

<b>Committee date</b>	<b>5<sup>th</sup> September 2018</b>
<b>Application reference</b>	<b>18/00338/FULM</b>
<b>Site address</b>	<b>Blueprint Commercial Centre Imperial Way</b>
<b>Proposal</b>	<b>Demolition of existing B1 (Business) and B2 (General industrial) buildings and erection of replacement development comprising two new B1 (b) (Research and Development) and (c) (Industrial Process), B2 (General Industrial) and B8 (Storage and Distribution) buildings with re-positioned access, parking and turning facilities.</b>
<b>Applicant</b>	<b>CHS Property Investments Ltd</b>
<b>Agent</b>	<b>MJB Architecture Ltd</b>
<b>Target decision date (Agreed Extension)</b>	<b>7<sup>th</sup> September 2018</b>
<b>Statutory publicity</b>	<b>Adjoining properties consulted 16<sup>th</sup> March 2018. Site notice posted 23<sup>rd</sup> March 2018. Press Advert published 30<sup>th</sup> March 2018.</b>
<b>Case officer</b>	<b>Chris Osgathorp <a href="mailto:chris.osgathorp@watford.gov.uk">chris.osgathorp@watford.gov.uk</a></b>
<b>Ward</b>	<b>Tudor</b>

## 1. Recommendation

**Approve** subject to conditions set out in section 8 of this report.

## 2. Site and Surroundings

- 2.1 The application site is located within the designated Imperial Way/Colonial Way Employment Area, as shown on the Proposals Map of the Watford District Plan 2000 (WDP2000). "Saved" Policy E1 of the WDP2000 states that proposals for research and development (Use Class B1b), light industry (Use Class B1c), general industry (Use Class B2) and storage and distribution (Use Class B8) would be acceptable in principle in the Employment Area.
- 2.2 The area consists of industrial buildings of varying scale that are predominantly used within the B1, B2 and B8 uses classes. Planning permission was granted in 2016 (ref: 15/01283/FULM) at a nearby site at HD House Imperial Way for the demolition of an existing two storey office and erection of a new 5 storey office building. There is a varied building line where some buildings are set back from the road while others are sited close to the front boundary. Buildings generally have flat or pitched roof forms and a variety of external materials are used.
- 2.3 The application site measures approximately 0.42 hectares in area. It consists of various industrial buildings that are used for B1 and B2 Class Uses. A two

storey office building is sited adjacent to the boundary with Imperial Way and there are single storey buildings to the rear. The buildings were constructed in the mid 20<sup>th</sup> Century and have reached the end of their serviceable life. The site is served by a vehicular crossover onto Imperial Way. There are some marked parking bays on site, however parking is generally informal. There are a fairly large number of cars stored on the site due to some of the units being occupied by a vehicle repair and servicing business. Most of the site is covered in hard-surfacing, however there is a row of conifer trees adjacent to the southern boundary which is not protected by a tree preservation order.

- 2.4 The application site is not located in a designated conservation area and no buildings are listed.
- 2.5 The application site is located within Ground Source Protection Zone 1, as shown on the Environment Agency's online mapping.

Further information, including the site plan and drawings, is available in the appendices to the report and on our [website](#).

### **3. Summary of the proposal**

#### **3.1 Proposal**

The application proposes demolition of the existing B1 and B2 buildings and erection of two new buildings (Blocks A and B) to provide 1909sqm (gross internal area) of floorspace for B1(b) and (c), B2 and B8 uses with a new vehicular crossover and a formal parking arrangement. Block A would provide 3 units and Block B would provide 2 units. The units would be served by double height roller shutters for loading. The buildings are designed with pitched roofs, including rooflights, and the external walls would be clad in Kingspan cladding panels.

- 3.2 The proposed buildings are warehouses and the floor space is at ground floor level only.
- 3.3 40 on-site parking spaces would be provided, including 4 disabled bays. Loading bays would be provided to the front of the roller shutters. Refuse and cycle storage would be sited adjacent to the eastern side boundary.

#### **3.4 Conclusion**

The existing buildings were constructed in the mid 20<sup>th</sup> Century and have reached the end of their serviceable life. The existing site has an incoherent layout and there are a large number of cars parked informally around the site. The proposed Class B1(b) & (c), B2 and B8 buildings would provide modern

employment floorspace and would improve the access and parking arrangements within the site. Furthermore, the scale and design of the proposed buildings are considered to be acceptable. There are considered to be no adverse effects that outweigh the benefits of the proposal, therefore it is recommended that the application should be approved subject to conditions.

#### **4. Relevant Policies**

- 4.1 Members' should refer to the background papers attached to the agenda. These highlight the Policy Framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

#### **5. Relevant site history/background information**

- 5.1 There is no planning history of relevance to the current application.

