

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
16 APRIL 2014
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

14/0222/FUL

Securicor Limited, Magister Road, Thornaby

Proposed additional security features which includes Floodlights, CCTV cameras, inclusion of pedestrian access gates in internal fencing, upgrading of personnel secure entrance and exit to rear of building, introduction of vehicular gate within the yard area, adding an above ground diesel tank to rear area

Expiry Date: 8 April 2014

SUMMARY

This application was first reported to the Planning Committee on 19th March 2014 when consideration was deferred to await the comments of the Environment Agency.

Planning permission is sought for the implementation of a scheme of security measures at the Securicor premises on Magister Road, Thornaby as well as the siting of a new diesel tank to the rear of the main building within the site. The security measures include new access gates, internal vehicle gates to separate a compound area, new staircases including mesh enclosures and CCTV. The proposed changes are cited as being necessary to improve the safety of the staff working at the site.

Local residents objected, considering the works to be excessive, suggesting that diesel fumes may be a problem and raising concerns over the safety of the diesel tank, impacts on privacy from the CCTV and over the likely noise from the operation of the proposed gates.

The Head of Technical Services has raised no objection. The Council's Environmental Health Unit has no objections but recommend conditions to control matters relating to CCTV cameras and construction noise.

Councillor Moore has requested assurance that CCTV will not be intrusive on residents' privacy and enjoyment of their personal surroundings, that the diesel tank be shielded from residents view and provided with both a bund wall and systems to prevent overspill and deal with fire suppression.

The scheme has been amended from the one previously taken to Planning Committee on the 19th March 2014. The changes are as follows;

- Re-positioning of the diesel tank to be more central within the rear yard, away from the immediately adjacent residential boundary;
- Provision of 2m high timber screen around the diesel tank;
- Removal of the floodlighting from the scheme; and
- Removal of Razor Wire from the roof of the compound areas.

CCTV can be directional, shrouded and controlled to prevent significant impacts on the privacy and amenity of surrounding properties. New external caged staircases and gates will segregate the outdoor areas within the yard thereby allowing better visibility for employees when external to the

building whilst still being in a protected environment and although stark in their appearance, their function within the operational site is understood.

The diesel tank would replace the existing underground tank currently on site. It would be internally bunded with a 110% capacity (inner lining that can hold 110% of the tanks holding capacity). It is also has internal fittings, including the connector for the hose which is detachable as part of the safety features for the tank. The tank is located away from the sites boundaries with residential properties and would be screened by a 2m high timber screen.

Whilst there are objections by residents to the proposals, it is considered that they are of a limited scale and relate to existing commercial premises. The site is very much overlooked by the surrounding residential properties and as such, there is a need to control potentially negative impacts from being significantly detrimental, specifically in respect to the CCTV. Subject to such controls it is considered that the scheme would be in general accordance with the relevant sections of the National Planning Policy Framework which support economic development and which require amenity of existing residents to be taken into account.

RECOMMENDATION

That planning application 14/0222/FUL be approved subject to the following conditions and informatives;

01 Approved Plans

The development hereby approved shall be in accordance with the following approved plans;

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>30 January 2014</i>
<i>SBC0002</i>	<i>30 January 2014</i>
<i>S500-EX01</i>	<i>30 January 2014</i>
<i>S500-ELE02</i>	<i>11 February 2014</i>
<i>TANK01</i>	<i>11 February 2014</i>
<i>S500-ELE01 Rev A</i>	<i>28th March 2014</i>
<i>S500-PL01 Rev C</i>	<i>28th March 2014</i>

Reason: To define the consent.

02. CCTV Cameras

The CCTV cameras hereby approved shall be erected in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail how the extent of coverage for the cameras will be limited up to the boundary of the site and not beyond.

Reason: In order to prevent loss of privacy for surrounding residents in accordance with the National Planning Policy Framework.

03. Hours of operation on site

No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties and to accord with the National Planning Policy Framework.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1:

The application has been determined taking into account the guidance contained within the National Planning Policy Framework.

