



PLANNING APPEAL - STATEMENT OF CASE

Hitchin Storage Centre, Cadwell Lane, Hitchin, SG4 0SA

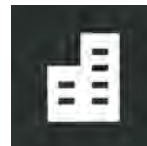
Job Ref: 21/120

Date: February 2026



Prepared by Tom Donovan BA (Hons), MA, MRTPI on behalf of

PETER GEORGE TOWN PLANNING



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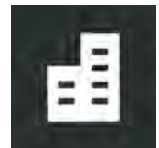


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Appendix 1: Decision Notice Application Ref. 25/03147/FP

Appendix 2: Planning Officer Report Application Ref. 25/03147/FP



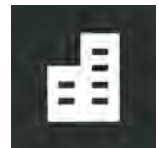
Section 1: Introduction & Background

Introduction

1.1 Peter George Town Planning has been instructed by Mr Turness (the Appellant) to submit an appeal on their behalf against the decision of North Hertfordshire District Council (the Council) to refuse planning permission for the erection of a second layer of storage units (17 additional units in total) at Hitchin Storage Centre, Cadwell Lane, Hitchin, SG4 0SA.

1.2 Application reference 25/03147/FP was refused by the Council by notice (attached as **Appendix 1**) dated 06/02/2026 for the following reasons:

“1. As a result of the increase in height of the second layer of containers, the design and siting of the development fails to relate adequately to the site's local context. It would be visually dominating and intrusive, particularly when viewed from the south and from the open recreation ground. It fails to respond positively to the site specific transitional character of the site from residential to employment/industrial use. The proposal is unacceptable in terms of design and appearance and fails to comply with Section 12 of the National Planning Policy Framework, and Policies SP9 and D1 of the North Herts Local Plan 2011 - 2031.

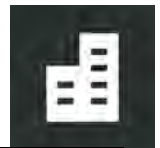


2. The proposed development would result in an overbearing impact on the amenity of the users of the recreation ground along the boundary with the site. The proposal is therefore unacceptable in terms of impact on neighbouring amenity and fails to comply with Section 12 of the National Planning Policy Framework, and Policy D3 of the North Herts Local Plan 2011 - 2031.”

- 1.3 The appellant is of the view that the Council have erred in their refusal of the planning application. The purpose of this statement is therefore to provide an analysis of the proposals in light of the Council’s reasons for refusal and ultimately make the case that the appeal should be allowed, and planning permission granted.

Planning History

Ref.	Proposal	Decision - Decision Date
25/03147/FP	Erection of a second layer of storage units (17no. additional units) for self-storage above existing storage units.	Refused – 06/02/2026
23/01262/S73	Variation of Condition 2 (amendments to groundworks) of planning permission 22/01810/FP granted 10/02/2023 for Use of land for the siting of 20 No. steel shipping containers for long-term self-storage (Use Class B8) with associated palisade security fencing, vehicular access gates, external lighting, CCTV and hard	Granted 13/07/2023



	surface (as amended by plan received 03/07/23)	
22/01810/FP	Use of land for the siting of 20 No. steel shipping containers for long-term self-storage (Use Class B8) with associated palisade security fencing, vehicular access gates, external lighting, CCTV and hard surface (amended plans received 21/10/2022 and 20/01/2023)	Granted 10/02/2023
22/01334/FP	Use of land for the siting of 40 No. double-stacked steel shipping containers for self-storage (Use Class B8) with associated palisade security fencing, vehicular access gates, external lighting, CCTV and hard surface	Withdrawn



Section 2: Analysis of the Site and Surroundings

The Appeal Site & Immediate Context

- 2.1 The application site is an approximately rectangular-shaped parcel of land located to the west side of Cadwell Lane. The site is part of the existing industrial area (lying within Employment Area HE1) and was historically used for parking. Following planning permissions granted in February and July 2023, the site has been developed for use as a site for self-storage (Hitchin Storage Centre).



Figure 1 - The Application Site

- 2.2 The site is located immediately adjacent to existing industrial buildings to the north. To the west the site bounds the railway line, with the sewage



works and further employment and business areas within Bury Mead Road beyond. To the south the site bounds the Cadwell Lane Playing Field. To the east the site bounds Cadwell Lane which is an unclassified road.

- 2.3 Business Areas HB1 and HB2 are located to the east/south-east of the existing Employment Area. Residential dwellings are located further along the southern section of Cadwell Lane, the nearest of which is the apartment block fronting the playing fields which is approximately 100m to the south and which were built on the on the former site of a pharmaceutical manufacturing company.
- 2.4 The site has an existing vehicular access onto Cadwell Lane which is an unclassified road. The site access, which is under the full ownership of the applicant, also enables access to the adjacent industrial units to the north of the site. The site has a small area for parking immediately to the east of the existing container site.



Section 3: The Development Proposal

Overview

- 3.1 The appeal proposal was described on the decision notice as follows:

“Erection of a second layer of storage units (17no. additional units) for self-storage above existing storage units.”

The Storage Units

- 3.2 Each storage unit/ container is proposed to measure approximately 6m in length, 2.4m in width, and have a height of 2.45m. The height of two containers double stacked would therefore be approximately 4.95m. The containers will be painted dark green - RAL-6001.



Figure 2 - Storage Unit Example



Operation

- 3.3 The self-storage facility contains individual units available for rent by members of the public. As per the planning condition imposed on application ref.23/1262/S73), the facility operates between the hours of 0700-2000 7-days a week.

