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01/2016/1165

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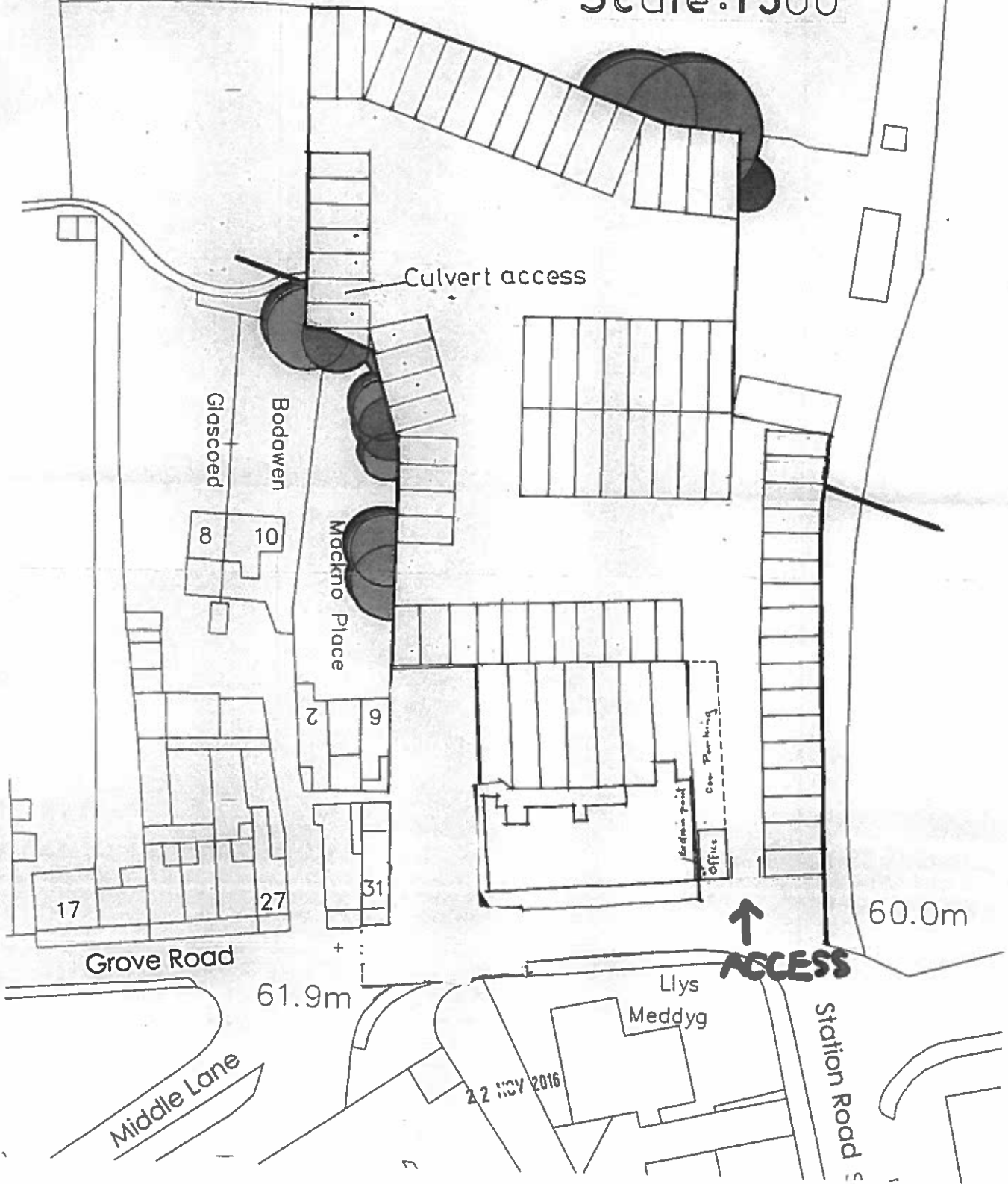


