



Havering
LONDON BOROUGH

**Strategic Planning
Committee**

8 June 2023

Application Reference:

P1597.22

Location:

**80 COURIER ROAD RAINHAM RM13
8EU**

Ward

RAINHAM AND WENNINGTON

Description:

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, SUB STATION(S), PLANT ENCLOSURES AND ALL OTHER ANCILLARY AND ENABLING WORKS INCLUDING REMEDIATION, LANDSCAPING, DRAINAGE, ENGINEERING, GROUND STABILITY WORKS, CONSTRUCTION AND BOUNDARY TREATMENT.

Case Officer:

SUZANNA KNOWLES

Reason for Report to Committee:

The application is within the categories which must be referred to the Mayor of London under the Town and Country Planning (Mayor of London) Order 2008.

1 BACKGROUND

1.1 This scheme was presented to Members of this Committee during the pre-application stage on 18th August 2022. The following comments were raised by the committee during those presentations:

- Landscape Management (addressed in section 16)
- Concerns regarding the A13, traffic congestion and pedestrian/cycle links (addressed in section 19)
- Affordable Workspace (addressed in section 15)
- Carbon Footprint (addressed in section 17)
- Active Travel (addressed in section 19)
- Connectivity Routes (section 16)
- Flood Risk (addressed in section 25)

SUMMARY OF KEY REASONS FOR RECOMMENDATION

2.1 The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations. The main issues to consider in the context of this application specifically relate to impact on land use, design/impact on street scene, transport and highways infrastructure, which includes and is not limited to pedestrian/cycle links/sustainable transport and biodiversity.

2.2 Officers consider that the proposed re-development of the site would be considered acceptable in principle given the site is located in a Strategic Location which complies with LBH Plan 19 and Policy E5 of the London Plan. Furthermore, the application seeks to deliver economy in the area together with the creation of affordable workspaces which will enhance the site locations aspirations.

2.3 The application offers a sustainable approach by providing opportunities for useable landscaped areas surrounding the perimeter of the site, creating an inviting vista and reducing impact on biodiversity as well as securing mitigation measures to enhance sustainable travel to/from the site. The site seeks to maximise the land by creating industrial units together with landscaped areas to visually minimise the impact in the wider context.

2.4 The parameters of the proposed development through a phased approach would be considered to be compliant with the relevant LBH Plan Policies as well as relevant policies set out in the London Plan; for these reason the application has been put forward for approval.

3.0 RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- Any direction by the London Mayor pursuant to the Mayor of London Order

- The prior completion of a legal agreement pursuant to Section 106 of the Town and Country planning Act 1990 (as amended) and all other enabling powers to secure the following planning obligations:
 1. Contribution for congestion mitigation, active travel measures and environmental improvements in vicinity of the site totalling £500,000;
 2. Employment and skills plan together with any necessary contribution for apprenticeship training;
 3. Affordable Workspace Provision;
 4. Achievement of net-zero or alternate carbon offset;
 5. Travel Plan and travel plan monitoring fee; and
 6. Any necessary S278 agreement for alterations to the highway

Administrative

1. Monitoring fee;
2. The Council's reasonable legal fees in relation to the completion of the deed whether or not the matter goes to completion;
3. Indexing – All contributions and payments to be index linked.

That the Assistant Director of Planning is delegated authority to negotiate the legal agreement indicated above.

Subject to the foregoing that the Assistant Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time Limit
2. In Accordance with Approved Drawings
3. Materials Samples
4. Phase Permission
5. Non-road Mobile Machinery
6. Contamination Remediation Strategy/Verification
7. Unexpected Contamination
8. Construction Logistics Plan
9. Construction Method Statement
10. Secured By Design
11. Energy Compliance Statement
12. Circular Economy
13. Petrol/Oil Inceptors
14. Hard and Soft Landscaping
15. Cycle Parking Storage Area Details
16. Foul Water Drainage Strategy
17. Surface Water Drainage Strategy
18. Landscape Maintenance Strategy (including biodiversity benefits to the scheme)
19. Green Roof Details/Maintenance
20. Fire Strategy
21. Air Quality Statement
22. External Lighting Scheme
23. Railing/Fence Details
24. Delivery and Service Plan
25. Car Parking Design and Management Plan
26. Photovoltaic Panels
27. EV Charging Points
28. Vehicle Access prior to bringing into use
29. Construction Hours
30. Refuse and Recycling
31. Construction Ecological Management Plan
32. Invertebrate Strategy
33. Restriction to uses within Eg(iii), B2 and B8 only

Informatives

1. Flood Risk Activity Permit
2. Water Resources
3. Fee required for approval of details
4. Highway approval required
5. NE Informatives
6. Secure by Design
7. Planning Obligations
8. NPPF positive and proactive

- 3.4 That, if by 31st December 2023 the legal agreement has not been completed, the Assistant Director Planning is delegated authority to refuse planning permission.

4 PROPOSAL AND LOCATION DETAILS

4.1 Site and Surroundings

4.2 The site is located in Rainham, approximately 1 mile (1.7km) to the west of Rainham town centre. Land uses in the immediate surrounding area to the site are predominantly business, general industrial and storage and distribution.

4.3 The site is bounded to the north, east and south by Courier Road. The road joins the junction with the A13 approximately 100m to the north of the site providing access to London and connecting to the M25 Junction 30 to the east.

4.4 SEGRO Park Rainham is directly northeast of the site on the northern side of the elevated section of the A13. Rainham Rail Station, located within 20-25 minutes walking distance to the northeast, provides a frequent train service to Central London.

4.5 There is no built development on the site and it has remained vacant for a considerable time. It was previously used for landfill which has now been capped off, with part of the site also used as a depot. The site is allocated as a Strategic Industrial Location (Dagenham Dock/Rainham Employment Area) within the London Plan and the Havering (LBH) Local Plan. The site is also located in the London Riverside Opportunity Area Planning Framework area.

4.6 Proposal

The proposal is for the construction of industrial buildings (Use Class E(g)(iii) (light industrial), B2 (general industrial), B8 (storage and distribution)) with ancillary offices and gatehouse, new vehicular access from Courier Road (including use of existing access as emergency access), with pedestrian link from Courier Road, cycle, motorcycle, car, van and HGV parking, hardstanding and circulation areas.

4.7 The proposed site consists of 5 subdivided buildings of various sizes that comprise of 18 individual units in total – the total floorspace would be 28,454 square metres. The site is divided into two parts each with distinctive character, albeit a unifying elevational design approach. To respond to the existing sites elevated topography each of the development areas sit on a raised development plateau.

4.8 The larger higher plateau, located in southern two thirds of the site, is occupied by the larger mid-box units (units 4-9) housed within 3 buildings and separated by suitable operational yards (35-50m), landscaping and estate roads/footpaths.

4.9 The lower plateau on the northern third of the site provides 12 smaller units, suitable for SME occupiers (units 1A -3C) arranged in two back-to-back terraces separated by shallow yards (7-10m) landscaping and access roads/footpaths.