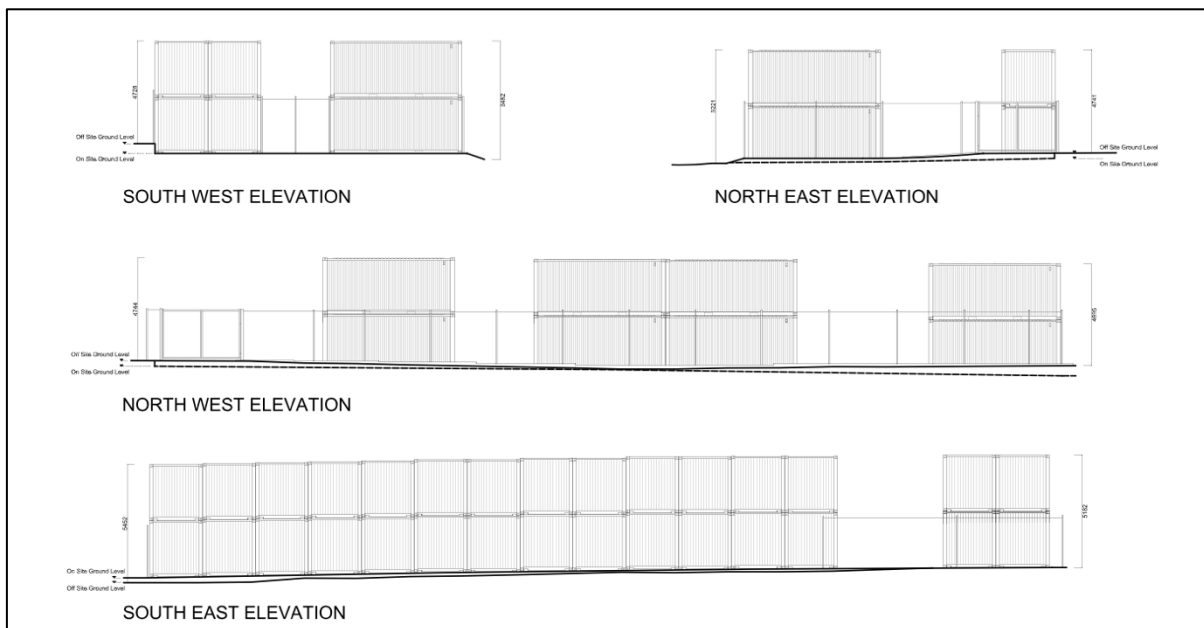


Figure 3 - Proposed Elevations

- 3.4 There are no staff on site, and the site is managed remotely from the applicant's office at 2 Wallace Way, Hitchin which is a short walk from the site, and via the CCTV system.
- 3.5 The upper-level containers will be accessed by a mobile access staircase.



Access & Parking

- 3.6 No alterations are required or proposed to the existing access arrangements to the site, either in terms of the access point from Cadwell Lane, or the gated access to the site itself.
- 3.7 Typically, customers drive into the site and park adjacent to their container to load/unload. However, an additional parking area for 6 cars has been provided to the east of the site. This is rarely used in association by users of the container site because customers typically prefer to enter the site and park next to or near their containers.



Section 4: Relevant Planning Policy

National Planning Policy Framework

4.1 The Government policies on different aspects of planning are set out in the **National Planning Policy Framework** (the Framework) (2024). Relevant sections in this case include:

- Section 2: Achieving sustainable development
- Section 6: Building a strong and competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

Development Plan

4.2 Section 38(6) of the Planning Compulsory Purchase Act 2004 states that:

“If regard is to be had to the development plan for the purpose of any determination under the Planning Acts, the determination must be made in accordance with the plan unless material considerations dictate otherwise.”



4.3 The development plan context for the planning application is provided by:

- **North Hertfordshire Local Plan 2011-2031.**

4.4 The following policies are considered relevant to the consideration of this application:

Strategic Policies

- Policy SP1: Sustainable Development in North Hertfordshire
- Policy SP2: Settlement Hierarchy and Spatial Distribution
- Policy SP3: Employment
- Policy SP6: Sustainable Transport
- Policy SP9: Design and Sustainability

Development Management Policies

- Policy ETC1: Appropriate Uses in Employment Areas
- Policy T1: Assessment of Transport Matters
- Policy T2: Parking
- Policy D1: Sustainable Design
- Policy D3: Protecting Living Conditions
- Policy D4: Air Quality

Supplementary Planning Documents

- Vehicle Parking at New Development SPD September 2011



Section 5: Planning Analysis

- 5.1 The Council refused planning application ref. 25/03147/FP for two reasons as set out in Section 1 of this Statement. Accordingly, the key issues for consideration in the determination of this appeal are therefore 1) the impact of development on the character and appearance of the area, and 2) the impact on the amenity of users of the adjacent recreation ground.
- 5.2 These matters are addressed in the following paragraphs, and the case is made as to why planning permission should be granted.

Reason for Refusal 1: Effect on the Character and Appearance of the Area

Policy Background

- 5.3 Section 12 of the Framework deals with the design of development ultimately seeking to ensure that new development is visually appropriate and accords with its surroundings. LP Policies SP9 and D1 are largely consistent with the aims of the Framework aiming to ensure that the design of new development would be of a high standard and sited appropriately.



Site Context & Background

- 5.4 The appeal site is situated to the west side of Cadwell Lane. As defined in the North Hertfordshire Local Plan 2011-2031 (NHLP), it falls within the allocated Employment Area within the northern part of Hitchin which encompasses land at the northern end of Cadwell Lane, Wallace Way, Wilbury Way and Bury Mead Road. As such, the surrounding context is largely provided by existing industrial and factory buildings and other industrial/ employment-generating uses.

