Instead Members are

expected to rely on a lack of objection from the Local Highway Authority to judge whether or not the development will be safe.

7.22. Officers have not demonstrated that the development will be safe.

8. Members were misled about the findings of the Brookbanks reports and have no assurances that their recommendations will be implemented.

8.1. In response to the first Brookbanks report, Officers were keen to clarify that the assessment did not cast doubt on the quality of the application, but simply highlighted areas where more information was required in order to make an informed judgement about the highway impacts.

8.2. In sharp contrast, upon receipt of the second Brookbanks report, Officers used it to validate their recommendation for approval when the report itself suggested nothing of the sort. Brookbanks merely reported they were satisfied that the gaps in the original Transport Assessment had been closed, and that it was no longer deficient. They did not provide any qualitative assessment of the new material and how it should be viewed in terms of supporting approval/refusal of the application. Paragraph 1.6:

“The purpose of this note is to comment on that (the applicant’s) response and then to identify a course of action that could be followed in order to allow the application to proceed.”

8.3. The next steps should have been for both authorities to conduct a complete review of the revised/completed Transport Assessment, as we have done, but instead ESC have merely waived the revisions through without any critical assessment. The result is that once again, Grundisburgh & Culpho Parish Council are required to highlight where the proposals fail to meet the required standards of both authorities, and where statements made by the applicant may be inaccurate. This is unacceptable.

8.4. Additionally, the ‘manner to move forward’ described by Brookbanks was contingent on ten conditions being satisfied. None of these conditions were included in the Officer’s report to the committee, nor formally agreed with the Local Highway Authority at the time of the committee. Members have no assurances that any of them will be carried forward or powers to mandate them, unless the application reverts back to the Planning Committee for a decision. We wish to see Members demand this approach.

8.5. Furthermore, Officers misled Members when they stated in their committee update sheet:

“The Local Planning Authority has therefore been advised by both the Highway Authority as Statutory Consultee and its independent Transport Consultant that there are no grounds to refuse/defend the appeal for Highways reasons. The position presented to the Planning Committee recommending approval of both applications on 29th June therefore should remain, following it deferral for independent advice, which has now been received in full. Refusal of the live application and defence of the appeal set against this position would place the Council at risk of an undefendable and an evidenced position and at risk of significant cost for unreasonable behaviour in both the current appeal and any future appeal. Members are therefore presented with updated recommendations at the end of this update sheet.”

8.6. Brookbanks, as independent Transport Consultant, made no such declaration about no grounds remaining for refusal of the application or defence of the appeal. How could they,

when it is yet to be determined whether any, let alone all, of their recommended conditions have been implemented?

- 8.7. It is clear from the strong words of support for approval from two Members in the committee meeting of the 26th October, that they have been convinced that Brookbanks are actively endorsing approval of the application when even a cursory examination of the report shows clearly they are not. This is entirely due to the misrepresentations made by Planning Officers in their report and presentation to the committee. This cannot be allowed to be repeated.
- 8.8. Officers have misled Members about the necessity to determine the application.**
- 8.9. Officers have misled Members about the reports from the independent Transport Consultant.**

9. Conclusion

- 9.1. The Council should not proceed to a delegated decision on this application and the matter should revert back to the planning committee for determination, which should include the option to decline to determine the planning application.**
- 9.2. The examples of maladministration and professional failings of Planning Officers highlighted in this response should be investigated and dealt with since further infractions could seriously damage the reputation and standing of East Suffolk Council and create friction and uncertainty in the planning process.**

Ann Willets
Chair, Grundisburgh & Culpho Parish Council

Copy to Monitoring Officer, Members of East Suffolk Council

Appendix A

Letter from Lower Road Residents to East Suffolk Council Planning Officers

From:
Residents of Lower Road,
Grundisburgh

To:
East Suffolk Council
As Local Planning Authority

Copies to:
Members of Planning Committee South

Re: Planning Applications DC/20/3362/FUL and DC/20/3284/FUL - Proposal for 70 homes on Land West of Chapel Road, Grundisburgh ("Chapel Field")

31st October 2021

To whom it may concern,

We, the undersigned wish to express our disappointment in East Suffolk Council's failure to fully consider the impact of the Chapel Field development on the residents of Lower Road.

As well as increased traffic volumes making pedestrian access to/from our properties less safe, with no mitigation offered, the Local Planning Authority expect us to accommodate these increased traffic flows by continuing to make our private driveways available for use as what keeps being referred to as 'informal passing places' by Planning Officers.

