



## PLANNING COMMITTEE REPORT

Development Management Service  
 Planning and Development Division  
 Environment and Regeneration Department  
 PO Box 3333  
 222 Upper Street  
 LONDON N1 1YA

<b>PLANNING COMMITTEE</b>	<b>AGENDA ITEM NO: B2</b>
<b>Date:</b> 7 September 2017	<b>NON-EXEMPT</b>

Application numbers	P2017/1046/FUL & P2017/1049/LBC
Application type	Full Planning Application and Listed Building Consent
Ward	Bunhill
Listed building	Main School Building (Cowper Street) Grade II listed; County Court Building (Leonard Street) Grade II listed.
Conservation area	Bunhill Fields / Finsbury Square Conservation Area
Development Plan Context	Central Activities Zone (CAZ) City Fringe Opportunity Area
Licensing Implications	None
Site Address	Central Foundation Boys' School, Cowper Street, London EC2A 4SH
Proposal	Demolition of existing Block B and erection of a replacement four storey building to provide science teaching facilities; alteration and refurbishment of the Tabernacle Building; development of a partially sunken sports hall within the school courtyard; improvements and alterations to existing school buildings including listed buildings; demolition of the existing former sixth form block on Tabernacle Street and erection of an eight storey office (Use Class B1a) building (3,774m <sup>2</sup> GIA); landscaping and associated works.

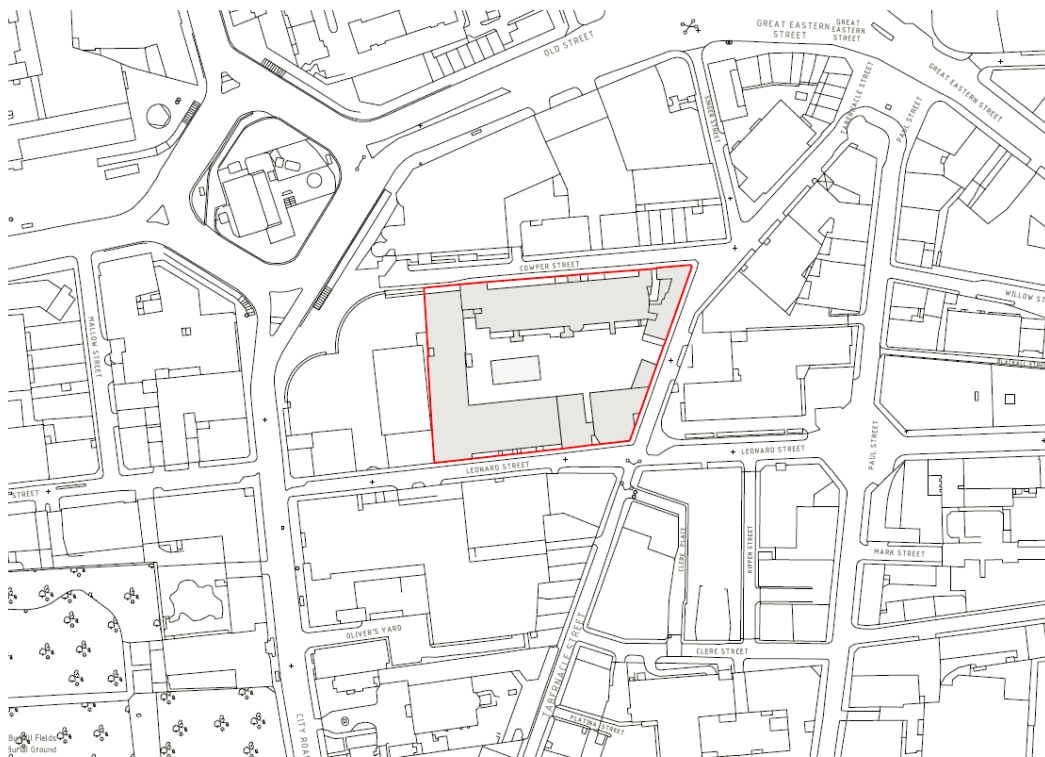
Case Officer	Simon Greenwood
Applicant	Central Foundation Boys' School
Agent	Montagu Evans – Miss Jade Wong

## 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1;
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

## 2. SITE PLAN (site outlined in red)

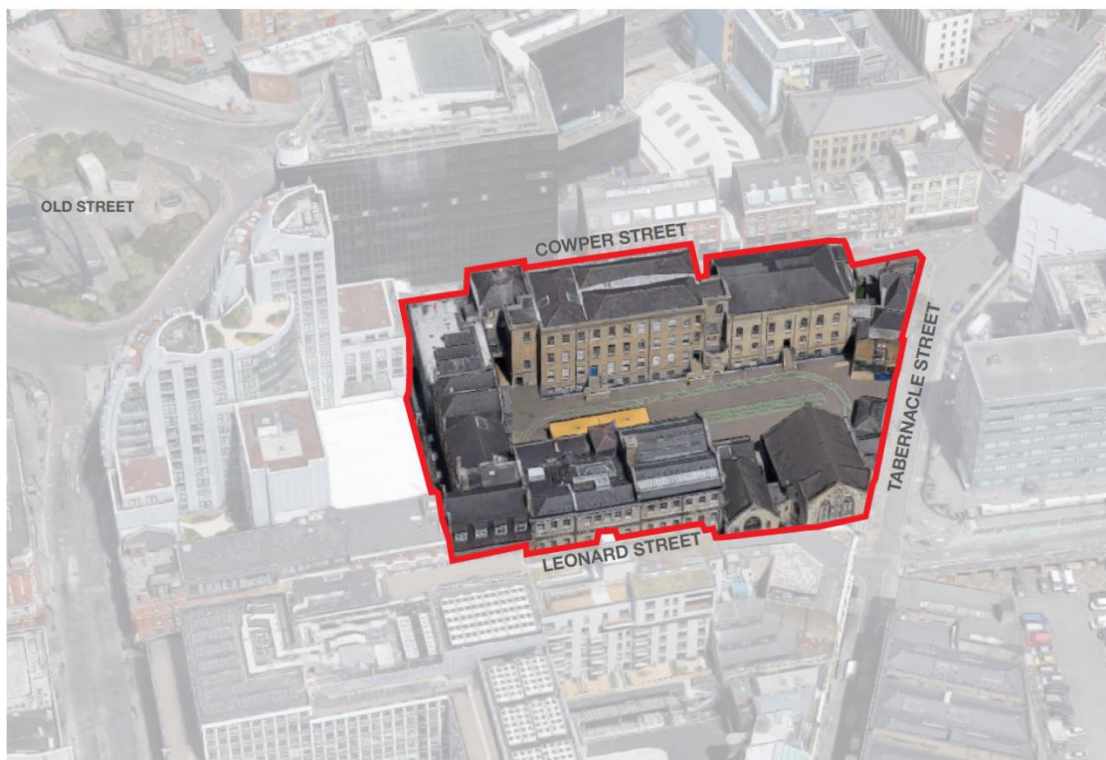


### 3. PHOTOS OF SITE/STREET

Aerial view of site



Birds eye view of site



Cowper Street view of Block B (foreground) and Block A



Tabernacle Street view (looking north-east) of Tabernacle Building (foreground) and former sixth form block



Tabernacle Street view of Tabernacle Building



Leonard Street view of Tabernacle Building (foreground) and County Court Building



View of school looking west on Tabernacle Street with Bezier development beyond



#### 4. SUMMARY

- 4.1 The application is for Full Planning Permission and an associated application for Listed Building Consent and the report addresses both applications.
- 4.2 Central Foundation Boys' School provides an 'Outstanding' (Ofsted 2015) education for its pupils, over 60% of whom are from disadvantaged families. The existing school accommodation is considered inadequate whilst the school is planning to increase its intake of pupils with an additional form of entry from September 2018 and an additional 120 sixth form pupils over the next five years.
- 4.3 It is proposed to demolish the existing Block B and erect a new 4 storey science block, install a part subterranean sports hall in the central courtyard and to partially redevelop the existing Tabernacle Building to provide a new creative arts block. It is also proposed to demolish existing ancillary buildings and erect an 8 storey commercial block. Internal and refurbishment works are proposed to Blocks A and C.
- 4.4 The proposed development would significantly enhance the quality of education offered by the school through the provision of new and improved education facilities whilst facilitating the expansion of student numbers.
- 4.5 The proposed school works are currently subject to a significant funding shortfall and an 8 storey office block is proposed on the school's land as an enabling development to assist in bridging this shortfall. The application is accompanied by a financial viability

assessment which may be considered to satisfactorily demonstrate that, in viability terms, the enabling block is necessary in order to maximise the capital receipt from the sale of the development site.