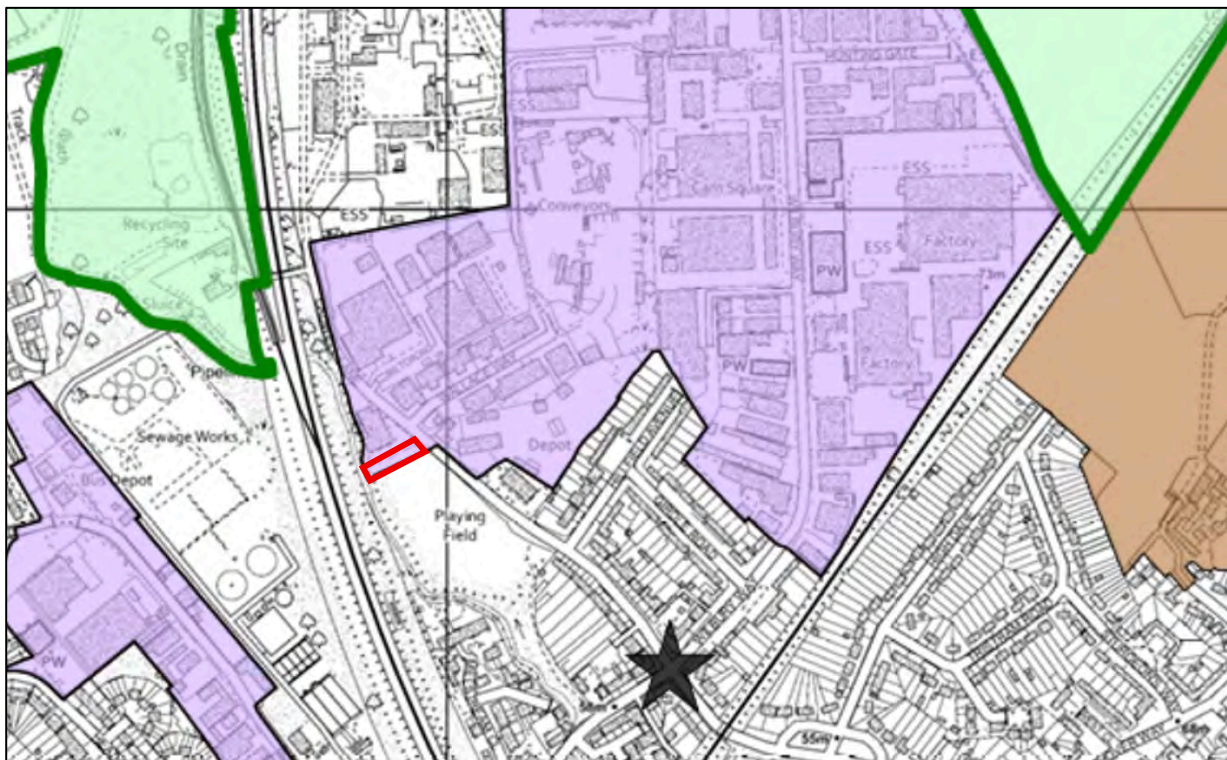


Figure 4 - Excerpt from LP Mapping

- 5.5 The southern boundary of the site lies immediately adjacent to the Cadwell Way Recreation Ground which is beyond the extent of the allocated Employment Area and, along with existing residential development at the southern end of Cadwell Lane, is located within Hitchin's main built-up area.



The boundary between the appeal site and the recreation site is demarcated by existing Hawthorn hedge which largely shields the existing facility from public vantage points.



Figure 5 – Immediate Context

- 5.6 The existing storage container site was established in 2023 in accordance with a planning consent granted in February 2023 (ref. 22/01080/FP, itself subsequently varied in July 2023 under application ref. 23/01262/S73). The host consent permitted the installation of a single layer of storage containers (20 containers in total) together with the associated hard-surfacing, fencing and associated paraphernalia. The site is well established and, as mentioned above, has limited visibility to public viewpoints until one enters the Employment Area.



Discussion

- 5.7 Firstly, NHLP Policy ETC1 states that, within an Employment Area, planning permission will be granted for office, research and development, industrial processes, industrial and storage and distribution subject to any Class B8 development being easily accessible from the primary road network. Accordingly, the starting position should be that the intensification of the use of the site should be acceptable in principle; indeed, if employment generating development is not acceptable in the allocated Employment Area, one has to question where it would be acceptable.
- 5.8 In recommending refusal, the planning officer noted in her report (attached as **Appendix 2**) at paragraph 4.3.7 that:
- “The site is located within an existing, designated industrial/employment area, albeit on the edge of the designated area. The site forms part of the transition zone from the residential and recreational uses to the south, transitioning to the industrial/employment uses to the north and east. The site is particularly visible on the approach from the south along Cadwell Lane with clear views across the open recreation ground. The application site and the adjacent Unit 3 form an isolated area, separated from the rest of the industrial/employment area by Cadwell Lane to the east and bounded to the west by the River Purwell and railway and to the south by the recreation*



ground.”

- 5.9 The appellant would dispute that site and Unit 3 form an isolated area separated from the rest of the industrial/employment area. Unit 3 and Unit 4 comprise a large conjoined industrial unit to the north of the appeal site with large areas of hardstanding to the north side of Unit 4 and to the east and southern sides of Unit 3, whilst the appeal site is already developed and in use as a site for self-storage.
- 5.10 Whilst Units 3 and 4 and the storage centre are situated to the west side of Cadwell Lane, they are clearly an intrinsic part of the allocated Employment Area and are very much read and experienced as being part of that context. They are thus not isolated from the Employment Area, and the appellants reject the implication that they are not an intrinsic part of the industrial estate and that this should impact in any meaningful way what would be permitted within this part of the Employment Area.
- 5.11 In paragraph 4.3.11 of the planning officer’s report it is stated that:
- “The addition of a second layer of containers would increase the overall bulk and mass of the site to an unacceptable level. The height would exceed the height of the main part of the adjacent Unit 3, inverting the gradient of*



heights in the transition area when viewed from the street and across the recreation ground. The second layer of containers would be visually harmful and would not respond positively to the site's local context."

