

Committee Date	Wednesday 14 April 2021
Application Reference	20/01491/FULM
Site Address	Dhamecha, Imperial Way, Watford, WD24 4UA
Proposal	Construction of 4no. light industrial units (Class E), associated car and cycle parking and access.
Applicant	Empire Partners Ltd
Agent	PPML Consulting Ltd
Type of Application	Full Planning Permission
Reason for Committee Item	Major Application
Target Decision Date	Wednesday 19 th April 2021 (extended by agreement)
Statutory Publicity	Watford Observer, Neighbour letters and Site Notice
Case Officer	Helen Harris; helen.harris@watford.gov.uk
Ward	Tudor

1. Recommendation

- 1.1 That planning permission be granted, subject to conditions and informatives as set out in Section 8 of this Committee 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. The site comprises an irregular shaped plot of land fronting Imperial Way, north of its junction with Ryan Way, with an area of 2,567sqm. The land is open and hard surfaced, formerly used for car parking and does not have any buildings on the site. The site directly adjoins the existing large Dhamecha cash and carry warehouse to the east, with a frontage to Imperial Way to the west, the service access road to Dhamecha cash and carry depot to the north and Ryan Way to the south. The site has existing access points to the north, taken from the access road, and the south, taken from Ryan Way.
- 2.2 The surrounding area consists of industrial buildings of varying scale that are predominantly used within the Class E (formerly Class B1(a-c)), Class B2 and Class B8 planning use classes. Planning permission was granted in 2018 (reference: 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) (now Class E), Class B2 and Class B8. There is a varied building line where some buildings are set back from the road, whilst others are sited closer to the front boundary. Buildings generally have flat or shallow pitched roof forms and utilise a variety of external materials.

2.3 The application site is not located within a designated conservation area and there are no listed buildings either on site nor located within proximity of the site.

2.4 The application site is located within Ground Source Protection Zone 1, as shown on the Environment Agency's online mapping tool.

3. Summary of the Proposal

3.1 Proposal

3.2 Full planning permission is sought for the erection of 4no. new commercial buildings on the site for light industrial use within Class E (formerly Class B1(c)). The buildings are sited along the western boundary of the site, close to the boundary with Imperial Way, with parking and servicing to the rear. Access will be from the existing northern access road, with the southern access to Ryan Way to be closed off.

3.3 All 4no. buildings are single-storey (albeit with a high eaves level) and vary in floor area between 261-280sqm with a total floor area of 1,087sqm. The buildings are proposed to be of a steel-frame and cladding design with duo-pitched roofs and rooflights. The proposed external materials are red brick at ground floor level and composite cladding for walls and roof. They have an eaves level at 8m and at their maximum a height of 11.7m. A total of 19no. parking spaces are provided to serve the units.

3.4 Conclusion

3.5 The proposed light industrial buildings will provide modern employment floorspace within this designated existing employment area. The scale and design of the proposed buildings are considered to be appropriate to the surrounding context. There are not considered to be any adverse effects that outweigh the benefits of the proposal and, therefore, it is recommended that the application should be granted, 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 is determined. Specific policy considerations with regard to this particular application are detailed in Section 6, below.

5. Relevant Site History

5.1 The application site has the following planning permission history:

5.2 19/00288/FUL - Erection of 4no. Light Industrial units (Class B1(c)), associated car and cycle parking and access. Conditional planning permission was granted on 5th September 2019.

6. Main Considerations

6.1 The main issues to be considered in the determination of these applications are:

- (a) Principle of Development;
- (b) Design and Layout;
- (c) Access, Parking and Traffic Generation;
- (d) Impact upon Neighbouring Properties; and
- (e) Environmental Considerations

6.2 (a) Principle of Development

6.3 The application site is located within 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 (former Use Class B1(b), now Use Class E), light industry (former Use Class B1(c), now Use Class E), general industry (Use Class B2) and storage and distribution (Use Class B8) would be acceptable in principle in identified Employment Areas 1 – 6.

6.4 The South West Hertfordshire Economic Study Update (2019), Watford Employment Land Review (2019) and Loss of Employment Space in Hertfordshire (2019) reports have demonstrated there to be critical losses of industrial floor space in the borough. The studies recommend greater protection of industrial floor space to meet future economic growth projections.

