

# Plots 1-6 and 8-12 Beam Reach 5, Rainham.

London Thames Gateway Development Corporation

(in the London Borough of Havering)

planning application no.U0007.10

## Strategic planning application stage 1 referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

### The proposal

A hybrid planning application (part detailed, part outline) for:

- Phase 1: The redevelopment (full details) of plots 1-5 and 9 of Beam Reach 5 Business Park to provide a Regional Distribution Centre (class B8) with ancillary accommodation, an associated vehicle maintenance unit), a processing facility and associated works, for occupation by Tesco Stores Ltd.
- Phase 2: A speculative redevelopment (outline) of plots 6, 8 and 10-12 to provide four business units for flexible light industrial (B1c), general industrial (B2), or storage and distribution purposes (B8); with ancillary car parking, HGV parking and circulation space and associated access roads.

### The applicant

The applicant is **Spenhill Developments Ltd**, and the architect is **Ashton Smith Associates**.

### Strategic issues

The scheme offers significant amount of **employment** in the deprived London Riverside Opportunity Area, which in conjunction with a potential **rail freight facility**, would make an immense contribution to the overall **regeneration** of the area. Other detailed issues for consideration are the **design** quality of the buildings, **inclusive access** provision, **energy** and climate change issues, the risk of **flooding** and **biodiversity/nature conservation**.

### Recommendation

That Havering Council, on behalf of the London Thames Gateway Development Corporation, be advised that whilst the principle of development is acceptable in strategic planning terms, the application does not fully comply with the London Plan for the reasons set out in paragraph 101 of this report, but that the potential remedies set out in paragraph 102 could address these deficiencies. The application does not need to be referred back to the Mayor if the Corporation resolves to refuse permission, but it must be referred back if the Corporation resolves to grant permission.

## Context

1 On 10 August 2010, the Mayor of London received documents from Havering Council, on behalf of the London Thames Gateway Development Corporation (LTGDC), notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 20 September 2010 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Categories 1B and 3F of the Schedule to the Order 2008: 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."*

3 Once the LTGDC has resolved how to determine the application, it is required to refer it back to the Mayor for his decision, as to whether to direct refusal or allow the Corporation to determine it itself, unless otherwise advised. In this instance if the LTGDC resolves to refuse permission it need not refer the application back to the Mayor.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## Site description

6 The site, presently owned by the London Development Agency, is in the London Borough of Havering, adjacent to the borough boundary with Barking & Dagenham. Part of the former Ford car plant, the Beam Reach 5 site comprises 12.10 hectares of vacant land within the Beam Reach Business Park in the Rainham Employment Area.

7 It is bounded on the north by the C2C London-Tilbury-Southend /Channel Tunnel Rail Link railway lines, separated from the site by a chain link fence; on the south by the dual-carriage A13 road; on the west by Thames Avenue; and on the east by Manor Way. The A1311 Marsh Way bisects the centre of the site, providing a link between the A13 to the south and the A1306 New Road to the north; whilst Consul Avenue meanders from east to west through the centre of the site and along its south-western boundary.

8 The surrounding area includes extensive areas of industrial and commercial buildings, many of which are dilapidated, but add to the character of an old industrial landscape. Directly north of the site boundary is Beam Park, which is identified in the Council's site-specific allocations for residential and ancillary education, community, leisure, recreation and retail uses. Further north of the A1306 is a large residential area.

9 No London Underground or National Rail services are located within a reasonable walking distance. Although the site is served by three bus routes, only the 174, with bus stops located on Marsh Way, is considered to be within an acceptable walking distance of the site. As such, it has been estimated that the site records a poor public transport accessibility level (PTAL) of 1/2, on a scale of 1-6, where 1 is the very lowest.

## **Details of the proposal**

10 The detailed proposal is for a redevelopment of plots 1-5 and 9 of Beam Reach 5 Business Park to provide:

- A temperature-controlled Regional Distribution Centre (class B8) with ancillary accommodation, a gross external area of 43,784 sq.m. and a maximum height of 11.5 metres, to handle Tesco's frozen and refrigerated produce prior to packaging and distribution. The building would be supported by 124 trailer parking bays, 466 car, 32 motorcycle and 90 bicycle parking spaces.
- A processing facility with gross external area of 10,635 sq.m. and a maximum height of 12.5 metres, to recycle packaging materials. The facility would be supported by 80 car, 4 motorcycle and 22 bicycle parking spaces.
- A vehicle maintenance unit (1,795 sq.m. in size).
- Associated works.

