

Denver Industrial Estate, Ferry Lane, Rainham

in the London Borough of Havering

planning application no. PA/15/01005

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Outline application (all matters reserved) for the construction of a new industrial estate for B1(c), B2 and B8 Use Classes up to 46,892 sq.m.

The applicant

The applicant is **Rainham Steel Investments Ltd** and the architect is **Hale Architecture Ltd**.

Strategic issues

The redevelopment of the industrial estate for continued **industrial activities** in a more intensified and flexible manner is strongly supported and consistent with London Plan land use policies and the objectives of the **London Riverside Opportunity Area Planning Framework**.

While the application is in outline form, some further assurances are sought through the Design Code to ensure the layout improves **local connectivity** and **permeability** and activates the **street edges**. The indicative **height** and **massing** is broadly acceptable although at detailed stage care should be taken with the height and mass on the Ferry Lane frontage due to the proximity to **Rainham Marshes SSSI**.

Matters of **flooding** and **transport** are broadly acceptable subject to conditions and/or section 106 obligations, although further information is required on **multi-modal trip generation**.

An **energy statement** is required to be submitted to ensure compliance with the London Plan energy policies.

Recommendation

That Havering Council be advised that whilst the principle of the development is supported in strategic terms, the application does not fully comply with the London Plan for the reasons set out in paragraph 51 of this report, which should be addressed before the application is referred back to the Mayor.

Context

1 On 2 March 2016 the Mayor of London received documents from Havering Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London)

Order 2008 the Mayor has until 12 April 2016 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Categories 1B and 2C(g) of the Schedule to the Order 2008:

Category 1A: *"Development which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 sq.m"*.

Category 2C: *"Development to provide (g) an installation for a use within Class B8 (storage and distribution) of the Schedule to the Use Classes Order where the development occupies more than 4 hectares"*.

3 Once Havering Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site is located in the southern part of the borough of Havering and is approximately 9.99 hectares in size. To the south, it is bound by the elevated section of the A13 which separates the wider Ferry Lane industrial estate. To the west it adjoins Rainham Creek with further industrial land beyond and also to the north. It adjoins Ferry Lane to the east, from where it takes its two vehicular access points, with Rainham Marshes beyond (a designated Site of Special Scientific Interest). Further south are other established industrial areas including occupiers such as Tilda Rice and Wincanton at Beam Reach 8. The immediate area is industrial and is a designated Strategic Industrial Location (SIL) in the London Plan. The district centre of Rainham Village is about 400 metres north of the site beyond the London to Tilbury/Southend train line (C2C service).

6 The site is currently occupied by a range of low-grade industrial buildings although a large part of the site is also used for external storage of shipping containers and car parking. The site is within Flood Zone 3.

7 The site has a poor public transport accessibility level (PTAL) of 1b, on a scale of 1 to 6b, where 6b is the highest, public transport services are limited. There is only one bus route (103) running along Celtic Farm Road approximately 750m north of the site and providing access to and from Romford, Dagenham East and Rainham. The Rainham C2C rail station is about 650m away, connecting to Fenchurch Street in central London and Grays.

8 The site is within walking distance to these modes of public transport, although this needs to be supported by good pedestrian links within the site and on surrounding roads, especially linking to local public transport nodes. Additional formal zebra crossings would benefit the site by linking up the northern part within reasonable walking distance of public transport.

9 The site is within the London Riverside Opportunity Area. The Opportunity Area Planning Framework (OAPF) for this area identifies this site and the surrounding SIL for continued industrial uses, with the potential for intensification, higher grade uses and improved physical appearance.

Details of the proposal

10 The proposals seek outline consent for a redevelopment of the industrial estate to provide a total of up to 46,892 sq.m (GEA) of floorspace for Use Classes B1(c), B2 or B8.

11 The application is submitted in outline form with all matters reserved, to allow the applicant flexibility for a range of potential occupiers as the estate is built out. An indicative site layout has been submitted for illustrative purposes showing a possible phasing of the development over a five to ten year period in plots of roughly five acres. This indicative layout shows a range of mid-size units varying in size from 650 sq.m to 9,430 sq.m for light industrial/warehouse type activities, although depending on occupier demand, one occupier could take a much larger portion of the site for a single logistics unit that could conceivably be up to 37,160 sq.m.

