

**COMMENTS ON TRANSPORT AND ROAD SAFETY ASPECTS OF THE POST MILL
LANE APPEAL APP/W3520/W/19/3227159**



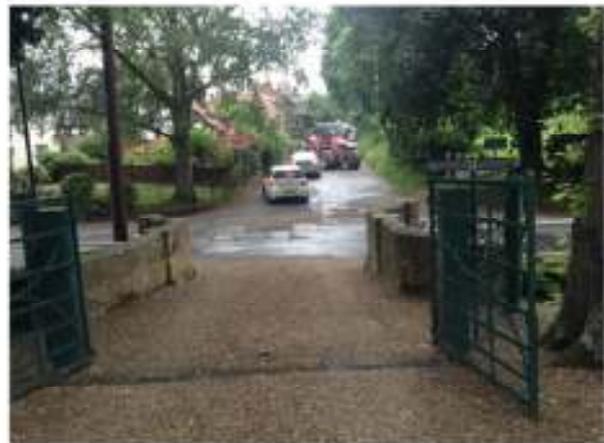
**Traffic congestion and parking
in New St outside the shop**



One of the accidents not recorded in Crashmap



**Delivery at the shop causing
congestion**



Tractor causing congestion in Church Hill

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1. CONTEXT – The DJLP (DJLP) has now been published and attracts some weight insofar as it is consistent with the NPPF, as a five year housing supply has now been demonstratedⁱ.

1.1 Status of Fressingfield and Sustainable Location of New Housing – The DJLP confirms

- the status of the village as a ‘hinterland’ village
- that only 54 houses are needed in Fressingfield between 2018 and 2036.
- that the subject site remains outside the settlement boundary
- that no further sites are designated for residential development in Fressingfield.

Paragraph 65 of the NPPF requires LPAs to ‘*set out a housing requirement for designated neighbourhood areas [of which Fressingfield is one] which reflects the overall strategy for the pattern and scale of development and any relevant allocations*’ These figures should only need retesting at examination of a neighbourhood plan if there is ‘*a significant change in circumstances.*’

1.2 CO2 emissions - Mid Suffolk, despite having the third smallest population of all the seven County districts, already makes the highest contribution to transport-generated CO2. At 38.2% this is also higher than the County (29.2%) and the Region (East of England 32.7%) and more than half as high as the national transport contribution to CO2 emissions which is 24%ⁱⁱ. This cannot be attributable to different generation patterns because most of the other districts are similarly rural. Poorly located transport-generating development, such as that proposed in the subject appeal, with no co-located employment opportunities, must surely be a significant contributory factor.

The DJLP requires ‘*all new residential development .. to.. achieve reductions in CO2 emissions of 19% below for the Target Emissions Rate of the 2013 Edition of 2010 Building Regulations (Part L).*’ⁱⁱⁱ

This is consistent with paragraph 150 of the NPPF which provides that new development must be planned in ways which ‘*help to reduce greenhouse gas emissions, such as through its location.*’ In support of such objectives, new legislation provides for net zero carbon by 2050.

It is hard to see how the subject development can meet these objectives when it will generate so many additional car journeys though its inappropriate location in an isolated rural village with no employment opportunities and from which cinemas, supermarket shopping and all education other than primary can only be accessed by car, because of the poor public transport and the village’s location.

1.3 Wrong baseline – all the calculations (which are also questionable in other respects as discussed below) in the Appeal documents are based on the wrong baseline because 48 houses, a large Baptist chapel with community facilities and a new scout hut have all already been approved^{iv} but not yet built. This means that the starting point for assessing impact of the subject development is wrong, so conclusions drawn from that assessment are not valid

2. CUMULATIVE IMPACT ASSESSMENT – Both the DJLP and the NPPF are clear about the need to recognise the cumulative impact of developments including on transport.

The DJLP^v and states that development will only be permitted in Hinterland Villages within settlement boundaries and that in considering proposals ‘*the cumulative impact of proposals will be a major consideration.*’ The subject site is outside the settlement boundary.

This is consistent with paragraph 109 of the NPPF which states: ‘*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.*’ It is not possible to assess whether the impact is acceptable or not without data on cumulative impacts.

