



Havering

LONDON BOROUGH

STRATEGIC PLANNING COMMITTEE AGENDA

7.00 pm

Thursday
28 September 2023

Council Chamber,
Town Hall, Main Road,
Romford RM1 3BD

Members 7 Quorum 3

COUNCILLORS:

**Conservative Group
(3)**

Ray Best
John Crowder
Dilip Patel

**Havering Residents'
Association Group
(3)**

Laurance Garrard (Chairman)
Reg Whitney (Vice-Chair)
Bryan Vincent

**Labour Group
(1)**

Jane Keane

**For information about the meeting please contact:
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Under the Committee Procedure Rules within the Council's Constitution the Chairman of the meeting may exercise the powers conferred upon the Mayor in relation to the conduct of full Council meetings. As such, should any member of the public interrupt proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting while this takes place.

Excessive noise and talking should also be kept to a minimum whilst the meeting is in progress in order that the scheduled business may proceed as planned.

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will details of announce action in the event of fire or other event requiring the evacuation of the meeting room or building.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point in the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 4)

To approve as a correct record the minutes of the meeting of the Committee held on 8 June 2023 (attached) and to authorise the Chairman to sign them.

5 DEVELOPMENT PRESENTATIONS (Pages 5 - 6)

Explanatory notes attached.

6 PROPOSED DATA CENTRE CAMPUS AND ASSOCIATED DEVELOPMENT (Pages 7 - 12)

Report attached.

Zena Smith
Head of Committee and Election
Services

Public Document Pack Agenda Item 4

**MINUTES OF A MEETING OF THE
STRATEGIC PLANNING COMMITTEE
Council Chamber, Town Hall, Main Road, Romford RM1 3BD
8 June 2023 (7.40 - 9.00 pm)**

Present:

COUNCILLORS 7

Conservative Group	John Crowder, Ray Best and +Carol Smith
Havering Residents' Group	Reg Whitney (Chairman), Bryan Vincent and Gerry O'Sullivan
Labour Group	Jane Keane

Councillors Matt Stanton, Graham Williamson, Philippa Crowder and Mandy Anderson were present at the meeting.

There two members of the public and the press also present at the meeting.

The Chairman reminded Members of the action to be taken in an emergency.

22 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Laurence Garrard who was substituted by Councillor Gerry O'Sullivan and Councillor Dilip Patel who was substituted by Councillor Carol Smith.

23 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

24 MINUTES

The minutes of the meeting held on 20 April 2023 were agreed as a correct record and signed by the Chairman.

25 LAND NORTH OF FEN LANE, NORTH OCKENDON, UPMINSTER

The Committee received a presentation from the Director of Planning & Public Protection for the Land North of Fen Lane., North Ockendon, Upminster.

Members of the Committee were briefed on the process through which this proposal will be further explored.

It was noted that there were three routes through which the proposal could be considered. The making of a Local Development Order (LDO) by the Council, application by the developer for planning permission and using the Local Plan refresh to designate the subject site for development in the manner proposed followed by the submission of a planning application.

The Committee noted that officer have reached a decision to explore the proposal through an LDO which is a legally binding document which provides permitted development rights for specified types of development.

Members noted the following process that would be required:

Stage 1 - LDO Preparation: the LPA prepares a draft of the Order and a statement of reasons which includes the description of the development to be permitted and a definition of the area it effects, together with the case for making the Order plus other supporting documents.

Stage 2 - LDO Consultation and Publicity: the LPA consult on the Order. Consultation is undertaken with those that would have been notified/engaged with had a planning application been submitted. This includes local residents and statutory consultees. A site and press notice would be published. The draft Order, statement of reasons and other supporting documents would be made available for review online and in key, in person, locations.

Stage 3 - Consideration of Representations: Following a review of the representations received, the LPA considers whether any revision is needed to the draft LDO and as a consequence, any re-consultation is needed.

Stage 4 - LDO Adoption: the LDO is formally made by the LPA through a resolution to do so. The LDO (and all of its documentation) is sent to the Secretary of State and placed on the Planning Register.

The report sought the Committee's agreement to begin informal consultation, so that officers have a justification for pursuing the matters via the LDO process.

The Committee noted the content of the report.

26 **P1597.22 - 80 COURIER ROAD RAINHAM RM13 8EU**

The report before the Committee was an application seeking approval for an construction of industrial buildings (use class e(g) (iii), b2, b8) with ancillary offices and gatehouse, new vehicular access from courier road (including use of existing emergency access), with pedestrian link from courier road, cycle, motorcycle, car, van, and HGV parking, hardstanding and circulation

areas, sprinkler tanks, pump house, pumping station, substation(s), plant enclosures and all other ancillary and enabling works including remediation, landscaping, drainage, engineering, ground stability works, construction and boundary treatment.

