

Agenda Item	6.8
Report No	PLN/010/12

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 26 January 2021

Report Title: 20/04345/FUL: Mr Simon Platts
Council Garage, Meadow Park Road, Dornoch

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Siting of 8 storage units to form self-storage facility

Ward: 04 – East Sutherland and Edderton

Development category: Local development

Reason referred to Committee: Number of objections – Planning Manager Discretion

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

Recommendation

Members are asked to agree the recommendation to Grant as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 This application seeks full planning permission for the installation of eight storage units (Shipping Containers) to form a self-storage facility. The site is to be enclosed within a vertically clad security fence.
- 1.2 The site is accessed from the public road, (Meadows Park Road, Dornoch) across an existing lowered section of kerb.
- 1.3 Pre-Application Consultation: None
- 1.4 Supporting Information: The applicant has submitted a Supporting Statement which outlines the background of the proposal and the considerations given to various aspects of it such as opening times.
- 1.5 Variations: The application has been amended to provide a vertically clad timber security fence and provides details of the surface water drainage arrangements; these were raised as matters of concern by Dornoch Community Council and other contributors as noted below.

2. SITE DESCRIPTION

- 2.1 The site lies to the east of Meadows Park Road in Dornoch. It was formerly the site of a Highland Council Joinery Workshop that has now been demolished (pictures of the old building are shown in the presentation). A further Highland Council Workshop / Storage Building lies immediately to the south of the site. The site has historically been used for light industrial uses. Access is provided via the public road network; a large public car park lies opposite the site. Two houses were erected to the north of the site following the granting of planning permission in 2008; these are the closest neighbours and their upper floor windows overlook the site.

3. PLANNING HISTORY

- 3.1 None

4. PUBLIC PARTICIPATION

- 4.1 Advertised: No

Representation deadline: 04.12.2020

Timeous representations: 5 objections from 5 households, 6 neutral comments including 1 from Dornoch Community Council.

Late representations: 1 - following receipt of updated details. One contributor requested his originally neutral and follow up comments to be treated as an objection.

- 4.2 Material considerations raised are summarised as follows:
- a) Adverse impact on the privacy and amenity of neighbouring houses to the north and east.
 - b) It has been suggested that the area is now considered to be residential.
 - c) Increase in noise, potential pollution and unwelcome increase in traffic.
 - d) Poor drainage.

- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

Following the submission of the Drainage Assessment and revised plans, all contributors were contacted with objectors being asked if they wished to maintain their objection. If no response was received, the objection has been sustained.

5. CONSULTATIONS

- 5.1 **Dornoch Community Council:** No Objection. The community council requested that the site is substantially enclosed by a close boarded timber fence, with revised arrangements for surface water drainage to be provided and the site cleared of all rubbish. (Planning Comment: These comments were subsequently accepted by the developer and details have been revised to accommodate the wishes of the Community Council).

- 5.2 **The Highland Council Flood Team:** initially objected. However, following the submission of a Drainage Assessment and plan details, the original objection has been removed.

- 5.3 **The Highland Council Contaminated Land Unit:** No objection. Information has been provided as to the historic use of the site; the proposed development does not appear to materially change the risk of potential contamination and a condition in respect of further investigation is not required. An informative is recommended and this has been applied to the decision notice.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application.

- 6.1 **Highland Wide Local Development Plan 2012**

28 - Sustainable Design
41 – Business and Industrial Land
42 – Previously Used land
66 - Surface Water Drainage

- 6.2 **Caithness and Sutherland Local Development Plan 2018**

Dornoch Settlement Development Area

7. OTHER MATERIAL CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (amended December 2020)

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 Determining Issues

This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

8.3 The key considerations in this case are:

- a) compliance with the development plan and other planning policy;
- b) siting, design and visual impact;
- c) neighbour amenity
- d) access and parking
- e) surface water drainage

8.4 a) Compliance with the Development Plan and other Planning Policy.

