

# REGULATORY SERVICES COMMITTEE

# REPORT

13 October 2011

**Subject Heading:**

P1137.11 – Former Hubbinet Site, King George Close, Romford

2-storey data centre with associated office accommodation and internal and external plant, including an energy centre

(Application received 29<sup>th</sup> July 2011. Revised drawings received 27<sup>th</sup> September 2011)

**Report Author and contact details:**

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**Policy context:**

Local Development Framework, London Plan, Planning Policy Statements/Guidance Notes

**Financial summary:**

None

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	[ ]
Excellence in education and learning	[ ]
Opportunities for all through economic, social and cultural activity	[ ]
Value and enhance the life of every individual	[X]
High customer satisfaction and a stable council tax	[ ]

## SUMMARY

The proposed development comprises the construction of a Data Storage Centre (DSC) consisting of B1 and B8 uses. The facility will comprise of a 2-storey main

building (measuring 5.990sq metres) and an energy centre building (measuring 2.375sq metres) with ancillary office accommodation. There will be a new access and security hut with fencing around the site.

The proposal would provide 36 parking spaces for cars and HGV lorries (including 5 disabled bays) with 28 spaces for motorcycles and bicycles.

36 car parking spaces (10 spaces specifically designated for staff), 5 disability spaces, 5 motorcycle spaces and 24 cycle spaces.

Staff consider the relevant issues to particularly include the principle of the development, the effect of the development upon the character of the street scene, the impact upon the amenities of existing adjoining residential occupiers, amenity space and car parking provision for the existing and proposed occupiers and highways considerations.

Revised drawings were received on 27<sup>th</sup> September which indicates an additional fire escape to the southern elevation to comply with fire safety regulations.

Staff recommend that planning permission be granted.

## RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A planning contribution for the sum of £10,000 to be used to improve the footway around the site and / or works to prevent Heavy Good Vehicles parking on the local footway.
- Apprenticeship opportunities during the construction phase of the development to contribute towards employment and skills activity. The number of apprenticeships to be agreed.

That Staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1) Time Limit: The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:

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

2) Materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

3) Landscaping: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:

In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document

4) In accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

5) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6) Construction Methodology: Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:

To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

7) Parking: Before the building(s) hereby permitted is first occupied, provision shall be made within the site for 8 car parking spaces and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that adequate car parking provision is made off street in the interests of highway safety.

8) Land contamination: Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

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

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

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and

e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, "Land Contamination and the Planning Process".

Reason:

To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

9) Noise levels: Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

10) Sustainability Statement: No occupation of the development shall take place until the developer provides a copy of the final Building Research Establishment (BRE) certificate confirming that the development design and final construction achieves the minimum BREEAM (Data Centre) rating required of "Very Good". The development shall be carried out in full accordance with the agreed Sustainability Statement and a BREEAM Post Construction Assessment shall be carried out on all or a sample of the development to ensure that the required rating has been achieved.

Reason:

In the interests of energy efficiency and sustainability in accordance with DC49 Sustainable Design and Construction and Policy 5.5 of the London Plan (2011).

11) Energy Statement: The renewable energy system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason:

In the interests of energy efficiency and sustainability in accordance with DC50 Renewable Energy and Policy 5.7 of the London Plan (2011).

12) Finished Floor Levels: The development hereby permitted shall not be commenced until such time as a scheme to ensure finished floor levels are set no lower than 8.5m above Ordnance Datum (AOD) has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason:

To reduce the risk of flooding to the proposed development and future occupants.

13) Surface Water Drainage: Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include an attenuation system providing 50% attenuation of the undeveloped sites surface run off, 27.2 litres per second for the 1:30 year event and 31.6 litres per second for the 1:100 year event (section 3.2, page 6 and section 4, page 10).

Reason:

To prevent the increased risk of flooding, to improve and protect water quality.

## **INFORMATIVES**

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies CP3 and CP17 of the Core Strategy and Policies DC9, DC33, DC61 and DC72 of the LDF Development Control Policies Development Plan Document. The proposal is also compliant with Policy 2.17 of the London Plan (2011).

