

PART A	
Report to: Development Management Section Head	
Date of committee:	28th January 2016
Site address:	200 and 204 Rickmansworth Road Watford, Hertfordshire, WD18 7GH
Reference number:	15/01203/FULM
Description of development:	Existing office building and workshops at no. 200 Rickmansworth Road and existing Ford dealership at no. 204 Rickmansworth Road to be demolished and replaced with new motor vehicle dealership with showroom, workshop and forecourt for display of vehicles. Change of use from Business Offices (B1) to Motor Dealership (Sui Generis)
Applicant:	Hartwell PLC 2 Chawley Park Cumnor, Oxford, Oxfordshire, OX2 9GG
Date received:	26th August 2015
8 week date (minor):	29th January 2016
Ward:	Park

SUMMARY

The application is to demolish the existing buildings at 200-202 (industrial buildings) and 204 (a Ford car dealership) Rickmansworth Road. A new, larger car showroom would be built on the site. The proposal is considered acceptable in terms of the use, the design, its relationship to neighbouring properties, its impact on the public highway, and the way in which rainwater would be disposed of. Neither of the existing buildings is aesthetically valuable, and the proposed new building will stand farther away from the adjacent Listed Building than the current showroom does, thereby improving its setting. The Development Management Section Head recommends that the application be approved subject to the conditions that are set out in the report.

BACKGROUND

Site and Surroundings

200 Rickmansworth Road (Tinsley House) is an industrial building, the front part of which has been vacant for some time, while the rear part consists of vehicle workshops associated with the Sky Ford car dealership that occupies 204. The two plots combined make up the application site. The car dealership is small by modern standards, being a modest single storey building. Cars are displayed on its forecourt, and also on the forecourt of 200.

There are no planning designations or protections in place on this site. This is not a

Conservation Area and there are no nationally or locally listed buildings on the site itself; although the neighbouring property to the west of the Ford dealership is Cassio Bridge Lodge, which is a Grade II nationally listed building (see below for details). There are no protected trees on or near the site. To the west of Cassio Bridge Lodge lies an open area of green space which is part of the Cassiobury Park Local Nature Reserve, and the River Gade runs through that.

There is an unrelated vehicle hire business next to the application site at 176-186 Rickmansworth Road. It stands between the site and the junction with Queen Mary's Avenue, which is a residential cul de sac. Giving off Queen Mary's Avenue is Royal Court, which is a modern residential development. Some of the flats on that street are in a block that lies behind part of the application site (behind Tinsley House).

Behind the Ford showroom is another block of flats, which is part of an older development called Sheraton Mews, which is accessed from Gade Avenue.

Adjacent Listed Building

Cassio Bridge Lodge is a Grade II nationally listed building which stands beside this site at 67 Gade Avenue. It was listed on 07.01.1983. The following text is taken from our document *Nationally Listed Buildings In Watford (2014)*:

Early C19 picturesque timbered lodge to Cassiobury Park. Plain tile roof with central brick and stone chimney with cluster of 4 stacks. Two storey, gable ended with gabled

side wing to left and 2 storey porch to right. Lodge is entirely clad in small split logs set in patterns of squares and lozenges and applied in short vertical lengths to the bargeboards. Leaded light casements. Three sided window bay with tiled roof projects from road front ground floor. Originally built for 2 families, and illustrated in Britton's Account of Cassiobury 1837.

This is one of several lodges to the former Cassiobury (Estate) of the Earls of Essex which has survived (see also listings 38 and 39) and is unusual for the way it is faced with split logs of different sizes instead of the more common timber boards.

Proposed Development

The proposal is to demolish the existing buildings on the site and to erect a new car sales showroom.

Additional Documents Submitted / Extension of Deadline

This application was originally received on 26.08.2015 . Consultations in relation to the original proposals were sent on 10.09.2015. The application as submitted gave rise to a number of concerns. Of particular concern were the absence of documentation relating to soil contamination, rainwater drainage and access arrangements for delivery vehicles.

The front elevation drawing was also felt to be insufficiently detailed. It was also found that the applicants had failed to apply to Hertfordshire County Council for approval of their rainwater drainage arrangements.

An extension of the timescale for determination of the application was therefore agreed in order to allow for preparation and submission of additional documentation and improvements to the scheme to us as the Local Planning Authority, and to Hertfordshire County Council as the Lead Local Flood Authority. It was agreed that the deadline would be extended until 29.01.2016 to allow the case to be considered by the Development Management Committee at their meeting on 28.01.2016. The additional documents that had been requested were received on 03.12.2015, and a second batch of consultation letters were sent to the neighbours on the same day.

Planning History

This site has a long Planning history. The following list is of those applications that are relevant or of interest in this case. It shows that the site changed from being a petrol filling station to a vehicle sales premises in the early 1980s.