- 4.6 The proposal is considered to result in harm in planning terms. In particular, it would result in the loss of the school's former sixth form block which is considered to make a positive contribution to the character and appearance of the Bunhill Fields / Finsbury Square Conservation Area. Furthermore, the proposed office block is considered to result in harm to the character and appearance of the conservation area and a minor degree of harm to the setting of the Grade II listed County Court and the main School building (Block A) by reason of its excessive height, scale and massing.
- 4.7 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 4.8 Overall, it is considered that the harm arising from the demolition of the former sixth form block and the erection of the new office block would constitute less than substantial harm to the significance of designated heritage assets. In cases where the degree of harm is considered to be less than substantial, paragraph 134 of the NPPF is of relevance and this indicates that the harm should be weighed against the public benefits of the proposal.
- 4.9 The proposed development would deliver significant improvements to the quality, accessibility and functionality of the existing school, including through provision of a 3 court sports hall, an improved sixth form centre and a creative arts facility. These improvements will allow the school to build upon its impressive record of success and improve the quality of education and the school environment for its pupils. The educational benefits of the proposal are considered to be compelling. The proposed development would deliver a number of other benefits including the following:
- Repair, restoration and modernisation of existing listed and curtilage listed historic buildings
  - Improvements to the character and appearance of the conservation area as a result of works to the Tabernacle building and the replacement of Block B
  - Provision of office floorspace and associated employment benefits in a location where there is very strong policy support for the delivery of new offices
  - Landscaping improvements to the School courtyard
  - Additional capacity to facilitate the acceptance an additional form of entry as requested by the Local Education Authority and an enlarged sixth form
  - 8 hours a week community use of the 3 court sports hall.
- 4.10 The benefits of the proposal, in particular the educational benefits, are considered to be substantial. It is considered that the benefits of the proposal will significantly outweigh the less than substantial harm to the significance of designated heritage assets. The proposal is therefore considered acceptable.

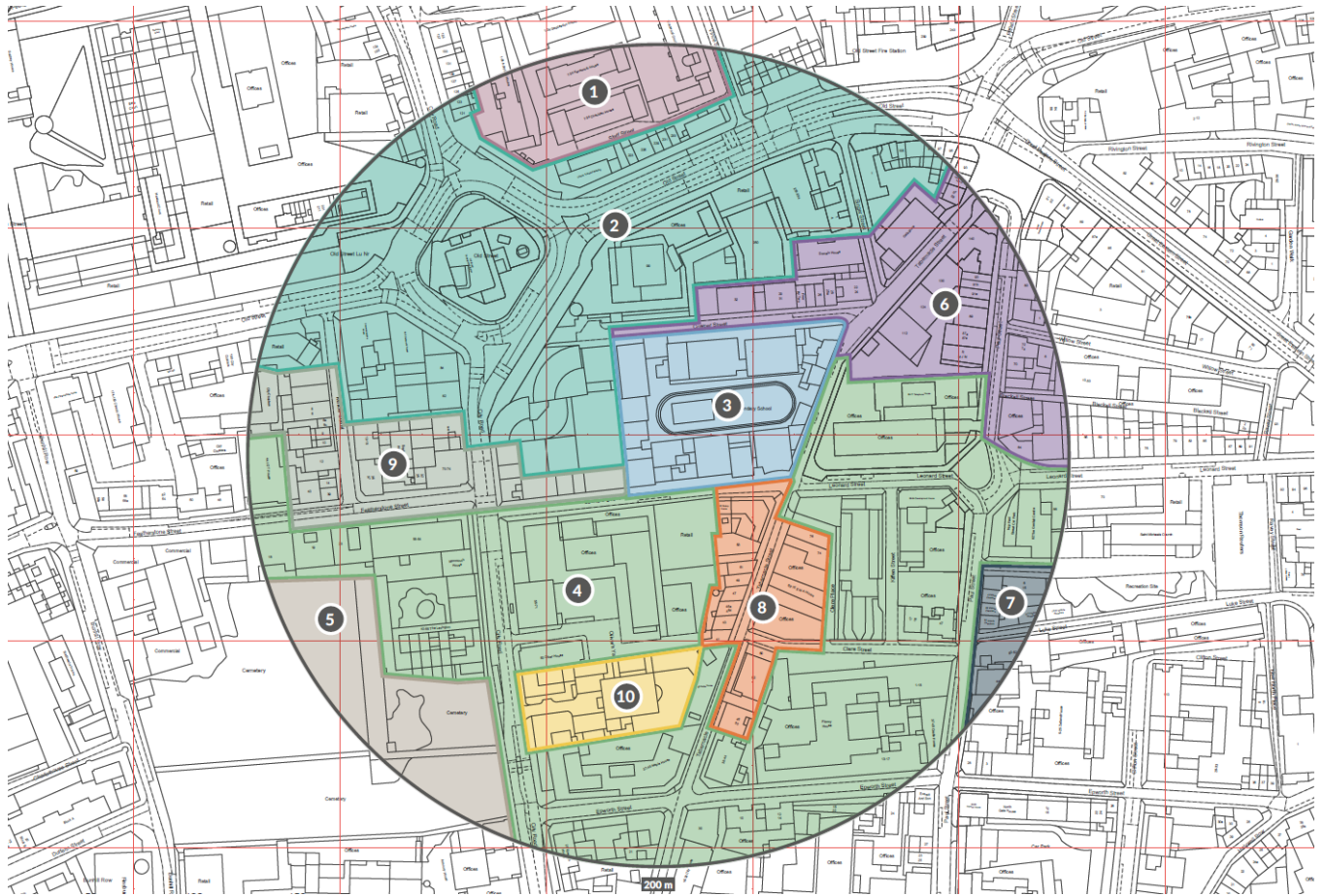
## **5. CENTRAL FOUNDATION BOYS SCHOOL**

- 5.1 Central Foundation is a voluntary aided, comprehensive school, providing education for 933 students between the ages of 11 and 18. Although the majority of the students are male, there is a mixed sixth form. The school is voluntary aided by a Foundation Trust, which was established in the 19th century. The School provides an 'Outstanding' (Ofsted 2015) education for its pupils, over 60% of whom are from disadvantaged backgrounds, being eligible for Pupil Premium. In 2016, the School's GCSE added value measure ranked it as the top performing non-selective boys' school in England. The School has been one of the top performing schools in England for the last 4 years. At A-level the School's performance in terms of value added progress places it in the top 10 sixth form providers in London. In 2016 the percentage of A\*-B grades at A level was 65%, with 100% of grades at A\*-E. In 2016, 75 of its students secured places at university, with 40% going onto those universities in the Russell Group (an association of 24 public research universities often perceived as representing the best universities in the country).
- 5.2 The School provides an aspirational curriculum that offers programmes that are acknowledged to be outstanding in Music, Drama, Art and a wide range of sports. The School considers that access to such opportunities is an essential part of a young person's development and such opportunities should not be limited to those from more privileged backgrounds.
- 5.3 The School offers an extensive programme of music tuition and provides opportunities to join a wide range of musical ensembles, orchestras and choirs. Drama is also a very important part of the School's provision and last year the School produced four major performances. However, the school does not have any specialist facilities for teaching or performance of music and drama. Similarly, the School's sport facilities are very limited and the sports programme depends upon off-site facilities.
- 5.4 The Foundation Trust is responsible for both the School and Central Foundation Girls School in Hackney. Prior to 1975, both schools were governed by a combined trustee and governing body. In 1975, as a result of legislation relating to schools' governance, it was decided to divide the responsibilities of the Trustees and governors, and separate governing bodies were set up for the Boys' and Girls' Schools with the Trustees nominating representatives to each board whilst remaining owners of its school properties. The remaining governors are appointed by the local education authority, the parents and staff of the Schools. The Trustee body manages the finances of the foundation.

## **6. SITE AND SURROUNDINGS**

- 6.1 The approximately 0.67 ha site is bounded to the north by Cowper Street, to the south by Leonard Street, to the east by Tabernacle Street and to the west by the rear of the Bezier Buildings which front Old Street roundabout.
- 6.2 There are a wide variety of uses in the surrounding area including retail, restaurant, offices and residential. The surrounding area is mixed in character comprises a variety of architectural styles and building heights ranging from 3 and 4 storey historic buildings located on side streets to the large scale, modern commercial and residential buildings around Old Street roundabout. The applicant has identified 10 distinct character areas within the surrounding area which are detailed below:



