

M J & R A Espin
26 Old Clements Lane
Haverhill
Suffolk
CB9 8JR

13 October 2019

Planning and Regulatory Services
St. Edmundsbury Borough Council
West Suffolk House
Western way
Bury St Edmunds
Suffolk
IP33 3YU

Application Number DC/17/2269/FUL

Planning Application (Revised Plans) - 3No Dwellings and Access 27 Clements Lane, Haverhill, Suffolk

Dear Mr Fosker

I refer to the revised application submitted to the planning authority about which we wish to make representation on a number of concerns and ultimately to register our objection to the proposal on the basis of it being (a) an over development of the site, (b) the impact additional parked vehicles will make to both the existing lane and the adjacent highway in terms of access and safety. The revised plans have not mitigated nor reduced the issues raised in our original letter dated 01 December 2017 such that the following points remain valid.

The access strategy document submitted by Kingdom TP Consultancy contains a numbers of errors (and omissions), and offers an overly subjective review of statutory requirements in respect of access to Old Clements Lane.

Brief Description of Local Area

Old Clements Lane varies in width from 5.5m at its northern end to 4.2m with a 20m stretch adjacent to 26 Old Clements Lane where the carriageway width is 3.1m wide.

Response - The main body of the wider carriageway is taken up with parking for vehicles owned by homeowners of the existing terraced dwellings at the northern end of the lane. In point of fact the maximum usable width of the carriageway (with vehicles parked) is only some 2.8m to 3.1m. It should also be noted that a permitted development of two 3 bedroom dwellings has recently been constructed at the northern entrance to the lane that has in turn reduced the available parking provision.

According to Manual for Streets page 79 a minimum of 2.75m is required to provide access for a large vehicle. Given that 3.1m is available and that the master plan shows no other dwelling will be further south along Old Clements Lane than the existing dwelling on site it is considered that access via Old Clements Lane is suitable.

Response - Building Regulation B5 states that access for emergency vehicle appliances (Table 21) should not be less than the 3.7m wide; Furthermore emergency vehicles should not have to reverse further than 20m from the end of the access road (Old Clements Lane is approx 100m long) and that provision for turning should made in any dead end access route (there is no access from the southern end of Old Clements Lane) longer than 20m. House No3 shown on drawing 826/17/01C is clearly further south than the existing dwelling (27 Old Clements Lane) which is due to be demolished.

Old Clements Lane is part of the highway boundary and maintained at the expense of the public, albeit not on a regular basis.

Old Clements Lane has not seen any significant remedial works to the main carriageway in the 25 years that we have lived at our property. The metalled surface is in poor condition and shows clear evidence of breaking up due to water and frost damage. Additional vehicular traffic will put further pressure on an already poor surface with no clear strategy for replacement or repair of such. The metalled surface does not extend to the boundary of the proposed site at the southern end of the lane as indicated in drawing 826/17/01C.

Old Clements Lane serves 6 properties including the site at the southern end, and it is proposed to serve in total 8 dwellings following development.

Response - factually incorrect. Old Clements Lane currently serves 11 properties including the site and including the development would serve 13. A new development of two 3 bedroom dwellings (reduced on appeal from 4 bedroom) has been permitted at the northern entrance to the lane; one such property is currently occupied the second remains unfinished.

Parking Standards

Given the site is located within easy walking distance of the town centre and local services/facilities and bus services it is proposed to provide 2 car parking spaces per dwelling and one visitor space.

Response - Suffolk Advisory Parking Guidance 2014 requires a total of 3 car parking spaces per dwelling; the proximity of such facilities and services does not mitigate multi-car/vehicle ownership in what are clearly intended family dwellings, and as may be evidenced quite readily by the number of cars owned and parked on Old Clements Lane today. There is insufficient room for the current parking requirements (with two houses remaining empty) such that vehicles are regularly parked on the adjacent busy main highway of Clements Lane/Duddery Hill thereby causing local obstructions to traffic. It is 'reasonably foreseeable' that were the development to go ahead as proposed each household would inevitably have more than 2 cars per dwellings for which there is insufficient room, and in turn adding further pressure to the adjacent highway.