In this case the Development Plan is comprised of the Caithness and Sutherland Local Development Plan and the Highland-Wide Local Development Plan, the relevant policies of which are listed above. As a building for self-storage facilities, the application falls under Class 6 – Storage as defined by the Use Class Order therefore Policy 41 of the Highland-wide Local Development Plan is a key determining policy. This outlines that new business or industrial proposals should in the first instance to allocated sites. This proposal however also requires to be judged also in terms of the site history which has established its use as industrial through the siting of a now demolished joinery workshop. It is claimed in representations that the site should now be considered residential however subsequent to the demolition of the workshop there has been so such change in land use with the site now forming an area of brownfield land. It is not allocated for any specific use in the Caithness and Sutherland Local Development Plan. As such, the re-use of a brownfield site is considered generally compliant with the development plan, subject to a detailed assessment of material considerations. These are outlined below.

8.5 b) Siting, Design and Visual Impact.

As noted above, the site was formerly occupied by a large joinery workshop with timber clad walls and corrugated iron roof. The proposed development is low rise and is to be bounded by a timber clad security fence and a condition is added to

ensure this is provided prior to first use of the development; this use of timber cladding and the development as a whole is considered to be less visually intrusive than the previous structure. As such, the proposed siting and design is supported.

8.6 c) Neighbour Amenity.

The site lies within a mixed-use area with a depot / store to the south, houses to the immediate northern boundary and a large car park to the west across Meadows Park Road. The facility is to be surrounded by a vertically clad timber security fence. Whilst this offers little by way of sound insulation it is not expected that there will be significant sound emanating from the facility which is intended to provide storage facilities only; it does, however, offer a high degree of screening to the lower floor windows of neighbouring properties. This is considered sufficient to safeguard the privacy and amenity of these properties. In addition, the proposed units have no windows; there are therefore no issues in respect of overlooking from within the storage yard.

There will be no manufacturing / fabrication of items permitted within the facility; this and storage of hazardous materials will be strictly controlled by condition, as will be the times of opening. The supporting statement proposed “good neighbour” hours of operation (7am - 7pm Monday through Friday with 8am – 5 pm on Saturday); these, however, are not considered appropriate and are restricted by condition to 8am – 6pm Monday to Friday and 8am to 5pm on a Saturday. Opening on a Sunday shall be in exceptional circumstances and strictly limited to appointment only.

No detail has been provided in respect of lighting of the site. However, it is appropriate to ensure there is no disturbance to amenity. Site illumination is a material consideration and given the mixed use and proximity of domestic properties, this is covered by condition to ensure full details are provided and agreed.

8.7 d) Access and Parking.

Vehicular and pedestrian access to the site will be via new security gates. A dropped kerb already exists at the access location. There is very limited parking available on the site, however, a large public car park lies immediately to the west of the access point and it is expected that vehicles will use that facility when visiting the storage units, with vehicular access to the site limited to delivering / removing bulky items from the individual units. The parking and access provision are considered to be acceptable.

8.8 e) Surface Water Drainage.

Little information was initially received in respect of surface water drainage to serve the facility; this was raised with the applicant and they have subsequently submitted a comprehensive Drainage Assessment and amended plans which show a designed surface water drainage solution for the site. Details have been examined by the Highland Council Flood Risk Management Team and they have removed their initial objection. In addition, a condition will be applied to ensure that the ground is profiled so that neighbouring properties are protected from water “run-off”.

9. CONCLUSION

All relevant matters have been taken into account when appraising this application.

- 9.1 It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations. Several issues of concern (impact on amenity / privacy of immediate neighbours, increased noise, pollution / traffic, poor drainage) have been noted. However, the fact remains that the site lies within a mixed-use location which previously accommodated a substantial commercial building, now removed. The scale and impact of this proposal is low key and unobtrusive and is safeguarded by conditions. On that basis it is acceptable and can be supported.

10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued N

Subject to the above, it is recommended that planning permission be **GRANTED**, subject to the following:

Conditions and Reasons

1. The security fencing detailed on drawings ref PL003 RevB and PL004 RevB, dated Oct 2020, shall be fully erected prior to the first use of the facility.

