

Barking and Dagenham Council Planning Committee		Date: 10 July 2018
Application No:	18/00161/FUL	Ward: Eastbrook
Reason for Referral to Planning Committee as set out in Part 2, Chapter 9 of the Council Constitution	The proposed development is a major development which is of a scale and importance that should be determined at DCB.	
Address:	Former Sanofi Aventis, Rainham Road South, Dagenham	
Development:	Erection of two data centre buildings (Use Class B8), with ancillary plant, offices, gatehouse, electrical sub-stations, fuel storage, car parking, site fencing, landscaping and other associated works.	
Applicant:	NTT Communications Corporation.	
Contact Officer: Nelupa Malik	Title: Principal Development Management Officer	Contact Details: Tel: 020 8227 3888 E-mail: nelupa.malik@befirst.london
Summary:		
<p>Barking and Dagenham is London's Growth Opportunity. Building on the recommendations of the independent Growth Commission Report the Borough Manifesto sets out the potential to deliver the borough's potential for 20,000 new jobs in a way which benefits everyone and ensures no one is left behind.</p> <p>The application site comprises approximately 7.54 hectares of land that forms the far southern and eastern parts of the former Sanofi Aventis manufacturing plant (formerly known as May & Baker) located on the eastern side of Rainham Road South, Dagenham. The application site also includes land within the May & Baker Sports Club car park which is sited to the north of Fox Lane, a footpath that runs between the wider Sanofi Aventis site and the May & Baker Sports Club car park.</p> <p>This application relates to the erection of two data centre buildings (Use Class B8), with ancillary plant, offices, a gatehouse, electrical sub-stations, car parking and other associated works.</p> <p>The datacentre buildings are identified as buildings 1 and 2 and will measure 19,714m² and 33,552m² in gross external floor area respectively. The gatehouse building will measure 255m².</p> <p>The development will provide 149 car parking spaces of which 90 spaces will be located off-site in the May & Baker Car Park which essentially results in the relocation of 90 existing spaces. The remaining 59 spaces will be provided on-site within the compound of the datacentre buildings. 16 accessible car parking spaces would be provided equating to 10% of the total provision. 76 spaces will be provided with electric vehicle charging points</p>		

equating to 51% of the total provision. 120 long-stay cycle parking spaces would be provided in accordance with the London Plan. All vehicular access to the site would be from Rainham Road South via Yewtree Avenue, the spine road that runs through the wider Sanofi Site.

The development would be phased with the construction of building 1, the delivery of the 90 spaces in the northern car park, the construction of the electricity substation and other associated works undertaken as part of phase 1. Phase 2 of the development will comprise the construction of building 2 and associated works.

The principle of the development is considered to be acceptable and in accordance with Policy 2.7 of the London Plan and Paragraph 18 of the National Planning Policy Framework which seeks to support economic growth through the planning system. The employment opportunities offered by this development would be approximately 110 permanent jobs. The applicant would also be seeking to collaborate with local educational establishments such as Barking and Dagenham College and Coventry University London to develop and promote new courses which would enable local people to be provided with the necessary skills to be able to obtain future employment in the proposed development.

The provision of digital technology provided by the datacentre buildings fits in well with the existing and planned uses for the wider former Sanofi site, This includes the existing East London University Technical College, the Londoneast UK Business and Technical Park and the proposals for film studios. Combined these have the potential to transform the local economy providing new jobs in growth sectors in line with the Borough Manifesto. It is also in line with the focus on economic growth in the NPPF, London Plan and Local Plan

The buildings are adjacent to the green belt which includes the Eastbrook End Country Park, the Chase and Beam Valley Country Park which are also Sites of Importance for Nature Conservation. The applicant has submitted a Visual Impact Assessment which shows how the buildings would appear in views from 18 locations inside and outside the green belt during the summer and winter including views from Havering. The buildings will be visible in some views but the cladding of the buildings helps mitigate this impact so that they are not overly intrusive and therefore officers consider that the visual impact is acceptable. The impact on neighbouring residential occupiers is also acceptable. The closest residential properties to the development are located in Winstead Gardens which are separated from the closest datacentre building (building 1) by some 396 metres. In addition to this there are intervening buildings within the Londoneast UK Business and Technical Park that would provide a visual barrier.

The design, scale, form and massing of the development is considered to be acceptable. Whilst the datacentre buildings are substantial in scale, the development would incorporate design features intended to add visual interest to the buildings.

The buildings would achieve a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'Very Good' and this would be in accordance with local plan policy.

The office elements of the development are anticipated to achieve a 40.3% reduction in carbon dioxide emissions and this would be in accordance with Policy 5.2 of the London Plan. The development would also include measures to provide potential heat reclaim opportunities for other future developments across the wider site.

The development is in keeping with relevant development plan and national policies and

therefore considered to be acceptable.

Recommendation:

That the Planning Committee grant planning permission subject to any direction from the Mayor of London and the following conditions (with any amendments that might be necessary up to the issue of the decision, including any other conditions that may be required.).

- 1) The development permitted shall be begun before 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;

PHW-ARC-SP-DR-A-0100 Rev A
PHW-ARC-SP-DR-A-0101 Rev A

PHW-ARC-SP-ZZ-DR-A-0001 Rev D
PHW-ARC-SP-ZZ-DR-A-0002 Rev D
PHW-ARC-SP-ZZ-DR-A-0003 Rev A
PHW-ARC-SP-ZZ-DR-A-0004 Rev D
PHW-ARC-SP-ZZ-DR-A-0005 Rev D
PHW-ARC-SP-ZZ-DR-A-0006 Rev D
PHW-ARC-SP-ZZ-DR-A-0007 Rev A

PHW-CA-SP-ZZ-DR-S-004 Rev P02
PHW-CA-SP-ZZ-DR-S-005 Rev P02
PHW-CA-SP-ZZ-DR-S-006 Rev P03
PHW-CA-SP-ZZ-DR-S-007 Rev P02
PHW-ARC-SP-ZZ-DR-S-008 Rev P02

PHW-CA-B1-B1-DR-S-1005 Rev P00
PHW-CA-B1-B1-DR-S-1006 Rev P00
PHW-CA-B1-00-DR-S-1011 Rev P00
PHW-CA-B1-00-DR-S-1012 Rev P00

PHW-CA-B2-B1-DR-S-2005 Rev P00
PHW-CA-B2-B1-DR-S-2006 Rev P00

PHW-CA-B2-00-DR-S-2011 Rev P00
PHW-CA-B2-00-DR-S-2012 Rev P00

PHW-ARC-B1-ZZ-DR-A-0400 Rev C
PHW-ARC-B1-ZZ-DR-A-0401 Rev B
PHW-ARC-B1-00-DR-A-0200 Rev A
PHW-ARC-B1-01-DR-A-0201 Rev A

PHW-ARC-B1-RF-DR-A-0202 Rev A
PHW-ARC-B1-RF-DR-A-0203 Rev A

PHW-ARC-B1-ZZ-DR-A-0300 Rev B
PHW-ARC-B1-ZZ-DR-A-0630 Rev A

PHW-ARC-B2-ZZ-DR-A-0400 Rev C
PHW-ARC-B2-ZZ-DR-A-0401 Rev C

PHW-ARC-B2-00-DR-A-0200 Rev A
PHW-ARC-B2-01-DR-A-0202 Rev A

PHW-ARC-B2-MZ-DR-A-0201 Rev A
PHW-ARC-B2-RF-DR-A-0203 Rev A
PHW-ARC-B2-ZZ-DR-A-0300 Rev A
PHW-ARC-B2-ZZ-DR-A-0630 Rev A
PHW-ARC-SP-SS-DR-A-0900 Rev A
PHW-ARC-SP-SS-DR-A-0901 Rev A