BACKGROUND

1. 01/1886/P
Erection of 3.4m high power fence inside perimeter of existing fence, 3m high palisade fence to front and 3m high electrically operated gates and external alterations.
Approved 7th January 2002
2. 05/1560/FUL
Retrospective application for 2 no. steel coin cages and minor alterations.
Approved 30th June 2005
3. 12/1837/FUL
Proposed installation of new security rotary personnel access gate (replacement of existing access gate) alongside a proposed disabled access gate.
Approved 27th September 2012

SITE AND SURROUNDINGS

4. The site is located within Thornaby, in a former light industrial and commercial area which has been partially redeveloped with residential properties. As such, the site is now surrounded by housing which generally backs onto the site boundaries. Properties backing onto the site include 2 and 3 storey terraced / town house style properties. The properties which directly abut the compound area of the site have a high closed boarded rear fence (approx. 2.4m high) and the application site has a 3.5m high power fence internally within the site (thin wire fence).
5. The main building on the site is a 2 storey flat roof brick building of a commercial appearance and the site has feel of being a secure compound area.

PROPOSAL

6. Planning permission is sought for the erection / installation of additional security features within the site and the siting of a diesel storage tank. The additional security measures mainly relate to;
 - CCTV cameras on 6m poles
 - Pedestrian access gates in internal fencing, (turnstile detail)
 - Upgrading of personnel secure entrance and exit to rear of building, new escape compound (mesh fence).
 - Introduction of vehicular gate within the yard area,
 - Replacement external staircase with mesh enclosure.
 - Blocking up of three windows in the rear elevation.
 - Blocking up ten windows in the west elevation.

7. A new diesel tank is proposed to be located to the rear of the building, sat on a 200mm high concrete plinth and measuring 8.5m x 3m in plan and 1.8m high. The tank has an internal bund which is capable of containing 110% of the tanks capacity for storing diesel. In addition, there are safety features for the hose which would prevent diesel loss were the hose to be detached from the tank. The tank would be surrounded by a 2m high timber screen.

CONSULTATIONS

8. The following Consultees were notified and comments received are set out below:-

Head of Technical Services

Highways Comments

Subject to any flood lights being positioned so as not to cause glare on the highway there are no highway objections.

Landscape & Visual Comments

This proposal has no landscape or visual implications.

Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend conditions be imposed in respect to the following;

Light Intrusion

CCTV Cameras

Construction Noise

Councillor Mick Moore

I would like assurance that the floodlighting and the CCTV will not be intrusive on the residents privacy and enjoyment of their personal surroundings at all times. That the diesel tank be shielded from residents view, an appropriate bund wall fitted with system in place to prevent overspill with a fire suppression system also in place
That aside I have no objections to the planning application.

Environment Agency

No Objections

PUBLICITY

Neighbours were notified and comments received are summarised below:-

Carolyn McDermott, 43 Darbyshire Close Thornaby

Concerns over the smell of diesel fumes.

Carolyn McDermott, 11 Hillwood Court Thornaby

Concerns of diesel fumes from the tank.

Leanne Lindo, 27 Darbyshire Close Thornaby

Object to some of the features as some of the flood lights already shine into my living room windows.

Mr Neil Hodgson, 25 Darbyshire Close Thornaby

Above Ground Diesel Tank

The proposed siting of the above ground diesel tank is inconclusive from the plans. The proposed site on S500-ELE01 - ELEVATIONS shows the new tank against the building thus replacing a current unknown external above ground structure. However, the drawing at S500-PL01A - GENERAL ARRANGEMENT PLAN appears to put the above ground diesel tank in addition to the current unknown structure and protruding further than the elevations would suggest.

Can G4S Cash Solutions (Ltd) confirm which is to be the correct siting of the above ground diesel tank; either in addition to the current structure or replacing the current structure?