11 The outline proposal is for a redevelopment of plots 6, 8 and 10-12 to provide four business units totalling 37,770 sq.m. of floorspace for flexible use within classes B1c (light industry), B2 (general industry) and B8 (storage and distribution); with HGV parking and circulation areas, a total of 299 car parking spaces and associated access roads.

12 The unit sizes (by gross external area) would be as follows:

- Unit 1-19,065 sq.m. on a 3.84 hectare plot.
- Unit 2- 9,611 sq.m. on a 2.79 hectare plot.
- Unit 3- 6,534 sq.m. on a 1. 57hectare plot.
- Unit 4- 1,560 sq.m. on a 0.57-hectare plot.

13 Outline permission is sought for the layout, scale and access arrangements. Details of the external appearance and landscaping are reserved for future consideration.

## **Case history**

14 On 17 March 2010, Savills requested a pre-planning application meeting with the Greater London Authority to discuss its proposals and seek advice for a redevelopment of the site for the above uses.

15 On 26 April 2010, a pre-application meeting was held. In the advice note subsequently issued to Savills, the GLA observed that the use of the site as a regional distribution centre was supported by the London Plan and the Havering Core Strategy. It was also associated with the

creation of a significant number of new jobs and would make a positive contribution to the regeneration of a deprived part of east London.

16 In principle, therefore, an application to develop the site for that purpose was likely to receive favourable consideration from a strategic planning perspective, subject to the submission of satisfactory details in relation to design and inclusive access; climate change, energy and sustainable development; biodiversity, flood risk, transport and parking; and the reaching of a satisfactory resolution to the siting of an inter-modal freight facility on part, or within the vicinity, of the proposed application site.

## **Strategic planning issues and relevant policies and guidance**

17 The relevant issues and corresponding policies are as follows:

- Employment *London Plan; PPS4; Industrial Capacity SPG*
- Regeneration *London Plan; the Mayor's Economic Development Strategy*
- Urban design *London Plan; PPS1*
- Access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
  
- Equal opportunities *London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London's diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM)*
- Transport/parking *London Plan; the Mayor's Transport Strategy; PPG13; Land for Transport Functions SPG*
- Sustainable development *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor's Energy Strategy; Mayor's draft Climate Change Mitigation and Adaptation Strategies; Mayor's draft Water Strategy; Sustainable Design and Construction SPG*
- Flooding *London Plan; Mayor's draft Water Strategy; PPS25, RPG3B*
- Biodiversity *London Plan; the Mayor's Biodiversity Strategy; PPS9; draft PPS Planning for a Natural and Healthy Environment*

18 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Havering Core Strategy & Development Control Policies DPD adopted in July 2008 and the London Plan (Consolidated with Alterations since 2004).

19 The following are relevant material considerations:

- The draft replacement London Plan, published in October 2009 for consultation.
- The proposals maps (north and south) adopted in October 2008

## **Land use policy and the principle of an employment use of the site**

20 The site forms part of the Dagenham Dock/Havering Riverside strategic industrial location ('preferred industrial' category) identified in Annex 2 of the London Plan. Policy 2A.10 (paragraph 2.40) of the plan (and 2.17 of the Mayor's consultation draft replacement London Plan) describe those locations as London's main reservoirs of industrial and related capacity, including logistics, waste management, utilities, wholesale markets and some transport functions. The industrial designation of the application site is reiterated further in Annex 3 of the consultation draft

replacement London Plan, wherein Dagenham Dock/Rainham Employment Area is confirmed as a strategic industrial location.

21 The site is also situated within the London Riverside Opportunity Area identified in maps 2A.1 and 2.4 of the London Plan and its consultation draft replacement document respectively. Opportunity Areas are London's principal brownfield opportunities to accommodate the kind of large-scale developments that would generate substantial new employment and housing, each typically more than 5000 jobs and/or 2,500 homes, with a mixed and intensive use of land assisted by good public transport accessibility.