PHW-BW-SP-00-DR-M-90-0202 Rev 2
PHW-BW-SP-00-DR-M-90-0201 Rev 3
PHW-BW-SP-00-DR-M-90-0203 Rev 2

PHW-ARC-GH-ZZ-DR-A-0200 Rev C
PHW-ARC-GH-ZZ-DR-A-0300 Rev C
PHW-ARC-GH-ZZ-DR-A-0400 Rev C

406824-1101 Rev P10
406824-1103 Rev P5
PHW-CA-SP-ZZ-DR-S-001 Rev P04

PHW-BW-SP-00-DR-E-90-0201 Rev 2
PHW-BW-SP-00-DR-E-90-0202 Rev 2
PHW-BW-SP-00-DR-E-90-0203 Rev 2
PHW-BW-SP-00-DR-E-90-0204 Rev 2

PHW_BW_SP_00_DR_E_90_0205 Rev 1
PHW_BW_SP_00_DR_E_90_0206 Rev 1

PHW-BW-SP-00-DR-E-90-0207 Issue 4
PHW-BW-SP-00-DR-E-90-0208 Issue 4
PHW-BW-SP-00-DR-E-90-0209 Issue 4

PHW-ARC-SP-ZZ-DR-A-0200 Rev B
PHW-ARC-BS-ZZ-DR-A-0201 Rev B
PHW-ARC-ZZ-ZZ-DR-A0640
PHW-ARC-ZZ-ZZ-DR-A-0631

1798-17-01 Rev E
1798-17-02 Rev D

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

- 3) The materials to be used in the construction of the external surfaces of the development shall be in accordance with drawing numbers PHW-ARC-GH-ZZ-DR-A-0400 Rev C, PHW-ARC-B1-ZZ-DR-A-0400 Rev C, PHW-ARC-B1-ZZ-DR-A-0401

Rev B, PHW-ARC-B2-ZZ-DR-A-0400 Rev C, PHW-ARC-B2-ZZ-DR-A-0401 Rev C, PHW-ARC-B1-ZZ-DR-A-0630 Rev A, PHW-ARC-B1-ZZ-DR-A-0630 Rev A, PHW-ARC-ZZ-ZZ-DR-A-0631 and PHW-ARC-ZZ-ZZ-DR-A-0640 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 4) The landscaping scheme indicated on drawing numbers 1798-17-01 Rev E and 1798-17-02 Rev D shall be carried out in the first planting and seeding seasons following the occupation of the first datacentre facility or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

- 5) The hard landscaping scheme relevant to each building as shown on drawing No.PHW-CA-SP-ZZ-DR-S-004 Rev P02 shall be completed prior to the occupation of that building and thereafter permanently retained.

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

- 6) No part of the development shall be occupied until the approved boundary treatment relevant to each building has been provided as indicated on drawing number PHW-ARC-SP-ZZ-DR-A-0006 Rev D. 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 Development Plan Document.

- 7) The rating level of noise from fixed plant installed pursuant to this permission shall not exceed 37 dB LAr, Tr outside the window to any habitable room in residential accommodation in the vicinity. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

Reason: In the interest of protecting neighbouring amenities in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 8) Noise from fixed plant installed pursuant to this permission shall not exceed a free field level of 55 LAeq (15 minute) outside the window to any

commercial/educational/film space in the vicinity.

Reason: In the interest of protecting neighbouring amenities in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 9) Noise from fixed plant installed pursuant to this permission shall not exceed a free field level of 70 LAs_{max} (15 minute) outside the window to any film space in the vicinity.

Reason: In the interest of protecting neighbouring amenities in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 10) The external lighting of the development hereby permitted, is to fully comply with Institute of Lighting Professionals, "Guidance Notes for the Reduction of Obtrusive Light GN01:2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1 of the guide, relating to Environmental Zone E3 – Medium district brightness areas - small town centre or urban locations. The scheme should seek to minimise upwards light and obtrusive light and avoid light spill onto trees, hedges and bird and bat boxes. Lighting should be designed in accordance with the Bat Conservation Trust's guidance 'Bats and Lighting in the UK' or their latest advice. Any lighting, either temporary or permanent, along the site boundaries should be kept to a minimum and directed away from the boundary features to ensure there is no increase in light levels. The development shall be implemented in accordance with the requirements of this condition prior to the occupation of the development and maintained thereafter.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policies BC7 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 11) Construction work and associated activities other than internal works not audible outside the site boundary 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. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

Reason: In the interest of protecting neighbouring amenities in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 12) 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 reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

- 13) Measures to control the emission of dust, dirt and emissions to air 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 are to be implemented at all times air during demolition and construction works.

Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

- 14) The development hereby approved shall be implemented in partnership with the Council's Employment and Skills Team and in accordance with the submitted Employment and Skills Strategy: NTT Communications Corporation Version 2 Dated March 2018.

Reason: In order to contribute to the local economy and local residents in need of employment and in accordance with the principles within policy CC3 of the Core Strategy.

- 15) The development hereby permitted shall be constructed in accordance with the submitted *NTT Communications Corporation; Waste Minimisation Strategy – Full Planning Application Supporting Statement dated March 2018*. The strategy shall be adhered to throughout the construction period of the development.

Reason: To reduce the environmental impact of the construction and the impact on the amenities of neighbouring occupiers, and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 16) The development hereby permitted shall be constructed in accordance with the following documents;

- *GIA Building Consultancy; Construction Method Statement report reference 13087 dated 11th January 2018*
- *Transport Planning Practice – Dagenham Data Centre Phase 1 Construction Logistics Travel Plan dated March 2018.*
- *Transport Planning Practice – Dagenham Data Centre – Phase 1 Construction Traffic Management Plan dated March 2018.*

The above plans shall be adhered to thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the environmental impact of the construction and the impact on the amenities of neighbouring occupiers, and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 17) The development hereby permitted shall be implemented in accordance with the submitted NTT Communication Corporation Delivery and Servicing Plan dated April 2018. The Delivery and Servicing Plan shall be adhered to thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to minimise the impact of the development on the local highway network and traffic congestion and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.

- 18) The development shall make provision for a minimum 120 cycle parking spaces in

accordance with the details indicated on drawing numbers PHW-ARC-SP-ZZ-DR-A-00004 Rev D, PHW-ARC-SP-ZZ-DR-A-00005 Rev D and PHW-ARC-SP-ZZ-DR-A-0200 Rev D. 5% of the total provision shall be for non-standard sized bikes. The cycle spaces indicated for each building shall be installed prior to the first occupation of the relevant building and thereafter retained permanently for the accommodation of bicycles of occupiers to the premises and not used for any other purpose.

Reason: In the interests of promoting cycling as a sustainable and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies Development Plan Document.

- 19) There shall be no direct vehicular access (including emergency and construction vehicles) to and from the application site to the May & Baker car park or any areas north of the footpath known as Fox Lane.

Reason: To ensure that no unauthorised vehicles pass over Fox Lane and to ensure that adequate access arrangements are provided within the site in accordance with Policy BR10 of the Borough Wide Development Policies Development Plan Document.

- 20) The development hereby permitted shall be constructed to achieve as a minimum a 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) for the office element of the buildings in accordance with the submitted energy strategy titled NTT Communications Data Centre Energy Statement dated 25 April 2018; report ref: BW-E-P20010-3-REP-000008-2 Rev 2.