Following consideration, it was **RESOLVED** that **PLANNING PERMISSION BE GRANTED** subject to conditions outlined in the report.

The vote for the resolution to grant planning permission was granted by 6 votes to 0 with 1 abstention.

Chairman

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Development Presentations

Introduction

1. This part of the agenda is for the committee to receive presentations on proposed developments, particularly when they are at the pre-application stage.
2. Although the reports are set out in order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a specific application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Advice to Members

4. These proposed developments are being reported to committee to enable Members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage (unless otherwise stated in the individual report) and any comments made are provisional and subject to full consideration of any subsequent application and the comments received following consultation, publicity and notification.
5. Members of the committee will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Council's Constitution). Failure to do so may mean that the Member will not be able to participate in the meeting when any subsequent application is considered.

Public speaking and running order

6. The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Applications for Decision" parts of the agenda. Therefore, reports on this part of the agenda do not attract public speaking rights, save for Ward Members.
7. The items on this part of the agenda will run as follows:
 - a. Officer introduction of the main issues
 - b. Developer presentation (20 minutes)
 - c. Ward Councillor speaking slot (5 minutes)
 - d. Committee questions
 - e. Officer roundup

Late information

8. Any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Update Report.

Recommendation

9. The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The reports are presented as background information.

 <p>Havering LONDON BOROUGH</p>	<p>Strategic Planning Committee 28 September 2023</p>
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Location: LAND NORTH OF FEN LANE, NORTH
OCKENDON, UPMINSTER

Ward: UPMINSTER

Description: PROPOSED DATA CENTRE CAMPUS
AND ASSOCIATED DEVELOPMENT

1 BACKGROUND

- 1.1 Members will recall that an initial developer presentation was made to Strategic Planning Committee on 20th April 2023 to introduce the proposal. Within the report, it was stated that the exact planning vehicle or process to bring the proposal forward had not been decided.
- 1.2 A second briefing was made to the Strategic Planning Committee on 8th June 2023 to explain the three routes through which this proposal could be considered and to advise that a decision had been reached by officers to explore the proposal through the lens of an LDO. The briefing explained what an LDO is and set out the process for making an LDO. The report clarified that this is not to say that a LDO will be made, because that decision can only be reached at the end of a detailed process which fully considers all of the material planning issues. Rather, the decision which has been taken results in efforts now being channelled into a particular process.
- 1.3 The purpose of this third report is to update the committee on the work undertaken since the previous briefing.

2 PROPOSAL AND LOCATION DETAILS

- 2.1 To recap, details regarding the site and its surroundings plus details of the proposals are set out below.

Site and Surroundings

- The site is located to the eastern side of the Borough, beyond the M25 and adjoins the boundary with Thurrock.
- The site measures approximately 200 hectares in area consisting mainly of open farmland.
- The site is located to the north of Fen Lane and east of Ockendon Road. The site is mainly surrounded by similar open farmland, although opposite Fen Lane is Top Meadow Golf Course and there is sporadic residential/commercial including a care home and sewerage treatment works close to the site. Approximately 450m north to the closest part of the site is the Warley Electricity Substation.
- The site is in an area designated as Green Belt. Other on-site designations on parts of the site include Mineral Safeguarding, Flood Zones, Site of Importance for Nature Conservation and Archaeological Priority Zones.
- A public footpath runs through the site. A high pressure gas pipeline also runs across the site.
- The North Ockendon Conservation Area and associated listed buildings are to the west of the site

Proposal

- The proposal is for a data centre campus comprising a number of buildings containing information technology infrastructure. It is envisaged that the total floorspace of the data centre buildings would be in the region of 330,000 sq m, which at the time of writing would be the largest data centre in Europe.
- The proposal also includes the following:
 - Technology-led horticulture/research facility in building(s) of circa 40,000 sq m.
 - 50,000 sq m of battery storage or grid balancing infrastructure o Green open space, including visitor facilities, biodiversity, research areas - in total covering about half of the site (105 hectares)
 - New vehicular accesses to the site would be formed.
 - The level of parking is to be confirmed, but each building would have its own parking and loading areas. Details of cycle parking provision are to be confirmed.