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PROPOSED LAYOUT



Scale: 1500



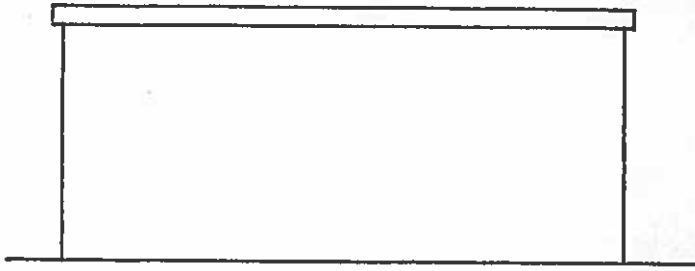
12-036 401 24.09.13

Storage Unit Centre on Land at Grove Rd, Denbig
Proposed Layout

01/2016 11/25/13

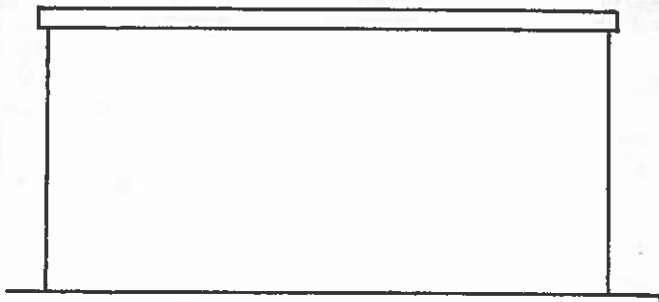
PLANNING 1:200 Denbig Storage Unit Proposed Storage & Parking on Plot 10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100

01-2016/0632/PF



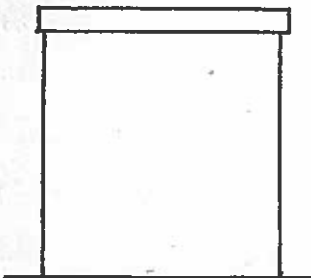
Sides

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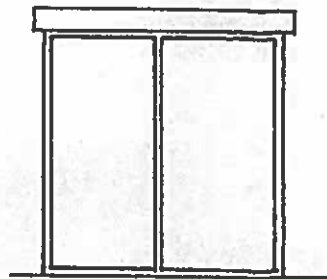


Grey/Green painted Metal

22 NOV 2016



Rear



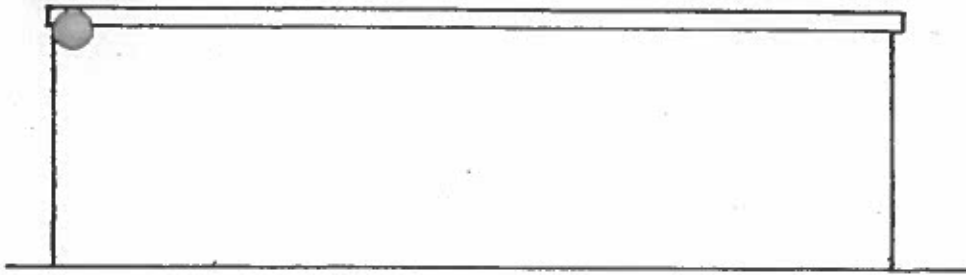
Front

Small Unit

Storage Unit Centre on Land at
Grove Rd, Denbigh

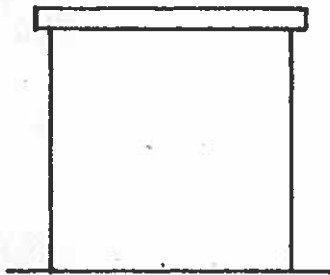
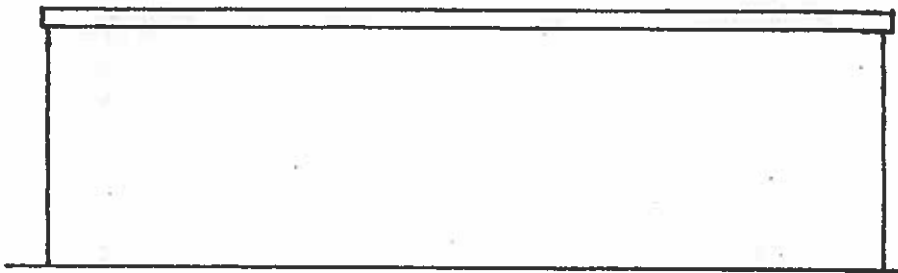
LARGE STORAGE UNIT