#### **6. Main considerations**

- 6.1 The main issues to be considered in the determination of this application are:
- (a) Principle of use.
  - (b) Design and layout.
  - (c) Access, parking and traffic generation
  - (d) Impact on neighbouring properties
  - (e) Environmental matters.

##### **6.2 (a) Principle of use**

The application site is located in the Imperial Way/Colonial Way Employment Area – indicated as Employment Area E3 on the Proposals Map of the Watford District Plan 2000. "Saved" Policy E1 of the WDP2000 states that proposals for research and development (Use Class B1b), light industry (Use Class B1c), general industry (Use Class B2) and storage and distribution (Use Class B8) would be acceptable in principle in identified Employment Areas 1 – 6.

- 6.2.1 Policy SS1 of the Watford Local Plan Core Strategy 2006-31 states that an increase of at least 7,000 jobs is planned. Employment opportunities will be focused on locations including allocated employment areas and improvements to allocated employment areas will be encouraged to meet modern business needs.

- 6.2.2 The existing buildings were constructed in the mid 20<sup>th</sup> Century and have reached the end of their serviceable life. The existing site has an incoherent

layout and there are a large number of cars parked informally around the site. The proposed Class B1(b)(c), B2 and B8 buildings would provide modern employment floorspace and would improve the access and parking arrangements within the site. The proposal is therefore considered to be acceptable in principle.

### 6.3 (b) Design and layout

The scale of the proposed buildings would be in keeping with the area. The scheme would provide a functional layout and the design and appearance of the proposed buildings is considered to be acceptable in context of the site's industrial setting.

### 6.4 (c) Access, parking and traffic generation

#### 6.4.1 i) Access

The existing vehicular access would be closed up and a new vehicular crossover would be constructed further to the north. The Highway Authority has stated that the new access would have no impact upon visibility splays, traffic movement or pedestrian safety. They state that improvements to the geometry of the access will facilitate safer and more convenient vehicular access to the site compared to the current arrangement. There would be sufficient manoeuvring space within the site for lorries and cars to turn safely.

#### 6.4.2 ii) *Traffic generation*

The Highway Authority has stated that the proposed development would not cause a material increase in traffic generation from the site, therefore there would be no adverse effect on the operation of the local highway network.

#### 6.4.3 iii) *Parking*

The application proposes 40 on-site parking spaces, which equates to a parking ratio of 1 space per 50sqm. Appendix 2 of the WDP2000 states that the Maximum Parking Standard for a mixed B1,B2, B8 use (where individual land components are unknown) is 1 space per 40sqm. A parking ratio of 1 space per 50sqm is considered to be acceptable for mixed B1(b), B1(c), B2 and B8 uses. The traffic and parking generation associated with the proposed uses is less than B1(a) offices would have generated.

The warehouse design of the buildings is unlikely to be suitable for offices and the agent has agreed to a condition that restricts use of the proposed buildings to B1(b), B1(c), B2 and B8 uses. Small offices that are ancillary to the primary use would be permissible.

### 6.5 (d) impact on neighbouring properties

There are no residential properties close to the application site, therefore the

proposal would cause no loss of residential amenity. Furthermore, the proposal would not cause an unreasonable loss of light or outlook to adjacent business uses.

## 6.6 (e) Environmental matters

### 6.6.1 *i) Land contamination*

There is a high risk of contamination at the site due to previous land uses. Controlled waters are sensitive at the site because it is located in Source Protection Zone 1 and is located upon a principal aquifer. The Environment Agency has stated that the submitted Ground Investigation Report shows that it will be possible to suitably manage the risk posed to controlled waters by the development and have requested a number of conditions relating to the submission of a remediation strategy and monitoring.

### 6.6.2 *ii) Ecology*

Hardsurfacing covers most of the site, therefore it is of no ecological value. Given the industrial use of the buildings it is unlikely that they provide habitats for protected species.

### 6.6.3 *iii) Surface water drainage strategy*

The applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site and the most appropriate sustainable drainage methods have been explored. The proposed scheme includes the introduction of permeable paving wrapped in an impermeable flexible membrane which would pass through an oil/petrol interceptor and discharge into a soakaway. The soakaway is designed for the 1 in 100 year event plus 40% for climate change. This has been approved by the County Council as the Lead Local Flood Authority. A condition requiring the submission of a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles should be attached to any grant of planning permission.

## 7. Consultation responses received

### 7.1 Statutory consultees and other organisations

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Hertfordshire County Council (Highway Authority)	No objection.	Noted.
Hertfordshire County	No objection subject to	Noted.

Council (Lead Local Flood Authority)	conditions.	
Hertfordshire County Council (Ecology)	No response.	
Hertfordshire County Council (Waste and Minerals)	No response.	
Hertfordshire County Council (Development Services)	A Section 106 agreement is sought to ensure that fire hydrants are provided to serve the proposed buildings.	This is not considered to be necessary given that there are existing buildings on site and the proposed buildings are adjacent to the main road.
Thames Water	No response.	
Environment Agency	No objection subject to conditions	Noted.