13/01231/PREAPP – A letter of advice was sent on 18/12/2013 in response to a pre-application enquiry for a proposal to demolish the existing car dealership and industrial building and to erect a new car dealership building with associated parking space. The advice given was that the proposal was likely to be acceptable in principle, but that more detail should be provided with any application for planning permission.

88/00713/FUL – Conditional planning permission was granted on 14.08.1989 - Extension to car showroom.

86/00709/FUL – Conditional planning permission was granted on 31.08.1989 - Section 32 Application. Continued use of Unit B1 for motor vehicle servicing and Unit A1 for parts storage both in conjunction with existing motor garage and showroom.

86/00479/FUL – Conditional planning permission was granted on 10.09.1986 - Conversion of car workshop area into showroom, external alterations to building.

84/00311/FUL – Conditional planning permission was granted on 22.08.1984 - Use of site for sale and display for sale of second hand motor vehicles, alterations to existing showroom and new showroom frontage.

82/00394/COU – Conditional planning permission was granted on 20.10.1982 - Change of use of land to allow display and sale of motor vehicles.

80/00147/RM – Approved reserved matters on 11.06.1980 - Submission of details for redevelopment of petrol filling station.

76/00609/FUL – Conditional planning permission was granted on 26.01.1977 - Renewal of permission for use of land for parking of customers' cars in connection with garage.

76/00151/FUL – Conditional planning permission was granted on 10.08.1976 - Demolition of existing petrol service station and erection of new petrol service station

75/00495/FUL – Conditional planning permission was granted on 20.01.1976 - Use of land for parking for customers' cars in connection with garage

74/00030/OUT – Refused outline planning permission on 12.03.1974 - Outline Application for self-service petrol filling station with drive through automatic car wash (Amendment to outline permission W/8359/73 granted 6.9.73)

73/08359/OUT – Conditional outline planning permission was granted on 06.09.1973 - Erection of self-service petrol filling station with accessories shop and four two bedroomed flats and four garages. (Outline Application)

73/08204/FUL – Withdrawn on 12.04.1973 - Installation of Economic Equipment note acceptor with new blender pump connected to it. A new emergency telephone & extinguisher cabinet positioned on forecourt. Existing island, lighting unit and pumps adjusted in position. Corners of island reformed

66/04322/FUL – Planning permission was granted on 18.10.1966 - Installation of a paraffin vending machine and new 600 gallon storage tank at the rear of the premises

62/25512/FUL – Planning permission was granted on 24.10.1962 - Underground petrol storage tanks and minor works

52/14987/ADV – Advertisement Consent granted on 26.03.1952 - Shell Mex & B.P. Sign
(Type B)

48/13192/FUL – Planning permission was granted on 16.12.1948 - Proposed alteration of
existing garage

RELEVANT POLICIES

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and seeks to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. The NPPF was published on 27th March 2012 and is a material consideration in planning decisions. It does not change the statutory status of the development plan as the starting point for decision making. Planning Policy Guidance Notes and Statements have been cancelled and replaced by the NPPF. Particularly relevant sections are:

Requiring Good Design

Decision Taking

Conserving and Enhancing the Historic Environment

The Development Plan

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) *Watford Local Plan Part 1: Core Strategy 2006-31 (adopted Jan 2013)*
- (b) the continuing “saved” policies of the *Watford District Plan 2000*
- (c) the *Hertfordshire Waste Core Strategy And Development Management Policies Document 2011-2026*
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*

Watford Local Plan, Part 1: Core Strategy 2006-2031

This document was adopted on 30th January 2013. The following sections are particularly relevant to this case:

SD1 Sustainable Design

SD2 Water and Waste Water

SD4 Waste

SS1 Spatial Strategy

T4 Transport Assessments

UD1 Delivering High Quality Design

UD2 Built Heritage Conservation

The Watford District Plan 2000 (saved policies)

Many of the policies in this plan were replaced on 30th January 2013 when the Watford Local Plan, Part 1 was adopted, but some of them were saved. None of those are particularly relevant to this application.

Hertfordshire Waste Core Strategy And Development Management Policies

Document 2011-2026

There are no policies that are relevant to this case.

Hertfordshire Minerals Local Plan (saved policies)

There are no policies that are relevant to this case.

Supplementary Planning Guidance

The following Supplementary Planning Documents are relevant to this application:

Watford Character Of The Area Study (adopted Dec 2011)

Background Documents

Nationally Listed Buildings In Watford (updated 2014)

CONSULTATIONS

Neighbour consultations

Notification letters were sent to 89 properties nearby on Queen Mary's Avenue, Rickmansworth Road, Gade Avenue and Maythorne Close. They were notified twice: the second round of consultation was undertaken to inform residents that additional drawings and documents had been received and that the suffix to the reference number had been changed from FUL to FULM.