22 The London Riverside Opportunity Area has an identified potential of 14,000 additional jobs, but despite persistent efforts by the LDA to market and encourage deliverable development, it was described in the Havering Employment Land Review (2006) as the largest area of vacant employment land in the borough.

23 Havering Council retains the historical designation of the proposal site and the area to its south as a strategic industrial location in its Core Strategy document, wherein policy DC9 identifies the Rainham Employment Area as one of three areas in which planning permission would be granted for uses within classes B1(b), B1(c), B2 and B8. The policy further states that, given its wide choice of small, medium and large premises, high environmental quality, proximity to a Centre for Engineering and Manufacturing Excellence (CEME), and its local and strategic importance; advanced manufacturing uses within classes B1(b), B1 (c) and B2 would be prioritised in the Beam Reach Business Park, together with other B1(b), B1(c) and B2 uses that provide a similar quality and intensity of employment and a high standard of design.

24 In principle, the application proposals are in line with the strategic and local policy aspirations for the site and, therefore, acceptable. The proposed development is particularly attractive, given the significant number and range of potential employment opportunities the scheme would deliver to help regenerate one of the deprived areas of east London.

## **Employment, regeneration and economic development**

25 Policy 3B.11 of the London Plan (and policy 4.12 of the consultation draft replacement London Plan) state the Mayor's commitment to work with strategic partners to provide the spatial context and coordinate the initiatives necessary to improve employment opportunities for Londoners, to remove barriers to employment and progression, and to tackle low participation in the labour market.

26 Beam Reach 5 enjoys the benefits of proximity to the high-speed rail link (CTRL), a safeguarded wharf at Dagenham Dock on the River Thames, the A.13 and A.1306 road network and the extensive old Ford Motors site, with its potential for commercial and freight-related development.

27 At present, however, no employment is supported on the application site. The only functional part of Beam Reach 5 is plot 7, with employment activity provided by Newsfax, the independent printing contractor that occupies the building on that site. The latter is located north-west of the Consul Avenue Roundabout and excluded from the current application boundary.

28 An analysis of the Office of National Statistics (ONS) indices of multiple deprivation, reported in the environmental statement accompanying the application, indicated that the area within 2km radius of the application site was in the 26-50% most deprived areas in the country, with a number of 'hotspots' in employment, income and crime indices falling within the 25% most deprived areas in England.

29 Although unemployment levels in the borough of Havering are not particularly high, relative to the adjoining borough of Barking & Dagenham or London as a whole, there is evidence to suggest that the applicant's study area has been affected by the current economic downturn to a worse degree than has been the case nationally. Data for March 2010 indicated that there were 2,050 job seekers within the study area, but only 430 vacancies to meet that demand. The number of job seekers in Havering is also said to have doubled in the 36 months to July 2010<sup>1</sup>.

30 To buck that trend, the proposed development would attract an estimated 2,086 new jobs, comprising a confirmed 1,219 jobs in the regional distribution centre and its associated recycling and vehicle maintenance facilities, due to begin operating towards the end of 2012; and a further 867 jobs in the four speculative business units, the breakdown of which would be as follows:

- Unit 1-457
- Unit 2-229
- Unit 3-147
- Unit 4- 34

31 In addition, the development has the potential for indirect generation of employment opportunities off site. Based on methodologies developed by English Partnerships and endorsed by the Homes & Communities Agency (of which it is now part), HM Treasury<sup>2</sup> and the Department of Communities & Local Government,<sup>3</sup> the environmental statement predicts the creation of a further 1,567 jobs within the local community. Overall, the employment potential of the scheme would amount to 3,652 jobs, representing 26% of the targeted 14,000 jobs within the London Riverside Opportunity Area.

32 The development would provide a wide range of jobs to suit a variety of skills, from manual to managerial positions, and will offer opportunities for flexible working arrangements and shifts to suit a variety of personal circumstances. The client operator (Tesco Ltd) has indicated its commitment to recruit as much of its workforce as possible from the local community and is ready to sign a local labour clause as part of a legal agreement to be attached to a grant of planning permission for the development.

33 Most significantly, given the vast amount of vacant employment land, due in part to the sharp scaling down of local operations by Ford Motors, the proposed development is expected to restore investor confidence in the area and increase the likelihood of other local sites being taken up by potential employers.