- 5.12 As noted in earlier sections of the planning officer's report, the second layer of containers would result in the overall height of the containers being increased to approximately 5m; or approximately 5.2m above the ground level of the adjacent playing field and approximately 4.7m above the existing ground level to the north-east (the hardstanding area to the south of Unit 3).
- 5.13 At its tallest point, Unit 3 is approximately 5.4m in height with the main part of the building having a ridge height of approximately 4.5m. Units 3 and 4 are moreover of a very substantial footprint and thus represent sizeable industrial buildings despite their relatively modest height. Consequently, Units 3 and 4 have a size and degree of permeance which makes them much more substantial and thus prominent than the existing container site in the street-scene.

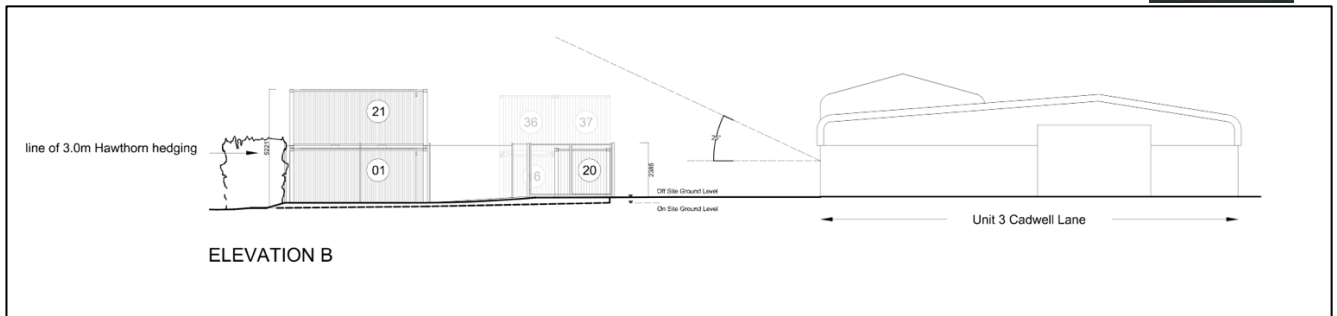
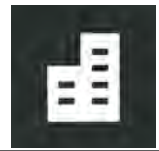
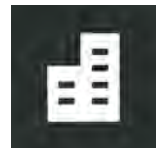


Figure 6 - Elevation B

5.14 In terms of the impact of the additional layer of containers, this would result in the double-stacked layer of containers having a relatively modest of approximately 5m as discussed above. Whilst lower than the tallest part of Unit 3, it is noted that they would exceed the ridge height of the main part of the building by approximately 500mm. However, when one factors in the lower ground level of the storage centre site, double-stacked containers are likely to have a height broadly consistent with the main part of Units 3 and 4.

5.15 Moreover, given the overall scale and degree of permanence of the adjacent industrial buildings that comprise Units 3 and 4, the extended container yard is unlikely to appear unduly large or prominent in relation to these much larger buildings.

5.16 The planning officer notes at 4.3.13 of her report that the proposed development would obscure and dominate Units 3 and 4. The Employment Area is populated with buildings of various shapes and sizes and thus there



is little in the way of a hierarchy of buildings. Moreover, many of the existing buildings are typical of an industrial area and thus not particularly attractive. Accordingly, even if it were the case that the second layer of containers would ‘obscure and dominate’ Units 3 and 4, the appellant is not clear on what basis this would be harmful.

5.17 In terms of the wider visual implications, the additional layer of containers may result in the container site having a greater degree of visibility across the recreation ground to the south than the existing site. However, given that the recreation site is on the edge of the allocated Employment Area, views from the playing field are already characterised by views towards existing industrial buildings and other employment-generating uses/development. This includes a plant hire company (CW Plant Hire) located who store various large items of plant and machinery on their forecourt; in a highly prominent position immediately to the east of the recreation ground.

5.18 Accordingly, the site is set against the backdrop of the existing industrial area which involves a wide range of industrial buildings, open storage uses and other industrial and employment uses, and this is the context within which the recreation ground is experienced.



5.19 Moreover, given the relatively modest height that the double-stacked layer of containers would have, they would not appear unduly prominent in relation to the very substantial industrial buildings which are immediately adjacent or other existing buildings in the immediate vicinity, the majority of which have a size and permanence which makes them much more visually prominent than the container site.



Figure 7 - Proposed Visual

5.20 In any event, views towards the site would be mitigated to some degree by the existing hedgerow that extends along the full length of the southern boundary. The containers themselves would furthermore be painted dark green to match the existing containers which would reduce any overt visual impacts. This colour has been chosen in order to soften their appearance and help them blend in.



5.21 Ultimately, the site is in the Employment Area and development such as that proposed is acceptable in principle. The overall height of the development would not be significant in relation to the surrounding buildings and, whilst it is accepted that the site would be more prominent than the current site, the appellant does not consider that this would result in any meaningful harm to the character and appearance of the area which is already characterised by the existing buildings and uses which comprise this part of the Employment Area.

Conclusion

5.22 In all, it is considered that the proposed development would have an acceptable impact on the character and appearance of the area in compliance with NHLP Policies SP9, D1 and Section 12 of the Framework.

Reason for Refusal 2: Impact on the Amenity of Users of the Recreation

Ground

5.23 In the planning officer's delegated report, consideration was given to the impact of the proposed development upon residential amenity, the amenity of Unit 3 and the amenity of the users of the recreation ground.



