

10th April Mid Suffolk Development Control Tabled Papers

Agenda Item 7a - DC/23/01506 RED HOUSE FARM, RECTORY ROAD, BACTON, STOWMARKET, SUFFOLK, IP14 4LE

1) Statement received from the Applicants Agent in response to the committee report, covering the following matters (See Appendix 1):

- Proposed yard construction timeframe
- Wetherden road visibility
- Updated traffic figures
- Planning policy

Officer Comments

Corrections to the Committee Report

- Class B8 use (storage and distribution) also takes place on site (paragraph 1.1).
- Paragraph 3.6 “paragraph 85 goes not to state that”, ‘not’ to be replaced with ‘on’.
- Tables 1 and 2 ‘Summary of Portable Space’s HGV movements between August 2022 and January 2023’ and ‘Summary of Portable Space’s HGV movements combined from August 2022 and June 2023’ to be replaced with the following table:

Table 1: Summary of Portable Space’s HGV movements from August 2022 to January 2024

| | All Accesses | Access A – Rectory Road | Access B – Great Ashfield | Access C – Earls Green |
|---------------------|--------------|-------------------------|---------------------------|------------------------|
| Average Daily Trips | 12.3 | 9.3 | 2.4 | 0.6 |

To note, these updated figures were provided to the Local Planning Authority previously, and the superseded figures were included in the Committee Report in error. The Agent states that the difference in figures is due to a reporting error regarding the recorded movements, which affected the number of movements using the main entrance onto Rectory Road in particular. The figures found in amended Table 3 above do not alter the assessment and conclusions within the Committee Report.

Wetherden Road Visibility

As noted in the Committee Report (at paragraph 6.11), there is some dispute regarding the achievable visibility from the access points, most notably with regards to the Great Ashfield entrance (onto Wetherden Road). Contrary to the Highway Authority’s comments, the Agent has rebutted these conclusions stating: “we would like to reiterate that visibility is good from this junction and the applicant has control over the land to provide adequate visibility splay to the southeast” (Section 2 of their Statement).

This matter is somewhat inconsequential to the determination of this application. From the outset the Highways Authority have recognised that the access routes are not suitable for HGV use. To reiterate, the use of these routes by traffic from Portable Space, as well as

agricultural vehicles, is an existing issue, and the Councils ability to remove or reduce this is to some degree beyond what can be reasonably achieved in association with this application. The considerations here are whether the proposed development would result in an unacceptable intensification of HGV movements detrimental to local amenity, and if so, whether it would have a significant or severe impact on highway safety.

2) Additional third-party comments (see Appendix 2):

3no. neighbour representations received representing 1no. support comment and 2no. objection comments.

The support comment is summarised as follows:

- Support for local businesses
- Benefit of management and fostering good relationships with local residents
- Investment in rural communities

The objection comments are summarised as follows:

“To confirm

- Highways Dept have stated that local roads are not suitable for HGV traffic.
- Police Commercial Vehicle Unit has confirmed Wetherden Road is less than ideal to accommodate abnormal loads.
- The Applicant has made a false and misleading statement re visibility splays at junction School Road with Elmswell Road, grossly over stating visibility as 200m whereas is more like 25m.
- The applicant has provided false and misleading figures regarding HGV usage of Wetherden Road/School Road, stating 1.4 HGVs/weekday whereas actual average figure is 4No/weekday.
- The applicant has on more than one occasion routed up to 12HGVs along Wetherden Road/School Road in a single day.
- The applicant frequently routes convoys of up to 4HGVs along Wetherden Road/School Road.

When considering the above points of fact, it becomes clear that routing of HGVs, often with abnormal loads, on inappropriate routes, presents a very real road safety issue.

Left unchecked, there is a very high likelihood that the irresponsible and antisocial behaviour exhibited by the applicant will result in a road traffic accident with a life changing or fatal outcome.”

AND

- Concern at industrialisation of Suffolk countryside and amenity impacts of activity at Red House Farm
- Risk to other highway users including pedestrians, cyclists and horse riders leading to an unsafe highway environment
- Business should be located on a proper industrial estate in the interests of countryside amenity and highway safety

**Statement on Construction Period, Visibility,
Traffic Figures and Planning Policy for
Application DC/23/01506/FUL
Bacton Business Park, Bacton**

April 2024



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Statement on Construction Period, Visibility, Traffic Figures and Planning Policy for Application DC/23/01506/FUL

Bacton Business Park, Bacton

Client: David Black and Son

Content Amendment Record

This report has been issued and amended as follows:

| Issue | Revision | Description | Date | Signed |
|-------|----------|-------------|------------|--------|
| 1 | 0 | Draft | 02/04/2024 | SST |
| 1 | 0 | Reviewed | 05/04/2024 | KL |
| | | | | |
| | | | | |