12 The applicant intends to clear the site as existing leases expire and develop out a range of light industrial/warehouse units in line with occupier and market demands. Given this context and the size of the site, the applicant is requesting a period of eight years to submit reserved matters and ten years to implement.

13 The units would vary in height depending on the footprint size, and would typically range from 9 metres to 18 metres maximum height (top of the ridge). The indicative appearance of the units will be based on a structural frame with vertical elements to frame glazed opening and loading bay doors. Units will be clad in profiled steel sheeting with composite panels. The units will have ancillary offices, car parking and service yards.

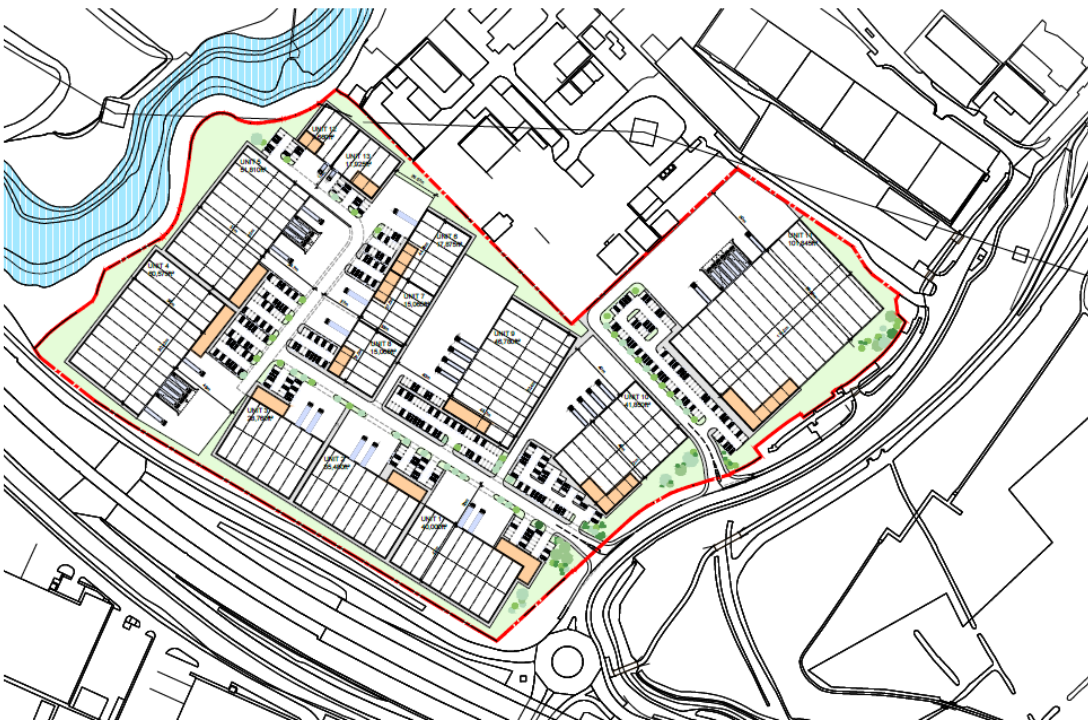


Image 1: Indicative site layout - for illustrative purposes (source: Hale)

Strategic planning issues and relevant policies and guidance

14 The relevant issues and corresponding policies are as follows:

- Land use principles *London Plan; London Riverside Opportunity Area Planning Framework*
- Employment *London Plan; London Riverside Opportunity Area*

- Urban design *Planning Framework; Land for Industry and Transport SPG
London Plan; Shaping Neighbourhoods: Character and
Context Draft SPG;*
- Flooding/Blue Ribbon
Network *London Plan;*
- Inclusive access *London Plan; Accessible London SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG;
Mayor's Climate Change Adaptation Strategy; Mayor's
Climate Change and
Energy Strategy; Mayor's Water Strategy;*
- Transport and parking *London Plan; the Mayor's Transport Strategy;*
- Crossrail *London Plan; Mayoral Community Infrastructure Levy.*

15 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Havering Council's Core Strategy and Development Control Policies Development Plan Document (DPD), adopted in 2008; the Site Specific Allocations DPD, also adopted in 2008, and; the London Plan 2015 (Consolidated with Alterations since 2011).

