

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0932.25

WARD: Mawneys

Date Received: 11th July 2025

ADDRESS: Units 2 To 3 King George Close
Romford

PROPOSAL: Variation of condition no. 2 (Plans) of planning application P1726.23 dated 02/01/2024 to allow for amendments to the acoustic fence and gate around the plant area and to show the plant equipment (Erection of steel plant gantry and open mesh walkway with high level perimeter louvred enclosure; internal reconfiguration; roof openings and modifications; facade modifications; louvres; flue shafts; access and escape stairs and security fence cages; change in material of acoustic fence to external plant room; new and amended doors; and the infilling of window openings.

DRAWING NO(S): P5-A-01000
P5-A-00001 Rev P02

RECOMMENDATION: It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE DESCRIPTION

The wider site is a rectangular parcel of land covering an area of 3.74 hectares and comprises a large industrial style building with ancillary offices.

The site is bound to the north by residential properties at Linley Crescent; to the east by residential properties at Hainault Road; to the south by King George Close with industrial / storage units beyond; and to the west by a warehouse unit and associated cafe, with King George's playing fields beyond.

The use of the building as a data storage centre (referred to as Green Mountain London 1 East) was approved in 2007. Vehicular access to the Site is made from the A12 (Eastern Avenue) via King George Close.

The part of the site relevant to this application is located to the North West of the site and rear of the existing building no. 3 King George Close.

The site is not located within a Conservation Area and there are no listed structures within the vicinity of the site.

The application site is located within the King George Industrial Estate, a Strategic Industrial Location.

DESCRIPTION OF PROPOSAL

A S73 has been submitted to consider alterations to the approved works as follows:

Variation of condition no. 2 (Plans) of planning application P1726.23 dated 02/01/2024 to allow for amendments to the acoustic fence and gate around the plant area and to show the plant equipment (Erection of steel plant gantry and open mesh walkway with high level perimeter louvred enclosure; internal reconfiguration; roof openings and modifications; facade modifications; louvres; flue shafts; access and escape stairs and security fence cages; change in material of acoustic fence to external plant room; new and amended doors; and the infilling of window openings.

The applicant states that the proposed works are required to meet the requirements of the data centre clients, with no further details on how the previously approved would not meet the need of the data centre.

Some of the approved works have been implemented.

RELEVANT HISTORY

There are various planning applications; the most recent and relevant s as stated below:

P1726.23 Erection of steel plant gantry and open mesh walkway with high level perimeter louvred enclosure; internal reconfiguration; roof openings and modifications; facade modifications; louvres; flue shafts; access and escape stairs and security fence cages; change in material of acoustic fence to external plant room; new and amended doors; and the infilling of window openings - granted 20-03-24.

P1169.25	Erection of a rear extension to the existing data centre to provide a goods lift and modular loading bay	
	Awaiting Decision	
N0062.24	Application for a non-material amendment to planning permission ref:P1485.23 dated 24/11/2023 to allow for a change of size to water tanks & pump room (Erection of water storage tanks, pump room building and associated screening)	
	Approve no cons	19-02-2025
P1726.23	Erection of steel plant gantry and open mesh walkway with high level perimeter louvred enclosure; internal reconfiguration; roof openings and modifications; facade modifications; louvres; flue shafts; access and escape stairs and security fence cages; change in material of acoustic fence to external plant room; new and amended doors; and the infilling of window openings.	
	Apprv with cons	20-03-2024
P1485.23	Erection of water storage tanks, pump room building and associated screening	
	Apprv with cons	24-11-2023

P1251.23	Change of use of building from manufacturing to plant and machinery facility ancillary to the main data centre use and associated external alterations. Apprv with cons 06-10-2023
P1238.23	Erection of external fin wall to the front of the existing data storage facility. Apprv with cons 06-10-2023
P1055.16	Erection of Steel Gantry & Open mesh walkway with high level Perimeter Louvred Enclosure and associated access/egress stair, to act as plant gantry for installation of new external plant Apprv with cons 17-08-2016
N0035.13	Non Material Amendment to P0151.12- relocate turnstile, re-hinge gates, new rising arm barrier, parking bays and replace security hut. Approve no cons 19-08-2013
P0151.12	Amendments to planning permission P1290.07 (as previously amended by P1462.09, P0456.11 and N0021.11) for new equipment to data storage centre, roof openings, generator flues, altered door locations, new access hatch, louvres and new facade and roof modifications Apprv with cons 29-03-2012
P0846.11	New topping to existing fences. New sliding gate to access road, new sliding gates and fences. New security hut and new car parking spaces. Apprv with cons 26-07-2011
Q0050.11	Discharge of condition 6 of P1290.07 Withdrawn - Invalid 20-12-2011
N0021.11	Minor amendment to P1290.07 & P1462.07 - increased opening in roof to provide free air area cooling plant. New generator exhaust flues. Portion of existing facade retained. Location of doors altered. new access hatch. New louvres to provide ventilation to plant area Approve no cons 28-04-2011
P0456.11	New cooling equipment to data centre storage facility with timber acoustic screen Apprv with cons 12-05-2011
Q0002.10	Discharge conditions 6 & 7 from P1290.07 (also relating to P1462.09) ALL DECISIONS 04-02-2010 ISSUED
P1462.09	Amendment to application P1290.07 The amendment consist of new louvers to the north facade, amendments and new louvers to the south facade and roof openings. The development is for the refurbishment of an existing warehouse to provide data centre storage facilities Apprv with cons 08-12-2009
Q0063.09	Discharge of Conditions 4 and 7 of P1290.07 ALL DECISIONS 04-06-2009 ISSUED