Reason: To ensure compliance with the proposed energy strategy in accordance with Policy 5.2 of the London Plan and Policy BR2 of the Borough Wide Development Policies Development Plan Document.

- 21) The development hereby permitted shall provide opportunities for existing and/or future neighbouring developments to reclaim heat from the development in accordance with measures identified in the submitted *NTT Communications Data Centre Site Heat Reclaim Statement dated 14th February 2018* and drawing numbers PHW-ARC-SP-ZZ-DR-A-0002 Rev D and PHW-BW-SP-00-DR-M-90-0201 Rev 3. The measures shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding the environment, to ensure that the development provides renewable energy in accordance with policy BR2 of the Borough Wide Development Policies Development Plan Document and policy 5.2 of the London Plan.

- 22) The development hereby permitted shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a Travel Plan for the site which shall include proposals for minimising car-borne travel and encouraging walking, cycling and the use of public transport. The Travel Plan should demonstrate how the development shall achieve a target of 80% of all journeys being made by public transport and active travel. The Travel Plan shall include details of funding, implementation, monitoring and review. The approved Travel Plan shall be implemented and monitored in accordance with the approved scheme.

Reason: In order to encourage the use of sustainable transport and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.1 of the London Plan.

- 23) Prior to the commencement of Building 2, detailed design and method statements (in consultation with London Underground) for each stage of the development in relation to phase 2 only, including all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent) shall be submitted to and approved in writing by the Local Planning Authority which
- Provide details of all structures
 - Provide details on the use of tall plant/scaffolding
 - Accommodate the location of the existing London Underground structures
 - Demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to London Underground land
 - Demonstrate that there will at no time be any potential security risk to London Underground railway, property or structures
 - Accommodate ground movement arising from the construction thereof

The development shall thereafter be carried out in all respects in accordance with the approved details.

Reason: Detailed design and method statements are required prior to the commencement of building 2 in order to ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan Table 6.1, draft London Plan Policy T3 and 'Land for Industry and Transport Supplementary Planning Guidance 2012'.

- 24) Prior to the occupation of the development, the turnstiles indicated on drawing number PHW-ARC-SP-ZZ-DR-A-0007 Rev A shall be installed and thereafter retained as such.

Reason: In the interest of ensuring priority for pedestrians and ramblers over Fox Lane in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

- 25) The refuse enclosures indicated on drawing number PHW-ARC-BS-ZZ-DR-A-0201 Rev B shall be constructed in accordance with the approved plans prior to the occupation of the relevant building hereby approved and thereafter permanently retained for the use of the occupiers of the premises.

Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 26) The on plot car parking areas relevant to each building as indicated on drawing numbers PHW-ARC-SP-ZZ-DR-A-0004 Rev D, PHW-ARC-SP-ZZ-DR-A-0005 Rev D and PHW-ARC-SP-ZZ-DR-A-0002 Rev D shall be constructed and marked out prior to the occupation of that building and thereafter retained permanently for car

parking purposes for vehicles of occupiers and visitors to the premises and not used for any other purpose.

The car parking area to the north of Fox Lane as indicated on drawing numbers PHW-BW-SP-00-DR-E-0209 Issue 4 and PHW-ARC-SP-ZZ-DR-A-0002 Rev D shall be constructed and marked out prior to the occupation of building 2 and thereafter retained permanently for car parking purposes for 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 policy BR9 of the Borough Wide Development Policies Development Plan Document.

- 27) The accessible parking bays indicated on drawing numbers PHW-ARC-SP-ZZ-DR-A-0004 Rev D and PHW-ARC-SP-ZZ-DR-A-0005 Rev D shall be clearly marked with a British Standard disabled symbol and permanently retained for the use of disabled persons and their vehicles and for no other purpose.

Reason: To ensure and promote easier access for disabled persons to the development in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

- 28) Active electric vehicle charging points shall be provided for 20% of the total parking provision and 80% passive electric vehicle charging provision shall be provided for the remaining car parking spaces in accordance with drawing numbers PHW-BW-SP-00-DR-E-90-0207 Issue 4, PHW-BW-SP-00-DR-E-90-0208 Issue 4 and PHW-BW-SP-00-DR-E-90-0209 Rev 4. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the relevant building, 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 encourage the use of electric cars in order to reduce carbon emissions, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

- 29) No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted NTT Communications Corporation Data Centre Dagenham Drainage Strategy Rev C Dated 29th March 2018 and drawing number PHW-CA-SP-ZZ-DR-S-001 Rev P04. The sustainable drainage scheme shall be managed and maintained thereafter.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document.

- 30) No development above ground level shall take place for each relevant building until details of the proposed living walls including their type and specific purpose together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority. The living walls shall be constructed in accordance with the approved details and thereafter maintained in accordance with the approved maintenance schedule.

Reason: In the interests of reducing the impact of the development on the mains drainage system, enhancing the insulation of the building and contributing to biodiversity and in accordance with policy CR1 of the Core Strategy and policies BR3, BR4 and BP11 of the Borough Wide Development Policies Development Plan Document.

- 31) Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the Development Specific Remediation and Verification Strategy, Land at Londoneast-uk Business and Technical Park (Delta Simons Environmental Consultants Ref: 17-1150.01 Dated 18/01/2018) shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: The site has a history of soil and groundwater contamination and has been the subject of extensive soil and groundwater remediation, however it is considered likely that residual "hot spots" of contamination may still remain. The Development Specific Remediation and Verification Strategy (Delta Simmons Ref: 17-1150.01 Dated 18/01/2018) documents construction phase activities that will be undertaken to mitigate against potential risks associated with residual contamination that must be observed during the development works. This condition will ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

- 32) The development hereby permitted may not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: The site has a history of contaminative land use and has been subject to extensive soil and groundwater remediation. The likelihood of isolated residual hotspots of contamination is recognised in the PRA document (Delta Simons Ref: 17-1150.01) and it is possible that the ground disturbance associated with the proposed development could result in the mobilisation of contamination that could pollute controlled waters. As such, the status of the groundwater beneath the site will need to be monitored throughout the proposed development to demonstrate that this development has not cause further deterioration. This condition will ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

- 33) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy

detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: The site has a history of extensive soil and groundwater contamination and been the subject of extensive soil and groundwater remediation, however it is considered likely that residual “hot spots” of contamination may still remain that could potentially present an unacceptable risk to controlled waters. This condition will ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

- 34) A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to each phase of development being brought into use.

Reason: The site has a history of extensive soil and groundwater contamination and been the subject of extensive soil and groundwater remediation. This will ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

- 35) Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The site has a documented history of contaminative land use and has been the subject of extensive soil and groundwater remediation. The formation of piled foundations through contaminated soils could create preferential migration pathways for contaminants potentially resulting in the pollution of controlled waters. This will ensure that the proposed development does not harm groundwater resources in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

- 36) No infiltration of surface water drainage into the ground at the site is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Soil and groundwater beneath the site is known to be impacted with contaminants relating to historical activities at the site. The Drainage Strategy report (Capita Ref: CS/094261) provides confidence that the legacy of contamination has been considered and that infiltration drainage will not be utilised where there is a risk of mobilising contamination at the site however a detailed design will be required. This will ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised

contaminants in line with paragraph 109 of the National Planning Policy Framework and Policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document.