- 5.24 Whilst it was concluded that the proposed development would not be harmful to the residential amenity of neighbouring residential properties or to the amenity of Unit 3 (which is an industrial unit), it was concluded that the proposed development would have an overbearing presence on users of the recreation ground and that this would be harmful.
- 5.25 NHLP Policy D3 states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. The Policy refers solely to the impact of development on living conditions. It does not extend protection to the amenity of industrial buildings, nor does it extend protection to the amenity of users of outdoor recreation space.
- 5.26 In any event, it is unclear how the presence of an additional layer of storage containers on a site already lawfully used for that purpose within an allocated Employment Area would have any impact upon the use of the recreation ground. The development would not encroach upon the recreation ground and would thus not physically impact its use or enjoyment by members of the public.



5.27 Moreover, the container site is at the northern end of the site and thus, even if one were to accept that the additional layer would have some impact due to the overall height (which would be modest), this would impact only the far northern end of the site. The football pitch would be completely unaffected as would the vast majority of the remainder of the recreation ground.

5.28 Accordingly, it is not considered that the proposed development would result in any harm to users of the recreation ground. Moreover, we do not consider that there is a sound policy basis on which to withhold consent on this basis in any event given that LP Policy D3 deals solely with ‘living conditions’ and thus the effect of development on residential amenity.

Other Matters

5.29 There are no other material considerations relevant to the determination of the appeal.



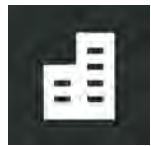
Section 6: Summary & Conclusions

- 6.1 The main issues in the consideration of this appeal are 1) the impact that the proposed development would have on the character and appearance of the area, and 2) the impact of the proposed development on the use of the adjacent recreation ground.
- 6.2 Turning firstly to reason for refusal no.1, as discussed in the foregoing, the appeal site lies within the allocated Employment Area, and the starting point is that development such as that proposed would be acceptable in principle. In terms of the visual impact, the proposed development would be modest in terms of its scale and, set against the backdrop of the existing industrial area and the much larger, permanent buildings and open storage areas that it contains, it is not considered that it would be visually harmful.
- 6.3 In terms of reason for refusal no.2, the proposed development would not encroach upon or otherwise have any meaningful impact on the use of the adjacent recreation ground which would be largely unaffected by the proposals. Moreover, Policy D3 seeks to protect residential living conditions; not the amenity of industrial users or the amenity of users of



public land. Accordingly, and whilst we do not consider that the proposal would be harmful to users of the recreation ground as discussed, we do not consider that there is a sound policy basis on which to withhold consent on the basis of impact on users of the recreation ground.

- 6.4 In light of the foregoing, it is hereby respectfully requested that the appeal be allowed, and planning permission granted.



APPENDIX 1: Decision Notice Application Ref. 25/03147/FP



www.north-herts.gov.uk

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Peter George Town Planning
Nine Hills Road
Cambridge
CB2 1GE

Applicant:

Mr I Turness

PARTICULARS OF DEVELOPMENT

Application: 25/03147/FP

Proposal: Erection of a second layer of storage units (17no. additional units) for self-storage above existing storage units.

Location: Land Adjacent To Unit 3 On The West Side Of, Cadwell Lane, Hitchin, Hertfordshire, SG4 0SA

Refused Plan Nos: 2512-00A 2512-01 2512-02A 2512-03A 2512-04A 2512-05A

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **REFUSE** the development proposed by you in your application received with sufficient particulars on 12 December 2025.

1. As a result of the increase in height of the second layer of containers, the design and siting of the development fails to relate adequately to the site's local context. It would be visually dominating and intrusive, particularly when viewed from the south and from the open recreation ground. It fails to respond positively to the site specific transitional character of the site from residential to employment/industrial use. The proposal is unacceptable in terms of design and appearance and fails to comply with Section 12 of the National Planning Policy Framework, and Policies SP9 and D1 of the North Herts Local Plan 2011 - 2031.

2. The proposed development would result in an overbearing impact on the amenity of the users of the recreation ground along the boundary with the site. The proposal is therefore unacceptable in terms of impact on neighbouring amenity and fails to comply with Section 12 of the National Planning Policy Framework, and Policy D3 of the North Herts Local Plan 2011 - 2031.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed:



Shaun Greaves
Development and Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 6 February 2026

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>.

NOTES

- 1 If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

However, if an enforcement notice has been served for the same or very similar development the time limit is 28 days from the date of the LPA decision or 28 days

from the date the enforcement notice was served.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

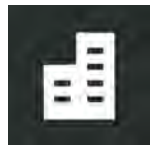
In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



APPENDIX 2: Planning Officer Report Application Ref. 25/03147/FP

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03147/FP	Erection of a second layer of storage units (17no. additional units) for self-storage above existing storage units.	Land Adjacent To Unit 3 On The West Side Of Cadwell Lane Hitchin Hertfordshire SG4 0SA

Submitted Plan Nos

2512-00A 2512-01 2512-02A 2512-03A 2512-04A 2512-05A

SP1	Sustainable development in North Herts
SP2	Settlement Hierarchy and Spatial Distrib
SP3	Employment
SP6	Sustainable transport
SP9	Design and Sustainability
ETC1	Appropriate uses in Employment Areas
T1	Assessment of transport matters
T2	Parking
D1	Sustainable design
D3	Protecting living conditions

2.0 **Site History**

- 2.1 22/01334/FP - Use of land for the siting of 40 No. double-stacked steel shipping containers for self-storage (Use Class B8) with associated palisade security fencing,

vehicular access gates, external lighting, CCTV and hard surface – withdrawn 06/07/2022.