6.5 Section 11 of the NPPF establishes the requirement to make effective use of land. Paragraph 117 establishes that “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment...”. Paragraph 118 states that planning policies and decisions should promote and support the development of under-utilised land and buildings and give substantial weight to the value of using suitable brownfield land. Paragraph 80 of the NPPF sets

out that planning policies and decisions should help create conditions in which businesses can invest, expand and adapt.

- 6.6 Policy SS1 of the Watford Local Plan Core Strategy 2006-31 states that an increase of at least 7,000 jobs is planned for during the plan period. 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.
- 6.7 The proposed light industrial units will provide new, modern employment floorspace in accordance with these policies. It is acknowledged that the previous planning permission has established the acceptability of the principle of redevelopment of the site to accommodate light industrial use. The proposals put forward in this application continue to align with, and support, policy objectives and the principle is therefore considered acceptable.
- 6.8 (b) Design and Layout
- 6.9 The application scheme proposes a different layout and design to the four industrial buildings from that approved under planning permission 19/00288/FUL. The buildings are repositioned on the site to now sit along the western edge of the site closer to the Imperial Way frontage, with car parking and servicing area contained to the rear of these buildings within the site. In terms of their design, the buildings are now shown to be duo-pitch flat roof rather than the previously approved dual-pitched arrangement and the buildings feature extensive rooflights to improve natural daylight ingress to the buildings.
- 6.10 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 the context of the site's industrial setting. Details of the external materials can be secured by condition.
- 6.11 (c) Access, Parking & Traffic Generation
- 6.12 (i) *Access*
The existing northern vehicular access from the service road will be retained and the southern access to Ryan Way closed up. This is acceptable.
- 6.13 (ii) *Parking*
The application proposes 19no. on-site car parking spaces, which equates to a parking ratio of 1 space per 57sqm. Appendix 2 of the District Plan states that the maximum parking standard for a former Class B1(c) (now known as Class E)

use is 1 space per 35sqm, so the proposal accords with this. Based upon the proposed floorspace and location of the site within parking zone 4, this yields a maximum provision of 31 spaces.

6.14 The application is supported by a Transport Statement which analyses the proposed parking provision and anticipates the parking demand likely to be generated by the proposed development. Maximum parking demand for 15no. spaces is projected to occur between 12 noon and 12:30 hours on a typical weekday. It is, therefore, considered that the proposed parking provision of 19no. spaces as part of this application would be sufficient to cater for the proposed development and not result in overspill parking on the surrounding road network.

6.15 *(iii) Traffic Generation*

It is acknowledged that the assessment of the previously approved planning application established the acceptability of the access arrangements and highways implications of a similar quantum of new industrial floorspace to that which is hereby proposed in this application. The current proposals represent a slight increase in the floorspace of approximately 57sqm (GIA). It is anticipated that the proposed development will generate a total of 7 and 9 two-way weekday trips during the AM and PM peak hour periods respectively. In terms of trip generation, it is considered that the proposed development can be satisfactorily accommodated on site without resulting in any significant impact upon highway safety.

6.16 *(iv) Deliveries and Servicing*

Deliveries and servicing will take place on site. Each unit has a loading bay to the front of the unit. Given the relatively small scale of the four proposed industrial units extending to a maximum of 280sqm, deliveries and servicing requirements are anticipated to be relatively low with trips during the weekday peak hour periods resulting in no material detrimental impact on the surrounding road network.

6.17 The largest vehicles projected to enter the site are expected to be a refuse vehicle at approximately 8m in length and a 3.5 tonne van at approximately 5.5m in length. Swept path analysis has been undertaken and demonstrates that each of these vehicle types could enter and exit the site in a forward direction and their movements adequately accommodated within the designated loading areas.

6.18 (d) Impact upon Neighbouring Properties

6.19 There are no residential properties close to the application site. As such, the proposal would cause no loss of residential amenity. Furthermore, the proposal would not cause any loss of amenity to adjacent commercial uses.

6.20 (e) Environmental Considerations

6.21 (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 as it is located in Source Protection Zone 1 and is positioned upon a principal aquifer. In their assessment of the previous planning application (reference: 19/00288/FUL), the Environment Agency stated that the accompanying Ground Investigation Report had shown that it would be possible to suitably manage the risk posed to controlled waters by the development and requested a number of conditions be imposed relating to the submission of a remediation strategy and monitoring. Many of those proposed conditions were pre-commencement conditions. The Environment Agency has recommended these same conditions be imposed and these have been carried forward in this application.