## **Urban design and architectural quality**

34 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the Blue Ribbon Network.

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<sup>1</sup> Socio-economic chapter of the applicant's Environmental Statement, Savills, para. 13.11 to 13.19

<sup>2</sup> HM Treasury. (January 2003). Appraisal and Evaluation in Central Government.

<sup>3</sup> ODPM. (September 2003). Assessing the Impacts of Spatial Interventions: Regeneration, Renewal and Regional Development.

35 The distribution centre is located on the western side of the site and is a six metre single storey, low bay building made out of structural steel. The size and form of the building is based on industrial operational needs, which is acceptable.

36 The vehicle maintenance centre is located on the eastern side of the site is a garage facility of the Tesco fleet and has been specifically design to meet these needs. The building is 5.8 metres in height and would be clad with white composite cladding panels to match the main warehouse buildings.

37 The location of these two detailed buildings is set back from the A13 and is separated from the new development plots to the north by the railway line. In this regard, views to these buildings would be minimal and would help to reduce the visual impact on the surrounding areas.

38 Outline permission is sought for the remaining four buildings on site. The applicant is seeking a range of design parameters in terms of scale and height for these buildings, however, in general these buildings would range between 115 to 203 metres in length, 37 to 89 metres in depth and up to 15 metres in height.

39 The masterplan has been designed to accommodate the needs of the distribution and maintenance centres, with the remaining industrial units fitting in around those buildings. The general form and layout of the proposed buildings would not have an adverse impact on the surrounding area and is acceptable.

40 The applicant has sought to improve connections with the surrounding area and has included public footpaths into the surrounding nature reserve. The applicant should provide further detail as to the location, design and management of these footpaths as well as detail on how access through these footpaths would be secured as part of this application.

## **Inclusive access**

41 Policy 4B.5 of the London Plan requires all new development to meet the highest standards of accessibility and inclusion, and to ensure from the outset that the design process takes all potential users of the proposed places and spaces into consideration, including disabled and deaf people, older people, children and young people. This, together with the Supplementary Planning Guidance '*Accessible London: achieving an inclusive environment*', underpins the principles of inclusive design and aims to achieve an accessible and inclusive environment across London. These policies are supported by policy 7.2 of the Mayor's consultation draft replacement London Plan.

42 A 3.5-metre wide combined pedestrian/cycle link would be created from the site access on Marsh Way, along the car park of the regional distribution warehouse. The applicant would ensure provision of a level or ramped surface approach with lighting and an unobstructed pedestrian width of 1.2 metres, from the accessible car parking spaces to the principal entrance of the building, including dropped kerbs where necessary. There is some concern, however, that the disabled parking spaces, the proportion of which is little more than 3%, are remotely sited in the north-eastern corner with poor proximity to the building entrance points.

43 Whilst the main entrance into the building is designed with stepped access, a combined passenger and goods lift would be installed adjacent to that entrance to provide access from the external yard to the ground floor and the first floor mezzanine.

44 Internally, the main reception/security area would be suitable for both standing and seated visitors. The reception desk would be provided with an induction loop for people with hearing impairments and the relevant staff would receive disability awareness training. All internal doors would be of single leaf design with a minimum width of 800mm. In addition, separate male and

female changing, shower and wider, wheelchair accessible toilets, would be provided for staff and visitors within the main facilities block.

45 Overall, the small-scale plans lack clarity in illustrating the exact location of facilities for people with impaired mobility, in and addressing how the differentials in surface levels throughout the site would be overcome.

## **Transport for London's comments**

46 TfL along with the LTGDC have, over the last two years, commissioned a series of studies to look 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 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 '*The Strategic priorities for North East London*', of the London Plan, and policy 6.15 '*Strategic Rail Freight Interchanges*' and table 6.3, of the draft replacement London Plan.

47 As part of this, a number of potential sites in the London Riverside area, where provision of an inter-modal rail freight facility could be envisaged, were looked at. However, due to a variety of planning and infrastructure constraints, the sites identified subsequently proved very limited. Whilst the Beam Reach 5 site was itself considered as a potentially suitable location for such a facility; this has not been pursued further due to the emergence of another site as being a more realistic location for accommodating such a facility, and for the reasons further identified in TfL's detailed letter to the applicant.

