

**PLANNING COMMITTEE MEETING: 11 November 2010**

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC  
 REPORT OF THE DIRECTOR OF PLANNING**

<b>UDC CASE NUMBER:</b>	LTGDC-10-102-FUL	<b>DATE MADE VALID:</b>	30/07/2010
<b>APPLICATION NUMBER:</b>	U0007.10/LBHG	<b>TARGET DATE:</b>	24/12/2010

<b>APPLICANT:</b>	Spen Hill Developments
<b>AGENT:</b>	Savills
<b>PROPOSAL:</b>	<p>A hybrid application (part outline planning permission, part full planning permission) for the development of plots 1, 2, 3, 4, 5 &amp; 9 (full details) and plots 6, 8, 10, 11 &amp; 12 (outline) Beam Reach 5 Business Park, Rainham, Essex.</p> <p>Full application for a Refrigerated Distribution Centre (Use Class B8) and ancillary accommodation (42,000 sqm), associated Vehicle Maintenance Unit (1,795 sqm), Distribution Centre Processing Facility (10,635 sqm), associated hard standing areas, HGV circulation and parking areas, access road, 547 car parking spaces (including disabled parking), car charging and car sharing space, cycle and motorcycle parking space, fuel island, vehicle wash, generators and landscaping.</p> <p>Outline application, with matters relating to 'appearance' and 'landscaping' reserved, for the erection of four buildings each to be for either light industrial (Use Class B1(c)), general industrial (Use Class B2) or, storage and distribution (Use Class B8) units; 299 car parking spaces associated HGV circulation and parking areas and access roads.</p>
<b>LOCATION:</b>	Units 1 to 6 and 8 to 12 Beam Reach Business Park, Consul Avenue, Rainham, Essex, RM13 8GJ

**1. SUMMARY**

- 1.1 This report considers an application by Savills on behalf of Spen Hill Developments Ltd. (the wholly-owned development arm of Tesco) for part full planning permission and part outline planning permission for the phased, comprehensive, re-development of plots at Beam Reach 5 Business Park, Rainham. Matters relating to 'appearance' and

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'landscaping' are reserved for later consideration for the outline parts of the proposals. The distribution centre will be occupied and operated by Tesco, once built, creating over 1,200 jobs. The outline part of the proposals is speculative and is retained by the London Development Agency (LDA).

- 1.2 This application is referable to the Mayor of London under Categories 1B and 3F of the Schedule to the Mayor of London Order 2008, being:

1B – *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings – (c) outside Central London and with a total floorspace of more than 15,000 square metres”.*

3F – *“Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use”.*

- 1.3 Officers have considered the planning application with regard to the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and the provisions of the development plan (The London Plan and the London Borough of Havering Development Plan Documents), so far as material to the application, and to other material considerations and **recommend that planning permission be granted** subject to conditions, the completion of a legal agreement under Section 106 of the Act and referral to the Mayor of London.
- 1.4 Officers are satisfied that the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 have been met in relation to the obligations sought to be secured through the associated legal agreement under Section 106 of the Act.
- 1.5 On balance, LTGDC Officers hold the view that the Tesco proposal would greatly contribute to the regeneration aspirations for London Riverside, bringing much of this very large vacant site back into use and providing an improved employment offer that will stimulate economic activity. The resultant economic and social benefits are in line with the requirements of PPS1.

## 2. SITE AND PROPOSAL

### 2.1 Description of Site & Surroundings

- 2.2 The application site is in the London Riverside Area, to the north of the A13; south of the A1306 and CTRL land / Network Rail lines (London – Tilbury – Southend railway line); east of the river Beam; west of Manor Way and the Riverside Sewage Treatment Works, in Rainham, Essex. Marsh Way flyover traverses and bisects the site (north / south). A site location plan is provided at Appendix 1.
- 2.3 The site lies within an area that has been upgraded and identified for future development as Beam Reach 5 Business Park, for which outline planning permission was granted in 2002. That outline consent has now lapsed. Some of the infrastructure work has already been undertaken to establish the site layout approved under the expired 2002 outline consent. This includes the provision of an access road off of Marsh Way that links to Consul Avenue within the site, which formed part of the original Ford Works access linked to Manor Way.

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- 2.4 Beam Reach 5 Business Park is located in the South Hornchurch Ward of the London Borough of Havering. It is a 30.9 hectare site which was formerly part of the Ford Motor Company Estate. It has been divided into 12 plots over two land parcels known as 'The Foundry Site' (7.1 hectares), which comprises of plot numbers 1 to 5; and 'Mudlands' (23.8 hectares), which comprises of plot numbers 6 to 12. Those two land parcels are separated by Marsh Way Flyover, with The Foundry Site to the immediate west and Mudlands to the immediate east. Mudlands includes a site of importance for nature conservation (SINC), which covers 5.9 hectares.
- 2.5 This hybrid planning application seeks consent to develop plot numbers 1, 2, 3, 4, 5, and 9 (full planning permission) and 6, 8, 10, 11 and 12 (outline planning permission), covering an area of approximately 12 hectares.
- 2.6 Plot 7 is occupied by Newsfax International, a printing firm who employ 123 full-time and 11 part-time workers, in a building of 61,752 m<sup>2</sup>. Newsfax has an extant planning consent to extend its building on the western elevation by a further 3,690 m<sup>2</sup>.
- 2.7 The Foundry Site is vacant with a number of disused buildings present on the northern part of the site, the principal building being approximately 200m x 30 m. The remainder of the site is either paved in hardstanding (tarmac and concrete) or comprises unsurfaced hardcore rubble.
- 2.8 Mudlands is delineated by a line of trees adjacent to Manor Way and is mainly level with some minor ditches and mounds and has in part previously been spread with material to raise the level. Vegetation is sparse consisting mainly of scattered scrub and coarse grass.
- 2.9 Sub-surface, a 24 inch high pressure natural gas pipeline runs between Horndon and Dagenham, the route of which takes the Pipeline through the development site (parallel and close to the northern boundary).
- 2.10 Sub-surface, public sewers cross the site.
- 2.11 Two pylons (pylons ZBA039 and ZBA040) are located in the south east and southwest corners of The Foundry Site respectively. A pylon (pylon ZBA038) supports the same line close to the southern boundary of the Mudlands part of the site. They all support 275kV overhead electricity transmission lines which run parallel with and close to the southern boundary of the whole of the Beam Reach 5 site.
- 2.12 Access to Beam Reach 5 Business Park is via a private access road with no connections to adjoining residential communities and areas.
- 2.13 Description of Proposal
- 2.14 In summary, the proposals seek to provide a storage and distribution development known as a Regional Distribution Centre (RDC) providing up to 41,989 m<sup>2</sup> of warehouse floorspace with ancillary administrative floorspace and also a RDC Processing Facility of 10,635 m<sup>2</sup> and 36,770 m<sup>2</sup> of B1 c / B2 / B8 warehousing along with comprehensive landscaping and environmental enhancements.
- 2.15 The RDC is for a major food retailer, Tesco Stores Ltd. The facility is needed to meet an increased demand for food distribution to its network of stores, brought about principally by an increase in the number of Tesco Express stores in the London area in recent

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years. The distribution centre will receive chilled and frozen produce from suppliers. The goods will be off loaded and held within the RDC in marshalling areas. Produce will then be picked and stored ready for distribution to the network of superstores throughout the South East. Alongside this, are: (1) the Processing Facility, which is ancillary to the RDC and where packaging and food trays are to be recycled and washed so that they can be re-used; and (2) the vehicle maintenance unit where the facility's fleet of distribution lorries can be repaired and maintained.

2.16 The outline part of the application seeks in principle permission for the speculative development of four industrial units by the LDA on the remaining parts of the site that are left after the Tesco proposals are implemented.

2.17 In detail, this hybrid planning application is for the redevelopment of plots 1, 2, 3, 4, 5 and 9 (full planning permission) and plots 6, 8, 10, 11 and 12 (outline planning permission) Beam Reach 5, comprising the following:

1) Full planning permission is sought for the following aspects of the proposal that are to be managed and operated by Tesco:

- Erection of Class B8 Refrigerated Distribution Centre (RDC) and ancillary accommodation (41, 989 m<sup>2</sup>, to be built in one or two phases)
- Erection of an associated Vehicle Maintenance Unit (1,795 m<sup>2</sup>)
- Erection of a Distribution Centre Processing Facility (10,635 m<sup>2</sup>)
- Construction of associated hardstanding areas
- Erection of an associated pallet and asset store
- Construction and laying out of HGV circulation and parking areas
- Construction of access roads
- Construction and laying out of 547 car parking spaces including disabled parking , car charging and car sharing, and drop off car spaces
- 112 bicycle and 36 motorcycle parking spaces
- Construction of a Fuel Island
- Erection of a Vehicle Wash
- Siting of generators
- Various landscaping proposals, including a sludge chamber; and

2) Outline planning permission is sought for the speculative elements of the proposals, which remain in the ownership of the London Development Agency:

- Erection of four units each to be used for either light industrial (Use Class B1 (c)), general industrial (Use Class B2) or storage and distribution (Use Class B8), comprising 19,065 m<sup>2</sup> GEA (unit 1), 9,611 m<sup>2</sup> GEA (unit 2), 6,534 m<sup>2</sup> GEA (unit 3) and 1,560 m<sup>2</sup> GEA (unit 4)
- 299 car parking spaces
- Associated HGV circulation
- 44 trailer parking spaces; and access roads

2.18 The matters to be **determined** in the outline part of the application are 'Access', 'Layout' and 'Scale. The matters **reserved** for subsequent approval are 'Appearance' and 'Landscaping'.

2.19 The proposals have been designed to be delivered in four construction phases. The first phase would include the demolition of the existing buildings and site clearance. The

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second phase would include sewer diversions works, including the stopping up and removal of the old sewers. The third phase would comprise the construction of the new RDC and processing facility and partial creation of the green corridor for flood compensation. The fourth phase would include the construction of the buildings consented under the outline part of the application when end users have been established and the reserved matters have been approved by the Local Planning Authority.

- 2.20 The proposed RCD building is a single storey 'low bay' single skin envelope refrigerated warehouse unit, 306 m long and 120m wide (excluding the technical services block, goods in office and refectory and goods out office), with a maximum height of 11.5m. The building is to be constructed utilising insulated composite refrigerate cladding panels throughout, the cladding will be vertically spanning to minimise cladding joints and externally finished in white, minimising solar heat gain. The applicant advises that it could be grey if preferred. The roof is to be covered with a single ply rubber membrane roofing system finished in goosewing grey. 10% of the roof area is to be covered by photovoltaic solar panels. 15% of the +12 degree chilled chamber will comprise of roof lights.
- 2.21 The RDC building consists of a structural steel multi span frame, with a single apex roof construction at a pitch of 2 degrees, having a clear height to the underside of haunch of 6m. Parapet walls are formed to the roof and are self spanning.
- 2.22 The length of the warehouse (306m) will be divided into two chambers, one will be kept at +1 °C (207m) and the other at +12 °C (99m).
- 2.23 The RDC Processing Facility building will be 105m wide x 101m deep and constructed from a steel multi pitch portal frame with a 5 degree roof pitch and a clear height to underside of haunch of 6.8m. It will have a maximum 11m high parapet with a profiled composite panel roof system finished in goosewing grey. 15% of the roof area will comprise of plane polycarbonate roof lights allowing natural daylight into the facility. The south-eastern, north-western and south-western elevations are to be covered in vertical composite cladding panels with micro rib finish in merlin grey. The north-eastern elevation is to be finished in sapphire blue.
- 2.24 The Vehicle Maintenance Unit (VMU) building is to be constructed using a steel portal frame with a single apex roof construction at a pitch of 5 degrees, the clear height to underside of haunch will be 5.8m. The building will be 36.6m x 46.1m with a maximum parapet height of 11m. This building is also to be covered in vertical composite cladding panels with micro rib finish in white. Composite roof panels are proposed with 15% of the area inlaid with roof lights located over the garage working area.
- 2.25 The application has been submitted together with the following supporting documents and drawings:
- Planning Statement, by Spen Hill Developments Ltd., dated July 2010
  - Environmental Statement Volume 1: Main Report, dated July 2010, including further information relating to Chapter 9 (Ecology) and Chapter 11 (Noise and Vibration) dated 20.10.2010
  - Environmental Statement Volume 2: Figures, dated July 2010
  - Environmental Statement Volume 3: Appendices, dated July 2010
  - Environmental Statement Volume 4: Application Drawings, dated July 2010
  - Environmental Statement Non-Technical Summary, dated July 2010

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- Geo-Environmental Interpretative Report on Site Investigation, dated July 2010, prepared by W.A. Fairhurst and Partners (WAF) reference 76631/R9
- Site Waste Plan, dated July 2010
- Environmental and Sustainability Statement, prepared by Environmental Perspectives, dated July 2010
- Geo-Environmental Desk Study Report, dated July 2010
- Travel Plan, prepared by Fairhurst, reference 76631, dated July 2010
- Transport Assessment, prepared by Fairhurst, reference 766131/R6/3, dated July 2010
- Design and Access Statement, dated June 2010
- Statement of Community Engagement, compiled by Green Issues Communications, dated July 2010
- BREEAM Industrial 2008 Framework, prepared by Environmental Perspectives, dated 27<sup>th</sup> July 2010
- Flood Risk Assessment, prepared by Fairhurst, reference 76631/R3, dated July 2010
- Energy Report, prepared by Environmental Perspectives, dated July 2010
- Drawing numbers:

P01 dated June 2010 (Existing Site Location Plan)  
P02 dated May 2010 (Proposed Site Masterplan)  
P03 dated May 2010 (Proposed Development Overall Site Plan)  
P04 dated June 2010 (Proposed RDC Site Layout)  
P05 dated June 2010 (Proposed RDC Ground & First Floor Layouts)  
P06 dated June 2010 (Proposed RDC Roof Plan)  
P07 dated June 2010 (RDC Building Elevations)  
P08 dated June 2010 (RDC Processing Facility Site Layout)  
P09 Revision A, dated June 2010 (RDC Processing Facility Floor Layout)  
P10 dated June 2010 (RDC Processing Facility Roof Layout)  
P12 Revision A, dated June 2010 (VMU Building Plans & Elevations)  
P13 dated June 2010 (RDC & processing Site Sections)  
P14 dated June 2010 (Site Sections Through Potential Future Development)  
P15 Revision A, dated June 2010 (Proposed Construction Phasing Plan)  
P16 dated July 2010 (Proposed Cycle Parking Details)  
P22 dated Sept 2010 (Proposed Processing Facility Elevations)  
A23 dated Sept 2010 (Fuel Island and Tanker Re-Fill Point)  
76631/00801 dated 18/06/10 (Environmental Mitigation Masterplan)  
76631/00802 dated 18/06/10 (Detailed Landscape Design Sheet 1 of 4)  
76631/00803 dated 18/06/10 (Detailed Landscape Design Sheet 2 of 4)  
76631/00804 dated 18/06/10 (Detailed Landscape Design Sheet 3 of 4)  
76631/00805 dated 18/06/10 (Detailed Landscape Design Sheet 4 of 4)

### **3. MAIN ISSUES**

3.1 The main planning issues for consideration in relation to this application are:

- Environmental Issues
- Health and Safety
- Principle of proposed land uses
- Urban Design
- Sustainability
- Sustainable drainage and flood risk management
- Employment

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- Transport
- Equalities
- Human Rights Act 1998
- Planning Obligations / Legal Agreement(s)

#### 4. RELEVANT SITE HISTORY

- 4.1 The site was formerly part of the larger Ford Motor Co. car plant, which ceased using it around 1995. The site has been vacant ever since with the exception of plot 7 and was purchased by English Partnerships (EP) (as it then was) in 1999 and subsequently transferred to the LDA. Most of the former Ford buildings were demolished with some hardcore and half demolished buildings remaining.
- 4.2 Planning History:
- (Plots 10, 11 and 12) Planning application number U0006.07/LBHG (LTGDC-07-149-FUL) Planning permission refused (public inquiry appeal) 7<sup>th</sup> October 2008 for a phased mixed-use development for an 8,000 seat auditorium including annexes, office building, 1000 seat multi-use building, multi-storey car park and a chapel.
  - (Plots 10 & 12) LTGDC-07-178-AOD Withdrawn by applicant 3<sup>rd</sup> July 2009. Consideration of approval of details pursuant to condition 4 (contamination assessment) of planning application U0002.07 dated 25/04/2007.
  - (Plots 10 & 12) Application Number U0002.07/LBHG (LTGDC-07-180-AOD) Details approved on 11<sup>th</sup> December 2007, pursuant to conditions 8, 10 and 11 attached to planning application number LTGDC-07-023-FUL dated 25<sup>th</sup> April 2007.
  - (Plots 10 & 12) Application Number U0002.07/LBHG (LTGDC-07-023-FUL) Full planning permission for site enabling works comprising the levelling and laying of an area of hardstanding including appropriate boundary fences. Granted 25<sup>th</sup> April 2007.
  - (Plots 1, 2, 3 and 4) Application Number U0007.07/LBHG (LTGDC-07-097-FUL) time limited planning permission granted 13<sup>th</sup> June 2008 for a Road/Rail freight transshipment facility in association with the construction and subsequent operation of the Olympic Park, Bow, for a period from 2008 to 2013.
  - Application Number P1869.05 – Application under s.73 of the 1990 Act, seeking renewal of previously approved outline permission for development of approx. 101,000m<sup>2</sup> of industrial and office use (B1, B2 and including warehousing ancillary to industrial processes).
  - (Plot 9) Application Number P1970.05 – Reserved matter application for plot 9 granted December 23<sup>rd</sup> 2005, B1 & B2 use with ancillary storage/distribution (office, warehouse, service yard and car parking).
  - Application Number P1155.00 - Outline Planning Permission granted 7<sup>th</sup> November 2002, subject to 29 conditions and a s106 agreement for the development of approximately 101,000m<sup>2</sup> of industrial and office use (B1, B2 and including warehousing ancillary to industrial processes).

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- Application Number P1605.00 – Planning Permission granted 8<sup>th</sup> February 2001, subject to conditions, for the construction of a highway from the A13/Marsh Way roundabout to Consul Avenue.
- P1550.00 - Break out of existing concrete slab for incinerator- Approved
- P1551.00 - Break out of the existing concrete slab – Approved
- (Plot 7) U0009.08/LBHG (LTGDC-08-111-FUL) Full planning permission granted 22<sup>nd</sup> October 2008 for the erection of an extension to western side of existing building; retrospective consent for a canopy over existing entrance to building; and amendments to vehicular access off Consul Avenue.
- Various approvals of details relating to planning permission U0006.06/LBH (Plot 7).
- (Plots 7 & 8) U0006.06/LBH (LTGDC-06-096-PP) Full planning permission granted, subject to s106 for the erection of two tall industrial units for the installation of printing presses and associated equipment and buildings including offices, toilets, plant rooms – Uses B1, B2 and ancillary B8. Granted 14<sup>th</sup> June 2007.