6.22 (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 2l/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 has been requested requiring the submission of a detailed final surface water drainage scheme for the site based on the approved flood risk assessment and drainage strategy, alongside a condition to request that a sustainable drainage management and maintenance plan is submitted for the SuDs features and drainage network.

7. **Consultation Responses Received**

7.1 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee	Comment
Hertfordshire County Council (Highways Authority)	No objections to the scheme, subject to the imposition of a number of informatives.

<p>Hertfordshire County Council (Lead Local Flood Authority)</p>	<p>No objection in principle on flood risk grounds. The site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.</p> <p>Three conditions recommended to be attached to any grant of planning permission in relation to the submission of a final detailed drainage scheme (prior to commencement of works), as well as the submission of a management and maintenance plan for the sustainable drainage. These conditions have been included in the recommendation at Section 8.</p>
<p>Environment Agency</p>	<p>Comments received regarding potential for ground contamination and recommendation that a pre-commencement remediation condition is attached to any grant of planning permission. A suite of other conditions have also been recommended in relation to contamination, surface water drainage systems, any need for any intrusive groundworks and borehole management.</p> <p>All of these conditions have been included in the recommendation at Section 8.</p>

7.2 Internal Consultees

Name of Internal Consultee	Comment
<p>Environmental Health</p>	<p>No objections to the scheme, subject to conditions and informatives in relation to contaminated land and one condition in relation to air quality.</p> <p>These have been included in the recommendation at Section 8.</p>

7.3 Interested Parties

Letters were sent to 19no. properties in the surrounding area. No representations have been received.

8. Recommendation

That planning permission be granted, subject to the conditions and informatives listed below:

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 hereby permitted shall be carried out in accordance with the following approved drawings:

DWF-PL-500 – Proposed Ground Floor Plan and Proposed Roof Plan
DWF-PL-500 – Proposed Elevations
DWF-PL-401 – Block Plan Site Plan
DWF-PL-400 – Site Location Plan

Reason: For the avoidance of doubt 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 and Paragraph 170 of the NPPF, 2019.

5. 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 Jomas & Associates, dated December 2020 (Version 1.0, Ref: reference P1851J1558). The scheme shall also :

1. Include 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 ensure appropriate management and treatment of the car parking areas.

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.

6. No development shall commence until a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes is 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 any part of the permitted development. No boreholes should be decommissioned until it has been agreed in writing by the local planning authority that they are no longer required.

Reason: To ensure that a sufficient monitoring network is maintained and that redundant boreholes are safe and secure and do not cause groundwater pollution or loss of water supplies in line with Paragraph 170 of the NPPF, 2019.

7. Before any part of the development hereby permitted is commenced, an air quality assessment / survey shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be commenced until after a statement of method and extent in order to mitigate / minimise the effects of air pollution has been submitted to and approved in writing by the Local Planning Authority. Thereafter the proposed development shall not be constructed other than in accordance with the details agreed under this condition.

Reason: This condition is necessary due to the nature of the development and in order to safeguard the amenities of the locality.

8. 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.

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 of water pollution from previously unidentified contamination sources at the development site, in accordance with saved Policy SE24 of the Watford District Plan 2000 and Paragraph 170 of the NPPF, 2019.

11. 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 of water pollution caused by mobilised contaminants, in accordance with saved Policy SE24 of the Watford District Plan 2000 and Paragraph 170 of the NPPF, 2019.

12. Prior to any part of the permitted development 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 and Paragraph 170 of the NPPF, 2019.

13. 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 Jomas and Associates (dated December 2020, version 1.0, reference P1851J1558) and the following mitigation measures:

1. Provide attenuation 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 2l/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.

14. Upon completion of the drainage works for the site in accordance with the timing/phasing arrangements, a management and maintenance plan for the SuDs features and drainage network must be submitted to, and

approved in writing by, the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage
2. Maintenance and operational activities
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

15. 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/500 (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.

16. 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.

17. The units hereby approved shall be solely used for light industrial purposes and for no other purpose (including any purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

Informatives

1. IN907 - Positive and proactive statement - GRANT
2. IN910 - Building Regulations
3. IN912 - Hours of Construction
4. IN909 - Street Name and Numbering
5. IN913 - Community Infrastructure Level Liability
6. HIGH – Storage of Materials – Highway
7. OBSHIG – Obstruction of the Highway
8. MUD – Mud on Highway
9. Advice from the Environment Agency