Two site notices were put up on 28.09.2015. A press notice was published in the Watford

Observer local newspaper on 18.09.2015.

Among the responses that were received was a petition with 18 signatories, all of whom live at Royal Court. They opposed the application on the grounds that it would cause parking problems and be noisy. Letters were also received from 5 individuals who made more detailed comments. A table summarising the points that were raised is to be found in the section of this report entitled *Consideration Of Representations Received*.

Statutory and internal consultations

Hertfordshire County Council were consulted as the Highway Authority, and also as the Lead Local Flood Authority.

In the initial comments that were received from Hertfordshire Highways they raised concerns about the absence of a Transport Statement, or of any details regarding how service and delivery vehicles would enter the site. Since then the applicants have submitted further details, and we asked Herts Highways for revised comments in the light of those new documents. On 15.01.2016 their revised comments were received, in which they no longer object to the proposal. The full text of their comments is reproduced in the Highways section of this report (see below).

APPRAISAL

Use for vehicle sales

A car sales showroom is a type of use better suited to an edge of town than a town-centre location, and this site is indeed located at the edge of the borough. Part of the site has been used for car sales for approximately thirty years; and there is another car sales establishment next door to the site at 176 and 184-186 Rickmansworth Road. This end of the Rickmansworth Road has a long history of car-related uses: in the past there were petrol stations at 176, 200 and at a now empty site that is opposite 148. The proposed use of the site at 200-204 as a car dealership is considered acceptable in principle.

Design

Neither of the existing buildings on the site is of any architectural, historic or aesthetic value, so there is no reason to oppose their removal. The proposed new building will be an improvement because it will be a pleasing, simple, modern design, with its frontage consisting mainly of glass to give it a light and open character. The showroom's entrance will consist of a generously proportioned blue arch that will stand out slightly from the front of the building; this will add visual interest to the frontage as well as making the site clearly legible.

The servicing workshops and the vehicle lift will be at the rear, which will have a more functional appearance.

There will be only one building, rather than two, giving the site a less cluttered appearance than it currently has. The new building will stand well back from the road. It will also be

much further away from the listed building than the existing car showroom is.

The existing building at Tinsley House (200-202) is a two storey building, and the proposed new building will likewise have two storeys, although it will also have a parking deck on its flat roof (that will be concealed behind a parapet, and accessed via a vehicle lift at the rear). Tinsley House is 7.7m high at the front, and the ridge of its roof is the same height above its rear section. The proposed new building would be 8.5m high to its parapet, or 9.5m high at its tallest part. It will be only slightly taller than the existing building.

Impact on the setting of the Listed Building

The new showroom will stand much farther away from the Listed Building at Cassio Bridge Lodge than the existing showroom does. The site of the existing Sky Ford showroom will be left as open space, which will be used partly for displaying second hand cars, and partly as a customer car park. The absence of any building on this land will mean that the proposed redevelopment of the site will constitute an improvement as far as the setting of the Listed Building is concerned.

Highways

Hertfordshire County Council's Highways Service objected to the application as it was originally submitted. They were concerned in particular that no Transport Statement had been included and that no details or swept path diagrams were included regarding how service and delivery vehicles would enter the site. The applicants were then allowed an

extension of the deadline so that they could prepare and submit those documents (and others). We reconsulted Herts Highways on 16.12.2015 and their comments on the additional documents were received on 15.01.2016. They no longer object to the application. Their latest comments are given below.

The additional documents that the applicant submitted on 3rd December 2015 included a swept path diagram showing how a double-decked car transporter lorry 20m long would be able to enter and leave the site in forward gear in order to deliver cars without obstructing the Rickmansworth Road. The transporter would draw up alongside the showroom. The cars would be unloaded and driven to the display areas or via the rear vehicle lift to the rooftop deck. The transporter would then reverse into the southern half of the customer parking area, which should have been coned off to keep it clear. The transporter, having executed a three point turn, would then drive away in forward gear. Based on the information provided the way in which cars are currently delivered to the dealership involves stopping and unloading on the Rickmansworth Road, which is clearly unsatisfactory because that is a main route into Watford that has only one lane in either direction, so any obstruction of traffic there is undesirable. The proposed arrangements for the new development will be an improvement in that regard.

Three customer parking areas are to be provided within the site: one at the front with 18 spaces, another at the front with 3 standard spaces and 2 for disabled users (close to the building's entrance) and another will be at the rear with 12 customer parking spaces. These are in addition to the two areas for displaying second hand cars.

