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Mr Gideon Whittingham
Regeneration and Planning
Development Management
London Borough of Camden
Town Hall
Judd Street
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20th June 2016

BY PLANNING PORTAL

Dear Gideon,

**SECTION 73 APPLICATION TO VARY CONDITION 32 OF PLANNING PERMISSION
2014/7683/P – TO ACHIEVE BREEAM ‘VERY GOOD’ IN PLACE OF ‘EXCELLENT’**

On behalf of the London Borough of Camden’s ‘Supporting Communities’ Directorate please find enclosed an application made under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary planning condition 32 attached to planning reference 2014/7683/P as approved by the London Borough of Camden on the 29th June 2015.

In support of this application I provide the following documentation:

- This covering letter;
- Relevant BREEAM Pre-Assessment Reports;
- Application fee of £195.

Introduction

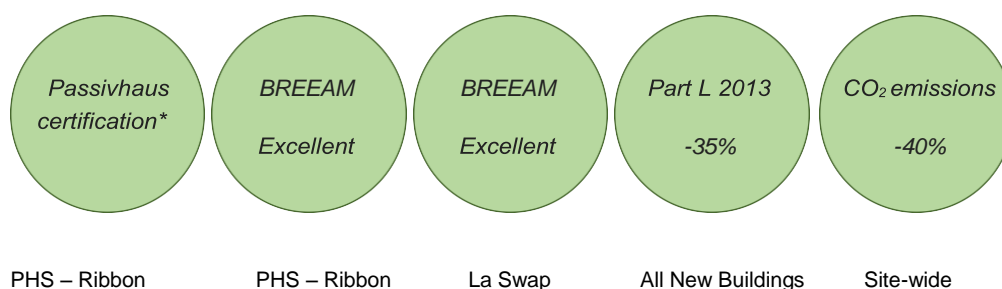
Planning permission was granted on the 29th June 2015 for the following development:

Redevelopment and refurbishment including demolition of buildings along western and southern edge of site, and in between Parliament Hill & William Ellis School, and replacement with 3 storey building along southern boundary (Parliament Hill School); enclose inner courtyard and erect 2 storey extension towards northern boundary (William Ellis School); erection of single storey building located along Highgate Road (La Swap Sixth Form) along with associated alterations to boundary treatment, new multi-use games areas, hard and soft landscaping throughout sites.

Following the grant of permission design development has continued on these extensive proposals and a number of significant savings must be found if this important school project is to be delivered. Accordingly this Section 73 application is submitted in parallel to a separate application for a number of Minor Material Amendments, specifically to reduce the current requirement of Condition 32 a BREEAM score of 'Excellent' to a BREEAM score of 'Very Good'. Stemming from the proposed changes to Condition 32 I note that Condition 33 should also be varied in order to reflect the updated BREEAM Pre-Assessment Reports.

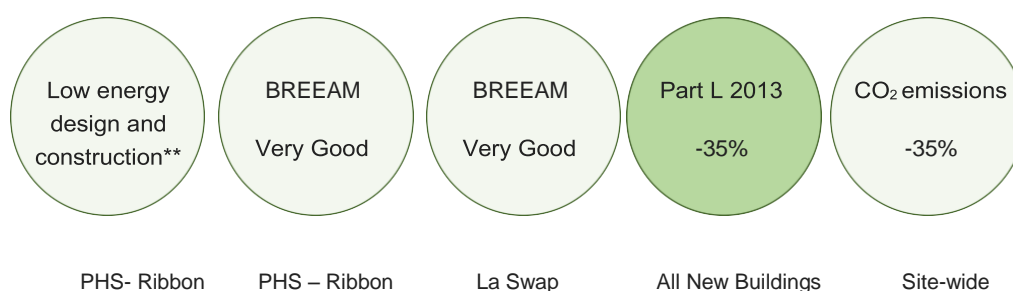
Revised Sustainability Strategy

The five key sustainability commitments as approved were as follows:



* 15 kWh/m²/yr for heating and 60 kWh/m²/yr² for all energy use

Due to the cost savings required to deliver this complex school project it has become necessary to reduce building costs in order to provide the much needed educational floorspace delivered by the scheme. Notwithstanding this the client is committed to limiting the negative impacts of cost savings on the environmental performance of the schools. Accordingly Sustainability engineers Etude have been appointed to work alongside the client and the Project Manager in order set revised targets and, crucially, monitors their integration and delivery. The five revised sustainability commitments proposed are:



** 45 kWh/m² for heating and 100 kWh/m² for all energy use

Passivhaus certification is no longer targeted as some of the essential features (e.g. triple-glazing, best practice mechanical ventilation with heat recovery) however, the client is committed to delivering low energy schools and the following actions will be undertaken:

- Revised 'as built' energy targets have been set for the Ribbon building (i.e. 45 kWh/m².yr for heating and 100 kWh/m².yr for all energy uses). These targets have been set following a review of available energy data on schools recently completed in the UK and informed by energy modelling;

- A number of key features of the energy strategy submitted for planning will be maintained (e.g. low U-values, high levels of airtightness, PV system);
- Performance against these targets will be monitored by an independent party (Etude – certified Passivhaus engineers) on behalf of the client;
- The Passivhaus energy modelling software (PHPP) will be used to predict energy use and specific data on occupancy will be used instead of standardised Part L data which does not accurately predict future energy performance;
- A rigorous quality assurance checking process will be implemented during construction by Etude on behalf of the client in order to reduce the performance gap.
- Saving energy in the existing buildings will be a key focus of the works.