With the installation of an above ground fuel tank there comes an inherent risk to life as a result of fire and explosion. Not to mention the consequences to the environment from the risk of accidental spillage and leakage. Will a suitable fire suppressant system be utilised to prevent risk to life and residential properties

With the addition of an above ground diesel tank will the site be recognised as a COMAH (Control of Major Accident Hazard) Establishment and conform to current and future regulations? (Including the use of Bunding).

Will the above ground diesel tank be shielded from view from local residents?

Floodlights

Current floodlights impede on sociable evening atmosphere both outside and within residential property. The glow from the current lights is excessive enough to falsify the ambience of the internal lighting at night thus making it difficult to sleep in rooms overlooking the G4S Cash Solutions (Ltd) protected by floodlights. This is true even in rooms where both blinds and curtains are utilised. The addition of more floodlights will only exacerbate the current problem.

CCTV

The obvious concern in regards to CCTV is the absolute right to privacy in residential property and protection under DPA. Will the cameras be motion or static cameras? Will the cameras be so sited so as to only capture activity on G4S Cash Solutions (Ltd) property and not be intrusive of residential areas.

Replacement Staircase, Mesh compound with razor wire top.

The use of razor wire on top will be extremely unsightly and completely unnecessary. If there is a mesh compound surrounding the entire staircase why is the razor wire required? What is kept in the staircase that requires such excessive security measures. Additionally the razor wire will only prevent access from above and not from the sides. What is to stop someone accessing the staircase from the side at ground level.

Traffic on Darbyshire Close / Magister Road during construction

Will the planning office impose vehicle prohibitions on the access to the site for all construction traffic and restrictions on parking on Darbyshire Close. Magister Road is already used as "Company" parking, with the onset of construction traffic this parking area is now likely to be congested and vehicles are likely to use Darbyshire Close for additional parking. Darbyshire Close is a family environment and is safe for children to play free in the knowledge it is only residents whom they are likely to encounter. The use of Darbyshire close for "overspill" parking will add sufficient danger for residents and children playing in the street.

Introduction of vehicular gate within yard area.

The introduction of an internal yard gate will increase the noise pollution already felt by the residents on the west side of the compound. The traffic flow is again likely to impact on the social atmosphere of the residents in Darbyshire Close. If there is to be no change to the current flow or volume why is there a need for an additional vehicular access gate?

Environmental Sustainability

The environmental sustainability of the Planning Design and Access Statement does not take in to consideration the residents whose property overlook the current site. The claim the majority of the proposed works will not be visible from the roadway is somewhat misleading; the site is flanked on two sides by residential properties all of which back on to the site and a third side which is a grassed area with a footpath with no road in sight. Only the entrance is visible from the road and it is located in a cul-de-sac.

The sites commercial appearance and its uses being well established are again misleading, the properties surrounding the site are new builds and construction on residential properties was only complete in 2012. My inherent acceptance of the context of the site was with its current characteristics and not those that are proposed.

Therefore, for the reasons aforementioned that I must submit these comments as objections to the application.

Mrs Sophie Peretti, 9 Hillwood Court Thornaby

As someone who is trying to sell their property which back onto the site, the proposed developments pose concern in that they may reduce the sell ability and also value of my property.

Also the site already has ample floodlights which are at present already intrusive to gardens and rooms at the rear of my property, causing the need for blackout curtains in the bedrooms, I feel the need for more to be excessive and will make this problem worse.

I am also unclear as to what is meant by 'pedestrian access gates' in internal fencing. Is this just for staff access and will they be secure access gates, otherwise I feel that this also poses a risk as it may increase the risk of trespassers, criminals onto the site and I am concerned this may increase the crime rate in the area for something that is surely not needed?

Do these changes have to do with the expansion of the business, i.e more lorries, more noise, more of the testing of the drivers alarms early in the morning. When buying the property we were assured that G4S had strict guidelines of hours in which they could operate from the site so as not to pose a noise nuisance to the residents, can it be confirmed that this will not change??

M Geddes, 5 Hillwood Court Thornaby

Objects to any changes, suggesting it should be left as it is as there are already enough impacts with the site.