4.10 The main entrance to the site is via the eastern section of Courier Road. Due to the site topography the site access road is ramped along the eastern boundary. A Gatehouse will be positioned at the main entrance to control all traffic into and out of the site.

- 4.11 All units are designed to have their own car parking and operational yards. Units 4-9 will have the separate enclosed yards with HGV loading and parking accessed via a shared estate road. Unit 9 at the most southern end of the site will have dedicated gated access to its service yard, incorporating a private gatehouse.
- 4.12 The smaller units on the northern plateau will have only 1-2 car parking spaces per unit, with adjacent external operational servicing areas suitable for smaller goods vehicles (Transit Vans or 10m rigid lorries). Access will be via a shared estate road.
- 4.13 Pedestrian and cycle access would be via a dedicated footpath winding up the bank from Courier Road. The footpath layout ensures a safe pedestrian access is provided to the entrance of all units. Dedicated covered secured cycle parking is located close to the entrance of all of the larger units and within a shared facility adjacent to the smaller units.
- 4.14 The site layout includes numerous areas of communal external seating and also dedicated amenity roof terraces on units 4-9.
- 4.15 The development also proposes landscaping and biodiversity improvements throughout the site with almost 25% of the entire site dedicated to landscape amenity and biodiversity, including large areas around the site perimeter.
- 4.16 The northern area of the site is entirely communal amenity space and biodiversity. Drainage ponds and landscaping is proposed in this area, as well as elevated broadwalks, gravel paths and seating areas.
- 4.17 The buildings themselves range in height from 12m to 20m to ridge with the smaller units to the north of the site and the larger units on the southern larger development plateau within the landscape.

5 Planning History

The following planning decisions are relevant to the application:

U0013.06 – Remediation of site including earthworks, demolition and installation of groundwater interception system. Granted 21.03.2007.

U0003.09 – Temporary storage of spoil arising from development of adjacent site. Granted 03.06.2009.

Z0007.18 – Screening opinion for an Environmental Impact Assessment. Decided (not required) 04.10.2018.

P1346.18 – Full planning application for site preparation and enabling works, felling and removal of trees and landscaping replanting. Granted 29.11.2018.

Z0001.22 Environmental Impact Assessment (EIA) Screening Opinion. Decided (not required) 22.09.2022.

6 Pre-Application Discussion

Prior to the submission for this planning application, the applicant has engaged with LBH planning officers over the last 12 months.

Summary of SPC Comments from 18th August and Response from Applicant

SPC Comment	Applicant Response
<p>Landscaping details, it would be pertinent to have a management plan in place that does not allow for them to die within several years.</p>	<p>A Landscape and Environmental Management Plan has been submitted as part of the planning application and the maintenance of the landscaping will be undertaken in accordance with this. Further, given SEGRO will retain overall ownership of the Site and management of the landscaping going forward.</p>
<p>Concerns on how people will travel to/from the site. TravelPlan details. Connectivity routes.</p>	<p>Parking will be allocated on the basis of the units being provided, following discussions with the Council and TFL, and utilising evidence from other SEGRO sites as evidence to support the proposed provision. The origins of staff journeys to the Site have been predicted using Census 'Journey to Work' data and evidence from other SEGRO schemes in the area.</p> <p>The planning application has been submitted with a Travel Plan which will seek to maximise active travel. Cycle parking and showers are provided to further help facilitate this. The measures in the Travel Plan have been based on the evidence collected.</p> <p>In addition to this, contributions towards existing public transport and upgrades to the public realm area also included with the proposed submission.</p> <p>Finally, as set out above, a pedestrian link to CEME is proposed.</p>
<p>Concerns regarding the A13, traffic congestion and pedestrian/cycle links</p>	<p>Our assessment will demonstrate the number of vehicle movements from the west on the A13 and other surrounding roads in the form of</p>

	<p>individual 'link impact' diagrams showing the peak hours of development impact on the highway. They will illustrate predicted AM and PM car, AM and PM HGVs and combined AM and PM vehicle flows. The Transport Assessment includes a detailed modelling exercise to ensure that the proposed development will not adversely impact upon the existing highway system. Any mitigation which is required will be secured as part of any planning permission.</p>
<p>Affordable workspace –payment in lieu wouldn't be acceptable. What is the financial incentive for SMEs? Lots of small businesses will be relocated along Thames Rd and will need a home.</p>	<p>SEGR0 consider that flexibility and type of workspace (i.e. small start up units) is most important to meet the aims of the policy which is to encourage local employment and entrepreneurship. SEGR0 therefore proposes to build upon the success of the adjacent Enterprise Quarter, which provides small and affordable workspace, and to utilise the small units on the Site, totalling 2,502 sqm, to meet with the requirements of LBH Local Plan Policy 21. It is worth noting that these units at Enterprise Quarter are well utilised and help to establish and grow businesses (see the case study in the Vision Document attached at Appendix 4) without rents being capped.</p> <p>The proposed development provides further small units (equal to c. 10% of the total floorspace) to the north of the Site, which will be managed in a similar way to Enterprise Quarter. This will encourage new businesses in the Borough and provide flexible start-up space.</p> <p>Further, a range of unit sizes is being provided to ensure there is choice for SMEs. Finally, a skills and employment plan will ensure that there is access to jobs/opportunities for local people at the construction phase.</p>

<p>Ensure consultation with Riverside BID</p>	<p>Discussions have been held with the Riverside Bid, and are ongoing. As set out above, various measures are proposed to aid connectivity. These include promoting active travel (cycling) contributions, and a specific link through to CEME.</p>
<p>During construction phases, will the carbon footprint be zero. Could it also be considered for negative carbon. Will there be PVs on the roof? Use all of it</p>	<p>The Development utilises air source heat pump and PV technology to lead to a reduction in emissions from regulated energy usage of 128% compared to the Building Regulations Part L, which is in exceedance of the London Plan compliance target of a 35% reduction. This will lead to net zero predicted emissions from regulated energy use. The building design allows for future expansion of the PV array which will reduce unregulated emissions and reduce occupant energy costs further. Construction related emissions including embodied carbon have been reduced through the development of a whole lifecycle carbon assessment. The development is on track to reduce its embodied carbon intensity to less than 400 kgCO₂/m², an exemplary benchmark. Whole lifecycle carbon negative development could only be achieved through the use of carbon offsetting, sources of carbon to consider would include the remaining unregulated operational emissions and construction emissions. The number of PVs on the roof will be maximised, and it is anticipated this will be beyond the planning policy requirements. The submitted roof plans show the areas which are being targeted for PV submission, and a suitably worded planning condition could ensure further detail is submitted as the detailed design moves forward.</p>
<p>Enquiring whether there is potential for locally procured art. Design and heritage aspects form an integral part</p>	<p>In terms of road names, this is beyond the scope of a planning application but is something which</p>

