

Committee date	Wednesday, 14 April 2021
Application reference	21/00159/VARM Integrity House 3 Rhodes Way Watford
Site address	WD24 4YW
Proposal	Variation of condition 2 (changes to approved plans) of planning permission 20/00509/FULM
Applicant	CL2017 Ltd
Agent	Contour Planning Services Ltd
Type of Application	Variation of Condition to a Major Planning Permission
Reason for committee Item	Major Development
Target decision date	07 May2021
Statutory publicity	Paper Advertisement, Site Notice and Neighbour Letters
Case officer	Alice Reade, alice.reamde@watford.gov.uk
Ward	Tudor

1. Recommendation

Grant planning permission subject to conditions detailed in section 8 of the report.

2. Site and surroundings

- 2.1 The existing site contains the fire damaged building of the former laundry premises (Use Class B1 (c)) With a Gross Internal Area of 2500sqm. The site is located within the Colonial Way Employment Area.
- 2.2 The site is not within a conservation area and does not encompass any listed buildings.
- 2.3 The site has a notable ground level change to adjacent sites including an 8m drop down to the site from the residential properties to the south west.
- 2.4 Due to the previous uses of the site and the fire there are potential contaminants on site.

3. Summary of the proposal

3.1 Proposal

- 3.2 To vary the drawings approved by application 20/00509/FULM to allow for amendments as follows:

- Internal layout of the building for positioning of equipment
- Minor external alterations following internal changes
- Amendments to layout of front parking/servicing area
- Installation of vehicular access gates

3.3 Conclusion

The amendments proposed in the revised plans are minor in nature. The development remains in providing efficient use of employment land in the creation of a purpose built laundry building. As such, the proposed development remains fully in accordance with the policy and objectives for the designated employment area and would create no new or increased adverse impacts to amenity, highway safety or neighbouring premises.

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

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
11/00374/FUL	Change of use from Storage/Distribution (class B8) back to Light Industrial (Class B1 C) as building was originally.	CPP	01.06.2011
19/00532/FUL	Part demolition and rebuild of existing laundry and office premises	CPP	10.01.2020
20/00054/PREAPP	Pre-application enquiry for demolition of fire damaged building and associated office and erection of replacement commercial laundry with associated works.	Advice provided	05.03.2020
20/00262/DEM	Prior approval for the demolition of existing fire damaged warehouse and associated 2 storey office	Prior approval not required	20.03.2020

	building down to existing slab level.		
20/00509/FULM	Erection of replacement commercial laundry (Use Class B1C) with associated office and ancillary works	CPP	03.09.2020
20/01400/DISCON	Details submitted for Condition 6 (Contaminated Land Risk Assessment) pursuant to planning permission 20/00509/FULM	Details refused	02.02.2021

6. Main considerations

- 6.1 This variation of condition application only considers matters where this proposal differs from the consented scheme. The principle of the development, the scale of the building, the impact on surrounding properties and environmental considerations are unchanged and remain acceptable as discussed in the report for the original application 20/00509/FULM which is attached as Appendix 1 to this report.
- 6.2 The main issues to be considered in the determination of this application are:
- (a) Design, scale and layout
 - (b) Access, parking, servicing and traffic generation
 - (c) Impact to neighbouring properties
- 6.3 (a) Design, scale and layout
The position, scale and height of the building are unchanged from the previously approved scheme. The alterations to the external appearance of the building are minor and remain appropriate in design and appearance for the nature of the building.
- 6.4 (b) Access, parking, servicing and traffic generation
The front servicing area is amended in layout, however, retains appropriate car parking, cycle storage, bin/refuse storage and servicing/delivery facilities. The new access gates would be appropriately located within the site and would not create overhanging to the highway.
- 6.5 (c) Impact to neighbouring properties
The amendments would not create any new or increased adverse impact to neighbouring occupiers.

7. Consultation responses received

7.1

Consultee	Comment Summary	Officer Response
Environmental Agency	No response received.	No significant changes to previous approved scheme and same conditions added.
Hertfordshire Lead Local Flood Authority (LLFA)	No objection.	Noted and previous conditions added.
HCC Highways	No material affect noted and no objection.	Noted.
Environmental Health	No response received.	No significant changes proposed to this scheme in respect of noise/odour matters.

7.2 Interested parties

Letters were sent to 25 properties in the surrounding area including the Norbury Avenue properties which back onto the site. No objections have been received.

