

PART A

Report of: **DEVELOPMENT MANAGEMENT SECTION HEAD**

Date of Committee	24th April 2014
Site address:	10 Greycaine Road Watford
Reference Number :	13/01259/FULM
Description of Development:	Demolition of existing factory and erection of new building for warehousing/light industrial use
Applicant:	Barr Mason Ltd
Date received:	11th February 2014
13 week date (major):	13th May 2014
Ward:	Tudor

SUMMARY

Full planning permission is sought for the demolition of the existing factory and the erection of a new building for warehousing/light industrial use.

The proposed development will remain compatible with the surrounding industrial and commercial uses and will cause no harm to neighbouring uses or the character of the area. The site is located a sufficient distance from the nearest residential properties so as not to cause any harm to the amenities of residents. It is considered that the scheme will also not result in any significant increase to traffic or congestion on the surrounding highway network and will cause no obstruction to users of the adjacent highway.

The Development Management Section Head recommends that the application be approved as set out in the report, subject to conditions.

BACKGROUND

Site and surroundings

The subject property comprises an industrial unit which is located within the Greycaine Industrial Estate in North Watford. The premises is currently used for plastic injection moulding.

The site lies on the western side of the eastern arm of Greycaine Road and is located approximately 240m north of the junction with Bushey Mill Lane.

Greycaine Road Industrial Estate is designated as an 'Employment Area' (Employment Area E6b) by the Watford District Plan 2000 Proposals Map. The area in which the site is located is characterised by other warehouses, industrial units and offices.

The property is not listed and is not located within a Conservation Area.

The premises does not benefit from any on-site parking provision at present.

Proposed Development

Full planning permission is sought for the demolition of the existing factory and the erection of a new building for warehousing/light industrial use.

The proposed building will provide approximately 1100m² of floor area. It will be constructed around a steel frame with profiled steel cladding with the exception of some brickwork which is to be incorporated on the lower parts of the eastern elevation. The roof of the building will be dual-pitched with gables on its eastern and western elevations.

The proposed eastern elevation will feature a roller shutter door.

To the east of the building, on-site parking provision will be created through the laying of a new leveled, hard surfaced area which will be accessed off Greycaine Road.

Planning History

For 10-12 Greycaine Road:

Ref. 11/00431/FUL – Demolition of existing rear store, alteration, extension, re-cladding and refurbishment of front section of building. Installation of new boundary fence and gate – Conditional Planning Permission granted in July 2011.

Ref. 11/00768/VAR - Variation of Condition 3 of planning permission 9/262/94 to allow the building to be used for Storage and Distribution (class B8) – Variation of condition granted in August 2011.

For 12 Greycaine Road:

Ref. 11/01080/FUL – Demolition of existing rear store, alteration, extension, re-cladding and refurbishment of front section of building including raising of parapet height.

Installation of new boundary fence and gates – Conditional Planning Permission granted in November 2011.

Ref. 9/0098/95 – Use of part of new warehouse for purposes within Class B2 (general industrial) – Conditional Planning Permission granted in April 1995.

For 10 Greycaine Road:

Ref. 94/0262/9 – Erection of new warehouse building – Conditional Planning Permission granted in September 1994.

Relevant policies

The National Planning Policy Framework (NPPF)

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 7 Requiring good design

Section 10 Meeting the challenge of climate change, flooding and coastal change

**Hertfordshire Waste Core Strategy and Development Management Policies
Document 2011-2026**

There are no policies contained within the Hertfordshire Waste Local Plan that are relevant to this case.

Hertfordshire Minerals Local Plan (saved policies)

There are no policies contained within the Hertfordshire Minerals Local Plan that are relevant to this case.

Watford District Plan 2000 (saved policies)

SE7	Waste Storage, Recovery and Recycling in New Development
SE22	Noise
SE24	Unstable and Contaminated Land
SE28	Groundwater Quality
T21	Access and Servicing
T22	Car Parking Standards
E1	Employment Areas
E5	Environmental Considerations

Watford Local Plan Core Strategy 2006-31

WBC1	Presumption in favour of Sustainable Development
SD1	Sustainable Design
SD2	Waste and Wastewater
SD3	Climate Change
SD4	Waste
EMP1	Economic Development
EMP2	Employment Land
T2	Location of New Development
T3	Improving Accessibility
T4	Transport Assessments
SS1	Spatial Strategy
UD1	Delivering High Quality Design

CONSULTATIONS

Neighbour consultations

Letters were sent to a total of 6 addresses in Greycaine Road. No objections have been received.

Site Notices

A site notice was placed outside the site on 18th February 2014. No responses received.

Press Advertisement

An advertisement was published in the Watford Observer on 21st February 2014. No responses received.

Statutory Consultations

Hertfordshire County Council (Highway Authority)

Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Conditions

1. The proposed parking spaces shall measure a minimum 2.4mx4.8m each and shall be maintained for this use as an ancillary to the development.

Reason: Such that adequate parking provision is made to meet to needs of the development both now and in the future.

2. The development shall not begin until details of the disposal of surface water from the drive and parking area have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. The dwelling shall not be

occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to highway users.

Comments

The proposal is to demolish the existing factory and construct a new building for warehousing/light industrial use at 10 Greycaine Road.

ACCESS

The site is located on Greycaine Road, it is an unclassified road and with a speed limit of 30 mph.

The applicant states that there is a new or altered vehicle access proposed development.

PARKING

The applicant states that the proposed would result in 10 additional parking spaces being provided in association with the proposed development.

CONCLUSION The proposals are not considered to significantly impact upon the highway safety or capacity. Therefore, the proposed is considered acceptable to the Highway Authority.

Contaminated Land Officer

In reference to the above planning consultation, the current use of the site represents a potentially contaminative use, therefore I recommend that the standard contamination condition be applied should planning permission be granted.

Thames Water

Waste Comments:

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that

storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Crime Prevention Design Advisor

My only concerns are the security of the premises and I therefore recommend:

- The main reception door have a door tested to LPS1175-SR3
- The shutters to the front to be to a similar standard and have internal bolts to provide additional security.
- The kitchen and other fire doors to be to LPS1175-SR3 with no external door furniture so as to prevent a forced entry.

Unfortunately I don't know the proposed occupation of the building otherwise I might be suggesting both Intruder Alarm to the latest British and European standards and externally monitored at an alarm receiving centre. Similarly if the occupation warranted it, perhaps a CCTV system which could again be externally monitored.

Environment Agency

Thank you for consulting us on this application. We object to the proposed development as submitted because there is insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable.

There are two strands to this objection. These are that:

- We consider the level of risk posed by this proposal to be unacceptable.

- The application fails to provide assurance that the risks of pollution are understood, as a preliminary risk assessment (including a desk study, conceptual model and initial assessment of risk) has not been provided. It requires a proper assessment whenever there might be a risk, not only where the risk is known.

Reasons - To prevent the pollution of groundwater. The historic land uses of the site are industrial and could have led to contamination. The redevelopment of this site could lead to the release of these contaminants into groundwater.

It is important to protect groundwater in this location from pollution. This is because the site is in source protection zone 2, meaning that any contaminants entering the groundwater will reach a public drinking water abstraction between 50-400 days. It is also in an EU Water Framework Directive drinking water protection area (the mid-Chilterns Chalk) meaning that the groundwater must be protected to a potable standard. This is in line with your Local Plan policy SE28 "Groundwater quality".

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Paragraph 120 states that local policies and decisions should ensure that new development is appropriate for its location, having regard to the effects of pollution on health or the natural environment, taking account of the potential sensitivity of the area or proposed development to adverse effects from pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Overcoming our objection - The applicant should submit a preliminary risk assessment (PRA - including a desk study, conceptual model and initial assessment of risk). I have attached a copy of our GPLC3 reporting checklists, which have the PRA checklist on page three, to help the applicant.

The above concerns were raised with the applicant during the course of the application. The applicant subsequently submitted a Geo Environmental Desk Study (Ref: 2108 14 03 28 RPT 01 REV 01 GD SH). This has been forwarded to the Environment Agency. The Environment Agency has confirmed verbally that the submission of the desktop report will allow the removal of their objection, subject to the imposition of appropriate conditions. Formal comments will be reported at the committee meeting.

APPRAISAL

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) *Watford Local Plan: Core Strategy 2006-31 (adopted January 2013);*
- (b) the continuing “saved” policies of the *Watford District Plan 2000*;
- (c) the *Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026*; and
- (d) the Hertfordshire Minerals Local Plan Review 2002-2016.

Land allocation

The site lies within the Greycaine Industrial Estate. This is designated as Employment Area E6b as detailed on the Proposals Map of the Watford District Plan 2000. Saved Policy E1 of the Watford District Plan 2000 advises that within this employment area, proposals for research and development, light industry, general industry and storage and distribution would be acceptable, in principle.

The proposed building will be used for warehousing/light industrial use. This use will accord with the objectives of Policy E1 of the Watford District Plan 2000 and will remain compatible with the other surrounding uses within this industrial estate.

It is considered that the proposal will have no significant environmental impacts in accordance with the provisions of Policy E5 of the Watford District Plan 2000.

Design and layout

The proposal will result in the removal of the existing building and its replacement with a modern warehouse type building. The existing building has no significant historical or architectural merit and its loss will result in no harm to the character of the area.

It is considered that the height and massing of the proposed building will be appropriate in this environment given its surroundings. Suitable distances will be maintained between the new building and the nearest neighbouring buildings to ensure that the development does not appear overbearing or unduly prominent. It is considered that the development will have a suitable relationship with the neighbouring units.

The surrounding buildings within the estate are not of a particularly high quality of design. The new building will achieve a suitable standard of design for a building of this type, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

Character of the area and streetscene

The proposal is felt to integrate to an acceptable standard with the surrounding buildings and the character of this industrial area.

Impact on neighbouring properties

It is considered that the proposed development will result in no significant harm to the amenities of neighbouring occupiers. In addition, it is felt that the development will not prevent neighbouring occupiers from continuing to carry out their business functions.

The proposed building will be sited a sufficient distance from the nearest neighbouring buildings so as not to cause any significant loss of light or outlook.

The site is surrounded by non-residential uses. The nearest residential property is located over 70m from the site. It is considered that given that the site is adequately separated from nearby residential properties, and also taking into account the levels of activity

surrounding the existing uses, the development will cause no noise disturbance or any other harm to the amenities of residents.

Transportation, access and parking

The Highway Authority (Hertfordshire County Council) has confirmed no objection to the proposal. It is considered that the development will not result in a material increase to traffic or congestion on the surrounding highway network, in accordance with Policy E5 of the Watford District Plan 2000. The proposed building will cover less floorspace than the building which exists at present and will not create any significant increase in traffic generation. In addition, on-site parking will be introduced where there is currently no provision for this. In this respect, the proposal has the potential to reduce the number of vehicles parked on the highway.

At present, delivery vehicles do not have space to wait on site clear of the highway. The proposed development will enhance the access arrangement and on-site parking and manoeuvring space will be introduced.

The Highway Authority has advised that car parking spaces are required to measure a minimum of 2.4m in width and 4.8m in depth and this is in order for them to be accessed and egressed with ease and convenience. The submitted plans detail a total of 10 car parking spaces which meet the minimum space standards. Details of the disposal of surface water from the new hardstanding can be secured by condition in the interests of highway safety.

Conclusion

The proposed development will remain compatible with the surrounding industrial and commercial uses and will cause no harm to neighbouring uses or the character of the area. The site is located a sufficient distance from the nearest residential properties so as not to cause any harm to the amenities of residents. It is considered that the scheme will also not result in any significant increase to traffic or congestion on the surrounding highway network and will cause no obstruction to users of the adjacent highway.

Human rights implications

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

RECOMMENDATION

That planning permission be granted, subject to the following conditions:

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. Construction of the development hereby permitted shall not take place before 8am or after 6pm Mondays to Fridays, before 8am or after 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties during the time that the development is being constructed, pursuant to Policy SE22 of the Watford District Plan 2000.

3. Notwithstanding the information already submitted, no development shall commence until details of the materials to be used for all the external finishes of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details approved under this condition.

Reason: To ensure that the development applies high quality materials that respond to the site's context and makes a positive contribution to the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

4. The parking and manoeuvring area shall be laid out in accordance with the drawings hereby approved and shall be made available for use prior to the occupation of the building. The parking spaces and manoeuvring area shall be maintained as such at all times and shall not be used for any other purpose.

Reason: To ensure that a suitable and practical means of parking provision is achieved, without compromising the safety and freeflow of the adjoining highway, in accordance with Policies T21 and T22 of the Watford District Plan 2000.

5. No development shall commence until details of the disposal of surface water from the parking and manoeuvring area have been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the works for the disposal of surface water have been constructed in accordance with the details approved under this condition.

Reason: To minimise danger, obstruction and inconvenience to highway users, in accordance with Policy T21 of the Watford District Plan 2000 and Policy T3 of the Watford Local Plan Core Strategy 2006-31.

6. Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification/validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) 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 (a) above, and where remediation is necessary a remediation scheme must be prepared in

accordance with the requirements of Condition (b), 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/validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition (c).

Reason: To prevent pollution of controlled waters (the site is within a Source Protection Zone) in accordance with Policies SE24 and SE28 of the Watford District Plan 2000.

7. Notwithstanding the information already submitted, no development shall commence until details of the layout and construction of the access have been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the access has been laid out and constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access in accordance with Policy T21 of the Watford District Plan 2000.

Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended. During the application process, amendments were requested to secure an acceptable scheme.

2. All materials and equipment to be used during the construction of the development shall be stored within the curtilage of the site unless otherwise agreed in writing by the Highway Authority (Hertfordshire County Council Highways) prior to commencement of the development.
3. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk
4. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
5. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Drawing Numbers

Site Location Plan (unnumbered)

Existing Floor Plan (unnumbered) – plan received 11.02.14

Existing Front Elevation (unnumbered) – plan received 11.02.14

Layout Plan (unnumbered) – amended plan received 17.02.14

GJC/384/PE – amended plan received 11.02.14

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