

Resources and Transformation Overview and Scrutiny Panel

20 March 2025

Platinum Jubilee Business Park – Removal of BREEAM Very Good accreditation condition.

Purpose	Non-Decision making
Classification	Public
Executive Summary	The report gives an overview of the removal of a planning condition to attain BREEAM Very Good accreditation on a Council owned commercial development.
Recommendation	That the Panel consider and review the contents of the report.
Reasons for recommendation	To follow a recommendation made by the Planning Committee on 09 th October 2024.
Ward(s)	All
Portfolio Holder(s)	Cllr Jeremy Heron Portfolio Holder for Finance and Corporate
Strategic Director(s)	Alan Bethune Strategic Director Corporate Resources & Transformation Section 151 Officer
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Introduction and background

1. In June 2019, the Council purchased employment development land under its adopted 'Asset Investment Strategy' 2017 (Revised Sept 2022). The intention was to build the development under its existing planning permission which was obtained by the previous owners – Linden Homes Southern Ltd.

2. The existing planning permission included other adjacent development not pertaining to this purchase being residential and a care home. Linden Homes developed the residential phase and sold the care home and flexible business units (Class B1) in phases, the latter phase purchased by the Council.
3. A business case was produced and a budget of £8,445,000 (including contingency £1.08m) was approved by Council in September 2021. The Business Case confirmed that: 'The project is seeking to provide a development which meets the requirements of BREEAM Very Good.' At that time, the Council's adopted planning policy did not include a position relating to BREEAM 'Very Good' accreditation.
4. An application was made in October 2021 to widen the use class to include B8 (Storage and distribution) on 14 of the 20 business units. This application was approved but not until September 2022 and with a new condition that Blocks B, C, D and E are required to achieve a BREEAM 'Very good' standard. This did not apply to Block A and the office Blocks F and G.
5. What is BREEAM? - **Building Research Establishment Environmental Assessment Method** is used to masterplan projects, infrastructure, and buildings. It focuses on sustainable value across range of categories:
 - Energy.
 - Innovation
 - Land use and ecology.
 - Water.
 - Health and wellbeing.
 - Pollution.
 - Transport.
 - Materials
 - Waste.
 - Management.
6. The Council commissioned SRE as its BREEAM consultants in 2020 and a pre-assessment was undertaken outlining a potential route to the targeted score.
7. BREEAM was not set as a specific planning condition for the scheme until part way through the construction process in September 2022, however all efforts were made by the project management team to achieve the required credits. It was confirmed in 2023 following completion of the development that this was not achievable.
8. It was therefore necessary to seek to remove the planning condition to avoid any breach.

9. Many BREEAM criteria require early-stage planning to be implemented to achieve the required standards. The BREEAM assessment is a wide-reaching sustainability approach which requires specific design and construction standards and monitoring which were not considered and undertaken during the initial stages of the construction works (including during the initial construction of the access road by Linden Homes, as a condition of the sale). As the development passed these time thresholds and has been completed without the appropriate consideration being given, it now cannot achieve certain mandatory credits required early in the process to achieve a BREEAM rating. A BREEAM Review Report was commissioned and submitted with the planning application which outlines that, at this stage, it is not possible to feasibly achieve a BREEAM standard due to the failure to achieve mandatory credits earlier in the process (appendix 1).

Corporate plan priorities

10. The development was primarily completed to support the economic growth priorities within the previous iteration of the Corporate plan. This is still relevant within the current iteration of the Corporate Plan, through the following Prosperity priorities;
- Priority 1: Maximising the benefits of inclusive economic growth and investment.
 - Priority 2: Supporting our high-quality business base and economic centres to thrive and grow.

Consultation undertaken

11. As part of the planning application process, both internal and external consultation was carried out, resulting in one submitted comment from Ringwood Town Council being: *Happy to accept a delegated officer decision. The Council was very disappointed that the developer and NFDC didn't meet BREEAM 'very good' requirements from the outset, given that this was flagged in the 2018 BREEAM pre-assessment and carried out by SRE for NFDC, and that NFDC finds itself in the position where it is now unobtainable.*
12. No other Councillor or consultee comments were received.

Financial and resource implications

13. The project was delivered within the allocated budget of £8,445,000 with an overall underspend of approximately £460,000. More than

£250,000 was specifically dedicated to sustainable elements of the development.

Legal implications

14. The relevant planning condition has been removed after the Planning Committee's decision on 9 October, so there are no legal implications of a potential breach of the planning permission.

Risk assessment

15. There is no requirement for a risk assessment, as the report is intended for review only.

Environmental / Climate and nature implications

16. Although the BREEAM accreditation was not achieved, the development has achieved many sustainable features that are requirements of BREEAM accreditation including:
 - Live energy and water monitoring.
 - Installation of Photo Voltaic (PV) solar roof panels to 15 of the 20 business units.
 - High Energy Performance Certificate (EPC) ratings from the highest ratings of two units being A+, twelve units being A and one unit of B rating.
 - Installation of soakaways and attenuation tanks.
 - Electric Vehicle (EV) charging points to every unit.
 - Flood risk assessments.
 - Managing the development during construction to minimise the impact on surrounding properties.
 - Use of certified contractors.

Equalities implications

17. No implications.

Crime and disorder implications

18. No Implications.

Data protection / Information governance / ICT implications

19. No implications.

Conclusion

20. Although an early BREEAM Pre Assessment was undertaken outlining a potential route to the targeted score, it is understood

that BREEAM was not set as a specific planning condition for the scheme until part way through the construction process. This is very unusual and in direct conflict with the intent of the BREEAM process, which is focused on embedding sustainability into projects from the outset, as demonstrated by the 17no. targets that require action prior to the completion of RIBA Stage 2. If early-stage credits are not actioned, it is extremely challenging for a project to achieve BREEAM certification and, in this case, not possible.

21. BREEAM aims to push projects above and beyond best practice, therefore it stands to reason that unless the relevant items are specifically targeted, they are highly unlikely to be achieved. A detailed review of the project documentation confirms this. While there are some relevant references in isolation, these would not be sufficient to achieve certification.
22. Regrettably, there is a clear implication on the lapse in actions and the timing of the BREEAM aspiration at the outset and the actual planning condition requirement to achieve it. Learning from this is to engage early in the pre-construction period and to attempt a more successful engagement with previous landowners.

1. Appendices:

Appendix 1 -RIDGE -Platinum
Jubilee Business Park BREEAM
Review Report March 2024.

Background Papers: