



PLANNING COMMITTEE

Application Address	570-576 Ringwood Road, Poole, BH12 4LY
Proposal	Variation of Condition 7 of Planning Permission APP/18/01571/F as described in that description of development in lieu of BREEAM excellent rating Certification, provide PV installation sufficient to cover 30% of buildings energy consumption, together with items identified in BREEAM assessment to obtain Very Good rating but without certification.
Application Number	APP/20/01483/F
Applicant	Charles Trent Limited
Agent	Lionel Gregory Limited
Date Application Valid	16 December, 2020
Decision Due Time	17 March, 2021
Extension of Time date (if applicable)	
Ward	Newtown & Heatherlands
Recommendation	Grant with Conditions
Reason for Referral to Planning Committee	This application is brought before planning committee at the request of Councillor Earl due to the application being contrary to Policy PP37 (3)(b) of the Poole Local Plan which requires a development of this size to achieve an 'excellent' BREEAM rating. This application asks for equivalent of a 'very good' rating.

Case Officer	Claire Moir

Description of Development

1. Planning consent is sought for Variation of Condition 7 of Planning Permission APP/18/01571/F as described in that description of development that in Lieu of BREEAM excellent rating Certification, they provide PV installation sufficient to cover 30% of buildings energy consumption, together with items identified in BREEAM assessment to obtain Very Good rating but without certification.

Key Issues

2. The main considerations involved with this application are:
 - Whether the proposals will still address the principles behind the BREEAM condition
 - Impact of the proposals on the character of the approved building and surrounding area

Planning Policies

3. Poole Local Plan (Adopted 2018)

PP01 Presumption in favour of sustainable development

PP02 Amount and broad location of development

PP16 Employment areas

PP27 Design

PP37 Building sustainable homes and businesses

4. National Planning Policy Framework (February 2019)

Chapter 14 Meeting the challenge of climate change, flooding and coastal change

Para. 153;

In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable

Relevant Planning Applications and Appeals:

5. February 2020

Application ref: APP/18/01571/F to Demolish existing buildings (inc 12 St Georges Ave) and erect industrial building for vehicle disassembly was granted with the following condition;

Condition 7

Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall achieve a minimum BREEAM Excellent rating (or equivalent standard). Prior to first occupation of the building, the Post-Construction Review Certificate shall be submitted to the Local Planning Authority verifying that the BREEAM rating has been met.

Representations

6. In addition to letters to neighbouring properties a site notice was posted outside the site on 6 February, 2021 with an expiry date for consultation of 2 March 2021.

1 representation has been received, raising objection. The issues raised comprise the following:

- Applicant is making them self exempt from applying for BREEAM as required by policy
- Non compliance will be harmful to the environment

Consultations

7. BCP Highway Authority – No objections

8. FCERM – Proposal will have no flooding or drainage implications

Planning assessment

Site and Surroundings

9. The site is occupied by a car breaker's yard with parts sales and offices in two storey buildings and relatively large warehouses. A large number of vehicles/ parts thereof are also stored externally including on racking. Ground levels fall steeply beyond the north western boundary which is bounded by a tall fence. There is a mesh fence to the south west. The business occupies a relatively large part of the block with accesses onto St Georges Avenue, Ringwood Road and Mannings Heath Road.

10. Surrounding development comprises a mixture of residential, industrial, auction rooms and other commercial uses. Notably tall structures in the same block include a water tower and lattice mast. No.12 St Georges Avenue was occupied by a single storey MOT garage however this has recently been demolished.

11. The site and wider area is within an Existing Employment Area, however a long parcel of land bounding the site to the south east and spanning from 60 Old Wareham Road to 670 Ringwood Road is allocated for housing to reinforce the residential frontage.

12. The site is in a Sustainable Transport Corridor. Ringwood Road is a quality bus corridor.

Key issues

13. The proposals seek to vary condition 7 attached to planning approval ref: APP/18/01571/F, which was to erect a large industrial building for vehicle disassembly at Trents Car breaker yard and facilities. Condition 7 specifically related to the requirement to achieve a BREEAM excellent rating or equivalent in accordance with Policy PP37 of the Poole Local Plan 2018.

14. The applicant is seeking to vary condition 7 by meeting a BREEAM Very Good rating (although not actually being assessed for such therefore without certification) and providing 30% of energy on site through renewable's in the form of solar PV's on site. This would achieve an additional 10% than that required by policy PP37 for renewables.

15. The use of renewable energy sources on site and the requirement to meet BREEAM excellent rating are two separate policy requirements therefore the scheme should achieve both not just one or the other.