- 2.2 22/01810/FP - Use of land for the siting of 20 No. steel shipping containers for long-term self-storage (Use Class B8) with associated palisade security fencing, vehicular access gates, external lighting, CCTV and hard surface (amended plans received 21/10/2022 and 20/01/2023). CP 13/02/2023.
- 2.3 23/01262/S73 - Variation of Condition 2 (amendments to groundworks) of planning permission 22/01810/FP granted 10/02/2023 for Use of land for the siting of 20 No. steel shipping containers for long-term self-storage (Use Class B8) with associated palisade security fencing, vehicular access gates, external lighting, CCTV and hard surface (as amended by plan received 03/07/23). CP 17/07/2023.

3.0 **Representations**

3.1 **Consultee Responses**

- 3.1.1 *Hertfordshire County Highways* – does not wish to restrict the grant of permission.
- 3.1.2 *Environmental Health* – no objection but notes that it would be prudent to restrict hours of use to those currently on place as per condition 2 on planning permission 23/01262/S73.
- 3.1.3 *Waste and Recycling Services Manager* - no comment.
- 3.1.4 *Hitchin Forum* – object for the following reasons:
- ☐ appearance and size - would be very ugly and monolithic and would dominate the Cadwell playing field.
 - ☐ disturbance to neighbours by both noise and lighting.
 - ☐ safety to users of the upper units.

3.2 **Comments Received**

- 3.2.1 The application has been advertised with site notices and neighbour notification letters. 6 objections have been received. The key points include:
- ☐ Loss of light to workspace at Unit 3.
 - ☐ Inadequate parking provision resulting in overspill onto adjacent land and Cadwell Lane.
 - ☐ Access arrangements are already unsafe and constrained - more containers will exacerbate traffic issues including difficulty in visibility pulling out of unit 3.
 - ☐ Parking provision is inadequate and inaccurately described – users block entrance to unit 3 or use unit 3 to turn around or park in unit 3's car park.
 - ☐ Vehicle numbers and movements are underestimated.
 - ☐ Unauthorised business operations on site. Storage containers used regularly not just for storage.
 - ☐ Adverse visual impact and inadequate screening.

- ❑ Landscaping and visual impact are misrepresented. Hawthorn hedging shown as screening is seasonal and does not provide year-round mitigation.
- ❑ Approved operating hours are not adhered to, with users present well beyond permitted times.
- ❑ Increase traffic and pollution and problems with parking, blocking driveways and unsafe parking.
- ❑ Concerns about security of using second layer of units.
- ❑ There is no adequate drainage strategy, and additional containers will increase surface water run-off.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

Application Site

- 4.1.1 The application site is located on the west side of Cadwell Lane. The site is part of an existing industrial area, albeit on the edge of the industrial estate. The site is occupied by 20 containers and operates as a self-storage facility. The area occupied by the containers is fenced with approximately 2.4m high green palisade fencing with access via a security gate. An area of parking is available at the eastern part of the site. There are no staff on site and the facility is managed remotely.
- 4.1.2 The site has an existing access onto Cadwell Lane which is under the ownership of the applicant. The adjacent industrial unit to the north, Unit 3, it understood to have a right of access through the access from Cadwell Lane to Unit 3.
- 4.1.3 The site is bounded to the north by Unit 3 and associated hard standing. It is bounded to the east by Cadwell Lane and to the west by vegetation and trees with the River Purwell and railway beyond. To the south is the recreation ground. Adjacent to the boundary between the site and the recreation ground is a formed by a moderate sized hawthorn hedge on the recreation ground.
- 4.1.4 The site slopes gently down to the south towards the recreation ground and to the west from Cadwell Lane down towards the river and railway.
- 4.1.5 The site and containers are clearly visible when driving towards the industrial estate along Cadwell Lane due to the open views across the recreation ground and its location on the edge of the industrial estate. The site visit was undertaken during the winter months with little foliage on the hawthorn boundary hedge. The hedge screened the bottom third of the existing single layer of containers.
- 4.1.6 The site falls within a designated employment area where Local Plan Policy ETC 1 applies.

Surrounding Area

- 4.1.7 Surrounding uses include extensive industrial uses to the north and east, including recycling facilities, recreation uses to the south and residential to the southeast. The adjacent unit, Unit 3, is modest in height with a taller element at the rear of the Unit. There is parking on the hard standing to the front of Unit 3. Opposite the site is a two-storey building and yard areas enclosed with palisade fencing and gates.
- 4.1.8 The overall character of the area in this transition zone is mixed industrial and employment uses with a variety of unit styles, heights and designs with some yard areas with security fencing and enclosures. The entry to the industrial area along Cadwell Lane is characterised by residential properties and the open recreation ground. A small parking area is available on Cadwell Lane adjacent to the recreation ground. There is on street parking on the streets nearby.
- 4.1.9 During the site visit, it was noted by the officer that the area was moderately busy with traffic and larger vehicles including lorries. Several lorries were parked on Cadwell Lane with others turning into and out of Wallace Way.

4.2 **Proposal**

4.2.1 Consent is sought for:

“Erection of a second layer of storage units (17no. additional units) for self-storage above existing storage units.”

- 4.2.2 It is proposed to stack a second layer of containers onto the existing, excluding three closest to Unit 3. This would result in an overall height of approximately 5m. The containers would be painted dark green to match the existing. It is proposed that the facility would continue to be operated as a self-storage facility. Access to the upper level containers would be via a mobile access staircase.
- 4.2.3 Hours of operation would continue to be between 0700-2000 7 days a week.
- 4.2.4 No alterations are proposed to the access from Cadwell Lane or the gated access to the site. Customers can park within the compound by the containers or use the additional parking area adjacent to the compound.