<p>of this scheme</p>	<p>could be investigated at a later stage, if road names are proposed.</p> <p>An in-depth design process has been undertaken to ensure a high-quality design comes forward on the Site. This includes unique building design and use of different cladding/colour to add visual interest. In addition to this, the provision of public art at the entrance to the Site can take account of the Site/area's history.</p>
<p>Highlighting that an adjacent site - Ford has sports pitches, cafes, creches and lots of amenity for its workers – ensuring something similar can be achieved.</p>	<p>The proposed focuses on providing high quality workspace alongside amenity space in the form of green infrastructure and breakout space. Showers and other amenities are also provided. In addition, a link through to CEME is proposed to allow for use of their facilities. Discussions with CEME have taken place and this proposal is supported.</p>
<p>Travel Plan – bus connectivity</p>	<p>The origins of staff journeys to the Site have been predicted using Census 'Journey to Work' data and evidence from other SEGRO schemes in the area.</p> <p>The planning application has been submitted with a Travel Plan which will seek to maximise active travel. Cycle parking and showers are provided to further help facilitate this. The measures in the Travel Plan have been based on the evidence collected.</p> <p>In addition to this, contributions towards existing public transport and upgrades to the public realm area also included with the proposed submission.</p> <p>Finally, as set out above, a link to CEME is proposed.</p>
<p>Whether there is any potential risk of flooding at the site</p>	<p>The proposed is not at risk of flooding, and the submitted FRA confirms this. Further, sustainable urban drainage principles are being utilised, including a balancing pond which has separate biodiversity benefits.</p>

7 CONSULTATION RESPONSE

Statutory and Non-Statutory Consultation

A summary of the consultation responses received along with Officer comments:

Greater London Authority Stage 1 Response – London Plan policies on land use principles, urban design, sustainable development/environmental issues, and transport are relevant to this application. The application does not currently fully comply with these policies, as summarised below:

Land use principles: The principle of development is acceptable as it would optimise the industrial capacity of the site appropriate to this Strategic Industrial Location (SIL). The proposal is to utilise the site for a B8 storage and distribution use. The proposed site plan provides 9 units of increasing size (two of which are split into smaller units making 18 in total). The development would result in the optimisation of the site and results in an overall significant uplift of industrial floorspace (approximately 28454 sq/m of internal floorspace provided as part of the proposal) noting the site in its existing form is unoccupied by any buildings and does not comprise any industrial uses.

Urban design: No strategic design issues are raised to the development of industrial warehouses on SIL.

The Havering Local Plan identifies tall buildings as buildings that are significantly taller than the mean height of surrounding context. In this case, the application site surroundings are characterised by industrial buildings of a similar scale to the buildings proposed, and therefore, are not considered to be tall buildings. London Plan Policy D9 is not therefore applicable in this instance. The applicant has however prepared a TVIA which demonstrates key views of the proposed development. The development would be suitable in townscape terms and would not seek to introduce a building that is significantly taller than those in the wider industrial park. The scale and massing approach is generally consistent and commensurate to its surroundings and does not raise any strategic concerns.

The proposed elevations and CGI visuals submitted with the application indicate that the buildings are of a suitable functional and industrial character and would be a contemporary addition to the wider Industrial Park. Conditions will be required to secure the materials used in the construction of the buildings to ensure the finished appearance is of an acceptable high standard

In addition, the proposed documents show a range of landscaping improvements around the site. This includes soft landscaping and planting supporting the UGF score of 0.33. Further conditions should be secured to ensure that the landscaping plan is implemented and kept in perpetuity given the positive contribution this makes to urban greening and the quality of design of the proposed development.

Transport: The use of first-principles to forecast trip generation is welcomed. Further work is required, including presentation of a 24-hour trip generation forecast.

The traffic modelling for this development is currently going through the TfL Model Auditing Process. Therefore, final conclusions on the impact of the development

cannot be made until this process has been finalised and the results have been reviewed.

The existing road network around this site is already subject to significant levels of congestion. Contributions toward schemes to better manage traffic under congested conditions, and to protect buses from congestion, have been secured recently from schemes in this area.

Further information is required before final analysis of the impact of this development can be made. Funding towards mitigation of the pending transport impact will be secured if required. This impact is generated in large part by staff commuting rather than operational vehicle movements. In this context, the disproportionately large quantum of parking is unjustified and unacceptable and must be reduced. Funding should also be secured for pedestrian and cycle infrastructure improvements

Energy: An energy statement has been submitted with the application. The energy statement does not yet comply with London Plan Policies SI2, SI3 and SI4. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements. Full details have been provided to the Council and applicant in a technical memo that should be responded to in full; however outstanding policy requirements include:

- Be Lean – further exploration of energy efficiency measures;
- Be Clean – demonstration that communal heating system loads have been maximised;
- Be Green – demonstration that renewable energy has been maximised, including roof layouts showing the extent of PV provision and details of the proposed air source heat pumps;
- Be Seen – confirmation of compliance with this element of policy, with compliance to be secured within the S106 agreement;
- Energy infrastructure – further details on the design of district heating network connection is required, and the future connection to a network must be secured by condition or obligation;
- Managing heat risk – further details to demonstrate the cooling hierarchy has been followed.

Further information is required in relation to the energy strategy.

Recommendation

That Havering Council be advised that the application does not yet fully comply with the London Plan for the reasons set out above. Possible remedies as set out in this report could address these deficiencies.

Officer comments following additional information provided by applicant

Transport – Further production of modelling data has been provided and also S106 contributions proposed in relation to highway improvements.

Energy Strategy – An updated Energy Strategy has now been submitted which should address the comments raised in the initial consultation.

TfL – Justification needed on parking numbers. Contributions to highway improvements would be required.

LBH Lead Local Flood Authority: No comment

LBH Ecology Consultant: concern raised due to loss of biodiversity in comparison to existing on-site condition and translocation of invertebrate.

London Fire Brigade: No further observation to make

LBH Highways: No formal written response has been received. However, feedback has been provided in regard to the need to improve pedestrian and cycle connections to/from the site.

LBH Environmental Health: No Objection subject to contamination and verification reports

LBH Waste Management: No Objection

LBH Planning Policy: concern raised due to loss of biodiversity in comparison to existing on-site condition and translocation of invertebrate.

Met Police: No objection subject to condition

Natural England: No objection subject to informatives

LBH Employment and Skills: No objection subject to contributions towards supporting Havering Works brokerage team which supports residents of Havering to get closer to work and upskill.

Historic England: No objection and no conditions required.

London Riverside BID: No objection subject to conditions exploring affordable workspace evidence, evidence that the contracts will be awarded to local businesses, contributions towards highway infrastructure improvements.

NATS Safeguarding: No objection on safeguarding grounds

Thames Water: No objection subject to conditions/informatives

Anglian Water: No comments

Essex and Suffolk Water: No comments

LBC Economic Regeneration: Support

8 COMMUNITY ENGAGEMENT

- 8.1 In accordance with planning legislation, the developer has consulted the local community on these proposals as part of the pre-application process.
- 8.2 The development proposal has followed detailed pre-application discussions with LBH and various other stakeholders, facilitated by an agreed Planning Performance Agreement (PPA).

9 LOCAL REPRESENTATION

- 9.1 A total of 208 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The application has also been publicised in the local press.

Representations

- 9.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: One.

The one comment received during the duration of the application was received from the occupier of the neighbouring site (Ford) and neither objected nor supported the application. It sought to raise clarity of the security on site, to ensure their site is not compromised.