2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

3. **Advice regarding condition 13**

In order to discharge this condition the following information should be provided:

- A clearly labelled drainage layout plan showing pipe networks and any attenuation, sections of oversized pipes and storage features. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- Confirmation of the critical storm duration.
- Where infiltration forms part of the proposed storm water system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- Where on site attenuation is achieved through attenuation ponds or other features, calculations showing the volume of these are also required.
- Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

## REPORT DETAIL

### **1. Site Description**

- 1.1 The site comprises 1.53 hectares, is located due north west of the A12 Eastern Avenue West, adjacent to Hainault Road and King George Close. The site is currently vacant however, it was previously occupied by a large, central brick built building of approximately 8000sq.m. and which comprised industrial and warehouse accommodation.
- 1.2 To the south east, south west and north west, the site is surrounded by other commercial, industrial and warehouse premises. The site and its non-residential surroundings are identified as a Strategic Industrial Location (SIL). Opposite the site to the north east are a number of residential properties along Hainault Road.
- 1.3 Vehicular access to the site is from King George Close. There used to be a former access from Hainault Road however, this access does not appear to be in use anymore.
- 1.4 The site is located within Flood Risk Zones 1, 2 and 3.

### **2. Description of Proposal**

- 2.1 The Council is in receipt of a planning application seeking permission to develop a 2-storey data centre with associated office accommodation and internal and external plant, including an energy centre.
- 2.2. The main data centre will measure 122.5m in width by 49m in depth, resulting in a gross external footprint of approximately 6000sq.m. The building will be 2-storey in height, measuring 13m to the top of an aluminium vaulted roof. There would be solar panels to the top of the roof to the southern elevation. The Building will have aluminium cladding, coloured light grey with double glazed PPC aluminium curtain wall system and aluminium louvre system to match the cladding. The building would have accommodation over 2 floors.
- 2.3 Within the facility the core functions will be:

- Computer storage and use
  - Continuous electrical power provision
  - Temperature controlled internal environment
  - Connectivity internally and to external systems
- 2.4 The building will accommodate 8 data halls, each with varying lettable areas (298sq metres to 1,368sq metres), totalling approximately 11,000sq metres of technical space. The building will also accommodate associated offices, plant rooms, corridors and storage areas, external plant areas, circulation space, loading bays and lifts. Each hall tenancy will have its own standalone engineering plant and supporting office accommodation.
- 2.5 There would also be an energy centre measuring 95m in width by 25.5m in depth with an external area of 2,375sq.m. The building will have a flat roof with a maximum height of 11.8m. External materials will be aluminium cladding, coloured light grey with double glazed PPC aluminium curtain wall system and aluminium louvre system to match the cladding. To the top of the building would be stainless steel generator exhaust flues, projecting a maximum of 1.2m above the roof. The building would have accommodation over 2 floors.
- 2.6 External plant will consist of roof top chillers with standby generators located at ground level or on the roof of the building. Fuel for the generators will be stored securely in underground tanks.
- 2.7 Entrance to the site would be to the north, opposite the existing entrance to No. 3 King George Close. Access would be via an in-out arrangement with security hut at the entrance.
- 2.8 The security hut would measure 5m in width and 9m in depth. It would have a pitched roof with hipped ends to a maximum height of 3.7m. Materials to be used for the external construction of the security hut would be brickwork with a tiled roof and one way silver mirror film on double glazed windows.
- 2.9 There would be new mesh security fencing and gates of 3m high around the boundaries of the site.
- 2.10 On-site parking will be provided with 36 car parking spaces, 5 disability spaces, 5 motorcycle spaces and 24 cycle spaces. There would also be an access road and turning area for vehicles.
- 2.11 The proposal also includes details for soft and hard landscaping.
- 2.12 Revised drawings were received on 27<sup>th</sup> September which indicates an additional fire escape to the southern elevation to comply with fire safety regulations.

### **3. Planning History**

- 3.1 P0834.07 - Erection of 2 no. wind turbines – Approved.
- 3.2 P0480.07 - Redevelopment of site to provide 32 units for B1 (c), B2 and B8 use, car parking, landscaping and alteration to existing access – Approved.