Local Development Orders

2.2 To recap, a summary of the LDO process is set out below.

- 2.3 An LDO is a legally binding document which provides permitted development rights for specified types of development. The power to make an LDO rests with the Council in its capacity as Local Planning Authority (LPA), under the provisions contained in the Town and Country Planning Act 1990, as amended.
- 2.4 Making an LDO removes the need for a planning application to be made by a developer or landowner. In effect, the 'permission' is granted upfront by the making of the Order.
- 2.5 The process for making on LDO is
- Stage 1 - LDO Preparation: the LPA prepares a draft of the Order and a statement of reasons and other supporting documents
 - Stage 2 - LDO Consultation and Publicity: the LPA consult on the Order. Consultation includes local residents and statutory consultees.
 - Stage 3 - Consideration of Representations: The LPA considers whether any revision is needed to the draft LDO and as a consequence, any re-consultation is needed.
 - Stage 4 - LDO Adoption: The LDO is formally made by the LPA through a resolution to do so. The LDO (and all of its documentation) is sent to the Secretary of State and placed on the Planning Register.
- 2.6 The Committee has an important role in the consideration and ultimate making of any LDO for this particular project. If an LDO were to be progressed SPC would be required to approve the statutory consultation on the draft LDO and approve the final making of the LDO.
- 2.7 It is important to note that making an LDO does not obviate the need to meet the requirements of environmental legislation. The LPA is responsible for making sure that requirements under the Environment Impact Assessment Regulations and Habitats Regulations are satisfied.

3 UPDATE ON PROGRESS

- 3.1 It is important to re-iterate that this report does not mean that an LDO will be made. As stated previously, that decision can only be reached at the end of a detailed process which fully considers all of the material planning issues. However, as set out in the report to committee in June 2023, the decision that has been taken results in efforts now being channelled into the LDO process. A summary of the progress is set out below for information.

Environmental Impact Assessment (EIA)

- 3.2 In June 2023, screening and scoping requests were submitted to the LPA on behalf of Digital Reef on the basis of whether a planning application, if submitted for the development would need an EIA (reference numbers Z0003.23 and Z0002.23 respectively)
- 3.3 On 18th August 2023 the LPA issued a screening opinion that the proposed development would constitute EIA development in light of the likely possible impacts which the development would have on environmental resources in the locality and on a wider scale, mitigation of which should be set out in an Environmental Statement accompanying any planning application.
- 3.4 In accordance with Regulation 15 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), where a proposal is EIA development, the local planning authority may state in writing its opinion as to the scope and level of detail of the information to be provided in the environmental statement (a 'Scoping Opinion').
- 3.5 The LPA is currently consulting statutory consultees and following consideration of the consultation responses will issue a scoping opinion in due course. If an LDO is progressed it will have to be subject to its own screening opinion, the scoping process is optional.

Appointment of specialist advisors

- 3.6 At the previous SPC meeting, Members were keen to understand how this project would be resourced within the Planning Team.
- 3.7 The LPA has since appointed a number of specialist advisors who will work with the LPA to progress key aspects of the project.
 - Ramboll – a global engineering, architecture and consultancy company have been appointed to undertake the Environmental Impact Assessment for the project on behalf of the LPA. Ramboll are highly experienced and qualified EIA specialists.
 - Adams Hendry Consulting Ltd – a chartered town planning consultancy have been appointed as planning advisors. Adams Hendry have extensive LDO experience and will support the LPA in fully considering all of the material planning issues. If an LDO is progressed, Adams Hendry will work with the LPA to prepare the LDO documentation.

- 3.8 Alongside the specialist advisers, programme management resource has also been made available to the Planning Team. It is the intention to appoint a dedicated planning case officer to the project. Until such time as this person is in post, duties and responsibilities are being carried out by those Officers within the team already familiar with the project.

Informal engagement

- 3.9 The 8th June 2023 report set out the role of the SPC in the LDO process, indicating that it was the intention to report to SPC at key milestones to seek agreement to progress to the next stage. The next milestone envisaged at that time was a decision to begin informal consultation.
- 3.10 Since that report, Officers have carefully considered the level of information that would be needed to be available to ensure that the consultation, despite its informal status, would still be meaningful for stakeholders and residents. The conclusion reached is that it is more appropriate to concentrate efforts on analysis and document production ahead of any formal consultation rather than consult prematurely, within limited information, on an informal basis. This also means that SPC would have more detail available at the point at which the decision to begin formal consultation is sought.

Next Steps

- 3.11 Now that consultants have been appointed, the next step is to formulate a draft Statement of Reasons, informed by all the current information about the proposal, including survey work together with a policy assessment of the scheme and identified further survey information. The draft Statement of Reasons will allow a decision to be made whether to follow the LDO route. Running parallel to that will be the preparation of the Environmental Statement described above.

4 CONCLUSIONS

- 4.1 The purpose of this report is to update the committee on the work undertaken on this project since the previous briefing.
- 4.2 The committee is asked to note the content of this report.

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