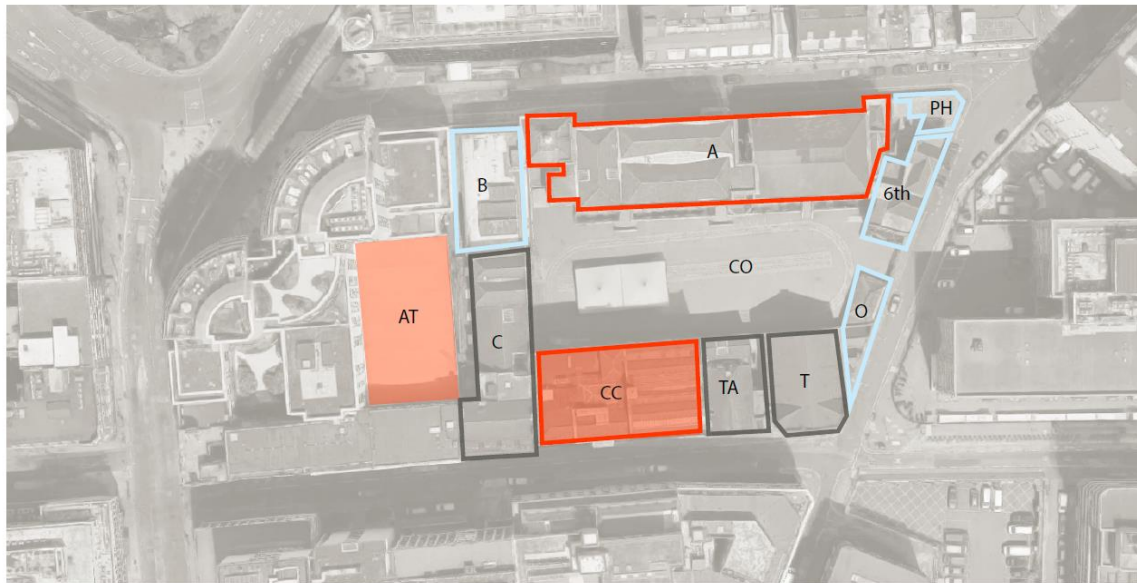


1. Post war residential estate
2. Old Street Roundabout Environment
3. Application site
4. Post war and 21<sup>st</sup> Century large scale development
5. Bunhill Fields
- 6,7,8 and 9. Historic Townscape including late Victorian and Edwardian commercial showrooms and warehouses
10. Wesley's Chapel and associated buildings.

- 6.3 Block A (the original main school building) and the County Court Building fronting Leonard Street are both Grade II statutory listed and the site lies within the Bunhill Fields and Finsbury Square Conservation Area. The site is also located within an Archaeological Priority Area.
- 6.4 The site is also located in the Central Activities Zone (CAZ) and within the 'Inner Core' of the City Fringe Opportunity Area.
- 6.5 The site has a Public Transport Accessibility Level (PTAL) of 6a, indicating an excellent level of access to public transport.

## 7. PROPOSAL (IN DETAIL)

7.1 The buildings on the site are identified in the diagram below.



Key:

Principal Listed Building

Recent investment

Poorly Functioning / Underdeveloped

A - Block A  
AT - Astroturf  
B - Block B  
C - Block C  
CC - County Court

CO - Courtyard  
6th - Former 6th Form Building  
PH - Former Public House Site  
T - Tabernacle  
TA - Tabernacle Sunday School Annex  
O - Outbuildings / Bike Shed / Stores

7.2 It is proposed to demolish the existing Block B and erect a new 4 storey science block, install a part subterranean sports hall in the central courtyard and to partially redevelop the existing Tabernacle Building to provide a new creative arts block. It is also proposed to demolish existing ancillary buildings and erect an 8 storey commercial block. Internal and refurbishment works are proposed to Blocks A and C. The existing and proposed floor areas are detailed below.

### Existing and proposed floor areas

Building	Existing Floor area (m <sup>2</sup> GIA)	Proposed Floor Area (m <sup>2</sup> GIA)	+ / - m <sup>2</sup> (GIA)
Block A	4,069	4,069	0
Block B	1,032	1,572	+540
Block C	2,242	2,230	-12
Block F (County Court)	2,787	2,787	0
Block D (Tabernacle)	1,061	1,572	+511
Outbuildings (Tabernacle)	43	0	-43
Bike Shed	60	0	-60
Former Sixth Form Building	566	0	-566
3 court sports hall	0	731	+731
<b>Total Education</b>	11,860	12,961	+1,101
<b>Commercial Block</b>	0	3,774	+3,774

7.3 The school is planning to increase its intake by one form of entry from September 2018 which would result in an eventual increase to the school roll of 150 students. It is also anticipated that sixth form numbers will increase from the current 180 to an upper limit of 300 students over the next five years. The school would therefore be required to accommodate as many as additional 270 students.

Replacement Block B

7.4 It is proposed to demolish Block B and erect a 4 storey replacement building to accommodate seven science laboratories, two science classrooms with associated preparatory and storage areas and a new main reception for the school. The block will provide consolidated science facilities for the school, replacing outdated classrooms spread over numerous existing buildings. The block will also provide direct links to existing laboratories in Blocks A and C.

7.5 The existing Block B is compromised by the Bezier Development which has blocked out daylight to many of the classrooms, especially on the ground floor. The proposed replacement block would therefore be organised to maximise daylight on the north and east façades.

CGI of proposed replacement Block C on Cowper Street



### Tabernacle Building

- 7.6 It is proposed to partially redevelop the existing Tabernacle building to provide a new Creative Arts Centre and Sixth Form Centre. The chapel and annexe buildings will be fully reconfigured internally. The building will provide a drama performance space; dance studio / music recital space; large group practice music room linked to a technology studio; six individual music practice rooms; two music classrooms; a music media suite; two art rooms with associated storage space and four new sixth form spaces located at the top of the building.
- 7.7 Existing windows will be refurbished or replaced and the roof will be repaired. The primary façades on Tabernacle Street and Leonard Street will be retained, repaired and refurbished. The blank north elevation facing the school's internal courtyard is stated to be in poor condition and will be replaced with a predominantly glazed facade to allow more natural daylight into the building.
- 7.8 The chapel and annexe are presently connected via an external stair case which is in poor condition. A new circulation core for the Creative Arts Centre will be provided in the space between the two buildings. A roof addition is proposed to the annexe for plant and sixth form accommodation.
- 7.9 The proposed underpinning of the existing primary structure will facilitate the lowering of the ground floor to align with the adjacent County Court basement which will allow the connection of the two buildings. The internal reconfiguration would improve accessibility whilst allowing more accommodation to be provided within the existing building envelope of the Tabernacle.

### Part-Subterranean Sports Hall

- 7.10 A part subterranean 3 court sports hall is proposed within the central courtyard area and will project above the existing courtyard level by approximately 1.5m. The roof will provide enhanced replacement landscaped amenity space for the school and will align with the ground floor level of the Tabernacle building, Block A and the County Court building.
- 7.11 The landscaping proposals would include the creation of an area linked to the main entrance which will be demarcated from the rest of the courtyard to create a 'welcome' space for students, staff and visitors. Seating steps leading up to a terrace garden space would be provided for students to use at lunchtimes whilst a planted buffer would separate the office building site and the terrace garden.

CGI of proposed development indicating sports hall with landscaping above



### Block A

- 7.12 Essential refurbishment and maintenance works to Block A are proposed and would include the replacement of some existing windows and repairs to the elevations of the building. Changing rooms will be provided in the basement to serve the proposed sports hall whilst a flexible hall, stores and a staff room will also be provided. A new flexible hall in Block A would be provided to complement the proposed sports facilities as well as to provide spill out space for the existing dining hall which is already functioning at capacity. It will also offer social space during break and lunch times and will support other teaching activities. The area to the south of the Block A light-well will be opened up to provide the main circulation route down to the sports hall. A new (external) lift will serve the ground and basement levels of Block A to improve general circulation and accessibility as well as being used for kitchen deliveries and removal of waste.

### Accessibility

- 7.13 The proposed development will considerably improve accessibility across the campus by facilitating horizontal circulation across the whole site, easing congestion and allowing for free movement from one area of the school to another. The redevelopment of the Tabernacle Building will improve accessibility by inserting new floors in the Tabernacle to align levels with the County Court. The proposed new science block occupies a key location within the campus and its redevelopment will provide significantly improved circulation and accessibility.

### Block C

- 7.14 It is proposed to refurbish and reconfigure the currently inefficient Block C to address its poor current condition and increase the number of general classrooms through the conversion of under-utilised hall spaces. The works would include repair and refurbishment of the roof, replacement of existing windows and removal of the external means of escape stair. Original features would be preserved, repaired and reinstated where possible. The primary circulation for the block would be re-provided to the west to allow the corridor to act as an acoustic buffer to the adjacent open air astro-turf pitch. Existing levels would be rationalised to provide fully accessible accommodation which would be serviced by a new lift in Block B.

### Commercial Block

- 7.15 It is proposed to demolish the existing former sixth form building and erect an 8 storey building with basement for commercial / office use (Class B1). The basement would accommodate the majority of the plant provision and the remainder of the building would accommodate nine commercial units, organised and serviced via a central core. Two commercial units are proposed at ground floor level (approximately 265m<sup>2</sup> NIA) each with independent access from Tabernacle Street whilst the first to seventh floors of the building would have large flexible floorplates (approximately 384m<sup>2</sup>-386m<sup>2</sup> NIA). A cycle store (38 spaces), bin store, substation and switch room will be located at ground floor level. The main entrance to the building would be located between the ground floor commercial units on the Tabernacle Street frontage. The building is proposed as an enabling development generate funding for the proposed school works.