Officer comment: During the application process the applicant has spent a considerable amount of time discussing the proposals with the Met Police, where security on site was scrutinised. This element, through process of included conditions seeks to address any concerns that have been raised.

- 9.3 The following Councillor made representations:

Councillor Jackie McArdle - Supports the application.

10 Relevant Policies

The following planning policies are material considerations for the assessment of the application:

National Planning Policy Framework (2021)

The National Planning Policy Framework (NPPF) sets out Government planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Themes relevant to this proposal are:

- 2 - Achieving sustainable development
- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport
- 11 - Making effective use of land

- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 15 - Conserving and enhancing the natural environment
- 16 - Conserving and enhancing the historic environment

London Plan 2021

Policy GG2 (Making the best use of land)
 Policy GG5 (Growing a good economy)
 Policy GG6 (Increasing efficiency and resilience)
 Policy D3 (Optimising site capacity through the design-led approach)
 Policy D4 (Delivering Good Design)
 Policy D5 (Inclusive Design)
 Policy D8 (Public Realm)
 Policy D9 (Tall Buildings)
 Policy D11 (Safety, security and resilience)
 Policy D13 (Agent of Change) requires applicants to consider the Agent of Change
 Policy D14 (Noise)
 Policy E2 (Providing suitable business space)
 Policy E3 (Affordable Workspace)
 Policy E4 (Land for industry, logistics and services to support London's economic function)
 Policy E5 (Strategic Industrial Locations)
 Policy E7 (Industrial intensification, co locations and substitution)
 Policy E11 (Skills and opportunities for all)
 Policy G5 (Urban greening)
 Policy G6 (Biodiversity and Access to Nature)
 Policy G7 (Trees and woodlands)
 Policy SD1 (Opportunity Areas)
 Policy SI 1 (Improving Air Quality)
 Policy SI 3 (energy Infrastructure)
 Policy SI 7 (Reducing waste and supporting the circular economy)
 Policy T2 (Healthy Streets)
 Policy T5 (Cycling)
 Policy T6 (Car Parking)
 Policy T7 (Deliveries, servicing and construction)
 Policy SI 1 (Improving air quality)
 Policy SI 2 (Minimising greenhouse gas emissions)
 Policy SI 12 (Flood risk management)
 Policy SI 13 (Energy Infrastructure)
 Policy SI 14 (Managing Heat Risk)
 Policy SI 17 (Reducing Waste and Supporting the Circular Economy)

Havering Local Plan 2021

Policy 12 (Healthy communities)
 Policy 19 (Business growth)
 Policy 21 (Affordable workspace)
 Policy 22 (Skills and training)
 Policy 23 (Transport Connections)
 Policy 24 (Parking provisions)

Policy 26 (Urban design)
Policy 27 (Landscaping)
Policy 30 (Biodiversity and geodiversity)
Policy 31 (Rivers and River Corridors)
Policy 32 (Flood management)
Policy 33 (Air quality)
Policy 34 (Managing pollution)
Policy 35 (Waste management)
Policy 36 (Low carbon design and renewable energy)

The Site-Specific Allocations Plan (2008)

11 MATERIAL PLANNING CONSIDERATIONS

11.1 The main planning issues raised by the application that the committee must consider are:

- Principle of Development
- Economic Benefits including Affordable Workspace
- Design
- Sustainability and Climate Change Implications
- Impact on street scene and adjacent occupiers
- Highways Implications including Sustainable Travel
- Biodiversity
- Archaeology and Contamination
- Statement of Community Involvement
- Financial and Other Mitigation
- Other Matters

Principle of Development

11.2 The site is located in a Strategic Industrial Location (SIL) where Policy E5 of the London Plan and Policy 19 of the LBH Local Plan seeks to support the development proposals for a number of industrial -type activities (as defined by Policy E4). The proposed use classes (E(g)(iii), B2, B8) fall within the appropriate uses supported by planning policy. London Plan Policy E5 also confirms that Boroughs should explore opportunities to intensify and make more efficient use of land in SILs. The development proposed accords with the aims of the London Plan and that of the Policies set out in the LBH Local Plan, as well as other material considerations including the NPPF. Therefore, due to the site being located in a SIL and its compliance with both local and national policy, the principle of development is deemed acceptable.

11.3 Economic Benefits including Affordable Workspace

LBH Local Plan Policy 21 requires that major commercial developments should provide a minimum of 10% of total gross commercial floorspace as affordable for a minimum of 5 years subject to viability. This affordable workspace should incorporate flexible design features to provide adaptivity for a range of uses and occupants with a basic fit-out beyond shell and core. The applicant will be required to demonstrate

flexible lease terms for target sectors. In exceptional circumstances, an off-site contribution could be made.

- 11.4 The proposed development is seeking to contribute towards employment generation and economic productivity across Havering and the wider Greater London economy, during both construction and operational phases throughout the lifetime of the development. This accords with Policy GG5 of the London Plan and Policy 19 of the LBH Local Plan.
- 11.5 The range of employment opportunities that could potentially be created by bringing this scheme forward would create a diverse range of skills and training for local people once the new units are built out and occupied. Furthermore prior to use employment opportunities during the construction phases.
- 11.6 The development proposal also seeks to provide ancillary office space which will create further jobs for the local community. These opportunities will provide a place for locals which will in turn create more sustainable travel patterns within the Havering Borough, as units can be utilised by local businesses ensuring people will not have to travel to jobs thus needing less to move out of the area. The proposal is also supported by a Skills and Employment Plan, which has been endorsed by the Council's Economic Development team and will form part of any S106 requirements to adhere to Policy E11 of the London Plan and Policy 22 of the LBH Local Plan.
- 11.7 In order to meet the aims of the policy the application has considered flexible workspace and the type of workspace proposed, e.g., small start-up units, to encourage local employment and entrepreneurship. The small units on site total a floor space of approximately 2,502 sqm which would further support the adjacent Enterprise Quarter which would meet the criteria set out in LBH Local Plan Policy 21. The Enterprise Quarter is well established and seeks to help nurture and grow businesses without rents being capped.
- 11.8 The proposed development is considered to therefore comply with LBH Local Plan Policy 21 subject to the inclusion of the Affordable Workspace compliance within the S106 and the submission of an Employment and Skills Plan and associated apprenticeship training contribution.

Design

- 11.9 The NPPF 2021 attaches great importance to the design of the built environment. Paragraph 126 states '*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*
- 11.10 Paragraph 133 states that 'applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community' and this is reinforced in London Plan Policy D2, which seeks the involvement of local communities and stakeholders in the planning of larger developments.