### **4. Consultations/Representations**

- 4.1 The application has been advertised on site and in the local press as a major development given the floor space being more than 1000sq.m. Neighbour notification letters have also been sent to 62 local addresses.
- 4.2 At the time of drafting this report, 2 letters of representation have been received, one requesting information on the nature of the application. Another letter was received from the owners of Zeco Ltd which is at No. 83 – 99 Hainault Road, stating that they have a right of way over the site at King George Close.
- 4.3 The Borough Crime Prevention Design Advisor was consulted and raised no material objections concerning any crime or community safety issues.
- 4.4 English Heritage was consulted on the archaeology of the site. It is confirmed that in light of previous archaeological evaluation (report included in submission of application), no further archaeological mitigation need be required in respect of the current application.
- 4.5 The fire brigade raised no concerns however recommend the installation of 3 private fire hydrants. No concerns are raised in terms of access arrangements for the fire brigade.

### **5. Relevant Policies**

#### **5.1 LDF Core Strategy Development Plan Document**

CP3 – Employment  
CP9 – Reducing the need to Travel  
CP10 – Sustainable Transport  
CP15 – Environmental Management  
CP16 – Biodiversity and Geodiversity  
CP17 - Design

#### **5.2 LDF Development Control Policies Development Plan Document**

DC9 – Strategic Industrial Locations  
DC32 – The road network  
DC33 – Car parking  
DC34 – Walking  
DC35 – Cycling  
DC36 – Servicing

DC48 – Flood Risk  
DC49 – Sustainable Design and Construction  
DC50 – Renewable Energy  
DC51 – Water supply, drainage and quality  
DC52 – Air Quality  
DC53 – Contaminated Land  
DC55 – Noise  
DC58 – Biodiversity and Geodiversity  
DC61 – Urban design  
DC62 – Access  
DC63 – Delivering safer places  
DC70 – Archaeology and Ancient Monuments  
DC72 – Planning Obligations

### 5.3 The London Plan (2011)

2.17 (Strategic Industrial Locations)  
4.4 (Managing Industrial Land and Premises)  
5.5 (Sustainable Design and Construction)  
5.7 (Renewable Energy)  
5.11 (Green Roofs and Development Site Environs)  
5.12 (Flood Risk Management)  
5.13 (Sustainable Drainage)  
5.21 (Contaminated Land)  
6.3 (Assessing Effects of Development on Transport Capacity)  
6.9 (Cycling)  
6.10 (Walking)  
6.13 (Parking)  
7.3 (Designing out Crime)  
7.4 (Local Character)  
7.7 (Location and Design of Tall and Large Buildings)  
7.8 (Heritage Assets and Archaeology)  
7.14 (Improving Air Quality)

### 5.4 Government Guidance

Planning Policy Statement 1 – Delivering Sustainable Development  
Planning Policy Statement 4 – Planning for Sustainable Economic Growth  
Planning Policy Statement 5 – Planning for the Historic Environment  
Planning Policy Guidance Note 13 – Transport  
Planning Policy Guidance Note 24 – Planning and Noise  
Planning Policy Statement 25 - Development and Flood Risk

## 6. **Staff Comments**

6.1 The main issues in this case are considered to be the principle of the development, the effect of the development upon the character of the street scene, its impact upon the amenities of existing adjoining residential occupiers, the impact upon the local highway network and parking provision, sustainability, flood risk and contamination.

