

Planning Policy Comments

Application No	APP/23/00627
Address	2 Seagull Lane, Emsworth, PO10 7QH
Development	Removal of condition 2 of APP/22/00155 relating to BREEAM Assessment. Original development was for the construction of 3No light industrial buildings split into 8 units.
Case Officer	Tina Pickup
Comments By	Emma Chisnall
Date of Comments	2 nd November 2023

Context and History

The applicant is seeking to remove condition 8 of APP/23/00627 which was granted planning permission in March 2023 for ***'Demolition of 2 & 2a Seagull Lane and warehouses 1, 2 and 4. Existing unit 6 Seagull Lane retained with external amendments including cladding and utility enclosure. Construction of 3No light industrial buildings split into 8No units'***

Condition 8 states: *Development of the 3No light industrial buildings hereby permitted shall not be commenced until a BREEAM Pre-Assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the development will attain a minimum standard of 'very good' BREEAM rating. The development shall be carried out only in accordance with the details the subject of the assessment.*

Reason: *To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

This condition was attached to the original permission based on policy CS14 of the Havant Borough Local Plan (Core Strategy) 'Efficient Use of Resources'. The policy states that *'Planning permission will be granted for development that 3. On completion, unless proven to be financially or technically unviable, meets the following standards....Multi occupational homes and non residential development over 500sqm- BREEAM standard 'very good'.*

As such, the development would be expected to meet these standards and condition 8 was included with permission APP/23/00627. No evidence was submitted as part of the application's determination to show that there are material considerations which would render this unable to be achieved.

Assessment

The applicant has submitted a BREEAM assessment and covering letter relating to condition 8. This states that the development can only achieve a BREEAM rating of 'PASS' and cannot meet the minimum BREEAM standard 'Very Good'. The applicant has said this is due to the development being a 'simple building' and not being able to meet enough of the criteria within the assessment to achieve higher standard than PASS.

Although the submitted assessment shows how the building can achieve a PASS rating, it does not show how or why other methods or criteria within the assessment could not be

used to achieve a higher rating.

In order to consider the development as a 'simple building' which by definition is a building with a limited to no energy carbon output, certification and official confirmation from the BRE that this development meets with this classification and is formally recognised as a 'simple building' would need to be provided. This has not been provided and at this time, an industrial building would be considered to have a great energy output then those which would typically meet a description of a 'simple building'.

The applicant has therefore been asked to submit further information to support these two points and unfortunately no evidence in the form of certification or confirmation as to why additional criteria couldn't be used has been submitted.

Conclusion

The issues raised would have been expected to be considered as part of the determination of the planning application. The applicant has not been able to submit the necessary evidence required by the Local Planning Authority. Until such a time where this is provided it is considered there is insufficient evidence to justify that the building would not be able achieve a standard 'Very Good'. As such, a policy objection would arise at this time on the basis that the application is contrary to policy CS14.