Barking and Dagenham Council Development Control Board

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<th>16/00252/CTY</th>
<th>Date: 12 July 2016</th>
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**Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution**
The application has been referred to the Board by a Ward Member.

**Address:**
D B Schenker Barking Freight Terminal Ripple Road Barking

**Development:**
Erection of rail served concrete batching plant with associated storage bays, office and welfare facilities, car and HGV parking.

**Applicant:**
Express Concrete Ltd

**Contact Officer**
Charles Sweeney

**Title:**
Principal Development Management Officer

**Contact Details:**
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E-mail: charles.sweeny@lbbd.gov.uk

**Summary:**
This application seeks planning permission for the erection of a rail served concrete batching plant with associated storage bays, office and welfare facilities, car and HGV parking on part of the Barking Logistics Centre operated by the Freight Operating Company DB Schenker.

The site is identified as a Strategic Industrial Location (SIL) in the Council’s Core Strategy (adopted July 2010) and Borough Wide Development Policies Proposals Map (adopted March 2011). These areas are identified generally for Class B1 (light industrial), B2 (general industrial) and B8 (storage and distribution) uses. The site also benefits from a strategic heavy haul rail freight terminal on a long leasehold interest to DB Schenker from Network Rail.

In September 2015, the Mayor of London adopted the ‘London Riverside Opportunity Area Planning Framework’ (OAPF) which sets out a long term strategy for the London Riverside Area and includes plans to de-designate employment land in and around Thames Road, (funding has recently been agreed for this by the GLA), River Road and Ripple Road for residential purposes and also to tunnel part of the A13/Ripple Road between the Goresbrook Interchange and the Lodge Avenue flyover to better connect residential communities to the north and south currently severed by the A13, improve traffic flow by removing the bottlenecks at Lodge Avenue flyover and the Renwick Road lights, improve air quality and free up land for a mix of residential and commercial development. This is called the Riverside Tunnel and the ambition is for it to open in 2026. The land forming part of the application site would be included in the Riverside Tunnel proposals.

Given the OAPF and Council’s ambitious growth agenda, Members should be aware that there will be a need for concrete batching plants and other construction industries to serve these new developments. In addition, the movement of general freight via rail is a more sustainable option than by road. Clearly, plans to redevelop the A13 and the Riverside Tunnel will take time to come to fruition due to the extent of land assembly, planning,
development and construction that it entails. However, the future vision for this area is clear.

The application is largely open air plant and machinery with no permanent buildings proposed. As the OAPF vision evolves and more detailed plans emerge, it is considered prudent to seek some control over future uses in this area whilst also not blighting sites with refusals of permission as they are not in keeping with the OAPF vision. In view of this, it is considered that the proposed development is acceptable on a temporary basis of 10 years. A temporary consent would not interfere with this aspiration and would not prejudice the future vision for the area.

In terms of visual impact, the closest residential occupiers are approximately 180 metres to the south of the site and the site is screened from these properties by a substantial warehouse building running the length of the DB Schenker site (measuring 12.6 metres to the ridge and approximately 400 metres long). The result of this is that only the very top of the silos and aggregate bin would be visible. Furthermore, there is already a significant quantity of open air plant and equipment in the local vicinity (as would be expected in an industrial setting). When read against this backdrop, it is considered that the proposed development would blend into this setting and would not be an incompatible feature within this industrial environment. The plant would be finished in ‘goosewing grey’ with the applicant’s logo displayed on the aggregate bin.

In terms of wider amenity issues, the noise impact assessment submitted by the applicant demonstrates that the noise generated by the development would be in the region of 10dB below existing background noise levels which is a positive indication that noise complaints would be unlikely. As such the assessment concludes that the facility would not cause harm to residential amenity. In terms of air quality, the air quality assessment submitted by the applicant advises that emissions from traffic and rail arising from the development would be insignificant. In terms of the concrete batching plant, the air quality assessment advises that the development will include a number of abatement measures to ensure that there are no significant emissions to air of dust. The Local Authority will be required to ensure that the abatement measures are adequate utilising Best Available Techniques (BAT) and will issue a permit for the site. The air quality assessment concludes that the likelihood of the development resulting in a degradation of air quality is very low. The Council’s Environmental Health Team has advised that they have no objections to the scheme in respect of noise and air quality but have recommended conditions to control the impact of the construction phase.