37) Details of any facilities for the storage of fuel associated with this development shall be submitted to and approved by the Local Planning Authority. The details shall include:

- secondary containment that is impermeable to fuel and water, with no opening used to drain the system
- a minimum volume of secondary containment of at least equivalent to the capacity of the tank plus 10% and if there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest.
- all fill points, vents, gauges and sight gauge located within the secondary containment
- associated above ground pipework protected from accidental damage.
- below ground pipework having no mechanical joints, except at inspection hatches and have either leak detection equipment installed or regular leak checks.
- all fill points and tank vent pipe outlets designed to discharge downwards into the bund. The scheme shall be implemented as approved prior to any storage of fuels.

Reason: To ensure that the proposed fuel storage, does not harm groundwater resources in accordance with paragraph 109 of the National Planning Policy Framework and BR4 of the Borough Wide Development Policies Development Plan Document.

1. Introduction and Description of Development

- 1.1 The application site measures approximately 7.54 hectares of land that forms the far eastern and southern parts of the former Sanofi Aventis manufacturing plant (formerly known as May & Baker) located on the eastern side of Rainham Road South, Dagenham.
- 1.2 The wider site is directly bound by the London Underground District Line and the C2C line, which forms the southern boundary to the site and Rainham Road South which forms the western boundary. The northern boundary has two distinct elements with the north west of the site bound by residential dwellings along Winstead Gardens and Gay Gardens, whilst the remainder of the northern boundary abuts the May & Baker Sports Club and associated 597 space car park (accessed from Dagenham Road) and grounds/playing fields and Eastbrookend Country Park which are designated as green belt land. The May & Baker Sports Club is separated from the wider Sanofi site by a footpath commonly known as Fox Lane. Eastbrookend Country Park is also identified as a Site of Importance for Nature Conservation (SINC) and a Site of Metropolitan Importance. The eastern boundary of the site is formed by the Chase Local Nature Reserve and to the south of the site beyond the railway lines lies the Beam Valley Country Park which are also Sites of Importance for Nature Conservation and also form part of the green belt.

- 1.3 Members are advised that the application site also incorporates land that sits north of the footpath and forms part of the May & Baker Sports Club car park.
- 1.4 Within the wider site, there is a public house and restaurant, The Pipe Major fronting Rainham Road South. The northern part of the site forms the East London University Technical College (Elutec) and the Londoneast UK Business and Technical Park. A spine road runs through the site and is known as Yew Tree Avenue. The application site is located directly north east and south east of the Londoneast UK Business and Technical Park. Directly south west to the application site and south of the Londoneast UK Business and Technical Park are three industrial/storage buildings that are currently under construction.
- 1.5 The wider site benefits from outline planning permission for the redevelopment comprising the erection of up to 30,000m² of buildings (Use Classes B1(C), B2, B8, D1), retention and re-use of 41,637m² of buildings (Use Classes B1, B2, B8, D1) (these buildings form the Londoneast UK Business and Technical Park) including up to 3,500m² for a healthcare building (Use Class D1), erection of a 9,816m² training centre (Use Class D1), 9,246m² supermarket including petrol filling station, 80 bed hotel and restaurant (Use Class C1) and 2 floodlit synthetic turf football pitches with associated landscaping and parking.
- 1.6 This application is a full application for the erection of two data centre buildings (Use Class B8), with ancillary plant, offices, gatehouse, electrical sub-station, car parking and other associated works. Datacentres are facilities that essentially house computers, servers and network systems for organisations. The datacentre buildings which are identified as Building 1 and Building 2 in the submitted application, will measure 19,714m² in gross external floor area (GEA) (building 1) and 33,552m² in GEA (building 2). The gatehouse building will measure 255m² in GEA. The development will provide 149 car parking spaces of which 90 off-site spaces will be provided within the May & Baker Sports Club car park and 59 spaces on site.
- 1.7 The development will essentially comprise two floors of data halls in each datacentre building. The delivery of the development will be phased with phase 1 comprising the delivery of the 90 off-site car parking spaces, the electricity substation and the construction of building 1 and other associated works. The second phase of the development will be the delivery of building 2 and associated works relevant to this building.

2. Background

- 2.1 The wider site has various planning history with the most notable recent being the following;
- 2.2 Planning permission granted in March 2013 under decision notice 11/01044/FUL for the development described in paragraph 1.5 above. This application has subsequently been amended by planning permission 15/00951/OUT which was granted planning permission in May 2016.
- 2.3 Planning permission granted in October 2016 under decision notice 16/00809/REM for application for approval of reserved matters following outline approval (15/00951/OUT): Details of appearance, layout, scale, landscaping and means of access for the erection of six buildings forming Units A, B, C (Use Class B8 Storage

and Distribution), D1, D2 (Use Class B1c/B2 Light Industry/General Industry), D3 (Use Class B8 Storage and Distribution) and associated works. Members are advised that Units A-C are the three warehouse units currently under construction and referred to above in paragraph 1.4 of this report.

- 2.4 Whilst this application is a standalone planning application and not a reserved matters application in respect of planning permission 15/00951/OUT, Members are advised that the development proposed in this application will include land where Units D1, D2 and D3 were proposed under planning permission 16/00809/REM. Therefore the part of the development granted planning permission under 16/00809/REM which relate to Units D1, D2 and D3 will no longer be implemented.

3. Consultations

3.1 Adjoining Occupiers/Press and Site Notices

341 properties were consulted and a response was received from the residential occupier of number 38 Winstead Gardens objecting to the proposal on the grounds that a vehicular access across the footpath would be provided to allow access to the substation.

The objector considers that the access would impinge on the green belt environment of the adjacent country park and represent an environmental intrusion and a potential danger to the wellbeing of members of the public.

The objector also considers that the location of the proposed off-site staff car park would be in a secluded location and present opportunities for antisocial behaviour.

Officer Note: The development has now been amended to remove any vehicular access over the footpath.

In terms of the objector's concern with regards to the location of the off-site car park, it should be noted the off-site car park forms part of the existing May & Baker Sports Club car park. There would be no increase in the number of spaces in the northern car park as spaces would be relocated to within the application boundary. It is therefore not considered that the proposal to provide a car park to the north would introduce anti-social behaviour in this location.

Representations have also been received from the Managing Director of Londoneast-UK highlighting the following concerns;

- It is acknowledged that the applicant has certain rights to use the car park road (this is the access from Dagenham Road). However, the exercise of such rights is subject to provisions contained within Land Registry documents referred to as TP1 in respect of transfer of land between May & Baker Ltd and Londoneast-UK Ltd which include a contribution towards the costs for the upkeep of the access road.
- Document TP1 also requires the purchaser of the back plot to enter into a direct covenant with Londoneast-UK for the payment of such costs, including the cost of repairing any damages.
- As the owner of part of Area 4b (in respect of planning permission 15/00951/OUT), Londoneast-UK would seek to discuss how parking spaces are

to be allocated fairly now that the combined areas are under different ownerships.

Officer Note: Matters relating to covenants and contributions in relation to provisions contained in land transfer documents are private matters between the two parties and therefore not a planning issue.

In respect of concerns relating to the allocation of car parking spaces, Officers have met with representatives from Londoneast-UK together with the applicant and have advised that this application is a standalone planning application to be considered on its own merits and would not prejudice the allocation of parking spaces identified in planning application 15/00951/OUT.

3.2 Greater London Authority (GLA) (incorporating Transport for London's (TFL) comments).

The Mayor's Stage 1 response considers that whilst the scheme is generally acceptable in strategic planning terms it does not comply with the London Plan and draft London Plan. The Stage 1 response has highlighted the following key issues and concerns.

Principle of Development

The use of the site for two data centres would reinstate an industrial function at the site, encourage the effective use of industrial land, support emerging technological industries and provide economic uplifts, including 96 jobs (*sic*). As such, the proposals are strongly supported in strategic planning terms.

