

Planning Committee

Report of Head of Planning and Building Control, Regeneration Directorate on 21/04/2011

Reason for bringing to committee: Major application

Application Number: 11/0240/FL

Application Type: Full application

Applicant: Mobile Mini/ PSST LLP

Proposal: Change of use to a hire depot for secure portable containers and offices.

Ward: Aldridge Central & South

Case Officer: Devinder Matharu

Telephone Number: 01922 652487

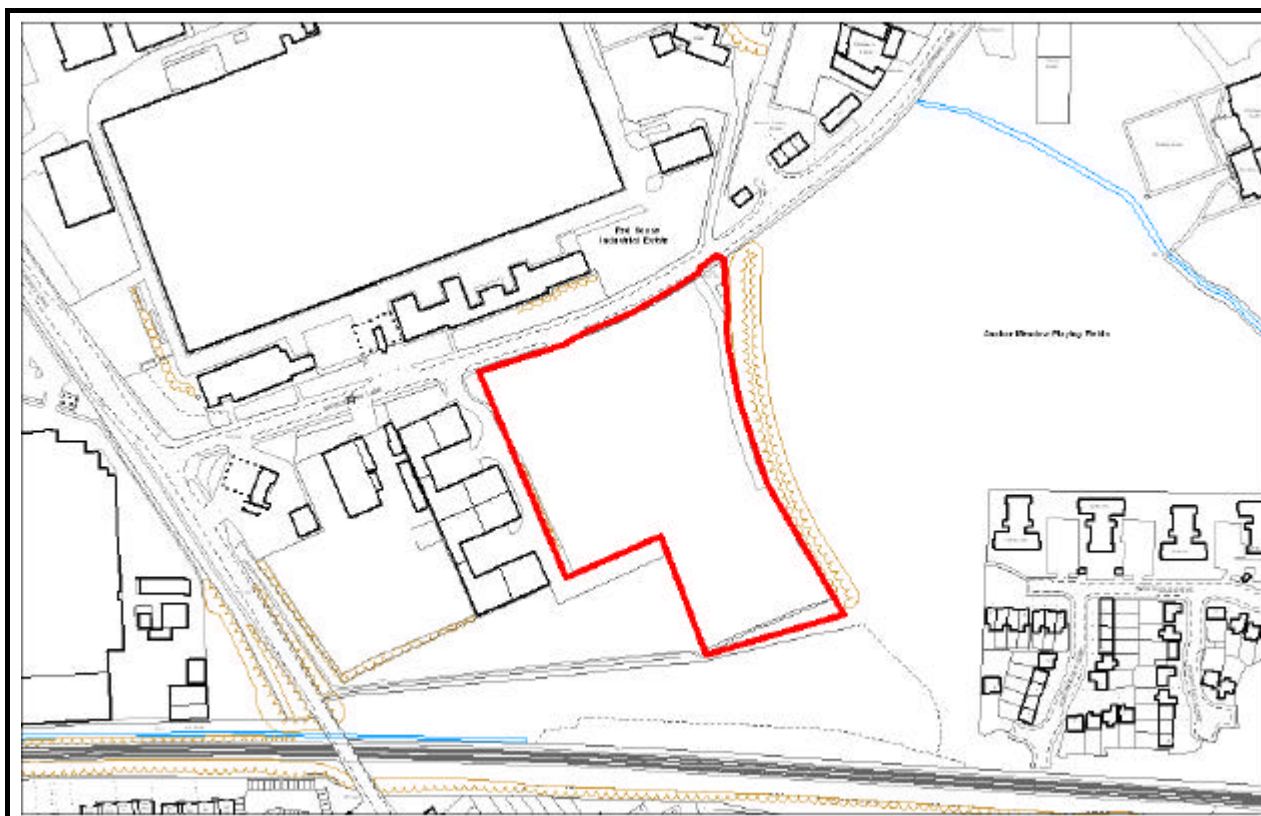
Email: planningservices@walsall.gov.uk

Agent: DTZ

Location: JACK ALLEN HOLDINGS LTD,
MIDDLEMORE LANE, ALDRIDGE,
WALSALL, WS9 8DL

Expired Date: 23/05/2011

Recommendation Summary: That members delegate to officers the grant of permission, with appropriate conditions, subject to no new material planning issues being put forward on expiry of the public consultation.



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Current Status

The applicants have asked that the application go to committee on the 21st of April 2011 in order to stand a chance of keeping a global company within Aldridge. If the decision is not made on the 21st of April 2011 this deal will fall away and ultimately the tenant will relocate out of the area.