In terms of transport, the Transport Statement submitted with the application advises that the development is expected to have a maximum capacity of 56,000 cubic tonnes of concrete per annum. This would give rise to a maximum of 56 two way trips (28 movements in/28 movements out) per day excluding staff movements (circa 16 two way movements per day) across the 12 hour operation of the site. Aggregate would come via rail with 1-2 train deliveries per week. Cement would be transported to the site via road with 8 tanker movements per day (4 in/4 out). A maximum of 5 mixer lorries would be based on site. In terms of car and cycle parking, the application makes provision for 5 mixer lorry parking spaces, 5 car parking spaces including 1 blue badge space and 1 electric vehicle charging point. In addition, secure cycle storage for 4 cycles will be provided along with staff wash facilities. Transport for London and the Council’s Transport Development Management Team have raised no objections to the application subject to conditions.
The application is considered acceptable on a temporary time period of 10 years and is recommended for approval subject to the following conditions.

**Recommendation:**

That the Development Control Board grant planning permission subject to the following conditions:

1. The development hereby permitted must be commenced not later than the expiration of THREE YEARS from the date of this permission.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

   2675/11 Rev C  
   2675/12 Rev B  
   2675/13 Rev B  
   2675/14 Rev D  
   2675/15 Rev C  
   2675/16 Rev C

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall not be occupied until a Section 278 legal agreement with the Local Highway Authority and Transport for London has been completed for highway works at the junction of the access to the site and the Transport for London Road Network. The Section 278 will relate to a detailed scheme of off-site highway works to improve safety for pedestrians and cyclists crossing the entrance to the site access road and shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Transport for London. The scheme of works will include an extension to the eastern footway/cycleway at the junction with the A13 off-slip road to reduce the width of the junction bellmouth and to improve the safety of pedestrian and cyclist movements at the junction with the site access road, together with associated footway resurfacing and replacement of tactile paving where required. Similar works to the western footway may also be required subject to consultation with Transport for London. The approved scheme shall be implemented and constructed in accordance with the approved details prior to the first use of the development hereby permitted.

   Reason: To ensure that the development does not prejudice the safety of pedestrians and cyclists using the adjoining highway, in accordance with Policies 6.3 and 6.14 of the London Plan (March 2015) and Policy BR10 of the Borough Wide Development Policies DPD (March 2011).

4. The use hereby permitted shall be discontinued and the site restored to its former condition and all fixtures, fittings and equipment removed from the site and the site restored to its former condition on or before 31 July 2026.

   Reason: The development is not considered acceptable on a permanent basis as it may prejudice the future development of the site in accordance with the emerging London

5. The development hereby permitted shall not exceed a total annual throughput of 56,000 cubic tonnes per annum. The applicant shall keep such records as may be required to permit the Local Planning Authority to determine compliance or otherwise with this condition. Those records shall be made available to the Local Planning Authority on request.

Reason: To accord with the submitted scheme and ensure that all planning related impacts are adequately considered.

6. No development above ground level shall take place until details/samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: To ensure a satisfactory standard of external appearance, in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide DPD (March 2011).

7. No development above ground level shall take place until a plan indicating the position, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved boundary treatment has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with Policy BP11 of the Borough Wide Development Policies DPD.

8. The development hereby permitted shall only be operational between the hours of 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 on Saturdays and at no other times.

Reason: To protect the amenity of future adjoining occupiers, in accordance with Policies BR13 and BP8 of the Borough Wide Development Policies DPD (March 2011).

9. No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
(iv) this must be conducted in accordance with DEFRA and the Environment Agency’s 'Model Procedures for the Management of Land Contamination, CLR 11'.

10. No development shall take place until a detailed remediation scheme required to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10 which are subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 12.