Reason: In the interest of neighbouring amenity and for the avoidance of doubt.

2. No development shall commence until full details of any external lighting to be used within the site have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

Reason: In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow'.

3. The opening hours of the hereby approved storage facility shall be 8am – 6pm Monday to Friday and 8am to 5pm on a Saturday. Opening on a Sunday shall be in exceptional circumstances and strictly limited to appointment only.

Reason: In the interest of neighbouring amenity and for the avoidance of doubt.

4. The storage units shall be positioned no closer than 500mm to the northern boundary fence.

Reason: To ensure that sufficient space is provided to allow for internal maintenance of the security fencing and to ensure that surface water is controlled within the catchment of the site.

5. The site shall be profiled to ensure that all surface water is directed towards the site drainage system as shown on Amended Drawing PL002 REV C, received on 4th December 2020.

Reason: In order to prevent “run-off” into adjacent residential properties and for the avoidance of doubt.

6. Steps shall be taken to discourage the nesting of seagulls on the roofs of the containers; this may be undertaken by (for example) the installation of anti-nesting nets.

Reason: In the interest of neighbouring amenity and to ensure that the development does not encourage nesting of seagulls.

7. Units are for storage only. For the avoidance of doubt, no fabrication or manufacturing process is permitted within storage units or any other part of the site.

Reason: To ensure that the development is not used as a manufacturing base for any company, individual or group of people and for the avoidance of doubt.

8. Storage of hazardous or noxious substances within units is strictly prohibited. Prior to the facility becoming operational, a list of substances prohibited within the storage units shall be provided by the developer for the agreement (in writing) of planning authority. A register shall be held by the developer who will obtain signatures from all users to confirm that they have received the above list.

Reason: For the avoidance of doubt and in the interest of residential and environmental amenity.

REASON FOR DECISION

It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans and Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Contaminated Land

There is the potential for contamination at this site due to its former use as a Council Yard, Workshop and Garage. As the proposed development would not appear to materially change the risk of potential contamination at the site an investigation is not required at this stage. However, be advised that all sites with a former industrial/commercial use have been prioritized by the Highland Council under duties conferred by Part IIA of the Environmental Protection Act 1990 and may require

investigation in the future. In addition, land contamination issues may affect property value. Should you wish to discuss potential contamination issues or commission your own investigation, please contact Community Services, Contaminated Land for advice. Community Services The Highland Council, 38 Harbour Road, Inverness, IV1 1 UF

Tel: 01463644570 E-mail: Land.Contamination@highland.gov.uk

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Mud and Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

