



Ms Nelupa Malik
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By Courier & Planning Portal
18th October 2018

Planning Portal Ref: PP-07378071
Planning Application Ref: 18/00161/FUL
Our Ref: AXA008/RMP/MH

Dear Nelupa,

**DISCHARGE OF CONDITION 35 (PILING) RELATING TO PLANNING PERMISSION
18/00161/FUL: ERECTION OF TWO DATA CENTRE BUILDINGS (USE CLASS B8), WITH
ANCILLARY PLANT, OFFICES, GATEHOUSE, ELECTRICAL SUB-STATIONS, FUEL STORAGE,
CAR PARKING, SITE FENCING, LANDSCAPING AND OTHER ASSOCIATED WORKS ON LAND
AT THE FORMER SANOFI SITE, YEW TREE AVENUE, DAGENHAM.**

We write on behalf of our client NTT Communications Corporation (NTT) – the applicant – in respect of discharging condition 35 attached to planning permission 18/00161/FUL.

This covering letter forms part of a suite of formal planning application documents, which meet the validation requirements of the London Borough of Barking and Dagenham. The submitted documents include:

- application forms and notices (DLA);
- additional information letter (Keller); and
- Piling Risk Assessment (October 2018).

The application package also includes the following formally submitted plans;

- Site Location Plan (Dwg. No. PHW-ARC-SP-DR-A-0100 Rev. A) (ARC:MC);
- Cable Percussion Borehole Log (Borehole No. BH201) (Capita) – Sheets 1,2&3;
- Cable Percussion Borehole Log (Borehole No. BH202) (Capita) – Sheets 1,2&3;
- Switchroom Foundation General Arrangement (Dwg. No. 80-409071-100 Rev. P4) (Freedom);
- Piling Layout Plan, Sheet 1 (Dwg. No. PHW-CA-B1-B1-DR-S-1001 Rev. T01) (Capita);
- Piling Layout Plan, Sheet 2 (Dwg. No. PHW-CA-B1-B1-DR-S-1002 Rev. T01) (Capita);
- Foundation Layout Plan Sheet 1 (Dwg. No. PHW-CA-B2-B1-DR-S-2005 Rev. P00) (Capita);



- Foundation Layout Plan Sheet 2 (Dwg. No. PHW-CA-B2-B1-DR-S-2006 Rev. P00) (Capita); and
- Exploratory Hole Location Plan (Dwg. No. PHW-CA-SP-ZZ-DR-S-503 Rev. P00) (Capita).

The Application Site

As shown on the Site Location Plan, the proposed development site lies on the eastern side of the former May and Baker / Sanofi pharmaceutical works. To the north west are the retained buildings which form part of Londoneast-uk business and technical park and to the north is Foxes Lane and the May & Baker Sports & Social Club. To the east is the Chase Nature Reserve and to the immediate south is the over ground element of the underground (District Line) serving Dagenham East Station. To the immediate west are three newly constructed warehouses.

The site is situated on contaminated land, a result of its former land use as a chemical manufacture facility (former May and Baker / Sanofi pharmaceutical works). In relation to the historical legacy of the site Sanofi have invested a significant amount of time, in full consultation with both the Environment Agency and the London Borough of Barking and Dagenham, in order to appropriately remediate the site.

Planning History

Outline planning permission (11/01044/OUT) on the wider site was granted by the London Borough of Barking & Dagenham in March 2012 for:

'Permission for Mixed use redevelopment comprising erection of up to 30,000m² of buildings (Use classes B1(c), B2, B8, D1), retention and re-use of 41,637m² of buildings (Use classes B1, B2, B8, D1) including up to 3,500m² healthcare building (Use class D1), erection of 9,816m² training centre (Use class D1), 9,276m² supermarket including petrol station, 80 bed hotel and restaurant (Use class C1) and 2 floodlit synthetic turf football pitches with associated landscaping and parking.'

Elements of this detailed planning permission and ancillary associated planning permission have now been implemented on the central and northern part of the site.

This proposal relates to the eastern end of the former pharmaceutical site which has been subject to a number of recent planning applications. On the 12th of September 2018, full planning permission was granted on the site (Ref: 18/00161/FUL) for the following:

"Erection of two data centre buildings (Use Class B8), with ancillary plant, offices, gatehouse, electrical sub-stations, fuel storage, car parking, site fencing, landscaping and other associated works."

The permission is subject to a number of conditions, including condition 35, subject of this application, which stipulates that:

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

London Borough of Barking and Dagenham gave the following reason for attaching the condition:



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

Reason(s) for discharging the condition

Since the granting of permission 18/00161/FUL the design of the foundations for the buildings has progressed. As such, an updated piling risk assessment and piling plans have been prepared which this application seeks written consent from the Local Planning Authority for.

This submission clearly demonstrates that the proposed piles (under buildings 1, 2 and electricity substation) will be less than 19m deep so as to retain in excess of 5m of solid London Clay between the base of the pile to the underlying aquifer. This is consistent with the Environment Agency's position that 5m of low permeability soils (i.e. London Clay) is of sufficient thickness to remain protective of the underlying aquifers for other developments within the London basin and as such the identified receptors are not considered to be at any unacceptable risk.

On the basis that the piling risk assessment fully addresses the concern raised by the Environmental Agency we look forward to receiving your confirmation that sufficient information has been submitted to discharge condition 35 of permission 18/00161/FUL.

If you have any queries, please do not hesitate to contact me, or my colleague Will Riley, at your earliest convenience.

Yours sincerely,

ROBERT PURTON

Partner

email: RPurton@davidlock.com

Enc:

- application forms and notices (DLA);
- additional information letter (Keller); and
- Piling Risk Assessment (October 2018).
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- Switchroom Foundation General Arrangement (Dwg. No. 80-409071-100 Rev. P4) (Freedom);
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and
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Cc: NTT Communication Corporation Planning Application (Hard copy and CD)
David Harley, Be First
Andy Goymer, Planning Specialist North London, Environment Agency