The comments that were received on 15.01.2016 from Hertfordshire County Council's Highways Service on the revised scheme are as follows:

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Condition:

No loading or unloading of cars to and from the car transporter shall take place on public highway. When loading or unloading within the site, the developer shall take best practical means at all times to ensure that there shall be no obstruction or interference on the free flow of traffic along the Rickmansworth Road due to the activities within the site.

Reason: In the interest of free and safe flow of traffic.

Advisory Notes.

Road Deposits: Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Reason: This is to minimise the impact of construction vehicles and to improve the amenity of the local area.

The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to arrange this.

Reason: In the interest of highway Safety

The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

Details:

Planning application:

The planning application is for demolition of existing car show room and workshop building and construction of a new show room and work shop with improved car parking and car display area.

*Ground Floor show room/workshop 1145 sqm First floor office and staff facilities 212sqm
Second floor vehicle parking 1145 sqm (40 spaces) In addition outdoor display and the
customer parking area.*

The site

The development site extends over existing car show room site and the site of former B2 building immediately adjacent to the site. The site is currently occupied by Sky Ford's existing car show room and sales area and a vacant commercial B1 building. Overall the development site is bounded by Watford KIA car sales, Rickmansworth Road, Gade Avenue and residential properties.

Local Road Network

The access to the site is from A412 Rickmansworth Road which is a principle road and the main road linking Watford Town to Rickmansworth Town. It is a busy road and in average carrying 700 vehicles Eastbound and 700 vehicle west bound every hour between 7.00AM to 6.00PM. The road is predominantly residential in nature with Watford Boys Grammar School and some business properties. The traffic is predominately through traffic.

The site is located near the double roundabout towards Rickmansworth. The close proximity of the site access close to the double roundabout is a cause for concern in terms of loading and unloading of vehicles from Rickmansworth Road.

The speed along Rickmansworth Road is 30 mph and the measured 85% speed is 29.95mph. The speed is managed by number of speed cameras along the road.

Morning and Evening Weekday Peak Hour flow

AM Flow PM Flow

East Bound 736 727 West Bound 663 749

Access/Egress. No alteration to the existing access/egress are proposed

Parking: Existing parking on site is 43 Proposed Parking is 73 including customer parking

Trip Generation.

The development is expected to generate 15 and 17 vehicle trips in the AM and PM Peak. Some of the trips will be associated with staff working on-site. It should be also noted that remodelling the site and displaying additional cars is unlikely to attract a large amount of customers. The expansion is relatively modest and the proposal is to make the area attractive and comfortable for the customers.

Accidents

The 5 year accident details along Rickmansworth Road between 1st October 2010 to 30th Sept 2015 shows that there were 5 serious accidents and 34 slight accident between the adjacent mini roundabout junction and A4178 Cassio Road junction. 28 casualties were car users, 5 cyclists 1 Goods Vehicle, 5 motorcyclist and 6 pedestrians. It is fair to say that the road safety record of this road is not encouraging which is a reflection of the amount of traffic along this road . However, the review of the accidents for 5 years near the site shows that over 5 years there were 3 collisions in the vicinity of the site resulting in 1 serious and 3 slight injuries. The serious accident was at Rickmansworth Road/The Chase junction some 215 from east of development site.

Service Delivery

At present the cars to the site are delivered from Rickmansworth Road. The applicant proposal is to deliver/unload cars from the car transporter within the curtilage of the site. The development is expected to receive 3 deliveries per week. The track diagram in support of the application demonstrates that Car Transporter manoeuvring is acceptable. It may require the use of customers car park to turn the car transporter. It is up to the applicant to organise car deliveries on non-peak hours and suitable hours.

Accessibility

Bus.

The nearest bus stop is 147 from the site along Rickmansworth Road. The bus stops are served by 4 bus routes and the services are regular to Watford and Rickmansworth.

Rail.

The nearest station is Watford junction, a short ride by bus. If the Croxley Rail Link is completed the new Ascot Road tube station is only a few minutes walking distance from the site.

Pedestrian.

There are well developed pedestrian links around the site. However there are no segregated cycleway.

Other Facilities

There are plenty of facilities for daily needs within walking distance, particularly along Whippendale Road and the development at former Sun printers site.

Conclusion

The application is to construct a new showroom and service facility on the existing site. The development extends over existing car show room and the vacant B2 building. The development is in a sustainable location. The existing development is a car show room and sales area and the additional trips associated with the proposed development is unlikely to have any material impact on the local road network. The key issue is the deliveries of car and the loading and unloading. In average the site will receive 3 deliveries per week which will be unloaded within the curtilage of the site. The highway authority has made a recommendation to safe guard the highway safety. It is applicant

responsibility to ensure deliveries are made at convenient time to safe guard the free and safe flow of traffic.