## 5. CONSULTATIONS/NOTIFICATIONS

- 5.1 Barking Power Ltd. email dated 14 October 2010 from Greystar UK (formerly Unipen Ltd.) as managing agent advising that Barking Power Ltd.'s apparatus is routed through the site and has no objection to the proposed development providing the stringent safeguards detailed in their Third Party Guidance Notes are observed and adhered to.
- 5.2 English Heritage Letter dated 12 August 2010, advising that the site lies within an Archaeological Priority Zone as specified in the London Borough of Havering's LDF documents and previous archaeological investigations in the area have revealed significant heritage assets with archaeological interest within and below the deep alluvial deposits associated with the River Thames, especially the high potential for palace-environmental evidence for prehistoric periods.
- 5.3 The archaeological desk based assessment submitted in support of the application identified the archaeological, and particularly the palace-environmental potential and the impact that development may have on the archaeological interest of heritage assets.
- 5.4 English Heritage advise that archaeological investigations should be undertaken in advance of development works. These investigations, initially in the form of a field evaluation, should be secured by attaching a condition requiring the applicant to secure the implementation of a programme of archaeological work in accordance with a written scheme for investigation. Conditions are recommended to cover this point.
- 5.5 Environment Agency – The Environment Agency have been consulted in relation to this application including the further information submitted 20<sup>th</sup> October 2010, relating to the Ecology Chapter of the ES. No representations had been received at the time of finalising this report. It is expected that any representations received will include additional conditions and / or informatives. The Environment Agency's formal response will be reported to LTGDC Committee members in an addendum report.
- 5.6 Essex Wildlife Trust Email dated 02.09.2010. Welcome the management proposals and

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provide the following additional comments:

- East-west connectivity along northern boundary is very important, reinforcing the corridor provided by railway linesides and linking the strategic corridors of the Beam and Ingrebourne Valleys.
- For wildlife corridors long term management is as important as initial provision: principle should be minimum and rotational intervention to maintain suitable habitat such as rough grassland and low scrub
- Green roofs: the proposal mentions management for invertebrates, and Essex Wildlife Trust suggest that the investigation of green roofs should also encompass the opportunity to create nesting habitat for invertebrates such as solitary bees and wasps
- House martins have a large nesting site not far away at St. Georges Hospital, which may be lost when the building is redeveloped in the near future. This being so, Essex Wildlife Trust suggest that some of the buildings in this development might be designed to support house martin nests, given that the Mudlands SINC also provides suitable habitat for feeding and for nest-building material.

5.7 Greater London Authority Letter dated 15.09.2010. Sir Simon Milton, Deputy Mayor and Chief of Staff, acting under delegated authority for the Mayor of London, considered a report on this proposal on 13.09.2010. The Deputy Mayor considers that whilst the principle of development is acceptable in strategic planning terms, the application does not fully comply with the London Plan in relation to Transport, Inclusive Access and Energy. The report also suggests potential remedies that could address those deficiencies as follows:

- Car parking provision should be reduced in line with the standards provided in the London Plan and discussions progressed with TfL to progress issues relating to the proposed rail-freight facility.
- The applicant should provide a detailed, larger-scale access plan integrating the disabled parking spaces more closely with the built development and illustrating the facilities proposed for people with impaired mobility to enable better assessment of the development's compliance with London Plan policy 4B.5 (and policy 7.2 of the draft replacement London Plan).
- The applicant should provide:
  - a breakdown of the regulated and unregulated annual carbon emissions after energy efficiency has been taken into account;
  - further information on the technical constraints to developing a site wide heating network should be provided;
  - load profiles to support the sizing of the 315kW bio-fuel CHP installation;
  - further details on the proposed use of bio-fuel as per the GLA energy guidance, including information on the supplier, storage, fuel sustainability and air quality impacts;
  - further details of the cooling strategy, which sets out measures that aim to minimise the need for active cooling systems.

5.8 If the LTGDC subsequently resolves to grant permission on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct LTGDC under Article 6 to refuse the application.

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- 5.9 The applicant provided a response to the GLA (letter dated 29 September 2010) addressing the points raised in the Stage 1 report and enclosing a response from Environmental Perspectives (dated 24 September 2010), which responded to the outstanding matters on climate change, sustainability and energy efficiency.
- 5.10 Hadvering Energy Management Email dated 21 September 2010. The applicant has provided an extensive sustainability statement and energy assessment, which show how the Council's sustainability related policies are to be met. Conditions are recommended to be imposed requiring that the developer provides a copy of the BREEAM certificate confirming that the development design achieves the minimum BREEAM rating of 'Very Good' and requiring the final details of the proposed renewable energy system to be approved by the Local Planning Authority prior to installation.
- 5.11 Hadvering Environmental Health Services (Public Protection) Letter dated 16 August 2010. Following assessment of the Phase 1 (Desktop Study) report documenting the sites' history, the surrounding area and the likelihood of contaminant/s, including extent and type, incorporating a Site Conceptual Model, there are potential pollutant linkages present. Consequently it is recommended that the application be refused unless a specific condition relating to contamination is imposed.
- 5.12 The recommended condition is included at section 11 of this report.
- 5.13 Hadvering Police Crime Prevention Design Advisor (CPDA) Letter dated 27 August 2010. The Safer Places section of the submitted Design and Access Statement does not address the requirements GCLG's 'Guidance on information requirements and validation'. The document should demonstrate in a substantive and qualified way how crime prevention measures have been considered in the design of the proposal and how the design reflects the even attributes of safe, sustainable places set out in Safer Places – the Planning System and Crime Prevention. Conditions are suggested to be imposed requiring a site security statement, details of a CCTV system and details of how the development will achieve the Park Mark Safer Parking Award.
- 5.14 London Borough of Hadvering The London Borough of Hadvering Planning Control Service has participated fully from the pre-application stage in the assessment of the subject planning application. An officer report was considered by the London Borough of Hadvering Regulatory Services Committee on 28<sup>th</sup> October 2010, with the following recommendations:

a) no objections are raised to the application subject to planning obligations and conditions being imposed on any planning permission that may be issued as outlined below:

Conditions to cover:

- Time Limit for detailed application
- Time limit for outline application
- Details regarding reserved matters
- Limit the development to the parameters of the Environmental Statement
- Construction Environmental Management Plan
- Archaeology
- Ecological Mitigation and Management Plans for construction and operation
- Contaminated Land
- Noise and Vibration

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- Energy and Sustainability to ensure the development achieves BREEAM rating Very Good or equivalent and 20% renewables
- Details of lighting
- limitation on use of outline
- maximum number of parking spaces
- landscaping
- drainage
- travel plan

Planning Obligations:

- A capped contribution of £150,000 be secured toward a traffic capacity review of the A13/Marsh Way junctions and to carry out any necessary works
- A capped £300,000 be secured toward a collision capacity review of the A1306/Marsh Way junctions and to undertake any necessary works
- £50,000 be secured for public realm improvements meaning routes to and from bus stops on Marsh Way, provision of safe, designated cycleways, provision of dropped kerbs to enable convenient and safe disabled access
- £50,000 toward general 'Green Grid' enhancements
- £750,000 be secured to assist in funding the design and delivery of the Beam Park Rail Station
- £100,000 be secured to assist in further funding of Jobnet or similar
- Commitment toward local employment and training initiatives
- £80,000 public art contribution

b) should the LTGDC be minded to grant planning permission that they be made aware that:

- The development is in the proximity of high pressure gas pipelines
- The site is within an area safeguarded by Channel Tunnel Rail Link
- At the time of writing further information on ecology and noise/vibration was under consideration and further comments from LB Havering are likely to follow

Havering confirmed (letter dated 20<sup>th</sup> October 2010) that the Regulatory Services Committee Members were supportive of the application and resolved to raise no objection to the proposal in accordance with the officer's recommendations.

In addition to the recommended S106 planning obligations and various conditions, Members specifically requested that the applicant consider incorporating a crèche facility within the development proposals to support the local workforce. Members further requested that the application seek new job recruits from the London Borough of Havering in the first instance.

- 5.15 London Fire Brigade (LFB) Letter dated 16 August 2010, recommending the installation of 19 Private Fire Hydrants [in the positions indicated by red X's on an enclosed plan, which has been forwarded to the Applicant]. General guidance notes on fire hydrant installation were also provided together with advice regarding LFB's present policy to provide free annual inspections / tests of hydrants.
- 5.16 London Fire and Emergency Planning Authority Letter dated 19 August 2010, advising that access for fire brigade vehicles should comply with Section 16 of Approved Document B of the Building Regulations.

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- 5.17 Metropolitan Police Traffic Management Email dated 26 August 2010, advising that they have received the planning application and have no comment or observations at this stage.
- 5.18 National Grid Letter dated 6 October 2010, advising that National Grid Transmission has no objections to the development; however provide observations, notes and advice regarding proximity to the High Voltage Overhead Lines.
- 5.19 The observations, notes and advice provided by National Grid have been considered by LTGDC officers and are included as 'informatives' at section 11 of this report.
- 5.20 Natural England Email dated 31.08.2010. Part of the application site is located within a Site of Importance for Nature Conservation and adjacent to two additional SINCs, Rainham Railsides and Riverside Sewage Treatment Works – Manor Way Waste. As such, Natural England does not usually support development within a SINC.
- 5.21 Natural England recommend that the Council [LTGDC] secures all the mitigation and enhancement measures as outlined under Section 9.5 of the Environmental Statement by use of a planning condition.
- 5.22 Natural England also recommend that any species surveys performed earlier than 2008 be redone as a matter of course to ensure that mitigation and enhancement measures are in line with up-to date survey findings and are supportive of the Environmental Statement recommendation for a further full invertebrate survey be commissioned (page 87, Volume 1). In addition, NE recommend that trees should be retained wherever possible within the development.
- 5.23 A condition is suggested that the applicant produces an Ecological Mitigation and Management Plan (EMMP), which can be used to formalise and deliver the proposed mitigation and enhancement measures cited within the Environmental Statement. The EMMP should include details of how these will be monitored, managed and funded in the future.
- 5.24 Network Rail Email dated 16 August 2010, various conditions and informatives are recommended regarding:
- the requirement to notify Network Rail a minimum of 6 weeks prior to the proposed commencement of the development;
  - not to carry out works that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures;
  - safe erection of scaffolding within 10 m of the railway boundary fence;
  - the need to provide details of excavations and earthworks to be carried out within 10 m of the railway undertaker's boundary fence;
  - forbidding the discharge of water or effluent from the site or operations on the site into the railway undertaker's culverts or drains;
  - the potential for noise / vibration impacts caused by the proximity between the proposed development and the railway.
- 5.25 Thames Water Email dated 24 August 2010, advising (with regard to waste water) that protection to the property be incorporated by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 5.26 Advice is also provided in relation to the need for Trade Effluent Consent for any Effluent discharge other than a 'Domestic Discharge'. Conditions are also recommended

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regarding surface water drainage; precluding impact piling until a piling method statement is submitted and approved by the Local Planning Authority; the need for petrol / oil interceptors in all car parking / washing / repair facilities; and the need for a properly maintained fat trap on all catering establishments. TW further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Suitable conditions are recommended at paragraph 11 below to cover these points.

- 5.27 Transport for London Letter dated 27<sup>th</sup> August 2010, noting that the comments represent the views of TfL officers and are made entirely on a “without prejudice” basis and should not be taken to represent an indication of any subsequent Mayoral decision or necessarily represent the views of the Greater London Authority. A summary of TfL’s letter is set out below.
- 5.28 *“While initial assessment suggests further work in relation to the highway impact may be required, it is considered unlikely the development would have a significant impact on public transport network. The interface of the development site with the potential delivery of an ‘intermodal rail freight facility’ nearby however remains the key strategic transport issue in relation to the application.*
- 5.29 *Work was ongoing at pre-application stage to identify potential locations in the area for providing an intermodal freight facility. TfL had published a ‘Rail Freight Strategy’ in 2007, which identified the opening of High Speed 1 (HS1) as an opportunity to connect the UK to the high loading gauge continental railway. Para 6.39 of this report identifies that the ‘Ripple Road/ Renwick Road area of Barking, and the Ford site at Dagenham, are the only suitable locations within the GLA area which is adjacent to HS1 and therefore capable of accommodating these trains without gauge clearance works’.*
- 5.30 *TfL along with LTGDC have commissioned over the last two years a series of studies looking at opportunities to develop rail and water accessible freight terminals in the area between Barking and Rainham, centred on Dagenham. This was primarily triggered by Mayoral policy to achieve more sustainable transport modes, particularly through a modal shift of freight from road to more sustainable modes in compliance with policy 3C.26 ‘Strategic Rail Freight Interchange’, 3C.5 ‘London’s international, national and regional transport links’ and 5C.1 ‘Strategic Rail Freight Interchanges’ and Table 6.3, of the draft replacement London Plan. London Plan policy 6.15 is also reflected in policies 12 and 24, and proposal 2, of the public draft ‘Mayor’s Transport Strategy’ (October 2009).*
- 5.31 *A joint TfL/LTGDC summary report entitled ‘Sustainable Logistics Facilities in London Riverside’ (March 2010), was circulated and provided to the applicant during the pre-application stage. It contains more information on the work undertaken to date in relation to the intermodal freight facility. TfL London Rail has been heavily involved in this work, and as previously suggested, can provide more information in relation to this matter if required.*
- 5.32 Rail
- 5.33 *The above report looked at a number of potential sites in the London Riverside area where provision of an intermodal rail freight facility could be envisaged. Due to a variety of planning and infrastructure constraints however, the sites identified subsequently proved very limited. Whilst the Beam Reach 5 site is itself considered to be a potentially suitable location for such a facility; this site is however not currently being pursued due to i) TfL’s awareness of its redevelopment, as part of these current proposals, and ii)*

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*because of the potential alternative site on Ford land to the south of this, which has emerged as being a realistic location for accommodating such a facility.*

- 5.34 *As highlighted at the pre-application stage, the Ford site presents a number of advantages: i) the land fronts on to the River Thames, opening up an opportunity to develop a distribution centre/ warehouse with rail freight and wharf access on a site which is currently underutilised, ii) such a facility would be of interest to developers and potential terminal operators, as retailers are known to be looking for both rail and water accessible distribution space in London. The wharf could be used both to bring in food products and to load barges to distribute goods into central London, and iii) it leaves the Beam Reach site free for other development.*
- 5.35 *Additionally, TfL considers that a rail and water accessible distribution site on Ford land would significantly enhance the attractiveness of Beam Reach, given that occupiers of that site would be located very close to a high quality rail and water freight facility, which could facilitate the distribution of goods. It is understood that the applicant already makes use of rail freight for distribution elsewhere, and given the growing amount of supermarket traffic currently operating through the Channel Tunnel, it is considered that such services could potentially use HS1 to access freight facilities and the Tesco site in future.*
- 5.36 *The presence of a rail freight facility located so close to a distribution centre would also offer a real opportunity for the site to deliver a modal shift away from road, and for goods to be received at and delivered from the site by rail, both domestically and internationally. This is strongly supported by London Plan policies 3C.5, 3C.26 and 3C.25 'Freight Strategy' and draft replacement London Plan policy 6.15. Given that HS1 was built to accommodate freight, but is currently underutilised, this proposed rail facility provides an excellent opportunity to address that, in line with the London Plan policies detailed above.*
- 5.37 *As previously advised, in order to facilitate a new rail freight facility in such a location, a corridor of land would however be required along the western edge of the Beam Reach site. This will allow the new connection to curve onto the Ford land. Since the initial pre-application discussions, TfL and their consultants have been working hard to develop a workable solution to the relevant issues as previously raised. As a result, TfL has come up with an indicative alignment for a rail access to the Ford site, which ensures very little or no impact on the applicant's Beam Reach 5 site and its operations. In light of the lengthy pre-application discussions and TfL's robust information provided in relation to this matter, it is therefore very disappointing that no reference to this has been made as part of the package of information submitted in support of this application.*
- 5.38 *Notwithstanding this, the alignment of the currently proposed rail access route from the Ford sidings to the Ford Car Storage Lands is shown below, although it should be noted that at present this alignment is approximate only and is likely to vary once a more detailed assessment has been undertaken. The alignment does however appear to illustrate an option which would avoid entering LDA's land on Beam Reach and TfL is confident that once more work has been undertaken the alignment is still likely to fall in approximately the same location.*



- 5.39 *While this revised alignment is not without its own challenges including its crossing of the Beam River and Thames Avenue, and its connection to Ford's own railway network, TfL has however already thought of potential solutions to address those. As such, TfL strongly believes that such an alignment is unlikely to present any significant feasibility problems which would preclude its implementation in the future. It is also believed that since the initial pre-application discussions, this compromise proposal would allow both developments to proceed, thus meeting the transport policy objectives of the London Plan, and potentially generating a significant number of new jobs for the area.*
- 5.40 *It should be noted however, that the revised plan currently shows the rail alignment running along the LDA boundary, and the exact feasible location for this may vary slightly depending on the condition of the river bank, amongst other issues. While work is ongoing in relation to this matter, it would be prudent to consider that there may still be the need to safeguard some land along the western boundary of the site, at nil cost to TfL, through the s106 agreement, although this will be much less significant than what was indicated at the pre-application stage. TfL would therefore welcome further discussions in relation to both the detailed technicalities of providing a rail access through the site, and also to better understand how both development proposals will be accommodated.*
- 5.41 Car Parking
- 5.42 *Clarification on the exact number of car parking spaces being proposed as part of the current detailed application is required.*
- 5.43 *Notwithstanding this, while it is accepted that there will be a need for a certain level of parking to be provided in order accommodate the operational requirements of the site, given the already congested nature of the surrounding highway network, TfL would however strongly recommend that the current level of provision is reduced. This is particularly relevant as it is understood that the applicant's intention is to recruit people locally, who should therefore be able to make use of the local bus services as well as*

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*walking and cycling networks.*

- 5.44 *The maximum number of people expected to be present on site per shift is around 260, increasing to around 390 on a peak day e.g. leading up to a public holiday. Even taking shift patterns into account, there appears to be clear scope for reducing the proposed level of car parking, particularly as the TA states that the additional demand for workers is usually met by agency staff who tend to be transported to the site by private mini-buses. As such, there would appear to be more of a need for safe drop off/ pick up points to be provided, rather than additional car parking spaces in order to meet this additional demand. TfL would therefore request that parking levels do not exceed the projected demand of the proposed RDC (regional distribution centre), taking into account any measures being implemented under the travel plan, to encourage staff to travel by non-car based modes of transport. It is also unclear how many goods vehicle spaces will be provided as part of the proposed RDC, and TfL therefore requests clarification on this matter.*
- 5.45 *With regards to the wider 'Masterplan' for the site, no justification has been provided for the level of parking proposed. TfL therefore cannot agree at this stage that the provision proposed is appropriate, without having further information on the intended occupier and land use, as the parking requirements and London Plan standards for a B1 and B8 development could be very different.*
- 5.46 *Trip Generation and Highway Impact*
- 5.47 *It has been demonstrated in the TA, that a significant proportion of traffic likely to be generated by the site will be distributed via the A13 Marsh Way junction. However, while the development has been shown to have a significant impact on the A13 slip roads, with additional flow as high as 19.6% during the off peak periods, the impact on the mainline A13 flow is not expected to be as great.*
- 5.48 *As a result of the Centre for Engineering and Manufacturing Excellence (CEME) development located to the south of the A13, the LDA, LB Havering and TfL as the highway authority, have agreed to signalise the A13 slip road and Marsh Way junction, the civil works for which have already been completed. As part of this, Colin Buchanan undertook a TA (2007), in relation to the s278 improvement works needed, where the CEME site and other committed developments, including potential traffic growth from the rest of the Beam Reach estate, were taken into consideration. Following review of the submitted Tesco's TA however, it appears that the traffic predicted to be generated from this site, will be higher in the AM peak and lower in the PM peak, than what was previously assumed in the Colin Buchanan assessment.*
- 5.49 *The 2007 TA indicated that the Marsh Way/ A13 junction would continue to operate within capacity, with the A13 westbound off slip being the closest to capacity at 82% during the AM peak. According to the TA submitted for this particular development however, in the 2012 AM peak (07:30- 08:30), 2,181 vehicles (PCU's) are anticipated to exit the westbound slip road onto Marsh Way, against the 1,781 previously predicted. This is a significant 23% increase in traffic than what was previously anticipated on this arm, which is already operating close to saturation and it is considered that the overspill effect here could subsequently add to delays on the A13.*
- 5.50 *TfL however considers it inappropriate to attempt to revisit the Marsh Way improvement works before they have been fully implemented or had time to bed in. As such, it is requested that within one year of the RDC being fully operational, the development's*