Reason for conditions 9, 10, 11, 12 and 13: Contamination must be identified prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BR5 of the Borough Wide DPD (March 2011).

14. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:
   a. construction traffic management;
b. the parking of vehicles of site operatives and visitors;
c. loading and unloading of plant and materials;
d. storage of plant and materials used in constructing the development;
e. wheel washing facilities;
f. measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document “The Control of Dust and Emissions during construction and demolition”, Mayor of London, July 2014; including but not confined to, non road mobile machinery (NRMM) requirements.
g. a scheme for recycling/disposing of waste resulting from demolition and construction works;
h. the use of efficient construction materials;
i. methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

The approved Plan shall be implemented for the entire period of the works at the site.

Reason: The CEMP is required prior to commencement of development in order to minimise the impact of the construction phase on the environment and on the amenities of neighbouring residents, in accordance with Policy BP8 of the Borough Wide DPD (March 2011).

15. Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, “Code of practice for noise and vibration control on construction and open sites”. Parts 1 and 2.

Reason: In order to minimise the impact of the construction phase on the environment and on the amenities of neighbouring residents, in accordance with Policy BP8 of the Borough Wide DPD (March 2011).

16. Demolition and construction work and associated activities are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00-13:00 Saturday with no work on Sundays or public holidays. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

Reason: In order to minimise the impact of the construction phase on the environment and on the amenities of neighbouring residents, in accordance with Policy BP8 of the Borough Wide DPD (March 2011).

17. No development shall take place until a detailed surface water drainage scheme for the site, based on Sustainable Urban Drainage Systems (SUDS) has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: SUDS must be identified prior to the commencement of development to prevent flooding, improve and protect water quality, improve habitat and amenity, and ensure
future maintenance of the surface water drainage system in accordance with Policy CR4 of the Core Strategy (July 2010) and Policy BR4 of the Borough Wide DPD (March 2011).

18. ‘Portacabin’ offices should be set 700mm above the 1 in 200 chance in any year including an allowance for climate change flood level.

Reason: To prevent the increased risk of flooding in accordance with Policy CR4 of the Core Strategy (July 2010).

19. No more than 5 mixer vehicles shall be operated from the site.

Reason: To accord with the submitted scheme and ensure that all planning related impacts are adequately considered.

20. The car parking area indicated on Martin O’Brien and Associates drawing 2675/11 Rev C shall be constructed and marked out prior to the use of the unit hereby permitted and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway in accordance with Policies BR9 and BR10 of the Borough Wide Development Policies DPD (March 2011).

21. The development hereby permitted shall not be occupied until full details of cycle parking, including its external appearance, location and the means of secure storage proposed, have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided prior to the occupation of the development strictly in accordance with the approved scheme, and shall be retained in accordance with such thereafter, and used for no other purpose.

Reason: In order to encourage the use of cycling as a sustainable mode of transport, in accordance with Policy BR10 of the Borough Wide DPD (March 2011).

1. Introduction and Description of Development

1.1 The application site forms part of the Barking Logistics Centre operated by the Freight Operating Company DB Schenker. The site is located directly south of the A13/Ripple Road Barking (close to the Lodge Avenue Flyover) and is accessed off a private service road. The wider DB Schenker site contains railway sidings, a two storey office with warehouse towards the western boundary and a substantial warehouse running along the southern boundary of the site (used for coffee bean storage). In addition, Cemex use part of the wider site for aggregate storage and distribution using the railway.

1.2 The warehouse buildings and offices do not form part of this planning application. This application seeks planning permission for the erection of rail served concrete batching plant with associated storage bays, office and welfare facilities, car and HGV parking.
1.3 For the avoidance of doubt, it should be noted that this application is only seeking planning permission for the construction of the concrete batching plant and not for the use of the railway for transport. This is because the applicant has a lease with DB Schenker who in turn has a long leasehold interest of 125 years with Network Rail. Case law has indicated that a number of bodies which are lessees of railway land are also considered ‘railway undertakers’. DB Schenker are therefore a ‘railway undertaker’ for the purposes of the General Permitted Development Order and the railway and its sidings form ‘operational land’. The transfer of aggregate by rail is therefore permitted development not requiring planning permission.

