

<b>Committee date</b>	Wednesday, 2 September 2020
<b>Application reference</b> <b>Site address</b>	20/00509/FULM 3 Rhodes Way, Watford WD24 4YW
<b>Proposal</b>	Erection of replacement commercial laundry (Use Class B1C) with associated office and ancillary works
<b>Applicant</b>	CL2017 Ltd
<b>Agent</b>	Contour Planning Services Ltd
<b>Type of Application</b>	Major Full Planning Permission
<b>Reason for committee Item</b>	Major Full Planning Permission
<b>Target decision date</b>	25 <sup>th</sup> August 2020 Extended by agreement to 3 <sup>rd</sup> September 2020
<b>Statutory publicity</b>	Site Notice and paper advert with overall expiry of 6 <sup>th</sup> June 2020
<b>Case officer</b>	Alice Reade, alice.reamde@watford.gov.uk
<b>Ward</b>	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). GIA 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 Demolition of the existing fire damaged laundry building of 2500sqm (Use

Class B1(c)) and replacement with a commercial laundry with ancillary office. Proposed floor area totalling 4802sqm of Use Class B1(c) space.

3.3 Building to comprise 2 internal storeys of production/warehouse space with external height of 15m. External materials to comprise a grey masonry plinth, white cladding, glazing and metal detailing.

#### 3.4 Conclusion

3.5 The proposal would make more efficient use of employment land creating a purpose built laundry building. As such, the proposed development is fully in accordance with the policy and objectives for the designated employment area.

3.6 The development would provide sufficient on-site parking and would not create adverse impact to highway safety or adverse harm to the amenities of residential occupiers to the south west of the site.

#### 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/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/PREA PP	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 building down to existing slab level.	Prior approval not required	20.03.2020
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## 6. Main considerations

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

- (a) Principle of use
- (b) Design, scale and layout
- (c) Access, parking and traffic generation
- (d) Impact on neighbouring properties
- (e) Environmental matters

### 6.2 (a) Principle of use

The use of the premises as light industrial (Use Class B1(c)) is unchanged from the existing and remains suitable for the site and employment area designation.

6.3 The proposed development will increase the existing employment floorspace on the site by 92% from 2500m<sup>2</sup> to 4802m<sup>2</sup>. This increase of quantum and quality of light industrial floorspace within the employment area is compliant with the employment designation policy of the area and is fully supported in principle.

### 6.4 (b) Design, scale and layout

6.5 The Business Park includes predominantly 2 and 3 storey buildings of varying commercial uses and designs. The proposed development would be of a scale and design suitable and in keeping with this context. The materiality and detailing of the building will create a suitably finished building for the context.

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

#### i) Access

The existing access arrangement to the site would not be altered. The site would include an enlarged parking and servicing area at the north side of the building. Arrangement will allow for vehicles to continue to enter and leave the site in forward gear.

6.7 ii) *Parking*

The application proposes to increase the on-site parking provision from 11 vehicles to 15 car parking spaces and 6 light goods/operational vehicles.

6.8 The Watford District Plan 2000 identifies the site within Zone 4 of the Car and Cycle Parking Zone Map. As set by 'saved' Policy T22 and Appendix 2 of the plan, the maximum parking provision for the proposed development, based on floor areas proposed, would be 135 car parking spaces. The proposed provision for 21 vehicles spaces would be well below the maximum guidance and would not create excessive journeys to the site. Proposed bike storage facilities would also facilitate non-car travel options.

6.9 iii) *Servicing and deliveries*

The redevelopment and intensification of use on the site would see increased operational vehicle journeys to and from the site. As detailed in the transport assessment, this would not be materially harmful to the highway.

6.10 (d) Impact on neighbouring properties

Although the site is within an employment area, dwellings of Norbury Avenue back on to the south-west of the site. The development will see a notably taller building on site from the existing, however, due to the relative distance, orientation and ground level changes in the area, the building would not create harm to the dwellings. Specifically, the site is on ground level approximately 8m below the dwellings meaning that only approximately half of the building height would be above ground level relative to the dwellings. The building is also a minimum of 8.5m from the boundary to the dwellings and is positioned to the north east from these dwellings. As such the building would not create unreasonable loss of light or outlook to the rear of the dwellings.

6.11 The south and west elevations of the building do not include any glazing and so would not create overlooking to the neighbouring residential properties.