Recommendation

Highway Authority does not wish to restrict the grant of consent subject to the above condition and advisory note.

In considering these comments from the Highway Authority we should remember that any conditions that are attached to a planning permission must relate only to the application site. If we thought that it was impossible or unlikely that vehicles would be delivered within the site, that would be grounds for the refusal of planning permission because a new development should not be allowed that would be likely to cause traffic congestion on a main distributor road – particularly as the dealership will be larger than the existing one. However it is reassuring that the proposed development now includes a well considered arrangement for unloading vehicles within the site, and for entering and exiting in forward gear.

Contaminated land

The Council's Contaminated Land Officer provided the following comments:

“The site has a potentially contaminative use, it is also located within the vicinity of potentially contaminative land uses. Consequently there may be contamination issues

affecting the site. I recommend that the standard contamination condition be applied, should planning permission be granted.”

Some interesting and helpful correspondence was received from a local resident who seems to have a detailed knowledge of the history of the site – particularly as regards issues of potential contamination. The resident believes that underground fuel storage tanks were decommissioned in 1973 or 1974 beneath the forecourt of what is now the Sky Ford dealership, and that they are still there. He believes that they were for National Benzol Petroleum, that they were single skinned, and that they were decommissioned by filling them with sand. That gentleman’s letter was forwarded to the Contaminated Land Officer, who was asked whether she wished to make any additional comments, but she remained of the view that the standard condition that she had recommended was sufficient.

On 21.10.2015 the case officer wrote to advise the applicants that the application was unlikely to be approved without further details, including an environmental statement addressing the issue of potential soil contamination. Subsequently the deadline for determining the application was extended, and eventually a suite of additional documents including an environmental statement was received on 03.12.2015. That document, which has been prepared for the applicants by Campbell Reith consulting engineers, is entitled Outline Remedial Strategy. This document seems to be a desk-top study, and it states that additional studies are considered necessary to determine exactly what risks there may be. The main issue of concern is addressed in paragraph 2.1.23:

“It is possible that underground storage tanks may exist... and could present a potential source of contamination. Should an unacceptable risk to end users or controlled waters receptors be subsequently identified, then they will require decommissioning and removal. This would require the preparation of a Groundworks Specification and Method Statement to ensure these works are undertaken in a controlled manner.”

Another document that was submitted on 03.12.2015 was the Drainage Strategy Report, which was prepared for the applicants by the same engineering consultants. It includes in Appendix F proposed drainage layout plans: drawing numbers 12050-CD10 Revision P1 and 12050-CD02 Revision P3. This document relates to rainwater disposal (see below) but it is worth noting that it involves installing an underground cellular tank for rainwater attenuation which would be in approximately the location where the decommissioned fuel tanks are thought to be. Appendix A of the same document includes drawing 12050-CD03 Revision P1 which includes a hatched area labeled *Possible Location Of Tank*. That is slightly closer to the Rickmansworth Road than the proposed rainwater tanks would be, but the close proximity suggests that the old tanks would probably have to be removed, whether they were found to be contaminating the soil or not.

Overall, the submitted information indicates that any matters relating to contamination can be appropriately dealt with and that this can be addressed by way of a condition.

Refuse stores

The plans do not show the location of any refuse stores. This is of interest because there may be toxic substances such as waste engine oils or bulky items such as tyres that arise from the work of the vehicle servicing workshop. The proximity of the workshop to the flats at Royal Court means that consideration should be given to where and how any refuse will be stored, but there is ample space within the site to accommodate this. A condition should be applied to require the submission of those details before the site is occupied - although not necessarily before building work commences.

Rainwater

When this planning application was originally submitted on 26.08.2015 the applicants had not made an application to Hertfordshire County Council in their role as the Lead Local Flooding Authority for approval of the rainwater drainage proposals. We informed them that such an application would be necessary and they subsequently submitted one. The details are given in a document that was later sent to us on 03.12.2015, which is the Drainage Strategy Report.

On 04.12.2015 we received the following a letter from Hertfordshire County Council's in their role as Lead Local Flooding Authority:

In response to the information provided by Campbell Reith Consulting Engineers reference 12050 dated 11 November 2015 in support of the above application, we can confirm that we, the Lead Local Flood Authority, have no objection on flood risk grounds

The proposed drainage strategy is based on attenuation and discharge and we note the site is proposing to utilise the existing Thames Water surface water sewer providing 50% betterment. We acknowledge that Thames Water have been contacted and have no initial concerns with the proposed rates. Drawing no. 12050-CD02 P3 has been provided with the drainage layout showing location of proposed SuDS scheme. We therefore recommend the following condition to the LPA should planning permission be granted.