2. Background

2.1 There is a limited planning history relating to the site. In 1991, planning permission was granted for the erection of a new rail transit building (13,700 sq.m), office and gatehouse and the construction of a new rail siding (Ref: 90/00643/TP).

3. Consultations

3.1 a) Neighbours/Publicity

264 surrounding properties have been consulted and the application advertised in the local paper. As a result of the consultation exercise, one letter of representation was received from a residential property in Wivenhoe Road raising concern regarding noise and vibration from the proposed development and advising that noise from the existing rail freight terminal operations is minimal. The representation also comments on the colour scheme proposed.

In addition, a more general petition has been submitted to the Council not in response to the planning application consultation but more generally commenting on a range of matters relating to the Thames View Estate. This petition does however comment that the existing DB Schenker site generates noise from the loading areas serving the railway and the warehouse.

Officer Note:

The Environmental Health Team have commented on the application as below and have advised that the noise impact assessment submitted by the applicant demonstrates that the noise generated by the development would be in the region of 10dB below existing background noise levels and as such conclude that the facility would not cause harm to residential amenity. The Environmental Health Team has however recommended conditions to control the impact of the construction phase.

In terms of the general Thames View Estate petition, regarding noise from the current operation, this would be a matter for the Environmental Health Team to investigate. The applicant is not presently operating from the site and the Environmental Health Team have raised no objections to their proposal on noise grounds. It is important for Members to distinguish between current activities on site and this proposal.

In terms of the proposed colour scheme, there are limited parts of the equipment that can be coloured. A grey colour is proposed which is considered acceptable.
This equipment would barely be visible from Wivenhoe Road due to an existing large scale warehouse unit (used for coffee bean storage) which runs the length of the DB Schenker site and would act as a visual barrier to the site.

b) Historic England

No objections.

c) London Fire and Emergency Planning Authority

No objections.

d) Environment Agency

No objections. Recommend that the portacabin offices and mess room be located 0.7m above site level to prevent flooding.

e) Transport for London

Following discussion with the applicant, TfL raise no objections to the application provided there are mechanisms to control the number of mixer lorries on site, the hours of use and limiting the throughput of concrete and subject to conditions securing car parking, blue badge parking, electric vehicle charging points and cycle parking. In addition, some Section 278 highway improvement works are requested where the access road meets the A13/Ripple Road to improve pedestrian and cyclist safety.

f) High Speed 1

No objections.

g) Environmental Health Team

No objections subject to conditions regarding land contamination, construction working hours, the implementation of noise and vibration best practice techniques and the submission, approval and implementation of a Construction Environmental Management Plan to minimise the impact of the construction phase on adjoining occupiers.

h) Transport Development Management Team

No objections.

4. Local Financial Considerations

4.1 The application is not liable for either the GLA or LBBD Community Infrastructure Levy as the development is only considered acceptable on a temporary basis and the bulk of the development is classified as plant and machinery and the office building would be below 100 sq.m (at approximately 46 sq.m).

5. Analysis
5.1 Principle of Development

5.1.1 The site is identified as a Strategic Industrial Location (SIL) in the Council’s Core Strategy (adopted July 2010) and Borough Wide Development Policies Proposals Map (adopted March 2011). These areas are identified generally for Class B1 (light industrial), B2 (general industrial) and B8 (storage and distribution) uses. The site also benefits from a strategic heavy haul rail freight terminal on a long leasehold interest to DB Schenker from Network Rail.

5.1.2 Running parallel to this, the Mayor of London has adopted the ‘London Riverside Opportunity Area Planning Framework’ (OAPF) which sets out a long term strategy for the London Riverside Area and includes plans to de-designate employment land in and around Thames Road, (funding has recently been agreed for this by the GLA), River Road and Ripple Road for residential purposes and also to tunnel part of the A13/Ripple Road between the Goresbrook Interchange and the Lodge Avenue flyover to better connect residential communities to the north and south currently severed by the A13, improve traffic flow by removing the bottlenecks at Lodge Avenue flyover and the Renwick Road lights, improve air quality and free up land for a mix of residential and commercial development. This is called the Riverside Tunnel and the ambition is for it to open in 2026. TfL are currently preparing a detail business case for the Riverside Tunnel and an options analysis to identify an interim solution in advance of this to improve access to the areas south of the A13, reduce north-south severance for public transport, pedestrians and cyclists.