PLANNING POLICY

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The following planning policies are considered to be relevant to the consideration of this application:-

National Planning Policy Framework

Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-
- specific policies in this Framework indicate development should be restricted.

The NPPF has a presumption in favour of sustainable and economic development. It also seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings whilst taking into account the different roles and character of different areas.

Saved Local Plan and Core Strategy

There are no policies directly relevant to this proposal within the development plan.

MATERIAL PLANNING CONSIDERATIONS

9. The material planning considerations in relation to this application are the principal of the development, the impact on the amenity of nearby residents and highway safety.
10. Planning permission is sought for the implementation of a range of security measures to improve the current security measures at the existing Securicor site in Thornaby. The scheme has been amended following concerns raised at the planning committee on the 19th March 2014. Changes are;
 - Re-positioning of the diesel tank to be more central within the rear yard, away from the immediately adjacent residential boundary;
 - Provision of 2m high timber screen around the diesel tank;
 - Removal of the floodlighting from the scheme; and
 - Removal of Razor Wire from the roof of the compound areas.
11. The NPPF is supportive in principle of economic development although also requires consideration to be given to the amenity of residents. With these points in mind consideration is given to each of the elements of the proposed scheme.

Diesel Tank

12. Diesel is currently stored and dispensed on site from an underground tank via an above ground free standing dispenser. The applicant's agent has advised that the existing tank (which is already located in the rear compound area) is too small in capacity to serve all the current vehicles and indicated that below ground tanks are not ideal as leaks are undetected. Were permission to be granted and implemented, the existing tank would be removed for safe disposal.
13. The proposed diesel tank would be set on a 200mm concrete plinth, located to the rear of the main building on site, set 2m from the rear wall of the building and approximately centrally from the residential garden boundaries on either side of the site. The applicant's agent has advised that the diesel tank has an integral bund which will hold 110% of the tanks normal storage capacity. The dispenser is also integral to the tank and as an additional safety feature, will be fitted with a break away coupling on the hose which seals the pipe and prevents spillage should a vehicle drive off with the nozzle still in the vehicle.
14. Councillor Moore requested that the diesel tank be shielded from residents view and that an appropriate bund wall is fitted with a system to prevent overspill and deal with fire suppression. Residents have concerns over the smell of diesel fumes and safety as a result of the siting of the diesel tank.
15. The tank is internally banded which provides the safety in event of a leak. The detachable hose and internal dispenser provide further safety features. The applicant is now proposing a 2m high screen fence be installed around the tank. This timber screen and the existing rear garden fences should serve to screen the view of the tank from ground floor rooms and rear gardens of properties.
16. Residents' concerns over diesel fumes from the tank are noted, however, it would be a properly designed tank for the storage of fuel with appropriate controls. Whilst there may be some amount of fumes associated with fuelling of vehicles, it is considered that this would not be a continual and significant impact on surrounding residents, particularly in view of it being an external tank open to air flow. Furthermore, there is an existing diesel storage tank and fuelling pump already on site which would be replaced by this current scheme, thereby modernising the existing equipment. The Environment Agency have raised no objections to the proposed diesel tank and have indicated a general preference for above ground tanks to below ground tanks due to maintenance and inspection of below ground tanks and risk to below ground water.

Flood lighting and CCTV

17. The proposal initially included for the provision of new floodlighting and CCTV cameras. Floodlighting has been removed following concerns previously raised by members. The CCTV cameras would be on 6m poles in two positions to the northern edge of the compound, overlooking the front vehicle compound area.
18. Residents and Councillor Moore have raised concerns over the ability for CCTV to overlook into residential properties and suggest that the system should be limited / prevented from being able to do this. The Councils Environmental Health Unit has raised similar concerns and has requested a condition be imposed to address this matter. The applicant is agreeable for the CCTV to be controlled by condition.

Replacement Staircase, Mesh compound and installation of razor wire.