CGI of proposed commercial block looking south-west along Tabernacle Street



## 8. RELEVANT HISTORY

- 8.1 Planning permission and listed building consent was granted on 4 October 2006 for the change of use of the Finsbury County Court building to educational use (D1) and associated works (application reference P061606).
- 8.2 Planning permission was granted in April 2006 for 184 residential units, A1/A3 units at ground floor, a health club, car and cycle parking and an all-weather sports pitch within a development of two 16 and 14 storey towers and two adjoining buildings of 6 and 8 storeys on school land (application reference P052328). The development is now known as the Bezier Buildings. The site was previously owned by the school and the report to the Council's South Planning Committee meeting of 4 April 2006 stated at paragraph 21 that:

'The scheme is an enabling development to allow the school to remain on site and enhance and develop facilities for its pupils. The school will as a result of the capital from the development invest heavily in the sustainable future of the school. Works will include a new library, IT centre, Sixth Form Centre and gym, as well as an all-weather sports pitch. The works will also include upgrading the existing listed buildings, the main outdoor yard area and enhancing access arrangements.'

- 8.3 The report concluded that:

'The scheme is therefore welcome in terms of its land use variety, appropriate scale of development, innovative design, contributions to sustainability and the

contribution it will make in retaining and enhancing the Central Foundation School for Boys...’

### **Pre-application Advice**

- 8.4 Formal pre application meetings were held with the applicant in June 2016 and October 2016. During the pre-application process the proposed enabling block (commercial building) was changed from a residential block (with ground floor affordable workspace) to an office (Use Class B1a) block. The change in the proposed use of the enabling block addressed officer’s concerns regarding the compatibility of a residential use with the education use of the site and the quality of residential accommodation proposed. The change to an office use was also welcomed on the basis of the strong policy support for office floorspace in this location.

## **9. CONSULTATION**

### **Public Consultation**

- 9.1 Letters were sent to occupants of 669 adjoining and nearby properties at Cowper Street, Leonard Street, Old Street, Tabernacle Street, City Road, Clere Street, Oliver’s Yard and St. Agnes Well on 31 March 2017. A site notice and a press advert were displayed on 9 May 2017. The public consultation of the application therefore expired on 30 May 2017. However, it is the Council’s practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report a total of 12 objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph(s) that provides responses to each issue indicated within brackets):

### **Objections**

- Excessive height, scale and massing / out of character (12.131-12.136 & 13.9-13.13)
- Harm to character and appearance of the Conservation Area / commercial block would dominate buildings on Tabernacle Street (12.129-12.136 & 13.9-13.13)
- Proposal is contrary to Council’s tall buildings policies (12/137-12.142)
- Loss of light to neighbouring properties including 25a Cowper Street, 112-116 Tabernacle Street (all flats), 7 Leonard Street (Flat 42), 32 Leonard Street (4, 17 & 18 Galaxy House) (12.1153-12.172)
- Loss of outlook from neighbouring properties including 25a Cowper Street, 32 Leonard Street (4 & 18 Galaxy House) (12.171-12.172)
- Loss of privacy at neighbouring properties including 25a Cowper Street, 112-116 Tabernacle Street (all flats), 7 Leonard Street (Flat 42). 32 Leonard Street (Flat 13 & 17 Galaxy House) / Loss of privacy will increase if the building is subsequently converted to residential use (12.175)
- Lack of demand for office accommodation which will be subject to noise from immediately adjacent school use (12.9-12.18)
- Unexploded Second World War bombs are a cause for concern (12.209-12.212)
- Impact on groundwater / Increased risk of subsidence at neighbouring buildings (12.210)



- Noise, dust and traffic congestion during construction phase (12.176)
- Precedent for further tall buildings (12.131-12.136 & 13.9-13.13)
- Applicant has misinterpreted August 2011 Ministerial Statement 912.2)
- Substantial funding gap partly arises from proposal to undertake extensive and expensive basement development – consideration should be given to alternative proposals which would reduce the requirement for enabling development (12.36-12.71)
- School is giving up more of its limited space / Loss of school land will undermine school's ability to meet future educational needs (13.5)
- Detrimental impact on property values (*Officer note – this is not a material consideration relevant to the determination of this planning application*).

### **Applicant's Consultation**

- 9.3 The applicant carried out a consultation exercise with local residents, including two public exhibitions in June 2016 and September 2016. The consultation is detailed within a Statement of Community Involvement that accompanied the planning application. The Statement indicated that the response from the local community was positive.

### **External Consultees**

- 9.4 Metropolitan Police (Crime Prevention) – no objections raised.
- 9.5 Thames Water – no objections raised.
- 9.6 London Fire and Emergency Planning Authority – no objections raised.
- 9.7 Transport for London – raised concerns over cycle parking and car parking which have since been addressed by the applicant.
- 9.8 Greater London Authority (GLA) – the application was referable to the Greater London Authority as it falls under the category 1C (The building (commercial block) is more than 30 metres high and is outside the City of London) of the schedule to the Town and Country Planning (Mayor of London) Order 2008. The Council received the Mayor of London's Stage 1 response on 21 June 2017 which is summarised as follows:

#### **Principle of development**

- Scheme is fully in accordance with London Plan policy 3.18 which supports proposals which enhance education and skills provision, including the expansion of existing facilities, particularly developments which seek to address identified current and projected shortfalls in secondary school places.
- Community use of the sports hall is in accordance with London Plan Policy 3.19
- London Plan Policy 4.2 supports increases in the current office stock where there is authoritative, strategic and local evidence of sustained demand - the site is located within the commercial core of the City Fringe Opportunity Area (Tech City) where the Mayor encourages the provision of new B class employment space.
- London Plan policy 4.3 requires office developments to incorporate a mix of uses including housing. Given the improvements to education provision, and in view of

the site's location in the City Fringe, the provision of offices with no residential uses proposed on site is supported.

- The City Fringe Opportunity Area Planning Framework (OAPF) specifically encourages the provision of affordable workspace as part of major employment developments in the identified core growth area. As such, the applicant should seek to incorporate a proportionate level of affordable workspace that is flexible and/or suitable for occupation by micro and small enterprises.

#### Design and Heritage

- The 1912 school building on Tabernacle Street has been identified by Historic England as a positive contributor to the character and appearance of the Conservation Area and its demolition would ordinarily be resisted. The demolition of this building would cause 'less than substantial harm' to the Conservation Area and therefore needs to be considered acceptable on the balance of public benefits, in accordance with the NPPF. The public benefits include:
  - The expansion of an existing secondary school; the substantial improvements made to the school buildings to improve access, maximise the occupation of space and provide modern, fit-for-purpose classrooms;
  - The provision of a new sports hall which will be utilised by the local community out of hours;
  - The repair, restoration and refurbishment of the listed buildings on site so that they can continue to be utilised by the school into the future.

As such, having applied the statutory tests for dealing with heritage assets set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance in the NPPF, it is considered that the very high architectural quality of the replacement building and the substantial public benefits arising from the scheme as a whole would outweigh the less than substantial harm to the Conservation Area arising from the demolition of the 1912 building.

- The proposed office building would be notably taller than both the neighbouring Tabernacle building (which is also identified as a positive contributor to the Conservation Area) and listed main school building; however, the existing immediate townscape is already formed of a number of buildings which are taller, or of similar height, to the proposed office building. Furthermore, the replacement building is of high architectural quality and has been sensitively designed with reference to the existing contextual vernacular and materiality. It is therefore considered that the proposed replacement building would make a positive contribution to the character and appearance of the Conservation Area.
- In relation to the impact of the replacement building on the setting of the Grade II listed main school building, in view of the design of the proposed building, the surrounding context and the already strong architectural presence of the listed building; it is considered that the proposed replacement building would not detract from the setting or significance of the listed building.

#### Transport

- The proposed cycle parking provision for the school falls below London Plan standards (up to 60 spaces compared with the London Plan requirement of 169 long stay and 12 short stay cycle parking spaces) - The applicant has confirmed that the required shortfall in cycle parking can be accommodated within the associated car parking area resulting in the loss of up to seven car parking spaces. The loss of these car parking spaces is acceptable considering the high PTAL rating of the site. The cycle parking should be secured by condition.

- 9.9 Historic England (GLAAS) - no objections subject to a condition securing a two stage process of archaeological investigation.
- 9.10 Historic England – An assessment of the significance of the existing buildings is provided and this is detailed in the heritage section of this report. The single storey Victorian block on Tabernacle Street is considered to make a positive contribution to the Conservation Area. Its demolition will harm the conservation area by removing a building that reflects the area's humble past. The proposed new building introduces development of a much larger scale, further harming the conservation area and the settings of nearby listed buildings. The harm is considered to be less than substantial in NPPF policy terms and it is therefore a matter for the Local Planning Authority to be satisfied that the development is necessary and justified, and to weigh the harm against the public benefits the scheme will deliver. The Local Planning Authority should also consider whether the proposals would preserve or enhance the character of the conservation area as required under the 1990 Act.

### **Internal Consultees**

- 9.11 Access Officer – no objections raised. The accessibility improvements that will be delivered are welcomed.
- 9.12 Ecology – no objections subject to conditions.
- 9.13 Design and Conservation Officer – objection raised. The proposed new building fronting Tabernacle Street and alterations to the Tabernacle and attached Sunday School building by virtue of its height and design would adversely affect the character and special architectural and historic interest of the listed building and cause significant harm to the setting of the listed buildings. The works would cause substantial harm to the setting of the listed buildings on the site and would therefore cause harm to the significance of the heritage asset.

