



Planning Committee 8th October 2024

APPLICATION NUMBER		24/00096/FUL	
SITE ADDRESS:		Units 9 And 10 Dimple Mill Dimple Road Matlock Derbyshire DE4 3JX	
DESCRIPTION OF DEVELOPMENT		Erection of 8no. external storage units	
CASE OFFICER	G Huffen	APPLICANT	Mr James Kerr – Romake Ltd
PARISH/ WARD	Matlock Town Matlock West	AGENT	Mr Dave Henry – Henson Logistics Ltd
WARD MEMBER(S)	Cllr Sue Burfoot Cllr Martin Burfoot Cllr Steve Wain	DETERMINATION TARGET	14.06.2024
REASON FOR DETERMINATION BY COMMITTEE	Member call in and number of letters of objection.	REASON FOR SITE VISIT (IF APPLICABLE)	To enable Members to appreciate the site and context.

MATERIAL PLANNING ISSUES

- Policy principle
- Impact on residential amenity
- Character and appearance
- Highway safety

RECOMMENDATION

That Planning permission be Granted subject to conditions as set out in section 8.0 of the report.

1.0 THE SITE AND SURROUNDINGS

- 1.1 The application site comprises the Dimple Road Business Centre and its car park. Dimple Mill is a long-established business centre located on the junction of Dimple Road with Allen Hill. It is presently used as a self-storage facility operated by Matlock Storage. The site has two accesses one off Dimple Road to the northwest of the site and one off Allen Hill to the southeast of the site. Currently there is car parking to the rear (northwest) and to the front (southeast) and side (northeast).



2.0 DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought for the erection of 8no. interlinked external storage units to be sited to the southeast of the site part of the front car park. The units will be used for self-storage for households or businesses for short or long term periods. These additional units are proposed due to the existing facility becoming full.
- 2.2 Although 8 no. storage units are proposed they form one overall building with internal walls dividing the units. The overall building has a ridge height of 2.77m and an eaves height of 2.33m. It has a length of approx. 23m and a depth of 6.5m. Each unit would have a roller shutter door to the front. The building is to be located adjacent to the southeast front boundary of the site.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

Adopted Derbyshire Dales Local Plan (2017):

- Policy S1: Sustainable Development Principles
- Policy S2: Settlement Hierarchy
- Policy S3: Development Within Defined Settlement Boundaries
- Policy PD1: Design and Place Making
- Policy PD5: Landscape Character
- Policy PD9: Pollution Control and Unstable Land
- Policy HC19: Accessibility and Transport
- Policy EC1: New and Existing Employment Development
- Policy EC4: Retention of Key Employment Sites

National Planning Policy Framework (2021)

National Planning Practice Guidance

4.0 RELEVANT PLANNING HISTORY:

12/00777/FUL Installation of 2 no. air conditioning units PERC 14/02/2013

5.0 CONSULTATION RESPONSES

Matlock Town Council:

5.1 No objection.

Derbyshire Dales Conservation:

5.2 The application site lies over 150 metres west of the Matlock Bank Conservation Area and is not located within the Conservation Area. It provides a neutral contribution to the wider setting and significance of the Conservation Area.

The nearest listed building to the application site is 11 Dimple Road, Grade II (list entry number: 1247938). This building is located over 100 metres to the south of the application site. The application site is not deemed to form part of the setting of this listed building.

The application site itself is deemed to have no architectural or historic interest. Given the site's neutral status, and the distance of designated heritage assets from the site, there are no objections to this proposal.

Local Highway Authority (Derbyshire County Council):

5.3 The application proposes to erect 8 no. permanent storage units within the existing car park thereby reducing the capacity of the car park by several spaces.

In terms of car parking provision this is not ideal in theory, however recent site visits to the site highlights that the current operations are relatively low key in traffic generation terms and there were on average only 5 no. cars in the car park. This together with the supplementary information provided by the applicant/agent highlights that the existing main building is also used by Matlock Self Storage for such purposes and has done so for many years.

Highway related previous concerns have now been addressed with the latest information, however there is concern for the existing main building to be leased or let to any commercial third party thereby requiring potentially the full use of the car park. Because of this and given the stated number of employees at the site and the infrequent number of vehicles generated by the development, the proposed development is considered acceptable from a traffic and highway safety point of view.

Although this is with caution in that any recommendation for approval would require a personal planning condition or legal agreement on the basis that the use hereby permitted would cease upon a change of use, sold or lease/rent of the existing main building to any third party and the storage units located within the car park being permanently removed from site.

To conclude there are no objections to the proposed development subject to the following condition:

Condition:

The use hereby permitted shall endure for the benefit only of and shall be carried on only by Matlock Self Storage during which the whole of the premises are occupied by Matlock Self Storage. The storage units hereby permitted shall be removed from site and the land restored to its former condition as a car park should the main building change its use or be sold/leased to a third party.