48 The presence of a rail freight facility located so close to a distribution centre would offer a real opportunity for the site to deliver 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.

49 In order to facilitate a new rail freight facility in such a location, a corridor of land would be required along the western edge of the Beam Reach site. TfL has, therefore, provided an indicative alignment for a rail access to the neighbouring site, which ensures very little or no impact at all on the applicant's site. Such an alignment 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.

50 Whilst work is in progress to finalise the exact alignment, it would be necessary to consider safeguarding a strip of land along the western boundary of the site, at nil cost to TfL, by means of a legal agreement. TfL would welcome further discussions in relation to the detailed technicalities of providing a rail access through the site, and also to better understand how both development proposals would be accommodated on the site.

51 Clarification is required of the exact number of car parking spaces proposed as part of the current detailed application, however, TfL strongly recommends that the current level of provision be reduced in accordance with London Plan policy 3C.23 '*Parking strategy*' and draft replacement London Plan policy 6.13 '*Parking*'. Given the applicant's intention is to recruit locally, staff should be able to make use of local bus services, as well as walking and cycling networks to access the site. Further reasons are detailed in TfL's letter, but it is requested that parking levels do not

exceed the projected demand of the regional distribution centre, taking into account any measures to be implemented under the travel plan to encourage staff to travel by non-car based modes of transport.

52 Due to the Centre for Engineering and Manufacturing Excellence (CEME) development located to the south of the A13, it was agreed to signalise the A13 slip road and Marsh Way junction. As part of this, a transport assessment was undertaken in relation to the improvement works needed under s278, where the CEME site and other committed developments were taken into consideration. It now appears, however, that the traffic predicted from this site, would be higher in the morning (am) peak and lower in the evening peak (pm) than what was previously assumed, resulting in a significant (23%) increase in traffic over that previously anticipated on the A13 westbound off-slip, which is already operating close to saturation.

53 As it would be inappropriate to revisit the Marsh Way improvement works before they have been fully implemented or have had time to settle in, it is requested that within one year of the regional distribution centre becoming fully operational, the development's impact on the Marsh Way/A13 junction should be reviewed. This requirement should be secured by condition. If further improvement measures are subsequently proven to be necessary, they should be agreed between the applicant, Havering Council and TfL at that time, although a capped contribution would need to be secured through the s106 agreement, to enable the implementation of the required works.

54 Whilst no trip generation figures for buses have been provided, given the nature and quantum of development proposed, it is accepted that the impact on the bus network is likely to be negligible; therefore, no changes to the bus network are requested to mitigate the impact of the development.

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. A construction logistics plan should also be secured for the site by condition, in accordance with London Plan policy 3C.25 '*Freight strategy*' and draft replacement London Plan policy 6.14 '*freight*'. Whilst the provision of a delivery and servicing plan may not be wholly appropriate, consideration should be given to how deliveries to the site are managed, in order to limit any impact on the highway network.

56 In conclusion, the interface of the development site with the potential delivery of an 'inter-modal rail freight facility' nearby remains the key strategic transport issue in relation to the application, and therefore further discussions are required in order to ensure compliance with policies 3C.5, 3C.25, 3C.26 and 5C.1 of the London Plan, and policy 6.15 of the draft replacement London Plan. Further consideration needs to be given to the proposed level of parking, to ensure compliance with London Plan policy 3C.23 and draft replacement London Plan policy 6.13.

## **Climate change mitigation**

57 The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritizing decentralised energy supply, and incorporating renewable energy technologies with a target of 20% carbon reductions from on-site renewable energy. The policies set out ways in which developers must address mitigation of and adaptation to the effects of climate change.

## **Energy**

58 Policies 4A.1 to 4A.8 of the London Plan focus on how to mitigate climate change, and the carbon dioxide reduction targets that are necessary across London to achieve it.

### Be Lean

#### Baseline carbon emissions (policy 4A.4)

59 The regulated carbon dioxide emissions of the proposed development, based on a 2006 Building Regulations compliant development, have been estimated to be 7,340 tonnes of CO<sub>2</sub> per annum. Unregulated emissions are estimated to be 3,290 tonnes of CO<sub>2</sub> per annum. Combined regulated and unregulated carbon dioxide emissions are, thus, 10,630 tonnes of CO<sub>2</sub> per annum.