### **Tabernacle Building**

- Removal of the entire rear elevation of the Tabernacle and replacement with a modern, largely glazed intervention is considered harmful to the building itself, to the setting of the surrounding listed buildings and to the character and appearance of the conservation area. Alterations to the Tabernacle and adjoining Sunday School should be sympathetic to the buildings themselves and to the surrounding heritage assets.
- The Heritage Statement submitted with these applications states that *the current Tabernacle Building also contributes to the historical significance of the site due to its historical associations with the original 1752 Tabernacle, and as a historic building in its own right* (para 4.51). These buildings have also been identified as being of some historic value by Historic England.
- The proposed rear elevations of both the Tabernacle and the Sunday School are unrecognisable as part of these buildings or group of buildings. Part of the original stone window surround to the rear elevation survives internally. The proposal removes the building's masonry and reintroduces some solid areas albeit in metal. This aesthetic move is to the expense of the historic character and appearance of the building. The solid brickwork should be retained around this historic opening and then the opening glazed down to the base of the building, if required. This would

allow a large area of glazing, while still retaining much of the character of the building.

- The proposed alterations to the Sunday school are not considered sympathetic to the building or to the adjoining listed buildings. The roof form also represents an alien form of development within the context and does not relate to the host building in any way.

#### Works to listed buildings

- The proposed works to the existing listed buildings on the site are generally considered acceptable and largely comprise repair work. Full details will need to be provided of all repairs. The alterations proposed to the plan form of Block A at basement level are likely to be considered acceptable as the original plan form does not survive here and the proposed subdivision is considered no more harmful than the existing arrangement.
- The proposed new escape stair to the main assembly hall in Block A may be considered acceptable in principle as this appears to be proposed within an existing store. Full details of the new stair and fabric that is affected by its installation should be submitted prior to the works being carried out. A full schedule of all windows should be submitted outlining the repair work that is required to each and if any are to be replaced, identifying whether or not they are original/historic and justifying why they need to be replaced.

#### Subterranean sports hall and courtyard

- The proposed partly submerged sports hall to the playground/courtyard is considered acceptable in principle, but it is felt that this should ideally be entirely submerged in order to maintain the existing courtyard character of the space as well as provide a level and accessible playing area.
- The central playground appears more like that of a landscaping proposal for a communal/public area to a residential or mixed use scheme or alternatively like a university campus space. It does not appear to have been designed as a school playground or to have taken into consideration the needs of the user (i.e. secondary school children). The accessibility of the space is also complicated due to the raised section and steps up to the higher level. Although some lift access is provided, it is not easily accessible directly from the lower level.

#### Replacement Block B

- New school entrance and science block building is considered acceptable in terms of its height, massing and design. There are no objections to the replacement of the existing building and the proposed building is considered appropriate, respecting the scale and proportions of the listed buildings. The proposed plant screen at roof level is fairly prominent from the courtyard and as currently proposed is considered to compete with the gable ends to Block C. As such it is felt that this should either be reduced (with plant relocated elsewhere if possible) or set further back so that it is less visible/prominent in context with the adjoining Block C.
- The proposed perforated anodised aluminium panel to the area under the colonnade science wing extension is considered inappropriate. The brick infill and sash windows should not be concealed with a modern cladding. It may be acceptable to add the aluminium panels to the area above the open colonnade and also to the side walls of this route through into the playground as this is currently rendered.

#### New commercial development

- The loss of the existing conservation area building is not yet justified. The building makes a positive contribution to the character and appearance of the conservation

area and its loss would cause significant harm to the conservation area which would need to be outweighed by substantial public benefits – including (but not exclusively) exceptional design quality. The design team should have demonstrated that they had made some attempt to retain the building or at the very least retain part of the building, but they do not appear to have done this. The replacement building must be a building of sufficient quality to justify the loss of a good conservation area building. As currently proposed the replacement building is not considered to be of a high enough quality or to be of an appropriate scale in order to justify the loss of the existing building. The height and massing of the proposed building is considered excessive. The cumulative impact of the loss of the conservation area building and the inappropriate height and design of the new building are considered to cause substantial harm to the setting of the listed building and to the character and appearance of the conservation area.

- The applicant references taller buildings adjacent to the site to justify the height of the proposed block. The Bezier buildings and Telephone House are not within the conservation area nor are they immediately adjacent to the listed school building. Telephone House is on a large plot of land, set back from the road and with much space around it whereas the proposed block would occupy a more constrained site in a far more sensitive setting.
- The strong, prominent datum line that runs horizontally across the proposed building above the fifth storey emphasises the appropriate height for a building here and also emphasises the additional height proposed above this more acceptable level. This building has a significant impact on the setting of the group of listed buildings and on the character and appearance of the conservation area.
- The perceived scale and mass of the building is further exacerbated by the monolithic elevational treatment. The composition lacks rhythm and articulation, with the monolithic proportions of some unsuccessful past architecture that we are now trying to rectify. It does not relate positively to the surrounding context in any way, lacking in human scale and appearing very top heavy. The squat ground floor appears to be carrying the very heavy top, giving an inverted sense of proportion. The architect says that the elevational composition is derived from the surrounding references, however the final result is lost in this concept and actually does the opposite. The proportions and rhythm of the fenestration pattern of the surrounding buildings that characterise the conservation area follow a sense of hierarchy going up the building with a strong base and the scale diminishing further up the building.
- The impact of the proposed new commercial building on the street scene and on the character and appearance of the conservation area is considered unacceptable, but from within the school courtyard it is also considered to cause significant harm to the setting of the listed buildings as additional height here will also increase the enclosure of the courtyard with a form and height that is uncharacteristic on the school site. It will be the most dominant building enclosing the courtyard, diminishing the significance of the school building itself as well as the other historic buildings surrounding the courtyard and this is partly why its height along with the inappropriate design are considered to cause substantial harm to the setting of the listed buildings.

9.14 Energy Conservation Officer – no objections raised. Further comments are awaited at the time of writing and a verbal update will be provided at the meeting.

9.15 Highways Officer - no objections raised.

- 9.16 Public Protection Division (Air Quality) – All of Islington is an AQMA and this area near Old Street will be subject to poor air quality. The Air Quality Assessment focuses on the construction impact and offers only NO2 filtration to mitigate the exposure. There needs to be a more comprehensive package of measures here to address the exposure particularly bearing in mind the sensitivity of the school children (condition no. 21).
- 9.17 Public Protection Division (Noise) - The accompanying noise report measures only background noise levels. There are no details about the amount, position or noise level of the proposed plant and likely to be considerable bearing in mind the size of the basement. Plant noise should therefore be addressed by condition (No. 8).
- 9.18 Public Protection Division (Construction Management) – A Demolition Construction Environmental Management Plan should be secured by condition (No. 5).
- 9.19 Sustainability Officer – no objections subject to conditions.

### **Other Consultees**

- 9.20 Design Review Panel – the application was considered by the Design Review Panel on 10 August 2016 and 25 January 2017. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The Panel's observations are attached at **Appendix 3** and are detailed below:

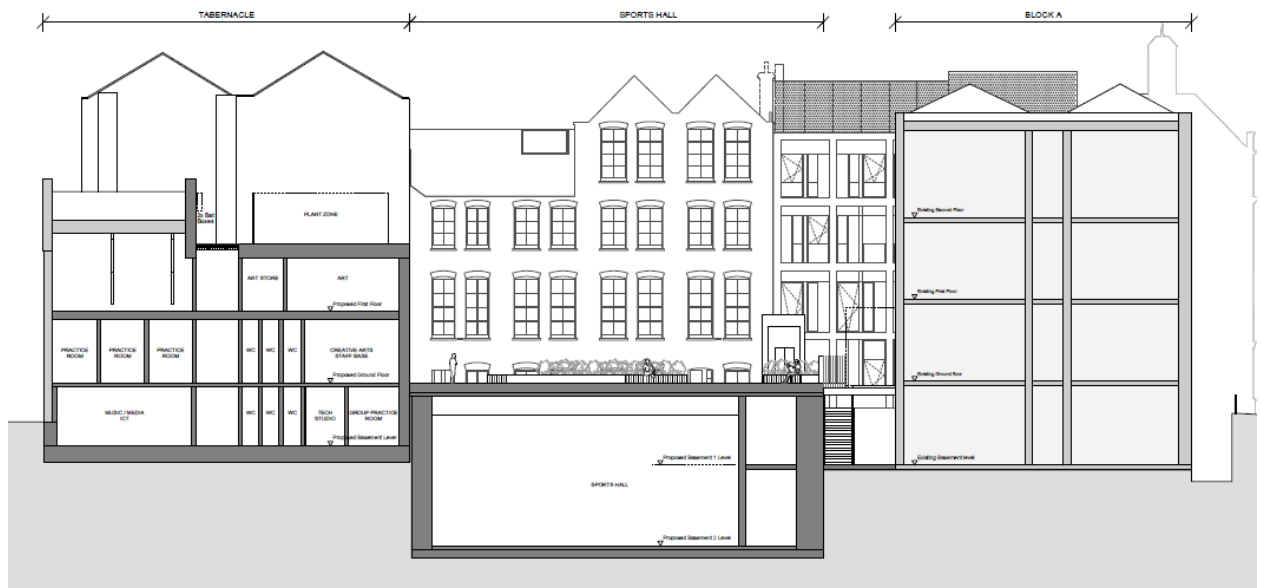
'The Panel welcomed seeing the scheme for a second review, with some of the changes addressing the issues raised in the first review. However, panel members continued to raise concerns over the proposed circulation strategy and landscape design, and the design of both the new entrance block and commercial block. The Panel made the following observations:

## Circulation

The Panel appreciated the challenge that the complexity and varying levels of the existing buildings presents, though reiterated the need to see circulation plans and detailed drawings, particularly sections, showing the existing and proposed arrangements, as previously requested. Panel members were very supportive of the overall access improvements proposed as part of the works, but some concerns remained over the access arrangements in some locations on the school site, particularly the courtyard.