Reason:

The development proposed is only acceptable because of the special circumstances of Matlock Self Storage (as noted in the letter from the agent) and the Council wishes to have the opportunity of exercising control over any subsequent use in the event of the applicant ceasing the use of the main building.

Derbyshire Dales Trees and Landscape Officer:

- 5.4 The location of the proposed buildings are adjacent the boundary wall of the property beyond which is a roadside verge with various shrubs and small trees. It is considered unlikely that the proposed development would have a significant impact to this vegetation.

Derbyshire Dales Environmental Health:

- 5.5 No objection in principle to this application, subject to the following recommended conditions due to proximity of residential properties in the vicinity. The unit only be operated as self-storage. Construction and operating hours for the units should be limited to between the hours of 8am to 6pm Monday to Friday, 8am to 6pm Saturday and at no time on Sundays, Bank or Public Holidays.

Adequate insulation of the units should be provided to minimise noise from when in use by customers.

Councillor M Burfoot:

- 5.6 Initial comments: Request that case go before planning committee due to level of local concerns, as well as the likely obtrusive impact of the units.

Further comments follow receipt of amended plans: Reviewed amended plans but could not identify any significant amendment. Concerns still remain with the noise impacts of the development due to them being accessed day or night, as well as the impact on the amenity of Allen Hill and Malpas Road residents. Requested case to go before planning committee.

6.0 REPRESENTATIONS RECEIVED

- 6.1 14 Letters of representation have been received from local residents in respect of the proposal. A further 5 letters of representation have been received following the receipt of amended plans. A summary of the concerns pertaining to material planning considerations are detailed below:

- Impact on visual amenity.

- Impact on the character of the area.
- Impact of increased vehicular movements within a residential area.
- Concerns with design.
- Noise from buildings and site movements.
- Traffic and highway safety concerns.
- Concerns with the scale of the building.
- Impact on trees.
- Increased commercial use of the site.
- Unsuitable access.
- Light pollution.

7.0 OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of development
- Impact on residential amenity
- Character and appearance
- Highway safety

Principle of Development:

- 7.1 Policy EC1 of the Adopted Derbyshire Dales Local Plan states that “the District Council will support proposals for new or expansion of existing business or industrial operations in sustainable locations that contribute towards the creation and retention of a wide range of jobs, an increase in higher value employment opportunities and training provision locally in order to enhance the economic base of the Plan area”.
- 7.2 In this case, the application site is located within the Settlement Boundary as defined by policy S2 of the Adopted Derbyshire Dales Local Plan (2017). Matlock is identified as a first-tier settlement and should therefore be considered the “primary focus for growth” and should continue to provide “significant levels of jobs and homes”. Dimple Mill is an existing commercial site which has been utilised historically by a variety of business. The site is currently utilised by Matlock Self Storage and currently this site comprises a previously developed site currently under B8 use (Storage and Distribution Use), within a defined first tier settlement and therefore the principle of the proposed development, to support the existing operation of the current occupants of the site is considered to be acceptable.
- 7.3 The Dimple Mill site is also an identified as a Key Employment Site as defined by policy EC4 of the Adopted Derbyshire Dales Local Plan (2017). The external units will be used for B8 storage purposes as an extension to the main building. This further development of the site for B Class Employment Uses accords with Policy EC4 which seeks to retain this site as an employment site.

Impact on residential amenity:

- 7.4 Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017) requires development proposals to achieve a satisfactory relationship with adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity. Policy PD9 seeks to protect people and the environment from polluted environments, including noise.
- 7.5 The units will be located to the front southeast boundary of the site. The wider area is a mix of residential and commercial buildings, with the new units being in close proximity residential properties on Allen Hill. Some concerns have been raised by local residents and

Environmental Health colleagues regarding the impact of the proposed development on the amenity of the occupants of these dwellings.

- 7.6 It is considered due to the proximity of these units to residential properties and as the development would result in an extension of current operations on site, that conditions can sufficiently mitigate impacts and should be attached securing the operating hours, delivery hours and use that can be operated from the units, in order to safeguard the amenity of the neighbouring occupiers.
- 7.7 The nearest residential property to the units is 1 Allen Hill which sits to the western boundary of the site. 1 Allen Hill sits on a similar ground level to the Dimple Mill site. The units are to be set in more than 1m from this wall. 1 Allen Hill has an external pedestrian side access to the other side of this boundary wall. Due to the height of the units above the boundary wall it is acknowledged that the development would result in some overshadowing/ loss of light to 1 Allen Hill, however due to the distance between the boundary wall and the units, and the reduction in its height, that on balance the impacts would not be considered significant enough to justify a recommendation of refusal in this instance.
- 7.8 Subject to the above conditions it is not considered that the development would result in a significant level of impact on the amenity of nearby residents to sustain a recommendation of refusal. The development would therefore be in accordance with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017) in this regard.