2.1 Lack of cumulative impact assessment - The Transport Statement asserts (1.1.5) that a cumulative impact assessment is not ‘*considered proportionate*’ because of the low number of houses in the subject appeal. Appendix B of the DfT Guidance is cited as authority for this, but this only sets out thresholds for whether a transport statement or assessment is required and if so, which. Appendix B starts with an exhortation to local authorities to interpret these thresholds ‘*in light of their own circumstances, and not treat them as absolutes.*

On the 14th August 2017 SCC Highways advised MSDC of their concern about ‘*the effects of additional vehicular and pedestrian traffic in the area of New Street / B1116 Laxfield Road / Stradbroke Road /*

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Church Road where there is an absence of footways... This factor should be considered in terms of cumulative impact for all proposed sites in Fressingfield.' This was an interpretation based on local circumstances. Development 3872/16, approved on 4th July 2018, comprises 18 houses and a Baptist Chapel covering 959 Sq. metres, including meeting rooms, a coffee shop and some sports facilities. 4410/16 approved on 15th August 2017, comprises 28 houses and a Scout Hut. A further 8 windfall approvals have since been given meaning that the cumulative impact of 24 additional houses with another 54 and the community facilities must be considered.

Despite asserting that a CTA is not 'proportionate' (paragraph 1.1.5), the Appeal documents rely on the CTA produced as part of the original applications (1432/17, 1449/17 and the subject appeal, all of which were refused at the same time). However, this is not fit for purpose as it did not:

- consider person trip rates
- prioritise or differentiate pedestrians
- assess how to minimise conflicts between pedestrians and vehicles
- consider traffic impact on heritage or the environment
- consider traffic from the new Baptist Chapel or scout hut
- consider impact on deliveries or emergency access
- consider the impact on parking



Tractor causing congestion
Church Hill

2.2 Incomplete Vehicular Baseline Data – Current levels of pedestrian and vehicular traffic are not the correct baseline from which to measure any increase, because of the uplift in traffic to be expected:

- from a further 106^{vi} residents from the approved housing,
- 20 from the windfall houses
- additional worshippers, attendees at community events, and scouts, at the community facilities.

Table 3.1 presenting Trip Data is therefore inaccurate by a factor of at least 3. It also ignores the school run data referred to in the Pedestrian Assessment. The correct figures from the housing alone, are shown below.

REVISED TABLE 3.1 VEHICLE TRIP RATES (78 HOUSES)						
MON-THURS						
	AM Peak 08.00-09.00			PM Peak (17.00-18.00)		
	In	Out	2-Way	In	Out	2-Way
Mean Trip Rate: per dwelling	0.196	0.411	0.608	0.313	0.184	0.497
Trip Generation: 78 houses (Appeal figure)	15 (5)	32 (10)	47(15)	24 (8)	14 (5)	39 (13)

2.3 Incomplete Pedestrian Data – The person trip data in the Appeal documents seems to be extrapolated from area percentages which are then used to gross up the (incomplete) vehicular data, and generate person trip rates of various kinds. School children are not considered because the school run data is not included in the extrapolation.

This data is not derived from any actual counting of pedestrians at all. An additional 124 pedestrians will already be using the highway network as a result of the developments approved who, together with the 55 from the subject development would lead to a 17.5% increase in the village's population (179 people), and therefore its traffic. The notion that all these people will only make three two way pedestrian trips (2 in the morning peak and 1 in the afternoon peak) between them, as asserted in Table 3.2, is not credible.

This entire edifice of extrapolated data is used to produce the conclusion that '*the walking and cycling trips combined with the vehicle movements result in an increase on the existing highway network which is negligible in operational terms*'. This is inaccurate and unconvincing.

2.4 Wrong Trip Rates - The vehicle trip rate selected (para 3.3.1) is wrong because one of the parameters for its selection is a development of between 8 and 50 houses. The cumulative impact of what has been

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approved and the subject development is 74 and, with the community facilities, is not exclusively residential.

Furthermore, even the category of trip rate from which this selection has been made appears to be wrong. On 4th August 2017, SCC advised MSDC by email pointed out ‘*the inappropriate selection of sites in the TRICS data bases, specifically ‘edge of town’ and “suburban (out of centre)’. We do not consider Fressingfield to be in this category. Therefore, this has resulted in total trip estimates for vehicles as stated in the TA being considered to be too low.*’ The analysis for the appeal makes the same error, classifying the village as a suburban area.’ It is therefore the wrong vehicle trip rate applied to the wrong type of development and the wrong number of houses.