16 The following are also relevant material considerations:

- London Riverside Opportunity Area Planning Framework (2015);
- The National Planning Policy Framework, Technical Guide to the National Planning Policy Framework and the National Planning Policy Guidance.

Land use principles

17 As noted in paragraph five, the site is designated by London Plan Policy 2.17 as a Strategic Industrial Location (SIL), and is therefore part of London's main reservoir of industrial land, identified based on evidence of future need.

18 As also noted in paragraph nine, the site is located within the London Riverside Opportunity Area as designated on London Plan Map 2.4 and Annex 1. London Plan Policy 2.13 states that development in Opportunity Areas is expected to maximise residential and non-residential densities and to contain a mix of uses. The London Riverside OAPF indicates the potential for significant intensification for housing through consolidation and intensification of industrial activities to free up land for housing, identifying an indicative capacity of 16,000 new jobs and a minimum of 26,500 new homes over the plan period to 2035. The OAPF identifies the Rainham Employment Area, of which Denver's Industrial Estate forms a part, as a key strategic location for continued industrial activity, which has the potential to be intensified by incoming businesses displaced from elsewhere in the London Riverside area from SIL consolidation. The OAPF also notes that there is significant scope for the physical appearance of the estate and the wider industrial area to be improved, and contribute to wider placemaking and connectivity issues.

19 The proposals directly respond to market signals and will result in a significant improvement in the quality of employment floorspace. The proposal to redevelop the site for continued industrial purposes, with an intensified and flexible approach to support a range of occupiers, is therefore fully supported from a strategic perspective, and is wholly consistent with London Plan Policies 2.13 and 2.17 and the London Riverside OAPF. There is also no objection from a strategic perspective on the applicant's request for an extended outline consent. GLA officers recognise the importance that the timeframe for redeveloping the estate should be worked around the existing occupiers and their leases to ensure on-going business activity, and would broadly fit in with the plan period and aspirations of the OAPF.

Employment

20 The quantum of employment floorspace proposed is up to 46,892 sq.m. This represents a significant increase in the existing floorspace which is estimated at 8,550 sq.m and used for a mix of sui generis storage and industrial activities as noted in paragraph six. It is unknown what the existing employment density is, but based on the site area and floorspace, the proposal will be a significant improvement in the efficiency of the site and employment density, which is expected to be 1,000 employees.

21 Together with the improvement in quantitative terms, the site will also be significantly improved in qualitative terms. The existing units are low grade and inefficient in layout, and the estate is dominated by container storage and car parking. The replacement units, as indicated in the Design Code, will be modern with an improved appearance and more efficient layout, an increased employment density and an improved public realm with new landscaping. The proposals are therefore in accordance with the objectives of the London Plan, and the London Riverside OAPF, and are supported in strategic terms.

Urban design

Layout and ground floor activity

22 Whilst the layout shown is indicative, the Design Code commits the applicant to ensuring that the street edges, for example along Ferry Lane, and internal access roads will be activated as far as practicable by locating ancillary offices onto these edges, with service yards tucked away to minimise visual impact. This strategy is welcomed to ensure that the street experience for members of the public is improved as far as possible through this large industrial area.

23 Whilst the site and surroundings are industrial in character, it is important that opportunities are taken to improve permeability and legibility so that members of the public can pass through industrial areas to other areas, and that the routes are pleasant and safe. It is particularly important that access to the Rainham Marshes/SSSI, Rainham Creek and the nearby transport interchanges is promoted and improved where possible. Having said that, GLA officers also recognise that the site is physically constrained on its western edge by Rainham Creek with no bridge access, so it is accepted that there is little opportunity for the site to improve local connectivity westwards.

24 The indicative layout however is effectively a closed estate with no routes through. Whilst the existing context of Rainham Creek, the A13 and the adjoining industrial estate means that there are currently no suitable connections to be made, the opportunity to improve this situation on a site of this size needs to be explored, so small changes can be put in place through the scheme that can then be taken further through other adjoining developments as they come forward or other Council initiatives. The applicant should commit through the Design Code, to some passive provision so that when adjoining land comes forward for development routes can be created to increase local permeability. In addition, the proximity to the Creek for members of the public, including those working on the estate, is a key asset that should be explored by opening up the site to the Creek at the western end of the site, with a direct route eastwards to visually relate to Rainham Marshes. The applicant should also look where existing points of access across the A13 are located and whether there is any scope for this to be improved, for example with a river walk adjacent to the Creek.

