

APPLICATION DETAILS

No: 24/0755 **Ward: Rogerstone West**

Type: Full (Major)

Expiry Date: 01 October 2025

Applicant: *Blue Self Storage Ltd*

Site: *Land East Of Lyte Buildings Road C Wern Industrial Estate*

Proposal: *Change of use to B8 Self-storage Facility and siting of 144 storage containers*

Recommendation: GRANTED WITH CONDITIONS

1. INTRODUCTION

- 1.1 The proposed development has been screened under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is concluded that the development does not raise significant environmental impact to be considered as EIA development.
- 1.2 The application is being reported to Planning Committee because it is major development.
- 1.3 Site Context
 - 1.3.1 The application site comprises of a long thin irregularly shaped parcel of land located on Wern Industrial Estate. The site consists primarily of hard surfacing enclosed by paladin fencing, the topography of the site is such that the land levels gently decrease towards the south/west. The most recent use of the land was as a carpark/HGV storage.
 - 1.3.2 The site is located within the defined settlement boundary with the immediate area having a prevailing industrial/commercial character however lacks conformity in respect of design/layout with a significant amount of variation between plots.
- 1.4 Description of Development
 - 1.4.1 This application seeks consent for the change of use of the land to be used for storage falling into B8 use class as defined by The Town and Country Planning (Use Classes) Order 1987 (as amended), and for the operational development of siting storage containers on the land. The site is proposed to operate as a self-storage facility.
 - 1.4.2 In total 144 containers are proposed to be sited on the land with 4 sizes of container proposed, each with a maximum height of 2.44m, finished in white with light blue roller shutter doors and a dark blue trim. The containers are manufactured using 1-4mm galvanised welded steel profile with 0.45mm galvanised curtain steel roller shutter doors. The site arrangement is proposed with containers arranged length ways along the site perimeter with an additional central bank and a smaller bank on the southern boundary of the site blocking the existing secondary access point.
 - 1.4.3 A soft landscaping scheme and associated management plan has been proposed which consists of; the planting of x2 trees on the south/western section of the plot, native hedgerow planting on the southern and eastern boundaries, wildflower planting area and sedum roofs to the majority of the containers.

2. RELEVANT SITE HISTORY

- 2.1 None.

3. POLICY CONTEXT

- 3.1 National Planning Policy
 - 3.1.1 Future Wales: The National Plan 2040

- Policy 1 – Where Wales will grow
- Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 9 – Resilient Ecological Networks and Green Infrastructure
- Policy 12 – Regional Connectivity
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3.1.2 Planning Policy Wales 12

3.1.3 Technical Advice Notes

- Technical Advice Note (TAN) 5: Nature conservation and planning
- Technical Advice Note (TAN) 18: Transport
- Technical Advice Note (TAN) 23: Economic development

3.2 Local Planning Policy

3.2.1 Newport City Council Local Development Plan

- SP1 Sustainability
- SP17 Employment Land
- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
- GP4 General Development Principles – Highways and Accessibility
- GP6 General Development Principles – Quality of Design
- GP7 General Development Principles – Environmental Protection and Public Health

3.2.2 Supplementary Planning Guidance: Sustainable Travel, Parking Standards.

4. **CONSULTATIONS**

4.1 **Dwr Cymru Welsh Water:**

This site is crossed by a public sewer with the approximate position being marked on the attached statutory public sewer. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to (SK) 001B, it appears the proposed development would be situated within the protection zone of the public asset measured 3 metres either side of the centreline. Please note, the distance specified for this protection zone is indicative and based on industry standard guidelines. However, the depth of the asset will need to be verified on site which may infer a greater protection zone. For completeness, we recommend the developer refer to their title deeds to confirm if there are any covenants or restrictions associated with the asset crossing the proposed development site.

In this instance, it appears there is sufficient space and scope to re-position the development outside the protection zone of the asset. Therefore, it is strongly recommended that the (SK) 001B is amended to take into account the location of the asset(s) crossing the site and we respectfully request we are reconsulted on receipt of this information. It is also recommended that the developer contact our Plan and Protect team (PlanandProtect@dwrcymru.com) to carry out a survey to verify the location of the asset(s) and establish their relationship to the proposed development.

The proposed development is also crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. I enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-

charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

Recommend condition regarding no surface water entering the public sewerage system directly or indirectly.

4.2 Natural Resources Wales: No objection

5. INTERNAL COUNCIL ADVICE

5.1 Landscape Officer:

No objection. Following previous comments, a 'Detailed Soft Landscape Proposals' and a 'Landscape Specification and Management Plan' by TDA have been submitted. The proposal is for a wrap round native mixed hedge to the west and south boundaries, with 2no trees in EM1 meadow mix to the north-west corner. The Management Plan confirms the hedge will be maintained to 1.8m. Units will have GreenTech or similar sedum roof system – note this is not covered in the Management Plan and is not a landscape type that is maintenance free ie active maintenance will be required.

