

QUESTIONS AND STATEMENTS FROM THE PUBLIC

TO THE PLANNING COMMITTEE ON 10 January 2023

Item 7 – Tinsley Farm, Blind Lane, West Hanningfield, Chelmsford, CM2 8UF – 22/01747/FUL

1) Mrs J

I wish to bring to the attention of the planning committee meeting 10/01/2023 of false statement made in the planning application number 22/01747/FUL Tinsley Farm ,CM2 8UF

Essex County Council Highways Comment Ref:CO/EGD/SD/RM/CHL/22/1747/30189 .Dated 16th November 2022.

The false statement is that this planning application would remove a number of 8 , 29 tonne grain lorries movements from Blind Lane per week.

The grain at Tinsley Farm is now stored at Tinsley Farm in a new purpose built barn with a capacity to hold 4000 tonnes of grain.

There can be no reduction whatsoever in the number of grain lorries movements in Blind Lane as all the grain is stored in the newly built grain barn.

Coach House juggernauts deliver furniture for the operating interior design business at Tinsley Farm, Pilgrim Foods use HGVS to deliver food for a number of catering businesses that operate at

Tinsley Farm. “Live Event Transporters “ using juggernaut vehicles have been seen in Blind Lane to access Tinsley Farm. The proposed change of use of the 2 barns ,which were each built to store 1000 tonnes of grain , have purpose built height and width access for 29 tonne lorries .

This false statement of a reduction in the number of vehicles movements in Blind Lane is contained in the planning statement submitted by Foxes Rural.

The size of the newly built grain barn is clearly evident , showing as a white rectangular building ,on a Google aerial map of Tinsley Farm.

I wish to speak at the planning committee meeting on the 10/01/2023 .

2) West Hanningfield Parish Council

Dear Sirs

FAO the Planning Inspector. Please may you kindly consider West Hanningfield Parish Council's (WHPC) comments regarding the following:

22/01747/FUL Full Application Tinsley Farm Blind Lane West Hanningfield Chelmsford CM2 8UF Retrospective change of use of agricultural buildings to commercial storage (B8)

1. Comments on statements contained within the Planners Report 22/01747/FUL Full Application (Extracts from report are in Italics)

1.4. Blind Lane is already well used by heavy farm vehicles which travel to and from Tinsley Farm. The storage use subject to this application generates minimal vehicle

movements to and from Tinsley Farm, typically vans and 7.5 tonne lorries. The conversion to commercial storage would therefore not materially increase the level of traffic movements along Blind Lane or cause additional traffic which would cause harm to highway safety.

WHPC Comment: - **The application is for change of use to B8 which is for Warehousing and Distribution which could allow use by a National Distributor where traffic movements would be unrestricted and far in excess of the number of movements in the traffic plan provided, which also takes no account of the movements arising from the existing commercial business operating from the farm.**

1.5. The use of the building for storage purposes is considered acceptable has caused no adverse impacts to highway safety or neighbouring residential amenity

WHPC Comment: - **The increase in traffic movements have given rise to the concerns raised by the number of Resident / Neighbour Comments.**

6.9. The NPPF sets out at paragraph 111, that 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.

WHPC Comment: - The cumulative traffic movements from the existing commercial operations are having an unacceptable impact on highway safety, as raised by the number of public comments.

6.14 It is also important to assess the vehicle movements in association with the converted building, approved under 22/00961/FUL, to understand the cumulative impact of the commercial uses within Tinsley Farm. The commercial storage building already granted consent generates one car movement per week and one 7.5 tonne small lorry movement every three months. The combined movements generated from the commercial development at Tinsley Farm are set out in the table below for clarity.

WHPC Comment: - **The traffic plan submitted takes no account of those arising from the existing commercial operations at the farm or any future changes of tenants which could increase traffic movements.**

2. Planning Conditions

Condition 1 Building 1 identified on drawing no. JS01 shall only be used for children's toy storage and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Reason: The use of the building for other purposes could generate a level of traffic using Blind Lane which could be detrimental to highway safety.

Condition 2 Building 2 identified on drawing no. JS01 shall only be used for furniture storage and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)

(or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Page 29 of 54 Item 7 Page 7 Reason: The use of the building for other purposes could generate a level of traffic using Blind Lane which could be detrimental to highway safety.

WHPC Comment: - **The traffic movements in the traffic plan are specifically associated with the current usage of the buildings. How will these conditions be policed in the event of the existing users changing, their business plan being amended, or the method of use being changed, giving rise to increased traffic movements.**

3. Neighbour / Residents comments.

These are principally based upon the cumulative increase in traffic movements and detrimental effect on the environment and safety not only of Blind Lane, but the feeder roads associated with it, these are detailed within the Public Comments submitted. Clarification has been requested from Essex Highways in respect of their comments on the suitability of the local road structure to accept the additional movements and the validity of the analysis used by the Highways Department in arising at their conclusion, unfortunately no response to date (3.01.2023) has been received from them.

The question asked of them are as below.

1. The statement by Essex Highways states that because the buildings are no longer used for agricultural purposes, and are now to be used for commercial use, (B8, warehousing and distribution applied for), that the farm traffic movements that would have been associated with them, can be offset against the proposed traffic movements arising from the new usage class. This is believed to be incorrect as in 2020 the farm in question received planning permission, built, and has in use 4 new grain stores of approximately 1800 square meters capable of storing approximately 6000 tonnes

of grain. The farm traffic as proposed in the Highways analysis has not decreased but has in fact increased by virtue of the increased storage capacity on the site.

2. The statement by Essex Highways of the proposed traffic movements that would arise from the change of use from agricultural storage to B8 is also believed to be incorrect as the proposed usage is for warehousing and distribution which does not have any restrictions on the size and number of traffic movements. The buildings could be legally used as a distribution hub, giving rise to numerous additional daily traffic movements.