Form, height and architecture

25 As the application is in outline form, details of the scale, height and appearance of the units are unknown at this stage, although the Design Code includes some detail on maximum building

heights, potential unit sizes (subject to occupier demand), and materials. Images are also included in the Design Code with examples of similar units which the design intends to follow, and these appear suitable for the uses proposed and would be a significant improvement on the appearance of the estate.

26 Building heights and masses must however respond to local context, in particular the setting of Rainham Marshes and the SSSI where a reduction in the scale of buildings would be appropriate on the Ferry Lane frontage. Buildings with a more human scale on this edge will also assist in creating a more pleasant pedestrian environment along Ferry Lane, as noted above.

Blue Ribbon Network

27 London Plan Policy 7.28 seeks to ensure that development proposals take opportunities to open culverts and naturalise river channels where feasible, to improve access to London's waterways and the benefits it brings in ecological terms.

28 As noted above, Rainham Creek is an asset which should be exploited in the layout of the scheme for members of the public to enjoy. By opening up the scheme to the Creek on the western edge, it could also mean that further improvements in the future could be carried out to establish a river walk providing an alternative walkway through the industrial area.

Inclusive design

29 The aim of London Plan Policy 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion. Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity.

30 The Council should ensure that when dealing with the detailed stages of the application, full details are secured showing how disabled people access each of the entrances safely, and includes details of levels, gradients, widths and surface materials of the paths and how they are segregated from traffic and turning vehicles etc, and how any level changes on the routes will be addressed.

Flooding

Flood risk

31 The Flood Risk Assessment (FRA) prepared by Capita confirms that the site is in Flood Zone 3a and has some relatively small areas of surface water flood risk. The FRA confirms that the site is well protected from flooding by existing defences, however, in the unlikely event of a breach in the defences flood waters could be up to two metres deep. Given that the proposals are for industrial land uses, the level of risk can be managed with suitable warning, flood evacuation planning and areas of safe refuge above any predicted flood levels within each building.

32 Given the risks present at the site, the land uses proposed and the proposed mitigation measures are acceptable and in accordance with London Plan Policy 5.12.

Sustainable drainage

33 The FRA states that the development will include attenuation features and surface SUDS features to contain surface water run-off up to the 1 in 100 year storm. The details of these aspects of the proposal will be worked up for the reserved matters application, but in principle this

approach complies with London Plan Policy 5.13, although a suitable planning condition should be attached, such as:

No development shall commence until a sustainable drainage regime meeting the requirements of London Plan policy 5.13 has been submitted to and approved by the Local Planning Authority in consultation with the London Borough of Havering Lead Local Flood Authority

REASON: To ensure the sustainable management of water and minimise the potential for surface water flooding.

Climate change mitigation and adaptation

34 The application was not supported by an energy statement, and it is therefore not possible to comment on whether the application complies with the London Plan energy policies. The applicant must submit a compliant energy statement as per the GLA guidance. The energy statement should include carbon emissions figures, set out the energy strategy proposed and demonstrate that initial feasibility work has been undertaken in order to illustrate the measures considered to minimise the development's carbon emissions.

35 Updated energy assessment planning guidance is available on the GLA website (March 2016). This provides further information on the revised targets to take into account Part L 2013 of the Building Regulations. It also provides details on the information that should be submitted within the energy statement to be submitted at Stage 1. See link for the latest guidance published in March 2016: <https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/pre-planning-application-meeting-service-0>

36 The Mayor currently applies a 35% carbon reduction target beyond Part L 2013 of the Building Regulations as set out in the revised energy assessment guidance.

37 The applicant is strongly advised to submit an energy statement as per the guidance as soon as possible so that there is adequate time for this matter to be dealt with prior to the application going before Havering Council's planning committee.

Transport for London

Trip generation/modal split

38 The vehicle trip generation methodology is appropriate, although trip generation for all modes should also be quantified in order to allow an assessment of the impact on public transport (particularly buses) to be undertaken.

Highway network/A13

39 The site is located adjacent to the A13 which forms part of the Transport for London Road Network (TLRN), and TfL officers agree that the development would not have a significant impact on the A13, as shown on the percentage changes of impact in the transport statement. TfL will further liaise with the Council's highway officer on two proposed new junctions on the local highway when the detailed application(s) are submitted.