16. The applicant has however produced a BREEAM pre/assessment which has concluded that due to the nature of the site and proposals, the environmental factors, location of the site and design constraints imposed by the nature and use of the building, that a rating of Very Good can be achieved but to achieve any higher rating would have an adverse effect on the overall sustainability of the project in economic terms and would not provide additional benefits.

17. Under the pre/assessment the various categories are explored in detail and the following conclusions made.

- No credits are targeted for low carbon design as the proposals do not lend itself to the incorporation of passive design methodology or free cooling.
- There is no real-world benefit in the use of flow control or leak detection as the relevant plant is not required.
- There is a low score for materials, the material specification is reasonable for a building of this type and apparent low score is attributed to the way in which BRE now calculate the impact of materials under the assessment criteria.

- Waste credits have not been targeted as the credit criteria is not necessary for a project of this type.
- Credit for ecological factors would be difficult to achieve as there are a lack of ecological factors on and around the site (Existing Employment site).

18. The applicant further states that to provide a BREEAM assessment is of significant expense, money that could be put into other environmental factors of the development such as additional renewable energy sources. In this instance the development is required by condition, in accordance with Policy PP37 to provide 20% of energy through renewable sources. To offset the cost of a BREEAM assessment the applicant is seeking to provide an additional 10%, therefore 30% of energy through renewable's sources.

19. In summary the applicant wishes to carry out the necessary requirements to achieve the equivalent BREEAM Very Good rating in accordance with their pre-assessment as submitted which covers the following sustainability considerations:

- Health and well being
- Energy
- Transport
- Water consumption
- Materials
- Waste
- Land use and ecology
- Pollution

20. In addition they have produced supporting information, the BRUKL Output Document which shows that the energy consumption of the end user will be 58.13 kWh and that Solar PVs as set out in the Solar Juice Document (625 solar PVs mounted at a 10 degree pitch on the roof of the approved building) will provide 17.44 kWh which is 30%.

21. It is concluded, that whilst conditions require both 20% renewable's and BREEAM Excellent rating or equivalent, in this instance the applicant has demonstrated that the scheme could achieve a Very Good rating and that to achieve any greater would not be of any benefit. Furthermore, they are committed to providing sustainable measures which are equivalent to BREEAM Very Good but wish to avoid the expense of a formal assessment and commit to an additional 10% provision of renewable's on site.

22. In this instance it is considered that the requirements of Policy PP37 can be met through the measures identified by the applicant and is likely to be best which can practically be achieved for such a development in this location. It is recommended the condition is amended accordingly.

23. In terms of impact on the character of the area, given the nature of the site and building to which this application relates being industrial, the provision of Solar PV panels on the roof will not have an adverse impact on the character and appearance of the area.

Section 106 Agreement/CIL compliance

24. The nature of the application does not require any financial contributions.

Planning balance

25. The applicant has demonstrated that the scheme could achieve a Very Good rating and that to achieve any greater would not be of any additional benefit. Furthermore, they are committed to providing sustainable measures which are equivalent to BREEAM very good and commit to an additional 10% provision of renewable's on site, 30% in total through Solar PV's.

26. In this instance it is considered that the requirements of Policy PP37 can be met through the measures identified by the applicant and it is recommended the condition is amended accordingly.

RECOMMENDATION

It is therefore recommended that this application be Grant with Conditions subject to the following:

Conditions

1. GN151 (Variation link to previous condition)
Planning permission is granted to demolish existing buildings (inc 12 St. Georges Avenue) and erect an industrial building for vehicle disassembly at Trents 580 Ringwood Road in accordance with the terms of the application ref: APP/18/01571/F, dated 14/02/2020, without compliance with Condition no. 7 previously imposed on planning permission ref: APP/18/01571/F but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:

Condition 7

Both in the first instance and thereafter, the development hereby permitted shall achieve the equivalent of a BREEAM Very Good rating through the implementation of measures as set out in the Thermal & Acoustic Solutions BREEAM Pre/assessment dated 26/10/2020 and 30% of on site energy shall be provided through renewable's in the form of Solar PV's as set out in the BRUKL and Solar Juice documents dated 02/05/2019 and 07/05/2019 respectively. Works shall all be completed prior to first occupation of the building

hereby approved. Post construction a full statement of those measures implemented at the site shall be submitted to the Local Planning Authority verifying that an equivalent standard to BREEAM Very Good rating has been met.

Reason -

In the interests of delivering a sustainable and energy efficient scheme and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

Informative Notes

1. IN72 (Working with applicants: Approval)

In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.
- in this case the application was acceptable as submitted and no modification or further assistance was required
- the application was considered and approved without delay

Case officer: Claire Moir