3. For information, Blind Lane is a rural dead-end lane of approximately 0.9 miles long, it is a narrow, twisty treelined single carriageway without footways, with poor long-range visibility, with 2 light vehicle passing places, not suitable for HGV vehicles to pass and no expansion places for correction. Reversing of vehicles, in the Lane is difficult and unsafe due to the nature of the

Lane. The road condition is exceptionally poor with major potholes and edge subsidence arising from the current volume and weight of traffic, maintenance is difficult as there is no alternative route that can be used. It serves approximately 12 residential properties, 1 farm, Kennels and the farm at the very end which is the subject of the planning application. Blind Lane is accessed by a sharp turn on a tight poor

visibility bend, from Ship Road which is in itself a narrow country road, again not suitable for traffic increase. The suitability of the Lane for increase in traffic movements have previously been used as the prime reason for not allowing similar changes of use elsewhere in the Lane.

4. As can be seen from the many public comments on the Planning Portal volume of traffic is high on the Lane which is used by walkers and horse riders using the foot paths and bridle paths which join and traverse the lane. The current and proposed level of traffic are having an adverse effect upon the other users of the lane. There has been no analysis or survey of traffic movements in the lane and its feeder roads, despite a recent granting of retrospective change of use on the same farm for a 500 square meter building again to B8 use and now this subsequent application."

Following the writing of the above, a Traffic analysis has appeared on the planning portal written by Foxes Rural (undated) sighting the traffic movements related to the proposed and recent changes of use. Whilst the movements may well relate to the current users of the buildings, the applied for and designated use are for B8 which allows unrestricted traffic movements by any tenants of the buildings, they are of sufficient size around 500 square metres each, which could be used by a national distributor giving an exponential rise in size and quantity of traffic movements. As previously stated, the farm grain storage has been significantly increased to 1800 square meters, so farm traffic has increased rather than decrease as advised in the analysis. In addition to the traffic movements sited by Foxes Rural statement there are a number of other businesses operating from the farm generating a not insignificant number of traffic movements, as identified by other respondents on the planning portal.

The changes of use are effectively allowing a substantially sized multi use commercial estate to be developed at the end of a totally unsuitable single track lane, this is believed to adverse to NPPF 2018 paragraph 111 which states that "Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road would be severe" in this instance there is an impact on highway safety, and the cumulative effects are severe.

In conclusion it is respectfully suggested that the Highways Summary of the effect of this change of use be reviewed, especially in respect of the safety, suitability, and the cumulative number of traffic movements.

The adjudication on planning is early January 2023.

4. Conclusion (main points)

- Neighbour / Residents comments are significantly against the actual increase in traffic movements.
- Horse riders, dog walkers and walkers face impact upon their safety in the use of the lane.
- The Lane is unsuitable for any increase in traffic movement, which is physically restrictive, no passing places, no footway, blind turns and hill crest, poor access from Ship Road.

- Road surface and margins in poor condition, numerous deep potholes, subsidence, poor drainage, prone to flooding and because it is single track virtually impossible to maintain.
- Applicants Traffic Plan submitted takes no account of the existing commercial traffic levels.
- Essex Highways analysis of traffic impact is believed to contain significant issues, which have been raised to them without response.
- Proposed Planning Conditions to be applied are impossible to police, giving rise to abuse by existing and future tenants of the buildings concerned and a consequential increase in traffic movements.
- The notion that as the lane is already used by farm traffic is not a valid reason that it can accept further traffic increases.
- No traffic or Environmental surveys have taken place to our knowledge to date.
- A previous application for New Barn Farm on Blind Lane, requested the same change of use which was declined. Tinsley Farm should be declined for the same reasons.
- We believe a size and weight restriction should be applied to Blind Lane and Ship Road, other than Agricultural vehicles.

Kind Regards

3) Mrs W

22/01747/FUL Retrospective change of use of agricultural buildings to commercial storage (B8)

This application is for retrospective permission to use two farm buildings at Tinsley Farm for long term storage use (toys and furniture).

The applicant operates a large scale modern agricultural business and can produce over 4000 tonnes of grain.

The farmyard including the proposal site has mixed aged buildings from modern steel portal framed buildings to smaller and older steel framed former agricultural sheds. It is within these types of buildings that the proposal relates.

It is acknowledged that there have been several public objections to the scheme based upon concerns over traffic movements rather than the proposed use itself.

To summarise, the objections are based on the fear that the proposed use will significantly increase the number of HGV movements to and from the site.

It is essential to differentiate between the movements that the storage use and the agricultural use generate.

As mentioned, the farm produces in excess of 4000 tonnes of grain, which needs transport off the holding.

This requires 29T HGVS to move grain to merchants and flour mills. To be clear, the storage use would NOT USE NOR INCREASE THIS TRAFFIC TYPE OR FREQUENCY.

The storage use uses small post office type vans on a 2 / 3 times a week basis and a small Luton lorry 2-3 times per month.

These are not HGV movements nor is the "Luton lorry" as frequent as the HGVs for grain transport.

At this frequency, it is considered that there is minimal impact by the Luton lorry movements and that the toy storage movements do not significantly intensify the road use.

It also needs to be considered that should the storage use not be supported, the former agricultural sheds would be returned to agricultural use – grain storage or crop inputs such as seed/ fertilisers.

Should this be the case, more grain would be stored at the farm and significantly, **WOULD RESULT IN INCREASED FREQUENCY OF HGV MOVEMENTS.**

Additionally, with increased HGV movements there could be impacts on highway safety.

Increased HGV movements are the very reason and basis for the objection comments. Finally ECC highways consult found that the proposal was acceptable in terms of impact on the highway and no safety concerns were raised.