#### Energy efficiency standards

60 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum requirements set by building regulations. Other features include use of thermal mass, high efficacy fittings and sensor-operated controls.

61 The development is estimated to emit approximately 4,780 tonnes of regulated carbon dioxide emissions per annum after the application of passive design and energy efficiency measures. A reduction in CO<sub>2</sub> emissions of 35% compared to the Target Emissions Rate of a 2006 Building Regulations compliant development would be achieved through this first element of the energy hierarchy. This equates to a reduction of 24% expressed on a whole energy basis.

62 For the detailed element of the planning application, the applicant should provide a breakdown of the regulated and unregulated annual carbon emissions after energy efficiency has been taken into account.

### Be Clean

#### District heating (policies 4A.5 and 4A.6)

63 The proposed development is within the vicinity of the proposed Thames Gateway Heat network (TGHN). However the applicant states that the timescales are incompatible with the proposed development so connection to the network is deemed unviable at this time for the detailed part of this application. The applicant has however provided a commitment to ensuring the development is designed to allow connection to the TGHN once operational, where applicable.

64 The applicant identifies difficulties associated with a site-wide heating network given the nature of the hybrid application and the nature of the buildings forming the outline application. Further information on the technical constraints to developing a site wide network should be provided.

#### Combined Heat and Power (policy 4A.6)

65 A 315kWe bio-fuel CHP unit is proposed to provide heating and cooling for the proposed processing facility. For information, the applicant should provide load profiles to support the sizing of the CHP installation.

66 The applicant should also provide 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.

## Cooling (policy 4A.6)

67 The applicant should provide further details of the cooling strategy, which sets out measures that aim to minimise the need for active cooling systems. Where the use of natural and/or mechanical ventilation is not enough to maintain comfort levels, the applicant should identify areas where active cooling will be provided and should provide further details of how this will be provided.

## Be Green

### Renewable energy technologies (policy 4A.7)

68 The applicant proposes to install a 2,860m<sup>2</sup> PV array on the roof able to generate 214,500kWh of electricity per annum. This is estimated to reduce emissions by 90 tonnes per annum.

69 Taking into account both the biofuel CHP (described in the section above) and the PV, a further reduction in regulated CO<sub>2</sub> emissions of approximately 34% will be achieved through the second and third elements of the energy hierarchy.

## Overall Acceptability

70 The estimated regulated carbon emissions of the development are 2,290 tonnes of CO<sub>2</sub> per year after the cumulative effect of energy efficiency measures CHP and renewable energy has been taken into account. This equates to a reduction of approximately 69% compared to a [2006] Building Regulations compliant building.

71 Further information is required before a conclusion can be reached in relation to whether the energy aspects of the application are acceptable.

## **Climate change adaptation**

72 Developments are required to be adaptable to the climate they will face over their lifetime and to address the five principles set out in policy 4A.9 of the London Plan. These are: to minimise overheating and contribution to heat island effects; minimise solar gain in summer; contribute to flood risk reductions, including the application of sustainable drainage principles; minimise water use; and protect and enhance green infrastructure. Specific policies cover overheating, living roofs and walls, and water conservation.

73 Chapter 5 of the consultation draft replacement London Plan also considers climate change adaptation, specifically in policies 5.9 to 5.15.

## Overheating/urban heat islands/solar gain

74 Whilst it is important to design for rising summertime temperatures, there remains a need to minimise heat loss and the use of fuel for winter heating. As such, much consideration has been given to the design of the external envelope and structural frame of the proposed buildings and the use of materials with high levels of insulation and thermal mass.

75 To reduce the need to heat or ventilate individual buildings, the applicant has opted to use materials that provide a level of natural attenuation of heat gains during hot weather and the positive effect of retaining heat during cold weather. The distribution warehouse, its ancillary parts and vehicle maintenance unit would be constructed with white or light-coloured long span composite cladding panels that are effective in minimising solar gain.

76 In addition, the low-lying flood plain in the north-western corner of the warehouse site and the area around the proposed processing facility on plot 9, would be intensively cultivated with soft landscaping, to reduce the development's contribution to urban heat islands.

77 These measures accord with the essential standard provided in the Mayor's supplementary planning guidance on sustainable design and construction.