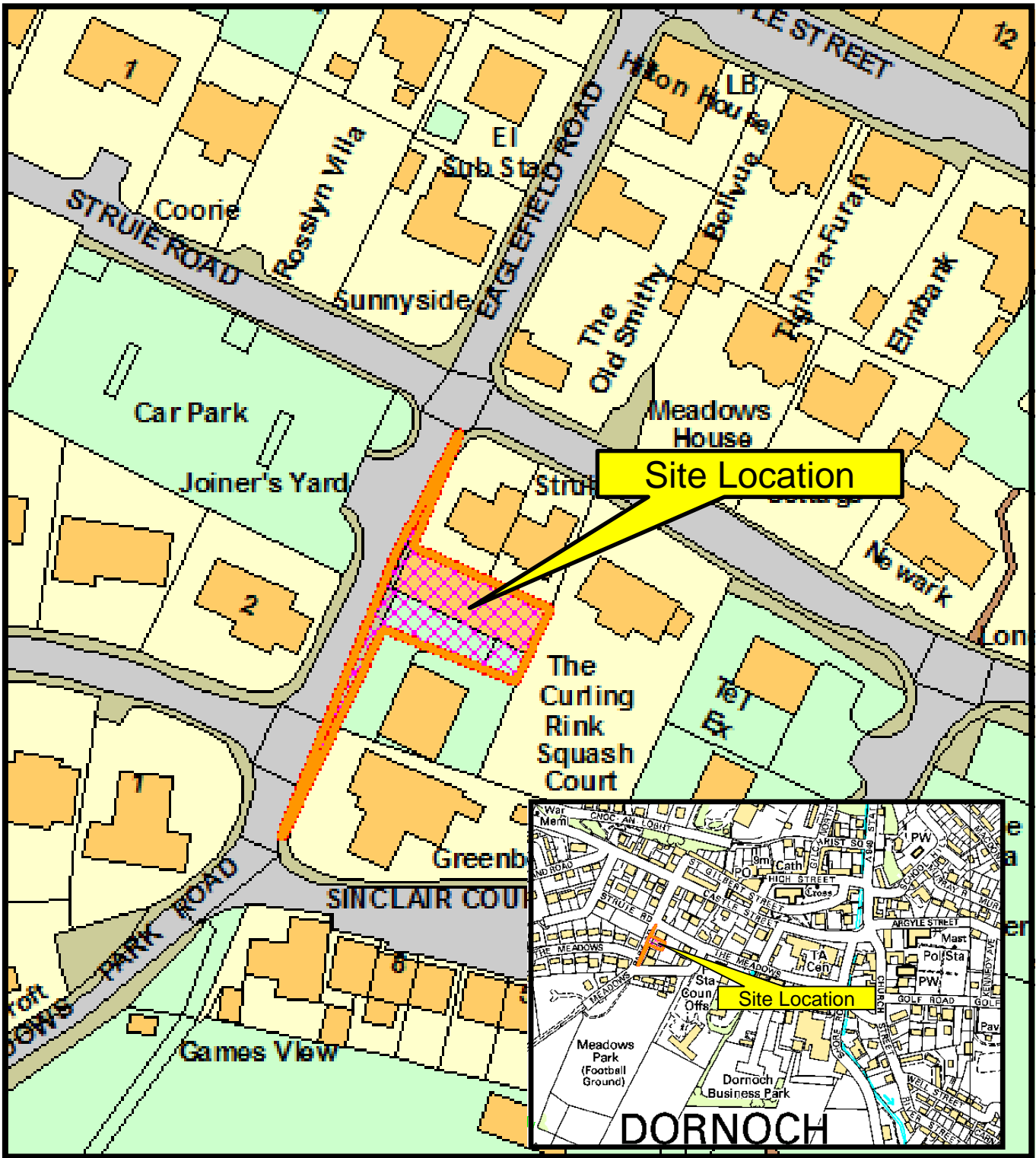
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to

deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species

Designation: Acting Head of Development Management - Highland
Author: David Borland
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Site Map
Location Plan PL001
Site Layout Plan PL002 REV C
Elevation Plan PL003 REV B
General Plan – Security Fencing PL004 REV B
Photo 1 and Photo 2 (Previous Building)



The Highland
Council
Comhairle na
Gàidhealtachd

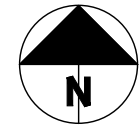
Development & Infrastructure
Service

20/04345/FUL

Siting of 8 storage units to form self-storage facility at former Joinery Yard, Meadows Park Road, Dornoch.

January 2021

DO NOT SCALE, IF IN DOUBT PLEASE ASK
 All setting out must be checked on site prior to commencement. Any discrepancy must be reported to G. H. JOHNSTON Building Consultants Ltd