5.1.3 Whilst the reference to redeveloping the A13 and the Riverside Tunnel is well established in the OAPF, so is the Mayor’s view that access to a variety of modes of transport for businesses such as rail is also important. This is reinforced by Policy 2.8 of the London Plan which seeks to integrate land use and transport planning. Policy 4.4 of the London Plan advises that Boroughs should adopt a rigorous approach to industrial land management to ensure a sufficient stock of land and premises to meet the future needs of different types of industrial and related uses in different parts of London. In reviewing employment land, Policy 4.4 of the London Plan advises inter alia, that Boroughs should consider the need for strategic and local provision for transport facilities (including inter-modal freight interchanges), logistics and wholesale markets within London and the wider City region along with accessibility to the strategic road network and potential for transport of goods by rail and/or water transport. This is reinforced by London Plan Policies 6.14 and 6.15 which seek to promote movement of freight by rail and waterway and, inter alia, safeguard railheads for aggregate distribution. Nationally, paragraph 143 of the National Planning Policy Framework (NPPF) similarly advises that local planning authorities safeguard existing, planned and potential rail heads and existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

5.1.4 Given the extent of development planned in East London, there will be a commensurate need for concrete batching plants and other construction industries which will be required to serve these new developments and the movement of general freight via rail is a sustainable option. Clearly, plans to redevelop the A13 and the Riverside Tunnel will take time to come to fruition due to the extent of land
assembly, planning, development and construction that it entails. However, the future vision for this area is clear.

5.1.5 The application is largely open air plant and machinery with no permanent buildings proposed. As the OAPF vision evolves and more detailed plans emerge, it is considered prudent to seek some control over future uses in this area whilst also not blighting sites with refusals of permission as they are not in keeping with the OAPF vision. In view of this, it is considered that the proposed development is acceptable on a temporary basis of 10 years. A temporary consent would not interfere with this aspiration and would not prejudice the future vision for the area.

5.2 Design/Visual Impact

5.2.1 Policy CP3 of the Core Strategy and Policy BP11 of the Borough Wide Development Policies DPD, seek to ensure that new development is well designed, functional, durable, flexible and adaptable as well as achieving a high standard of inclusive design and sustainable construction. In terms of design, the proposal is a largely open air use (with some limited ‘portacabin’ offices and mess room) and is not contained within a building. Whilst this is disappointing it is understood that there are practical reasons why this cannot be achieved.

5.2.2 The plans indicate the concrete batching plant would be located towards the western edge of the site where the railway line terminates and the largest components would comprise the aggregate storage bin (approximately 22.5 metres in height), three 150 tonne cement silos (each approximately 22.0 metres in height) and the mixer house and loading point (approximately 17.2 metres in height) which would be connected to the aggregate bin and silos by covered conveyors and two water tanks for fresh and grey (recycled) water.

5.2.3 Storage bays would be located in the southern eastern corner of the site. Car parking for 5 cars, 5 mixer lorries and cycle parking along with a two storey (double stacked portacabin office) measuring approximately 7.5 metres in length by 3.0 metres in width by 5.5 metres in height is shown along the southern boundary.