### Flood risk

78 London Plan policies 4A.12 and 4A.13 reaffirm the national advice provided in PPS25, which requires developments to contribute to flood risk reduction, including the application of sustainable drainage principles. Its objectives are supported by policies 5.12 and 5.13 of the draft replacement London Plan.

79 The site lies approximately one kilometre to the north of the River Thames. A small portion of the north-west corner of the application site is within the functional flood plain (Zone 3B of the Environment Agency Flood Map), which has a high i.e. a 1 in 20 or greater (> 5%) annual probability of flooding from the Beam River. However, most of the site is within Zone 3A, also with a high i.e. 1 in 100 or greater (>1%) annual probability of river flooding.

80 Whilst the proposed regional distribution centre is in the 'less vulnerable' category of developments at risk from flooding, the London Plan accords with PPS25 in requiring all applicants for development in those zones to submit a flood risk assessment, together with firm proposals to mitigate the risk. In particular, proposals should ensure that the risk of flooding is minimised through the form and layout of the scheme, and the adoption of sustainable drainage techniques.

81 The Environment Agency has been consulted in relation to the proposed development. The applicant has also submitted a level 3 flood risk assessment in line with the requirements of PPS25 and addressed the potential impact of local sources of flooding in the environmental statement accompanying the application.

82 Based on that assessment, the Environment Agency is content not to object on flood risk grounds, provided that the LTGDC includes two conditions if it proposes to grant planning permission. The conditions require that:

- The development shall not commence until an acceptable flood storage compensation scheme, on a level for level and volume for volume basis, has been submitted to and approved in writing by the local planning authority. The fluvial flood storage compensation area shall be constructed prior to construction of any buildings to ensure that there is no loss of flood storage compensation at any point during the construction.
- The development shall not commence until a surface water drainage scheme, based on sustainable drainage principles and an assessment of hydrological and hydro-geological context of the scheme, has been submitted to and approved in writing by the local planning authority. The scheme should include the specifications listed in the Environment Agency letter of 26 July 2010 and be implemented in accordance with details subsequently approved by the local planning authority.

### Sustainable urban drainage

83 London Plan policy 4A.14 (and 5.13 of its draft replacement) relate to sustainable drainage. The policies require the use of sustainable urban drainage systems in all developments, unless there are practical reasons for not doing so. Developers should aim to achieve greenfield

run-off rates and ensure that surface water run-off is managed as close to its source as possible, in line with the hierarchy set out within the policies. The options to achieve such discharge restrictions include the use of above-ground storage facilities, over-sized sewers, below-ground storage tanks and permeable surfacing.

84 The applicant proposes to incorporate sustainable drainage systems into the design of the scheme, to minimise the impact of constructing new impermeable areas on the surrounding areas and the river flows. An overall strategy has subsequently been developed as part of the flood risk assessment to include infiltration drainage to the car parks, surface water attenuation to the service yards and rainwater harvesting.

85 Taking the site constraints into account, the use of underground tanks was considered the most suitable attenuation system for the main distribution warehouse area. This is also the most preferred option listed in the London Plan hierarchy.

86 It is proposed that the warehouse site would outfall into the River Beam and the Havering New Sewer at a rate between the existing brownfield flow and Greenfield run-off rates. Further details, including the precise volumes, levels and other characteristics will be confirmed at the detailed stage of design.

87 Surface water from all other plots, including the processing facility on the eastern part of the site would discharge into the Havering New Sewer at greenfield run-off rates, with the remainder attenuated by sustainable urban drainage.

88 The type of attenuation systems to be incorporated in the design of the plots subject to outline permission would be confirmed at the "reserved matters" stage.

## **Biodiversity**

89 The application boundary encompasses the Mudlands Site of Interest for Nature Conservation of borough importance, which the Havering Core Strategy policies seek to protect and enhance. The site also encompasses the Beam Reach Wetlands, which is situated within the coverage of the East London Green Grid and is subject to site-specific proposals, including habitat conservation and enhancement, new areas of open green space and the provision of pedestrian and cycle ways, that allow residents and visitors to experience the natural habitats on the eastern half of the site, and connect to other attractors to the east of the site.