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1.0 Proposed Yard Construction Timeframe

- 1.1 This report has been submitted to the Local Planning Authority for consideration by members of the Planning Committee regarding the timing of removing the containers currently stored at Jacksons Farm, to the storage yard proposed in this application.
- 1.2 The applicant intends to begin works on the development of the storage yard as soon as planning permission has been granted to move the containers currently located at Jacksons Farm to the new storage area.
- 1.3 When the new storage yard had first been designed, this was a relatively simple proposal constructed from permeable hardstanding, which sought to connect to the existing land drainage which serves the rest of Red House Farm and Bacton Business Park. The applicant was capable of undertaking much of this excavation and construction work using equipment owned by the farm and existing employees.
- 1.4 However, during consultation on the application, this was not found to be acceptable by drainage consultees which required a more thorough drainage system to be implemented across the site. This consists of;
 - 1.4.1 Varying depths of specialist type 3 surfacing;
 - 1.4.2 Interspersed layers of permeable and impermeable membranes;
 - 1.4.3 The yard is divided into 4 drainage tank areas, separated by check dams which run the length of the yard;
 - 1.4.4 4 orifice flow control devices;
 - 1.4.5 An attenuation ditch;
 - 1.4.6 A Hydrobrake.
- 1.5 The applicants have accepted the need for the yard to meet these drainage requirements. This is, however, beyond the capability of the applicant to construct themselves and therefore specialist contractors will need to be hired.
- 1.6 The Local Planning Authority has suggested that the containers at Jacksons Farm should be moved within a period of 6 months from the grant of planning permission.
- 1.7 The applicant cannot instruct contractors or order the materials or equipment for the construction before planning permission is granted.
- 1.8 No contractors can begin work on sites immediately and will have a lead in time for

new projects. If there is any adverse weather, delay in obtaining materials or contractor delay, then a six-month window could easily be exceeded. While trying to commence construction quickly, we do not want to put the applicant in a situation where they would breach an agreement which they have signed.

- 1.9 We request instead that a period of 9 months be allowed for the construction of the new storage yard and the relocation of the containers from Jacksons Farm to the new storage yard. We also request that a provision be included to allow an extension to the 9-month time period, with the agreement of both parties, due to an unforeseen issue which has arisen outside of the applicant's control for which evidence would be provided.
- 1.10 We are currently working on projects in Mid Suffolk where unforeseen problems have occurred which have caused significant delays to developments. These delays include a building contractors' businesses folding mid-way through a project, and on other sites, there have been significant delays due to materials not being available for several months.
- 1.11 Should the containers need to be moved from Jacksons Farm before the new storage yard is ready, this would mean offsite storage would have to be temporarily utilised, which would result in more local traffic as all the containers are transported off-site and then returned a few months later. This would also have an additional cost implication and would take up Portable Space's lorry fleet to undertake this transfer. As such we would seek to avoid this.
- 1.12 Should permission be granted, the applicant will try to construct the new storage yard as quickly as possible. However, we feel it is necessary to provide a realistic time limit for this to be completed and provision to accommodate an extension should an unforeseen delay occur.

2.0 Wetherden Road Visibility

- 2.1 Comments are reported in the Committee Report from the Highway Authority that from the access onto Wetherden Road towards Great Ashfield; *“visibility to the south-east is restricted to a level that is below what we would accept for a new junction or access”*.
- 2.2 We would like to highlight that the land to the southeast of the access is fully within the applicant's control. Recently the plants and hedges have flowered which has reduced the visibility from the junction. In particular, some domestic, non-native plants have quickly grown in the recent wet and warm weather. These plants will be trimmed back as well as the hedges to enable vehicles leaving this access to have clear visibility along the road to the southeast.
- 2.3 As such, we would like to reiterate that visibility is good from this junction and the applicant has control over the land to provide adequate visibility splay to the southeast.

3.0 Updated Traffic Figures

- 3.1 Updated Traffic Figures have been provided to the Local Planning Authority concerning Portable Space movement from Red House Farm.
- 3.2 These figures follow up on figures previously provided to the Local Planning Authority. Previously, a reporting error was identified regarding the recorded vehicle movements in the early figures provided by Portable Space, which, in particular affected, the number of movements using the main entrance onto Rectory Road.
- 3.3 Updated figures have therefore been provided which rectify these issues. These figures have also been increased to reflect contractor lorry usage for deliveries by Portable Space. Portable Space has confirmed that contractors are used during busy periods and when they are suffering from driver shortages or mechanical breakdowns. These account for up to 15% additional lorry movements which are included in the most recent figures. A summary of these figures is as follows:

| | All Accesses | Access A – Rectory Road | Access B – Great Ashfield | Access C – Earls Green |
|---------------------|--------------|-------------------------|---------------------------|------------------------|
| Average Daily Trips | 12.3 | 9.3 | 2.4 | 0.6 |

- 3.4 The increase in movements to and from the Rectory Road entrance further emphasises that the route through Great Ashfield is not the primary route used by Portable Space.