PLANNING SUBMISSION

REVISIONS			
Rev.	Description	Drawn	Date

Client
Simon Platts

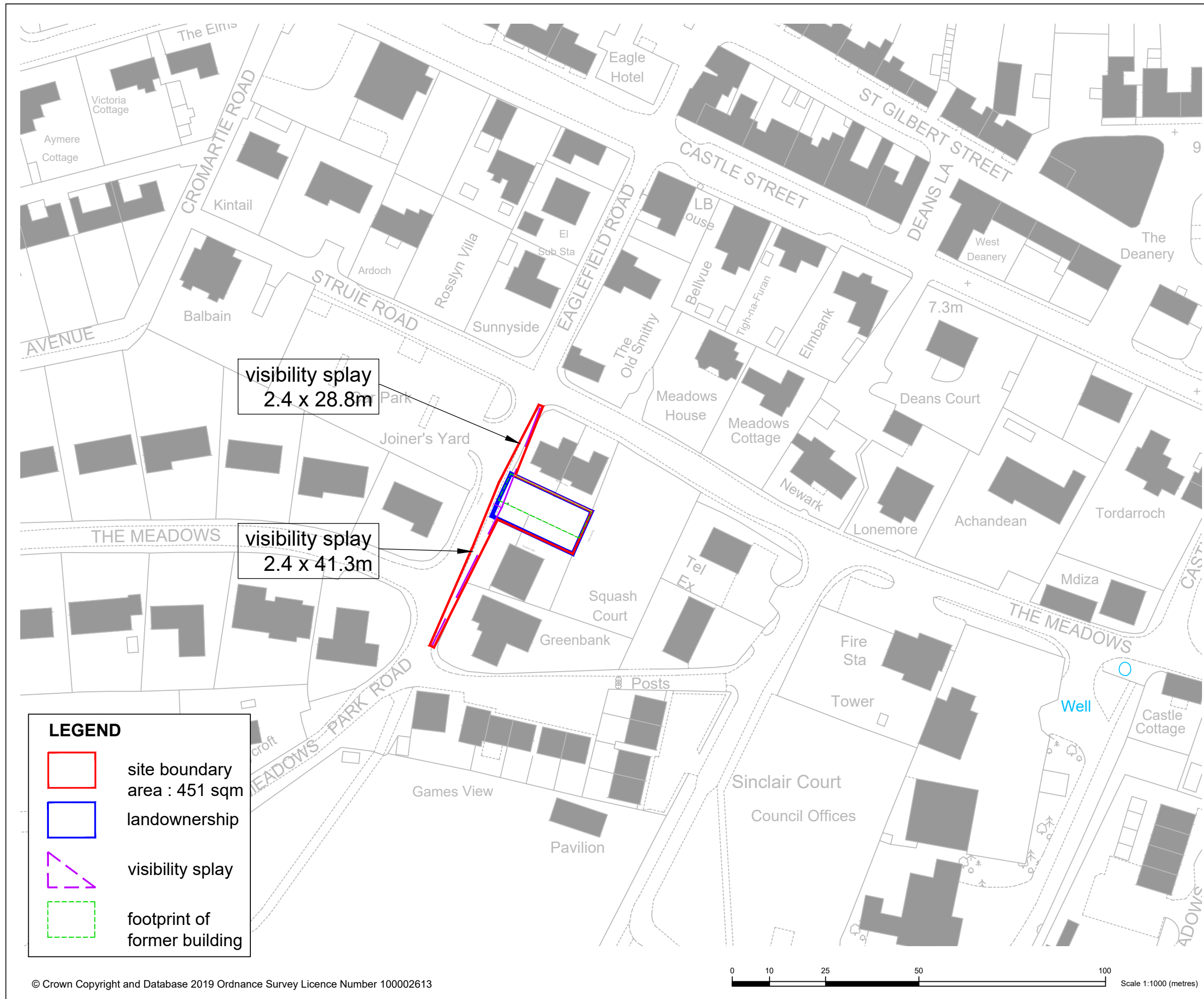
Project
**Storage Units
 Meadows Park Road
 Dornoch**

Drawing
Location Plan





Scale 1:1000@A3	Date Oct 2020	Drawn by CL
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Project no 2671	Dwg no PL001	Rev
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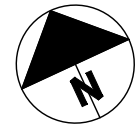
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 BUILDING CONSULTANTS LTD
 WILLOW HOUSE
 STONEYFIELD BUSINESS PARK TEL (01463) 237229
 INVERNESS IV2 7PA
 Email: technical@ghjohnston.co.uk



LEGEND

-  site boundary
area : 451 sqm
-  landownership
-  visibility splay
-  footprint of former building

