

**Land To The North And West Of Garden  
Square And Gardenia Close, Rendlesham**

**APPEAL REFERENCE: 3242636**

**DATE OF HEARING/INQUIRY: 31st March 2020**

**APPELLANT: Capital Community Developments Ltd**

**Suffolk County Council**

**Highways Adoption Note**

**13<sup>th</sup> March 2020**

## **Introduction**

I, Luke Barber, Principal Engineer of Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX hereby state as follows:-

I am employed by Suffolk County Council ("SCC") as a Principal Engineer and have been in post since July 2015 and I am currently responsible for major development projects, countywide. I work within the Transport Strategy and Suffolk Highways Development Management Team which is responsible for overseeing the delivery of transport measures and infrastructure and responding to planning applications in Suffolk.

I graduated with an HND in Mechanical Engineering from Kingston University in 1996, a BSc in Technology Management in 2005 and a FD in Civil Engineering in 2008, the latter two from University College Suffolk. I have 15 years' experience working in Transportation and Highway Design in the public sector. I am a Road Safety Audit Team Leader with 10 years' experience of Road Safety Audit.

## **Highway Adoption Note**

- The original Garden Square and Gardenia Close 50 dwelling scheme (ref: C03/2362) was permitted by Suffolk Coastal District Council (SCDC) (now East Suffolk) in October 2004
- Work was started on site during the end of 2004 and the start of 2005
- A pack of technical drawings, to support a Section 38 Agreement with Suffolk County Council (SCC) was received in early 2005.
- These drawings and supporting information were passed to SCC Legal on 28th January 2005, with an instruction to enter into a S38 Legal Agreement with the site owners.
- A bond of £207K was proposed to enable SCC to complete any outstanding works, should the owner default from their responsibilities to complete the highways infrastructure to the agreed standards and specifications.

- The agreement was not initially progressed by the owner's legal representatives
- We believe that the roads and footways were completed to base course only around the end of 2005. Streetlights are present, but these are not being maintained by SCC.
- After delay the agreement was again picked up with a view to completing, this was on 14th May 2007.
- By this time the bond figure had been increased to £331K
- Again, the agreement was not progressed by the owner's legal team
- As no agreement was entered into and no inspection fees were paid to SCC no site inspection were carried out by SCC.
- For this reason, SCC have no information on the construction of the roads and exactly what was done when.

### **Potential Actions:**

The current roads are not completed and would not be adoptable by SCC without considerable additional work.

- The base course has been exposed since 2005 and will now have oxidised, this surfacing will not be acceptable and would need to be removed.
- The footways have not been surfaced and have raised covers and other trip hazards.
- The streetlighting would need to be assessed and brought up to current standards
- The kerbs have not been inspected and we do not know if they are installed correctly, and the correct levels for the final finished surface.
- Therefore, we have to assume that all of the existing construction will need to be removed and replaced to current SCC standards, prior to adoption.

## Appendix

### Plan of Highway Boundary

*Green tinted areas are highway maintainable at the public expense*

*Black lines represent the roads originally included in the S38, that did not proceed.*