In addition cycle parking will be provided within the curtilage of each dwelling and a car turning area provided to allow a car to undertake a turn in the road which will be a benefit to local residents.

Response - Whilst the provision of a car turning space is welcomed it is obviously necessary to mitigate against the need to reverse vehicles out of Old Clements Lane (some 100m) onto the main busy highway of Clements Lane/Duddery Hill. The Highway Code (201) stipulates that you should not reverse from a side road onto a main carriageway for reasons of safety; The Highway Code (203) (LAW CUR Reg 106) also stipulates that you must not reverse your car further than is necessary.

By permitting an over development of the site with reduced parking provision it makes the aforementioned situation inevitable whilst at the same time not conforming to the requirements laid out in car parking standards. It should also be considered that were the development to go ahead as proposed it is entirely foreseeable that the 'unprotected' car turning space would simply be absorbed into parking provision for the new dwellings which in turn would prevent full and proper access to 26 Old Clements Lane which we consider unacceptable.

Given the foreseeability of a large number of vehicles being associated with the development of three 4 bedrooms dwellings the criteria shown in the access strategy document table (page 3) for assessing that "the likely impact of additional road parking in the vicinity would not cause inconsiderate and unsafe obstruction to the surrounding road or footpath network" has NOT been met.

Further, it should also be considered that the access strategy document does not make clear to the reader that the existing property being demolished is a 2 bed dwelling and is being replaced with a 4 bed dwelling. This change alone is significant as it increases the likelihood of multi vehicle ownership at the property. The previous occupier did not have a car therefore the properties parking footprint has for the large part of the last 25 years been small with only occasional visitors by car accessing the property.

In summary Old Clements Lane is a cul-de-sac that will serve, in total, 8 dwellings and the impact of building two further dwellings in highways and transportation / car parking terms will not be materially noticeable on the local highway network.

Response - Old Clements Lane is a cul-de-sac that will serve 13 dwellings and the impact of two further dwellings plus the replacement of a 2 bed dwelling with a 4 bed dwelling will materially affect both car parking and the adjacent highway network.

Other Considerations:

The main carriageway of Old Clements Lane is in poor condition; it is reasonably foreseeable that demolition and construction traffic/equipment will cause further damage to this surface with large and often heavy vehicles traversing the lane were the development to go ahead. It is not clear who is responsible for maintaining the carriageway in an appropriate and safe state for both pedestrian and vehicular access (the metalled surface is both a roadway and a footpath to all properties on Old Clement Lane) given the lack of any significant intervention by either the council or highways departments/agencies in the past 25+ years. A development should not be permitted at the expense of roadway access and the provision of a suitable and safe access surface.

The Conservation Officers report dated 28 March 2018 suggests that 27 Clements Lane is in fact a non-designated Heritage Asset and also makes a positive contribution to the character of the the area. It is noted that various consultant engineer reports would suggest the property to be beyond economical repair, however it should also be noted that the applicant had not made any attempt to arrest any deterioration in the property both prior to the initial planning application nor since. Our own property (26 Clements Lane) was in not dissimilar condition to that of 27 Clements Lane when originally purchased and has been suitably repaired to its current condition. We note that the Conservation Officers own views seem to question the validity of the 'assumptions' made by the applicants consultant engineers; without predjudice, the lack of maintenance of the entire property and grounds suggests that there has never been any intention to repair the property and that the demolition and development of the site is foremost whether to the detriment of others or not.

Dark Lane - without proper and safe access to Clements Lane with appropriate provision for parking the development should not be permitted. Dark Lane remains a potential access/egress point to Clements Lane were it to be returned to use as a highway. The extant metalled road surface on Clements Lane is, as has been previously identified, in very poor condition and will not tolerate heavy construction equipment without significant damage; access via Dark Lane with provision of additional parking spaces may mitigate the issue to a tolerable level where it to be included as a condition of any permitted development but in any event the safeguarding of the extant road surface on Clements Lane and highway safety must be fully considered.

I trust the planning authority will continue to give due regard to all of the issues raised and act accordingly in this matter.

Your faithfully

A black rectangular box redacting the signature of Martin Espin.

Martin Espin