This is unacceptable on grounds of both amenity and safety, both for us and visitors to our homes. Moreover, we argue that in specifying our private property as a design feature of the local highway network, East Suffolk Council are in fact infringing upon our human rights. Article 8 of the Human Rights Act (the substantive right of respect for a person's home) and Protocol 1 Article 1 (the substantive right of peaceful enjoyment of one's possessions which include one's home and other land) are relevant since Planning Officers continue to tell Members of the Planning Committee that Lower Road is a suitable primary access to the proposed Chapel Field development because our private driveways will allow safe, two-way traffic flow. Yet East Suffolk Council have not asked whether we consent to this increased use.

We are hereby declaring that if this application is approved without further highway improvements for Lower Road, benefiting pedestrians and motorists alike, we will take steps to protect our private driveways through use of gates, bollards or chains, thus reducing the number of available passing places for vehicles along Lower Road from 14 to 4.

Although we understand that this action will have a profoundly negative impact on existing road users, we have reached the limit of our patience on this matter, and the dubious conduct of Officers and Chairman in the formulation and execution of the planning committee meeting of the 26th October 2021 is a clear indication that the time for polite discourse is over and the time for action is upon us.

We hope that our decision qualifies as a new 'material consideration', thus requiring Officers to at least take the proposal back to Members for determination, but preferably to spur the Local Highway Authority to reassess whether a 'new look' Lower Road, with dramatically less passing places, does in fact offer 'safe and suitable' access to the development site, as required by the National Planning Policy Framework.

Yours sincerely,

Collectively, as signed below, the Residents of Lower Road, Grundisburgh

Name	Signature	Address
CHRISTINE DEODIS	C. Deodis	WINDHILL COTTAGE LOWER RD. GRUNDISBURGH
PAUL WIPFEN	P. Wipfen	"
MICHELLE POWNCH MARTYN STAMMERS	M. Pownch	ROSEMEER COTTAGE LOWER RD GRUNDISBURGH
ADRIAN & MARGIE SHIELD	M. Shield A. Shield	COMPASS COTTAGE LOWER ROAD GRUNDISBURGH.
Katherine Allen	K. Allen	1 Pine Grove Lower Road Grundisburgh
Tom Allen	Tom Allen	"
ROBERT & ANNE HUTCHISON	R. Hutchison	HAWKTON COTTAGE LOWER RD, GRUNDISBURGH, IP13 6UQ
John & Carry KNIGHT	J. Knight	DAISY COTTAGE LOWER RD GRUNDISBURGH IP13 6UQ
COLIN ALDRIDGE	C. Aldridge	APPLSHERE LOWER ROAD GRUNDISBURGH
Sean H. Aldridge STEPHEN FINCH	Sean H. Aldridge S. Finch	DRIFTWAY COTTAGE LOWER RD, GRUNDISBURGH
MARGARET FINCH	M. K. Finch	"

Name	Signature	Address
Dee Hibble	<i>D Hibble</i>	CORFU, LOWER RD GRUNDISBURGH
GEOFF HIBBLE	<i>G. Hibble</i>	CORFU, LOWER RD GRUNDISBURGH
SARAH PASTEUR	<i>Sarah Pasteur</i>	BRIDGE FARM GRUNDISBURGH IP13 6UF
CLAUDE ATKINS	<i>Claude Atkins</i>	Anchorstone Lower Rd IP13 6UQ
BEVERLEY ELLIS PAUL ELLIS	<i>B.A. Ellis</i> <i>P. Ellis</i>	1, WESTHORPE COTTAGES LOWER RD. IP13 6UH
HELEN RACKHAM	<i>Helen R.</i>	FERN COTTAGE, LOWER ROAD GRUNDISBURGH IP13 6UQ.

Appendix B

Recent photographs of Lower Road, likely the primary access route to the development site in terms of traffic volumes.



Fig. 1

Gridlock caused by two pairs of cars meeting head on in the section without private driveways to use as passing places.



Fig. 2

Coach entering Lower Road due to diversion. Note the width of road and requirement to use private driveways for oncoming cars to pass. Also note lack of room for pedestrians and cyclists in the carriageway.



Fig. 3

Same Coach entering double-blind S-bend. Note lack of forward visibility and space in the carriageway to manoeuvre.