5.2.4 In terms of visual impact, the closest residential occupiers are approximately 180 metres to the south of the site and the site is screened from these properties by a substantial warehouse building running the length of the DB Schenker site (measuring 12.6 metres to the ridge and 400 metres in length). The result of this is that only the very top of the silos and aggregate bin would be visible. Furthermore, there is already a significant quantity of open air plant and equipment in the local vicinity (as would be expected in an industrial setting). When read against this backdrop, it is considered that the proposed development would blend into this setting and would not be an incompatible feature within this industrial environment. The plant would be finished in goosewing grey with the applicant's logo displayed on the aggregate bin. Other coloured options have been provided but the grey option is considered more in keeping with the industrial nature of the area. Sample materials will be required by condition. Subject to this, the application is considered to comply with the design criteria set out in Policy CP3 of the Core Strategy and Policy BP11 of the Borough Wide DPD.
5.3 Sustainability and Energy

5.3.1 The floorspace of the office building and mess room falls below the threshold where sustainable design, construction and energy policies apply. As such the application does not propose achieving any sustainable design and construction targets but the applicant is keen to point out that energy reduction is at the heart of their business plan and points out that movement of freight by rail provides less carbon emissions than road haulage.

5.4 Amenity Issues

5.4.1 The nearest residential properties are located approximately 180 metres to the south of the site. The bulk of the proposed development would be screened from residential properties by a substantial warehouse building running the length of the DB Schenker site. The facility would be operational 07:00-19:00 Monday to Friday and 07:00-13:00 on Saturdays. Given the site is located within a well established industrial setting (with many companies operating under no restrictions), the proposed opening hours are considered acceptable and compliant with Policy BP8 of the Borough Wide DPD which seeks inter alia, to protect existing and proposed occupiers from unacceptable levels of general disturbance arising from proposed developments.

5.4.2 In respect of wider amenity issues, the main issues relate to the impact of the development in terms of noise and disturbance and air quality objectives.

5.4.3 In terms of noise, the noise impact assessment submitted by the applicant demonstrates that the noise generated by the development would be in the region of 10dB below existing background noise levels which is a positive indication that noise complaints would be unlikely. As such the assessment concludes that the facility would not cause harm to residential amenity. The Council’s Environmental Health Team has advised that they have no objections to the scheme in respect of noise but have recommended conditions to control the impact of the construction phase. Subject to these conditions, the application is considered to comply with Policy 7.15 of the London Plan and Policy BR13 of the Borough Wide Development Policies DPD which advises that planning permission will only be granted if there would be no exposure to noise above an acceptable level.

5.4.4 In terms of air quality, the whole of the Borough has been designated an Air Quality Management Area (AQMA) as there are exceedences of the air quality strategy for both nitrogen dioxide (NO2) and small particulate matter (PM10). The air quality assessment submitted by the applicant advises that emissions from traffic and rail arising from the development would be insignificant. In terms of the concrete batching plant, the assessment advises that the development will include a number of abatement measures to ensure that there are no significant emissions to air of dust. The Local Authority will be required to ensure that the abatement measures are adequate utilising Best Available Techniques (BAT) and will issue a permit for the site. The Air Quality Assessment concludes that the likelihood of the development resulting in a degradation of air quality is very low.

5.4.5 The Council’s Environmental Health Team has advised that they have no objections to the scheme in respect of air quality but have recommended conditions to control the impact of the construction phase. Subject to these conditions, the application is
considered to comply with Policy 7.14 of the London Plan and Policy BR14 of the Borough Wide Development Policies DPD which advises that where developments are likely to have a significant negative impact on air quality, the Council will only grant permission where mitigation measures are introduced which bring the air pollution to an acceptable level.

5.5 Traffic and Transportation

5.5.1 Policy BR10 of the Borough Wide Development Policies DPD requires proposals for new development to assess their impact on the surrounding transport and road network. Impacts on public transport, pedestrian and cycling infrastructure, road network capacity, road safety, the natural environment and regeneration initiatives shall be considered when assessing development proposals. Policy BR9 of the Borough Wide Development Policies DPD advises that the car parking standards set out in the London Plan will be used to assess new development.

5.5.2 In respect of traffic generation, the Transport Statement submitted with the application advises that the development is expected to have a maximum capacity of 56,000 cubic tonnes of concrete per annum. This would give rise to a maximum of 56 two way trips (28 movements in/28 movements out) per day excluding staff movements (circa 16 two way movements per day) across the 12 hour operation of the site.