Green Belt

Whilst not on Green Belt these proposals will have a visual impact on the setting of the Green Belt when viewed from the neighbouring Green Belt sites. Given the site currently has no development on it, the views of the Green Belt to the north and south are open in character. Such views would be altered by these proposal, however, every effort has been taken to minimise and mitigate this impact through sensitive design so as not to prejudice the enjoyment of the Green Belt. GLA officers note that the site currently benefits from planning permission (11/01044/OUT) which, if implemented, would also impact on these views.

Site of Importance for Nature Conservation (SINC)

Whilst this site is not a Site of Importance for Nature Conservation many of the neighbouring sites are. The applicant therefore commissioned a biodiversity statement which acknowledged that the site was previously highly contaminated but is already the subject of significant remediation works and concluded that the proposed landscaping and enhancement measures will dramatically improve the existing situation. Accordingly the scheme is acceptable in this regard and should further improve local biodiversity.

Urban Design

The proposed buildings would be substantially set back from the street frontage of Rainham Road South, and at street level would be partially obscured from view by

developments which occupy sites between Rainham Road South and the subject site. The buildings proposed are approximately 34 metres and 28 metres in height (sic) and the scheme will be accessed from Rainham Road South with an entrance route leading to the site where a security gate will control access to the data centres. A secondary access to an area of parking north of Foxlands Lane is from Dagenham Road.

Layout

The layout of the proposed scheme is largely driven by the parallel arrangement of the two linear data centre buildings along the length of the site on an east-west axis. The buildings have been orientated so that the external generators (which will be noise producing) are exposed on the south side of building 1. This allows the neighbouring data centre to provide natural screening for the noise produced by the containerised generators. The layout of the site is supported with GLA officers acknowledging the need to accommodate the significant footprints of the proposed buildings constrain possible site configurations.

Height, massing and elevations.

The building to the north of the plot will have a maximum height of 28.3 metres whilst the building to the south of the plot will have a maximum height of 34.5 metres. The design of the data centres is largely a result of the need to accommodate its functions and technical requirements. Nevertheless, to ensure design quality is delivered, the applicant has reduced the massing where possible through stepped rooflines and enhanced the elevations through a façade treatment of metal panelling. This is supported and provides GLA officers with the necessary detail to minimise the prominence of the structures. The plant to be contained within the roof spaces will have obscured screening. These screens continue the architectural form of the facades and provide for a consistent, uniformed roofline. The elevations benefit from a generous fenestration arrangement, details of which should be secured by way of condition.

Sustainable Development

Energy efficiency

In accordance with the principles of London Plan Policy 5.2 and draft London Plan Policy SI2 the applicant has submitted an energy statement, setting out how the development proposes to reduce carbon dioxide emissions. A range of passive design features and demand reduction measures are also proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. An on-site reduction of 37 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is required, equivalent to an overall saving of 41%.

The demand for cooling within the offices of the data centre will be minimised through external solar shading, low glazing g-value and mechanical ventilation heat recovery units. The area weighted average actual and notional cooling demand for the non-domestic building (MJ/m²) should be provided and the applicant should demonstrate that the actual building's cooling demand is lower than its notional.

The applicant has stated that simplified building energy model (SBEM) calculations have been undertaken for Building 2 only and then scaled up for the entire site. The reasoning for this approach is required. The applicant should therefore model both buildings and re-submit the site wide carbon emissions for each stage of the energy hierarchy.

Heating

Due to the minimal heating demand of the development (data centre use), connection to district heating networks and on-site CHP options have been dismissed. This is acceptable in this instance.

The opportunity to reclaim waste heat from the data centre has been investigated; this is welcomed. This demonstrates that 4MW of heat could be made available to the immediately adjacent film studios. This could be achieved by introducing additional heat exchangers and insulated pipes into the fit out of the data facility so heat could be transferred from the data facility to the edge of the data site in insulated water pipes on the western edge of the application site. This option is fully supported by the GLA and should be further pursued with the Council and the developer of the adjacent site. Evidence of communication with both parties should be submitted.

Renewable energy

The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install Air Source Heat Pumps (ASHPs) in the form of Variable Refrigerant Flow (VRF) units and Photovoltaic (PV) panels. The applicant has stated that the site will utilise between 3,800 and 4,100 solar panels becoming one of the most densely equipped PV installations in London; this is welcomed. However, only 100 sq.m have been assumed towards the on-site savings. Clarification is thus required on this component of the proposals. The CO₂ savings associated with the PV provision (100 m²) are high and thus further clarification is required on the PV strategy. The applicant should commit to maximising the PV provision on-site.

Transport

Access

The application should include a segregated cycle access route in order to ensure that they do not have to share access with vehicles.

The applicant should also undertake works to improve the pedestrian and cycle access from the car park to the north of the site (May & Baker car park) and along the access street to Dagenham Road.

All pedestrian and cycle access routes should have good lighting in order to ensure that active transport modes remain attractive at night.

Public transport network impacts

The total number of staff and visitors to the data centres is unlikely to have a significant impact on the public transport network and the staggered shift pattern of staff is also likely to minimise this impact.

Cycle parking

The proposed level of cycle parking is unacceptable. A minimum of 107 long-stay cycle parking spaces should be provided for the two data centres as well as 54 short stay cycle parking spaces for visitors. In line with the London Cycle Design Standards, 5 % of the long stay spaces should be suitable for non-standard bikes such as cargo bikes, accessible bikes, and trikes.

Staff cycle parking should be suitable for long-stay parking and take into consideration location, security, overlooking, and protection from inclement weather. Facilities for people who cycle should be included in the building, including showers and changing rooms.

Vehicle parking

Given that the maximum number of staff that will be on site at any one time will be 62, the provision of 149 car parking spaces is unjustified and not supported.

The on-site car parking provision should therefore be significantly reduced. The applicant should provide a segregated walking route between the car park and the data centres to improve safety. As per the draft London Plan, a minimum of 20% of these spaces should have active provision for electric vehicle charging, with the remaining 80 per cent providing passive provision. 5 per cent of these car parking spaces shall be designed as disabled parking bays for Blue Badge holders. An additional 5 per cent shall be enlarged bays.

The proposal also includes five loading docks for HGV deliveries. These should provide infrastructure for electric or other Ultra-Low Emission vehicles.

Travel planning

The Travel Plan sets out 5 year mode share targets and the mode share target for single-occupancy cars is 65% upon opening and 58% after 5 years. This target does not align with the Mayor's draft London Plan target of 80% of all journeys being made by public transport and active travel. The mode share target also undermines the case for excessive provision of car parking on this site.

TfL require the mode shift targets outlined in the travel plan be amended to be more ambitious. Given the site has a PTAL of 3 and is served by London Underground and several bus services, the target mode share of 58% single occupancy cars is too high. The applicant must take additional measures to encourage and secure a higher public transport, walking, and cycling mode share.

Construction and servicing

TfL require a completed construction and servicing methodology plan and a servicing plan prior to the Mayor's decision-making stage.

Officer Note:

Urban Design – The applicants have submitted revised plans providing full details of the materials proposed. These are considered to be acceptable by Officers and have also been forwarded to the GLA.

Sustainable Development – The applicants have submitted an updated energy strategy incorporating the additional information sought by the GLA. The updated energy strategy has been submitted to the GLA by the applicants.