## **6.2 Principle of Development**

- 6.2.1 The site falls within one of the Borough's Strategic Industrial Locations (SILs) as identified in Policy DC9 of the Council's LDF. Policy DC9 seeks to ensure that the Council will generally permit only business and industrial uses such as B1 (b+c), B2 and B8.
- 6.2.2 The policy guidance contained within Policy DC9 is further supported by the London Plan (2011), Policy 2.17 which states that boroughs should promote, manage and protect SILs. It goes further to state that all development proposals in SILs should be refused unless they a) fall within the broad industrial type activities; b) they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework or borough development plan document; c) is for employment workspace to meet identified needs for small and medium sized enterprises (SMEs) or new emerging industrial sectors or d) the proposal is for small scale "walk to" services for industrial occupiers such as workplace crèches or cafes.
- 6.2.3 The application site is for a new data storage centre which involves a data storage warehouse with ancillary offices and an emergency energy centre. Indeed, the applicants already occupy the warehouse unit on the opposite side of the application site, at No. 3 King George Close operating a similar business. The application site would therefore enable the applicants to expand their existing business. The use therefore falls within use class B1 (storage and offices) and B8 (warehouse / storage).
- 6.2.4 Staff raised concerns with regards to the low level of employment generation as a result of the proposal (approximately 10 employees). Notwithstanding the number of employees on the site, the proposal would retain the use of the site for B1 / B8 purposes and would therefore accord with the aims and objectives of Policy DC9 of the LDF and Policy 2.17 of the London Plan by introducing an appropriate use on the site.
- 6.2.5 Government advice contained within PPS1 encourages local planning authorities to actively ensure that vacant and underused land and buildings are brought back into beneficial use. The site has been vacant for some time and Staff consider the benefits of a new B1 / B8 use on the site to outweigh the concerns raised in respect of low employment levels. The proposal would introduce a new building fit for the purposes to prospective new occupiers and with the use of sustainable materials and a sustainable design, the building can be secured for uses specified in Policy DC9 on the long term. The proposal would introduce a new business activity on the site resulting in the reuse of a vacant site in accordance with the aims of PPS1.
- 6.2.6 The proposal to bring a vacant site back into use would stimulate growth in the economy and this is supported by recent Ministerial advice on "Planning for Growth" which is also supported by PPS4. No objections are therefore raised to the principle of the development.

### **6.3 Impact on character and street scene**

- 6.3.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.3.2 The application site is generally surrounded by existing commercial, industrial and warehouse premises and the use of site for industrial and warehouse purposes is long established. Staff do not consider that the proposed buildings would appear out of character or scale with their surroundings, particularly given the layout of the site and the simple external finishes proposed (aluminium cladding panels coloured in light grey).
- 6.3.3 The emergency energy centre building would be to the western side of the site, adjacent other industrial buildings which are of a similar size, height and design.
- 6.3.4 The larger building, the main data storage building, would have its main elevation facing King George Close to the north and other industrial buildings to the south. The building's eastern elevation which would face Hainault Road is the less intrusive elevation as it is not excessive in width. The building will be 13.4m from the Hainault Road boundary at its pinch point. Ground levels of the application site are significantly lower compared to Hainault Road. This would result in the building being 11.2m above ground level of Hainault Road and with a set-back from this boundary by 13.4m, Staff are satisfied that the development would not appear overly bulky or incongruous in the street scene.
- 6.3.5 Staff further noted that the Hainault boundary benefits from dense vegetation and mature trees. The drawings indicate new landscaping to the northern and eastern boundaries which would further mitigate any visual impact. The proposal is therefore considered acceptable in terms of its design and impact on the character of the street scene.
- 6.3.6 The proposed security hut is of modest proportions and acceptable design, similar to a security hut on the opposite side at No. 3 King George Close (Planning Ref: P0846.11). This part of the proposal is therefore not considered to be visually intrusive.
- 6.3.6 The emergency fuel storage units are proposed underground and have no visual impact.
- 6.3.7 The solar panes and exhaust flues would be on top of the roofs of the 2 main buildings. These would not project more than 1.2m above roof level

and is not considered to have any visual impact on the surrounding area or street scene.

- 6.3.8 The proposal also includes replacement boundary fencing up to 2.7m high with 300mm toppling (total height 3m). The fencing is similar to fencing recently approved at No. 3 King George Close (Planning Ref: P0846.11). The fencing is therefore considered acceptable.

#### **6.4 Impact on Amenity**

- 6.4.1 Policy DC61 states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties.
- 6.4.2 The nearest and only residential occupiers are located to the north east of the site on opposite side of Hainault Road, facing the main data storage building. A distance of 28m would exist between the front elevation of this block and the front elevation of the dwellings at its closest point. Taking this together with the landscaping and the 13m paved 'buffer' zone between the building and the Hainault boundary fence, Staff do not consider that this building would appear unduly overbearing or dominant to those existing residential occupiers.
- 6.4.3 Turning to the noise and disturbance arising from the proposal, given the greater density of development (compared to the current vacant site), it is possible that some increase in noise levels may result. Notwithstanding, the site is designated for B1, B2 and B8 uses which by its very nature is potentially more noisy compared to other types of development. As mentioned earlier in this report, the applicants are currently operating a similar data storage centre at No. 3 King George Close. There have been no formal noise complaints in relation to the activities at No. 3 King George Close and to date, all activities on the site have conformed with noise conditions imposed by Environmental Health. As such, subject to conditions controlling the insulation of the buildings and the acoustic performance of any plant and machinery installed, Staff do not consider that any resultant increase would be so material as to warrant refusal of the proposals. Indeed, noise and disturbance previously arising from vehicular access to the site from Hainault Road would be likely to be significantly reduced as a result of this access only being available for emergencies as part of the proposal. As a result of this proposal, the main access to the site would be via King George Close which is some distance away from the existing dwellings, therefore reducing vehicular traffic along Hainault Road.
- 6.4.4 In light of the above circumstances, Staff consider that the proposal would not detract from the amenities of the existing residential occupiers. Policies CP17, DC55 and DC61 are therefore considered to be satisfied.