8. Recommendation

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

Conditions

1. The development to which this permission relates shall be begun before 3rd September 2023.

Reason: To comply with the time period for commencement of the original planning permission 20/00509/FULM and 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:

18019-TP-001
18019-TP-002

18019-TP-003
18019-TP-004
18019-TP-005 Rev C
18019-TP-006 Rev B
18019-TP-007 Rev B
18019-TP-008 Rev C
18019-TP-009 Rev A
18019-TP-010 Rev B
18019-TP-011 Rev B
18019-TP-012 Rev B
18019-TP-013 Rev B
18019-TP-014 Rev B
18019-TP-015 Rev B
18019-TP-016
18019- Materials finishes Rev A
18019-SK-025 Rev B

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

3. The external surfaces of the development shall be finished in the materials as specified on approved drawings and in document '18019- Materials finishes Rev A' unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the building and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

4. Prior to the commencement of the site works the applicant shall submit a construction management plan setting out details of any demolition works, removal of materials from site, parking for all contractors, sub-contractors, visitors and delivery vehicles and storage of materials to be approved in writing by the Local Planning Authority and those measures approved shall be maintained available for use at all times during the period of site works.

Reason:- To minimise danger, obstruction and inconvenience to users of the highway

5. Three Months prior to full use of the permitted development, a detailed Travel Plan for the site, based upon the Hertfordshire County Council document "Hertfordshire Travel Plan Guidance" and applicant's

framework Travel Plan, shall be submitted and approved in writing by the local planning authority. The approved Travel Plan shall always be implemented.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised with the policies of Hertfordshire Local Transport Plan adopted in 2018.

6. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on (the submitted report: Phase 1 Contamination Assessment (MLM, reference: 777853-MLM-ZZ-XX-RP-J-0001, 08/07/2019) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) 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.
3. 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 (2) 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 the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and to prevent deterioration and promote recovery of water quality within the Mid Chilterns WFD groundwater body.

7. 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. This is in line with paragraph 170 of the National Planning Policy Framework and to prevent deterioration and promote recovery of water quality within the Mid Chilterns WFD groundwater body.

8. The development hereby permitted shall not 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. This is in line with paragraph 170 of the National Planning Policy Framework.

- To prevent deterioration and promote recovery of water quality within the Mid Chilterns WFD groundwater body.

9. 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

paragraph 170 of the National Planning Policy Framework and to prevent deterioration and promote recovery of water quality within the Mid Chilterns WFD groundwater body.

10. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks 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 paragraph 170 of the National Planning Policy Framework and to prevent deterioration and promote recovery of water quality within the Mid Chilterns WFD groundwater body.

11. Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) using does not harm groundwater resources in accordance with paragraph 170 of the National Planning Policy Framework.

12. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be 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.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework; to prevent deterioration and promote recovery of water quality within the

Mid Chilterns WFD groundwater body and to ensure that a sufficient monitoring network is maintained to allow for the completion any monitoring required to demonstrate as part of any verification plan, to demonstrate “betterment” or that no deterioration has occurred.

13. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- i) A site investigation scheme, based on the Phase 1 Contamination Assessment prepared by MLM Consulting Engineers Limited (Report ref. 777853-MLM-ZZ-XX-RP-J-0001), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

- ii) The site investigation results and the detailed risk assessment (ii) 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.

- iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) 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 express 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.

14. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness

of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented. The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.

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.

16. Noise emitted from operations within the site, measured as a Rating Level in accordance with BS4142 'Method for rating industrial noise affecting mixed residential and industrial areas' at the boundaries of the nearby residential premises, shall not exceed the background LA90 noise level that would otherwise prevail in the absence of noise from the site by more than 5dB(A).

Reason: To ensure that the proposed development does not materially prejudice the amenity of the surrounding premises in accordance with saved Policy SE22 of the Watford District Plan 2000.

17. Prior to occupation of the new development, secure and weatherproof cycle storage shall be installed in the site in accordance with approved drawing 18019-TP-005.

Reason: To ensure that secure and weatherproof cycle storage facilities are provided for employees and visitors in accordance with saved Policy T10 of the Watford District Plan 2000 and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

18. No part of the development shall be occupied until a detailed soft landscaping scheme for the site, including details of an appropriate irrigation systems, and a landscape management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be based upon the Landscape Proposals of the approved drawings. The approved soft landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Informatives

- IN907 Consideration of proposal in a positive and proactive manner
- IN910 Building Regulations
- IN912 Hours of Construction