Cycle parking

40 The proposal suggests that cycle parking will be provided, in accordance with the Council's maximum cycle parking standards. However, TfL recommends following the London Plan (2015)

Table 6.3 requirements. TfL welcomes that the applicant will provide staff showers, lockers and on-site changing facilities in order to fully comply with London Plan Policy 6.9.

Car parking

41 TfL welcomes the provision of the Blue Badge parking spaces. However, the provision of electric vehicle charging points (EVCP's), car parking size and layout should also comply with the London Plan 2015 Table 6.2. Given that Ferry Lane adjoins the A13, TfL has concerns about the level of on-street parking on the local highway. However, in this instance there are double yellow line parking restrictions on both sides of Ferry Lane in close proximity to the site, and TfL suggest that no on-street parking is allowed on Ferry Lane.

Pedestrian access

42 The submitted transport statement suggests that there are good pedestrian facilities as well as informal pedestrian crossing points within the vicinity of the site. However, formal zebra crossings could improve pedestrian safety and walking experience. It is suggested that the Council enter into a section 278 agreement with the applicant to secure this.

Bus services

43 There are only two bus routes within reasonable walking distance. Depending on the results of the multi-modal trip generation exercise, TfL may seek section 106 contributions towards bus service enhancements or frequency upgrades.

Travel plan, delivery and servicing plan and construction logistics plans

44 TfL welcomes the submission of a framework travel plan. Travel plans should be checked for robustness using the ATTrBuTE tool (<http://attribution.org.uk/>) complying with London Plan Policies 6.3 and 6.11.

45 A delivery and servicing plan (DSP) must be secured through section 106 agreement or condition, which should endeavour to ensure that deliveries are carried out outside of peak hours. This must be approved by the Council prior to first occupation.

46 The application should include a construction logistics plan (CLP) which should show that construction vehicle movements will be optimised to avoid the AM and PM traffic peaks and reduce highway impact on the TLRN in the vicinity of the site.

Community Infrastructure Levy

47 In accordance with London Plan Policy 8.3, the development is liable to the Mayor's CIL, and for Havering the Mayoral charge is £20 per square metre gross internal area.

Local planning authority's position

48 The Council's formal position on the planning application is unknown at this stage.

Legal considerations

49 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his

reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

50 There are no financial considerations at this stage.

Conclusion

51 London Plan policies on **land use principles, employment, urban design, inclusive access, flooding, sustainable development and transport** are relevant to this application. The application broadly complies with these policies although further information is needed in order to fully comply with the London Plan. The potential remedies to issues of non-compliance are set out below:

- **Land use principle/employment:** There principle of redeveloping the industrial estate for continued industrial activities in an intensified, flexible and improved form, is strongly supported strategically and in accordance with London Plan Policies 2.13 and 2.17 and London Riverside OAPF.
- **Urban design:** Whilst the application is in outline form and the design/layout detail is unknown at this stage, the design code should include analysis of local connectivity and take opportunities to improve this where practicable, including improving access to Rainham Creek and make passive provision for new connections which can be developed further as adjoining sites come forward for development. The strategy to locate ancillary offices onto Ferry Lane and internal access roads is welcome to improve these as pedestrian routes, together with the materials strategy, although care should be taken with the height and massing of units to ensure that Rainham Marshes SSSI is protected.
- **Inclusive access:** The Council should ensure that the principles of inclusive design and dealt with as reserved matters stage in accordance with London Plan Policy 7.2.
- **Flooding:** The proposals are acceptable in relation to London Plan Policy 5.12 and Policy 5.13, provided the suggested condition is attached requiring sustainable drainage details at reserved matters stage.
- **Climate change:** The application was not supported by an energy statement, and it is therefore not possible to comment on whether the application complies with the London Plan energy policies. The applicant must submit a compliant energy statement as per the GLA guidance.
- **Transport:** The following matters should be addressed and secured by condition/section 106 agreement as appropriate: additional information on multi-modal trip generation is required; cycle parking spaces in accordance with the London Plan Table 6.3; provision of EVCP's, car parking size and layout to comply with the London Plan 2015 Table 6.2; pedestrian link improvements/zebra crossing between Rainham Station and the site should be secured by section 278 agreement; travel plan, DSP and CLP secured by condition.

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