The applicant explains that the owner of the site has a commercial mortgage on the property and other costs associated with the site. The owner wishes to rent a part of the site (three acres) to Mobile Mini (UK) Ltd. Whilst Mobile Mini (UK) Ltd is based locally its current lease comes to an end in June and urgently needs to relocate and would prefer to remain in Aldridge. This site opportunity is ideal and would allow retention of all the current staff and provide an opportunity for them to expand their business and in the future create additional jobs in Aldridge over the next few years.

The granting of planning permission is vital so that preparatory works can be completed and the operation can be moved from its current site before the lease on that site ends in June.

The proposed works have also been awarded to local Aldridge contractors, also creating work for the local workforce.

Application and Site Details

The application proposes the change of use from storage of incomplete and complete commercial vehicles to a hire depot for secure portable containers and offices. A road would be constructed within the site. Office cabins and a workshop would be sited by the western boundary of the site to be used in conjunction with the hire depot.

The primary use of the site will be for storage of empty units not being leased and a small number of containers to be used as onsite storage space leased to members of the public and businesses. The site would contain up to 40 containers/offices at any one time and stacked to a maximum of three high. Not all of the site would be used for the storage of units. The very rear part of the site would not be part of the storage facility and a palisade fence would be erected within the site to separate the front and rear of the site. The rear of the site would be used for storage of incomplete and complete commercial vehicles.

The site is located on the southern side of Middlemore Lane, within an established industrial area, although there is more distant residential development to the south and east of the site separated by an area of allocated Urban Open Space (Anchor Meadow Playing Fields). There is a footpath and railway line to the south of the open space that separates some housing, and a landscaped bund along the eastern perimeter of the site. To the west of the site are single storage industrial buildings with windows facing the application site. There is a substantial screen of conifers along the site frontage and other trees and shrubs within the bund around the exposed perimeter. There are two access points to the site from Middlemore Road, the access along the eastern boundary of the site would not be part of the site and would provide access to the very rear part of the site. The premises were previously used for storage of commercial vehicles.

A Design and Access Statement has been submitted with the application which states:

- Mobile Mini lease secure storage containers and portable offices as well as provide on site self storage facilities.
- due to instances of flooding at Mobile Mini's current site in Brickyard Lane, this site has been identified as the most suitable to develop a replacement facility.

- Mobile Mini leases portable containers and offices which are delivered directly to businesses and individuals requiring temporary storage and office space – the operation hours will be from 8.00 to 17.00 Monday to Friday and 8.00 to 12 on Saturdays.
- the proposal would lead to a reduction in traffic flows during peak periods compared to the extant permission for the site and would not materially impact on the operation of Middlemore Lane or any nearby junctions surrounding the site.
- the site contains secure fencing and floodlighting to prevent theft and vandalism
- standard containers are 2.4 wide, 2.6m high and vary in length from 2.6m to 12 metres.

Relevant Planning History

BC63519P - Erection of industrial unit & ancillary works, replacement vehicular access to Middlemore Lane, & erection of 2.4m palisade fence - Withdrawn 09/05/01

BC64539P - New industrial units for B1(C) Light Industrial and B2 General Industrial Use - Granted 02/11/01

05/2181/FL/E5 - Change of use from Industrial land to Storage of incomplete and complete commercial vehicles - Granted 06/02/06.

06/1282/FL/E11. Variation of condition to extend the time limit for New industrial units for B1(C) Light Industrial and B2 General Industrial use. Granted 2006.

09/1499/FL Change of use of the land to the rear of Allen Business Park to provide additional parking - extension to the existing vehicle storage yard. Granted subject to conditions 31 March 2011.

Relevant Planning Policy Summary (Note the full text version of the UDP is available from the First Stop Shop in the Civic Centre, and on the Planning Services Website www.walsall.gov.uk/planning).

Joint Core Strategy

The Joint Core Strategy was adopted by the Council on 3rd February 2011 and now forms part of the statutory development plan. It replaces certain “saved” policies in the UDP. It sets out how the Black Country should look in 2026 and establishes clear directions for change in order to achieve this transformation.

Policy ENV1 locally designated nature conservation sites (Sites of Local Importance for Nature Conservation), important habitats and geological features are protected from development proposals which could negatively impact upon them.

Policy EMP1 seeks to ensure a sufficient stock of employment land to meet demand and support the growth and diversification of the economy.

Policy EMP2 The Strategic High Quality Employment Areas will be characterised by excellent accessibility, high quality environment and clusters of high technology knowledge based sectors. The Black Country currently provides 526 ha of high quality land and we will safeguard them for manufacturing and logistics uses within Use Classes B1 (b) (c), B2 and B8.

Policy EMP3 seeks to provide for a portfolio of local quality employment land.