- 11.11 Policies D3 and D4 of the London Plan require that buildings, streets and open spaces should provide a high-quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion, appearance, shape and form. This is also echoed in LBH Planning Policy 26 which seeks to promote high quality design that contributes to the creation of successful places in Havering by supporting development proposals that are informed by respect and complement the distinctive qualities, identity, character and geographical features of the site and local area and are of a high architectural quality and design.
- 11.12 The scheme put before the Council has been developed thoroughly through detailed pre application discussions held with Officers, as well as members of the Strategic Planning Committee and GLA.
- 11.13 The scheme proposes a varied palette of materials combined with a contemporary form of detailing, which would create visually interesting buildings of an appropriately standard for this setting. The scheme itself follows the design principles of a number of SEGRO approved development schemes, including SEGRO PARK Rainham.
- 11.14 Notwithstanding the information submitted with this application, a planning condition requiring the approval of material samples would be appropriate to ensure that the detailed design of the proposed buildings agreed prior to works commencing on site.
- 11.15 The main elevational treatments are a combination of profiled horizontal and vertical metal cladding, flat cladding composite panels, translucent cladding panels and curtain walling. This combination of materials together with different variations of colour will break the walls up into smaller components which in turn helps to break up the massing for the scheme.
- 11.16 The details and palette of different types of cladding and colour will be kept to a minimum to maintain the modern appearance palette of the development as a whole. In key locations, it has been proposed to use brickwork and accent colour to only enhance the scheme and provide visual breaks and enhancements in key locations; with one of the focal points being the focus of the offices along the eastern elevations of units 6, 8 and 9 where lights are proposed over the office spaces to elevate the east elevation to the entire development.
- 11.17 Cladding features will serve the warehouse and production areas with feature framing and banding flashing details to provide relief in the visual appearance. The translucent cladding panels enhance the warehouse elements and allow the daylight to the internal space whilst creating an active frontage at night-time as a result of the warehouse illumination. In terms of materiality and site security, these elements are welcomed on the scheme and a well thought out approach to undertake with a proposal of this scale.
- 11.18 The interlink of adjoining sites has been well thought out throughout the pre application stages and application process with the larger units (4-9) warehouse roofs are barrel vaulted to create and visual and architectural link to the existing SEGRO Park Rainham directly to the north of the site on the other side of the A13. This element is applauded, with the material to be seam zinc with the strip roof lights providing the internal warehouse with additional daylight.

- 11.19 The offices will be clad in a combination of flat faced composite panels, with a plinth of brickwork on units 6, 8 and 9. The strips of glazing will be provided to the office area with the full height glazing on the upper levels. The entrance area will have the full curtain walling system wrapping around the corner to create a visually interesting corner view which is welcoming to visitors and within the wider views. The larger offices will have rooftop amenity space while the smaller units (northeast terrace) will have external projecting balconies. This well thought out approach not only seeks to be visually interesting but also has due care and consideration for potential employees in terms of the setting and environment of industrial units.
- 11.20 The orientation of most of the offices will be such that to limit solar gain. Office glazing will seek to provide solar shading, in the form of metal brise soleil, in order to reduce solar gain in the development and ultimately serves as an architectural device to add depth to the external walls to break up areas of cladding and glazing. This results in a visually interesting appearance unlike the stark appearance that industrial units usually possess. The proposed elevational treatment responds well to the surrounding context which result in a positive architectural response within this prominent site which sits along the A13 corridor.
- 11.21 A key feature within the overall design of the scheme is its promotion to being zero carbon and working towards these principles. Low energy design measures have been undertaken and integral in forming the overall design features within the site and its layout with well-insulated and airtight buildings with natural ventilation, reduced solar gain and roofs orientated to maximise solar power generation.
- 11.22 The development seeks to provide good connectivity and accessibility throughout the site and wider context. The design approach has led to better outward connectivity, enhancements to accessibility and strengthens the links between buildings by creating more attractive circulation routes, increasing permeability and improving the overall shared environment. There is a key focus within the proposal to provide improved pedestrian/cycle connectivity, not only within the site but also links to the neighbouring areas. The layout throughout the duration of the application process and pre application discussions has sought to design safe access routes with a clear focus on the separation of vehicles from pedestrians and cyclists.
- 11.23 The functionality of the site adds to vitality to the area and the expansion of this corridor of industrial development. The inclusive nature of the proposal allows for appropriate mitigation measures in terms of preserving biodiversity whilst adhering to the needs of a consumer's health and wellbeing.
- 11.24 The buildings features are strong with clear entrance paths which will ensure the units are legible and approachable. In terms of the scale and massing of the proposed development, it represents an efficient use of the land whilst still sitting comfortably within the site and surrounding context.
- 11.25 It is considered that the buildings design, scale and massing and site layout would result in a scheme which reflects the locality and the function of the building without resulting in an overly dominant form of development when viewed from the surrounding public vantage points.

- 11.26 London Plan Policy D9 sets out that Development Plans should define what is considered a tall building for specific localities. Development proposals should address various impacts including views from different distances, spatial hierarchy, architectural quality, impact on heritage assets, how they will be used/maintained, their environmental impact, and any cumulative impact. LBH does not have a specific plan policy for such buildings therefore Policy D6 of the London Plan is relevant and requires due consideration.
- 11.27 The Policy sets out that tall buildings are considered those which are substantially taller than their surroundings and cause a significant change to the skyline. It sets out that the building should be less than six storeys, or 18m when measured from ground to the floor level of the uppermost storey.
- 11.28 The applicant's consultants undertook a Townscape Study in March 2022 which considered the proposed developments height to ensure no adverse impacts on visibility and landscape. The Study took into consideration the nature and context of the scheme put forward given its industrial wider context and other buildings similar in scale/mass. These design principles have been applied to the proposed development.
- 11.29 The proposed scheme would not be considered tall buildings, given the proposed development is of similar height to the buildings in the surrounding areas and thus comply with Policy D9 as set out in the London Plan.

Landscaping

- 11.30 LBH Policy 27 looks to support development proposals that incorporate a detailed and high-quality landscape scheme which takes full account of the landscape character of the site and its wider setting, which looks to retain and enhance existing landscape features that contribute positively to the setting and character of the local area. It also looks for development proposals to maximise the opportunities for greening and enhance biodiversity where possible.
- 11.31 All proposals are required to demonstrate that adequate arrangements have been made for future maintenance and management and major development proposals should be supported by a comprehensive management plan.
- 11.32 In this case, a landscaping scheme is proposed for the site, which would assist in setting the development within the context of its wider surroundings and further act to soften the scale and visual impact of the units with due care and consideration for the undulating site levels.
- 11.33 Throughout the application process the applicants have been responsive to officers' comments to articulate the landscaping throughout the site and provide assurances with regards to biodiversity and any potential enhancements which can be made on site (this is discussed further in the biodiversity section of this report). The quantity of parking on site results in some quite large hard surfaced areas and it would be preferable to minimise this to increase landscape, however further justification on parking levels has been provided throughout the application process and satisfies the

Council's objectives and overall aims for this scheme (this is discussed further in the highways section of the report).