4.3 **Key Issues**

4.3.1 The key issues for the consideration are:

- The principle of the development.
- The effect on the character and appearance of the area.
- Impact on neighbouring amenity.
- Highways, access and parking.
- Environmental and ecological effects.
- Other considerations.

The principle of the development

- 4.3.2 The application site falls within the designated employment area Wilbury Way HE1 on the Local Plan policies map. Policy ETC1 applies and states that within such areas:

“planning permission will be granted for office, research and development, industrial processes, industrial and storage and distribution uses provided:b) Any Use Class B8 development is easily accessible from the primary road network.”

- 4.3.3. The principle of B8 use on the site has already been established under the previous consent for the existing use. The proposal would be an intensification of this exiting use and would be acceptable in principle.

- 4.3.4 The proposal complies with Local Plan policies SP3 and ETC 1. The principle of the proposal would therefore be acceptable.

The effect on the character and appearance of the area

- 4.3.5 Consideration needs to be given to the siting, design and layout of the proposal and its potential impact on the character and appearance of the area.

- 4.3.6 Section 12 of the NPPF places great emphasis on the quality and design of new development, with the aim to ensure that new development is sited appropriately and would be appropriate in terms of local character and context. These aims are reflected in Local Plan policies SP9 and D1. Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site’s local context together with other criteria to encourage a positive and sustainable form of development.

- 4.3.7 The site is located within an existing, designated industrial/employment area, albeit on the edge of the designated area. The site forms part of the transition zone from the residential and recreational uses to the south, transitioning to the industrial/employment uses to the north and east. The site is particularly visible on the approach from the south along Cadwell Lane with clear views across the open recreation ground. The application site and the adjacent Unit 3 form an isolated area, separated from the rest of the industrial/employment area by Cadwell Lane to the east and bounded to the west by the River Purwell and railway and to the south by the recreation ground.

- 4.3.8 The proposed additional layer of 17 containers above the existing 20 containers will increase the overall height of the containers to approximately 5m. The overall visual height would vary across the site due to variations in ground level. The ground level of the recreation ground sits at a lower level than the site, resulting in a height of the containers of 5.2m above the recreation ground level along the boundary.

- 4.3.9 The adjacent Unit 3 varies in height from 3.65m along the elevation facing the application site rising up to 4.5m at the ridge. The taller area to the rear of Unit 3 rises to approximately 5.3m at its highest point but is set back from the road and is not particularly prominent in the streetscene.

- 4.3.10 The application site and Unit 3 provide an important transition from the wide open views across the recreation ground on the approach along Cadwell Lane towards the industrial estate. The area is separated from the wider industrial estate by Cadwell Lane. The single layer of containers and the shallow, low height roof form of Unit 3 behind provide a stepped transition of bulk and height of development into the industrial estate. They sit adequately within the streetscene and do not dominate the views on the approach from Cadwell Lane or when viewed from the recreation ground. This lower level of development is a key feature in the streetscene in this location and should be preserved and maintained.
- 4.3.11 The addition of a second layer of containers would increase the overall bulk and mass of the site to an unacceptable level. The height would exceed the height of the main part of the adjacent Unit 3, inverting the gradient of heights in the transition area when viewed from the street and across the recreation ground. The second layer of containers would be visually harmful and would not respond positively to the site's local context.
- 4.3.12 The applicant notes in the supporting Planning Statement that the existing site is largely hidden from public view on the approach from the south. As stated above, the hawthorn hedge is seasonal and when the site was visited in December, the hedge provided little screening, obscuring only approximately the bottom third of the containers. The supporting visuals are misleading in this respect. It is also noted that the hedge is not within the applicant's ownership and cannot be relied upon to provide screening.
- 4.3.13 The applicant also notes in the supporting Planning Statement that the proposed second layer of containers would be set against a backdrop of existing industrial units to the rear. This is also misleading. The second layer of containers would result in an overall height of approximately 5m. This would obscure and dominate the industrial units (Unit 3) behind.
- 4.3.14 The containers would be painted dark green to help reduce their visual impact which would create a cohesive visual appearance.
- 4.3.15 As a result of the increase in height of the second layer of containers, the design and siting of the development fails to relate adequately to the site's local context. It would be visually dominating and intrusive, particularly when viewed from the south and from the open recreation ground. It fails to respond positively to the site specific transitional character of the site from residential to employment/industrial use. The proposal is unacceptable in terms of design and appearance and fails to comply with Section 12 of the National Planning Policy Framework, and Policies SP9 and D1 of the North Herts Local Plan 2011 - 2031.

Impact on neighbouring amenity

- 4.3.16 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the NPPF.

Potential Impact on Residential Amenity

- 4.3.17 The closest residential occupiers are approximately 80m to the south of the site on the opposite side of Cadwell Lane in an apartment block set back from the road. Given the distance between the apartment block and the site, it is considered that no unacceptable harm would be caused to the amenity of the occupiers of the apartments.
- 4.3.18 Comments raised that residents in the area are already affected by noise and disturbance have been taken into consideration. However, no objection has been raised by Environmental Health or Highways.
- 4.3.19 It is noted that noise arising from the opening and closing of the steel containers and accessing the site could cause disturbance during the night. If the proposal was to be approved, it would be reasonable and necessary to continue to impose the same hours of operation as existing.