6.12 The premises has been in use as a laundry following the 2011 permission. The replacement building would approximately double the floor space of the previous laundry and allow an intensification of use at the premises. However, the use, machinery and associated noise from this use would not have changed. The site layout also remains in retaining the access, delivery and servicing areas for the building on the north-eastern side of the building. This area therefore remains as being on the opposite side of the building to the residential properties at a significantly lower ground level and behind an 8m

high retaining wall. As such, it is not considered that the development would create any new or notably increased noise impact. A condition preventing excess noise, as was applied to the 2011 permission is again recommended for this permission.

#### 6.13 (e) Environmental matters

##### *i) Contamination*

The site's previous uses and the fire result in the potential for land contamination. A Phase 1 assessment has been submitted. The Environment Agency (EA) and Council Environmental Health officers recommended conditions to prevent contamination issues which are added. Noted that there is some overlap between the conditions however as the EA and Council's Contamination officer are concerned with different contamination issues, this is appropriate for some duplication.

##### *ii) Surface water drainage strategy*

The Lead Local Flood Authority (LLFA) lodged an objection advising that they required further details to support the development. This detail has been provided by the applicant and the Lead Local Flood Authority have been reconsulted. Their response will be provided in the update sheet prior to the committee meeting. In any case, it is envisaged that this matter can be overcome by way of a suitably word condition if the LLFA are still not satisfied with the level of detail provided.

##### *iii) Waste and recycling*

Appropriate waste and recycling is included in the scheme and swept path analysis shows that this will be accessible to bin lorries.

##### *iv) Trees and landscaping*

The site includes 2 groups of relatively young trees which have a limited amenity value and which are not protected. The loss of these trees is therefore acceptable to allow the development. Three replacement trees are shown at the front entrance of the site however a landscaping scheme is required by condition to secure appropriate replacement trees and soft landscaping.

## **7. Consultation responses received**

### **7.1 Statutory consultees and other organisations**

<b>Consultee</b>	<b>Comment Summary</b>	<b>Officer Response</b>
Environmental Agency	Initial objection due to lack of information.	Noted and conditions added.

	However, this was provided and EA withdrew their objection subject to conditions.	
Hertfordshire Lead Local Flood Authority (LLFA)	Initial objection in respect of lack of surface water drainage strategy.	New information has been received and sent to the flood team. We are awaiting response and this will be provided in the update sheet for the meeting.
HCC Highways	No objection subject to conditions.	Noted and conditions added. Additional details were provided in respect of highway condition 1 (Construction management). Highways have been reconsulted in respect of this however a response from Highways has not been received at the time of writing this report and the condition remains recommended.
HCC Growth and Infrastructure	Response provided with no comments.	Noted
Thames Water Utilities	No comments received	
Crime Prevention	No objection	

## 7.2 Internal Consultees

<b>Consultee</b>	<b>Comment Summary</b>	<b>Officer Response</b>
Environmental Health	Odour details are acceptable. Noise to neighbours – there could be further details. Internal noise to office workers could be an issue. Fire protection measures suggested.	Noted and discussed in the main body of the report.
WBC Contamination	No objections subject to conditions.	Noted and conditions added.
Economic Development Manager	No comments	

### 7.3 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

Conditions

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

### Conditions

1. Time Limit

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. Drawing numbers

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  
18019-TP-006  
18019-TP-007  
18019-TP-008 Rev A  
18019-TP-009  
18019-TP-010 Rev A  
18019-TP-011 Rev A  
18019-TP-012  
18019-TP-013  
18019-TP-014  
18019-TP-015

18019-TP-016  
18019- Materials finishes  
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. Materials

The external surfaces of the development shall be finished in the materials as specified on approved drawings and in document '18019- Materials finishes' 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. Highways Condition 1- Construction Management Plan

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 in consultation with the Highway 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. Highways Condition 2- Travel Plan

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 in consultation with the Highway 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. EA Condition 1 – Remediation

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.

**Reasons:**

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

7. EA Condition 2 – Verification

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.

**Reasons:**

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

8. EA Condition 3 – Monitoring and maintenance

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.

**Reasons:**

- 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. EA Condition 4 – Unexpected contamination

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.

**Reasons:**

- 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. 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.

10. EA Condition 5 – Drainage systems

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.

**Reasons:**

- 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. 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.

11. EA Condition 6 – Piling

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.

**Reasons**

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 line with paragraph 170 of the National Planning Policy Framework.

12. EA Condition 7 – Boreholes

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.

**Reasons:**

- 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.
- 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. EH Contamination 1 – Remediation

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. EH Contamination 2- Verification

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. EH Contamination 3- Reporting of Unexpected Contamination

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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, 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  
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 Policy SE22 of the Watford District Plan 2000.

17. Cycle storage  
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 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