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved drainage strategy report carried out by Campbell Reith Consulting Engineers reference 12050 dated 11 November 2015 and the following mitigation measures detailed within the FRA:

- 1. Limiting the surface water run-off rates to 40l/s.*
- 2. Implementing appropriate SuDS measures as shown on drawing no. 12050-CD02 P3 title Proposed Drainage Layout.*
- 3. Provide storage volume of 87.4m³ to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.*

Reason

- 1. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.*

2. *To reduce the risk of flooding to the proposed development and future occupants.*

Informative to the LPA

It is proposed to discharge into the Thames Water sewer which ultimately discharges into the River Gade, two SuDS treatment stages should be provided to manage any potential contaminants from surface water run-off from car parking areas and access roads. The current proposals do not include any treatment stages. The LPA should have regard to the Water Framework Directive in relation to water quality. The applicant will need to satisfy the LPA that the proposed drainage scheme can be adopted and maintained for its lifetime by providing a maintenance plan, detailing key operations and management. For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water drainage webpage

<http://www.hertsdirect.org/services/envplan/water/floods/surfacewaterdrainage/>

Subject to conditions it is therefore considered that the proposal would deal with drainage matters appropriately.

Impact on neighbouring properties

As is noted above, the neighbouring house at Cassio Bridge Lodge is a Grade II locally listed building. That will benefit from the redevelopment of the site because the new building will stand farther away from it than the existing car showroom does.

There is a block of flats at Sheraton Mews which is currently behind the Sky Ford

showroom (204) and beside Tinsley House (200-202). That will benefit because whereas currently it has two commercial buildings close by – one to the south and one to the east – it will have only one, which will be to the east. It will have open space to the south (the car park and used car sales area) so it will feel less hemmed in on that side than it currently does.

There is another block of flats at Royal Court, to the north of the site. Currently that has an industrial building beside it (Tinsley House) which is used as a vehicle servicing workshop. The proposal will be similar in that the servicing workshops of the new building will be in the same location next to Royal Court. Being part of a modern building, the new workshops are likely to be better insulated to reduce noise disturbance to the neighbours. The roof of the existing workshop is 7m high at the ridge. The parapet of the new building will be two metres taller than that, so there will not be a significant difference as regards the height.

Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted.

The CIL charge applicable to the proposed development is:£120 (one hundred and twenty pounds) per square metre. The charge is based on the net increase of the gross internal floor area of the proposed development.

In accordance with s.70 of the Town and Country Planning Act 1990, as amended by s.143 of the Localism Act 2011, a local planning authority, in determining a planning application, must have regard to any local finance consideration, so far as material to the application. A local finance consideration is defined as including a CIL charge that the relevant authority has received, or will or could receive. Potential CIL liability can therefore be a material consideration and can be taken into account in the determination of the application.

Consideration of representations received

Among the responses that were received was a petition with 18 signatories, who opposed the application on the grounds that it would cause parking problems and be noisy. We also received several letters from 5 individuals who made more detailed comments. The following table summarises the points that were raised.

Points Raised	Officer's Response
The full text of the petition is: <i>"Sky ford are having a new show room and new work shop and the parking at royal</i>	Royal Court is a residential development behind the site, giving off Queen Mary's Avenue. The petition's author does not

<p><i>court will be a nightmare so the residents at royal court will be complaining to the watford borough council and we would all like it to be refused and the noise will be causing disturbance.”</i></p>	<p>explain why they consider that replacing the car dealership on Rickmansworth Road would result in any parking impacts on Royal Court, and it is difficult to see any reason why it necessarily would, as parking will be within the site. They do not explain why they fear that noise will be a problem, given that the site already has a car dealership and industrial workshops on it. A new modern building is likely to be better sound-insulated than the existing workshops are.</p>
<p>4 wall mounted external lights are proposed on the side of the building where the vehicle lift would be situated, and one would be in the customer parking area. These lights could point into residential windows at Royal Court. A neighbour writes that floodlights at the existing car dealership have caused a nuisance. She suggests that external lighting should only be turned on at night, and only when staff are on the premises, except for security lights with</p>	<p>A condition can be applied to require the submission of further detail about any external lights so that we can ensure that they do not cause a nuisance to neighbours or a hazard to traffic.</p>