Potential Impact on the Occupiers of Unit 3

- 4.3.20 The site is bounded to the north by Unit 3. The unit has a number of windows and a door on the side elevation facing the site. No containers are proposed to be stacked on the three containers closest to Unit 3 (nos 18, 19 and 20). Two containers are proposed to be stacked on the containers close to the north west boundary. However these containers would be sited opposite the roller style warehouse door and would not result in sense of unacceptable overbearing to the occupiers of Unit 3. There would be no unacceptable loss of light arising from the proposal.
- 4.3.21 Concerns raised by the occupiers of Unit 3 have been noted and reviewed. Concerns regarding parking and access have been noted, however Highways have raised no objection to the proposal.
- 4.3.22 Comments regarding use of Unit 3's premise for parking and/or manoeuvring is noted. However, this is a civil matter and not a material planning consideration.
- 4.3.23 Concerns have been raised regarding security issues and a potential increase in crime as a result of the proposal. It is noted that the increase in height at the site could result in a more enclosed feel. However, lighting and CCTV is installed on the site and should be sufficient to address these concerns.

Potential Impact on Recreation Ground Users

- 4.3.24 The increase in height as a result of the second stack of containers would have an overbearing presence on users of the recreation ground along the boundary to the north. This could diminish the enjoyment of the recreation area. The proposal is therefore unacceptable in terms of impact on neighbouring amenity and fails to comply with Section 12 of the National Planning Policy Framework, and Policy D3 of the North Herts Local Plan 2011 - 2031.

Highways, access and parking

- 4.3.25 Local Plan policies SP6, T1 and T2 state that planning permission will be granted provided that development would not lead to highway safety problems or cause unacceptable impacts upon the highway network and that proposals are assessed against the relevant parking standards.
- 4.3.26 Hertfordshire County Highways do not wish to restrict the grant of permission. Objections raised regarding exacerbation of the existing situation and the underestimation of trips have been noted. However, Highways state in their comments that the trips are considered to be infrequent and so would not have a wider impact on the highway network. With no objection from County Highways, the highways and access arrangements are considered to be unobjectionable.

Parking Standards

- 4.3.27 The proposal would result in an increase in floorspace of 245sqm resulting in a total of 540sqm.
- 4.3.28 A parking area for six vehicles is detailed in the submitted plans at the eastern end of the site. During the site visit it was noted that cars were parking in a different format to that marked on the plans. However, the space appeared to be able to accommodate 6-8 parked cars.
- 4.3.29 The council's SPG Vehicle Parking at New Developments 2011 sets out the following parking requirements for B8 uses:
- 1 car parking space for every 75M2
 - 1 cycle space for every 500m2
 - 1 visitor space every 1000m2
- 4.3.30 The proposed facility would provide approximately 540m2 of floorspace in total, giving rise to a requirement for 7.2 parking spaces. Taking into account that some users will park adjacent to their containers, this requirement can be met on site.
- 4.3.31 Although the Highway Authority and Local Planning Authority look to encourage the use of cycling as a sustainable form of transport, it is accepted that few customers are likely to deliver or collect items from storage on a bicycle. Customers could take their bicycles into the secure storage facility.
- 4.3.32 The proposed parking is acceptable.
- 4.3.33 Objections have been raised regarding the availability of the parking area shown at the north of the site. On the basis of the information submitted, it is understood that the land is within the ownership of the applicant, it is shown within the red line and that the parking is available for the storage units. Any further dispute is not a material planning consideration.

Environmental and ecological effects

- 4.3.34 The proposal would not result in any unacceptable environmental or ecological effects.

Other considerations and response to concerns raised in objections

- 4.3.35 Waste and refuse collection – same as existing.
- 4.3.36 Safety - the safety and operating of the site is not a material planning consideration.
- 4.3.37 Unauthorised business operations on site – this is not a material planning consideration.
- 4.3.38 Approved operating hours are not adhered to - this is not a material planning consideration.
- 4.3.39 Drainage – concerns have been raised that there is no adequate drainage strategy, and that additional containers will increase surface water run-off. The site area is below the threshold (1ha) that requires a flood risk assessment. Therefore any surface water management issues would be dealt with under building regulations. The government Flood Map for Planning has been checked and the site is not within flood zone 2 or 3 or at risk of identified surface water issues.
- 4.3.40 The proposal has raised a number of objections and the Local Planning Authority is sympathetic to local concern. It is considered that the objections raised have been addressed in the report above.

4.4 Conclusion

- 4.4.1 As a result of the increase in height of the second layer of containers, the design and siting of the development fails to relate adequately to the site's local context. It would be visually dominating and intrusive, particularly when viewed from the south and from the open recreation ground. It fails to respond positively to the site specific transitional character of the site from residential to employment/industrial use. The proposal is unacceptable in terms of design and appearance and fails to comply with Section 12 of the National Planning Policy Framework, and Policies SP9 and D1 of the North Herts Local Plan 2011 - 2031.
- 4.4.2 As a result of the increase in height of the second layer of containers, the proposed development would result in an overbearing impact on the amenity of the users of the recreation ground along the boundary with the site. The proposal is therefore unacceptable in terms of impact on neighbouring amenity and fails to comply with Section 12 of the National Planning Policy Framework, and Policy D3 of the North Herts Local Plan 2011 - 2031.

4.5 Alternative Options

- 4.5.1 None applicable

5.0 **Recommendation**

5.1 That planning permission **REFUSED** for the following reasons:

1. As a result of the increase in height of the second layer of containers, the design and siting of the development fails to relate adequately to the site's local context. It would be visually dominating and intrusive, particularly when viewed from the south and from the open recreation ground. It fails to respond positively to the site specific transitional character of the site from residential to employment/industrial use. The proposal is unacceptable in terms of design and appearance and fails to comply with Section 12 of the National Planning Policy Framework, and Policies SP9 and D1 of the North Herts Local Plan 2011 - 2031.
2. The proposed development would result in an overbearing impact on the amenity of the users of the recreation ground along the boundary with the site. The proposal is therefore unacceptable in terms of impact on neighbouring amenity and fails to comply with Section 12 of the National Planning Policy Framework, and Policy D3 of the North Herts Local Plan 2011 - 2031.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 6 February 2026	