## 7.2 Internal Consultees

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Arboricultural Officer	The proposals will not require the loss of any trees. Two groups of off-site conifers are shown to be trimmed back where they over hang the site. Providing this is carried out sympathetically and within the guidelines set out in BS3998 (Tree work) no significant harm should occur to the trees.	Noted.
Contaminated Land Officer	The proposed development site has been previously developed. The Council's historical maps indicate that the site	Noted.

	<p>has previously been occupied by a works, an explosives factory and various works (1958 to 1964).</p> <p>Based on this, the standard Land Quality Condition is required on this and any subsequent applications for the site.</p>	
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### 7.3 Representations received from interested parties

No representations have been received.

## 8. Recommendation

That planning permission be granted subject to the following 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and any subsequent legislation that amends or supersedes this Order, the floorspace hereby approved shall only be used for purposes within Classes B1(b), B1(c), B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) as shown on the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the employment designation of the land and the details of the submitted application.

3. All the external surfaces of the development shall be finished in the materials shown on the approved plans. Details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any

alternative details approved by this Condition.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 of the Watford Local Plan: Core Strategy 2006 - 31.

4. The development hereby approved shall not be occupied until the new vehicular access and on-site car parking spaces and manoeuvring areas have been constructed and laid out in accordance with drawing No. 2617/P6 Rev A (or any subsequent drawing submitted to and approved in writing by the Local Planning Authority). The vehicular access and on-site car parking spaces and manoeuvring areas shall be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to ensure that sufficient on-site parking spaces are provided.

5. The development hereby approved shall not be occupied until the existing vehicular access from Imperial Way has been stopped up by raising the existing dropped kerb and reinstating the footway and highway boundary to the same line, levels and detail as the adjoining footway, verge and highway boundary.

Reason: In the interests of pedestrian safety.

6. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Surface Water Drainage Strategy & Sustainable Drainage Management and Maintenance Plan prepared by Monson Engineering job number 8675V, issue B, dated 3rd August 2018:
  1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year event plus 40% of climate change event.
  2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year plus 40% for climate change event providing storage volume in permeable paving and underground aquacell feature.
  3. Discharge of surface water from the private network into the ground.



The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

7. No above ground construction may commence until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
  1. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
  2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site.

8. The development hereby approved shall not be occupied until refuse, recycling and cycle storage has been provided in accordance with the approved plans. The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site and to ensure satisfactory provision for on-site cycle storage facilities.

9. No development approved by this planning permission (excluding demolition works down to slab level to facilitate further intrusive site investigation), shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been

submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. Prior to any part of the development hereby approved being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have

been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

11. No development shall commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site. No investigation can completely characterise a site. In this case it is understood that a number of industrial units are currently occupied and it has not been possible to access these areas for investigation.

13. No infiltration of surface water drainage into the ground at the site shall take place other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect the water environment, including groundwater, in accordance with saved Policy SE24 of the Watford District Plan 2000.

14. No piling or any other foundation designs using penetrative methods shall be carried out until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. The piling method statement must also demonstrate that there will be no resultant unacceptable risk to groundwater. Any piling must be undertaken in accordance with the approved piling method statement.

Reason: To protect the water environment, including groundwater, and any underground sewerage infrastructure, in accordance with saved Policy SE24 of the Watford District Plan 2000.

15. The building hereby approved shall not be occupied until a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes has been submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the building.

Reason: To ensure that redundant boreholes are safe and secure and do not cause groundwater pollution or loss of water supplies.

16. The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. The following drawings are hereby approved: 2617/P1; 2617/P2; 2617/P4; 2617/P5; 2617/P6 Rev A; 2617/P7; 2617/P8; 2617/P9; 2617/P10; 2617/P11; 2617/P12; and 2617/P13.

Reason: For the avoidance of doubt as to what has been permitted and in the interests of proper planning.

## Informatives

1. 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 2010, as amended.
2. 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 out more information and for advice as to whether a Building Regulations application will be required please visit [www.watfordbuildingcontrol.com](http://www.watfordbuildingcontrol.com).

3. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/393927/Party\\_Wall\\_etc\\_Act\\_1996\\_-\\_Explanatory\\_Booklet.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf)
4. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours:

Monday to Friday 8am to 6pm

Saturdays 8am to 1pm

Noisy work is prohibited on Sundays and bank holidays

Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work.

Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at:

[https://www.watford.gov.uk/info/20010/your\\_environment/188/neighbour\\_complaints\\_%E2%80%93\\_construction\\_noise](https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93_construction_noise)

5. Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
6. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> by telephoning 0300 1234047.
7. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

8. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
  
9. The planning officer's full report gives more detail than is to be found in the Decision Notice. The full report can be obtained from the Council's website [www.watford.gov.uk/planning](http://www.watford.gov.uk/planning) or on request from the Regeneration and Development Department.