Although this document focuses on explaining which proposed changes would result in a reduced BREEAM rating, it is important to highlight that a number of environmental ambitions would not be affected by the proposed change. These are outlined in the table below:

BREEAM category	Key commitments which remain unchanged
Management	Targeted Considerate Constructors Scheme (CCS) score Building user guide and user training at handover Commissioning (including seasonal commissioning)
Health and Wellbeing	Low VOC products Thermal comfort modelling Compliance with BREEAM acoustic criteria
Energy	Energy performance Renewable energy Energy efficient lifts Metering and sub-metering
Transport	Cycle spaces
Water	Water efficiency Solenoid valves on all toilet blocks
Materials	sustainable timber
Waste	Recycling facilities for operational waste
Pollution	Flood risk Stormwater attenuation

A list of credits which will no longer be targeted is provided on the following page.

BREEAM category	Ref	Credit name	Change	Details (to be confirmed by Hoare Lea)
Management	Man 01	Sustainable procurement	- 1	No thermographic survey post construction, together with remedial measures where required.
Management	Man 03	Construction site impacts	- 1	No monitoring of transport-related CO ₂ emissions.
Management	Man 05	Life cycle cost	- 1	No Life Cycle Costing analysis.
Health and Wellbeing	Hea 01	Visual comfort	- 2	As the Sports Hall is causing the Ribbon Building to fail to comply with the BREEAM daylight requirements, additional windows or rooflights would be required to comply. These additional windows/rooflights are not proposed. No blinds on windows.
Health and Wellbeing	Hea 02	Indoor air quality	- 1	Reduced credits due to change of ventilation system (centralised system to decentralised system which does not meet the BREEM requirement re intake/exhaust separating distance. No post-construction air quality testing.
Health and Wellbeing	Hea 06	Safety and security	- 1	No input from security consultant and therefore no requirement for additional measures.
Energy	Ene 08	Energy efficient equipment	- 1	No requirement for the Schools' procurement policy for all new computers, white goods and other equipment to comply with BREEAM criteria, e.g. energy performance rating.
Water	Wat 03	Water leak detection	- 1	Omission of major leak detection system on the incoming water main between the site boundary and building.
Materials	Mat 01	Life cycle impacts	- 1	Lower aspirations for Green Guide ratings.
Materials	Mat 02	Hard landscaping	- 1	No requirement for Green Guide rating of hard landscaping and fencing (e.g. no requirement for a recycled sub-base and recycled stone slabs/paving)
Materials	Mat 03	Responsible sourcing	- 2	No responsible sourcing requirement for procurement.
Materials	Mat 04	Insulation	- 1	Lower aspirations for Green Guide ratings.
Waste	Wst 01	Construction waste	- 1	Reduced targets for construction waste generation.
Ecology	Le 04	Enhancing site ecology	- 2	No input from qualified ecologist on potential improvements and therefore no requirement for additional measures.
Ecology	Le 05	Long term impact on biodiversity	- 2	No 5-year habitat management plan.
Pollution	Pol 02	NOx emissions	- 1	NOx emissions limit raised from 40 mg/kWh to 70 mg/kWh.
Pollution	Pol 03	Surface water run-off	- 1	No additional requirements regarding oil/petrol separators and sustainable drainage systems

Planning Policy Position

Adopted Policy DP22 expects all non-domestic developments of 500 sqm or above to achieve BREEAM "Very Good" and BREEAM "Excellent" from 2016. It is noted that the policy requirement at the time of planning permission being granted (June 2015) was for BREEAM "Very Good" and BREEAM "Excellent" was proposed as an aspiration rather than as a response to policy requirements.

Whilst it is regrettable that the delivery of the school project is reliant on a less onerous BREEAM requirement of "Very Good" there was no policy requirement at the time of permission being granted for BREEAM "Excellent". It should also be noted that BREEAM provides a framework for ensuring sustainability issues are addressed, however it does not always achieve its intentions and is not the only way to ensure a sustainable school building. As such the proposal to vary condition 32 is considered to be fully compliant with adopted planning policy acceptable in this instance.

Section 73 Application

As noted above this application seeks to vary the wording of Condition 32 attached to planning permission 2014/7683/P. Condition 32 is currently worded as follows:

32. *The development shall achieve a minimum BREEAM 'Excellent' including targets of 60% in energy, 60% in water and 40% in materials categories. The development shall not be occupied until evidence of a final Code Certificate (or any such equivalent national measure of sustainability for home design which replaces that scheme) certifying that BREEAM 'Excellent' has been achieved.*

It is proposed to vary this condition to read as follows:

32. *The development shall achieve a minimum BREEAM 'Very Good' including targets of 60% in energy, 60% in water and 40% in materials categories. A Post Construction BREEAM Certificate shall be submitted to the Council within 6 months of completion certifying that BREEAM 'Very Good' has been achieved.*

As a result of these proposed changes Condition 33 attached to planning permission 2014/7683/P should also be varied in order to reflect the updated BREEAM Pre-Assessment Reports submitted in support of this Section 73 application.

Summary and Conclusions

This application is made under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 32 attached to planning permission 2014/7683/P to reduce the BREEAM requirements placed on the development. Due to the cost savings required to deliver this complex school project it has become necessary to reduce building costs in order to provide the much needed educational floorspace delivered by the scheme. Notwithstanding this the client is committed to limiting the negative impacts of cost savings on the environmental performance of the schools and as such BREEAM 'Very Good' will still be achieved.

I trust the enclosed is sufficient for your current purposes and I look forward to receiving confirmation that the application has been registered. In the meantime please do not hesitate to call or email me if you require anything further or wish to discuss any point in more detail.

Yours sincerely,

Anna Snow
DIRECTOR