*impact on the Marsh Way/ A13 junction be reviewed. This requirement should be secured by condition. Additionally, if any further improvement measures are then proven necessary, they should be agreed between the applicant, LB Havering and TfL at that point in time, although a capped contribution will need to be secured through the s106 agreement, in order to be able to implement any improvement works which may be required. As discussed at the pre-application stage there may be a need to review the signals operation, although the cost involved should be negligible compared to the overall cost of s278 scheme.*

5.51 Buses

5.52 *The 174 is currently the only bus route considered to be within an acceptable walking distance of the proposed development site, with the stops serving routes 165 and 372 located over 400 metres away. As such, the development proposals should ensure that walking routes to bus stops located on both sides of Marsh Way are of a high quality, legible, safe, and in a good condition, in order to promote the use of bus services to and from the development site.*

5.53 *As requested at the pre-application stage, trip generation figures for buses should be included, by time and direction, in order for TfL to assess the development's impact on the bus network. In this instance however, given the nature and quantum of development proposed, it is accepted that the impact on the bus network is likely to be negligible, and therefore no changes to the bus network are requested to mitigate the impact of the development. If any highway changes are proposed however, they should be future-proofed for bus services to be able to use the roads, should any network plans change in the future.*

5.54 Travel Planning

5.55 *The submitted travel plan is a well written document that has passed its ATTrBuTE assessment. As such, it is considered acceptable in its current form, and should be secured, managed, monitored and enforced through the section 106 agreement.*

5.56 Servicing and Freight

5.57 *As per TfL's pre-application advice, it is recommended that a Construction Logistics Plan (CLP) is secured for the site by condition. This should look at the cumulative impacts of construction traffic, likely construction trips generated, and mitigation proposed. Details should include; site access arrangements, booking systems, construction phasing, vehicular routes and scope for load consolidation or modal shift in order to reduce the number of road trips generated.*

5.58 *Given the nature of the proposed development as a distribution centre, the provision of a Delivery and Servicing Plan (DSP), as referred to in TfL's London Freight Plan, may not be wholly appropriate. TfL would however still recommend that some consideration be given to how deliveries to the site are managed, in order to limit the impact on the highway network. This could involve i) seeking to limit the number of delivery and servicing trips which occur during peak traffic periods, including targets for the number of off peak trips made and ii) ensuring that the delivery space and time is actively controlled through a site booking plan. The site should also seek to ensure that correct operational procedures are followed in order to limit neighbourhood impacts, and as part of this, TfL welcomes the applicant's commitment to seek membership of the Freight Operators Recognition Scheme (FORS)".*

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- 5.59 Transport for London Letter dated 12<sup>th</sup> October 2010, reiterating the points made in its previous letter, and stressing that securing land on the western edge of the site is extremely important in order to facilitate the development of an intermodal freight facility in the area or at least not to impede any potential facilities in the future.
- 5.60 In conclusion, TfL believes there is significant merit in meeting with the applicant again to discuss this matter further in the aim of reaching an acceptable way forward between all parties. The applicant responded by letter (dated 13<sup>th</sup> October 2010) confirming that Spen Hill will be very willing to engage in discussions, once planning permission has been granted and the development has commenced.

## 6. APPLICATION PUBLICITY

- 6.1 Site Notice Expiry: 03.09.2010
- 6.2 Press Notice Expiry: 13.09.2010
- 6.3 Neighbour Notification: 27.08.2010

## 7. REPRESENTATIONS RECEIVED FROM MEMBERS OF THE PUBLIC

- 7.1 The applicant conducted a two-day public exhibition of the proposals at the Mardyke Community Centre, South Street, Rainham on the 24<sup>th</sup> and 25<sup>th</sup> of June 2010, preceded by a private exhibition on the 23<sup>rd</sup> June to which only local councillors, the local MP, local London Assembly Members and key local community groups (including schools) were invited.
- 7.2 The application is accompanied by a Statement of Community Engagement, which, in summary, illustrates a response of 46 people in support of the proposals and none objecting. Though, several residents raised concerns that the proposals would add to an already existing traffic problem, particularly along the A13. The majority of the positive responses welcome job creation.
- 7.3 Five hundred and four (504) consultation letters were sent to neighbouring properties regarding this application. Six (6) representations had been received at the time of writing this report as set out below.
- 7.4 David S Garfield Email dated 15.09.2010 – Objection

Summary of individual comments received	LTGDC response to comments
The location is unsuitable for a Distribution Centre, and the application should be refused.	Comments noted. Officers have assessed the application and supporting Environmental Statement, concluding that the proposals warrant the grant of planning permission for the reasons set out in this report.
The proposal would engender additional heavy vehicle movements.	The proposals would engender additional heavy vehicle movements in the locality.
Access to the M25 for journeys to the	Issues relating to traffic and transport are

<p>East, North and South would be past Rainham and Wennington, adding to already poor air quality, which has contributed to health problems in the area and noise levels. Distribution to the West would also be via the M25, compounding the problem even further. Noise pollution is known to have insidious detrimental effect on those who are forced to suffer it.</p> <p>In view of the poor Transport to the location, additional vehicle movements would also be generated by those employed at the proposed Centre.</p> <p>If planning permission is granted, the large roof areas should be equipped with solar photo-voltaic collection apparatus for generation of electric power to run the operation and export to the National Grid.</p> <p>Rainwater collection systems should be installed to assist with vehicle washing and other non-human consumption uses.</p>	<p>discussed at paragraphs 9.5 and 9.55 to 9.113 of this report.</p> <p>Issues relating to noise are discussed at paragraph 9.5 of this report.</p> <p>The Energy Strategy submitted in support of the application states that PVs could be developed on 10% of the roofspace of the RDC unit. Further, drawing number P06 (Proposed RDC Roof Plan) does include the Photo Voltaic Solar Panels in the proposals.</p> <p>The proposals are targeting two credits under Wat 1: Water Consumption for the BREEAM 2008 assessment of the site. To reduce water consumption, the buildings will seek to incorporate water efficiency measures such as: 4/2.6 litre dual flush WCs; taps with low flow regulators; proximity infra-red detection urinals; and shower with a nominal flow rate the same as or less than 9 litres per minute at 1.5 bar pressure. LTGDC officers seek to impose conditions to ensure that the proposals achieve a BREEAM rating of at least 'Very Good'.</p>
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7.5 Centre for Engineering and Manufacturing Excellence Ltd. (CEME) letter dated 27.09.2010 - Support

<p>Summary of representation - CEME supports the development subject to a training and skills obligation being entered into as part of the S106 agreement. This should make provision for the agreement with LTGDC and London Borough of Havering of a Training and Skills strategy. This should include the appointment of a local skills and labour coordinator to work with the</p>	<p>Comments noted. LTGDC officers seek an obligation in any S106 agreement in line with Havering Council's Local Labour, Local Goods and Services requirements. Discussions were ongoing between the applicant and LB Havering at the time of this report going to print as to the final wording of that obligation.</p>
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<p>local partners and providers to deliver skills and training with the borough both for local people and those employed at the site. A financial sum should also be set aside specifically to support local skills training / apprenticeships.</p>	
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7.6 Freight on Rail letter dated 19.10.2010 – Objection

<p>Summary of representation – Beam Reach offers the only likely viable rail connection and access from High Speed One in London and is therefore a strategic site.</p> <p>Freight on Rail object on the grounds that a planning condition should be imposed which requires Tesco to co-operate with the protection of a rail alignment to the western edge of the site.</p> <p>Freight on Rail is not opposed to the RDC in principal but believe that the rail link needs to be safeguarded to HS1 in line with local, London and national policy. We believe that research should be carried out to establish the criteria needed to protect the rails access.</p> <p>The fact that rail freight has a key role to play in reducing carbon dioxide emissions, reducing congestion and exposure to road accidents needs to be taken fully into account. The most serious issue facing mankind – climate change requires modal shift in transport and that is why key rail access needs to be protected otherwise it is lost forever to society. There are no other viable sites with access form HS1 with suitable rail and road links. Any facility developed on the Ford land would also be an employment generator.</p>	<p>Comments noted.</p> <p>Issues relating to traffic and transport are discussed at paragraphs 9.5 and 9.55 to 9.113 of this report.</p>
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7.7 Rail Freight Group letter dated 20.10.2010 – Objection

<p>Summary of representation – Objection on the grounds that the proposals will prevent future development of a rail served facility on the lands to the south of the site.</p>	<p>Comments noted.</p> <p>Issues relating to traffic and transport are discussed at paragraphs 9.5 and 9.55 to 9.113 of this report.</p>
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<p>To gain rail access to the Ford land, a rail alignment would need to be created along the boundary line of the site.</p> <p>Concerned to ensure that the proposals do not prevent such an alignment being created in the future.</p>	
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7.8 Campaign for Better Transport letter dated 26.10.2010 – Objection

<p>Summary of representation – Objection because the site at Beam Reach offers the only affordable rail access for high gauge European rail freight from High Speed One to land suitable for a much-needed intermodal terminal which could accommodate large volumes of freight. If built the current Tesco proposal would block this access.</p> <p>We [Campaign for Better Transport] are not opposed to the regional distribution centre in principle. However, at the least, a planning condition should be imposed requiring Tesco to co-operate with the protection of a rail alignment to the western edge of the site on the borough boundary with Barking and Dagenham. In addition research should be carried out to establish exactly what is necessary to protect the rail access and the future rail freight potential of this land. With its riverside frontage the land has the potential not just for rail and road freight but also for water-borne freight.</p> <p>The approach outlined in the last paragraph is entirely consistent with, and indeed is required by the draft London Plan (see for example Policies 6.14 and 6.15) and by the London Rail Freight Policy 2007 (see paragraph 6.39).</p>	<p>Comments noted.</p> <p>Issues relating to traffic and transport are discussed at paragraphs 9.5 and 9.55 to 9.113 of this report.</p>
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7.9 London Borough of Newham, Forward Planning and Transportation email dated 26.10.2010 – Objection

<p>Summary of representation – Objection on the grounds that the proposals would compromise the opportunity to provide an intermodal freight facility at the former Ford Lands / Beam Reach. This location offer the only viable rails access from</p>	<p>Comments noted.</p> <p>Issues relating to traffic and transport are discussed at paragraphs 9.5 and 9.55 to 9.113 of this report.</p>
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<p>HS1 to the Ford Lands and as stated by Freight on Rail the site is a Strategic Site for future rail freight operations.</p>	
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<p>We [LBN] are of the view that to safeguard this is essential given the necessity to have a facility that serves East London and the Thames Gateway given the developments in high speed rail and the facility that enables goods to come from and go to mainland Europe.</p>	
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## 8. RELEVANT PLANNING POLICY

- 8.1 The Development Plan comprises of Havering Council Development Control Policies Development Plan Document (dated 28 May 2008); Local Development Framework Site Specific Allocations Development Plan Document (adopted 23 July 2008); Local Development Framework Core Strategy Development Plan Document (adopted 23 July 2008); and The London Plan: Spatial Development Strategy for Greater London Consolidated with Alterations since 2004 (Published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).
- 8.2 Havering's adopted Proposals Map illustrates the site as falling within a strategic industrial location.
- 8.3 The London Plan illustrates the site as an Area for Intensification and an Area for Regeneration. Havering Riverside is identified as a PIL in annex 2, Table A2. 1 entitled Preferred Industrial Locations (PIL).
- 8.4 Planning Policy Guidance and Statements
- PPS1: Sustainable Development
  - PPS4: Planning for sustainable economic growth
  - PPS5: Planning for the Historic Environment
  - PPS9: Biodiversity and Geological Conservation
  - PPS10: Planning for Sustainable Waste Management
  - PPG13: Transport
  - PPS22: Renewable Energy
  - PPS23: Planning and Pollution Control
  - PPG24: Planning & Noise
  - PPS25: Development and Flood Risk
- 8.5 The London Plan: Spatial Development Strategy for Greater London Consolidated with Alterations since 2004 (Published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010)
- 2A.1 Sustainability criteria
  - 2A.2 The Spatial strategy for development
  - 2A.3 London's Sub-regions
  - 2A.6 Areas for Intensification
  - 2A.7 Areas for Regeneration
  - 3A.17 Addressing the needs of London's diverse population
  - 3A.28 Social and economic impact assessments

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3B.1 Developing London's economy  
3B.2 Office demand and supply  
3B.3 Mixed use development  
3B.4 Industrial Locations [Annex 2, Table A2.1 Preferred Industrial Locations (PIL) number 3, *Havering Riverside*]  
3B.11 Improving employment opportunities for Londoners  
3C.1 Integrating transport and development  
3C.2 Matching development to transport capacity  
3C.3 Sustainable transport in London  
3C.5 London's international, national and regional transport links  
3C.9 Increasing the capacity, quality and integration of public transport to meet London's needs  
3C.10 Public transport security  
3C.17 Tackling congestion and reducing traffic  
3C.21 Improving conditions for walking  
3C.22 Improving conditions for cycling  
3C.23 Parking strategy  
3C.25 Freight strategy  
3C.26 Strategic Rail Freight Interchanges  
3D.14 Biodiversity and nature conservation  
4A.1 Tackling climate change  
4A.3 Sustainable design and construction  
4A.4 Energy assessment  
4A.6 Safety, Security and fire prevention and protection  
4A.7 Renewable energy  
4A.9 Adaptation to climate change  
4A.10 Large-scale buildings – design and impact  
4A.11 Living roofs and walls  
4A.12 Flooding  
4A.13 Flood risk management  
4A.14 Sustainable drainage  
4A.15 Rising groundwater  
4A.16 Water supplies and resources  
4A.18 Water and sewerage infrastructure  
4A.17 Water quality  
4A.19 Improving air quality  
4A.20 Reducing noise and enhancing soundscapes  
4A.21 Waste strategic policy and targets  
4A.22 Spatial policies for waste management  
4A.28 Construction, excavation and demolition waste  
4A.33 Bringing contaminated land into beneficial use  
4B.1 Design principles for a compact city  
4B.2 Promoting world-class architecture and design  
4B.3 Enhancing the quality of the public realm  
4B.5 Creating an inclusive environment  
4B.6 Safety, security and fire prevention and protection  
4B.10 Large-scale buildings – design and impact  
4B.15 Archaeology  
4C.1 The strategic importance of the Blue Ribbon network  
4C.2 Context for sustainable growth  
4C.22 River, brooks and streams  
5C.1 The strategic priorities for North East London  
5C.3 Opportunity Areas in North East London

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6A.3 Promoting development  
6A.4 Priorities in planning obligations (altered April 2010)  
6A.5 Planning obligations (altered April 2010)

8.6 Havering Council Local Development Framework Core Strategy Development Plan Document (adopted 23 July 2008)

CP3 Employment  
CP9 Reducing the need to travel  
CP10 Sustainable Transport  
CP15 Environmental Management  
CP16 Biodiversity and Geodiversity  
CP17 Design  
CP18 Heritage

8.7 Havering Council Development Control Policies Development Plan Document (dated 28 May 2008)

DC9 Strategic Industrial Locations  
DC13 Access to employment opportunities  
DC25 Public Art  
DC32 The Road Network  
DC33 Car Parking  
DC34 Walking  
DC35 Cycling  
DC36 Servicing  
DC37 Safeguarding  
DC39 Freight  
DC40 Waste Recycling  
DC41 Re-Use and Recycling of Aggregates  
DC48 Flood Risk  
DC49 Sustainable Design and Construction  
DC50 Renewable Energy  
DC51 Water Supply, Drainage and Quality  
DC52 Air Quality  
DC53 Contaminated Land  
DC55 Noise  
DC56 Light  
DC57 River Restoration  
DC58 Biodiversity and Geodiversity  
DC59 Biodiversity in New Developments  
DC60 Trees and Woodlands  
DC61 Urban Design  
DC62 Access  
DC63 Delivering Safer Places  
DC70 Archaeology and Ancient Monuments  
DC72 Planning Obligations

8.8 Havering Council Site Specific Allocations Development Plan Document (dated 23 July 2008)

SSA9 Channel Tunnel Rail Link  
SSA11 Beam Park

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#### 8.9 Other Relevant Planning Policies & SPD's

- Havering Local Development Framework – SPD 'Designing Safer Places' adopted February 2010
- Havering Local Development Framework – SPD 'Protecting and Enhancing the Borough's Biodiversity' adopted May 2009
- Havering Local Development Framework – SPD 'Sustainable Design and Construction' adopted April 2009

8.10 The Examination in Public (EiP) of the Replacement London Plan was ongoing at the time of writing this report, with further written statements on matters 3F (Provision for Gypsies & Travellers) and 5G (Aggregates) due to be considered at sessions in December 2010.

### 9. ASSESSMENT OF MAIN ISSUES

#### 9.1. Environmental Issues

LTGDC officers have taken environmental information into consideration in the assessment of this application in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

- 9.2. LTGDC received a request for a scoping opinion on 1st March 2010, in respect of the need or otherwise for an Environmental Impact Assessment for the proposed development. An EIA Scoping Report by Savills was submitted with the request.
- 9.3. On 1st April 2010, LTGDC resolved that the proposed development was considered to fall within Schedule 2 under part 10 of the EIA Regulations and that an EIA was required because there is a likelihood of significant effects on the environment.
- 9.4. The application is accompanied by an Environmental Statement and Non-Technical Summary covering the following topics:
- Air Quality
  - Archaeology and Historic Environment
  - Drainage and Flood Risk
  - Ecology
  - Ground conditions
  - Noise and Vibration
  - Socio Economic
  - Townscape and Visual
  - Transport
  - Waste
  - Energy
- 9.5. LTGDC Officers note the following with regard to each of the above topic areas:
- Air Quality (Chapter 6 of the ES)  
  
Chapter 6 of the ES is provided by Vibrock Limited and identifies two situations that have the potential to impact on the local environs with respect to air quality, those being: i) construction; and ii) operation.

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During the construction process, there is potential for emissions of dust to cause annoyance within about 200 m of the source of the dust. The magnitude of the predicted impact to air quality during the construction phase is moderate which gives a moderate impact significance on moderate sensitive receptors such as the CEME and a high to moderate impact significance on high sensitive receptors such as residential property. However, there are no residential properties (high sensitive receptors) within 200 m of the site boundary.

Whilst there may be a small decrease in local air quality due to the proposed development during the construction phase it is likely to be of short duration and should at no time result in air quality criteria levels being exceeded.

During operation the major source of emissions to atmosphere from this development is that from road traffic. The magnitude of the predicted impact to air quality during the operation of the distribution centre and associated facilities is low, which gives a low to moderate impact significance on moderate sensitive receptors such as the CEME and a moderate impact significance on high sensitive receptors such as residential property. As, previously stated, there are no residential properties (high sensitive receptors) within 200 m of the site boundary.

Once the development is completed and the development is occupied any change in air quality would, although adverse, be of low to moderate significance when compared to the existing background concentrations.

The cumulative effect is considered to be negligible.

Mitigation will be required during the construction phase of the development when the guidance contained with the GLA Best Practice Guidance: The control of Dust Emissions from Construction and Demolition should be implemented.

During the operation phase of the development the lorry fleet servicing the distribution centre will comply with the Euro V European Emission Standard which ensures that the lower emission rates of carbon monoxide, oxides of nitrogen, hydrocarbons and particulate matter, required by that standard are achieved. No further mitigation of emissions to atmosphere is expected to be required when the development is operating.

LTGDC officers are content that assuming that the proposed mitigation measures are incorporated, the completed part of the development that seeks full planning permission is expected to have a low to moderate adverse impact on local air quality.

Whilst it is accepted that the part of the application that seeks full planning permission will comply with Euro V European Emission Standards in mitigating emissions to the atmosphere from vehicles, the operations of the outline part of the application are unknown. For this reason officers recommend that a condition be imposed precluding commencement of the outline part of the development until an air quality report has been submitted to and approved by the Local Planning Authority in writing in relation to the relevant plot(s).

- Archaeology and Historic Environment (Chapter 7 of the ES)

Chapter 7 of the ES has been prepared by the Museum of London Archaeology Service (MoLAS) and assesses the impacts of the project on potential heritage assets (buried heritage assets: assets which are currently not visible and are intangible; above ground heritage assets: assets which are visible and tangible).

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The chapter is supported by a historic environment assessment.

The site is situated within an Archaeological Priority Zone as defined by LB Havering. It does not contain any nationally-designated (protected) heritage assets.

The ES, in line with the advice of English Heritage, states that there is a high potential for palaeoenvironmental remains to be present within the alluvial deposits and evidence of the palaeo-landscape in the area. Archaeological remains may be present in the alluvial deposits.

During the operation phase of the development no impacts upon heritage assets have been identified. As such impacts would occur during the demolition and construction period rather than the operational phase.

Mitigation – In light of the depth of alluvium and made ground on the site and the known potential significance of archaeological assets, it is considered that the potential minor to major adverse effects of the proposed development could be adequately mitigated by a targeted watching brief in areas of deep piling and where ground intrusions are anticipated to reach below the level of made ground, to enable the sampling and recording of any exposed archaeological deposits. In the light of previous palaeoenvironmental finds within the site, and given the site's location within a wider palaeo-landscape, a mitigation strategy could also include a geoarchaeological deposit model in order to identify the character of the buried prehistoric landscape across the site. Such work would be carried out in accordance with a Written Scheme of Investigation under the terms of a standard planning condition. Following successful implementation of investigation, it is anticipated that the adverse effects upon any heritage assets would be minor. It is expected that there would be slight residual adverse effects in areas of deep piling.

LTGDC officers note the representations made by English Heritage advising that archaeological investigations should be undertaken in advance of development works, initially in the form of a field evaluation, to be secured by attaching a condition requiring the applicant to secure the implementation of a programme of archaeological work in accordance with a written scheme for investigation.

Officers are content that archaeological mitigation can be secured by conditions requiring submission of details and approval of a Piling Method Statement and also a Written Scheme for Investigation. The suggested conditions have been included in the draft list of conditions at section 11 of this report.

- Drainage and Flood Risk (Chapter 8 of the ES)

Chapter 8 of the ES has been produced by W.A. Fairhurst & Partners and considers Fluvial and Tidal Flooding, Surface Water Flooding and Groundwater Flooding for the construction and operational phases of the development proposals. A Flood Risk Assessment (FRA) has also been submitted.

There are three watercourses/sewers in the immediate vicinity of the site: i) River Beam; ii) Havering New Sewer; and, iii) Poole Sewer.

Areas of the site are within Flood Zones 3a and 3b of the River Beam and Flood Zone 3a of the Havering New Sewer.

During the construction phase, mitigation of the flooding and drainage risks will be forwarded to prospective contractors tendering for the work who will be expected to formulate a Construction Environmental Management Plan (CEMP) within their bid

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for the contract. LTGDC officers consider it necessary for the CEMP of the successful bidder to be submitted to the Local Planning Authority for approval in consultation with the Environment Agency.

Mitigation required as a result of building within the flood plain will be provided in the form of flood plain compensation. This will be provided for in the detailed planning application areas in the northwest corner of the RDC site, the western boundary of the processing facility and within the green corridor between plots 10, 11 and 12. Within the outline planning application, plot 8 will require flood plain compensation which will be located within the green corridor, plots 10 and 11 will require a small amount of compensation which will be located behind the unit.

Sustainable Urban Drainage Systems (SUDS) will be incorporated in order to minimise the impact of the construction of the new impermeable areas on the surrounding areas and the river flows. The ES states that further details including the volumes, levels and other SUDS characteristics for the outline part of the application will be confirmed at the detail stage of design. LTGDC officers seek to impose a condition requiring the submission of those details prior to the commencement of development of the relevant plots.

Surface Water Drainage - Various mitigation measures are proposed including new surface water drainage runs beneath Consul Avenue (discharging to Havering New Sewer) and the provision of below ground attenuation tanks below the RDC service yards. The mitigated impact of the proposed surface water drainage would be Moderate Beneficial, due to the overall reduction in flow rate from the RDC part of the site.

Groundwater flooding – There is likely to be no risk to the development areas during operation from ground water flooding, therefore no mitigation measures are proposed.

Foul Water – New connections to the foul sewer will be applied for from Thames Water. There are likely to be no impacts as the sewer is suitable for the proposed flows.

LTGDC officers have considered the content of the ES with regard to Drainage and Flood Risk together with the associated Flood Risk Assessment (dated July 2010) and the representations made by the Environment Agency and are satisfied that the findings of Chapter 8 are sound. The development should be carried out in accordance with the FRA and conditions should be imposed requiring the submission of the SUDs details for the outline part of the application.

- Ecology (Chapter 9 of the ES) – Also, further information submitted 20<sup>th</sup> October 2010 and advertised by LB Havering.

Chapter 9 of the ES has been produced by W.A. Fairhurst & Partners and describes the assessment methodology; the baseline conditions currently existing; and likely significant environmental effects; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed.

The possible impacts of the proposals on the nature conservation / biodiversity resource are broadly considered in terms of:

- Loss of habitat;
- Isolation of habitat; and

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- Degradation of habitat.

All of the species surveys carried out in 2008 have been repeated in 2010.

The proposals will result in the initial loss of habitats and the disruption and disturbance of other habitats and species. The construction and operational phase impacts for the Mudlands site without mitigation in place would be summarised as slight to moderate adverse impact, whilst the construction and operational impacts on the remainder of the site without mitigation in place would fall within the slight adverse impact category.

Further information was submitted to be read in conjunction with Chapter 9 on 20.10.2010, regarding 2010 Invertebrate Surveys. Those surveys indicated that the masterplan site can be broadly divided into three compartments all of which have very differing invertebrate interest / value, hence the evaluation of impact is set out on these three areas separately with the following conclusions:

Area 1 (West Section) There are opportunities to provide mitigation with areas of crushed concrete from the site being retained at ground level beneath two pylons and at a higher level as living roofs on two of the flat roofed areas on the development. With mitigation in place, any residual impact will be insignificant.

Area 2 (Marsh Area & Havering New Sewer) All of this area is within the Mudlands SINC site and as such is excluded from the redevelopment of the Masterplan area. Measures are to be put in place to protect this area from pollution (water, noise and light) and from unregulated incursions by plant and personnel during both the construction and operational phases of development. No adverse impact on this area in terms of invertebrate interest is predicted, and with appropriate management in place it can be anticipated that the existing invertebrate interest of the wetlands and marshlands will be maintained and enhanced in the longer term.

Area 3 (Grassland Area) The invertebrate interest of this area is assessed as being of medium value for invertebrates and the loss of the majority of the habitat would constitute an intermediate negative impact generating a moderate adverse effect without mitigation. Mitigation opportunities include the retention and extension of the grassy mound along the southern boundary; the retention of habitat at ground level; creation of living roofs; and the provision of artificial nest sites for solitary bees. With mitigation in place any residual impact would be assessed as being negligible or minor adverse.

In considering Ecology, LTGDC officers find Chapter 9 to be sound and recommend a condition requiring the submission of an Ecological Mitigation and Management Plan (EMMP), including details of how the proposed mitigation and enhancement measures will be monitored, managed and funded in future, as suggested by Natural England. Officers also seek to impose a condition requiring external lighting details for the outline part of the planning application to minimise the impact of light spillage.

- Ground conditions (Chapter 10 of the ES)

Chapter 10 of the ES has been produced by W.A. Fairhurst & Partners and details the site's baseline ground conditions in terms of its environmental and geotechnical properties using baseline conditions compiled by means of a desk study and by site investigation, monitoring and laboratory testing.

The desk study identified general ground water contamination and general ground contamination. The ES sets out that during construction:

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- Asbestos within the existing buildings and yards will be removed by a suitably qualified specialist sub-contractor prior to demolition and disposed of off site;
- Asbestos impacted soils will be removed in accordance with the Asbestos Regulations 2006;
- A dust management plan will be prepared;
- A trained banksman will be used to identify asbestos-containing materials during excavations & earthworks;
- Gas monitoring will be undertaken;
- Should potential low grade radioactive dark grey black vitreous slag be observed during the earth works then a radioactive slag survey will be commissioned to determine appropriate remedial measures;
- The low potential for unexploded ordnance (UXO) and moderate potential for unexploded bombs (UXB) will be notified to all personnel prior to commencement of site works and the contractor will be required to consult with an Explosive Ordnance Clearance (EOC) specialist to confirm where non-intrusive investigation methods should be adopted prior to deep excavations; and
- Treatment / removal of hydrocarbon hotspots is to be undertaken.

The ES concludes that after implementation of the mitigation measures detailed above, the residual effects on human health during construction presented by the identified risks is considered to be negligible and of temporary, direct short term duration.

A surface water management plan is to be produced and implemented as part of the construction programme to prevent uncontrolled surface water runoff egressing work areas. After implementation of mitigation measure the residual effects on Controlled Waters during construction presented by the identified risks is considered to be negligible and of temporary, direct short term duration.

Herbicides should be used to help eradicate and prevent reinfestation of invasive species, including Giant Hogweed and Buddleia. A designed clean soil cover layer will also be provided to all landscaped areas to provide separation from underlying contamination within the made ground. After mitigation measures, the residual effects on the Built Development during construction presented by the identified risks is considered to be negligible and of temporary, direct short term duration.

During operation mitigation measures are proposed for built development and human health and for controlled waters. The residual effects during operation after implementation of the mitigation measures are considered to be negligible and of permanent, direct long term duration.

LTGDC officers consider Chapter 10 of the ES to be sound, but would impose a condition requiring prior approval from the Local Planning Authority in consultation with the Environment Agency, of any piling or any other foundation designs using penetrative methods.

- Noise and Vibration (Chapter 11 of the ES) – Also, further information submitted 13<sup>th</sup> October 2010 and advertised by LB Havering.

Chapter 11 of the ES has been produced by Sharps Redmore Partnership and considers noise assessment during the site clearance and construction phase; road traffic; and operational noise, including noise from mechanical services plant and from the Biomass CHP.

Existing baseline noise levels were measured by carrying out long term, unmanned survey in the rear garden of 1 Mardyke Close, Rainham and short term manned

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survey at two locations along the A1306 (New Road). The existing noise climate was found to be dominated by distant road traffic on the A13 and localised traffic on the A1306.

During the construction phase the ES concludes that there will be a short term low adverse effect from noise.

Noise effects from the operational phase have been assessed and it has been predicted that there will be a negligible impact from noise at neighbouring residential properties.

The main noise source from the proposed development, i.e. vehicle movements, would not be out of character with the existing noise climate, which is dominated by vehicle noise on the A13 and A1306.

LTGDC officers are satisfied that the identified impacts would be controlled by adoption of the mitigation measures set out in the revised ES and would seek to impose a condition to ensure that the suggested 5m high acoustic screen is erected prior to the commencement of major building works.

- Socio Economic (Chapter 12 of the ES)

Chapter 12 of the ES has been produced by Savills and assesses the potential socio-economic effects the project may have on the area around the site. The methodology compares the impact of the project proposals to the impact of the base case (i.e. the impact of the uses already occurring on the project site). The difference is the net additional effect of the project, or the effect that can be attributed to the project proposals that would not have occurred in the base case.

During the construction phase the ES provides that there will be a moderate positive significant effect of the project in employment terms.

During the Operational phase and taking into account Direct Employment and Employment Additionality, the ES concludes that the proposals will have a major significant positive effect. Borough-wide the effect will not be so pronounced but is still considered to be of moderate positive significance.

No significant adverse effects have been identified. Therefore no mitigation measures are proposed.

However, by way of enhancement and in accordance with policy DC13, it will be important that an appropriate agreement is made to assist local residents in receiving the training and support necessary to be eligible for the jobs generated by the project in both the construction and operational phases.

LTGDC officers are content that the development would result in no significant impact in relation to the socio economic impact of the development proposals and seek to include an obligation in the recommended S106 legal agreement for a 'local labour and skills clause', to enhance access to employment opportunities, training programmes and employment support, both locally and further afield.

- Townscape and Visual (Chapter 13 of the ES)

Chapter 13 of the ES has been produced by Savills and contains an assessment of the impact of the project on the townscape, landscape, built heritage and visual amenity of the project site and the surrounding area. It considers the likely

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significant effects of the project both during construction and following completion of the project.

The ES considers the proximity of the nearest conservation areas, listed buildings, Sites of Scientific Interest (SSSIs), Sites of Importance for Nature Conservation (SINCs) and Green Belt. It also considers the historic context of the site and the Townscape Character of:

- A13 Industrial Corridor
- Rainham 20<sup>th</sup> Century Residential Area
- South Hornchurch 20<sup>th</sup> Century Residential Area
- Dagenham 20<sup>th</sup> Century Residential Area
- Beam Valley
- Ingrebourne Valley
- Rainham Marshes

In terms of Landscape and Townscape Features, consideration is given to Vegetation, Topography and Water Features, Built Infrastructure and Surfacing, and Routes and Movement.

In summary, the ES concludes that given the existing poor townscape quality and visual amenity of the study area, all of the proposals are likely to have a regenerative effect and combine to have Negligible or Slight Beneficial effects in both townscape and visual terms.

LTGDC officers are content that the development proposals would have Negligible or Slight Beneficial effects on both townscape and visual terms and find this chapter of the ES to be sound.

▪ Transport (Chapter 14 of the ES)

This chapter of the ES has been produced by WA Fairhurst & Partners and assesses the potential significant transport effects of the project. A Transport Assessment (TA) and a Travel Plan (TP) also support the application.

The applicant provided a letter dated 21<sup>st</sup> October 2010, correcting wording in the submitted TA (para 7.10.5) that stated that the 2007 Colin Buchanan study supported the KICC planning application and associated masterplan and formed a basis for the capacity assessment of the Marsh Way / A13 junction. The TA should in fact, have reflected the correct wording in the ES chapter that 'In 2007, Colin Buchanan & Partners (on behalf of the London Development Agency) carried out a capacity assessment of the improvements currently taking place at the junction of the A13 with Marsh Way using the TRANSYT programme'. This study was independent of the KICC proposals, although it did make reference to this application when considering a number of development options and signalisation schemes.

TfL have clarified the fact that this report and the associated traffic modelling was considered appropriate for assessing the highway works which have recently been undertaken at this junction following the completion of a Section 278 Agreement between the LDA, LB Havering and TfL in November 2009.

The submitted Travel Plan has passed its ATTrBuTE assessment. As such, it is considered acceptable (by TfL) in its current form. TfL note that the TP should be secured, managed, monitored and enforced through the section 106 agreement.

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The ES states that a Delivery and Servicing Plan (DSP) will contain provisions relating to the movement of HGVs. LTGDC officers would seek to secure a DSP by condition.

A Construction Logistics Plan (CLP) will be required by condition in line with the recommendations of TfL and Havering and mentioned at 14.5.9 of the ES.

The ES concludes that the development will significantly help to promote alternatives to private car trips by encouraging staff to travel to the site by sustainable means through implementation of the Travel Plan. Operations will be managed to minimise the impact of HGV movements.

The ES states that heavy goods vehicles in the immediate vicinity of the site will be in accordance with the London Lorry Control Scheme while the lorries will comply with the requirements of the London Low Emission Zone. The ES also states that a Delivery and Servicing Plan (DSP) will contain provisions relating to the movement of HGVs. TfL however, state that given the nature of the proposed development as a distribution centre, the provision of a DSP may not be wholly appropriate.

Section 7.6.1 of the ES states, "For the purposes of the analysis, it has been assumed that the changes to the Marsh Way / A13 junction layout will have no noticeable effect on the level or pattern of traffic flows through the junction and therefore provides for a 'worst case' scenario of vehicles continuing to rat-run through the junction'.

TfL and Havering officers consider it necessary that a planning obligation be included in any planning permission requiring the applicant to fund or carry out a review of the workings of the dumbbell roundabout and produce an appropriate traffic model to define actual traffic movements and maximise capacity at this location. TfL and Havering agree that a capped contribution towards the review and any improvement works should be £150,000.

Officers agree that a review of the workings of the dumbbell roundabout and production of an appropriate traffic model to define actual traffic movements of the proposals would demonstrate whether the local transport network could appropriately and safely accommodate the proposals.

Policy DC32 precludes new development that has an adverse impact on the functioning of the road hierarchy and DC39 provides that planning permission will only be granted for new developments which generate high levels of freight provided that the applicant demonstrates through a transport assessment how freight movements to and from their site will be managed with regard to (amongst other things) minimising the impact on the efficient functioning of the strategic road network. Specifically, policy DC 39 states that, "Any adverse impact in the strategic road network must be mitigated if necessary".

In line with TfL's recommendation and, in order to make the development acceptable in planning terms (CIL Regs. 2010), officers would agree that any S106 secures the TP and that £150,000 be secured towards the review and implementation of a Signal Improvement Scheme at the junction of Marsh Way and the A13, alongside any associated physical highway improvement works that would facilitate safe access to the development site.

LTGDC officers would agree that the traffic implications of the proposals have been allowed for and will not significantly add to congestion or give rise to safety issues on the local road network if the proposals are implemented in accordance with the

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suggested conditions, informatives and S106 terms of agreement. This will allow the efficacy of the measures to be reviewed, deficiencies identified and remedial actions agreed with the Highway and Planning Authorities.

▪ Waste (Chapter 15 of the ES)

This chapter of the ES has been produced by W.A. Fairhurst, Tesco and Ashton Smith Architects and assesses the potential environmental impacts associated with Construction Waste and Operational Waste. A Site Waste Management Plan (dated July 2010) has also been submitted with the application.

The mitigation measures suggested that might minimise the quantity of waste produced and maximise the reuse and recycling of site wide materials during the construction and operation stages of the site development include:

- Minimising the volumes of waste materials which cannot be reused or recycled by designing out waste through the use of modern methods of construction. Also through the implementation of waste segregation and sorting systems to ensure that reusable wastes are separated from non-reusable wastes during the enabling and construction works;
- Reuse of waste materials wherever practicable to do so onsite; and
- Disposal of wastes to appropriate waste handling facilities when the wastes cannot be reused or recycled.

During the operational phase, the current waste management strategy employed is that no waste can go direct to landfill. The residual impact is therefore considered to be negligible to minor adverse.

LTGDC officers are content that chapter 15 of the ES is acceptable and seek to ensure that unacceptable environmental impacts do not arise through the imposition of a condition requiring details of the waste management strategy for the speculative elements of the proposals that seek outline planning permission.

▪ Energy (Chapter 16 of the ES)

Chapter 16 of the ES has been produced by Environmental Perspectives. An Energy Report, Environmental and Sustainability Statement and BREEAM Industrial 2008 Framework have also been submitted.

As with most of the topics assessed in the ES, assumptions have been made in relation to the outline element of the proposals.

The applicant is committed to achieving a BREEAM rating of 'Very Good'.

The buildings will be constructed to include energy efficiency measures to exceed Building Regulations standards and will include photovoltaic panels, biofuel and energy efficient features.

For the detailed part of the application the development proposes the installation of a 315kWe high efficiency combined heat and power (CHP) unit powered by a liquid biomass fuel, which is expected to reduce the carbon emissions for the project by over 20%. The liquid biomass is produced from waste vegetable and fish oils. Tesco have entered into a supply contract of 20 million litres of biofuel for the next 2 years.

10% of the roofspace of the RDC unit will be covered by Photo Voltaic Solar Panels.

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It is anticipated that these energy efficiency measures will result in a development with over 34.8% improvement above a 2006 Buildings Regulations baseline. A combination of renewable technologies identified will deliver a 34.1% emissions savings. This equates to approximately 24% expressed on a whole energy basis.

The outline part of the application will allow for future connection to a district heating scheme.

LTGDC officers find chapter 16 of the ES to be sound in relation to the detailed part of the proposals. It is recognised that the speculative (outline) parts of the proposals are yet to be developed. Officers would seek to impose conditions to ensure that the development achieves a BREEAM rating of 'Very Good' at minimum; that the development achieves a minimum 20% reduction in carbon dioxide emissions from the anticipated baseline carbon dioxide emissions; and an obligation in any S106 to provide Annual Renewables Reports for both parts of the proposal for the purposes of monitoring.

#### 9.6. **Health and Safety**

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites/pipelines. Acknowledging the presence of the 7324 Horndon to Barking Gas Pipeline, which runs close to the northern boundary of the application site LB Havering officers undertook an enquiry using the PADHI+ (Planning Advice for Developments near Hazardous Installations) methodology and software decision support tool in line with the HSE's (Health and Safety Executive) advice. The result was that, "the HSE does not advise, on safety grounds, against the granting of planning permission in this case".

#### 9.7. **Principle of proposed land uses**

The application is for land uses that fall within use classes B1 (c), B2 and B8 as specified under the Use Classes Order 2005.

9.8. The primary effect of LDF policies CP3 and DC9 is to restrict uses in all Strategic Industrial Locations including Beam Reach 5, prioritising Use Classes B1 (b + c), B2 and B8, with exceptions only where a similar quality and intensity of employment and a high standard of design are provided.

9.9. The site has not provided any economic benefit to the local area for a long period of time and the regeneration benefits of permitting good quality B1 (c), B2 and B8 land uses in the context of an approved overall masterplan, that positively contribute to the SIL by providing significant new employment generation in line with planning policy are recognised.

9.10. Officers consider that the principle of the proposed land uses accords with policies CP3 and DC9. The condition of the site, including physical constraints such as proximity to utility infrastructure and rail lines and its location, lend themselves to the proposed land uses. The site is not suitable for residential use.

#### 9.11. **Urban Design**

All development should follow the principles of good design. The quality of design lies at the heart of the planning system and is stressed in PPS3 (para. 10), PPS1 (paras. 33-39), London Plan policies 4B.1 (Design principles for a compact city) and 4B.10 (Large-scale buildings – design and impact) and also of Havering policy DC61 (Urban Design).

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- 9.12. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 9.13. Policy DC9 only permits the proposed land uses in this SIL that are of 'a high standard of design'.
- 9.14. The detailed proposals are simple, modern and functional and will represent a substantial improvement on the currently vacant site. This includes the use of specialised long span cladding systems providing a clean, uncluttered appearance with contrasting office accommodation, extensive use of roof mounted Photo Voltaic Solar panels and roof lighting whilst incorporating extensive sustainable technologies.
- 9.15. The outline parts of the application will comprise of 4 units of varying sizes to suit the varying plot sizes.
- (Unit 1) 19,065 m<sup>2</sup> GEA. Max building height = 17m  
(Unit 2) 9,611 m<sup>2</sup> GEA. Max building height = 15m  
(Unit 3) 6,534 m<sup>2</sup> GEA. Max building height = 14m  
(Unit 4) 1,560 m<sup>2</sup> GEA Max building height = 12m
- 9.16. Matters relating to 'appearance' and 'landscaping' are reserved for later consideration in relation to the outline parts of the proposals.
- 9.17. The proposals are accompanied by an overall landscape framework [see drawing 76631/00801 dated 18/06/10 entitled 'Environmental Mitigation Masterplan'], which should be read in the context of the submitted Environmental Statement, with specific regard to the Ecology and Townscape chapters. The landscape details are further expanded in the following submitted drawings:
- 76631/00802 dated 18/06/10 (Detailed Landscape Design Sheet 1 of 4)
  - 76631/00803 dated 18/06/10 (Detailed Landscape Design Sheet 2 of 4)
  - 76631/00804 dated 18/06/10 (Detailed Landscape Design Sheet 3 of 4)
  - 76631/00805 dated 18/06/10 (Detailed Landscape Design Sheet 4 of 4)
- 9.18. The proposals are accompanied by an External Lighting Strategy, which can be found in the Design and Access Statement.
- 9.19. Details of the proposed fencing / boundary treatment of the plots have not been submitted, but can be dealt with by condition.
- 9.20. Policy DC25 requires all major and mixed use development schemes to provide public art. There is an existing public art installation on the A13 / Marsh Way 'dumbbell' roundabout, which has fallen into a state of disrepair with no funding in place to carry out the necessary works to repair it. A contribution of £80,000 will be secured through S106 to assist in the improvement of that art installation, which is in the immediate vicinity of the development site.
- 9.21. No Green Grid contribution is being sought from the applicant because the Mudlands SINC is part of the Green Grid and is to be protected and enhanced as part of the proposals.
- 9.22. Pedestrian and Cycle Access – A new pedestrian / cycleway link onto the site will be created from Marsh Way, along the edge of the new RDC car park. This link will not only connect into existing combined footpath / cycle ways within the site, it will continue through the car parks with safe crossing points up to the security turnstiles within the

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fencing at the main entrance.

- 9.23. Within the works carried out under the detailed application, the combined footpath / cycleway to the Processing site will terminate with the road. This will however continue along the exiting Consul Avenue alignment up to the site boundary at Manor Way.
- 9.24. Future footpath links will be formed to the rail crossing in the north east corner of the development site when plot 12 is constructed.
- 9.25. Access into the RDC secure site area will be via pedestrian turnstiles with controlled access. For staff with disabilities or visitors, a gate with video intercom link with security / reception will be provided.
- 9.26. The parameters established in the masterplan drawing are considered to be acceptable making satisfactory provision for pedestrians.
- 9.27. Vehicular Access – Vehicular access (ingress and egress) to the site is taken from the Marsh Way / A13 roundabout junction only. An internal access route will be designed which will ensure safe access to all areas of the development by walking and cycling.
- 9.28. Access to the RDC yards is through a 4 lane entrance barrier system. The internal roads for HGVs will access into the site around the electricity pylon, Tesco Goods Out vehicles will exit the main access road into the goods out yard to the south, through the fuel island if required. Goods In vehicles will continue along the road to the western gable of the building and into the Goods In yard to the north of the building. The Goods In and Goods Out vehicles have separate exits with two lanes/ exit barriers for each. Both the yards are designed for two way traffic, the perimeter haul roads are all two way and at least 9m wide.
- 9.29. The RDC Processing site is proposed to have 2 separate yard areas; one for returning Tesco vehicles to off load the recyclable waste and dirty trays, the other for suppliers to collect the clean trays.
- 9.30. LTGDC officers are satisfied that the design of the proposals would not present material adverse harm on the locality if implemented in accordance with the proposed conditions, informatives and S106 and that the design and access statement submitted in support of the application demonstrates that design principles have been reflected in the proposed design in accordance with London Plan policy 4B.5 (Creating an inclusive environment).
- 9.31. **Sustainability**
- Issues relating to Energy, Ecology and Waste have been considered as relevant parts of the assessment of the proposals.
- 9.32. Energy – The Energy Report, Environmental and Sustainability Statement and, BREEAM Industrial 2008 Framework have been submitted and officers are content that the proposals could meet the targets for the generation of renewable energy in line with the provisions of policy 4A.7, if it can be demonstrated that the CO<sub>2</sub> savings are genuine and sufficient.
- 9.33. LTGDC officers would seek the submission of a Renewables Strategy followed by annual monitoring reports for the outline part of the application through a s106 agreement to ensure that the reduction in carbon dioxide is long term and improves the sustainability and environmental performance of the built environment. For the detailed part of the proposals, only the annual monitoring reports would be sought.
- 9.34. Ecology - As previously stated in this report officers recommend the imposition of a

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condition requiring the submission of an Ecological Mitigation and Management Plan (EMMP), including details of how the proposed mitigation and enhancement measures will be monitored, managed and funded in future, as suggested by Natural England. Officers will also seek to impose a condition requiring external lighting details for the outline part of the planning application to minimise the impact of light spillage on the natural environment.

9.35. Waste – The submitted Waste Strategy has been considered against Havering policies DC40 (waste recycling) and DC41 Re-use and recycling of aggregates), London Plan policy 4A.22 (Spatial policies for waste management), and PPS10 (Planning Sustainable Waste management). The proposals are considered to be acceptable in terms of waste if: i) the prescribed mitigation measures, as previously discussed in this report, are implemented; and ii) a condition requiring details of the waste management strategy for the speculative elements of the proposals is imposed.

9.36. **Sustainable drainage and flood risk management**

Officers have considered the proposals against policies DC48 (Flood Risk) and DC49 (Sustainable Design and Construction); London Plan policies 4A.12 (Flooding), 4A.13 (Flood risk management), 4A.14 (Sustainable drainage), 4A.15 (Rising groundwater) and 4A.17 (Water quality); and PPS25.

9.37. As previously stated in this report, LTGDC officers have also considered the content of the ES with regard to Drainage and Flood Risk together with the associated Flood Risk Assessment (dated July 2010) and the representations made by the Environment Agency.

9.38. The development should be carried out in accordance with the FRA and conditions should be imposed requiring the submission of the SUDs details for the outline part of the application.

9.39. **Employment**

The only employment currently supported in Beam Reach 5 Business Park is at Newsfax (plot 7), with 123 full-time and 11 part-time employees. Newsfax have an extant planning permission to extend their building, which could increase their employment figures to 130 full-time and 4 part-time. The remainder of the Business Park currently supports no employment.

9.40. In terms of the potential regenerative effects through employment generation, it is predicted that the proposals will provide the following jobs:

	<b>User / Developer</b>	<b>No. of Jobs</b>
Phase 1	Tesco	1,219
Phase 2 / Unit 1	Unknown	457
Phase 2 / Unit 2	Unknown	229
Phase 2 / Unit 3	Unknown	147
Phase 2 / Unit 4	Unknown	34
<b>Total</b>		<b>2,085</b>

9.41. In addition, the Socio-Economic chapter of the ES predicts that the development will stimulate the generation of a further 1,567 indirect jobs (off site) within the local community. If realised, the total potential job creation associated with the development would total 3,652 jobs.

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- 9.42. The site lies within the Rainham Employment Area, which the London Plan identifies as a Strategic Industrial Location.
- 9.43. The London Plan identifies London Riverside as an Opportunity Area in East London and a suitable location for innovation and high technology manufacturing.
- 9.44. The London Plan designates Havering Riverside (part) as a Preferred Industrial Location and is within the Thames Gateway Growth Area identified in the former Government's Sustainable Communities Plan. The regeneration of London Riverside therefore has national and regional support. The London Plan states that the revised planning frameworks for the area should realise the potential of the area in ways which will benefit local communities and London as a whole.
- 9.45. Havering core policy CP3 (Employment) states that a range of employment sites will be available to meet the needs of business and provide local employment opportunities. The Core Strategy prioritises higher value advanced manufacturing in Beam Reach Business Park, with a mix of light and general manufacturing with some warehousing focused on the Ferry Lane area and states that other employment uses will be allowed within the Beam Reach Business Park where they provide a similar quality and level of employment within a high quality development commensurate with the business park location.
- 9.46. Havering policy DC9 (Strategic Industrial Locations) states:
- Planning permission will only be granted for B1 (b + c), B2 and B8 uses in the Rainham Employment Area, Harold Hill Industrial Estate and King George Close Estate Strategic Industrial Locations.*
- Advanced manufacturing uses (B1 (b) (c) and B2) will be prioritised within the Beam Reach Business Park together with other (B1 (b) (c) and B2) uses which provide a similar quality and intensity of employment and a high standard of design.*
- Waste uses will be considered acceptable within Strategic Industrial Locations except the Beam Reach Business Park, part of the Rainham Employment Area, provided they are consistent with the policies set out in the Joint Waste Development Plan Document and Core Policy CP11.*
- Police Patrol Bases are considered acceptable uses within Strategic Industrial Locations due to employment density levels and the nature of the use.*
- 9.47. Havering's Core Strategy specifies the need to tackle the low skills and qualification levels in the Borough, not just maximizing employment but increasing access to employment opportunities. For regeneration policies to be effective, the local workforce must be suitably qualified and trained to take advantage of new opportunities. A lack of key skills and qualifications means that Havering's workforce is disadvantaged in the competition for employment opportunities both locally and further afield.
- 9.48. The proposed 1,219 on site jobs related to the Tesco elements, would provide a substantial critical mass of employment on an otherwise vacant site, with the potential to increase that number when the eastern development plots come forward at a later date.
- 9.49. The London Plan [5.89] states that the core employment areas in Rainham have the potential to be developed as a leading centre for innovation and high-tech manufacturing, for industries that serve London, and for the growth sector of environmental technology.

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- 9.50. The site has previously been developed and is currently vacant. The sustainability criteria set out in policy 2A.1 of the London Plan seek to optimise the use of previously developed land and vacant or underused buildings.
- 9.51. The proposals represent an opportunity to address policy DC13 and improve skills development and employment prospects for residents of some of the most deprived parts of Havering and further afield. There is an opportunity to build on existing initiatives to benefit both the developer(s) and local residents, supporting initial recruitment together with future workforce development.
- 9.52. Whilst it is reported that local jobs are to be increased, further local labour initiatives are required of the developer to maximise the employment benefits for local people. In order for policy objectives to be effective, the local workforce must be suitably qualified and trained to take advantage of opportunities. A lack of key skills and qualifications means that Havering's workforce is disadvantaged in the competition for employment opportunities both locally and further afield. Improvements to the PTAL level of the site would also greatly improve access to jobs for people from neighbouring boroughs including for example Barking and Dagenham and Newham where worklessness also has a severe impact on an individual's quality of life - both in terms of the economic implications and in terms of the wider social exclusion implications.
- 9.53. Officers recommend that planning obligations be secured that require the applicant to provide funding to include £100,000 towards existing employment and training schemes in the Borough such as Jobnet and Jobcentre Plus; and local labour commitments.
- 9.54. In considering the topic of employment, LTGDC officers consider the detailed part of the proposals to be consistent with Regional and Local regeneration / employment aspirations and in accordance with planning policy and strategic land use designation if implemented in accordance with the suggested conditions and S106. The proposals could significantly contribute to the ongoing regeneration of the Beam Reach area. The outline parts of the proposals would also be acceptable, enabling the LDA to secure development proposals that intensify the eastern plots in accordance with planning policy at a later date, if carried out in accordance with the suggested conditions and S106.
- 9.55. **Transport**
- The application site is in close proximity to the A13 and M25 orbital road. Access to the site is from the Marsh Way / A13 slip road that has recently been signalised to prevent 'rat-running' and associated traffic impacts from A13 peak traffic flows.
- 9.56. As required by policies 3C.2 of the London Plan and DC33 of Havering's LDF and, PPG13 the application is supported by a Transport Assessment (TA) prepared by W.A. Fairhurst and Partners. It addresses all modes of transport and takes into account a submitted Travel Plan (TP), which is proposed to mitigate the impacts of the development on the transport network. Paragraph 1.4 of the TP states that its explicit objective and targets are aimed at limiting the proportion of people travelling to the site by solo car and maximising the number who use sustainable modes such as walking, cycling or public transport. The TP focuses on reducing the use of the private car, primarily by staff and visitors.
- 9.57. Public Transport Accessibility (PTAL) – The calculated Public Transport Accessibility Level (PTAL) score is 2 which is classed as poor on a scale of 1 to 6, where 6 is classed as excellent. Train services are not included in the calculation as there are no stations within the recommended walking distance of 960 metres. The lack of transport provision in the area is of concern. It is recognised in the TA at paragraph 7.4.2 that, "rail and tube

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travel are not likely to be used greatly. However, if the proposed Beam Reach station is built, it will be extremely convenient for employees at the site”.

- 9.58. A Travel Plan Co-ordinator (TPC) is to be appointed for the whole development site who will oversee and monitor the progress of the Travel Plan for the detailed part of the application (the Tesco parts). The TP states that the TPC will:
- arrange for details of bus and rail services, including route information and timetables, to be displayed in staff areas and for this information to be kept up to date;
  - liaise with the Borough Council and Transport for London over any service issues and to investigate the potential to improve bus (and conceivably rail) services;
  - participate in travel plan networks for the area in order to learn from, and present a common front with, other employers’
  - explore with Transport for London the possibility of providing discounted tickets such as Oyster cards; and
  - negotiate with the occupiers to offer interest-free loans for annual Travelcards.
- 9.59. The PTAL assessment is for the peak hours of 08:15 to 09:15 whereas the nature of the proposed Tesco operations requires staff to travel to and from the site outside peak hours with shift start times of 06:00, 14:00 and 22:00 and it is accepted that in the short term, accessibility to public transport at these times will be far more limited.
- 9.60. Pedestrian – The TP sets a target of achieving 10% walking, cycling or motorcycling to work.
- 9.61. Pedestrian access is currently only available from the Marsh Way / A13 roundabout entrance to Beam Reach 5 Business Park.
- 9.62. Marsh Way provides pedestrian links to New Road to the north.
- 9.63. The proposals include the provision of pavements along the entire internal road network within the site in addition to safeguarded pedestrian routes beside car parks and to buildings. Officers are satisfied that the proposals would provide safe circulation for pedestrians within the development site.
- 9.64. A pedestrian link with the A1306 New Road via a ramped crossing over the Channel Tunnel Rail Link and a barrier controlled pedestrian level crossing over the C2C line exists to the north-east of the development site adjacent to Plot 12. There is no physical access from that crossing point into the development site at this time though, the submitted phasing plan (drawing number P15) illustrates the provision of a potential pedestrian route that would link the existing pedestrian rail line crossing to the site that is to be delivered at a later date as part of the outline proposals.
- 9.65. Officers would seek to impose a condition on any decision to grant planning permission requiring the implementation of the pedestrian routes that are illustrated in the outline part of the proposals prior to the first occupation of unit 12 [see draft condition number 23 at section 11 below].
- 9.66. Bus – The 174 bus provides services every eight minutes past the site. That route runs along Marsh Way, Monday to Saturday from 04:45 to 00:55, via the following route:
- Dagenham CEME - Marsh Way - Manor Way - New Road - Heathway - Dagenham Heathway Station - Heathway - Oxlow Lane - Dagenham Road - Rush Green - Dagenham Road - Oldchurch Road - Oldchurch Hospital - Oldchurch Road - Romford Station - South Street - Western Road - Mercury Gardens - Main Road - Gallows Corner

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- Straight Road - Hilldene Avenue - Harold Hill - Dagnam Park Drive - Leamington Road  
 - Petersfield Avenue - Dagnam Park Drive - Harold Hill Dagnam Park Square

- 9.67. After 2130 every night, buses are rerouted via Victoria Road and a further section of Mercury Gardens instead of the northern section of South Street and Western Road.
- 9.68. Routes 287 and 365 run daily along New Road and routes 165 and 372 run daily along Cherry Tree Lane, about 700m east of Marsh Way.
- 9.69. Cycle and Motorcycle – Cycleways run along Marsh Way from the A13 junction to New Road.
- 9.70. Cycle and Motorcycle access is currently only available from the Marsh Way / A13 roundabout entrance to Beam Reach 5 Business Park.
- 9.71. The detailed proposals include the following cycle and motorcycle parking provision:

Site / Plot	No. of Cycle Parking Spaces	No. of Motor Cycle Parking Spaces
RDC	90	32
RDC Processing Facility	22	4

- 9.72. Officers would seek to impose a condition on any decision to grant planning permission requiring the submission of details regarding the provision of cycle and motorcycle provision for the outline parts of the proposals [see draft condition number 22 at section 11 below].
- 9.73. Rail – Public transport accessibility could be improved if a new station were to be built at Beam Reach on the London, Tilbury and Southend Rail line and, if bus services to the site were extended.
- 9.74. The proposed station, located on Marsh Way between Dagenham Dock and Rainham stations, would provide a direct service to the development site, improving its PTAL rating. The station would serve existing communities as well as planned high density residential development on the A1306; up to 4,000 new homes could be built within 800 metres of the station. It would also facilitate future commercial regeneration development in the Beam Reach area, an estimated 2000+ jobs. The Business Case for the station suggests a footfall of approximately 2.5million, and an overall increase in patronage on the line, as a result of the new station, of 800,000. This demonstrates the regeneration potential of the new station. Furthermore, provision for the new rail station will be necessary to achieve modal share and environmental targets associated with both housing and commercial developments.
- 9.75. The case for a new station at Beam Park has been made via a number of technical studies, culminating in an 'Outline Business Case', undertaken by Hyder for the LDA, published in November 2009, which clearly sets out the benefits and costs of this proposal. The results show a very healthy benefit to cost ratio of 5 and a Net Present Value of £46m due to travel time savings. Detail on the costing and engineering feasibility was provided in a report written by Network Rail (April 2009, commissioned by the LDA), which was an industry-standard 'GRIP 3 Study'. Further work to analyse the impact of the new station on the train timetables was undertaken in January 2010, by Steer Davies Gleave for LTGDC. This showed minimal interruption and no significant effect on freight services.
- 9.76. The total scheme costs based on outline designs and estimates provided by Network

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Rail for the lowest cost sub-option A1 (6m x 12m station building with lifts to the footbridge) and the highest cost sub-option A4 (12m x 12m station building with ramps to the footbridge) set out in the 2009 Outline Business Case are £13,134,275 and £14,096,551 respectively.

- 9.77. A provisional programme for building the station was included in the Outline Business Case, which showed that if the necessary 'GRIP stages' 4 (option development) and 5 (detailed design) continued to be progressed, the station could be constructed during late 2012, and be functional by 2013. Beam Park station will also need to be included as a stop in the next Essex Thameside franchise agreement, which is likely to be re-tendered in 2011-2012.
- 9.78. In considering the scale of the proposed development, LTGDC officers consider it necessary that a £500,000 contribution be secured towards the provision of a new railway station at Beam Park, or other public transport measure that enhances the PTAL level of the site. £500,000 represents 3.8% of sub-option A1 or, 3.5% of sub-option A4 total scheme cost.
- 9.79. London Plan policy 3C.1 (Integrating transport and development) seeks to match and link new development with transport infrastructure; and stipulates that high trip generating development would only be supported at locations with both high levels of public transport accessibility and capacity sufficient to meet the transport requirements of the development. Furthermore, in considering planning applications, PPG13 provides that Local Authorities should ensure that development comprising jobs, shopping, leisure and services offers a realistic choice of access by public transport, walking, and cycling. The proposals generate a significant number of jobs, but do not present such a choice.
- 9.80. Development should be assessed in terms of how easy it is to get to the site comparing the different modes (taking into account journey times, public transport frequency, quality, safety, and access for disabled people). Development comprising jobs, shopping, leisure and services should not be designed and located on the assumption that the car will represent the only realistic means of access for the vast majority of people.
- 9.81. Havering policy CP10 (Sustainable Transport) states that a choice of sustainable transport modes, where travel is necessary, will be promoted by (amongst other things):
- Working in partnership with the relevant agencies to seek funding for, and deliver the following, public transport improvements to support development priorities and ensuring that new development is designed and laid out with regard to these to facilitate its deliverability (amongst other public transport improvements):
    - Improvements to the C2C railway line for London to Southend via Rainham and Upminster including the new Beam Reach Station
    - General improvements to the local bus network through the London Bus Priority Network and in particular in London Riverside where bus links are vital to the achievement of sustainable communities.
  - Seeking contributions for improvements to public transport accessibility and capacity and other transport improvements where this is necessary to serve the new development.
- 9.82. Policy DC37 safeguards land for a new station on the C2C line at Beam Reach and states that the Council [Havering] will seek to ensure that new development is designed and laid out with regard to the planned and proposed improvements to public transport set out in CP10, including Beam Park Station.

- 9.83. Beam Park Station is to be located 30m north of the application site, accessed from Marsh Way. There is no existing provision for direct pedestrian access from a new Beam Park Station to Marsh Way or to the Beam Reach 5 Business Park. However, submitted drawing numbers P02 and P04 illustrate the location of 'potential future access stairs for rail users upon completion of Beam Park Station' on Marsh Way. Officers are satisfied that the provision of pedestrian access from a new Beam Reach station could be made at a later date by the developer.
- 9.84. The proposed Beam Park Station is also included in Havering's Site Specific Allocation document (SSA 11), which states that in line with DC72 contributions may also be sought towards the cost of Beam Reach Station and other public transport improvements.
- 9.85. A new station at Beam Park is integral to the delivery of housing and employment growth in the Thames Gateway area. There are currently only three railway stations serving the whole London Riverside Opportunity Area, and other public transport facilities in the area are poor. Beam Park station would support the regeneration of a key part of London Riverside in which the subject application site sits. The capacity of the roads serving London Riverside is limited and is unlikely to be able to support all the development proposed.
- 9.86. Car Parking – The total number of car parking spaces proposed for the RCD and its processing facility is 547. There are two typing errors in Paragraph 6.4 of the TA relating to the number of standard car parking spaces (states 435 instead of 405) and drop off spaces (states 10 instead of 7) consistent with the masterplan drawing. For clarification purposes, a breakdown of the proposed car parking levels is as follows:

Parking Provision	RDC	RDC Processing Facility
Standard car parking spaces	405	78
Disabled parking spaces	12	2
Electric car charging spaces	2	1
Car sharing spaces	40	0
Drop off spaces	7	0
Total(s)	466	81
	547	

- 9.87. The provision of 547 car parking spaces is 3 parking spaces above the permitted parking standard of 1 space per 100m<sup>2</sup>.
- 9.88. The proposals also include 63 Goods In parking bays and 61 Goods Out parking bays. There are also 26 HGV parking bays associated with the Vehicle Maintenance Unit (VMU). There is no specified standard for B8 uses, the London Plan states that standards for B2 and B8 employment uses should have regard to the B1 standards, which are 1 space per 100-600m<sup>2</sup>.
- 9.89. Employees will be working shift patterns of 06:00-14:00, 14:00-22:00 and 22:00-06:00. For the early starting and late finishing shifts it is feasible that staff will be travelling between the hours of 05:00-06:00 and 22:00-23:00 to make their journeys to and from work. Whilst the recruitment of local people is a key feature of the employment policy, consideration is given to the personal safety issues of staff as a priority, and there are limitations with respect to encouraging employees to walk, cycle or use buses during these time periods.
- 9.90. In addition, 299 car parking spaces are proposed for the four industrial units forming the outline part of the planning application.

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- 9.91. 34 trailer parking bays are proposed for Unit 1 (Plots 11 & 12); and, 11 are proposed for Unit 2 (Plot 12).
- 9.92. The TP seeks to encourage car sharing, offering, for example, incentives such as parking spaces near to the buildings' entrance with periodic spot checks to ensure that this arrangement is not being misused.
- 9.93. Junction Capacity – Officers consider it necessary that a planning obligation be included in any S016 requiring the applicant to fund and / or carry out a review of the workings of the A13 / Marsh Way junction and produce an appropriate traffic model to define actual traffic movements and maximise capacity at this location. A capped contribution towards the review and any improvement works should be £150,000. That figure comprises of: the cost of traffic modelling / preliminary design work; data collection; civil works; signal works; and highway authority costs.
- 9.94. Officers consider it an absolute necessity in granting any planning permission to accurately assess the impact of traffic generated by development on the Highway network in accordance with Havering's Policy DC32. Any actual impact on the A13 / Marsh Way junction must be reviewed and updated as a direct result of the development proposals at the cost of the developer.
- 9.95. LTGDC officers would agree that the traffic implications of the proposals will not significantly add to congestion or give rise to safety issues on the local road network if the proposals are implemented in accordance with the suggested conditions, informatives and S106 terms of agreement.
- 9.96. Collision and Capacity Review of the A1306 – Marsh Way junction – The A1306 (New Road) / Marsh Way junction has a reasonably significant personal injury accident rate when compared with signalised junctions in Havering and it is Havering Council's opinion that to ensure casualties do not further increase as capacity is stretched beyond its theoretical capacity, improvement works must be undertaken and as a contributor to traffic growth in the area it would not be unreasonable to request a contribution of £300,000 to this effect. Additionally, the site will generate significant traffic increase in the off peak periods during shift changes.
- 9.97. The Applicant considers it inappropriate to seek a contribution that requires the developer to address an existing issue. Havering's justification for a contribution toward investigating safety issues and implementing safety measures at the A1306 New Road Junction and A1311 Marsh Way is based on a Stage 3 and 4 safety audit carried out by Jacobs in January 2009. The report has assessed the safety implications on a section of the A1306 route between the Borough Boundary and Dovers Corner following on from recent highway works. The new scheme involved the provision of a bus lane at the A1306 / A1311 junction. This work involved the removal of a separately signalised right turn from New Road into Marsh Way. This manoeuvre is currently undertaken under a mixture of gap seeking and indicative green arrow. This has increase the number of collisions between conflicting traffic flows turning into Marsh Way from New Road (east) and traffic heading west on New Road. The applicant states that there is no record of this being picked up at the design stage within the stage 1 and stage 2 safety audits and the Jacobs documents were not made available to the audit team. It is not therefore documented as to whether the conflict was acceptable when balanced against bus priority and pedestrian improvements. The total increase in traffic movements associated with the Beam Reach Masterplan scheme overall over a 24 hour period for this manoeuvre will be less than 3%. This, the applicant states, is well within the variation of typical daily traffic flows and cannot be considered material.
- 9.98. LTGDC officers do not consider it reasonable for the developer to be required to make a

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contribution of £300,000 towards an existing issue that is not necessary to make the development acceptable in planning terms.

- 9.99. Servicing and Freight - The term "Havering Highways" has been used to refer to the recommendations, requirements and opinions of Havering Council's StreetCare Service in its capacity as Highway Authority for roads maintained by Havering.
- 9.100. Havering Highways seeks a planning condition that the developer produces a Construction Logistics Plan in accordance with TfL's recommendation. This should consider the impact of Construction vehicles on the Highway Network and must include a construction routing agreement and details of wheel washing to ensure that mud is not deposited on any Highway. A condition requiring the submission of a CLP has been included in the draft conditions listed at section 11 of this report.
- 9.101. The rail freight spur referred to in the representations received from TfL, Freight on Rail and Rail Freight has not been incorporated into the application proposals because the Applicant considers that the suggested freight rail line route has no specific policy designation or funding, which makes it difficult to plan for. More critically, the Applicant states that including a safeguarded strip would fundamentally undermine the regional distribution centre proposals and associated facilities layout and therefore cannot be incorporated.
- 9.102. Policy 3C.5 London's international, national and regional transport links states:
- The Mayor will work with strategic partners to:*
- *improve and expand London's international and national transport links for passengers and freight, to support London's development, to achieve the spatial priorities of the plan, especially to support growth in the Thames Gateway, and to achieve regeneration benefits while mitigating adverse environmental impacts*
  - *seek improved access to airports, ports and international rail termini by public transport*
  - *develop proposals with neighbouring regions to allow long distance traffic, especially rail freight, to bypass London*
  - *improve links between London and the surrounding regions.*
- 9.103. Peter Brett Associates LLP produced a report called 'Sustainable Logistics Facilities in London Riverside' in March 2010 for LTGDC and TfL. That report looked at the opportunity to develop rail and water accessible freight terminals in the area between Barking and Rainham, centred on Dagenham. In considering Beam Reach, the report recognises that the gas pipelines and other utilities alongside HS1, a site of nature conservation interest, and existing or planned development on the site may constrain rail freight use. Further a rail connection would need to be planned and built from the Ford exchange sidings onto the Ford land to the south; a corridor of land would be required along the western edge of Beam Reach to allow the new connection to curve on the Ford Site; and, a plan would need to be developed which allowed Ford to reconfigure the way its land is used in order both to release space from the terminal and to allow the terminal and rail connection to be operated without impinging on Ford's day to day operations.
- 9.104. LTGDC officers have considered policy 3C.5 and support the principle of safeguarding land in order to facilitate transport infrastructure requirements through development plan policy.

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9.105. 3C.25 Freight strategy states:

*The Mayor will promote the sustainable development of the full range of road, rail and water-borne freight facilities in London and seek to improve integration between the modes and between major rail interchanges and the centres they serve. The development of national rail routes that relieve London of through freight is supported. DPD policies should:*

- *implement the spatial aspects of the freight element of the Mayor's Transport Strategy as developed by the London Sustainable Distribution Partnership and TfL's London Freight Plan*
- *seek to locate developments that generate high levels of freight movement close to major transport routes and to minimise night disturbance*
- *ensure that suitable sites and facilities are made available to enable the transfer of freight to rail and water through the protection of existing sites and the provision of new sites*
- *ensure developments include appropriate servicing facilities, off-road wherever practicable, and include appropriate freight loading and parking facilities*
- *ensure collection and delivery can take place off the main bus and tram routes.*

9.106. Havering Site Specific Allocations DPD makes specific reference to facilitating the Channel Tunnel Rail Link (policy SSA 9) and Crossrail (policy SSA 10) only.

9.107. Havering Core Policy CP10 (Sustainable Transport) provides that, "A choice of sustainable transport modes, where travel is necessary, will be promoted by....maximising the use of river and rail freight facilities within and outside the borough where this represents the most sustainable option".

9.108. Havering Development Control DPD policy DC39 (Freight) encourages improvement to the integration of rail, river and road freight, stating that, "Planning permission will only be granted for new developments which generate high levels of freight provided that the applicant demonstrates through a transport assessment how freight movements to and from their site will be managed...."

9.109. 3C.26 Strategic Rail Freight Interchanges states:

*The Mayor will and the boroughs should support the provision of strategic rail freight interchanges, including enabling the potential of the Channel Tunnel Rail Link to be exploited for freight serving London and the wider region. Each proposal will be considered on its own merits and in the context of wider policies in this plan.*

9.110. LTGDC officers have considered policy 3C.26 and support the provision of strategic rail freight. The proposals do not include the provision of strategic rail freight infrastructure or facilities.

9.111. LTGDC Officers have carefully considered the representations received in relation to this planning application that promote the safeguarding of land for a facility that whilst desirable and of unique importance to London Riverside, is presently unproven, with no confirmed viable route to safeguard or committed investor / operator or, supporting site specific development plan policy. Further, the proposals would require land transfer and or agreement from Ford, which, at the time of writing this report, were not known to have been secured. The relative certainty of the provision of 1,219 jobs in the near future outweighs the potential but highly speculative strategic advantages of the integrated freight proposal and new rail access route from the Ford sidings to the Ford Car Storage

Lands.

- 9.112. Were the strip of land identified by TfL to be safeguarded, it would prevent the construction of the RDC which, as proposed, is partly on that strip of land. The representations of TfL, LB Newham, Freight on Rail, Rail Freight Group and Campaign for Better Transport are all acknowledged as relevant to securing land for an intermodal rail freight spur at Beam Reach but do not warrant refusal of this application for planning permission.
- 9.113. Whilst a condition has been suggested by TfL seeking to safeguard a strip of land along the western boundary of the development site stating, *“Before development is commenced the applicant will investigate with the planning authority [and TfL] the potential for safeguarding land at the western end of the application site to enable rail access from HS1 to the south of the application site. If in the opinion of the planning authority in consultation with TfL this is feasible without major detriment to the operation of the development hereby permitted, then the land shown edged [ ] on the attached plan will be safeguarded [until such time as it is no longer required] [for 10 years]”*, such a condition is not considered reasonable by LTGDC officers as it would effectively derogate from the grant of planning permission by effectively preventing the development as proposed from being constructed. It is considered that the condition proposed would fail to comply with a number of provisions in Circular 11/95 Conditions. It is not considered necessary. As is noted above the desire to safeguard this land has no current planning policy support and could not found a reason for refusal. It is not relevant to the development proposed. It is vague and therefore arguably unenforceable.

**9.114. Planning Obligations / Legal Agreement(s)**

The Community Infrastructure Levy Regulations 2010 came into force on 6 April 2010. Under Regulation 122, a planning obligation may only constitute a reason for granting planning permission if the obligation is necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. In addition, under Circular 05/05, a planning obligation must be relevant to planning and reasonable in all other respects.

- 9.115. Having considered the planning application, with particular reference to the representations received from statutory bodies, officers have reached the decision that the application generally accords with the relevant development plan(s), but that the scheme is likely to create a need for facilities which have not been provided for in the application. Officers consider it necessary and reasonable to ensure that contributions are applied to make provision for the impacts created by the proposed development of Beam Reach 5 Business Park in order to make the proposals acceptable in planning terms.
- 9.116. The following heads of terms of agreement are required to mitigate the effects of the development and make the proposals acceptable in planning terms:
- A capped contribution of £150,000 towards any necessary improvements to the junction capacity / civil works at the Marsh Way / A13 junction as a result of the development including a mechanism to reimburse the application where funds are not required or spent;
  - £50,000 commitment to fund all necessary public realm improvements on the routes between the bus stops on Marsh Way and the entrance to the development site at the junction with the A13 / Marsh Way roundabout, meaning the provision of safe, designated cycle ways, provision of dropped kerbs to enable convenient and safe disabled access.
  - £40,000 for the provision of two replacement bus stops on Marsh Way in line with

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- TfL's bus stop accessibility guidance;
- £500,000 contribution towards the provision of a new railway station at Beam Park, or other public transport measure that enhances the PTAL level of the site;
- £80,000 public art contribution;
- £100,000 contribution and commitments to JobNet / Jobcentre Plus / Havering Council's Local Labour clause (applicable to the full planning permission part of the application only);
- £2,000 contribution towards Local Planning Authority monitoring of the S106.

9.117. Officers are satisfied that the community benefits under the proposed s106 agreement meet the statutory tests prescribed in regulation 122 of the Community Infrastructure Levy Regulations 2010, and can therefore be taken into account as a reason for approval.

9.118. If members agree with the officer assessment, they may take the proposed obligations into account as material considerations but not otherwise.

#### 9.119. **Equalities**

There is no legal requirement on the London Thames Gateway Development Corporation to request an Equalities Impact Assessment (EqIA) as part of a planning application.

9.120. LTGDC officers have ensured non-discrimination in carrying out its planning functions.

9.121. In determining this planning application LTGDC must have regard to its equalities obligations including its obligations under section 71 of the Race Relations Act. For the purpose of this application there are no adverse equalities issues.

#### 9.122. **Human Rights Act 1998**

The provisions of the Human Rights Act 1998 have been taken into account in the assessment of the subject application for planning permission.

## **10. CONCLUSION AND REASONS FOR APPROVAL**

10.1 The hybrid planning application has been submitted with an Environmental Statement, which has been fully considered and found to be sound in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

10.2 The site lies within an area identified as employment land in Havering's LDF where policies DC9 and CP3 are relevant.

10.3 The fact that the site is and has been vacant for a number of years and that the combined proposals offer approximately 2,000 jobs are considered to be material considerations which carry considerable weight and indicate that this hybrid planning application should be granted where the suggested planning obligations and conditions are met.

10.4 The application proposals have been carefully assessed against a range of national, regional and local policies taking account of their context and would be considered to be broadly acceptable if implemented in strict accordance with the conditions, environmental statement and proposed legal agreement. Officers consider it necessary

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and reasonable to ensure that a legal agreement (S106) is secured to make provision for the impacts created by the proposed development of Beam Reach 5 Business Park in order to make the proposals acceptable in planning terms.

- 10.5 If implemented in accordance with the conditions and informatives set out at section 11 of this report in conjunction with the associated legal S106 agreement, the proposals would greatly contribute to the regenerations aspirations for Beam Reach, providing an improved employment offer in an attractive environment. The resultant economic and social benefits are in line with the requirements of PPS1.
- 10.6 **RECOMMENDATION**
- 10.7 No material considerations have been identified including representations from statutory consultees and adjoining owners / occupiers that warrant refusal of this hybrid application. As such, the Planning Committee is requested to delegate authority to the Director of Planning to grant part full and part outline planning permission subject to the draft heads of terms, conditions and informatives listed in this report, together with any amendments or additions that he considers necessary after the proposals have been considered by the Mayor of London.
- 10.8 Following the issue of the decision a statement must be placed on Havering's Statutory Register confirming that the main reasons and considerations on which the Committee decision was based were those set out in this officer's report to the Committee as required by Regulation 21 (1) (c) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

## 11. CONDITIONS AND REASONS

- 11.1 Officers consider that the following conditions should be imposed if planning permission is to be granted.

### 11.2 Full Planning Permission

1. The part of the development hereby granted full planning permission must be commenced no later than THREE YEARS from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be constructed unless in accordance with the documents submitted as part of the planning application, including:
- Planning Statement, by Spen Hill Developments Ltd., dated July 2010
  - Environmental Statement Volume 1: Main Report, dated July 2010, including further information relating to Chapter 9 (Ecology) and Chapter 11 (Noise and Vibration) dated 20.10.2010
  - Environmental Statement Volume 2: Figures, dated July 2010
  - Environmental Statement Volume 3: Appendices, dated July 2010
  - Environmental Statement Volume 4: Application Drawings, dated July 2010
  - Environmental Statement Non-Technical Summary, dated July 2010
  - Geo-Environmental Interpretative Report on Site Investigation, dated July 2010,

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- prepared by W.A. Fairhurst and Partners (WAF) reference 76631/R9
- Site Waste Plan, dated July 2010
- Environmental and Sustainability Statement, prepared
- by Environmental Perspectives, dated July 2010
- Geo-Environmental Desk Study Report, dated July 2010
- Travel Plan, prepared by Fairhurst, reference 76631, dated July 2010
- Transport Assessment, prepared by Fairhurst, reference 766131/R6/3, dated July 2010
- Design and Access Statement, dated June 2010
- Statement of Community Engagement, compiled by Green Issues Communications, dated July 2010
- BREEAM Industrial 2008 Framework, prepared by Environmental Perspectives, dated 27<sup>th</sup> July 2010
- Flood Risk Assessment, prepared by Fairhurst, reference 76631/R3, dated July 2010
- Energy Report, prepared by Environmental Perspectives, dated July 2010
- Drawing numbers:

P01 dated June 2010 (Existing Site Location Plan)  
P02 dated May 2010 (Proposed Site Masterplan)  
P03 dated May 2010 (Proposed Development Overall Site Plan)  
P04 dated June 2010 (Proposed RDC Site Layout)  
P05 dated June 2010 (Proposed RDC Ground & First Floor Layouts)  
P06 dated June 2010 (Proposed RDC Roof Plan)  
P07 dated June 2010 (RDC Building Elevations)  
P08 dated June 2010 (RDC Processing Facility Site Layout)  
P09 Revision A, dated June 2010 (RDC Processing Facility Floor Layout)  
P10 dated June 2010 (RDC Processing Facility Roof Layout)  
P12 Revision A, dated June 2010 (VMU Building Plans & Elevations)  
P13 dated June 2010 (RDC & processing Site Sections)  
P14 dated June 2010 (Site Sections Through Potential Future Development)  
P15 Revision A, dated June 2010 (Proposed Construction Phasing Plan)  
P16 dated July 2010 (Proposed Cycle Parking Details)  
P22 dated Sept 2010 (Proposed Processing Facility Elevations)  
P23 Revision A, dated October 2010 (Plot Layout)  
A23 dated Sept 2010 (Fuel Island and Tanker Re-Fill Point)  
76631/00801 dated 18/06/10 (Environmental Mitigation Masterplan)  
76631/00802 dated 18/06/10 (Detailed Landscape Design Sheet 1 of 4)  
76631/00803 dated 18/06/10 (Detailed Landscape Design Sheet 2 of 4)  
76631/00804 dated 18/06/10 (Detailed Landscape Design Sheet 3 of 4)  
76631/00805 dated 18/06/10 (Detailed Landscape Design Sheet 4 of 4)

and no other drawings, except where compliance with the conditions attached to this planning permission require otherwise.

Reason: To ensure that the development is undertaken in accordance with the approved drawings and documents; the assessed Environmental Statement; and to protect local amenity with regard to policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC61 of the Havering Development Control Policies DPD (adopted October 2008) and, Policy 4B.1 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010). The development is acceptable on the basis of the particulars contained within the application and this condition seeks to ensure the development is undertaken in strict accordance with those details as approved.

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3. The development hereby permitted shall not be constructed unless in accordance with the environmental standards, mitigation measures, requirements, recommendations and methods of implementing the development contained in the Environmental Statement relevant to the development and appendices thereto, dated July 2010, unless and to the extent that such standards, measures, requirements and methods are altered by the express terms of the conditions attached to this planning permission and the approved drawings and supplementary documents submitted pursuant to them.

Reason: To ensure the development is carried out in accordance with the environmental impact assessment carried out as part of the environmental statement dated July 2010 and the mitigation measures proposed therein.

4. Except as otherwise agreed in writing by the Local Planning Authority, the Developer will not occupy or permit the Development to be occupied other than in accordance with the approved Travel Plan, prepared by Fairhurst, reference 76631, dated July 2010 or any approved revisions thereof.

Prior to any occupation of plots 1, 2, 3, 4, 5 or 9 (as identified on approved drawing number P23 Revision A, dated October 2010) the developer shall submit:

- a) a programme for implementation of the approved Travel Plan; and
- b) a methodology and a programme for monitoring, reviewing, maintaining and developing the Travel Plan in relation to the targets set out including confirmation of the appointment of a Travel Plan Coordinator.

Reason: To ensure that the Development accords with the aims and objectives of PPG13 (March 2001); policy CP10 of the Havering Core Strategy DPD (adopted 23 July 2008); and with regard to policies 3C.2 and 3C.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

5. Prior to the commencement of any works on plots 1, 2, 3, 4, 5 or 9 (as identified on approved drawing number P23 Revision A, dated October 2010) the developer shall submit a Construction Environmental Management Plan (CEMP) for the written approval of the Local Planning Authority in consultation with the Environment Agency.

The CEMP shall include details of:

- the measures proposed to protect the Mudlands SINC from pollution (water, noise and light);
- the measures proposed to mitigate flooding and drainage risks and ongoing residual effects; and
- an agreed method of protecting and de-watering excavations.

All construction works shall only be carried out in accordance with approved CEMP.

Reason: In line with the mitigation measures set out in the submitted Environmental Statement and to reduce risk of any pollution events with regard to policies DC48, DC49, DC51, DC55, DC56 and DC58 of the Havering Development Control Policies DPD (adopted October 2008), and policies 3D.14, 4A.3, 4A.14, 4A.17, 4A.19, 4A.20 and 4A.28 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

6. No part of the development hereby granted full planning permission shall be commenced unless a minimum of 14 days' notice of the commencement date has been given in writing to the Local Planning Authority.

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Reason: To ensure that the Local Planning Authority is aware of the commencement date of the development.

7. No part of the development hereby granted full planning permission shall be commenced unless a minimum of 6 weeks' notice of the commencement date has been given in writing to Network Rail.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

8. No demolition or refurbishment works are to be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

9. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

10. No vibro-compaction machinery is to be used in the development unless details of the use of such machinery and a method statement have been submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail. The works shall only be carried out in accordance with the approved method statement.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

11. No excavations or earthworks are to be carried out within 10 metres of the railway undertaker's boundary fence unless details of those works have been previously approved in writing by the Local Planning Authority in consultation with the railway undertaker. The works shall only be carried out in accordance with the approved details.

Reason: Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

12. No water or effluent should be discharged from the development site or operations on the site into the railway undertaker's culverts or drains. Details of the proposed drainage must be submitted to, and approved in writing by, the Local Planning Authority acting in consultation with the railway undertaker and the works shall be carried out in accordance with the approved details.

Reason: To protect the safe operation of the railway and the water environment with regard to policy DC51 of the Havering Development Control Policies DPD (adopted October 2008) and policies 4A.17 and 3C.10 of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

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13. No part of the development hereby granted full planning permission shall be commenced until details and samples of materials to be used on all external surfaces, including windows and glazing have been submitted to and approved in writing by the Local Planning Authority.

Such details should include the colour, texture, type and specification of the materials to be used.

The approved materials shall be constructed and / or installed prior to occupation of the relevant building within the development and shall be retained and maintained thereafter on all permanent buildings.

Reason: To ensure a satisfactory standard of external appearance; protect local amenity; and with regard to the assessment contained in the Environmental Statement and policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC61 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.1 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

14. Prior to the commencement of any works on plots 1, 2, 3, 4, 5 or 9 (as identified on approved drawing number P23 Revision A, dated October 2010) the developer shall submit for the written approval of the Local Planning Authority:
- a) A Phase II Site (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors;
  - b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a ‘Validation Report’ must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

- c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and
- d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the London Borough of Havering leaflet titled, ‘Land

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#### Contamination and the Planning Process'.

Reason: To protect those engaged in construction and occupation of the development from potential contamination and with regard to policies CP15 of the Havering Core Strategy DPD (adopted 23 July 2008) and DC53 and DC54 of the Havering Development Control Policies DPD (adopted October 2008); and, policy 4A.33 (Water quality) of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

15. Notwithstanding the reference to the possible use of driven cast insitu piles stated in the submitted Environmental Statement, no piling or any other foundation designs using penetrative methods are permitted on any part of plots 1, 2, 3, 4, 5 or 9 (as identified on approved drawing number P23 Revision A, dated October 2010) unless and until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) for all buildings, car parks and roads across the relevant plot(s) of the site, has been submitted to and approved for the relevant plot(s) in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker.

Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent pollution of the water environment and in accordance with policy DC51 of the Havering Development Control Policies DPD (adopted October 2008) and, policy 4A.17 (Water quality) of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010). The proposed works will be in close proximity to underground water, nearby surface water bodies and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure.

16. No part of the development hereby granted full planning permission shall be commenced until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Important archaeological remains may exist on the site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance set out in PPS5 and with regard to policy DC70 of the Havering Development Control Policies DPD (adopted October 2008) and, policy 4B.15 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

17. No part of the development hereby granted full planning permission shall be commenced until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The Plans should include; site access arrangements, booking systems, construction phasing, vehicular routes and scope for load consolidation or modal shift in order to reduce the number of road trips generated.

Reason: To minimise the impact of vehicular traffic by reducing the number of road trips generated during the construction phase and with regard to policies 3C.17 and 3C.25 of

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The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

18. No part of the development hereby granted full planning permission shall be commenced until details of the proposed 5 m high acoustic screen that is to be erected along the northern boundary of the site has been submitted to and approved in writing by the Local Planning Authority.

The approved acoustic screen shall be erected prior to the commencement of any other construction works.

Reason: To control noise from the construction of the development and ensure the development is carried out in accordance with the environmental impact assessment carried out as part of the environmental statement dated July 2010 and revised October 2010 and the mitigation measures proposed therein and, with regard to policy DC55 of the Havering Development Control Policies DPD (adopted October 2008), 4A.20 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010) and PPS24.

19. The minimum 20% reduction in carbon dioxide emissions shall be established and maintained from the anticipated baseline carbon dioxide emissions of the approved Refrigerated Distribution Centre and Distribution Centre Processing Facility once all energy efficiency measures have been accounted for, and details shall be provided in writing to the Local Planning Authority in accordance with the associated legal agreement (section 106) for monitoring purposes.

Reason: To ensure the development makes the fullest contribution to the mitigation of, and adaptation to, climate change and meets the requirements of the Mayor's Climate Change Mitigation and Energy Strategy and its objectives of increasing the proportion of energy used generated from renewable sources, and with regard to policy DC50 of the Havering Development Control Policies DPD (adopted October 2008) and policies 4A.1, 4A.6, 4A.7 and 4A.9 of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

20. Prior to the occupation of the Regional Distribution Centre (RDC) or the RDC Processing Facility buildings hereby approved, the developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the building design achieves a minimum BREEAM rating of "Very Good". The BREEAM Post Construction Assessment shall be carried out on a sample of the development in accordance with an agreed methodology to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability and accordance with policy DC49 of the Havering Development Control Policies DPD (adopted October 2008) and, policies 4A.1, 4A.3, 4A.4, 4A.7, 4A.9 and 4A.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

21. No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roof of any buildings hereby approved.

Reason: In the interest of visual amenity and with regard to policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC61 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.1 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

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22. No part of the development hereby permitted on plots 1, 2, 3, 4, 5 or 9 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be occupied until a site security statement has been submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor. The submitted statement shall set out the measures to be incorporated to minimise the risk of crime, ensure the safety of users and meet the specific security needs of the development.

Reason: To create safer, sustainable places in accordance with the provisions of PPS1, policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC63 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.6 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

23. No part of the development hereby permitted on plots 1, 2, 3, 4, 5 or 9 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be occupied until in relation to the relevant plot(s), a scheme showing the details of a CCTV system to be installed for the safety of users and the prevention of crime has been submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor.

Reason: In the interest of amenity and creating safer, sustainable places in accordance with the provisions of PPS1, policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC63 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.6 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

24. No part of the development hereby permitted on plots 1, 2, 3, 4, 5 or 9 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be occupied until details of the proposed new pedestrian / cycleway link onto the site from Marsh Way, along the edge of the new RDC car park have been submitted to and approved by the Local Planning Authority.

Reason: In the interest of creating safe, accessible pedestrian routes to the site and with regard to policies DC34 and DC35 of the Havering Development Control Policies DPD (adopted October 2008), and policy 3C.21 and 3C.22 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

25. No car parking area within plots 1, 2, 3, 4, 5 or 9 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be made available for use unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor, demonstrating how the relevant parking area(s) shall achieve the Park Mark Safer Parking Award. Once approved, the development shall be carried out in full accordance with the approved details.

Reason: In the interest of amenity and creating safer, sustainable places in accordance with the provisions of PPS1, policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC63 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.6 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

26. No works shall be commenced on plots 1, 2, 3, 4, 5 or 9 (as identified on approved

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drawing number P23 Revision A, dated October 2010) of the development hereby permitted unless and until in relation to that plot an Ecological Mitigation and Management Plan (EMMP), including details of how the proposed mitigation and enhancement measures will be monitored, managed and funded in future, has been submitted to and approved by the Local Planning Authority in consultation with Natural England.

Reason: To provide a mechanism for formalising and delivering the proposed mitigation and enhancement measures set out in the application documents and with regard to policy DC59 of the Havering Development Control Policies DPD (adopted October 2008); policy CP16 of the Havering Core Strategy DPD (adopted 23 July 2008); policy 3D.14 of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010); and Planning Policy Statement 9: Biodiversity and Geological Conservation published 16 August 2005.

### **11.3 Outline Planning Permission**

1. i) No works shall be commenced on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) unless and until an application or applications for written approval of the matters reserved by the outline part of this hybrid planning permission in respect of the relevant plot or plots have been made to and approved by the Local Planning Authority and the reserved matters applications shall include full details relating to:
  - (a) Appearance including details of all external materials; and
  - (b) Landscaping.
- ii) Application(s) for approval of the details referred to in paragraph (i) above must be made not later than the expiration of THREE YEARS from the date of this decision notice unless otherwise agreed in writing with the Local Planning Authority; and
- iii) The development to which this permission relates must be begun not later than the expiration of TWO YEARS from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reasons: To comply with Article 2 of the Town and Country Planning (Applications) Regulations 1988 as amended by the Planning (Applications for Planning Permission, Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2006 and Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The outline part of the development hereby permitted shall not be constructed unless in accordance with the documents submitted as part of the planning application, including:
  - Planning Statement, by Spen Hill Developments Ltd., dated July 2010
  - Environmental Statement Volume 1: Main Report, dated July 2010, including further information relating to Chapter 9 (Ecology) and Chapter 11 (Noise and Vibration) dated 20.10.2010
  - Environmental Statement Volume 2: Figures, dated July 2010
  - Environmental Statement Volume 3: Appendices, dated July 2010
  - Environmental Statement Volume 4: Application Drawings, dated July 2010
  - Environmental Statement Non-Technical Summary, dated July 2010
  - Geo-Environmental Interpretative Report on Site Investigation, dated July 2010,

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- prepared by W.A. Fairhurst and Partners (WAF) reference 76631/R9
- Site Waste Plan, dated July 2010
  - Environmental and Sustainability Statement, prepared
  - by Environmental Perspectives, dated July 2010
  - Geo-Environmental Desk Study Report, dated July 2010
  - Travel Plan, prepared by Fairhurst, reference 76631, dated July 2010
  - Transport Assessment, prepared by Fairhurst, reference 766131/R6/3, dated July 2010
  - Design and Access Statement, dated June 2010
  - Statement of Community Engagement, compiled by Green Issues Communications, dated July 2010
  - BREEAM Industrial 2008 Framework, prepared by Environmental Perspectives, dated 27<sup>th</sup> July 2010
  - Flood Risk Assessment, prepared by Fairhurst, reference 76631/R3, dated July 2010
  - Energy Report, prepared by Environmental Perspectives, dated July 2010
  - Drawing numbers:

P01 dated June 2010 (Existing Site Location Plan)

P02 dated May 2010 (Proposed Site Masterplan)

P03 dated May 2010 (Proposed Development Overall Site Plan)

P15 Revision A, dated June 2010 (Proposed Construction Phasing Plan)

P23 Revision A, dated October 2010 (Plot Layout)

and no other drawings, except where compliance with the conditions attached to this planning permission require otherwise.

Reason: To ensure that the development is undertaken in accordance with the approved drawings and documents; the assessed Environmental Statement; and to protect local amenity with regard to policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC61 of the Havering Development Control Policies DPD (adopted October 2008) and, Policy 4B.1 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010). The development is acceptable on the basis of the particulars contained within the application and this condition seeks to ensure the development is undertaken in strict accordance with those details as approved.

3. The total quantum of built floorspace and building heights of the development permitted shall not exceed:

- (Unit 1, Plots 10 & 11) 19,065 m<sup>2</sup> GEA. Max building height = 17m
- (Unit 2, Plot 12) 9,611 m<sup>2</sup> GEA. Max building height = 15m
- (Unit 3, Plot 6) 6,534 m<sup>2</sup> GEA. Max building height = 14m
- (Unit 4, Plot 8) 1,560 m<sup>2</sup> GEA. Max building height = 12m

In the event of there being any discrepancy between the figures specified above and the documents submitted in support of the application the floorspace figures specified in this condition shall apply.

Reason: To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of floorspace remains within the approved parameters as assessed pursuant to the environmental impact assessment of the development, in accordance policy DC61 of the Havering Development Control Policies DPD (adopted October 2008) and policies 3B.1, 4B.1 and

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4B.3 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any provisions equivalent to that class on any statutory instrument revoking and re-enacting that order), the use of the premises shall be limited to either light industrial (Use Class B1(c)), general industrial (Use Class B2) or, storage and distribution (Use Class B8) only (as described in the documentation supplied with the planning application hereby approved) and shall be used for no other purpose without prior planning approval.