3. PRIORITISATION OF PEDESTRIANS – the prioritisation of pedestrians is a consistent national and local policy requirement, which is not reflected in the subject application.

The DJLP^{vii} requires:

‘2. All developments to maximise the uptake in sustainable and active transport. A transport hierarchy must be considered. This will prioritise the following modes of transport in order – walking, cycling, public transport and car sharing

3. Proposals for all development shall, where appropriate, incorporate provision for:

a. Pedestrians, including disabled persons and those with impaired mobility..’

This is consistent with the NPPF which at paragraph 110 sets out detailed requirements for developments:

- **Pedestrians and cyclists** - *give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- **Disabled people** - *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- **Road Safety and local character** - *create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- **Deliveries and emergencies** - *allow for the efficient delivery of goods, and access by service and emergency vehicles.’*



Pedestrians walking in the road from shop to Jubilee Corner

3.3 No prioritisation for different types of pedestrian - So far from being prioritised, pedestrians, particularly elderly people with impaired mobility walking to the shop, pubs or surgery, will suffer increased safety risks from higher levels of traffic at all the points of limited visibility in the village (shown in the photos on the front cover). In addition to using the wrong baseline, the Appeal documents fail to differentiate between types of road users. The failure to recognise the needs of disabled people would put the planning authority in breach of its legal duties, as well as the NPPF.

3.4 Failure to consider extra traffic from approved community facilities - The Appeal documents ignore the impact of the expanded relocated Baptist Chapel, and the new regional scout hut. It is instructive to consider the usage proposed for the new scout hut and Baptist Chapel, from the Design and Access Statements issued with applications 3872/16 and 4410/16, as shown in the Table below.

USE OF THE BAPTIST CHAPEL AND SCOUT HUT (3872/16 AND 4410/16)														
LOCATION	MON		TUE		WED		THURS		FRI		SAT		SUN	
BAPTIST CHAPEL	AM		AM		AM		AM		AM	✓	AM		AM	✓
	PM		PM		PM		PM		PM		PM		PM	
	EVE	✓*	EVE	✓*	EVE		EVE	✓	EVE		EVE		EVE	✓
SCOUT HUT	AM	✓**	AM	✓**	AM	✓**	AM	✓**	AM	✓**	AM	SU	AM	SU
	PM	✓**	PM	✓**	PM	✓**	PM	✓**	PM	✓**	PM	SU	PM	SU
	EVE	✓**	EVE	✓**	EVE	✓**	EVE	✓**	EVE	✓**	EVE		EVE	

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* Not necessarily a weekly event. ** School term times and occasional use only
SU – ‘Some use of the Scout Headquarters – number attending approximately 30 scouts.’

Little information is available on the use of the sports and meeting facilities at the new Baptist Chapel other than services. It will have 50 parking spaces, considerably more than now. The scout hut anticipates that 10-15 cars per event will be attending to drop off and pick up scouts. Some at least of these journeys will be outside the peak times used to extrapolate traffic data. The additional traffic generated by the new usage patterns of the much larger replacement facilities are ignored in the calculations which appear in the Transport Statement.

All these figures are estimates. Until usage has started it will not be possible to see the actual impact or have an accurate baseline from which to extrapolate further traffic impact from the subject development.

3.5 No Data On Jubilee Corner - No attempt is made to assess the safety of Jubilee Corner for pedestrians or traffic. The photos on the front cover illustrate the *current* limitations of the junction. A possible additional 150 cars from new residents (based on one car for each of the 74 houses and a second for 505 of them), as well as extra journeys to the Baptist Chapel and Scout Hut will exacerbate these safety issues further, even without the subject development. Therefore the conclusion in 4.4.11 that the key junctions ‘would continue to operate within their capacity with development in place,’ is not proven.

4. FLAWED EVIDENCE – overall the evidence presented in the Appeal documents on transport is flawed in a number of respects.