<p>motion sensors, and that all such lights should be pointed downwards to avoid shining into windows at Royal Court.</p>	
<p>Staff and customers of the existing Sky Ford dealership often park in the private residents' parking area of Royal Court after the residents have gone out to work, despite knowing that they should not do so as there are signs to make this clear. A resident writes that she is pleased that more parking will be provided in the new development, but she hopes that it will be made clear to staff and customers that they should not park at Royal Court.</p>	<p>If anyone is trespassing on private land at Royal Court that is a civil legal issue, rather than being a Planning issue.</p>
<p>A neighbour at Royal Court is worried by the roof-top parking area, fearing that exhaust pollution will be at the level of residential windows.</p>	<p>The rooftop parking deck is not intended as a customer car park. Engines are not likely to be running there for long periods of time.</p>
<p>No contamination assessment was provided with the original submission, although the site is likely to be contaminated.</p>	<p>That is true, but the application and its consideration is now supported by an assessment submitted on 3rd December 2015. It is the Outline Remedial Strategy that was prepared for the applicants by their</p>

	consulting engineers Campbell Reith.
<p>A resident of Royal Court objects to the proposed opening hours of 08:30-19:00 Monday to Friday and 10:30-16:30 on Sundays, given that there will be not only a showroom but also a workshop. She considers those hours unsociable. More than one resident of Royal Court has written that the existing vehicle workshop can be noisy (due to equipment, music and shouting).</p>	<p>The new servicing workshop will be in a similar location to the existing workshop, but as it would be in a modern building it is likely to have better sound insulation.</p> <p>There has been an industrial building at 200-202 since long before the flats were built at Royal Court. Members may consider whether they consider it appropriate to attach a condition limiting opening hours; but as the Council's Environmental Health service have powers to take action against unreasonable noise nuisances, it is the opinion of the case officer and the Development Management Section Head that no such condition is necessary.</p>
<p>Because the vehicle lift and the parts delivery store are at the rear, close to Royal Court, if deliveries are made at unsociable hours the noise could disturb the neighbours.</p>	<p>Deliveries will only be possible when staff are on the premises, so it is not likely that they will be made late at night or very early in the morning.</p>
<p>The document Outline Remedial Strategy</p>	<p>This document was not prepared by the</p>

<p>deals with issues of contaminated land.</p> <p>Section 4.1.13 refers to the importance of keeping a watching brief during any excavation work, but elsewhere in the same report it is suggested that reference to old reports might be adequate. An objector is confused about what will be required in terms of further submissions before work can commence.</p>	<p>Local Planning Authority, but by engineers on behalf of the applicants, who submitted it in support of their application. The main area of concern as regards a potential for soil contamination is the disused underground fuel tanks. A condition will require further details of how they will be removed before work may commence at 204 (although work may commence meanwhile at 200-202).</p>
<p>Staff at Sky Ford tend to congregate in the underpass for cigarette breaks, and a neighbour disapproves of this.</p>	<p>This comment is confusing because there is no underpass here. The Planning system cannot be used to control where people stand to smoke cigarettes.</p>
<p>A local resident writes that the site of the existing Ford dealership was once a National Benzol filling station, and that he believes the former tanks remain beneath the forecourt. He believes that they were decommissioned in 1973/4 by filling them with sand and water. He worries about the potential for pollution, and he writes that the River Gade is only 20m away and on lower</p>	<p>The site is actually 70m from the river, measured from the closest boundary. The new building will be more than 100m from the river. The Environment Agency do not generally take an interest in applications of this type, but we have twice consulted our own Contaminated Land Officer. She has been sent a copy of this gentleman's letter. Her advice is that the standard condition</p>

<p>ground. A chalk aquifer lies beneath the site. He considers this to be a high risk site, and that an assessment of the environmental risks is necessary, which should be overseen by the Environment Agency. He does not consider the Council's own Contaminated Land Officer to be adequate. He wrote again having read the Outline Remedial Strategy document that was submitted on 03.12.2015 to say that he considered it too dismissive of potential risks of migration of pollutants to neighbouring residential properties.</p>	<p>should be applied .</p> <p>We should bear in mind that this is not an application for a type of development that might be especially sensitive to contamination, such as a residential development.</p> <p>However, given that the Remedial Strategy document that was prepared by the applicants' own consulting engineers acknowledges that further assessment will be necessary, and given that it will probably be necessary to remove the fuel tanks because the proposed rainwater attenuation tanks will be put in a similar location, it is the opinion of the Case Officer and the Development Management Section Head that a condition should be applied requiring the submission of further details as to how those tanks will be removed before work may commence on the site of 204 (albeit work could commence on the site of 200-202).</p>
<p>How are trade wastes such as oils, fluids,</p>	<p>As the plans do not show the location of</p>

<p>tyres etc to be stored on site? The plans do not show where refuse would be stored, or how recyclable waste will be separated from non-recyclable waste.</p>	<p>any refuse stores, and as tyres etc might be bulky, and as the servicing workshops will be close to the flats of Royal Court, details of the refuse storage arrangements should be provided to protect the amenity of residents. A condition can be applied to require these before the site is occupied. It should also be noted that the management of waste and substances is controlled by a range of legislations outside of the planning system and it is not the place of the planning system to duplicate these existing controls.</p>
<p>A local resident complained that no site notice was displayed.</p>	<p>We have replied to this gentleman's letter to say that two site notices were put up, and he has been sent photographs of them. One of those was seen to be still in place after the end of the consultation period. A press notice was also published, and we twice sent notification letters to no fewer than 89 neighbouring premises.</p>

Conclusion

The proposed redevelopment of the site is considered acceptable, and it is recommended that planning permission be granted, subject to conditions as set out below.