5.2 Highways Officer:

The existing site has two access points, so confirmation of how the access is to be closed off was requested. This has not been provided but could be addressed via a condition. Currently the gates to be retained are not set back from highway. Proposals to set them back into the site were requested. These should have included details of the available visibility splays, including 2mx 2m at 600mm height for pedestrians. No details have been provided. The gate management/location and closure of the second access should be addressed via conditions in the absence of any detail. As the majority of traffic is likely to be cars /small vans it would be appropriate to place the gate 5m into the site. This would not prevent entry for larger vehicles and would facilitate provision of pedestrian visibility splays. The plans do not demonstrate the swept paths of commercial vehicles which are likely to be used. Assessment of a 12m rigid was therefore requested. A much smaller vehicle was demonstrated however it is clear from the assessments that a larger vehicle could access the site. Whilst this information is still incomplete, Highways do not anticipate any issues in this respect. As the applicant has failed to provide the appropriate information, Highways could raise objections. It is possible to address the outstanding issues by way of conditions. Subject to the following conditions, Highways would not raise any objections:

Suggested Conditions:

No part of the development shall be brought into use until visibility splays of 2metres by 2 metres have been provided on each side of the access. The depth shall be measured from the back of footway; and the width measured outward from the edges of the access. The splays shall be created clear of obstructions to visibility at or above a height of 0.6metres above footway. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility in the interests of road safety.

Any gate or other form of barrier across the access shall be positioned at least 5 metres back from the nearside edge of the highway boundary and shall be constructed to open into the site only.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety.

Except for site clearance and remediation no development shall take place until a scheme to permanently close off the redundant existing vehicular access has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as agreed before any part of the development has been brought into use unless otherwise agreed in writing by the Council as Local Planning Authority.

Reason: To limit the number of access points to, and to maintain the proper construction of, the highway in the interests of road safety.

Except for site clearance and remediation no development shall take place until a scheme for the provision of cycle parking in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

6. REPRESENTATIONS

6.1 In accordance with the publicity requirements set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 letters were sent to the neighbouring properties, site notices were erected within the vicinity of the application site and an advert was placed in the South Wales Argus.

6.2 No representations have been received in response to the publicity exercise.

7. ASSESSMENT

7.1 Principle of Development

7.1.1 The application site comprises of previously developed land (as defined by PPW12), located within the defined settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. Accordingly, no conflict arises from the principle of the development in this respect.

7.1.2 The application site is located on an Industrial Estate, with the proposed use comprising of B8 (storage). B8 is accepted as being an appropriate use within an industrial site setting with LDP Policy EM3 protecting employment land for uses falling within classes B1, B2 and B8, no objection is raised to the principle of the development.

7.2 Visual Impact/Impact upon Character of the area

7.2.1 The application site comprises of a primarily hard surfaced plot enclosed by paladin fencing and gates within an industrial estate, the existing visual impact of the site is industrial in its character and appearance. The proposal would result in the siting of 144 storage containers on the land which would result in a different visual impact to the currently open site, however, the containers are of a standard design which are deemed to be appropriate and common place within such settings, accordingly, no concern or objection is raised to the development in this regard.

7.2.2 In respect of character, it is noted that character is not limited to the visual impact but also how a place is used/functions, in this respect no objection or concern is raised to the impact upon the character of the area given that B8 uses are acceptable within industrial/commercial settings.

7.2.3 The proposed development is supported by a soft landscaping plan and associated management plan, this details various elements that will provide a net benefit for biodiversity/GI onsite. The proposal will result in the loss of a tree from site and compensatory planting of 2 trees is proposed, whilst this does not strictly accord with the re-planting ratio of 1:3 as set out in chapter 6 of PPW12 given the extent of the hedgerow planting the overall compensation is considered to be acceptable and to exceed the current benefit on site.

7.2.4 In respect of visual impact the southern and eastern boundary of the plot is proposed to be planted with a native hedgerow which will be maintained at a height of 1.8M, this will provide significant screening to the plot and enhance the existing green buffer. It is acknowledged No objection or concern is raised in respect of visual impact of the impact upon the character of the area and the Landscaping Officer offers no objections.

7.3 Highway Safety

7.3.1 At present the site is served by 2 access points, the proposed development would only utilise the access point on the northern boundary with the southern boundary shown to be closed, blocked by the native hedgerow planting and obstructed by containers. This application is supported by a swept path analysis demonstrating that vehicles can access and manoeuvre through the proposed layout without issue. The Local Highways Authority have been consulted on this application and raise no objection, whilst they note that some details have not been provided as part of this submission they can be adequately controlled via condition.