- 11.34 The scheme has retained where possible existing vegetation that is of good quality and has been sympathetic to its adjacent context by providing sufficient landscape perimeters on site boundaries. Overall the proposed scheme is supported, the general arrangement of the site is considered acceptable, with further details of species etc to be conditioned.
- 11.35 The proposals also recognises that accessible and functional outside amenity areas will be very important to the health and wellbeing of staff and visitors. The amenity spaces proposed have been designed to include several distinctly separate areas, which have various functions, situated along a footpath to create an inviting vista. Benches and outside eating areas are proposed to allow users to enjoy every aspect of the setting. The proposed scheme creates an interesting visual interest whilst maintaining a practical useable space for all to enjoy.
- 11.36 It is considered that the proposed development would accord with the Urban Design Principles of the stated policies and will assist in the overall aim in creating a high-quality environment, promoting health and wellbeing for staff with landscaped areas and much need employment opportunities. The proposals have been considered against Local Plan Policy 12, 26, 27 and Policy D4 London Plan which requires landscaping to form an integral part of the overall design.

Security

- 11.37 Policy D11 (Safety, security and resilience) of the London Plan states that development proposals should maximize building resilience and minimise potential physical risks, including those arising from extreme weather, fire, flood and related hazards. Development should also include measures to design out crime that – in proportion to the risks – defer terrorism, assist in the detection of terrorist activity and help mitigate its effects.
- 11.38 Concerns have been raised by Ford in relation to security measures on site with the applicant confirming that the perimeter and estate fencing are to be 'Securimesh 358' to achieve a SR1 security rating. This fencing is proposed to be 2.4m and 3m as shown in plan number 30983-PL-232A. The secure entrance will comprise of vehicle barriers with ANPR and separate lockable manual SR1 gates. There is CCTV proposed to cover site accesses, service yards, building entrances and exits, pedestrian and parking areas. The cameras themselves will avoid overlooking neighbouring residents. The external lighting is all in accordance with BS5489.
- 11.39 The applicant has liaised extensively with the Metropolitan Police in relation to designing out crime and security measures proposed on site where a number of recommendations and conditions were put forward. It is also worth noting that one representation was submitted in relation to site security especially in regard to ram raids etc. This element has been considered during the planning process and it would be reasonable to impose a suitably worded condition to ensure mitigation measures are put in place to minimise any potential security risks.

Sustainability and Climate Change Implication

11.40 Paragraph 155 – 158 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 9 of the London Plan contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. Non-residential developments should achieve 15% through energy efficient measures. Specifically, Policy S12 sets out an energy hierarchy for assessing applications, as set out below:

- 1) *Be lean: use less energy.*
- 2) *Be clean: supply energy efficiently.*
- 3) *Be green: use renewable energy.*

11.41 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

11.42 Paragraph 180 further states that when determining planning applications, local planning authorities should apply the following: “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”

11.43 London Plan Policy SI2 identifies that major development should be net zero/carbon. A minimum on site reduction of at least 35% beyond building regulations is required (15% through energy efficiency measures). Referable applications should calculate whole life cycle carbon emissions. Policy SI3 of the London Plan required energy masterplans for large scale development locations, while Policy SI4 (Managing heat risk) requires major development proposals to minimise adverse impacts on the urban heat island effect with an energy statement that sets out how internal overheating will be reduced.

11.44 LBH Planning Policy 36 states that major development proposals must include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions set out in the London Plan will be met.

11.45 The applicant has submitted a further Energy Statement following comments made by the GLA in the initial Stage 1 response. The Be Lean measures have been included in order to reduce the energy demand of the site, thus reduce the carbon dioxide emissions. The proposed development is shown to achieve a 7% reduction in predicted carbon emissions at the Be Lean stage.

11.46 The proposed development seeks to include air source heat pumps and photovoltaic panels (PV). The total roof plan area measures approximately 20,653 sqm, with a minimum of 3,250 sqm required to meet the LBH and London Plan Policy requirements.

11.47 The proposed development is compliant with SI1 of the London Plan in achieving a minimum of 35% carbon reduction, therefore LBH would not seek any off-site

mitigation measures for carbon off-setting, subject to verification to be secured through the S106 agreement. As described within the Energy Statement there will be a reduction of 128% CO₂ compared to a Part L 2013 Building Regulations Baseline.

- 11.48 Whilst not strictly a Planning Policy requirement, the application seeks to achieve an Excellent rating with BREEAM. The scheme will also seek to achieve an EPC A+ certificate.
- 11.49 London Plan Policy SI2 sets out that major development should be net-zero carbon. There is currently no GLA or LETI (Low Energy Transformation Initiative) benchmark figure (kgCO₂e/m²) for Industrial Units, therefore Targeting Zero after considering the other benchmark figures with the GLA/LETI guidance produced a target figure of 500kgCO₂e/m² for these units. Consequently, this accords with LBH's aspirations to improve air quality and movement towards low carbon economies, as per the London Plan.
- 11.50 The use of materials such as timber for the smaller units, provide better low carbon options, as well as using mineral wool insulation throughout. The proposed development is therefore considered to comply with London Plan Policy SI2.

Site Waste Management

- 11.51 Units 1A-3C will have two communal bin store areas, with one serving Units 1A to 2C and another for Units 2D to 3C. Units 4 to 9 will each have their own bin storage area, resulting in a side-wide provision of eight bin store locations.
- 11.52 LBH do not have specific guidance regarding waste storage capacity calculations for the proposed land uses at the site, thus British Standards have been used, assuming a 50:50 split between Mixed Dry Recycling (MDR) and Residual Waste.
- 11.53 The proposed on site provision is considered appropriate by the Council's waste management team, although commercial waste collection is not the responsibility of the Council. Given consideration of the above, it would be considered that the waste storage facilities proposed across the site would be in accordance with the London Plan Policy SI7 and LBH Local Plan Policies 35 and 39.

Impact on street scene, amenities and adjacent occupiers

- 11.54 Policy 26 requires development to respond positively to the local context in terms of design, siting, density and spacing.
- 11.55 The surrounding sites are largely comprised with commercial premises where impact on these structures is unlikely to be adversely affected. Tesco Distribution Plant is located within close proximity to the application, as well as several smaller commercial buildings that have recently been constructed within the Beam Reach Business Park. The built form generally comprises of two to four storey metal-clad units and have a large scale and mass with limited articulation or façade variation/detailing. The buildings vary in condition from old and in poor state of repair to modern contemporary units in solid condition. With this includes a vast expanse of hardstanding areas to

facilitate parking/servicing. The proposed units would therefore be in keeping with the surrounding street scene and adjacent occupiers with no adverse impact anticipated.

- 11.56 Also, within close proximity to the application site is Beam Valley Country Park, which is a mixture of woodlands, grassland, ponds and marsh areas. This includes historical features, including tank traps, pillboxes and a section of the Old Romford Canal. The proposed development would not detract from the attractive qualities of the Country Park and would add vitality to this area.
- 11.57 In recent years there have been several regeneration schemes within the immediate vicinity. These buildings typically vary in mass, form, scale and height between approximately 3 storeys to 16 storeys. The proposal site would only enhance the character of the area, whilst the scale, mass and form proposed would be in keeping with the character of the area and not adversely affect those occupied sites.
- 11.58 Given to the scale of the proposal, it's siting and the separation distances from neighbouring properties, it is considered that the development would not have an unreasonable impact on the residential amenity of neighbouring properties or the future occupiers of the units, subject to appropriate conditions.