4.0 Planning Policy

- 4.1 In Paragraph 1.1 of the Committee Report it states that Bacton Business Park has a number of units used for Class B2, B1 (now Class E). There are also B8 uses approved and taking place on the site.
- 4.2 In respect of paragraphs 3.5 and 3.6 of the Committee Report on the principle of development, we would like to highlight that the Joint Local Plan (JLP) sets out in Policy SP03 that, outside settlement boundaries, SP03 states that “development will normally only be permitted where;
- a) the site is allocated for development, or
 - b) it is in accordance with a made Neighbourhood Plan, or
 - c) it is in accordance with one of the policies of this Plan listed in Table 5; or
 - d) it is in accordance with paragraph 80 of the NPPF (2021).
- 4.3 “It was confirmed in the Inspector's report into the JLP dated 19th September 2023 that the word “normally” in Policy SP03 “provides the flexibility to take into account the circumstances outlined in Paragraph 85 of the NPPF, where appropriate”. Paragraph 85 of the NPPF states that “Planning policies and decisions should recognise that sites to meet local business, and community needs in rural areas may be found adjacent to or beyond existing settlements and in locations that are not well served by public transport.”
- 4.4 This is specific and clear support for local businesses. It would be helpful if the committee was made aware of this point given these comments from the Planning Inspectorate were made so recently.

5.0 Summary

- 5.1 This application seeks to consolidate Portable Spaces container storage needs and seeks to prevent additional lorry movements which would be required should containers be stored off-site.
- 5.2 The proposed storage site is a good location, it is seen in the context of the large buildings at the business park. The new bund will screen existing and proposed development.
- 5.3 As a result of this application, a Traffic Working Group will be set up which will work with the local community to resolve any traffic-related queries.
- 5.4 The principle of development has the support of local and national planning policy.
- 5.5 This application supports 75 local jobs, improves traffic management, improves the screening of the business park, and provides a biodiversity net gain.

Appendix 2

Ref Planning Application DC/23/01506



Having seen many residents comments in relation to this application and the concerns expressed I felt that it was appropriate to look at the positive's that have not been expressed up to this point.

As a resident of sixty seven years in Bacton I have seen many changes none more so than in the last decade.

There are well over seventy businesses in Bacton from very small, to companies such as this applicant which has continued to grow and now has well over seventy employees. I guess at some time or other they visit our village stores, dine and drink at our public house and buy their petrol from the local Garage, and this is but just a few to mention.

The comments that have been made are very much around the movement of vehicles and as such this applies to every road within the Parish as a result of the building of over four hundred homes.

At the heart of the application is the location of containers and bringing them all to one site where they can be moved within the existing grounds rather than having to locate them elsewhere which in real terms would create even more traffic movements.

The question that really has to be asked does Bacton wish to support local businesses grow, or would we rather see them move out and relocate along the A14, taking their workforce with them.

Commercial enterprise has to be encouraged and yes I agree it has to be managed and that is where times of traffic movements are important and should be enforced, any responsible business would make sure this is adhered to, thus fostering good relationships with the local residents.

The message that is being sent to this applicant by all the comments that have been made is NO we do not wish to see growth, employment creators, and entrepreneurs, the very people that help to sustain and support our rural economy, whilst none of us like change it is important we embrace and work with those that seek to invest in our rural communities.

I support this application on the grounds of keeping rural businesses within our community, large and small. Without them the future looks very bleak.



April 3rd 2024

Ref Planning Application DC/23/01506

Objection to application without conditions to control HGV traffic.

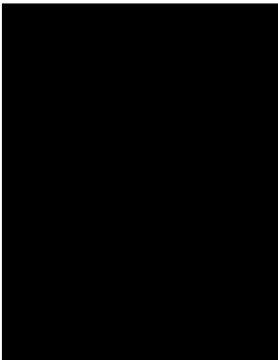
Should permission be granted for the above application it would seem reasonable to do so with restrictions on HGV traffic, in particular the routes and frequency of such traffic.

To confirm

- Highways Dept have stated that local roads are not suitable for HGV traffic.
- Police Commercial Vehicle Unit has confirmed Wetherden Road is less than ideal to accommodate abnormal loads.
- The Applicant has made a false and misleading statement re visibility splays at junction School Road with Elmswell Road, grossly over stating visibility as 200m whereas is more like 25m.
- The applicant has provided false and misleading figures regarding HGV usage of Wetherden Road/School Road, stating 1.4 HGVs/weekday whereas actual average figure is 4No/weekday.
- The applicant has on more than one occasion routed up to 12HGVs along Wetherden Road/School Road in a single day.
- The applicant frequently routes convoys of up to 4HGVs along Wetherden Road/School Road.

