

Ms Nelupa Malik
Principal Development Management Officer
Be First
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01 October 2019

Dear Nelupa

Our Ref:
AXA008/RMP/BB

**LAND AT FORMER SANOFI SITE, YEWTREE AVENUE,
DAGENHAM: SECTION 96A OF THE TOWN AND COUNTRY
PLANNING ACT NON-MATERIAL AMENDMENT APPLICATION
TO PLANNING PERMISSION 18/00161/FUL ON THE
NORTHERN LANDSCAPING**

Planning Application
Refs: 18/00161/FUL,
18/01809/NMA,
19/00276/NMA,
19/00419/NMA &

We write on behalf of our client NTT Communications Corporation (NTT) – the applicant – in respect of the recently discussed non-material amendment to the previously approved scope of work.

Planning Portal Ref:
PP- 08196323

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; and the following formally submitted plans;
- Application boundary plan, Dwg. No. PHW-ARC-SP-DR-A-0100 Rev. A (ARC:MC); and
- to assist the accompanying documentation schedule identifies which of the drawings and reports are consented and which are to be superseded by this submission. Where these are to be changed they have been formally submitted as part of this submission.

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 one of which is to open shortly as a Secret Cinema.

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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.'

This outline planning application has been supplemented with a number of subsequent submissions which following their approval have been and in some instances continue to be implemented.

This proposal relates to the eastern end of the former pharmaceutical site which has been subject to a number of recent planning applications. Of greatest relevance to this submission is that 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."

Planning permission 18/00161/FUL is subject to a number of conditions, including conditions 2 and 3 which stipulate that the development must accord with the submitted plans.

In October 2018 a non-material amendment under Section 96a of the Town and Country Planning Act 1990 submission (18/01809/NMA) was made, and subsequently approved, to vary the design of the windows in the green wall of building 1, add an additional free-standing electrical substation in the main utility compound, alter the design of the main substation building, vary the design of the screening of areas of plant around building 1, alter the design of the perimeter security fencing; and amend the siting of the fire water tank and pump to the rear of unit 1.

On 13th February 2019 a further non-material amendment under Section 96a of the Town and Country Planning Act 1990 (19/00276/NMA) was submitted to vary the disposition of the utilities that support the data centres within the site. This was approved on 27th March 2019.

On 28th February 2019 a non-material amendment under Section 96a of the Town and Country Planning Act (19/00419/NMA) was submitted to vary the design of the office accommodation, undertake a number of ancillary alterations to building 1 and change the design of the gatehouse. This was approved on 7th May 2019.

In June 2019 a non-material amendment under Section 96a of the Town and Country Planning Act 1990 (19/00921/NMA) was granted to realign the parking spaces with ancillary alterations on the part of the site that is to the north of Foxes Lane.

This non-material amendment under Section 96a of the Town and Country Planning Act 1990 relates to the realignment of the previously approved landscaping to the north of Building 1 and south of Foxes Lane.

Reason(s) for these proposed non-material amendments

Planning permission 18/00161/FUL and the subsequent non-material amendments permitted the landscaping scheme which accompanied the data centre. As you are aware a key component of the project was securing the alignment of the new power cables into the site along with sufficient data and phones lines, to ensure the facility can operate on a day-to-day basis but to also give it a robustness of service level of 99.999%. In order to obtain these connections were required to cross the nature reserve to the north of Foxes Lane.

Following lengthy discussions with your colleagues regarding the ecology impacts of crossing the nature reserve, it was agreed that the cables would go below ground level. It was agreed the contractors would use a mole bore to create a channel under the nature reserve thus protecting the habitats of the and mole bore, sky larks. The cables have now been laid but, as a result of the change in methodology the minor alterations are required to the landscaping to scheme to the north of Building 1.

This application is seeking permission to revise the approved planting scheme to the north of Building 1 by introducing:

- indigenous hedge planting areas; and,
- wildflower/grassland.

As all of this work is within the application boundary. The changes in the landscaping will not have a material impact the appearance of the site nor the public's experience of Foxes Lane. In addition, the proposed planting scheme compliments the adjacent nature reserve.

With respect to the requisite planning application fee of £234.00 and the £20 administration fee this has been paid by Dagenham 2BV, on behalf of the applicant, via the Planning Portal.

As we have prepared this package of refinements in tandem with our on-going liaison with you we trust that that you will conclude that the proposed changes are both visually sympathetic and retain the previously approved benefits of this significant inward investment into the borough. However, if you have any queries, please do not hesitate to contact me, or my colleague Becky Bonnett (bbonnett@davidlock.com), at your earliest convenience.

Yours sincerely,

ROBERT PURTON

Partner

email: RPurton@davidlock.com

Enc: Application pack and schedule of revised drawings

Cc: NTT Communication Corporation Planning Application – Hard Copy
David Harley, Be First – letter only
Stephen Hurthouse, Be First – letter only