*Officer note – following the above comments the design of the Sports Hall was revised in order to relocate the new Sports Hall lift into a more visible and central location to ensure that wheelchair users do not need to navigate to the north-east of the site to access the lift. The alignment of the roof of the Sports Hall with the dominant raised ground floor level across the site (approximately 1.5m above the courtyard) along with the re-alignment of internal levels within the Tabernacle facilitate significant improvements to site wide accessibility. It is therefore the case that if level access were provided within the courtyard it would be at the expense of level access into adjacent buildings, as illustrated below. The applicant also advises that a fully submerged sports hall would add approximately £1 million to the cost of the scheme which would undermine the deliverability of the scheme. The application is accompanied by section plans demonstrating the level access within the proposed development.*

Section Plan indicating level access from courtyard to Tabernacle Building and Block A



## Demolition

The Panel remained concerned about the demolition of the Victorian conservation area buildings on Tabernacle Street. In light of no further information justifying their loss, a preference for their retention remains; though it was noted that Historic England had apparently not raised any objections to this element of the proposals.

*Officer note – as detailed later in this report the demolition of the building is considered to represent ‘less than substantial harm’ to the conservation area and accordingly is weighed against the public benefits of the proposal.*

#### Future proofing

The change of use of the enabling development from a residential to a commercial building was welcomed by panel members. It was considered essential that the school retains ownership of the new commercial building so that they do not end up with a very constrained site, given the inevitable need for further expansion in 333 future.

*Officer note – the capital to be raised by the sale of the commercial building site is required at the present time to enable the proposed school works and the school consider that the more pressing requirement is to meet their current needs. The school could have the opportunity to acquire nearby buildings in the future should circumstances and availability of funding change.*

#### Central courtyard

Significant concerns persisted following the first review of the design of the courtyard. Some panel members were unconvinced that the space would work as a school playground due to the split levels and various landscape obstacles. The lack of shelter in the playground also surprised the panel. Furthermore, the landscaping strategy was considered to be discriminatory because of a lack of external level or ramped access between the two main areas of the playground; detailed sections were requested to demonstrate whether the arrangement is an appropriate solution. The idea that the proposed sports hall could be sunk completely was still felt to be the best option as it would resolve these issues, allowing the courtyard to fulfil its purpose much more successfully.

*Officer note - the applicant advises that the design and landscaping strategy for the central courtyard has been designed to suit the School’s requirements and aspirations for the space. The scheme proposes significant improvements to site wide circulation and accessibility. As noted above, the organisation of the courtyard on two distinct levels offers the opportunity to significantly improve internal accessibility within the School accommodation and improvements to courtyard accessibility would be at the expense of this internal accessibility. As also noted above, a redesign of the Sports Hall has since been undertaken to relocate the new Sports Hall lift into a more central and accessible location.*

#### Proposed commercial block

The Panel was broadly supportive of this in terms of the commercial use of the proposed building, but commented that further clarification regarding the justification of the proposed height, which is harmful to the listed buildings and conservation area, was required.

*Officer note - the applicant seeks to justify the height of the proposed block in design terms and through reference to building heights in the locality, as well as in viability terms and the requirement to maximise the capital receipt from the sale of the land – these issue is addressed later in this report.*



### Architectural treatment

The omission of green cladding to additions was welcomed, but the Panel continued to question the rationale behind the design of the new elements, including the entrance building, rear elevation of the Tabernacle and the enabling block as there was little apparent reasoning behind the choice of different treatments for the various parts of the buildings. Panel members felt that the priority should be to design new buildings that respond more to their specific situation and functional requirements as well as to the strong materiality and sense of scale of the existing buildings.

Taking each of the new buildings in turn, the Panel felt that the new entrance building could be a more contextual response to the gate house that it abuts, so that it would sit in the background of the listed building. It was suggested that the colonnade might be carried across to the new building. Panel members considered that it could be slightly taller, so that it would match the parapet height of the school building on the other side of the gate house. This would have the benefit of book-ending the gate house, increasing its prominence and signalling it as the main entrance.

*Officer note – the elevational treatment of the building has not been revised to provide a more contextual response to the adjacent gate house and a colonnade has not been provided, whilst the height of the building has not been increased. Officers do not agree with the above comments and it is considered that building as proposed is acceptable in design terms.*

### Cowper Street elevations of Block A and replacement Block B



Conversely, the Panel did not understand why the commercial block needed to be contextual to the school buildings given that it is separate, in a different use and of a totally different scale. They commented that in attempting to reconcile it stylistically with the listed school buildings, the heavier articulation that this would require would make its presence more harmful to the listed buildings and conservation area. Panel members felt that the idea of completing the urban block was logical, but finishing it with a substantially taller building would damage its coherence. The Panel also

advised that as a large new commercial building, design cues should be the provision of optimum light and ventilation. Panel members stated that if a building of this height was to be considered permissible, it would need to be of a higher quality design. They felt that the brick proposed to the commercial building would be more appropriate to the school buildings and the material choices of the new school buildings i.e. metal may be more appropriate to the commercial building.

*Officer note - a redesign of the elevations was undertaken to address the above comments and provide a more contemporary appearance. The applicant advises that brickwork is proposed as it is dominant in the conservation area and it would be complemented by more contemporary materials (such as profiled glass fibre reinforced concrete) to give the building a visually lighter appearance and provide a more contemporary appearance whilst making subtle references to the context. The revised design is considered to represent an improvement to that presented to the panel and is considered to represent a good standard of design.*

*The height of the block is considered harmful to the setting of the listed buildings and the character and appearance of the conservation area and this harm is balanced against the public benefits of the proposal, in accordance with paragraph 134 of the NPPF. This issue is addressed in detail later in this report.*

Panel members remained concerned over the treatment of the rear elevation of the Tabernacle. The Panel welcomed revisions to the design, but felt that the proposed fenestration could be more sympathetic with a reduction in the amount of glazing, to echo the solidity of the chapel building.

*Officer note – following the above comments a re-design of the commercial block elevations was undertaken to address the panels comments that the proposed façades should be more contemporary to reflect the different use and scale (as it was suggested the previous scheme was too contextual). The applicant advises that the use of brick has been detailed and complemented by more contemporary materials (such as profiled glass reinforced concrete) to give the building a visually lighter appearance, allowing the building to appear as more contemporary whilst still making subtle references to the context - including the diminishing scale of the facade at upper levels.*

### Summary

The Panel acknowledged that this is a very challenging site and considered that proposals had moved in the right direction in some respects. However, they advised that further information would be required, which very clearly demonstrates an understanding of how the site works and how the proposals are a response to this. In particular, the school needs to be understood externally as an urban block and internally on its courtyard plan; the overall approach and design of the new elements should be determined on this basis. In order to successfully respond and develop the qualities of the listed buildings, the priority should be the creation of an uncompromised central courtyard as the focus of the site – its functionality remains a major concern. In attempting to create a sense of unity between the new additions, which are by nature disparate parts, the quality of their design is being undermined.

9.21 It is considered that some of the concerns raised by the Panel have been addressed by the revisions to the scheme since it was presented in February. These include revisions to the elevational treatment of the proposed commercial block and revisions to the subterranean sports hall, including the relocation of the lift. The concerns regarding the height of the commercial block have not been fully addressed and the resulting harm can be balanced against the public benefits of the scheme. The remaining, outstanding concerns of the panel are noted and it is considered that the proposals can be justified in design terms.

## **10. RELEVANT POLICIES**

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following Development Plan documents.