## **6.5 Parking and Highway Issues**

- 6.5.1 With regards to car parking and access arrangements, the site will provide vehicular and pedestrian access from King George Close with a loading bay at the rear (south) of the building.
- 6.5.2 The site is located within a low ranked Public Transport Accessibility Level Zone (PTAL 1-2), as defined in DC2 of the LDF. According to Annex 5 of the LDF, for B1 uses 1 parking space per 100sq.m of floor space is required and for B8 uses, 1 lorry space per 200sq.m. In applying this standard, 60 no. car parking spaces are required to serve the development.
- 6.5.3 The applicant has provided a Transport Statement that indicates that the proposal would create in the region of 47 two-way trips in the morning peak hour and 57 two-way trips in the evening peak hour. The statement acknowledge that the site is not within a convenient walking distance from rail and underground services however, the site is within close proximity to bus routes / services and as a good level of access to local pedestrian and cycle networks.
- 6.5.4 The Transport Statement concludes that the proposed data centre will differ significantly in its operation from standard B8 warehousing / distribution centres by virtue of the cumulative volume of occasional visits from data centre end users. The net traffic generation of the site has been assessed and it is concluded that the proposed data centre is likely to generate less vehicular traffic during both the AM and PM peak periods than the previous consented use of the site. It is therefore considered that the proposed development would not have any material impact on the operation of the local highway network.
- 6.5.5 PPG 13 places an emphasis upon a reduced need for car parking spaces and encourages local planning authorities to be flexible. The Council's Highways Authority raised no objections in respect of the proposals.
- 6.5.6 In light of the above information and the use being for data storage in the form of electronic data, Staff are of the opinion that the proposal would not require any heavy goods to be delivered as part of their operations and there would therefore be no need for lorry parking. In respect of car parking, the site would only employ a maximum of 10 members of staff and would provide 36 car parking spaces (10 spaces specifically designated for staff), 5 disability spaces, 5 motorcycle spaces and 24 cycle spaces. Staff are of the opinion that this level of parking provision is sufficient and would not give rise to any overspill parking onto the adjoining roads. The proposal therefore satisfy the requirements of Policy DC33 of the LDF.
- 6.5.7 A planning contribution is sought totalling £10,000 to improve the footway around the site and / or works to prevent Heavy Good Vehicles parking on the local footway.

## **6.6 Archaeology**

6.6.1 The site has been subject to an archaeological evaluation in 2008, the report of which accompanies the application. The report indicates that no significant archaeological features or deposits were identified in any areas of the site due to the fact that most deposits had been truncated down to the natural clay during the previous development. Due to a lack of any significant archaeological features or deposits on the site, it is suggested that no further archaeological mitigation need be required in respect of this current application. This has been confirmed by English Heritage.

## **6.7 Ecological Issues**

6.7.1 An Ecological Assessment has been carried out which indicates that the site is not located within 2km of a statutory designated site. The site is however located 50m from the closest recorded non-statutory designated site (the River Rom at King George's Playing Fields).

6.7.2 The Ecological Assessment concludes that the site overall is of limited ecological value and that the proposal will have little or no impact in terms of ecology and biodiversity. A request was made by the applicant earlier this year for the Council to do an Environmental Impact Assessment (EIA) Screening Opinion which confirmed that the site is not a site of importance to nature conservation nor is it within proximity of an area where native species or significant ecology or fauna and flora would be affected. The EIA Screening concluded that the development will require careful design to mitigate its environmental impact but this impact is judged to be only of local significance and can be addressed through the detailed design of the proposals and compliance with appropriate conditions.