Reasons: To avoid the introduction of other uses, which may be harmful to the amenities of the area and with regard to policy DC61 of the Havering Development Control Policies DPD (adopted October 2008) and policy 4B.1 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010). The development is acceptable on the basis of the particulars contained within the application and this condition seeks to ensure the development is undertaken in strict accordance with those details as approved.

5. Prior to the commencement of any works on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) the developer shall submit a Construction Environmental Management Plan (CEMP) for the written approval of the Local Planning Authority in consultation with the Environment Agency.

The CEMP shall include details of:

- the measures proposed to protect the Mudlands SINC from pollution (water, noise and light);
- the measures proposed to mitigate flooding and drainage risks and ongoing residual effects; and
- an agreed method of protecting and de-watering excavations.

All construction works shall only be carried out in accordance with the approved CEMP.

Reason: In line with the mitigation measures set out in the submitted Environmental Statement and to reduce risk of any pollution events with regard to policies DC48, DC49, DC51, DC55, DC56 and DC58 of the Havering Development Control Policies DPD (adopted October 2008), and policies 3D.14, 4A.3, 4A.14, 4A.17, 4A.19, 4A.20 and 4A.28 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

6. Prior to any occupation of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010), a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in relation to that / those plot(s). That / those Travel Plan(s) will include:
  - targets for reducing the number of commuting trips that are projected to be made to and from the Development by private car and in particular the number of single occupancy trips;
  - a programme for implementation of the Travel Plan; and
  - a methodology and a programme for monitoring, reviewing, maintaining and developing the Travel Plan in relation to the targets set out including the appointment of a Travel Plan Coordinator if appropriate.

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Except as otherwise agreed in writing by the Local Planning Authority, the Developer will not occupy or permit to be occupied the Development other than in accordance with the approved Travel Plan or any approved revisions thereof.

Reason: To ensure that the Development accords with the aims and objectives of PPG13 (March 2001); policy CP10 of the Havering Core Strategy DPD (adopted 23 July 2008); and with regard to policies 3C.2 and 3C.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

7. No part of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be commenced unless a minimum of 14 days' notice of the commencement date has been given in writing to the Local Planning Authority.

Reason: To ensure that the Local Planning Authority is aware of the commencement date of the development.

8. No part of the development of plots 8 or 12 shall be commenced unless a minimum of 6 weeks' notice of the commencement date has been given in writing to Network Rail.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

9. No demolition or refurbishment works are to be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

10. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

11. No vibro-compaction machinery is to be used in the development unless details of the use of such machinery and a method statement have been submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail. The works shall only be carried out in accordance with the approved method statement.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

12. No excavations or earthworks are to be carried out within 10 metres of the railway undertaker's boundary fence unless details of those works have been previously approved in writing by the Local Planning Authority in consultation with the railway undertaker. The works shall only be carried out in accordance with the approved details.

Reason: To protect the safe operation of the railway and with regard to policy 3C.10 of

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The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

13. No water or effluent should be discharged from the development site or operations on the site into the railway undertaker's culverts or drains. Details of the proposed drainage must be submitted to, and approved in writing by, the Local Planning Authority acting in consultation with the railway undertaker and the works shall be carried out in accordance with the approved details.

Reason: To protect the safe operation of the railway and the water environment with regard to policy DC51 and policies 4A.17 and 3C.10 of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

14. No part of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be commenced until an air quality report has been submitted to and approved in writing by the Local Planning Authority in relation to the relevant plot(s). The report shall detail:

- the area within the boundary of the site plot, which may exceed relevant national air quality objectives;
- specify how the detailed proposal for the relevant plot(s) will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives;
- identify areas of potential exposure; and
- detail how the development will reduce its impact on local air pollution.

Regard shall be had to the guidance for the Association of London Government, "Air quality assessment for planning applications – Technical Guidance Note" in the compilation of the report.

Reason: To protect the amenity of future occupants and / or neighbours and in the interest of the declared Air Quality Management Area and with regard to policies DC52 of the Havering Development Control Policies DPD (adopted October 2008) and CP15 of the Havering Core Strategy DPD (adopted 23 July 2008); and policy 4A.19 of the London Plan, Consolidated with Alterations since 2004 and published February 2008.

15. No part of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be commenced until details of how Sustainable Urban Drainage Systems (SUDS) will be incorporated into the proposals for that / those plot(s) have been submitted to and approved by the Local Planning Authority in consultation with the Environment Agency.

Reasons: To ensure that high standards of sustainable design are incorporated into the proposals and prevent the risk of flooding to third parties and to the site itself. To improve water quality, and with regard to policy DC48, DC49 and DC51 of the Havering Development Control Policies DPD (adopted October 2008) and policy 4A.13, 4A.14, 4A.15 and 4A.17 of the London Plan, Consolidated with Alterations since 2004 and published February 2008.

16. No part of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be commenced until full details demonstrating how the development will achieve the forecast reduction in carbon dioxide (CO<sub>2</sub>) emissions from the baseline condition of at least 20% once all energy efficiency measures have been accounted for, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Greater

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London Authority.

The reduction in CO<sub>2</sub> emissions achieved shall be established from the anticipated carbon dioxide emissions of all of the approved development once all energy efficiency measures have been accounted for (baseline carbon emissions) and those details shall be provided in writing to the Local Planning Authority.

The approved system(s) shall be implemented, retained and maintained for so long as the development shall exist.

Reason: To ensure the development makes the fullest contribution to the mitigation of, and adaptation to, climate change and meets the requirements of the Mayor's Climate Change Mitigation and Energy Strategy and its objectives of increasing the proportion of energy used generated from renewable sources, and with regard to policy DC50 of the Havering Development Control Policies DPD (adopted October 2008) and policies 4A.1, 4A.6, 4A.7 and 4A.9 of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

17. No part of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be commenced until details and samples of materials to be used on all external surfaces, including windows and glazing, have been submitted to and approved in writing by the Local Planning Authority.

Such details should include the colour, texture, type and specification of the materials to be used.

The approved materials shall be constructed and / or installed prior to occupation of the relevant building within the development and shall be retained and maintained thereafter on all permanent buildings.

Reason: To ensure a satisfactory standard of external appearance; protect local amenity; and with regard to the assessment contained in the Environmental Statement and policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC61 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.1 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

18. Prior to the commencement of any works on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) the developer shall submit for the written approval of the Local Planning Authority:
- a) A Phase II Site (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors;
  - b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning

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Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a ‘Validation Report’ must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

- c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and
- d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the London Borough of Havering leaflet titled, ‘Land Contamination and the Planning Process’.

Reason: To protect those engaged in construction and occupation of the development from potential contamination and with regard to policies CP15 of the Havering Core Strategy DPD (adopted 23 July 2008) and DC53 and DC54 of the Havering Development Control Policies DPD (adopted October 2008); and, policy 4A.33 (Water quality) of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

19. Notwithstanding the reference to the possible use of driven cast insitu piles stated in the submitted Environmental Statement, no piling or any other foundation designs using penetrative methods are permitted on any part of plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) unless and until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) for all buildings, car parks and roads across the relevant plot(s) of the site, has been submitted to and approved for the relevant plot(s) in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker.

Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent pollution of the water environment and in accordance with policy DC51 of the Havering Development Control Policies DPD (adopted October 2008) and, policy 4A.17 (Water quality) of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010). The proposed works will be in close proximity to underground water, nearby surface water bodies and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure.

20. No part of the development of plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) hereby approved shall be commenced until the applicant has secured the implementation of a programme of archaeological

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work in accordance with a written scheme for investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Important archaeological remains may exist on the site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance set out in PPS5 and with regard to policy DC70 of the Havering Development Control Policies DPD (adopted October 2008) and, policy 4B.15 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

21. No part of the development on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be commenced until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The Plans should include; site access arrangements, booking systems, construction phasing, vehicular routes and scope for load consolidation or modal shift in order to reduce the number of road trips generated.

Reason: To minimise the impact of vehicular traffic by reducing the number of road trips generated during the construction phase and with regard to policies 3C.17 and 3C.25 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

22. No part of the development on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be commenced until details of the proposed vehicle and / or car parking layout, motor cycle parking facilities and secure cycle facilities for that plot have been submitted to and approved in writing by the Local Planning Authority and such facilities will be made available for use prior to the first occupation of the relevant plot of development and shall be made available for use and retained for so long as the development shall exist.

The combined total number of car parking spaces for plots 6, 8, 10, 11 and 12 shall not exceed 299 in number.

Reason: To ensure the provision of adequate off street vehicle, car, motor cycle and cycle facilities to the standards adopted by the Local Planning Authority and with regard to policies DC33, DC35, DC36 of the Havering Development Control Policies DPD (adopted October 2008) and, policies and 3C.22 and 3C.23 of the London Plan (published February 2008). The development of the site is subject of an Environmental Impact Assessment and any alteration to the use of the proposed car parking spaces may have an impact which has not been assessed by that process.

23. No part of the development on plot 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be first occupied until full details of the proposed pedestrian routes linking the development site to the existing ramped crossing over the Channel Tunnel Rail Link and barrier controlled pedestrian level crossing over the C2C line located to the north-east of the development site adjacent to Plot 12, have been submitted to and approved in writing by the Local Planning Authority.

The pedestrian routes shall be constructed in accordance with the approved details and made available for public use, albeit with controlled access, prior to the occupation of

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plot 12 and permanently retained and maintained thereafter.

Reason: In the interest of creating safe, accessible pedestrian routes to the site and with regard to policies DC34 and DC35 of the Havering Development Control Policies DPD (adopted October 2008), and policy 3C.21 and 3C.22 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

24. No part of the development on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be commenced until full details of the all proposed external lighting for that or those plot(s) have been submitted to and approved in writing by the Local Planning Authority. Details shall include appearance and technical details and specifications, intensity, orientation and screening of lamps, siting and the means of construction and layout of cabling. Lighting is to be restricted to those areas where it is necessary with additional shielding to minimise obtrusive effects on ecology and habitats. The approved scheme is to be fully completed and shall be permanently maintained thereafter.

Reason: In the interest of design quality, public safety, highway safety, ecology and nature conservation and with regard to policies CP17 and CP16 of the Havering Core Strategy DPD (adopted 23 July 2008), policies DC58 and DC61 of the Havering Development Control Policies DPD (adopted October 2008); and polices 3D.14 and 4B.1 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

25. Prior to the occupation of the buildings hereby approved on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010), full details of the routing of mechanical ventilation and the passive provision of associated ducting for the commercial units within that phase shall be provided to, and approved in writing by, the Local Planning Authority. The approved scheme shall be installed and commissioned prior to occupation of the relevant phase of the development and shall be permanently maintained in proper working order thereafter.

Reason: To protect the amenity of future occupants and / or neighbours and with regard to policy DC52 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4A.19 of the London Plan, Consolidated with Alterations since 2004 and published February 2008.

26. No part of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be occupied until a Waste Management Plan for the relevant plot(s) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To plan for all waste streams and ensure that the proposals take responsibility for their own waste and disposing of waste and with regard to policy DC40 of the Havering Development Control Policies DPD (adopted October 2008) and policies 4A.21 and 4A.22 of the London Plan, Consolidated with Alterations since 2004 and published February 2008, and PPS10: Planning for Sustainable Waste Management

27. Prior to the occupation of the buildings hereby approved on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010), the developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the building design achieves a minimum BREEAM rating of "Very Good". The BREEAM Post Construction Assessment shall be carried out on a sample of the development in accordance with an agreed methodology to ensure that

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the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability and accordance with policy DC49 of the Havering Development Control Policies DPD (adopted October 2008) and, policies 4A.1, 4A.3, 4A.4, 4A.7, 4A.9 and 4A.10 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

28. No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roof of any buildings hereby approved within plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010).

Reason: In the interest of visual amenity and with regard to policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC61 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.1 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

29. No part of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be occupied until a site security statement in relation to the relevant plot(s) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor. The submitted statement shall set out the measures to be incorporated to minimise the risk of crime, ensure the safety of users and meet the specific security needs of the development including details of proposed fencing and / or boundary treatment.

Reason: To create safer, sustainable places in accordance with the provisions of PPS1, policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC63 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.6 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

27. No part of the development hereby permitted on plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be occupied until in relation to the relevant plot(s), a scheme showing the details of a CCTV system to be installed for the safety of users and the prevention of crime has been submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor.

Reason: In the interest of amenity and creating safer, sustainable places in accordance with the provisions of PPS1, policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC63 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.6 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

28. No car parking area within plots 6, 8, 10, 11 or 12 (as identified on approved drawing number P23 Revision A, dated October 2010) shall be made available for use unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor, demonstrating how the relevant parking area(s) shall achieve the Park Mark Safer Parking Award. Once approved, the development shall be carried out in full accordance with the approved details.

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Reason: In the interest of amenity and creating safer, sustainable places in accordance with the provisions of PPS1, policy CP17 of the Havering Core Strategy DPD (adopted 23 July 2008), policy DC63 of the Havering Development Control Policies DPD (adopted October 2008), and policy 4B.6 of The London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010).

29. No plot (as identified on approved drawing number P23 Revision A, dated October 2010) of the development hereby permitted shall be commenced unless and until in relation to that plot an Ecological Mitigation and Management Plan (EMMP), including details of how the proposed mitigation and enhancement measures will be monitored, managed and funded in future, has been submitted to and approved by the Local Planning Authority in consultation with Natural England.

Reason: To provide a mechanism for formalising and delivering the proposed mitigation and enhancement measures set out in the application documents and with regard to policy DC59 of the Havering Development Control Policies DPD (adopted October 2008); policy CP16 of the Havering Core Strategy DPD (adopted 23 July 2008); policy 3D.14 of the London Plan (published February 2008 and altered by the London Plan Crossrail Alterations dated April 2010); and Planning Policy Statement 9: Biodiversity and Geological Conservation published 16 August 2005.

## 12. INFORMATIVES

1. The grant of planning permission does not discharge requirements under the Traffic Management Act 2004. Formal notifications and approval are required for both the permanent highway alterations and any temporary highway works required during the construction phase of the development. The grant of planning permission does not prejudice the TfL Network Assurance Team's subsequent decision on the formal notification.
2. The Horndon to Barking high pressure 24" (600mm) Gas Pipeline crosses the development site. That Pipeline is owned by Barking Power Limited (BPL). Under the provisions of the Pipelines Act 1962, the erection of buildings or structures within 10 feet (approximately 3 metres) of the pipeline is prohibited. Under the provisions of the Pipeline Deeds of Grant the carrying out of any work (other than routine agricultural cultivation) within 10 feet (3 metres) of the Pipeline without the consent of BPL is prohibited. To obtain such consent, which will not be unreasonably withheld, it will be necessary to submit full details of the proposed work to Greystar UK as BPL's Agent and agree a written method statement wetting out the manner of working.
3. In aiming to satisfy the requirements of the above conditions, the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local police Crime Prevention Design Advisor (CPDA) is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ.
4. London Fire and Emergency Planning Authority advise that access for fire brigade vehicles should comply with Section 17 of Approved Document B of the Building Regulations.
5. This permission does not grant approval for fire safety measures. The applicant is therefore reminded that Building Control regulations will need to be satisfied.
6. In line with best practice for the disposal of Fats, Oils and Grease, Thames Water

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recommends the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel.

7. Thames Water advises that the development be protected by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later dated, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
8. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking / washing / repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
9. Thames Water advises that 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 Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Thames Water Developer Services can be contacted on 0845 850 2777.
10. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 0AQ. Telephone: 0208 507 4321.
11. Consideration of the management and operation of the finished premises, in relation to health and safety is a requirement of The Construction (Design and Management) Regulations 2007. The Developer is strongly advised to contact London Borough of Havering Environmental Health and Safety team for further advice.
12. Compliance with Planning Law does not automatically mean that you will comply with more specific Health and Safety Law requirements.
13. In order to provide adequate water supply within the site London Fire Brigade recommend the installation of 19 Private Fire Hydrants, the locations of which have been forwarded to the Applicant.
14. National Grid advise that there are High Voltage Overhead Lines which run through the development site Barking – West Thurrock – Spans – ZB038 – ZB041.

National Grid's overhead lines are protected by renewable or permanent agreements with landowners. These grant National Grid legal rights that enable them to achieve efficient and reliable operation, maintenance, repair and refurbishment of its electricity transmission network. However unrestricted vehicular access needs to be maintained at all times.

National Grid recommends that no permanent structures are built directly beneath overhead lines, at least 10 metres clearance is maintained at the base of their towers.

National Grid will also need to ensure that its tower access is maintained during and after construction.

The developer is advised to consult the Technical Specification EN-43-8 for "Overhead Line Clearances" Issue 3 (2004), and be sure that any existing clearances are not

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infringed. The construction cannot be closer than 5.3m to the nearest (lowest) conductor.

The overhead line is held under the terms of a permanent easement which grants rights to retain the line in its current position.

The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.

The statutory minimum safety clearance is 7.6 metres to ground and 8.1 metres to a normal road surface. Further detailed information can be obtained from the Energy Networks Association's ([www.energynetworks.org.uk](http://www.energynetworks.org.uk)) Technical Specification 43-8 for "Overhead Line Clearances", Issue 3 (2004).

Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained via the National Grid's Plant Protection Team at Hinckley.

If any changes in ground levels are proposed either beneath or in proximity to the existing overhead lines then this would serve to reduce the available safety clearance to such overhead lines. Safe clearances to existing overhead lines must be maintained in all instances and circumstances.

If a landscaping scheme is proposed as part of the works, National Grid request that only low growing and slow growing species of trees and shrubs are planted either directly beneath or immediately adjacent to the existing overhead line, as ultimately they may grow to attain heights that compromise safe statutory clearances to the conductors.

Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained via the Plant Protection Team at Hinckley.

Flammable or explosive, (e.g. fireworks), substances or materials should not be stored near to a tower or beneath an overhead line.

The relocation or under-grounding of existing overhead lines is not normally feasible on grounds of cost, operation and maintenance and environmental impact and National Grid believe that successful development can take place in their vicinity. (To view the National Grid Policy's for under-grounding. Please use the link below)  
<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/Undergrounding/>

To view the Development Near Lines Documents. Please use the link below:  
[http://www.nationalgrid.com/uk/LandandDevelopment/SC/devnearohl\\_final/](http://www.nationalgrid.com/uk/LandandDevelopment/SC/devnearohl_final/)

To view the National Grid Policy's for our Sense of Place Document. Please use the link below:  
<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/>

Meeting: 11 November 2010  
Agenda Item: 4  
Report No: LTGDC/10/PC48

**CASE OFFICER:** Amanda Reid for John Allen, Director of Planning

- Appendix 1:** Site Location Plan
- Appendix 2:** Proposed Overall Site Masterplan
- Appendix 3:** Plot Layout
- Appendix 4:** Proposed RDC Site Layout
- Appendix 5:** Proposed RDC Building Elevations
- Appendix 6:** Proposed RDC Processing Facility Site Layout
- Appendix 7:** Proposed RDC Processing Facility Elevations
- Appendix 8:** Proposed Construction Phasing Plan

#### Additional Reference Documents

- Planning Application Documents;
- The London Thames Gateway Development Corporation (Planning Functions) Order 2005;
- Town and Country Planning Act 1990 (as amended);
- Town and Country Use Classes Order 1987 (as amended);
- Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999;
- The Town and Country Planning (Mayor of London) Order 2008;
- Havering Council Development Control Policies Development Plan Document (dated 28 May 2008);
- Havering Council Local Development Framework Site Specific Allocations Development Plan Document (adopted 23 July 2008);
- Havering Council Local Development Framework Core Strategy Development Plan Document (adopted 23 July 2008);
- The Control of Pollution Act 1974;
- The Environmental Protection Act 1990;
- Control of Noise at Work Regulations 2005;
- Health and Safety at Work Act 1974;
- The Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 as amended; and
- The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2010.