5.5.3 Aggregate would come via rail with 1-2 train deliveries per week. Cement would be transported to the site via road with 8 tanker movements per day (4 in/4 out). A maximum of 5 mixer lorries would be based on site. Swept path analysis drawings demonstrate that the vehicles can adequately enter and turn within the site. The catchment area would be limited which is controlled by commercial viability (transportation costs) and the length of time wet concrete can remain in the mixer drum of the lorries. The Transport Statement concludes that the level of trip generation can be accommodated on the local highway network. The routes that the vehicles would take to access the site would be via the service road leading directly onto the A13.

5.5.4 TfL have made a number of comments on the application and following discussion with the applicant raise no objections to the application subject to conditions outlined above.

5.5.5 In terms of car and cycle parking, the application makes provision for 5 mixer lorry parking spaces, 5 car parking spaces including 1 blue badge space and 1 electric vehicle charging point. In addition, secure cycle storage for 4 cycles will be provided along with staff wash facilities. The car and cycle parking provision is considered to be consistent with London Plan Policies 6.9 and 6.13 and Policy BR9 of the Borough Wide Development Policies DPD.

5.6 Ground Conditions

5.6.1 The site is likely to suffer from ground contamination which will need to be remediated. In accordance with Policy BR5 of the Borough Wide DPD, a site investigation and remediation strategy can be required by condition
5.7 Flood Risk

5.7.1 The Environment Agency has raised no objections to the submitted Flood Risk Assessment subject to the imposition of conditions. In view of this, the application is considered to accord with London Plan Policies 5.12, 5.13, Policy CR4 of the Core Strategy and Policy BR4 of the Borough Wide DPD.

6. Conclusion

6.1 The proposal is considered to represent sustainable development and is considered acceptable on a long term but temporary basis and would generate in the region of 9 new full time jobs.

6.2 As the proposal accords with the Local Plan, and for the reasons set out above, the application is recommended for approval for a temporary time period of 10 years.

Background Papers

- Planning Application File
  
  http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O2YHWQBLHF200

- Local Plan Policy

  Core Strategy

  Policy CM1 - General Principles for Development
  Policy CM4 - Strategic Transport Links
  Policy CR2 - Preserving and Enhancing the Natural Environment
  Policy CR4 - Flood Management
  Policy CE3 - Safeguarding and Release of Employment Land
  Policy CE4 - Mix and Balance of Uses within Designated Employment Areas
  Policy CP3 - High Quality Built Environment

  Borough Wide Development Policies DPD

  Policy BR3 - Greening the Urban Environment
  Policy BR4 - Water Resource Management
  Policy BR5 - Contaminated Land
  Policy BR9 - Parking
  Policy BR10 - Sustainable Transport
  Policy BR11 - Walking and Cycling
  Policy BR13 - Noise Mitigation
  Policy BR14 - Air Quality
  Policy BP3 - Archaeology
  Policy BP8 - Protecting Residential Amenity
  Policy BP11 - Urban Design
London Plan Policy

- Policy 2.8 - Outer London: Transport
- Policy 2.13 - Opportunity Areas and Intensification Areas
- Policy 2.14 - Areas for Regeneration
- Policy 4.4 - Managing Industrial Land
- Policy 5.1 - Climate Change Mitigation
- Policy 5.10 - Urban Greening
- Policy 5.12 - Flood Risk Management
- Policy 5.13 - Sustainable Drainage
- Policy 5.21 - Contaminated Land
- Policy 6.1 - Strategic Approach
- Policy 6.3 - Assessing Effects of Development on Transport Capacity
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 6.11 - Smoothing Traffic Flow and Tackling Congestion
- Policy 6.13 - Parking
- Policy 6.14 - Freight
- Policy 6.15 - Strategic Rail Freight Interchanges
- Policy 7.2 - An Inclusive Environment
- Policy 7.8 - Heritage Assets and Archaeology
- Policy 7.14 - Improving Air Quality
- Policy 7.15 - Reducing Noise and Enhancing Soundscapes

Table 6.2 - Car Parking

London Riverside – Opportunity Area Planning Framework

- National Planning Policy Framework

- Planning Practice Guidance