### **National Guidance**

- 10.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 10.2 Since March 2014 Planning Practice Guidance for England has been published online.
- 10.3 Under the Ministerial Statement of 18 December 2014, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

### **Development Plan**

- 10.4 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy (2011), Development Management Policies (2013) and the Finsbury Local Plan (2013). The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

### **Designations**

- 10.5 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013:
- Central Activities Zone
  - Listed buildings: County Court and Central Foundation Boys School (main school building - Block A)
  - City Fringe opportunity area
  - Bunhill Fields / Finsbury Square Conservation Area
  - Archaeological Priority Area

### **Supplementary Planning Guidance (SPG) / Document (SPD)**

10.6 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

## 11. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

11.1 EIA screening is not required by this development, as the site is less than 1 hectare.

## 12. ASSESSMENT

12.1 The main issues arising from this proposal relate to:

- Land use
- Design and appearance
- Impact on heritage assets
- Accessibility
- Landscaping and Ecology
- Neighbouring amenity (including overshadowing)
- Sustainability, energy efficiency and renewable energy
- Highways and Transportation
- Archaeology
- Financial Viability
- Planning obligations and Community Infrastructure Levy.

### **Land-use**

#### Education Use

12.2 A joint Ministerial Statement by the Secretary of State for Communities and Local Government and the Secretary of State for Education was issued in August 2011. 'Planning for Schools Development' set out the Government's commitment to support the development of state-funded schools and their delivery through the planning system and stated, inter alia, that:

'The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include Academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards...By increasing both the number of school places and the choice of state-funded schools, we can raise educational standards and so transform children's lives by helping them to reach their full potential.

It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- Local authorities should make full use of their planning powers to support state-funded school's applications.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.'

12.3 Policy 3.18(C) of the London Plan states, inter alia, that:

'Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address the current and projected shortage of primary school places and the projected shortage of secondary school places will be particularly encouraged.'

12.4 Paragraphs 4.2.43-4.2.47 of the Council's Core Strategy address secondary education in the borough and identify that works to refurbish and rebuild Central Foundation Boys School were intended to take place under the Building Schools for the Future programme between 2010 and 2012.

12.5 Policy DM4.12 of the Council's Development Management Policies Document is concerned with Social and Strategic Infrastructure and Cultural Facilities and the subtext at paragraph 4.70 states that 'any loss of school facilities will only be acceptable where, in the Council's view, the loss would not result in any constraints on school place provision in the foreseeable future'.

12.6 Paragraph 4.71 of the Council's Development Management Policies document states that:

'Where a new educational facility is proposed (including standalone new facilities, facilities provided as part of a mixed-use development and facilities which have converted an existing building/use into educational use), they should maximise use by local communities, including through their accessible location and design, consistent with the requirements of other relevant Development Management Policies.'

- 12.7 The applicant is prepared to enter into a legal agreement to secure a minimum of 8 hours a week community use of the sports hall redevelopment of existing education facilities. This is considered to represent a benefit in planning terms which weighs in favour of the proposal.
- 12.8 The redevelopment of the educational facilities on the site for education use is consistent with the established land use on the site and the proposals are considered acceptable from a land use point of view. However, in order to redevelop the site, some re-arrangement of the facilities is required which results in the loss of land. Further analysis of the educational need and the viability constraints driving this is discussed below.

#### Office Use

- 12.9 Policy 2.10 of the London Plan is concerned with the strategic priorities of the CAZ and states, inter alia, that boroughs should:

‘enhance and promote the unique international, national and Londonwide roles of the CAZ, supporting the distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world’s most attractive and competitive business locations.’

- 12.10 London Plan Policy 2.13 deals with development in Opportunity Areas, which are the capital’s major reservoir of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential public transport accessibility. The City Fringe Opportunity Area, within which the site is located, has an indicative employment capacity of 70,000 new jobs and a minimum of 8,700 new homes over the plan period. The Mayor of London’s adopted City Fringe Opportunity Area Planning Framework (OAPF) identifies the potential for economic growth associated with the digital-creative sector in this part of London, which has become known as ‘Tech City’. Start-up businesses have played a critical role in the establishment of this cluster and continue to attract inward investment and corporate relocations to the area. The site is located within the “inner core” of the City Fringe, where demand for office space has been increasing. This is as a result of growth in digital-creative businesses but also high growth in financial and business services now competing for limited space in the area. Rents have been rising and many smaller businesses and start-ups have been displaced as a consequence of high demand and a constrained office market. The City Fringe OAPF envisages the continued expansion of employment floorspace in the inner core area to support London’s critical mass of financial and business services and the growth of the digital-creative sector in Tech City.

- 12.11 Policy 4.1 of the London Plan is concerned with Developing London’s Economy and states, inter alia, that:

‘The Mayor will work with partners to:

- a1) promote and enable the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of type, size and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises, including the voluntary and community sectors

- d) support and promote the distinctive and crucial contribution to London's economic success made by central London and its specialist clusters of economic activity
- e) sustain the continuing regeneration of inner London and redress its persistent concentrations of deprivation.'

12.12 Policy 4.2 of the London Plan is concerned with Offices and states, inter alia, that 'the Mayor will and boroughs and other stakeholders should:

- a) support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises.
- d) seek increases in the current stock where there is authoritative, strategic and local evidence of sustained demand for office-based activities in the context of policies 2.7, 2.9, 2.13 and 2.15–2.17'

12.13 The Islington Core Strategy identifies the site as being located within the Bunhill and Clerkenwell Key Area and notes at paragraph 2.8.2 that 'Overall, it is estimated that the Bunhill and Clerkenwell area may need to accommodate an additional 14,000 B-use jobs and around 3,200 new homes by 2025.'

12.14 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states, inter alia, that:

'A. Employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy...Creative industries and Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and encouraged. Accommodation for small enterprises will be particularly encouraged.'

12.15 Policy CS13 of the Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business floorspace will be encouraged in the CAZ and town centres, where access to public transport is greatest. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development should provide jobs and training opportunities, including a proportion of small, micro and/or affordable workspace or affordable retail space.

12.16 Paragraph 3.4.3 of the Core Strategy notes that employment in Islington is expected to increase by around 35,000 to 45,000 jobs between 2012 and 2027. Furthermore, it notes that the Islington Employment Study 2008 projected that just over 50% of these jobs will be provided within B-use floorspace. Paragraph 3.4.4 states that

'The CAZ is expected to continue to be the most attractive location for increases in B-use floorspace, accounting for around 75% of total growth. In terms of the Key Areas identified in the Spatial Strategy, Bunhill and Clerkenwell is expected to account for around 70% of the borough's new B-use floorspace'.



- 12.17 Islington Council's Annual Monitoring Report (AMR) for 2013 states that there was a net decrease of 23,466m<sup>2</sup> B use floorspace during the 2011/12 reporting period and a further decrease of 13,655m<sup>2</sup> during the 2012/13. Paragraph 6.6 of the AMR notes that 'Although the five year trend indicates an overall net increase in B1 floorspace, the net loss of B1 floorspace in two consecutive years is a concern, particularly in light of the changes to permitted development rights which now allow change of use from office to residential use.'
- 12.18 It is therefore the case that the policy framework provides strong support for commercial development and employment growth in this location. The proposal would result in the delivery of 3,744m<sup>2</sup> (GIA) new office floorspace to contribute towards meeting an identified need with corresponding economic and employment benefits. However, the proposal results in the loss of educational land which may impact on the ability of the school to meet its educational needs into the future. This is considered further in the 'Educational Need / Loss of School Land' section below.

#### Lack of residential use

- 12.19 London Plan policy 4.3 states that 'Within the Central Activities Zone...increases in office floorspace...should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies within this plan'.
- 12.20 Policy DM5.1 of Development Management Policies (2013) is concerned with achieving a balanced mix of uses and states, inter alia, that:
- 'E. Within the Central Activities Zone (CAZ), major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.'
- 12.21 The subtext at paragraph 5.10 states, inter alia, that:
- 'Where it is not appropriate for housing to be provided on site, an equivalent financial contribution will be sought for the development of affordable housing off-site by the council. This will be determined based on the number of additional housing units that would be required on-site to achieve a genuine mixed use development...'
- 12.22 The above requirement is also reiterated within Policy BC8 of the Finsbury Local Plan.
- 12.23 The proposal does not include housing and would therefore fail to meet the requirements of Policies DM5.1 and BC8, and London Plan Policy 4.3. It can be accepted that a mixed use enabling block incorporating a residential use would result in an inefficient layout and the quality of the residential accommodation would be likely to be compromised as a result of the adjacent educational use. It can therefore be accepted that in this instance it is not appropriate to provide housing on the site. The proposal would therefore give rise to a requirement for a payment in lieu of on-site affordable housing of £603,840.00. The requirement for this payment will reduce the funding available for the School works and this matter is considered further in the Planning Obligations section of this report.