01/2016/1165/PF

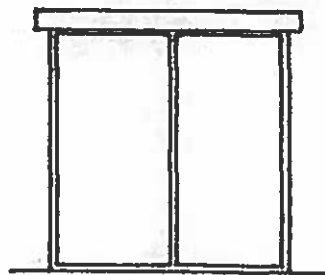


Sides

Scale: 1:100



Rear



Front

22 NOV 2016

Grey/Green painted Metal

Large Unit

Storage Unit Centre on Land at
Grove Rd, Denbigh

WARD : Denbigh Central

WARD MEMBER(S): Cllr Gwyneth Kensler (c)

APPLICATION NO: 01/2016/1165/ PF

PROPOSAL: Change of use of land for the siting of storage units, and site office

LOCATION: Former Wool Depot Grove Road Denbigh

APPLICANT: Me & Him Storage

CONSTRAINTS: C2 Flood Zone
conservation Area
Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL

“Objections were made to the below application. The Councillors wished to advise of the following points:

Capacity issues with additional traffic from the retail park.

Not suitable for the location, would be better suited on the industrial estate.

Could prove busy with their long opening hours which would be noisy for the residents nearby.”

NATURAL RESOURCES WALES

No objection subject to a condition requiring the submission of design information in relation to the proposed interception channel / trench.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

No objection subject to the inclusion of conditions in relation to parking and turning facilities and

- Flood Risk Manager

No objection subject to the submission of additional details in relation to the proposed interception channel / trench

RESPONSE TO PUBLICITY:

In objection

Representations received from:

P. Harrison, 6 Machno Place, Denbigh

O. Roberts, 4, Machno Place, Denbigh

Summary of planning based representations in objection:

Impact on visual amenity:

Impact on the appearance and setting of the area;

Impact on residential amenity:

Properties fronting Grove Road directly overlook the site; will adversely affect privacy

No mention of noise impact, questions whether 24 hour access is required; questions whether the containers will be opened and used after office hours

No mention of light impact; assume a lock up storage facility will include heavy lighting (flood lighting) so how will this impact on nearby properties.

EXPIRY DATE OF APPLICATION: 15/11/2017

REASONS FOR DELAY IN DECISION:

- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application proposes the change of use of land for the siting of storage container units and a site office.
- 1.1.2 The proposal relates to the siting of a total of 74 storage containers (42 'smaller' units and 32 'larger' units) with a small office unit to be sited adjacent to the site entrance off Grove Road.
- 1.1.3 The smaller units would measure 3.5m wide by 8m long by 3.5m high and the larger units would measure 3.5m wide by 12m long by 3.5m high. The units would be painted metal containers with double opening doors on the front. It is not intended to provide the units with an electricity supply.
- 1.1.4 The proposal is to replace an existing damaged timber fence along the frontage of Grove Road with a 2.4m high fence and gated entrance constructed of corrugated steel sheets coloured green.
- 1.1.5 The proposal is to utilise the existing vehicular access to the side of 45 Grove Road. The layout plan is at the front of the report.
- 1.1.6 The application indicates that the proposed use would create 10 jobs, which would consist of 1 full time member of staff in the office, 4 full time members of staff on site and 5 part time members of staff including drivers.

1.2 Description of site and surroundings

- 1.2.1 The application site comprises approximately 0.6ha of land formerly occupied by the Wool Producers Depot. The site was cleared of all buildings in connection with the Depot in 2012 and has remained vacant since.
- 1.2.2 The site is relatively level. To the south and west of the site is residential development which fronts Grove Road, to the north are open fields. To the east is a long established car repair/scrap yard business beyond which is 'Parc Siopa Ddinbych/Denbigh Retail Park', the construction of which is nearing its completion.
- 1.2.3 The site is overgrown and in the main is bounded by timber fencing with some trees close to the boundary outside of the application site.

1.3 Relevant planning constraints/considerations

- 1.3.1 The application site is located within the development boundary of Denbigh.
- 1.3.2 The site is located within the Station Yard Policy PSE 7 retail allocation, as it was included within an earlier version of the retail park development which had a valid planning consent at the time of preparation of the Local Development Plan in 2013.
- 1.3.3 The site is located within a C2 Flood Zone as defined in the Development Advice Maps that accompany TAN 15: Development and Flood Risk.
- 1.3.4 The site is adjacent to the Denbigh Conservation Area.

1.4 Relevant planning history

- 1.4.1 As noted, the application site formed part of an earlier redevelopment scheme on the original Station Yard site, granted planning permission in 2009. This was a scheme involving a mixed use Class A1 retail and Class A3 food and drink development with associated open space, parking and landscaping.