Character, Appearance and Setting:

- 7.9 A key consideration in respect of this application is the impact of the development on the local landscape and character. Policy S1 of the Adopted Derbyshire Dales Local Plan (2017) advises that development will conserve and where possible enhance the natural and historic environment.
- 7.10 Policy PD1 requires all development to be of high-quality design that respects the character, identity and context of the Derbyshire Dales' townscapes and landscapes.
- 7.11 Policy PD5 deals specifically with landscape character and advises that development that would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement will be resisted.
- 7.12 Due to the nature of their construction the units are functional and uniform in appearance with grey metal profiled sheeting to the roof and walls and light grey roller shutter doors. Some existing screening is provided by existing walling, trees and shrubs to the southwest boundary of the site.
- 7.13 Concerns with the scale and appearance of the units along with their potential visual impact have been raised by residents and the case officer, with the topography of the site leading it to be viewable from several vantage points. To address these concerns amended plans have been submitted. These amended plans reduce the overall height of the units by 200mm and the overall length by 1m. Whilst, amendments to the exterior materials were suggested this have not be forthcoming. However, it is considered that as the units are to be located within an existing commercial site, which does feature a number of metal roofs, that in this context a building more commercial/ industrial in appearance would be considered acceptable.
- 7.14 The development is therefore considered to be in accordance with policies S3, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) in this regard.

Highway Safety:

- 7.15 Policy S3 of the Adopted Derbyshire Dales Local Plan (2017) states that planning permission will be granted for development where “the access would be safe and the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development”. Policy HC19 continues “The District Council will seek to ensure that development can be accessed in a safe and sustainable manner”.
- 7.16 Due to the siting of the units within the existing car park, the scheme would result in a loss of car parking spaces. The Local Highways Authority have considered the proposals and although they acknowledge that the loss of car parking provision is not ideal, following site visits which highlighted that current operations on site are relatively low key in terms of traffic generation, with an average of 5 no. cars in the car park. This together with the supplementary information provided by the applicant/agent highlights that the existing main building is also used by Matlock Self Storage for such purposes and has done so for many years have addressed initial highway concerns.
- 7.17 Notwithstanding this, there remains concerns if the existing main building was to be leased or let to any commercial third party, it would require potentially the full use of the car park. It is therefore recommended that as the development proposed is only acceptable because of the special circumstances of Matlock Self Storage, that a planning condition should be imposed if recommended for approval, that the proposed use would cease upon a change of use, sale or lease/rent of the existing main building to any third party and the storage units located within the car park being permanently removed from site. Subject to this condition, the stated number of employees at the site and the infrequent number of vehicles generated by the development, the proposal is considered to be in accordance with policies S3 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

Conclusion:

- 7.18 On the basis of the above and subject to conditions, the proposed development is considered, on balance, to be in accordance with the relevant policies contained within the Adopted Derbyshire Dales Local Plan (2017) and the National Planning Policy Framework (2023). A recommendation of approval is made on this basis.

8.0 RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason: This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall not be carried out other than in accordance with the following approved plans and documents, except insofar as may otherwise be required by other conditions to which this planning permission is subject:

01 - Site Location Plan, Drawing No. 266-13 (received 01.02.2024)

02 - Proposed Overall Yard Plan, Drawing No. 266-17 (received 10.07.2024)

03 - Proposed Elevations and Roof Plan, Drawing No. 266-11, Rev. B (received 04.06.2024)

Reason: For the avoidance of doubt and to ensure the satisfactory external appearance of the development in accordance with Policy PD1 of the Derbyshire Dales Local Plan (2017).

3. Construction of the units shall only take place between the hours of 8am and 6pm Monday to Friday, 8am to 6pm Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the residential amenity of the occupants of nearby dwellings in accordance with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

4. The operating hours of the units should be limited to between the hours of 8am to 6pm Monday to Friday, 8am to 6pm Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the residential amenity of the occupants of nearby dwellings in accordance with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

5. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, (or any Order revoking or re-enacting that Order with or without modifications), the units shall only be used for self-storage and for no other purpose, including any other activity within the same B8 class of the schedule to that Order.

Reason: To safeguard the residential amenity of the occupants of nearby dwellings in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

6. The use hereby permitted shall endure for the benefit only of and shall be carried on only by Matlock Self Storage during which the whole of the premises are occupied by Matlock Self Storage. The storage units hereby permitted shall be removed from site and the land restored to its former condition as a car park should the main building change its use or be sold/leased to a third party.

Reason: The development proposed is only acceptable because of the special circumstances of Matlock Self Storage and the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use in the event of the applicant ceasing the use of the main building in order to safeguard the residential amenity of the occupants of nearby dwellings in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017) and in the interests of Highway Safety in accordance with Policies S3 and HC19 of the Adopted Derbyshire Dales Local Plan (2017).

INFORMATIVES:

1. The Local Planning Authority have during the consideration of this application engaged with the agent which has resulted in the submission of further information and amended plans to address concerns.