Lighting

- 11.59 The proposed lighting on site has been prepared in accordance with the current Design Standard for Exterior Lighting in conjunction with BS 5489 -1:2020, BS EN 12464-2:2014, CIBSE LG6- The Outdoor Environment and in accordance with BREEAM rating 'Excellent' requirements.
- 11.60 Illumination levels have been restricted across the site in order to minimise any potential impacts on the surrounding buildings, this would be in accordance with the principles set out in LBH Local Planning Policy 34, subject to suitably worded conditions. Whilst the existing site does not provide a suitable location for bats to roost on the site, it is prudent to consider the potential impacts of artificial lighting. The surrounding context is already subject to artificial lighting given the industrial units within the immediate vicinity of the site, therefore any additional lighting from the proposed uses would not be considered to the detriment of wildlife within the vicinity.
- 11.61 It would be considered appropriate to control lighting measures on site during and post construction, via condition to minimise any additional impacts on species. The applicants have set out that on site it would be seeking low level lux to avoid any impacts on light-tolerant species within the vicinity, which can be included as a suitably worded condition. The proposed development would therefore comply with the relevant LBH Policies and London Plan Policies.

Noise

- 11.62 Following the same principles as approved in the 2018 scheme (reference P1346.18) from a noise and disturbance perspective, due regard must be given to the immediate surroundings which are characterised by predominantly industrial uses. Within this context officers raised no objection to the scheme as the enabling development is the precursor to facilitating a use that would suit nearby existing uses, any detrimental impact is therefore considered negligible. The closest

residential property to the application site lies a significant distance away and is separated by a buffer of existing industrial operations.

- 11.63 In context of the site designation, the proposed scale of the development, separation distance to the nearest residential development and the proposed use, it is not considered that the development would give rise to any significant amenity impacts.

In this respect, no objections are raised with regard to London Plan policy T7 and D14, Local Plan policies 26 and 34 and the NPPF. This therefore satisfies the relevant Local Plan Policies.

Air Quality

- 11.64 The entire LBH Borough is situated within an Air Quality Management Area (AQMA) for annual mean nitrogen dioxide and 24-hour PM10. An Air Quality Action Plan has been prepared (2018) which seeks to improve air quality across the Borough.
- 11.65 An assessment was carried out by the applicant which confirmed that for the constructional phases of development, there are no 'high sensitivity' receptors located within 350m of the Site boundary, or 50m of the routes to be used by construction traffic. Subject to a suitably worded condition, this is considered acceptable.
- 11.66 On ecological matters it was noted that there is one 'medium sensitivity' receptor 80m to the east of the Site. However, there are no sensitive ecological receptors within 50m of the site or within 50m of the routes used by traffic therefore ecological impacts in this respect would be considered negligible.
- 11.67 To achieve air quality neutral status for building emissions, the use of Air Source Heat Pumps, mechanical ventilation with heat recovery, and photovoltaic panels are proposed.
- 11.68 The total development trip rate for transport emissions is lower than the benchmark and the development is therefore considered to be air quality neutral in terms of transport emissions.
- 11.69 For ecological impacts, the proposed impact on traffic flows will not result in a significant effect which might undermine the Site's conservation objectives. There will also be no other significant adverse air quality impacts due to the proposed development, including to the Inner Thames Marshes SSSI.
- 11.70 Environmental Health were consulted during the course of the application and did not object subject to a number of pre commencement conditions to ensure that development is carried out in accordance with details to be approved by the LPA. Subject to imposing relevant conditions as mentioned within the consultation responses, the proposed development would be considered acceptable in terms of IAQM guidance, Policy S1 of the London Plan and LBH Planning Policy 33.

Highways Implications including Sustainable Travel

- 11.71 Within the submitted documentation package a Transport Assessment (TA) was provided and has carried out an assessment on the trip generation data to understand the potential impacts that the proposed scheme would have on the existing highway infrastructure.
- 11.72 The proposals include the creation of a new site access from the eastern section of Courier Road. Courier Road will also be amended slightly to include a right turning lane allowing additional highway capacity when queuing and making a right-hand turn. This access seeks to serve all nine units proposed, with the associated service yards and car parking. The access itself would lead up to a secure barrier system with APNR. The largest anticipated vehicle has been characterised as an articulate HGV with a length of approximately 16.5m.
- 11.73 An Active Travel Zone assessment has been carried out and reviewed key local routes surrounding the immediate vicinity and identified areas for improvement in accordance with the healthy street's indicators.
- 11.74 The proposed development is anticipated to generate a total of 59 inbound and 113 outbound vehicle trips, equating to 172 two way trips a day. As a result, the traffic generation by the development is relatively low and is not expected to have a detrimental impact on existing highways or performance on existing junctions. However, given the westbound congestion on the A13 at peak times, TfL have requested a contribution toward improved traffic management which may include variable speed limits. TfL have provided a figure for a contribution based on trip generation of £165K and it is intended that this would form part of the overall S106 contribution to be sought for traffic/active transport/environmental improvements totalling £500k.
- 11.75 The proposal is for a total of 168 car parking spaces, which equates to one space per 172 sq m of floorspace. In terms of parking standards, the London Plan sets a parking standard for office use of up to 1 space per 100 sq m and requires that it is reduced to reflect the lower employment density for industrial and storage/distribution uses. The London Plan then allows consideration of circumstances that justify additional parking. A pragmatic approach has been undertaken within the TA to ensure the site is providing an adequate level of parking on site which includes consideration of reducing those that use private vehicles and also for poor levels of public transport accessibility within the area. Whilst this element is not strictly in line with LBH Policy 24 in relation to parking, the assessment of such parking has been robustly considered in the TA which takes into account the characteristics, employment density, public transport accessibility (PTAL rating) and shift working patterns. On balance, this is considered acceptable, subject to ensuring that the accessibility of the site by means other than car journeys is improved.
- 11.76 The London Plan sets out a requirement of 1 cycle space per 500m² for long stay and 1 space per 1000m² short stay. As a result, the proposed cycle storage provision exceeds the minimum standards required which seeks to encourage visitors and staff to cycle.

11.77 With regards to EV charging points, TfL supports the number of EV charging points being proposed; given its environmental benefits however noted this should also support the capacity for goods vehicles.

11.78 TfL have also recommended that contributions be secured (estimated £60k) for new bus stops on Marsh Way near the application site. However, this would require widening of the current footway and it is considered that given the narrow width of the highway at this part of Marsh Way and the biodiversity value of the land either side of the highway, that such provision would not be possible. Furthermore, there are existing bus stops at CEME, within 100m of the site access and therefore access by bus would still be convenient.

11.79 The site is seeking to provide accessible travel links which in turn will promote sustainable and active travel links to and from the site. With the improvement to the existing cycle and pedestrian links to Marsh Way and along the A13, this will provide safer movement to and from the site.