1.5 Developments/changes since the original submission

- 1.5.1 Additional flood risk information has been provided by the applicant along with clarification in respect of the operation of the proposed storage business.

1.6 Other relevant background information

- 1.6.1 None.

2. **DETAILS OF PLANNING HISTORY:**

2.1 01/2007/1444/PF Redevelopment of site by way of mixed use development comprising 11,212 sq.m (gross internal area) of Class A1 retail floorspace, 504 sq.m (gross internal area) of Class A3 retail floorspace, public open space, internal roads and footways, associated car parking spaces, associated ancillary facilities and comprehensive hard and soft landscaping GRANTED 24th June, 2009.

01/2012/0272/DA Prior notification for the proposed demolition of 4 no. warehouse buildings GRANTED 26th March, 2012

01/2012/1607/PO Development of 0.6 ha of land for residential purposes (outline application including access) RESOLVED TO GRANT at Planning Committee.

REFERRAL to Welsh Government. Welsh Government directed under Section 77 of the Town & Country Planning Act 1990 that the application be referred to them for their determination rather than by the Local Planning Authority.

The decision was made to REFUSE PLANNING PERMISSION with no right of appeal on the basis that the proposal did not satisfy the tests for highly vulnerable development in a Zone C2 as set out in TAN 15.

01/2015/0760/PF Re-development of site for mixed uses including 1,799sqm foodstore (Class A1) and between 5 and 7 individual units including use classes A1, A2, A3 and D1.
GRANTED under Delegated Powers 6th March, 2016.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy PSE7 – Proposals for new retail development

Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance

3.3 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Notes

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (PPW section 3.1.3). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Drainage (including flooding)
- 4.1.5 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

Local Development Plan Policy RD 1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria.

The application site and the adjoining repair / scrap yard was included within a retail allocation because of an extant planning permission for food and non-food retail use, and was the subject of policy PSE7.

The LDP policies referred to above are in general conformity with the approach to development in Planning Policy Wales. Planning Policy Wales also contains a preference for the re-use of land which meets with the definition of 'previously developed land', in preference to use of greenfield sites.

As described, the application involves the change of use of land for the siting of storage container units on what is a small part of a larger allocated retail area within the development boundary of Denbigh, as identified in the adopted Local Development Plan.

Whilst a Class B8 storage and distribution use falls outside a 'retail' use, it is significant in officers' view that the retail allocation in the LDP was made on the basis of the site forming part of an extant planning permission for a redevelopment of the Station Yard site which has long since been abandoned in favour of a new scheme nearing completion. This current proposal would result in the loss of 0.6ha of an overall retail site allocation of over 4.85ha, and clearly does not prejudice the subsequently consented and implemented development. This was granted in March 2016 and includes a food store (Aldi) and between 5 and 7 individual units including use classes A1, A2, A3 and D1.

In conclusion, in terms of the LDP retail allocation, it would be difficult to develop the site for retail use now given that the site is in separate ownership, on the edge of the larger site with a separate access and another business located in between. The exclusion of the site from the larger retail site has not affected the deliverability of the retail development as it is nearing completion.

In terms of the general character of the area, the former Wool Depot site is located in very close proximity to residential properties. Housing development has been refused in this area on appeal, as it has been considered unacceptable due to the site's location within a Zone C2 flood risk area.

It is considered that a low key Class B8 storage container use with appropriate operational controls is an acceptable use within the area and has employment generating benefits. Due to site constraints and characteristics along with the ownership issue, a retail development in this location would not now be considered practical or appropriate, and is very unlikely to come forward. However, Officers also consider that the proposed use is temporary in nature as it relates to portable containers being sited on the land that can be easily moved and relocated, and would not preclude the land being used for other suitable alternative uses should they come forward in future, subject to the assessment of local impacts.

4.2.2 Visual amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vii) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The visual amenity impacts of a development proposal are a material consideration.

There are representations in relation to the impact on the visual amenity of the area, including the character and setting of the area.

It is of relevance here that the former Wool Depot site contained a number of large buildings which occupied the majority of the site, in close proximity to the boundary with residential properties on Grove Road. The proposed use involves the siting of storage containers that would not exceed 3.5m in height.