P1290.07	Refurbishment of warehouse comprising external alterations including replacement roof panelling, installation of underground fuel storage, new means of enclosure and alterations to site access with new security hut. Apprv with cons 10-08-2007
P0371.07	External alterations to building including replacement roof panelling, installation of underground fuel store; new means of enclosure. Alterations to site access. 3 no. sub-stations. Refuse 25-05-2007
P1610.06	4 x portakabins to front yard area Apprv with cons 02-11-2006
P0270.94	Change of use of part of warehouse to office use. Formation of windows at first floor level (Revised plans received 12/04/94) Apprv with cons 03-05-1994

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent out, with 2 representations received with the summary of the concerns raised as below:

- the recent extensive work caused extensive noise and disruption despite numerous requests to deaden the sound.
- unable to enjoy rear gardens during summer hot weather due to noise, unbearable for people working from home
- would devalue property.

Officer's response:

Noise and nuisance concerns are material consideration to be considered in the report below, although the level of noise during construction should normally be for a limited period, and the breach of working hours condition is noted, to be reported to the Public Protection service area.

LBH EH - No noise report to comment on.

Historic England - No objections (under main application).

RELEVANT POLICIES

NPPF (2021)

London Plan (2021)

- Policy D4 (Delivering good design);
- Policy D5 (Inclusive design);
- Policy D13 (Agent of change);
- Policy D14 (Noise);

- Policy E4 (Land for industry, logistics and services to support London's economic function);
- Policy E5 (Strategic Industrial Locations);
- Policy E7 (Industrial intensification, co-location and substitution);
- Policy SI1 (Improving air quality); and
- Policy SI2 (Minimising Greenhouse gas emissions).

Havering Local Plan (2021)

- Policy 7
- Policy 19 (Business Growth);
- Policy 26 (Urban Design);
- Policy 33 (Air Quality); and
- Policy 34 (Managing Pollution).

MAYORAL CIL IMPLICATIONS

N/A

STAFF COMMENTS

The PPG states that a Section 73 application cannot be used to change the description of development. This is supported by the Court of Appeal judgement in *Finney v Welsh Ministers & Ors* (Rev 1) (2019) EWCA CIV 1868. It follows that where amending a condition would result in a conflict between the condition and the description of development that particular amendment is beyond the powers under Section 73. The description of development would not be changed through the variation sought and there is no conflict in this respect.

In accordance with the current protocol for site visits, an in-person site visit was not considered necessary given the nature and scale of the proposal. In determining this planning application, planning history, Google Street View™, aerial view images and submitted drawings were used to assess the site constraints.

PRINCIPLE OF DEVELOPMENT

The principle of development is established through the consent that is to be varied. The main considerations are the visual impact of the proposed development and impact on amenity including noise issues.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 26 (Urban Design) of the Havering Local Plan (2021) sets out that proposals should respond to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing, rhythm of the building, frontages, group of buildings or the building line and height of the surrounding physical context and should provide creative, site specific design solutions, as well as being built of high quality, durable, robust, low maintenance materials that

integrate well with surrounding buildings.

The proposal to amend the approved plans to reflect changes to the acoustic fence and gate surrounding the plant area and to include the detailed layout of plant equipment to allow data centre to remain functional and the design would not be out of character with the site, as it would not be materially different from the approved design, therefore complies with Policy 26.

IMPACT ON AMENITY

In terms of its visual amenity impact, the changes are largely contained within the service yard screened by the acoustic barrier, limiting views from surrounding residential dwellings. In addition, the visual and outlook was previously considered acceptable under the main application, therefore the outlook and visual impact would not be considered to be significant, and would comply with Policy 7.

In terms of the noise and associated disturbance, it has not been possible to assess the impact in this regards, given that the application is not supported with a noise report. Previously approved was supported with a noise report, which the Council's Environmental Health team commented on, therefore officers are unable to assess the impact of the currently proposed acoustic materials and the acoustic performance of the materials. Given that the effectiveness of the acoustic barriers cannot be determined based on the level of details submitted with the application, it would be considered that officers cannot confirm compliance with the original noise mitigation requirements or conditions, contrary to London Plan policies D13 and D14, and policies 7 and 34 of the Local Plan 2021.

HIGHWAY/PARKING

The proposal would not change the parking arrangements within the site, nor the levels and type of vehicular activity, so it is judged to have no material impact in this respect.

KEY ISSUES/CONCLUSIONS

Upon full assessment of the submitted material supporting the application, taking into account all material considerations, it is considered that the objectives of the development plan have not been met, and it is therefore recommended that permission be REFUSED.

RECOMMENDATION:

It is recommended that **planning permission be REFUSED** for the following reason(s)

1 Refusal non standard

Insufficient information has been provided to demonstrate that the proposed variation to the approved acoustic fence and gate would achieve the necessary level of noise attenuation to protect the amenity of neighbouring residential properties. In the absence of detailed specifications regarding the materials, construction and acoustic performance of the barrier, the Local Planning Authority cannot be satisfied that the development would comply with

policies 7 and 34 of the Local Plan 2021, policies D13 and D14 of the London Plan and the NPPF.

Authorising Officer:

Habib Neshat

Habib Neshat

17th November 2025