7.3 Ecology/Biodiversity

7.3.1 The application site comprises of a largely hard surfaced site meeting the definition of previously developed land as set out by Planning Policy Wales 12, additionally, the site is located in an area with a variety of commercial/industrial uses. Accordingly, the ecological value on site is considered to be low.

7.3.2 The development would result in the loss of an existing grass verge which hosts sporadic planting, this would be lost as a result of the development. However, the application is supported by a soft landscaping plan that details proposed planting of 2 trees, hedgerow, wild flower planting and sebum roofs. The details as proposed are considered to be sufficient as to meet the aims as set out in chapter 6 of PPW12 to achieve a net benefit for biodiversity on site. It is considered necessary to condition that the landscaping scheme is implemented in the planting season following the commencement of the development. The Council's Landscape Officer has provided comments on this application and raises no objection to the details provided.

7.4 Drainage / Utilities

7.4.1 The application site comprises of a large area of hard surfacing, the siting of storage containers would not increase the amount of hard surfacing therefore no concern is raised to the development in respect of impact upon surface water drainage. Notwithstanding this, due to the scale of the proposed development a SuDS application is likely to be required as prescribed by schedule 3 of the Flood and Water Management Act. No concern is raised in respect of the determination of this application and no conditions are considered necessary or reasonable in this regard.

7.4.2 Comments have been received by DCWW as statutory undertaker for the area noting that the site is crossed by a public sewer and a trunk/distribution watermain, with an approximate location provided on the associated plans. DCWW have requested that additional investigation be undertaken to establish the exact location of their assets. This is not considered to be necessary as the site is already developed and the proposed

development would not interfere with the operation of the main/sewer. Should a build over or similar style of agreement be required this will be a matter to be resolved by the owner/operator of the site and DCWW.

8. OTHER CONSIDERATIONS

8.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

8.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

8.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

8.4 The above duties have been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.6 *Planning (Wales) Act 2015 (Welsh language)*

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

8.7 *Newport's Well-Being Plan 2018-23*

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of

this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

9. CONCLUSION

- 9.1 The proposed development is deemed to be acceptable in principle as it accords with the requirements of both Local and National Planning Policy. No unacceptable adverse impact has been identified in respect of visual impact/character of the area, ecology/biodiversity or drainage.

10. RECOMMENDATION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents:

- Proposed Self Storage Area (SK)001B
- Proposed Elevations (Boxwell Unit Elevations 06/15/23)
- Soft Landscaping Plan TDA.3077.01
- Landscape Specification & Management Plan
- Proposed Site Access and Visibility Splays C25052-ATP-DR-TP-001
- Swept Path Analysis C25052-ATP-DR-TP-002

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based

02 The soft landscaping plan as detailed within approved plan TDA.3077.01 shall be implemented in the next planting season following the first beneficial use of the development and shall thereafter be maintained in strict accordance with the details contained within approved document *Landscape Specification & Management Plan* for the lifetime of the development.

Reason: In the interests of biodiversity and visual impact in accordance with Policy 9 of Future Wales, Chapter 6 of Planning Policy Wales and Policies GP5 and GP6 of the Newport City Council Local Development Plan.

03 No part of the development shall be brought into use until visibility splays of 2 metres by 2 metres have been provided on each side of the access. The depth shall be measured from the back of footway; and the width measured outward from the edges of the access. The splays shall be created clear of obstructions to visibility at or above a height of 0.6metres above footway. The visibility splays shall thereafter be maintained clear of any obstruction and shall be retained at all times for the lifetime of the development.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility in the interests of road safety.

04 Notwithstanding the details contained within the approved plans, any gate or other form of barrier across the access shall be positioned at least 5 metres back from the nearside edge of the highway boundary and shall be constructed to open into the site only.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety.

05 Prior to the beneficial use of the development hereby approved the southern access point shall be permanently closed off in accordance with the details contained within approved plan TDA.3077.01 and *Site Layout in Context*.

Reason: To limit the number of access points to, and to maintain the proper construction of, the highway in the interests of road safety.

06 The access, size and general arrangement of containers shall be carried out strictly in accordance with the details shown on the approved plans and maintained as such thereafter. Containers shall not be stacked or stored in areas other than shown on the approved plans and the vehicle circulation area must be kept clear at all times.

Reason: In the interests of highway safety and the visual amenity of the area.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

02 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

03 It is an offence to carry out any works within the public highway without permission of the Highway Authority. This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980 the Highway Authority must specify the works to be carried out and only the Highway Authority or contractor approved by the Highway Authority can carry out the works. Therefore prior to commencing any works that affect the access you must contact the Council's Highway Maintenance Team for further details.

04 EIA Screened – ES Not Needed: () The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.