Human rights implications

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

Decision Level: Delegated

Recommendation: Conditional Planning Permission

Conditions

1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to Policy SE22 of the Watford District Plan 2000.

3 The development shall be carried out in accordance with the following drawings and documents, unless otherwise approved in writing by the Local Planning Authority: drawing AR57015-100 revision E, drawing AR57015-101 revision E, drawing AR57015-102 revision F, drawing AR57015-103 revision F, drawing AR57015-104 revision B, drawing AR57015-105 revision F, drawing AR57015-106 revision A, drawing AR57015-107 revision A, drawing AR57015-110 revision B, drawing 12050-SK005 revision P1, Design and Access Statement, Design Proposal Document, Transport Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

4 No work shall commence at 204 Rickmansworth Road (although it may commence at 200-2002) until a Groundworks Specification and Method Statement has been submitted to and approved in writing by the Local Planning Authority, including an analysis of the ground and of any contaminants or potential sources of contamination that are

found there, and details of the proposed method for removing them or rendering them safe.

Reason: In accordance with the recommendation in paragraph 2.1.23 of the Outline Remedial Strategy that was prepared by Cambell Reith consulting engineers, and in view of the likely presence of disused fuel tanks beneath 204 Rickmansworth Road which might present a potential source of contamination to soil and ground water unless they are removed or otherwise rendered safe. This condition is pursuant to Policy SD1 (Sustainable Design) of the Watford Local Plan Part 1 Core Strategy.

5 The vehicle showroom shall not be occupied until details of the refuse and recycling stores have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that refuse and recyclable materials are appropriately and safely stored, and that no harm will be caused to the amenity of neighbouring premises, pursuant to Policy SD4 (Waste) of the Watford Local Plan Part 1.

6 No external lighting shall be installed unless it has been approved in writing by the Local Planning Authority. Any details submitted for approval shall include the position, height and angle of the lighting, the maximum level of illumination in candelas per square metre, and an assessment of its likely impacts on the safety of passing traffic and on the amenity of neighbouring premises

Reason: To avoid glare which could lead to danger to users of the adjacent highway, and in the interests of the amenity of the area and of neighbouring residential premises.

7 *The development permitted by this planning permission shall be carried out in accordance with the approved drainage strategy report carried out by Campbell Reith Consulting Engineers reference 12050 dated 11 November 2015 and the following mitigation measures detailed within the Drainage Strategy Report:*

4. *Limiting the surface water run-off rates to 40l/s.*

5. *Implementing appropriate sustainable urban drainage measures as shown on drawing no. 12050-CD02 P3 title Proposed Drainage Layout.*

6. *Provide storage volume of 87.4m³ to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.*

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site, and to reduce the risk of flooding to the proposed development and future occupants, pursuant to Policy SD2 (Water and Wastewater) of the Watford Local Plan Part 1.

8 The vehicle showroom shall not be occupied until a maintenance plan detailing key operations and management has been submitted to and approved in writing by the Local

Planning Authority to demonstrate that the proposed rainwater drainage scheme can be adopted and maintained for its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site, and to reduce the risk of flooding to the proposed development and future occupants, pursuant to Policy SD2 (Water and Wastewater) of the Watford Local Plan Part 1.

9. No loading or unloading of cars to or from any car transporter associated with the use of the site shall take place except within the boundary of the application site as denoted on drawing no AR57015-110 revision B.

Reason: In the interests of the free and safe flow of traffic on the Rickmansworth Road.

Informatives

1 For details of how the Local Planning Authority has reached its decision on this application please refer to the planning officer's report, which can be obtained from the Council's website www.watford.gov.uk, where it is appended to the agenda of the Development Management Committee meeting of 28 January 2016; and also to the minutes of that meeting.

2 In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy

Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. We advised the applicants that the scheme was unacceptable as it had originally been presented, and we allowed an extension of time to enable them to revise their scheme and submit further drawings and supporting documents and to allow for further public consultation.

3 The development that is hereby approved is liable for contributions under the Community Infrastructure Levy (CIL). Please contact the Planning Support team at Watford Borough Council (tel 01923 278327) if you have any queries about the procedure to be followed as regards making those contributions prior to the commencement of the development.

4 This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision. To find more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

Case Officer: Mr Max Sanders

Tel. 01923 278288