90 From a strategic planning perspective, London Plan policy 3D.14 (*Biodiversity and nature conservation*) adopts a sequential approach to development potentially affecting species or sites of importance for nature conservation. The approach aims to avoid any significant adverse impact on the nature conservation value of the site in the first instance. Where such impact is inevitable, the approach is to minimise such impact and seek mitigation of the residual impact. Where exceptionally development is to be permitted because the reasons for it are judged to outweigh significant harm to nature conservation, appropriate compensation should be sought.

91 Policy 3D.14 also provides that authorities considering proposals for development are requested to accord the highest protection to existing and proposed internationally designated sites, then to nationally designated sites, and to Sites of Metropolitan Importance for Nature Conservation. Sites of Borough or Local Importance for Nature Conservation should be accorded a level of protection commensurate with their borough or local significance. This general approach is reiterated by policy 7.19 (*Biodiversity and access to nature*) of the Mayor's consultation draft replacement London Plan.

92 The principal issues of concern are the potential loss, isolation and degradation of both habitat and species during the construction and operational phases of the development. In general, habitat loss is irreversible, though opportunities exist within the built environment to provide limited amounts of compensatory habitat.

93 Construction disturbance can and should be controlled by appropriate methods of working, best construction practice and statutory controls, including the prevention of accidental spillages, the protection of water receptors and the restriction of noise and lighting to levels and locations to be agreed with the relevant planning authority. The impact on the local water vole population is a potential long-term negative impact. Contractors should undertake a search to capture and implement a translocation programme for reptiles prior to works commencing, and observe due diligence if works are carried out in the bird breeding season (April to August inclusive).

94 Similarly, there are operational impacts such as the spillage from street lighting, buildings, car parks, and the pollution from traffic noise and exhaust emissions into the air and to ground and surface waters. The significant impact is loss of brown field mosaic that provides nesting sites for birds and habitat for invertebrates. Whilst such impact is long-term cannot be fully mitigated, there are opportunities to create compensatory habitat in the form of nectar-rich plant species within the newly landscaped areas, replacement bird nesting, insect foraging habitat and native tree planting along the perimeter of the site.

95 Enhancement measures could include the provision of a wetland link between the Mudlands site and the eastern boundary abutting Manor Way, with the ultimate objective of creating a link to the neighbouring Riverside Treatment Works, to provide support for the water vole.

96 Measures to manage the areas created would be included in an ecology site management plan still in preparation. Its submission and implementation should be secured by an appropriate planning condition.

## **Local planning authority's position**

97 Officers of Havering Council have previously expressed support for the principle of this development and welcomed the significant employment it is likely to generate for the benefit of the area. However, at the time of writing, it could not be ascertained when the application would be reported to the Council's planning committee, or what the officers' recommendation on the details was likely to be.

## **Legal considerations**

98 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Corporation must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged or direct the Corporation under Article 6 of the Order to refuse the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## Financial considerations

99 There are no financial considerations at this stage.

## Conclusion

100 London Plan policies on employment, regeneration, design, inclusive access, transport, energy, climate change, biodiversity and nature conservation are relevant to this application.

101 Whilst the application is broadly acceptable in strategic planning terms, on balance, it does not fully comply with the London Plan policies, for the following reasons:

- **Transport:** Some issues relating to the delivery of a Mayoral priority i.e. a strategic 'inter-modal rail freight facility' nearby remain unresolved and require further discussion between TfL and the applicant to ensure compliance with policies 3C.5, 3C.25, 3C.26 and 5C.1 of the London Plan, and policy 6.15 of the draft replacement London Plan. Further consideration needs to be given to the excessive level of parking, to ensure compliance with London Plan policy 3C.23 and draft replacement London Plan policy 6.13.
- **Inclusive access:** There are concerns about the remoteness and low proportion of disabled car parking spaces for the scheme, whilst the small-scale plans lack clarity in illustrating the exact location of the ancillary offices and facilities for people with impaired mobility, and in addressing how the differentials in surface levels throughout the site would be overcome.
- **Energy:** As indicated in paragraphs 58 to 71 additional information is required to enable GLA energy advisors to ascertain full compliance with the energy policies of the London Plan.

102 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- The car parking provision should be reduced in line with the standards provided in the London Plan and discussions progressed with TfL to resolve outstanding 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 full response to the additional information requested in the energy section (paragraphs 58 to 71) of this report.

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