Saved Policies of the Unitary Development Plan

2.2, 3.6, 3.7, & GP2: seek to make a positive contribution to the quality of the environment, whilst protecting people and ensuring adequate and safe access is provided.

GP4: local area regeneration by helping to bring forward derelict, vacant or underused land and buildings for new uses. 3.16: The Council will consider development in relation to its setting, with reference to the character and quality of the existing local environment, and will require a high quality of built and landscape design.

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ENV10: Development of an industry or facility which may cause pollution will not be permitted if the health, safety or amenity of its occupants or users would be unacceptably affected by pollution.

ENV11: New lighting should seek to minimise glare and light spillage from the site.

ENV13: Uses other than industry and warehousing will not normally be permitted in close proximity to high voltage electricity transmission lines, substations and transformers.

ENV14: The Council will encourage the reclamation and development of derelict and previously developed land.

3.113, 3.115, 3.114, ENV32 and 3.116: Poorly designed development which fails to properly take account of the context or surroundings will not be permitted. Designing out crime' through design, layout, landscaping and boundary treatments is encouraged.

3.117 & ENV33: deals with landscape design and opportunities to create and enhance environmental quality.

ENV35 design of frontages to shops and other commercial premises should be appropriate to their setting and sympathetic to the building.

Para 4.2 - A supply of employment land and buildings will be maintained that will meet the needs of both inward investors and existing firms.

JP5 Core Employment Areas will be safeguarded for core employment uses.

JP7: Use of Land & Buildings in Other Employment Areas - Defines the type of uses acceptable in employment areas and states other service uses which are complementary to the functioning of local industry or distribution and would meet a purely local need which would not be better served in or at the edge of a nearby centre.

T7 - Car Parking - All development should satisfy the car parking standards set out in Policy T13.

7.1: Seeks to promote an efficient highway network;

T13: Parking Provision

Use Class B1(c) 1 car park space per 30m² of gross floor space. 1 bike locker for every 10 car parking spaces and Taxi facilities.

Use Class B2 1 car park space per 50m² up to 250m², then 1 space every additional 100m² of gross floor space. 1 bike locker for every 10 spaces and Taxi facilities.

Supplementary Planning Document (SPD)

Designing a Better Walsall SPD (2008)

Policy DW3 'Character' all new development must be designed to respect and enhance local identity and reflecting urban design characteristics.

National Policy

PPS1 on delivering sustainable development and good design.

PPS4 Industrial and Commercial Development & Small Firms

Policy EC10 Planning applications that secure sustainable economic growth should be treated favourably and assessed as to whether they reduce carbon, provide a choice of means of transport, secures high quality design, impacts on economic and physical regeneration and impact on local employment.

EC18 local parking standards should apply.

PPG13 on transportation seeks to minimise the use of the car by the sustainable location of development.

PPS23 Planning and Pollution Control: Seeks to control the effects of pollution.

PPS24 Planning and Noise: Seeks to minimise the adverse impact of noise.

Consultations

Transportation – No objection subject to conditions relating to access and parking.

Pollution Control (Scientific Team) – No objection subject to a hours of use condition

Pollution Control (Contaminated Land) – No objection subject to user note advising applicant to exercise caution if installing buried services on site in particular piped drinking water.

Fire Officer – No objection

Police Architectural Liaison Officer – No objection but recommends the containers are positioned to allow surveillance of and around the site and should be positioned away from the perimeter fence so that they cannot be used as a climbing frame. The containers should be fitted with robust locks to prevent forced entry and it may be worth while positioning the containers towards the front of the site so that there would be surveillance from the road.

Natural Environment – No objection

Landscape – No objection

Public Participation Responses

The public consultation period expires on 29th April 2011.

All letters of representation are available for inspection upon publication of this committee report.

Determining Issues

- Principle of development
- Impact on the amenities of the surrounding occupiers
- Access and parking

Observations

Principle of development

The site is allocated in the UDP as an employment area and the proposed use, which falls outside any standard industrial use class, is considered acceptable in terms of Policy JP7 (a) III. The Joint Core Strategy envisages this area as providing high quality employment uses. Hire depots are specifically provided for under JCS policy EMP3 and are more appropriate in other parts of Aldridge as shown on the Joint Core Strategy Economy Key Diagram. Whilst this is illustrative and diagrammatic the Walsall Employment Land Review which derives from the JCS applies it in an area/site specific way and sees the site as part of an area of potential high quality employment. On balance, supporting such a use would not prejudice its long term use for high quality employment, or future application of policy EMP2 of the JCS.

Impact on amenities of the surrounding occupiers

The site has an established storage use and is well screened from the nearest housing on the far side of the urban open space. The proposal will have no greater impact on residential amenities subject to conditions to restrict operating hours on site to protect the amenity of the nearby residential occupiers to the south east of the site.