19. The existing staircase to the rear of the building is proposed to be replaced with a new staircase which would be enclosed with open mesh to the sides and roof. The previously proposed razor wire on top has now been removed from the scheme. Access to the

staircase would be gated. These will add industrial security features to the existing building and this element has received objection from residents of overlooking properties.

20. Whilst the compound will have a secure appearance, this is the nature of the sites use and is accepted on this basis.

Introduction of vehicular gate within yard area.

21. This new gate will separate out the external yard areas within the site. Residents are concerned that the introduction of an internal yard gate will increase the noise pollution already felt by the residents on the west side of the compound. Having discussed the necessity of this with the applicant they have advised that the new secure gate will allow the site to operate a one way system for vehicles entering and leaving the site which will in turn achieve the following;
- reduce the time that vehicles have to wait with their engines running whilst gates open and close,
 - Reduce vehicles disrupting the public roadway whilst the existing gates open and shut,
 - Provide a more effective and secure yard area,
 - Provide a back-up gate in case of a breakdown with the other one.
22. Whilst the gate may introduce some additional noise due to its operation, this should assist in a more flowing operation to the site which in itself should reduce vehicle movement and waiting. Consideration is also given to the commercial use of the site already being in place which was present on site prior to the dwellings being built. As such, a degree of flexibility needs to be taken on the impact of such elements. It is considered that the operation of the gate, subject to being well maintained would not significantly and unduly affect the amenity of nearby residents whilst the benefits it brings may reduce periods of vehicle noise from the site.

Other works including gates and alterations to existing openings within building.

23. Pedestrian gates to the front are within the existing boundary treatments and are acceptable in design and appearance. Changes to the building mainly relate to the blocking of existing windows and whilst changing the appearance of the building, these are considered to be acceptable changes.

Highway related matters

24. The proposal does not affect the route of vehicle access into the site and the position for parking and movement of vehicles whilst the changes should not increase the capacity of the premises to take additional staff etc. Technical Services have raised no objections to the scheme.
25. At the time of making the site visit, it was noted that there was a lot of on street parking within Magister Road and based on comments from residents, this would appear to be related to employees of the premises. Residents have queried whether any permission would impose restrictions on access to the site for all construction traffic and restrictions on parking on Darbyshire Close, suggesting that the need for construction traffic access will limit the ability for staff to park on Magister Road. Residents are therefore concerned that, during the construction phase, staff will park in Darbyshire Close (the adjacent residential street) which residents cite as being a family environment. Whilst these points are noted, the amount of development being proposed by the scheme is unlikely to result in significant levels of construction traffic and as such, it would be unjustified to impose such restrictions.

Other Matters

26. One resident has suggested that the changes will affect the saleability of their property although this is not a material planning consideration.

CONCLUSION

27. The proposed development is of a commercial nature on a commercial site within an area surrounded by residential properties. Subject to controls over CCTV is considered that adequate levels of privacy and amenity would be retained for residents. The operation of new gates and the diesel tank should be able to be undertaken without undue impact on surrounding residents and in view of these matters it is considered that the development is in accordance with the National Planning Policy Framework. It is recommended that the application be Approved with Conditions for the reasons set out above.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796

WARD AND WARD COUNCILLORS

Ward	Village
Ward Councillors	Councillor I J Dalgarno, Councillor Mick Moore

IMPLICATIONS

Financial Implications:

There are no known financial implications in determining this application.

Legal Implications:

There are no known legal implications in determining this application.

Environmental Implications:

The scheme will have implications for the surrounding environment in respect to noise and disturbance from the operation of the safety measures and the diesel tank. Subject to the controls as detailed, it is considered that these impacts will not be significantly adverse.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. The detailed considerations within this report take into account the impacts on the adjoining residents and their use / habitation of the properties.

It is considered that due to the nature and scale of proposals that there are no notable impacts in respect to the Human Rights Act 1950.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report. The use is considered to raise no additional implications for community safety, being based on an existing use at the site.

Background Papers:

Application 14/0222/FUL