

FORMAL SUBMISSION TO PLANNING OFFICER

Subject: EHDC-26-0082-FUL Request for Further Information Prior to Determination

Dear Ms Farthing and EHDC

I write to submit a further representation in respect of the above application, drawing together the key areas where the current submission does not provide sufficient information to enable a lawful and robust determination.

Having reviewed the application documents alongside the applicant's subsequent submissions and responses, it is evident that there remain multiple areas where the impacts of the development have not been properly assessed or understood.

1. Insufficient Information on Noise and Operational Impacts

The application does not include a robust assessment of the realistic worst-case operational scenario, particularly in relation to the flexible Class E(g)(iii) / B8 permission sought. The submitted Noise Impact Assessment relies on constrained assumptions and does not assess the full range of activity that could lawfully occur, including continuous 24-hour operation and typical distribution yard activity.

Given the very limited margin between predicted and background noise levels, and uncertainty in baseline measurements, further work is required to demonstrate that residential amenity can be protected.

2. Lack of Clarity on Operational Intensity

The applicant confirms that the site may operate on a 24-hour basis, yet no information is provided regarding the likely scale or intensity of use, including vehicle numbers, throughput or staffing levels. In the absence of a defined operational envelope, the authority cannot properly assess the impacts of the development.

3. Reliance on Conditions in Place of Assessment

The application relies on proposed planning conditions to control impacts. However, these do not address the fundamental issue that the nature of the use itself gives rise to potential harm, particularly in relation to continuous

operation and yard activity. Conditions cannot substitute for a proper assessment of impacts at the application stage.

4. Flood Risk and Functional Floodplain

The Environment Agency has raised a formal objection, and the submitted Flood Risk Assessment does not demonstrate compliance with national policy. In particular, the application has not shown that the development would be safe for its lifetime, would not increase flood risk elsewhere, or would preserve the function of the floodplain.

The reliance on a bridge crossing within the floodplain introduces further uncertainty, with no robust hydraulic assessment provided.

5. Impact on the Caker Stream (Chalk Stream)

The applicant's own submissions identify that the development would result in physical encroachment and deterioration in the condition of the Caker Stream, yet conclude that there would be no likely significant effects. This inconsistency requires clarification and further assessment.

Given the recognised sensitivity of chalk stream environments, a more robust and precautionary approach is required.

6. Ecology and Protected Species

The ecological information submitted identifies suitable habitat for protected species, including bats, otters and water voles, but does not provide sufficient evidence to demonstrate that ecological networks and species conservation status would be maintained. Survey limitations and residual uncertainty remain.

7. Transport and Highway Safety

The Transport Assessment does not assess the impact of the development on key constraints within the highway network, including the Spitalhatch crossroads, which is identified in the development plan as operating beyond capacity. There is also no assessment of articulated vehicle movements through this junction or the wider network.

In addition, the application does not address the impact on pedestrians, cyclists and school routes.

8. Landscape and Lighting

The application does not adequately address previous concerns raised in relation to landscape impact, including a previous refusal on the site. The submitted assessments rely heavily on mitigation planting without demonstrating that this would be effective.

Similarly, the lighting assessment identifies residual impacts on ecological receptors and rural character which have not been fully resolved.

9. Internal Inconsistencies

There are clear inconsistencies across the applicant's submissions, including:

- conflicting statements regarding noise generation from storage uses;
- identification of ecological harm alongside conclusions of no significant effect;
- reliance on assumptions not secured by condition.

These inconsistencies further undermine confidence in the submitted evidence.

Conclusion

Taken together, the application is supported by incomplete, inconsistent and assumption-based evidence across multiple disciplines. In its current form, it does not provide a sufficient basis for the Local Planning Authority to properly understand or assess the likely impacts of the development.

Accordingly, I respectfully request that the Local Planning Authority seeks further information from the applicant to address the matters set out above before determining the application.

In the absence of such information, it is not possible to conclude that the development would comply with the Development Plan or the National Planning Policy Framework.

Yours sincerely,
[Your Name]