

Objection by Walsham le Willows Parish Council in respect of Planning Application Reference DC/22/2190/HYB at Shepherds Grove, Bury Road, Stanton

Proposal: (Hybrid planning application) - (A) (i) Full application on 27.56 ha of the site for the storage, distribution and processing of accident damaged and nondamaged motor vehicles, together with the erection of ancillary buildings (B8 Use Class), perimeter fencing and landscaping works (ii) Full application for a new roundabout /road and additional landscaping on circa 5.37 ha of the application site - (B) (i) Outline application for commercial/roadside uses (Use Classes B2, B8, C1, E (excluding E(a)), and a hot food takeaway and pub/restaurant) on circa 2.7 ha of the application site (Plots A, B and C) (i) Outline application for general employment uses (Use Classes B2, B8 and E(g)) on circa 1.37ha of the application site (Plot D)

Context:

Walsham le Willows Parish Council has considered the application at the Parish Council meetings in January and February 2023. The Council resolved to object to the application. The Parish Council also considered that if the application were to be approved, what appropriate conditions should be imposed on that permission. Walsham le Willows is an adjoining parish within Mid Suffolk District. The application site is approximately 800m from the parish boundary of Walsham le Willows.

Principle of Development:

The Parish Council have concluded that it will be difficult to sustain an objection to the principle of this form of development of this site as it has already been established through the Adopted Rural Vision 2031 and the Masterplan. Although adjacent to the site Walsham le Willows is not in the West Suffolk area so the Parish Council was not consulted on these documents. The submitted application is broadly in accordance with both of those policy documents and the potential benefits in terms of jobs, highway improvements and other facilities are likely to outweigh the Parish Council's objections in relation to the principle of development. The Parish Council has instead focussed its attention on matters of detail and matters which (if the application is granted) should be covered by condition.

Details of objection/comments:

a) **The increase in traffic:** The movement off site of soil and debris and the movement onto site of aggregates. The application does not give an estimate as to the total number of movements, but we estimate that it is likely to be several thousands. The considerable increase in traffic movements that will result both during and after construction, on roads not designed for such volumes. The strong likelihood that the resulting increased traffic will use inappropriate roads and access routes rather than the A143 both during and after construction. The application makes a virtue of proximity to the M1 which is approximately 100 miles away. None of the other Copart sites are this far from such a major transport route. The A143 is not a major road anything like those that support other Copart sites.

This is an important point. Securing the highways infrastructure is critical and this needs to be achieved ahead of the rest of the development taking place or the traffic impacts on the surrounding rural area will be severe. The car processing use which is of a significant scale should not be implemented until the highways works are complete and it is imperative that the situation is avoided whereby the other uses are operating without the highways works having taken place. The two elements need to be tied together either through a legal agreement or a condition. The legal agreement being the preferable mechanism.

In addition, the production of an agreed Construction Management Plan which controls the practical construction and development of the site should be produced and enforced. Such a document will control the sequence of events and how the site is to be constructed including details of traffic routing, development triggers, phasing etc. This is essential to avoid the implications set out above.

It is noted that there is currently a Highways Direction on the application from National Highways which means that application cannot be determined until May to give them the opportunity to assess the implications on the Strategic Road Network. The remit of National Highways would not extend to the rural roads around the site which fall under Suffolk County Council who have not yet responded in their Highways role.

Suffolk County Council have responded in their role as Lead Local Flood Authority and have raised a 'holding objection' whilst the applicants are given time to address their concerns including undertaking further work in respect of flood risk and surface water drainage.

b) **The creation of nuisance:** Through the noise, dust and light emitted from the site.

Given the scale and proposed nature of some of the uses it is essential that these issues are properly assessed in order to protect the amenity of local residents. The wider landscape is relatively flat and therefore sound is likely to carry for some distance and also the site will have a visual impact - even more so at night where a lighting scheme is proposed. Any permission should have rigorous conditions to govern impacts but also to be successful they will need to be enforced. The site is the largest rural employment site in the District so should be a priority for the Council.

c) **Methodology for measurement of net gain in Biodiversity & target.** A net gain for biodiversity is not possible due to the scale and location.

Whilst biodiversity net gain (BNG) is not yet mandatory (November 2023 expected), the application is expected to set out how it will achieve this. In this case BNG may need to be achieved off site in some form and the Local Planning Authority should condition this appropriately.

d) **The further loss of Dark Skies.** It is likely that planning policies regarding light and dark skies cannot be adhered to.

Given the scale of the development, which is accompanied by a lighting plan (amended), and the general landscape character of the area, the lighting of this development has the potential for significant impact across a wide area and should therefore be conditioned accordingly.

Matters for conditions.

If, despite objections, the application was to be approved the Parish Council requests that conditions are applied and robustly enforced to protect the quality of life of local residents, specifically:

1. Development work on the site should not start until the roundabout is in place and fully operational to avoid the inappropriate use of local village roads during construction. In particular, the locally known concrete road which joins Summer Road and is cited in the application to be used for access during construction.

The issue of construction could be addressed via a Construction Management Plan which will clearly control the construction of the site. This could be secured via a pre-commencement condition requiring the production of the Construction Management Plan.

The issue of securing the highways works before the other uses are implemented should be dealt with either through a condition or preferably a legal agreement to ensure that the remainder of the site is only developed once the highways works are complete.

2. The new roundabout must be in place prior to the commencement of the development otherwise the significantly increased lorry movements through the accident black spot at the junction of the Summer Road / A143 would be unsafe.

See above.

3. A clear and unambiguous transport plan should be drawn up and strictly enforced based on the category appropriate to the volumes involved.

This could be secured via S106/legal agreement. However, it will require enforcement.

4. Clear and unambiguous conditions should be applied to minimise impacts of light and noise pollution during construction and operation.

This could be addressed in part by a Construction Management Plan imposed as a pre-commencement condition.

5. Clear and unambiguous conditions should be applied to control the generation of dust during the period of the construction.

This could be addressed in part by a Construction Management Plan imposed as a pre-commencement condition.

Enforcement and Monitoring:

However, as a general point, conditions are only effective if they are enforced. Given the Adopted Local Plan indicated that this site is the largest employment site in the rural area, it should therefore be given a priority by the Local Planning Authority for condition monitoring and enforcement.

Furthermore, the Local Planning Authority could adopt a proactive approach by establishing a Liaison Group consisting of representatives from the applicants, the LPA, SCC and relevant parish councils who could jointly assist with the monitoring of the development, through construction to implementation but thereafter to monitor compliance with conditions.

The Liaison Group could be the first port of call for discussion and resolution of any ongoing matters arising from the development and operation of the site. There are precedents for this approach where the scale of a development has likely wide-reaching impacts and is used by a number of LPAs (Broads Authority for extension to Cantley Sugar Factory, Breckland Council for construction and implementation of the FibroThet power station).

Such groups are usually established once permission has been granted and have clear terms of reference, although the role may evolve over time and can be temporary or permanent depending on need.