In respecting the comments of local residents, it is not agreed that the development of the site for the siting of storage containers would be have an unacceptable visual impact in this location. Appropriate planning conditions can be imposed to control the colour of the containers and other operational restrictions limiting height and external storage within the site.. The site is in a built up area with and is not in a prominent location and therefore having regard to the scale and nature of the proposal it is considered that the visual impacts would only be very limited.

4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc..

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The residential amenity impacts of a development proposal are a material consideration.

There are representations in relation to the impacts on the residential amenity of local residents whose properties back on to the site, in relation to the outlook and incidence of noise and light.

The proposed use relates to the siting of storage containers that would not exceed 3.5m in height and therefore having regard to the scale and nature of the units it is not considered that the siting of the containers would result in a significant adverse impact on the outlook of the properties that back on to the site. These are located between 13m and 17m away from the site boundary. It is however considered appropriate to limit the height of the storage containers to 3.5m.

In terms of noise, the proposal is for a Class B8 storage and distribution use and many of the storage units are likely to be used for long term storage purposes. The applicant 'Me & Him Storage' operate a number of storage facility sites like this across North Wales and the applicants have suggested a site of this size would generate approximately 5 customers a day visiting the site, using it to store goods. Staff would arrive and leave in 1 vehicle from the business head office in Rhyl.

It is Officers' view that the scale and nature of the proposed use is acceptable in this location with limited noise and disturbance likely to be generated from such a use. No lighting details have been provided with the application and therefore it is considered appropriate to impose a condition requiring approval of lighting should it be required, along with a condition restricting the use of sound equipment. Given the location of the site it is also considered appropriate to limit the hours within which drop off or pick up of items from the storage containers can take place to between 7.30am to 8pm Monday to Saturday and 10am to 4pm on Sundays.

With appropriate operational controls through planning conditions it is not considered that the proposed use would unacceptably impact upon the residential amenities of

nearby residents. The previous use was considerably more intense and industrial in nature and it is suggested the proposed use would have a significantly lower impact on the amenities of local residents.

4.2.4 Drainage (including flooding)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The drainage / flooding impacts of a development proposal are a material consideration.

Planning Policy Wales Section 13.2 and 13.4 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed. PPW 13.4 advises that in areas which are defined as being of high flood hazard, development proposals should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event.

The site is located within a Zone C2 flood risk areas as defined by the development advice maps contained within TAN 15: Development and Flood Risk.

TAN 15 advises that the C2 classification should be used to indicate that only less vulnerable development should be considered subject to application of justification tests, including acceptability of the consequences and highly vulnerable development such as residential development should not be considered in this zone. A Flood Consequence Assessment (FCA) is required to be submitted to support the application, to explore the potential consequences of a flooding event for the particular type of development proposed.

The proposed use is categorised as a 'less vulnerable development' within TAN 15.

The proposed development has been the subject of discussions with NRW and the Council's Flood Risk Manager and a Flood Consequence Assessment has been submitted in support of the proposal.

NRW and the Council's Flood Risk Manager have ultimately raised no objections to the proposed use of the site subject to the inclusion of a condition requiring the submission of details relating to the proposed interception channel/trench.

The Flood Consequences Assessment submitted in support of the application demonstrates that the risks of flooding can be acceptably managed and NRW and the Council's Flood Risk Manager have not raised an objection to the proposal subject to the imposition of a condition. It is therefore considered that the proposal represents an acceptable form of development which meets the relevant tests in TAN 15.

4.2.5 Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for

a range of users, together with adequate parking, services and manoeuvring space; and require consideration of the impact of development on the local highway network.

Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards.

These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The highway impacts of a development proposal are a material consideration.

Denbigh Town Council have raised concerns relating to the capacity of the local highway network due to the proximity of the Station Yard retail development.

The proposal is to utilise the access into the site between No 45 Grove Road and the access which serves the repair / scrap yard business.

Highway Officers raise no objections to the proposal and have had regard to the previous use of the site and to the scale and nature of the proposed use. In terms of traffic generation, the proposal is for Class B8 storage and distribution use and many of the storage units are likely to be used for long term storage purposes. As noted earlier in the report, the applicants operate a number of storage facility sites like this across North Wales and suggest a site of this size would generate approximately 5` customers a day visiting the site, using it to store goods, Staff would arrive and leave in 1 vehicle from the business head office in Rhyl. Whilst the information provided is an estimation, having regard to the nature of the use and having regard to the historic use of the site in terms of traffic generation it is considered that the proposed use is low key.