6.7.3 As such, it is not considered that the proposal would have any harmful impact in terms of ecology or biodiversity. Notwithstanding, the Ecological Assessment recommends that any tree clearance be carried out outside of the bird nesting season which runs from March to September inclusive. An appropriate condition will be imposed, should Members be minded to grant permission.

## **6.8 Contamination**

6.8.1 On the matter of contamination, the application is accompanied by Phase II Studies, which have assessed the status of the site in terms of soil, groundwater and land gas contamination. The studies conclude that no widespread soil or groundwater contamination is present but localised occurrences of soil contamination have been identified which would need to be managed as part of development process. A condition requiring the submission of a remediation strategy prior to the commencement of the development is therefore recommended and any further conditions required by the Environment Agency would be imposed, should Members be minded to grant planning permission. Policy DC53 is therefore considered to be satisfied.

## **6.9 Flood Risk Issues**

6.9.1 The applicant has submitted a Flood Risk Assessment however, according to this report, the latest Environment Agency database shows the site to be within a Flood Zone 1 and not directly affected by the River Rom.

6.9.2 Notwithstanding, based on the findings from the EA, the FRA recommends the following:

- An up-to-date topographic survey
- All hardstanding to be reinstated above the Flood Zone 2 level with a suitable tolerance incorporated to allow for any potential future changes to flood zones

6.9.3 A response from the Environment Agency indicates that no objections are raised, subject to implementation and compliance of conditions to reduce the risk of flooding and protect water quality.

## **6.10 Energy & Sustainability**

6.10.1 The applicant has provided an extensive sustainability statement and energy assessment, which show how the council's sustainability related policies are to be met. Subject to compliance with conditions, no issues are raised in this respect.

## **6.11 Section 106 Issues:**

6.11.1 The Highways Authority requires a contribution totalling £10,000 to be used for improvement works to the footway around the site and / or works to prevent Heavy Good Vehicles parking on the local footway.

6.11.2 Apprenticeship opportunities to contribute towards employment and skills activity. The number of apprenticeships to be agreed.

## **7. Conclusions**

7.1 The proposal is considered to bring a vacant site back into use which would stimulate economic growth in accordance with Ministerial advice on "Planning for Growth" and policy PPS4. The development would be acceptable in principle as the proposal for B1 / B8 purposes is in accordance with the aims and provisions of Policy DC9 of the LDF and Policy 2.17 of the London Plan (2011).

7.2 The development has been considered with regards to its impact on the character and appearance of the street scene and impact on neighbouring amenity. The proposal is considered acceptable in this respect and compliant with Policy DC61 of the LDF.

7.3 No parking or highway issues are raised and the development is considered acceptable in this respect, compliant with Policy DC33 of the LDF.

- 7.4 No issues are raised in terms of archaeology, ecology / biodiversity or contamination on the site. Subject to no objections from the Environment Agency in respect of Flooding issues, the proposal is considered to satisfy the requirements of PPS25. Energy and Sustainability reports were submitted as part of the application and this aspect is considered acceptable. Subject to conditions on the above issues, no issues are raised and the proposal is considered acceptable in this respect.
- 7.5 Overall, the proposal is considered to be acceptable and compliant with the relevant LDF Policies. The proposal is therefore recommended for approval, subject to conditions and applicant entering into a Section 106 Legal Agreement to secure a £10,000 contribution for improvements to the footway around the site and works to prevent Heavy Good Vehicles parking on the local footway and apprenticeship opportunities during the construction phase of the development to contribute towards employment and skills activity.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

- 1) The Highways Authority requires a contribution totalling £10,000 to be used for improvement works to the footway around the site and / or works to prevent Heavy Good Vehicles parking on the local footway.
- 2) Regeneration requires apprenticeship opportunities during the construction phase of the development to contribute towards employment and skills activity. The number of apprenticeships to be agreed.

### **Legal Implications and Risks**

Legal resources will be required for the drafting of a legal agreement.

### **Human Resources Implications and Risks**

None.

### **Equalities implications and risks:**

The Council's planning policies are implemented with regard to Equalities and Diversity.

## **BACKGROUND PAPERS**

Application forms, plans and supporting statements received on 29<sup>th</sup> July 2011.  
Revised drawings received 27<sup>th</sup> September 2011.