When considering the above points of fact, it becomes clear that routing of HGVs, often with abnormal loads, on inappropriate routes, presents a very real road safety issue.

Left unchecked, there is a very high likelihood that the irresponsible and antisocial behaviour exhibited by the applicant will result in a road traffic accident with a life changing or fatal outcome.



My Statement [REDACTED] Wetherden Road.

I have lived on Wetherden Road for 29 years and for 26 of those, opposite the main exit point that Portable Space Limited have been using for the last four years or so. As time progressed I noticed more and more container lorries using this road. I had previously asked those working for the Blacks family farm what was going on as I had absolutely no idea that an industrial estate was being built at Red House Farm. I was told that "It's nothing to worry about, we just need more storage space at the farm". Clearly, that was not at all true.

I have worked for the NFU for 28 years and I am well aware of farmers needs to diversify their business. However, this is not diversification but creating industrialisation of pristine Suffolk farmland and countryside. When I realised what had actually been going on at Red House Farm, I was horrified. It seemed to me that suddenly we had a situation where a new custom made office building had already been constructed (Modular House) and that more and more containers were travelling up and down Wetherden Road.

To then find out from another neighbour the truth of what was going on at Red House Farm came as a shock. I could not understand how a planning authority would have approved of his type of industrialisation in what is a fairly rural area. But I then realised after looking into matters further that containers were piling up at Red House Farm and traffic movements were getting very frequent along Wetherden Road. These containers were not for farm storage use but for renovation and resale elsewhere. I object strongly.

When I was diagnosed with [REDACTED] I bought myself an electric/manual trike as I have no balance and wanted to continue to cycle along Wetherden Road. That trike is sitting in my barn, getting rusty as I no longer have the confidence to use that fearing that I will face an oncoming Container lorry. I would have to dismount to lift the trike into the verge, provided there was room and there often isn't. Some Portable Space drivers are very aggressive and do not take into consideration my needs nor the needs of pedestrians walking dogs nor other cyclists, horse riders and certainly not local car users either. My daughter had been travelling to nursery in Elmswell to collect her two young children in the semi dark when she came face to face with such a driver. He was swearing at her and gesticulating wildly forcing her to reverse back along Wetherden Road so that he could pass. You will or should all know by now that there is one passing place only on Wetherden Road and this was a long way from where [REDACTED] my daughter came across this aggressive driver.

This type of business given its ambitious future plans should be located on a proper industrial park off the main A14 or similar where access routes are easy and there is no impact on others. Portable Space are making my life and the lives of others a misery. Our so called Quiet Lanes are a joke. Where else in the UK do we see Quiet Lanes being invaded by juggernauts? Only here in Mid Suffolk. !! When I have stopped and spoken to lorry drivers some have told me that they do not like using these roads as they are dangerous. During a recent publicity campaign in local newspapers one lorry drivers wife said that Portable Space had outgrown their current facility at Red House Farm. I am totally dismayed that they have been allowed to continue and to expand their business without the necessary planning and view this application as Planning by Stealth. As far as transportation to and from their site, their unabated use of Wetherden Road and School Road continues to pose a real danger, especially on that junction leading from School Road to Elmswell Road. There is an accident waiting to happen here.

Photographs below show the exact positions of Portable Space container lorries when using Wetherden Road and School Road. I am perfectly aware that a site visit was carried out recently as I live on Wetherden Road. On that day no container lorry travelled either of these roads until after the site visit had long ended. I know that to be a fact, as have cctv as do other residents who are affected by these juggernauts

Bottom of School Road junction turning left into the main Elmswell Road. Clearly you can see that the container lorry is splaying over the white dividing lines heading directly into oncoming traffic on a very busy road.



Portable Space lorry on Wetherden Road – a Quiet Lane signposted Unsuitable for HGV's

Not enough room for me to pass on my bike nor walk safely past with my dog !

Highway Code rules below

- ❑ leave at least 1.5 metres when overtaking cyclists at speeds of up to 30mph, and give them more space when overtaking at higher speeds
- ❑ pass horse riders and horse-drawn vehicles at speeds under 10 mph and allow at least 2 metres of space
- ❑ allow at least 2 metres of space and keep to a low speed when passing a pedestrian who is walking in the road (for example, where there is no pavement)



See how far the container hangs over either side of the lorry and in many cases overhangs the verges. Resulting in a neighbours hedgerow being partly destroyed.



Night time lorry on a Quiet Lane outside a residents house.



Thank you.