The proposal to stack 3 units on top of each other, in total measuring 8m high, adjacent the industrial units to the west of the site is considered acceptable. Such relationships in employment areas are common and the proposal would not have any adverse impact on visual amenity.

The containers would be screened within the site due to the surrounding trees along Middlemore Lane and the eastern boundary. From the south of the site the containers may be seen from long views from the existing public footpath. This footpath would be relocated closer to the railway line and behind planting, as approved under planning permission 09/1499/FL.

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Access and Parking

The proposed change of use is likely to generate fewer vehicle trips during peak hours than the existing use for the storage of commercial vehicles, reducing the impact on the local highway network. The proposal requires a total of 6 car parking spaces to be provided, whilst the plans do not specify any number of parking bays; this can be sought by condition.

The proposal seeks to create a new roadway within the site with a turning head measuring 20m by 30m. This is considered acceptable provided it is kept clear for the use of vehicles.

Summary of Reasons for Granting Planning Permission

Supporting a use that falls outside of any standard industrial use class would not prejudice its long term use for high quality employment, or future application of policy EMP2 of the JCS.

The site has an established storage use and is well screened from the nearest housing on the far side of the urban open space. It is considered that the proposal will have no greater impact on residential amenities subject to conditions to restrict operating hours on site.

The proposal to stack 3 units on top of each other, in total measuring 8m high, adjacent the industrial units to the west of the site is considered acceptable. Such relationships in employment areas are common and the proposal would not have any adverse impact on visual amenity.

The containers may be seen from long views from the south of the south from the existing footpath; however this is to be relocated closer to the railway as approved under planning permission 09/1499/FL.

The proposed change of use is likely to generate fewer vehicle trips during peak hours than the existing extant use for the storage of commercial vehicles, reducing the impact on the local highway network.

The proposal would meet the aims and objectives of policies ENV1, EMP1, EMP2 and EMP3 of the Joint Core Strategy, the saved Policies of the UDP, in particular 2.2, 3.6, 3.7, GP2, GP4, ENV10, ENV11, ENV13, ENV14, 3.115, 3.114, ENV32, 3.116, 3.117, ENV33, ENV23, ENV18, ENV39, JP1, JP7, 7.1, T7, T8, T11 and T13, Policy DW3 of the Designing Walsall SPG, Policy NE1 of Conserving Walsall's Natural Environment and the advice given in PPS1, PPS4, PPS9, PPG13, PPS23, PPS24 and PPS25.

Recommendation: That members delegate to officers the grant of permission, with appropriate conditions, subject to no new material planning issues being put forward on expiry of the public consultation.

1) This development must be begun not later than 3 years after the date of this decision.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended.

2) The development shall be completed in accordance with drawing number 3212/2 and the drawing illustrating proposed cabins plans and elevation submitted on 18th February 2011.

Reason: To define the permission

3) Storage containers should not be stacked more than 3 high at any one time anywhere on the site.

Reason: In the visual amenities of the area.

4) The vehicle turning area shown on the approved plan shall be kept clear and fully available for heavy commercial vehicle use at all times.

Reason: To ensure the satisfactory operation of the site and in the interests of highway safety.

5) Six customer/staff parking spaces within the site shall be made available for use at all times.

Reason: Accordance with Policy T13.

6) Heavy vehicle movements and operation of mechanised plant and machinery on the site (s) shall not take place on any Sunday, Bank Holiday or Public Holiday, and otherwise shall only take place:

- a) between the hours 07.00 and 19.00 weekdays;
- b) between hours 08.00 and 13.00 Saturdays

Note: For the purposes of this condition Bank and Public holidays shall be taken to be: Christmas Day; Boxing Day; New Year's Day; Good Friday; Easter Monday; May Day; Spring Bank Holiday Monday; and August Bank Holiday Monday).

Reason: To protect the amenity of adjoining residential occupiers.

Notes for Applicant

1) This site has a previous history of industrial uses that may have resulted in localised ground contamination. The applicant is advised to implement appropriate precautionary measures when making any adaptations to the site requiring ground excavation and in particular to protect any new buried services. Any persons undertaking construction or excavation works on the site should be made aware of this site history and potential for contamination and should consider appropriate Health and Safety precautions.

2) The Police Architectural Liaison Officer has advised:

- The containers should be positioned to allow surveillance of and around the site and should be positioned away from the perimeter fencing so that they cannot be used as a climbing aid to access the site.
- Any containers used for storage should be fitted with robust locks to prevent forced entry. It may be worthwhile positioning these containers towards the front of the site so they have some surveillance from the road and any office buildings on the site.
