

<b>Committee date</b>	Wednesday, 4 September 2019
<b>Application reference</b> <b>Site address</b>	19/00288/FUL - Dhamecha, Imperial Way
<b>Proposal</b>	Erection of 4 no. Light Industrial units (Class B1c), associated car and cycle parking and access.
<b>Applicant</b>	Empire Partners Limited
<b>Agent</b>	PPML Consulting Limited
<b>Type of Application</b>	Full planning application
<b>Reason for committee Item</b>	Major development
<b>Target decision date</b>	09 May 2019
<b>Statutory publicity</b>	Site notices posted 12 July 2019. Public advert in Watford Observer 19 July 2019
<b>Case officer</b>	Paul Baxter, paul.baxter@watford.gov.uk
<b>Ward</b>	Tudor

## 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. It comprises an irregular shaped plot of land fronting Imperial Way with an area of 2567m. The land is open and hard surfaced, formerly used for car parking, and has no buildings on it. It directly adjoins the existing large Dhamecha cash and carry warehouse to the east with a frontage to Imperial Way to the west, the access road to Dhamecha to the north and Ryan Way to the south. It has existing access points to the north onto the access road and the south onto Ryan Way.
- 2.2 The area consists of industrial buildings of varying scale that are predominantly used within the B1, B2 and B8 use classes. Planning permission was recently granted in 2018 (ref: 18/00338/FULM) for the redevelopment of the site immediately to the north at Blueprint Commercial Centre for new industrial buildings for use within Class B1(b) and (c), B2 and B8. 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 shallow pitched roof forms and a variety of external materials are used.

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

To erect 4 new commercial buildings on the site for light industrial use within Class B1(c). The buildings are sited along the eastern boundary of the site, immediately adjacent to the existing flank elevation of the Dhamecha warehouse, with parking and servicing to the front. Access will be from the northern access road with the southern access to Ryan Way to be closed off.

- 3.2 The buildings vary in floorarea from 177-298m<sup>2</sup> with a total floorarea of 1030m<sup>2</sup>. They have an eaves level at 10.5m and shallow, pitched roofs with a ridge level of 12m. Fifteen parking spaces are provided to serve the units. The proposed external materials are brick at ground floor level and profiled metal cladding above.

#### **3.3 Conclusion**

The proposed light industrial buildings will provide modern employment floorspace within this existing employment area. 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**

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is 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. On the application form it is stated that the site was formerly an overspill car park for

the warehouse unit but this has not been used since the site was acquired by the applicant in 2003, however, there is some evidence from aerial images of the car park being used.

## **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 District Plan 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.

6.3 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.

6.4 The proposed light industrial units will provide new, modern employment floorspace in accordance with these policies. The proposal is therefore acceptable in principle.

6.5 (b) Design and layout

The scale of the proposed buildings will match the height of the existing Dhamecha warehouse and will 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. Details of the external materials can be secured by condition.

6.6 (c) Access, parking and traffic generation

i) Access

The existing northern vehicular access from the access road will be retained and the southern access to Ryan Way closed up. This is acceptable.

## 6.7 ii) Parking

The application proposes 15 on-site parking spaces, which equates to a parking ratio of 1 space per 69m<sup>2</sup>. Appendix 2 of the District Plan states that the maximum parking standard for a Class B1(c) use is 1 space per 35m<sup>2</sup>, so the proposal accords with this. Based upon the proposed floorspace and location of the site within parking zone 4, the maximum number of spaces would be 29.

## 6.8 (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 any loss of amenity to adjacent commercial uses.

## 6.9 (e) Environmental matters

### 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. A lot of these proposed conditions are pre-commencement conditions.

## 6.10 ii) Surface water drainage strategy

The applicant has provided sufficient detail to demonstrate that an acceptable surface water drainage scheme can be provided to mitigate any potential surface water flood risk. The proposed scheme is based upon attenuation and restricted discharge at 1l/s via an existing connection to the Thames Water surface water sewer. The attenuation has been designed for all rainfall events up to and including 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 has been requested.

# 7. Consultation responses received

## 7.1 Statutory consultees and other organisations

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>
Hertfordshire County Council (Highways Authority)	No comments received.
Hertfordshire County Council (Lead Local Flood Authority)	An acceptable surface water drainage scheme has been submitted. No objection to the proposal subject to suggested conditions.
Environment Agency	No objection to the proposal subject to conditions and advice to the applicant that must be followed.

## 7.2 Internal Consultees

<b>Name of Internal Consultee</b>	<b>Comment</b>
Economic Development Officer	There is a shortage of small light industrial units in Watford so the addition of new light industrial units on Imperial Way is welcome.

## 7.3 Interested parties

Letters were sent to 19 properties in the surrounding area. No responses 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. 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:

DFW/PL/400, 401

DFW/EX/100, 200  
DFW/PL/100, 101, 200, 201, 202

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

3. No development approved by this planning permission 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.

4. 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, in accordance with saved Policy SE24 of the Watford District Plan 2000.

5. No development shall commence 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.

6. No development shall commence until the final design of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system will be based on the approved Flood Risk Assessment & SUDS Strategy at Dhamecha Foods, Imperial Way, Watford prepared by Turner Jomas & Associates, dated June 2019 (Version 4.0, Ref: P1851J1558). The scheme shall also include:

1. Detailed engineered drawings of all the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.

2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving etc. and ensuring appropriate management and treatment of the car parking areas.
3. A management and maintenance plan for the surface water drainage system.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory storage and disposal of surface water from the site.

7. No construction works above ground level shall be carried out until details of the materials to be used for the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

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

8. 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 ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants, in accordance with saved Policy SE24 of the Watford District Plan 2000.

9. 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 and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. The piling method statement must incorporate measures to 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.

10. 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 does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site, in accordance with saved Policy SE24 of the Watford District Plan 2000.

11. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and SUDS Strategy at Dhamecha Foods, Imperial Way, Watford by Turner Jomas and Associates, dated June 2019 (Version 4.0, Ref. P1851J1558) and the following mitigation measures:
  1. Provide attenuation (151.28m<sup>3</sup> of storage) to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event.
  2. Implement drainage strategy based on restricted surface water discharge at 1l/s and include permeable paving with sub-base and geocellular storage.

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.

12. 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, in accordance with saved Policy SE24 of the Watford District Plan 2000.

13. The development hereby approved shall not be occupied until the new on-site car parking spaces and manoeuvring areas have been constructed and laid out in accordance with approved drawing no. DFW/PL/100 (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.

14. 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.

15. 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 Class B1(c) 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.

#### Informatives

1. IN907 – Positive and proactive statement

2. IN909 – Street naming and numbering
3. IN910 – Building Regulations
4. IN911 – Party Wall Act
5. IN912 – Hours of Construction
6. Advice from the Environment Agency