Having due regard to the historic use of the site, the nature of the local road network and the response of the Highway Officer it is not considered there are any significant highway concerns likely to arise from the proposal.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 Having regard to the planning policy issues, it is not considered the proposal is unacceptable in principle.

5.2 In respecting comments over the local impacts, it is not concluded that there would be unacceptable adverse impact on visual or residential amenity.

5.3 Highways Officers have raised no objection to the proposal.

5.4 NRW and the Council's Flood Risk Manager have no objection subject to the imposition of a condition requiring additional details in relation to the interception channel/trench.

5.5 In respecting representations, and for the reasons outlined in the report, Officers consider the proposal to be an appropriate re-use of a brownfield site within the development boundary.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 15th November 2022.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Proposed elevations plan for site office received 22 November 2016
 - (ii) Proposed elevations plan for large storage units received 22 November 2016
 - (iii) Proposed elevations plan for small units received 22 November 2016
 - (iv) Proposed frontage enclosure plan received 11 January 2017
 - (v) Existing site plan received 22 November 2016
 - (vi) Proposed layout plan received 22 November 2016
 - (vii) Existing and proposed ground levels plan received 22 November 2016
 - (viii) Location plan received 22 November 2016
3. **PRE COMMENCEMENT**

No development shall be permitted to commence until details of the proposed interception channel / trench has been submitted to and approved in writing by the Local Planning Authority. The application should include information about the required length, width and depth of the interception trench as well as information about the grills that may be required over the trench, and whether these could affect how flood waters get into to trench. In addition, information should be provided about the proposed pipe connections between the interception trench and the culverted watercourse e.g. pipe diameters and invert levels. The development shall be carried out in strict accordance with the approved details.
4. No external lighting shall be installed on the site or the access road until the written approval of the Local Planning Authority has been obtained to the detailing thereof. The lighting shall installed in accordance with the details approved under this condition.
5. There shall be no drop off or pick up of items from the storage containers or any other activity within the site, other than between the hours of 0730 to 1900 Monday to Saturday and 1000 to 1600 on Sundays and Bank Holidays.
6. The containers shall be coloured mid/dark green, and shall not exceed 3.5m in height unless otherwise agreed in writing by the Local Planning Authority.
7. The containers shall be used solely for storage purposes, as encompassed by Class B8 of the Town & Country Planning (Use Classes) Order 1987 and no hazardous substances shall be brought onto the site or stored in the containers at any time.
8. Prior to the proposed development being brought into use details of the facilities for the loading, parking and turning of vehicles within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and the facilities completed prior to the development being brought in to use.
9. The vehicular access and fencing along Grove Road shall be laid out and completed in accordance with the approved plans before the development is brought into use.
10. No sound amplification systems including the playing of music shall be permitted within or outside the containers or outside the office building at any time, other than with the prior written approval of the Local Planning Authority.
11. Notwithstanding the submitted details, the access gates and fencing to be erected to enclose the Grove Road frontage shall not be as shown, but shall be in accordance with such

alternative detailing as may be submitted for the consideration and approval in writing by the Local Planning Authority. The approved details shall be implemented and completed prior to the commencement of the use of any storage units within the site.

12. Prior to the commencement of the proposed use details of a hard and soft landscaping scheme for the treatment of the forecourt area between the site entrance frontage fencing and the road shall be submitted for the consideration and approval in writing by the Local Planning Authority. The approved details shall be implemented and completed prior to the commencement of the use of any storage units within the site.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interest of the management of flood risk.
4. In the interests of visual amenity.
5. In the interests of the residential amenities of nearby properties.
6. In the interests of visual amenity.
7. In the interests of the amenities of occupiers of nearby residential properties and to ensure no risk to public health.
8. To provide for the loading, parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety
9. In the interest of the free and safe movement and traffic on the adjacent highway, to ensure the formation of a safe and satisfactory access and to protect the amenity of the area.
10. In the interests of the amenities of occupiers / users of nearby properties.
11. In the interests of visual amenity.
12. In the interests of visual amenity.

NOTES TO APPLICANT:

Highway Advisory Notes.

(i) Highway Supplementary Notes Nos. 1,3,4,5 & 10.

(ii) New Roads and Street Works Act 1991-Part N Form.