11.80 Furthermore, the connectivity of the site would be well supported with the potential of the Beam Park Station becoming operational; this in turn will support the movements around the site. Active travel routes to and from the site are pivotal for this schemes approach and would be beneficial for all travel movements to the site. The creation of such links provides sustainability and longevity allowing better movement for pedestrians and cyclists. The site boasts cycle parking availability that goes above required policy and this is welcomed to support active travel to/from the site. In total environmental improvements, active transport measures and congestion mitigation would be provided through a total contribution of £500k to cover the following:

- Pedestrian/Cycle Route Contribution – upgrades to Marsh Way between Courier Road and the A1306 New Road.
- Bus stops improvement contribution – improvements to shelters
- Lighting Contribution - to enhanced lighting for pedestrians and cyclists travelling on the existing shared pedestrian and cycleway
- Wayfinding Contribution - to provide way finding signage for pedestrians and cyclists to nearby transport nodes and local centres
- Public Realm Contribution - to provide improvements to the public realm in the local area that assist in encouraging active travel
- Staff Commuting Sum – this is requested by TfL, for a sum of £165,724, based on the volume of 52 westbound vehicles in the morning peak hour, at a rate of £3,187 per vehicle movement.

The distribution of the contribution to the above will be dependent on other funding sources/obtaining necessary consents and priorities for improving pedestrian/cycle routes and therefore flexibility of spend would be allowed for in the legal agreement. Any other necessary highway improvements can be secured via a S278 agreement.

11.81 Subject to mitigation measures to be secured through conditions and S106 contributions, as referred to above, it can be concluded that on balance, the proposed development would be considered acceptable in highways terms.

Biodiversity

- 11.82 Concern has been made by the Councils ecology consultant that the proposal would result in a loss of biodiversity. It is important in this instance to consider the history and context of the site. The site itself was previously landfill, which had been capped in order to be used for industrial purposes. Whilst the site lay redundant, trees were planted on the site as 'stock' trees for use throughout London. However, these were not managed properly and were left to self-seed.
- 11.83 Planning Permission was granted in 2018 (reference No.P1346.18) for the sites preparation and enabling works including felling and removing trees and landscape replanting. This permission was implemented and was designed to create two development platforms for industrial development to come forward. The approved soft landscaping plan (1516-01 Rev E) shows how the landscaping would be provided if this scheme was fully implemented.
- 11.84 If the above elements had not taken place then it is likely that the Site would not have been remediated, or would have been remediated and re-developed straight-away. The current scrub land that exists on the site today is a direct result of the site being cleared and meanwhile uses between the remediation of the site and the application (on the allocated site) coming forward.
- 11.85 The issues lie with the site remaining dormant for some time which has allowed species to thrive in this location. The biodiversity on site would diminish somewhat given the proposed redevelopment of the site, but this is a result of the site being left dormant and undeveloped for a significant period. The balance weighing exercise in this instance is prudent given the nature of the proposed development and the economic benefits it will bring, which is reflected in the sites designation as Strategic Industrial Land; sufficient weight needs to be given in favour of development whilst intrinsically valuing the biodiversity on site.
- 11.86 The proposal is seeking to retain 25% of the site for landscaping alone which will not only allow a screening buffer to some degree on the perimeter of the site but will also allow for the retention of some biodiversity on site whilst also creating suitable enhancements where possible. The site is seeking to maximise the habitat creation and biodiversity on site whilst also providing industrial floorspace on site in a Strategic Industrial Location.
- 11.87 Where identified within the Biodiversity Assessments the scheme seeks to translocate species of importance. The applicants have provided an updated Ecology Technical Note (March 2023) which sets out more detailed information about how the rigid nature of the biodiversity metric (3.1) has inflated the baseline and therefore attributed to the high loss that is seen at face value. In addition, the metric does not take into account the above history and the fact the Site was cleared to make way for development. In bringing this site forward, it is important to note its context and history and the fact the site maximises habitat creation and biodiversity whilst retaining c25% of the site for landscaping. The site proposes the retention of 1.43 ha of existing habitat, as well as the creation of 0.51 ha of open mosaic habitat, a habitat characteristic of the Sites recent history.

11.88 An application does not have to comply with all policies to be judged as in accordance with the Development Plan as a whole. Owing to the site history, achieving a viable scheme, as well as policy requirements and national level material considerations, on balance that whilst the proposal may not demonstrate full accordance with the relevant policies in respect of biodiversity, when considered as a whole with the Development Plan, the proposed development is considered acceptable subject to relevant mitigation measures and enhancements to be made on site. The site itself lends well to positive attributes to conserve the quality of biodiversity on site whilst also maximising the supply of industrial land on an already allocated site. The balancing exercise weighs in favour of this development subject to appropriately worded conditions.

Archaeology and Contamination

11.89 London Plan Policies HC1 and DC70 and LBH Local Plan Policy 28 relate to archaeological works. As previously discussed earlier on in the report, the site was previously used as landfill, therefore in terms of archaeological presence; this would be unlikely. As such, no further consideration is required on this element.

12 Financial and Other Mitigation

12.1 The Heads of Terms of the S106 agreement have been set out below. These are considered necessary to make the application acceptable, in accordance with the LBH Local Plan Policies. The proposal would attract the following section 106 contributions to mitigate the impact of the development:

- Congestion mitigation, active travel measures and environmental improvements in vicinity of the site totalling £500,000;
- Employment and skills plan together with any necessary contribution for apprenticeship training;
- Affordable Workspace Provision;
- Achievement of net-zero or alternate carbon offset;
- Travel Plan and travel plan monitoring fee; and
- Any necessary S278 agreement for alterations to the highway

Community Infrastructure Levy

12.2 The LBH have an adopted CIL Charging Schedule that came into effect in September 2019. Given the industrial use proposed for this development, the LBH's CIL will not apply, however the Mayoral CIL will apply. The site will incur a charge of £25 per sqm (indexed from 2019).

13 Equalities

13.1 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 13.2 The proposal would not give rise to any equality issues that are present with the application in terms of the proposal itself, the representations received, mitigation measures or any proposed S106 planning obligations. The proposed development, where appropriate has provided accessibility for all groups and as such there are no particular concerns to raise.

14 Other Planning Issues

Fire Safety

- 14.1 A Fire Strategy Statement was submitted in support of the application for the proposed scheme and the measures proposed within that statement meet the requirements set out in Policy D11.
- 14.2 It is therefore considered that the proposed development is compliant with the relevant Local and London Plan Policies.

Flood Risk

- 14.3 Unlike the majority of the sites surrounding the application site which are in Flood Zone 3, due to its elevated position the site is located within Flood Zone 1, therefore has a low probability of flooding. The Flood Risk Assessment submitted includes that the proposed drainage on site will use a combination of linear channels and gullies to collect surface water from external hardstanding areas around the site. Any surface water that has been collected from the hardstanding areas will pass through petrol interceptors before discharging into the geo-cellular attenuation tanks.
- 14.4 The Flood Risk Assessment submitted with the application has considered any potential risks from the resultant buildings proposed on site and any mitigation has already been considered via the recommendations within the Assessment. Relevant consultees have not raised any concerns in relation to the above and will be subject to conditions/informatives. It can be concluded that the proposed development would be compliant with Policy 32 of the LBH Local Plan as well as London Plan and National Policies.

15 Conclusions

- 15.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.