4.1 Over reliance on speed and volume – The volume and speed of traffic heavily relied upon in the Appeal documents are only two of the factors relevant to road safety. There are at least another five factors, which make up ‘the local character’ impacting on road safety, to which the NPPF refers:

- 1. Visibility** – Some buildings impair visibility where built directly onto the road or junction. There are five such buildings in New St^{viii} but only one is mentioned in the Transport Statement (2.3.7). In addition to the many driveways and front gates emerging directly onto it, there are several exits onto New St with very limited visibility, (including the proposed new footpath). Elsewhere on the village highway network there are exits with limited visibility for pedestrians and vehicles onto the B1116 (opposite the Swan pub), and onto the War memorial junction. Visibility is also relevant at the junctions onto which traffic of all kinds emerge, such as Jubilee Corner, a four way junction with limited visibility. Extra pedestrians and extra traffic will exacerbate these problems.
- 2. Character of the highway network** – the heritage context for the development and relevant highways is important, as it may limit any mitigation. There are 54 listed buildings in Fressingfield including two on New St, one adjacent to the existing Post Mill and the other to the subject development site and numerous other unlisted historic properties. Most of New St is unlit.
- 3. Character of the pedestrians** – the types of pedestrian and their usage pattern on the highway network must be taken into account, as described above. Village residents range from primary school children to people over 65 who make up 31% of the population^{ix}.
- 4. Road space** – the conflicting uses of road space are relevant, particularly given existing conflicts between pedestrians in roads which lack footways, which will be exacerbated by extra pedestrians and extra traffic from developments approved but not yet built. It is noteworthy that
 - New St is narrower even at its widest point (5.5 m narrowing to 4.2m) than the narrowest typical street width recognised in the DfT’s *Manual for the Streets*^x which specifies the width of a typical mews as 7.5-12m as the narrowest typical street.
 - The DfT’s *Inclusion Mobility*^{xi} requires a minimum width of 700mm for a person in a wheelchair and with another walking beside them, 1.5m.
 - The Manual requires a minimum width of 6.5m for bus routes. New St is not a bus route but it is the route for substantial agricultural HGV traffic of equivalent size to a bus.



Wheelchair user
Jubilee Corner

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5. **Parking** – parking outside the shop in New St already makes walking along the street hazardous for pedestrians, particularly when there are deliveries, exacerbated by passing agricultural HGVs. Parking at the surgery is equally congested at peak times, bringing further conflicts with pedestrians

All these aspects of local character; are relevant and will mean that even a slight increase in vehicular and pedestrian traffic can be disproportionately negative to road safety. Over reliance in the Appeal documents on volume and speed of traffic is therefore misleading and the assumptions on the benefits of introducing a 20 mph limit in New St exaggerated. The TRL Reports 641 and 452 cited focus on speed reduction and are not relevant to other aspects of local character.

4.2 Over reliance on historical data – The use of historical data to prophesy the future impact of the subject development is illogical. The historical pattern of recorded accidents causing personal injury with the *current* level of pedestrians and traffic is no indicator of the impact of more traffic and pedestrians – it is hard to see logically how it could be. On the contrary, it is obvious that the accident history for an area with a particular level of development is of limited value in determining the likely incidence of accidents when development increases – especially when even the current safety is misrepresented, rendering the conclusion in paragraph 2.4.5 unsound.

4.3 Other aspects of 'Local character' – the urban 'rush hour' profile used to analyse the traffic in New St is not very meaningful in a rural village where

- pedestrians of all ages access the shop 7 days a week: Mon-Sat 6.30am-8pm; Sun. 8am-6pm
- patients of all ages access the surgery which is open Mon-Fri 8am -6.30pm and 7.30pm on Mondays
- heavy agricultural traffic passes through throughout the working day
- New St includes two facilities needing regular deliveries, the shop and surgery
- Back St includes two further facilities needing regular deliveries, the two pubs
- A 17.5% increase in population will bring a proportionate increase in emergency access requirements



HGV Vehicle New St
near surgery

4.4 Actual rate of accidents - Crashmap acknowledges that its data only covers accidents causing personal injury which are reported to the police, noting '*although it is known that a considerable proportion of non-fatal injury accidents are not reported to the police*'. Therefore the accident data presented in the Report has been discounted by two factors: accidents not reported to the police and those which did not cause personal injury. There have been many more accidents unreported in the village. Those known to the writer to have occurred in the village include:

- 2017 – Woodyard Cottage New St – the mobile library van crashed into the front wall of Woodyard Cottage making a large cavity in the front flint wall above the door.
- 2018 - Woodyard Cottage New St – a car removed the front window sill on the ground floor, which had to be completely replaced and no longer matches the one of the other side of the door.
- 2018 – the fence opposite the war memorial at the junction of Harleston Hill, Back Lane and Low Rd was knocked over by a passing car
- 2019 – In New St. a contractor's van was scraped along the whole side of the vehicle removing the wing mirror by a JCB, which failed to stop.
- 2019 Articulated lorry attempted to do a "U" turn around the War Memorial damaged the grass surround, the sand pit and narrowly missed the Memorial.
- 2019 A stationary car (depicted on the front cover) waiting to exit at Jubilee Corner was hit by a lorry turning into New Street from the B1116. The lorry driver did stop.
- 2019 A Construction works van was hit by a private car in New Street.

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4.5. Public Transport – there is only one bus a week on a Saturday, which does not assist with commuting leaving residents to rely on their cars to get to work. Even this poor service is under threat of closure. This limited public transport will make the hazards and pollution arising from an increase of 17.5% in traffic of all kinds unavoidable for village residents.

4.6 Parking – parking outside the shop represents a considerable hazard at busy times, with pedestrians having to step out into the road to progress along New St, where there is limited visibility especially as the road curves to the West of the shop. This hazard will be greatly exacerbated even with the approved developments let alone the subject development.



Congestion and parking outside the shop

5. PROPOSED NEW FOOTPATH ONTO NEW ST – A new footpath is proposed between the Post Mill site and New St., presented as a safer route for pedestrians to the main services accessed via New St.

5.1. Title – In the original application, it was disclosed that the ownership of this footpath is unknown. Paragraph 2.2 of the Transport statement which states that the right of way ‘forms part of the appeal site’, is inaccurate. The right of way over it is derived from a conveyance of 30th January 1956 through which title to the field forming part of the site was also transferred and subsequently registered under Title No SK358961. For some reason the right of way is not shown on the Land Registry Filed Plan. There may be additional prescriptive rights over this land.

5.2 Safety- this footpath is depicted in Figure 2.1 of Appendix 9 and on the indicative site plan at figure 1.1. Because the photo is taken from the highway its safety is misrepresented in that when a pedestrian is emerging from this footpath onto the road there is no visibility in either direction since it is at the top of bend. The photo illustrates that this is a blind exit for pedestrians. The footpath is unsafe and is also almost opposite one of the houses built directly onto New St, Prelude, forming a pinch point and reducing safety even further because of reduced visibility from more than one aspect.



6. IMPACT OF TRAFFIC ON THE CONSERVATION AREA AND HERITAGE – Harmful impacts of excessive traffic on the conservation area, the two listed buildings on New St and the many others in the village include visual intrusion, noise and air pollution. Excessive traffic interrupts the tranquillity which is a critical part of the character of a small rural village. This will erode its heritage.

7. CONCLUSION – The Appeal documents contain unproven conclusions and are based on a thoroughly flawed baseline of data from which further flawed data is extrapolated. Approval of this development would locate housing where it is not needed, exacerbate the seriously disproportionate contribution that Mid Suffolk makes to transport generated CO2 with yet more new houses where there is no employment and over burden an already stretched transport infrastructure increasing hazards for pedestrians and irrevocably eroding the character of a historic rural village.

ⁱ *Housing Land Supply Position Statement 2018/19* Mid Suffolk District Council March 2019

ⁱⁱ Suffolk County Council *Transport Strategy 2011-2032*

ⁱⁱⁱ DJLP Policy LP23 Sustainable Construction and Design July 2019

^{iv} 3872/16 and 4410/16

^v Policy SPO3 Settlement Hierarchy DJLP

^{vi} Using SCC's formula of 2.5 persons per house on average

^{vii} DJLP Policy LP30 Sustainable and Active Transport

^{viii} Prelude, Woodyard Cottage, Rosemullion Cottage, The Forge, Rosemary Villa,

^{ix} <https://www.suffolkobservatory.info/population/report/view/62646f73d23e489098a5cdad7a116eed/E04009201/>

^x *Manual for the Streets* Department for Communities & Local Government; Department for Transport 2007, P53.

^{xi} *Inclusion Mobility* 2003 Department for Transport