DO NOT SCALE, IF IN DOUBT PLEASE ASK
 All setting out must be checked on site prior to commencement. Any discrepancy must be reported to
 G. H. JOHNSTON Building Consultants Ltd



footprint of former workshop (demolished under warrant ref 20/01341/NDOM8)

Close boarded timber fence along northern boundary maximum height 2.1m

8 No shipping containers 2.43m x 6.06m max height 2.75m colour : RAL6007 Green

maintenance strip

PLANNING SUBMISSION

2.4m high timber fence and gates set back clear of visibility splay

REVISIONS			
Rev.	Description	Drawn	Date
A	Security fence alteration	CL	03.11.20
B	Fence adjustment & gravel strip	CL	24.11.20
C	gravel drainage strip added	CL	04.12.20

Client
 Simon Platts

Project
 Storage Units
 Meadows Park Road
 Dornoch

Drawing
 Site Plan

Scale 1:100@A3 Date Oct 2020 Drawn by CL

Project no 2671 Dwg no PL002 Rev C

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Western View

Eastern View

Northern View

Southern View

underground cellular storage for drainage

2.4m high timber gates

500mm gravel bed

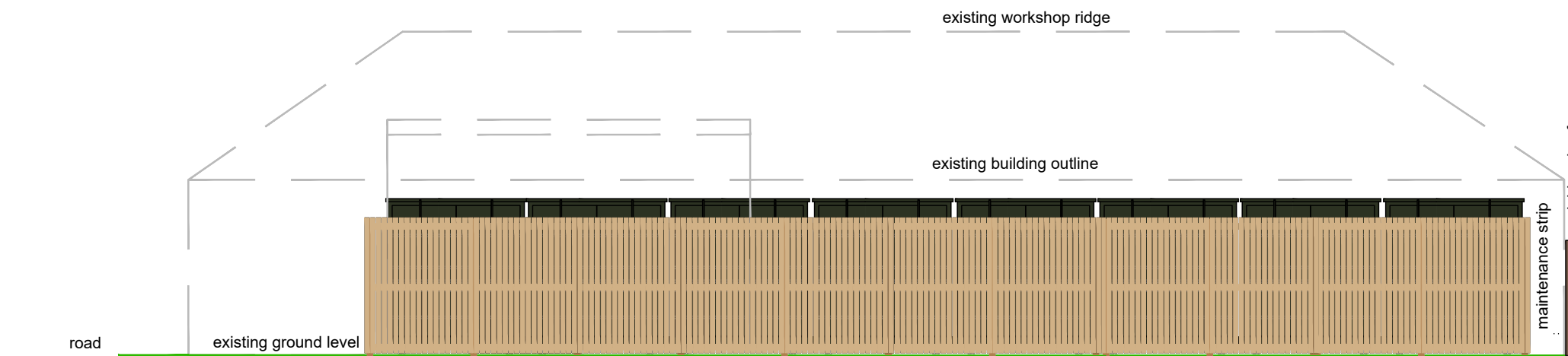
2.4m high timber fence

line of visibility splay

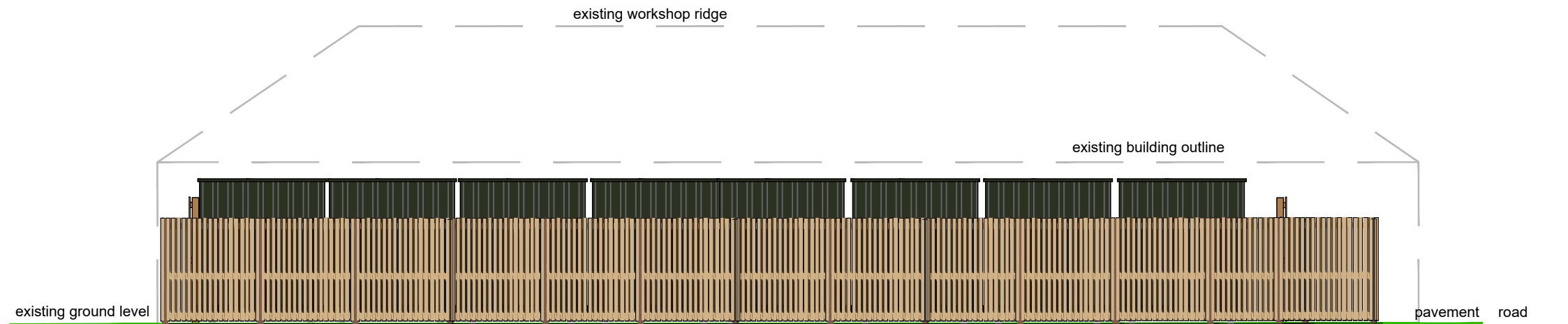
Existing neighbouring fence



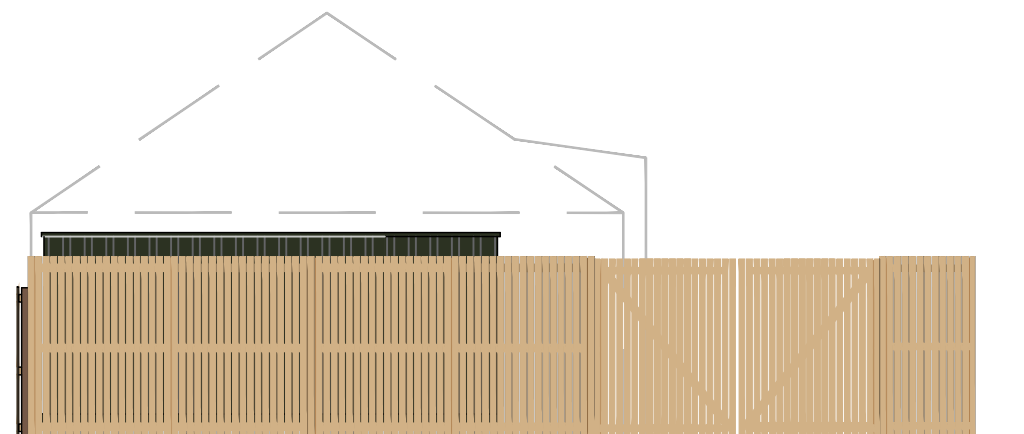
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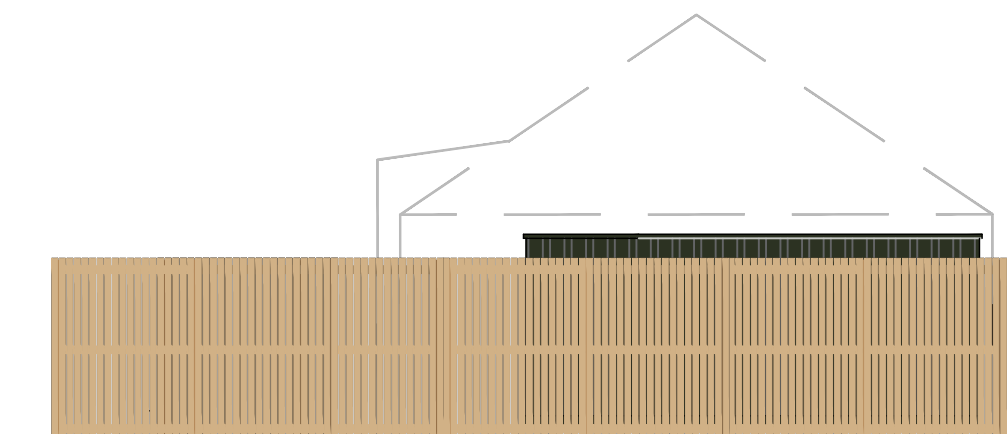
Southern View



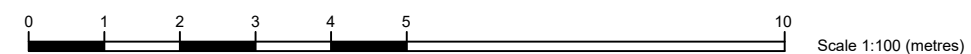
Northern View



Western View



Eastern View



**PLANNING
SUBMISSION**

REVISIONS

Rev.	Description	Drawn	Date
A	Change to security fence	CL	03.11.20
B	Change to security fence & gate	CL	24.11.20