Transport Matters - In terms of segregated cycle routes, Yewtree Avenue within the site has a shared pedestrian/cycle route. The agents have advised however that it would not be possible to provide segregated cycle routes along the access road to Dagenham Road as this is not within the gift of the applicant due to land ownership. However the submitted plans have been amended to provide improved access within the applicant's site ownership. Ancillary facilities for cyclists would be provided in the office element of each building.

In terms of lighting, the applicant has submitted a lighting strategy however they have advised that the northern road access between the car park serving the development and Dagenham Road is outside their ownership. However, lighting columns currently exist along the access road owned by Londoneast-UK.

The applicants have advised that as the proposal is for a data centre facility, there is no functional requirement for operational HGV parking and the loading bays are necessary only to facilitate the fit out and any computer upgrades over time. However the submitted plans have been revised to provide 1 x HGV parking space for each plot which incorporates electric charging provision.

The agents have submitted an updated Delivery and Servicing Plan and have supplemented the application with a Construction Logistics Travel Plan and a Construction Traffic Management Plan to address TfL's concerns. These were forwarded to TfL prior to the receipt of the Mayor's stage 1 response.

Matters relating to car parking and cycle parking are addressed in the main body of this report.

3.3 Transport Development Management

The Transport Development Management Team's only concern related to the surface material indicated for the gated emergency vehicular access across Fox Lane.

Officer Note: The development no longer proposes any vehicular emergency access to the substation via the May & Baker Sports Club car park. All vehicular access relating to the development including access to the substation for maintenance purposes will be via Yewtree Avenue.

3.4 Environmental Protection Team

A comprehensive report covering matters relating to air quality, noise emissions, potential light pollution, land quality considerations, fuel storage and construction phase impacts has been provided. The Environmental Protection Team has no objections to the proposal subject to recommended conditions being imposed.

Officer Note: Suggested conditions will be imposed.

3.5 Historic England

The Archaeological Watching Brief Written Scheme of Investigation submitted with the application is approved. No pre-commencement conditions are necessary for this application.

3.6 London Fire and Emergency Planning Authority

Access is required to 75% of the perimeter of Building 1. Access is required to 100% of the perimeter of Building 2. Access to ancillary buildings is deemed satisfactory.

Access roads should be a minimum of 3.7m in width between kerbs and be capable of supporting a vehicle with a minimum carrying capacity of 14 tonnes. For high reach vehicles this should be 23 tonnes.

Any dead end access road in excess of 20m in length should be provided with adequately sized turning facilities.

Officer Note: The agents have confirmed that the above comments will be complied with and that all points highlighted in the Brigade's consultation response will be assessed against the relevant approved documents of the Building Regulations. Further consultation with the Local Fire Authority will also be carried out.

3.7 Environment Agency

The proposed development site has a long history of contaminative land use and has been the subject of extensive soil and groundwater remediation. Whilst the soil and groundwater remediation within the proposed development site is complete, with respect to agreed remediation criteria, it is likely that previously unidentified residual contamination "hot spots" will remain.

It is also understood that soil and groundwater remediation activities are on-going in areas immediately adjacent to the proposed development site. The legacy of contamination and the on-going remediation activities elsewhere at the site have been recognised and the information submitted provides confidence that it will be possible to undertake the proposed development without causing further pollution of controlled waters. Given the legacy of contamination at the site we recommend several planning conditions relating to aspects of the proposed development that could result in the pollution of controlled waters. Without these conditions we would object to the proposal in line with paragraph 109 of the National Planning Policy Framework because it cannot be guaranteed that the proposed development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Officer Note: The recommended conditions will be imposed.

3.8 Drainage and Flooding Team

The Drainage and Flooding Team raised a number of initial comments and sought clarification on a number of points with regards to the submitted drainage strategy. Following clarification and the submission of additional information by the agents, the Drainage and Flooding Team find the proposal acceptable.

Officer Note: A condition will be imposed on the application requiring that the development is implemented in accordance with the submitted drainage strategy.

3.9 Designing Out Crime Officer

A comprehensive response has been provided covering matters relating to boundary protection, sub-station perimeter, vehicle and pedestrian gates, materials in relation to the construction of the buildings including the gatehouse, cabling, cycle and bin stores however no objection to the proposal has been raised.

Officer Note: The comments have been forwarded to the applicants and they have confirmed that the recommendations will be incorporated into the development.

3.10 Thames Water

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water advise that with regard to sewerage infrastructure capacity, they have no objection to the planning application.

Officer Note: Thames Water comments have been forwarded to the agents.

3.11 Transport for London (TfL)

TfL comments have been incorporated into section 3.2 above.

3.12 Refuse Team

6 Euro bins for a single bin store location would be required comprising a minimum of 2 recycling bins and 4 for general refuse.

The refuse stores should be with secure access, 2 m width access throughout from the store to the collection point, and with adequate signage of materials collected.

The access road must be capable of safely accommodating 26 tonnes refuse collection vehicle of the following dimensions: 9.8 metres length x 4 metres high x 2.5 metres wide and allow smooth turning and reversing.

The bin pull distance for the operatives from the refuse store to the vehicle layby collection point is recommended to be below 20 metres for operational efficiency.

It is recommended to have a sustainable waste management strategy in the proposed development to minimise waste and increase energy efficiency.

Officer Note: The above comments have been forwarded to the agents who have confirmed that refuse bins would be provided in accordance with the comments received above.

3.13 London Underground Ltd

London Underground consider that, whilst they have no objections in principle to the planning application, there are a number of potential constraints on the redevelopment of a site close to railway infrastructure. Therefore, it will need to be demonstrated to the satisfaction of London Underground Engineers that:

- London Underground's right of support are not compromised.
- The development will not have any detrimental effect on London Underground structures either in the short term or long terms.
- The design must be such that the loading imposed on London Underground structures is not increased or removed.
- London Underground offer no right of support to the development or land.

To this effect London Underground have requested a condition requiring a detailed design and method statement for each stage of the development.

Officer Note:

London Underground has been advised that the development would not involve piled foundations and would be set 35 metres away from London Underground land and as such it is not expected that London Underground Assets would be harmed.

In the absence of a further response from London Underground, Officers consider that, to adequately protect London Underground infrastructure, the suggested condition should apply prior to the commencement of building 2 which is the building closest to the London Underground infrastructure. Officers do not consider that it would be necessary to apply the condition in relation to building 1 which is further away.

3.14 Network Rail – No response received.

3.15 The Ramblers Association – No response received.

3.16 London Borough of Havering – No response received.

3.17 Bardag Angling Association – No response received.

3.18 Arboricultural Officer

The applicants have put some good ideas forward here to blend the environment to the boundary.

There are no objections to the proposal.

4. Local Finance Considerations

4.1 The proposed development would be liable for the Mayoral Community Infrastructure Levy (CIL) at a rate of £20 per square metre (index linked from 2012) and the Borough

CIL at a rate of £5 per square metre (index linked from 2015). This would result in a total Mayoral contribution of £1,055,946.00 and a Borough contribution of £263,986.50.

5. Equalities Considerations

- 5.1 The Council's decision must be made with due regard to the impact (positive and negative) of the proposals on members of the community who share a characteristic protected under the Equality Act 2010. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Of particular note, the buildings have been designed to be fully accessible and conditions are proposed to ensure that at least 10% of the car parking spaces proposed are accessible.

6. Analysis

6.1 Principle of Development

- 6.1.1 Paragraph 18 of the National Planning Policy Framework (NPPF) states that the Government is committed to securing economic growth in order to create jobs and prosperity. Paragraph 19 of the NPPF states that 'significant weight should be placed on the need to support economic growth through the planning system.' Paragraph 42 of the NPPF states that advanced, high quality communications infrastructure is essential for sustainable economic growth and that the development of high speed broadband technology and other communications networks play a vital role in enhancing the provision of local community facilities and services.
- 6.1.2 Policy 2.7 of the London Plan seeks to address constraints and opportunities in the economic growth of outer London so that it can rise above its long term economic trends by amongst other things; enabling existing sources of growth to perform more effectively and increasing the competitive attractiveness of outer London for new sectors or those with the potential for step changes in output. Policy 4.11 of the London Plan requires the provision and delivery of the information and communications technology (ICT) infrastructure that a modern and developing economy needs, particularly to ensure: adequate and suitable network connectivity across London (including well designed and located street-based apparatus); data centre capability; suitable electrical power supplies and security and resilience; and affordable, competitive connectivity meeting the needs of small and larger enterprises and individuals.
- 6.1.3 At the local level the site is covered by policy SSA SM5 of the Site Specific Allocations Development Plan Document (DPD) as part of a key regeneration area within the Borough. Policy SSA SM5 advises that the site has the potential for a number of uses including amongst other things employment (B1, B2, B8) and datacentres are considered to fall within Use Class B8.
- 6.1.4 Whilst policy SSA SM5 makes reference to B8 uses on the wider Sanofi site, it is important that any development proposals do not conflict with Policy CE4 of the Core Strategy which seeks to concentrate B8 uses south of the A13 (except Dagenham Dock) where locational advantages associated with transport infrastructure, proximity to the River Thames and the reduced impact on residential areas are greatest.

- 6.1.5 The development will result in a total of 53,521.64m² GEA of B8 floorspace however the operational characteristics of data centre buildings do not give rise to the same level of activity normally associated with B8 uses which can cause local concerns such as traffic generation for example.
- 6.1.6 There would be approximately 66 employees which will comprise project and/or technical staff on site staff with approximately a maximum of 46 on site at any one time. Throughout the course of a day there will be three shift patterns, 7am-3pm, 3pm to 11pm and 11pm – 7am. In addition, there will be facilities management staff (30 employees) with 10 on site at any one time and security staff (approximately 14) with 6 on site at any one time. Further staff visiting the premises or tenant personnel would be up to a maximum of 40 individuals.
- 6.1.7 Given the shift pattern structure to the operation of the data centres, it is considered that the proposed development would not conflict with either policies SSA SM5 and CE4. This is discussed in more detail in the Transport section of this report.
- 6.1.8 The employment opportunities offered by the development (approximately 110 permanent jobs) will contribute to the economic growth of the borough in line with the NPPF and policies 2.7 and 4.11 of the London Plan. The number of employment opportunities would be a notable reduction (an estimated average 660 jobs for Area 4a, average 204 jobs for Area 4b and 273 jobs for Area 3) for this part of the wider site as estimated to be achieved under outline planning permission 11/01044/OUT. However the employment opportunities proposed under this planning application would be technical in nature and generate skilled employment, the type of which Officers consider would be beneficial for this site and would be encouraged. Moreover the applicant is seeking to collaborate with local educational establishments such as Barking and Dagenham College and Coventry University London to develop and promote new courses which will enable local people to be provided with the necessary education and technical skills to be able to obtain future employment in the proposed development.
- 6.1.9 Officers consider that the provision of digital technology provided by the datacentre buildings fits in well with the existing and planned uses for the wider former Sanofi site, This includes the existing East London University Technical College, the Londoneast UK Business and Technical Park and the proposals for film studios. Combined these have the potential to transform the local economy providing new jobs in growth sectors in line with the Borough Manifesto. It is also in line with the focus on economic growth in the NPPF, London Plan and Local Plan.

6.2 Layout, Design and Appearance

- 6.2.1 In terms of layout, the two datacentre buildings will be sited within a secure compound and arranged on a horizontal axis parallel to the railway line. Building 1 will be sited to the north and building 2 to the south. The gatehouse building which will be the first point of contact for visitors is sited along the western boundary of the site and the electricity substation located on the far north western corner of the site.
- 6.2.2 The remainder of the site will comprise an internal access road that leads to the security gates and gatehouse building. Car parking spaces for building 1 will be located on the north western part of the site whilst the car parking spaces for building 2 will be located near the southern and western boundaries of the site.

- 6.2.3 The datacentre buildings are rectangular in shape and would measure up to 212m long, 70m wide and between 21m-23m high. The gatehouse building will be single storey and measure 11m x 21m and 4.5 metres in height. The substation will measure 56m x 7m.
- 6.2.4 In terms of scale, form and massing, the two datacentre buildings are substantial in form and massing and will be visible from various public vantage points. The size and scale of the datacentres are however, necessary in order to meet the form and functions required by the eventual occupiers of the buildings. In terms of immediate reference points, the building commonly known as the 'cube' building within the London East Business and Technical Park measures 17 metres in height with an overall height of some 30 metres to the top of the chimney of this building. The applicants have sought to design the development to provide visual interest to key viewpoints into and through the site. Both datacentre buildings have offices on their western facades which would figure prominently in views of the buildings when approaching them from the main access to the west,
- 6.2.5 The two buildings will differ slightly in design with building 1 comprising generators and other plant mounted externally to the main data halls, whereas building 2 will incorporate generators and plant internally. The reason for the two alternative designs is that building 1 has a bespoke design for a particular occupier whereas building 2 has a standard design for datacentre buildings for future potential occupiers.
- 6.2.6 With regards to the generators themselves, it is necessary for data centres to be capable of running 24 hours a day, 7 days a week and therefore each building includes a number of emergency generators capable of providing 100% of the power needed to run each building should there be a local outage of power from the national grid. In terms of noise emitted from these generators and impact on residential properties, the application has been accompanied with an acoustic report that demonstrates that against a scenario where noise levels are most sensitive and in this instance at night time, typical noise levels from the datacentre buildings will be below the accepted standard for night time noise levels.
- 6.2.7 In terms of their appearance, the buildings have been designed to provide visual interest through the use of Kingspan external wall cladding panels in various shades of green including olive green, leaf green and khaki green for example. On all the elevations with the exception of the western elevation of both buildings this will create a gradient like effect with the darkest green at the bottom and the lightest at the top. The western elevations of both buildings will be wholly clad in leaf green. The gatehouse building would also be similarly clad.
- 6.2.8 These buildings are adjacent to the green belt which includes the Eastbrookend Country Park, the Chase and Beam Valley Country Park which are also Sites of Importance for Nature Conservation. The applicant has submitted a Visual Impact Assessment which shows how the buildings would appear in views from 18 locations inside and outside the green belt during the summer and winter including views from Havering. The buildings will be visible in some views but the cladding of the buildings helps mitigate this impact so that they are not overly intrusive. The three warehouses that have recently been constructed directly to the west of the site measure 15 metres in overall height thus the datacentre buildings will only be between 6-8 metres higher than these buildings. Therefore officers consider that the visual impact is acceptable. The impact on neighbouring residential occupiers is also acceptable. The closest residential properties to the development are located in Winstead Gardens which are

separated from the closest datacentre building (building 1) by some 396 metres. In addition to this there are intervening buildings within the Londoneast UK Business and Technical Park that would provide a visual barrier.

6.2.9 Overall officers consider that the buildings have attempted to incorporate design features where possible to provide visual interest to the development to provide relief to these functional buildings. Therefore, the development is considered to be acceptable and in accordance with policies CP3 of the Core Strategy and BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

6.3 Access, Transportation and Car Parking

6.3.1 This part of the wider Sanofi site has a PTAL (Public Transport Accessibility Level) of between 0 (worst) to 1b (low) on a scale of 0-6 where 6 is excellent and therefore has a low PTAL rating.

6.3.2 In terms of access arrangements for the site, given the sensitive nature of the development, there will be a requirement to provide strict access arrangements to the compound. Access restriction measures would be in place from the point of entry to the site from the internal access road that joins Yewtree Avenue and from the car parking spaces in the existing May and Baker Sports Club car park.

6.3.3 The gatehouse will control access for visitors to each building plot. All visitors are required to report to the gatehouse whereby once they have passed security checks they are then escorted to the relevant datacentre building. Members are advised that there will be no vehicular access permitted from the May & Baker Sports Club car park and across Fox Lane to the site.

6.3.4 With regards to cycle parking, Table 6.3 of the London Plan requires that for B8 uses 1 space per 500m² of floorspace is required for long stay cycle parking and 1 space per 1,000m² of floorspace is required for short stay parking. In this regard the London Plan seeks a minimum of 107 long stay and 54 short stay spaces. The development will provide 120 long stay spaces however no short stay spaces are proposed for this development.

6.3.5 Datacentres are typically high security and do not receive “visitors”, therefore in this instance it is considered that the 54 short stay spaces, could be underutilised if used at all. On balance it is therefore considered that the 120 spaces proposed would be sufficient to meet the requirements of this particular type of development as this would be far greater than the number of staff on the site at any one time.

6.3.6 Given the contained nature of the development, it would not be feasible to introduce substantial cycle routes within the site. However the development makes provision for a path to be used by both pedestrians and cyclists from the May & Baker car park to the wider Sanofi site to the south. In order to ensure that priority is maintained across Fox Lane for walkers and pedestrians, there would be two turnstiles at the point of exit on the May & Baker Car Park and entry into the wider site and vice versa. This essentially means that cyclists would need to dismount to cross Fox Lane. Within the wider Sanofi site, Yewtree Avenue incorporates a shared pedestrian/cycle parking route which will be utilised by cyclists arriving to the site from Rainham Road South.

6.3.7 With regards to car parking, The London Plan sets the same parking standards for B1, B2 and B8 employment uses as a starting point. In this regard the London Plan sets a

range of between 100-600 spaces per square metre of gross floorspace. The proposal will comprise 52,797m² of gross internal floor area resulting in a car parking range of a minimum of 528 spaces and a maximum of 880 spaces.

- 6.3.8 The development will provide 149 car parking spaces and this is considered to be more than sufficient for the needs of the data centres. The car parking spaces will comprise 59 parking spaces on site within the compound of the datacentre buildings and 90 parking spaces off site within the May & Baker Sports Club car park. 16 of these spaces will be accessible and this is in accordance with the London Plan. 20% of the total provision will be equipped with electric vehicle charging points with the remaining 80% will have passive charging points. Each plot will also have 1 HGV parking space with charging provision. The amount of electric vehicle charging provision is considered to be acceptable and in accordance with the London Plan requirements.
- 6.3.9 Members are reminded that the outline planning permission that was granted for the wider Sanofi site allowed the provision of 790 parking spaces to be accessed from Rainham Road South. This was based on the capacity that the signalised junction that is located directly outside on Rainham Road South could accommodate.
- 6.3.10 The allocation of the 790 spaces between the development plots (Areas 1,2,3,4a, 4b, 5 and 6) approved under the outline planning permission was agreed through a car parking management plan. In this regard areas 3, 4a and 4b which form a substantial part of the land that is the subject of this planning application were allocated 149 spaces of which 59 spaces would be accessed from Rainham Road South. Therefore, the proposal does not seek any additional car parking provision than that which was approved on the site under a previous planning application.
- 6.3.11 In terms of impact on the local highway network, the submitted Transport Statement suggests that the development would in fact have an overall reduction in traffic flow associated with the developments previously approved on the site and which this application seeks to replace. Previous proposals on the site were for business units, a health facility, and a training centre. In this regard the Transport Statement identifies that there would be considerable reduction in weekday AM and PM inbound and outbound site movements associated with the datacentres. There would be an 89% decrease in inbound movements and 73% decrease in outbound movements during the AM period and an 82% decrease in inbound movements and 88% decrease in outbound movements during the PM period.
- 6.3.12 The Transport Development Management Team have been consulted and have raised no objections to the proposal.

6.4 Sustainability and Energy

- 6.4.1 The development would achieve a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'Very Good' and this is acceptable and in accordance with policy.
- 6.4.2 Policy 5.2 of the London Plan requires that the buildings achieve a minimum of 35% reduction in CO₂ emissions beyond Part L of the Building Regulations 2013. The proposed development is anticipated to achieve 40.3% reduction in carbon dioxide emissions for the office elements of the development. The carbon reduction relates to the office elements only due to the difficulty of reducing carbon dioxide emissions in a

datacentre building by virtue of their nature and energy consumption. The carbon dioxide reduction will be achieved through improving U values, using high efficiency VRF (Variable Refrigerant Flow) systems to provide cooling for the office areas, use of air source heat pump boilers and solar PV panels of which there would be an installation of between 3,800 and 4,100 solar panels.

- 6.4.3 The development would also include measures to provide potential heat reclaim opportunities for other future developments across the wider site if required. This would involve the utilisation of heat rejected from one of the site condenser water circuits to provide a low-grade heat connection at the site boundary for use by neighbouring properties.
- 6.4.4 The proposal therefore accords with policies BR1 and BR2 of the Borough Wide Development Policy DPD and policy 5.2 of the London Plan.

7. Conclusion

- 7.1 The proposed development will deliver sustainable growth in line with the Borough Manifesto, London Plan and Local Plan.
- 7.2 The development would provide new employment opportunities by delivering approximately 110 permanent jobs in a growing sector of the economy. The applicants would be seeking to work with local educational establishments in order to assist in developing courses which will enable local people to have access to education that will give them the opportunity to obtain future employment in the development.

Background Papers

- Planning Application File

<http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P36CR8BLKM300>

- **Local Plan Policy**

Core Strategy (July 2010)

Policy CM1 General Principles for Development
Policy CM4 Transport Links
Policy CR1 Climate Change and Environmental Management
Policy CP3 High Quality Built Environment

Borough Wide Development Policies Development Plan Document (March 2011)

Policy BR2 Energy and On-Site Renewables
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 BC7 Crime Prevention
Policy BP3 Archaeology
Policy BP5 External Amenity Space
Policy BP8 Protecting Residential Amenity
Policy BP11 Urban Design

- London Plan Policy (2016)

Policy 2.7 Outer London: Economy
Policy 4.11 Encouraging a Connected Economy
Policy 2.14 Areas for Regeneration
Policy 5.2 Minimising Carbon Dioxide Emissions
Policy 5.3 Sustainable Design and Construction
Policy 5.7 Renewable Energy
Policy 5.10 Urban Greening
Policy 5.13 Sustainable Drainage
Policy 5.21 Contaminated Land
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking

- Draft London Plan (December 2016)

Policy GG1 Building Strong and Inclusive Communities
Policy GG5 Growing a Good Community
Policy D2 Delivering Good Design
Policy D3 Inclusive Design
Policy E11 Skills and Opportunities for All
Policy G5 Urban Greening
Policy SI3 Energy Infrastructure
Policy SI6 Digital Connectivity Infrastructure
Policy SI13 Sustainable Drainage
Policy T5 Cycling
Policy T6 Car Parking
Policy T6.5 Non-residential Disabled Persons Parking

- **National Policy**

National Planning Policy Framework
National Planning Practice Guidance