Client
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Project
**Storage Units
 Meadows Park Road
 Dornoch**

Drawing
Site Elevations

Scale 1:100@A3	Date Oct 2020	Drawn by CL
Project no 2671	Dwg no PL003	Rev B

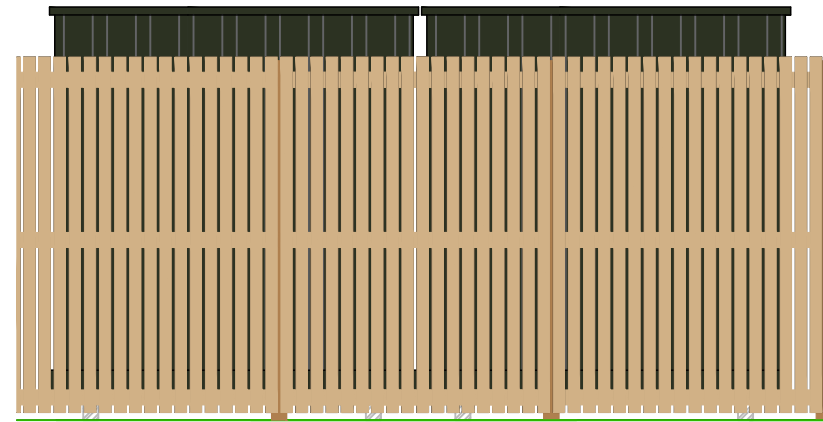
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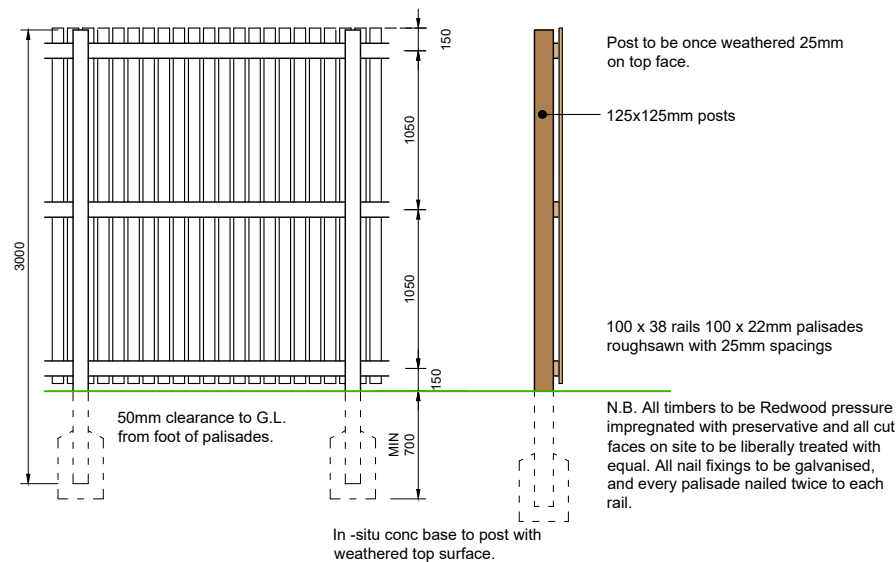
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 All setting out must be checked on site prior to commencement. Any discrepancy must be reported to G. H. JOHNSTON Building Consultants Ltd



**PLANNING
SUBMISSION**



Outside view of 2.4m high timber fence



inside view of fence



Scale 1:50 (metres)

REVISIONS

Rev.	Description	Drawn	Date
A	Change of fence height	CL	03.11.20
B	Change of fence	CL	24.11.20

Client
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Project
**Storage Units
Meadows Park Road
Dornoch**

Drawing
Timber Fencing Detail

Scale 1:50@A4	Date Oct 2020	Drawn by CL
Project no 2671	Dwg no PL004	Rev B

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