### Affordable Workspace

- 12.24 Policy BC8 of the Finsbury Local Plan requires the provision of affordable workspace within new office development which lies within designated Employment Priority Areas. Similarly, Policy DM5.4 of the Council's Development Management Policies document requires the provision of affordable workspace in designated town centres and employment growth areas.
- 12.25 The site does not fall within a designated Employment Priority Area, Employment Growth Area or a town centre and accordingly there is no LBI policy requirement for the inclusion of affordable workspace within the scheme.
- 12.26 The Mayors of London's City Fringe Opportunity Area Planning Framework (OAPF) sets out strategies intended to assist the City Fringe in fulfilling its economic potential. The site lies within the Core Growth Area identified at Figure 2.1 of the OAPF. Strategy 2: Protecting a Quantum of Workspace Needed to Facilitate Growth states, inter alia, that:
- 'The Mayor supports proposals for new B Class employment space, including securing new affordable workspace as part of major employment developments... For sites in the core growth areas the applicant should seek to incorporate a proportionate level of affordable workspace that is flexible and/or suitable for occupation by micro and small enterprises.'
- 12.27 The GLA Stage 1 response seeks the provision of affordable workspace in accordance with the above. It should be noted that the City Fringe OAPF is a supplementary planning guidance document and it is therefore intended to support the development plan, rather than act as an alternative, and in this case development plan policies do not require the provision of affordable workspace. Statements made in supplementary guidance carry less weight than those in the development plan in determining planning applications, but may be considerations. It is therefore noted that the provision of affordable workspace is encouraged but not required.
- 12.28 The applicant has modelled scenarios where affordable workspace is provided and these are considered in more detail within the Financial Viability section of this report. The applicant demonstrated that the inclusion of affordable workspace would reduce the returns received from the sale of the enabling block site and accordingly would increase the already significant funding gap. It is therefore considered that the lack of affordable workspace is acceptable and in accordance with development plan policy in this specific circumstance where the office development forms an enabling development to support enhanced educational facilities.

### Educational Need / Loss of School Land

- 12.29 The proposed commercial block is intended as an enabling development to facilitate the proposed development of the education facilities on the site. The proposal involves the loss of land and buildings in educational use which may constrain the school's ability to meet its future needs, and this should be viewed in the context of the relatively recent sale of the Bezier site. A Statement of Need which accompanies the planning application advises of a pressing need to improve the current facilities to ensure that the school can maintain and enhance the quality of education that it currently delivers. The proposed development is an evolution of investment works that have been ongoing over the past 15

years. The background to the redevelopment of the school and the condition of the current facilities is set out below.

### Bezier Scheme

12.30 Significant improvements to the school facilities were initially considered and proposed in circa 2003, but the lack of funding prohibited their delivery. The Trust therefore explored means of releasing capital from its assets to generate the necessary funds. This utilised land to the west of the School, fronting Old Street Roundabout that was to be sold for development. Planning permission was granted in March 2007 for 184 residential units, A1/A3 units at ground floor, a health club, car and cycle parking and an all-weather sports pitch within a development of two 16 and 14 storey towers and two adjoining buildings of 6 and 8 storeys on school land (application reference P052328). The development is now known as the Bezier Buildings. The report to the Council's South Planning Committee meeting of 4 April 2006 stated at paragraph 21 that:

'The scheme is an enabling development to allow the school to remain on site and enhance and develop facilities for its pupils. The school will as a result of the capital from the development invest heavily in the sustainable future of the school. Works will include a new library, IT centre, Sixth Form Centre and gym, as well as an all-weather sports pitch. The works will also include upgrading the existing listed buildings, the main outdoor yard area and enhancing access arrangements.'

12.31 The report concluded that:

'The scheme is therefore welcome in terms of its land use variety, appropriate scale of development, innovative design, contributions to sustainability and the contribution it will make in retaining and enhancing the Central Foundation School for Boys...'

12.32 The Section 106 agreement for the Bezier scheme included an obligation for the provision of a new sports all-weather pitch with community access. The other improvements noted in the committee report were not secured within the Section 106 agreement.

12.33 The School improvements which were to be funded by the Bezier scheme included (but were not limited to) the works that had been granted permission in 2006 for the Grade II Listed County Court Building on Leonard Street (application reference P061606). All of the educational facilities that were anticipated as a result of the Bezier scheme have been delivered through the release of funds generated by the scheme. The application is accompanied by a schedule detailing the delivery of facilities within the County Court Building which were identified in the Bezier committee report. The application notes that to date the Trust has invested £8.2m from the proceeds of the Bezier scheme to cover the following:

- Purchase and redevelopment of the County Court
- Remedial work to listed stairs
- New School Entrance Gates as a requirement for accommodating the Bezier scheme
- Fit out of Balcony area above the new football pitch
- Loss of income to the school from the old football pitch during the Bezier building works

- The cost of the School using offsite facilities during the construction of The Bezier.

12.34 Following completion of the County Court works, additional improvements to the remainder of the school buildings were under consideration. However, before these were delivered the Government introduced the Building Schools for the Future initiatives to facilitate delivery of schemes of this nature.

#### Building Schools for the Future

12.35 The School engaged with the Building Schools for the Future (“BSF”) programme between 2006 and 2009 as a means to deliver further improvements to the site. The application advises that extensive discussions took place but it was not possible to deliver a viable project under the BSF programme, and therefore the opportunity to secure public funding towards improvement of the School’s facilities was not realised.

#### Current Facilities

12.36 Block A requires substantial refurbishment, and Block B is a 1960’s build of poor and deteriorating quality which does not meet current needs. Block C, has been identified by the DfE as amongst the 200 most inadequate school buildings in the country.

12.37 The School has developed its high quality programmes in Music, Drama and Sport despite the inadequate facilities available on its site for these curriculum areas.

12.38 The School’s sports facilities are very limited and comprise a small astro-turf pitch and two additional small spaces that are stated to be far below the standard found in all other schools in Islington. Additional demand is met through expensive external provision that takes up valuable curriculum time in travel and does not allow for extra-curricular provision before and after school.

12.39 The School does not have a dedicated music centre and relies on a sub-standard basement area which is dark, damp and lacks practice facilities, adequate performance space and resources.

12.40 The application advises that the Science facilities throughout the School are grossly inadequate, with the result that many science lessons are taught in general teaching rooms, rather than laboratories. The existing laboratories are spread around the school on different floors and in different buildings and are in need of modernisation and refurbishment.

12.41 The Sixth Form is both successful and projected to expand. However, Sixth Form accommodation and, in particular, private study facilities are inadequate and the overall space is not fit for the School’s purposes.

12.42 There are a number of other features of the current school facilities which are deficient and which require improvement which are summarised as follows:

- Many classrooms are outdated and not conducive to a positive learning environment.
- The current layout does not allow for the establishment of coherent faculty/department areas and mitigates against collaborative working amongst faculty staff.

- Both the student entrance and the visitor entrance/reception are not fit for purpose and undermine the School's identity.
- The central courtyard, which is the only outdoor space for students, is unattractive and does not provide a suitable environment for students to relax and socialise.
- Horizontal circulation between the major school buildings is not possible which results in students having to move vertically around the site. At peak times, such as lesson change, this results in serious congestion.
- The School is planning to increase its intake by one form of entry as from September 2018, a development that will eventually lead to an increase of 150 students.

### Educational Need

- 12.43 As set out above, the School's current facilities are no longer considered fit for purpose. The application notes that the physical environment of the School detracts from the educational and social experience of its students and that the School's record of considerable success is achieved despite its facilities not because of them.
- 12.44 Redevelopment of the school is intended to achieve even greater educational outcomes for an even larger cohort of pupils. The requirement for additional and improved accommodation has arisen in part from the increase in pupil numbers as a result of the additional form of entry requested by the Council to meet the increase in students in Islington. It is also anticipated that Sixth Form numbers will increase from the current figure of 180 to an upper limit of 300 students over the next five years. The application advises that without the proposed new development the School does not have the physical capacity to accommodate the additional form of entry.
- 12.45 The application advises that a new Music Centre will allow the School to maintain and extend its Music provision through the provision of appropriate space and to assist in the recruitment of high quality specialist staff. Furthermore, the development of high quality teaching and performance spaces for Drama will allow the School to sustain and further extend the quality of its Drama provision.

### Funding

- 12.46 In order for the proposed development to be delivered the School must secure additional funding. Accordingly, there is a degree of uncertainty over the deliverability of the scheme and this should be assessed in order to inform the weight to be attached to the education benefits in the planning balance.

### Sources

- 12.47 Central Foundation Boys' School is a voluntary aided maintained school, meaning that its revenue funding comes from LB Islington. The Trust owns the land and buildings that the School occupies, and is obligated to contribute 10% of all capital expenditure to the School's buildings.
- 12.48 The application advises that the cost of the school development (excluding the commercial block) is £41.84 million. The application indicates that the proposed development has been reduced in scope to arrive at this value, for example, the sports hall has been reduced from a fully sunken 4 court sports hall to a partially sunken 3 court hall to assist with the deliverability of the scheme. Furthermore, these costs do not include full remedial

works on Block A and some further work on Block A which is anticipated arising from the development works. The School will need to secure funding for these works in due course.

- 12.49 The application notes that the School is now in a position where it must secure funding for its development project from a number of sources, with most funding coming from outside the public sector. The remaining monies from the Bezier scheme form the significant majority of the available funding but do not go far enough to deliver the required works. Subject to planning, the project has secured the following sources of funding:
- LB Islington Education Department - £2.7 million
  - Education Funding Agency - £5 million
  - Central Foundation Schools of London Trust - £20 million.
- 12.50 The total secured funding is therefore £27.7 million and there is a funding gap of £14.14 million.
- 12.51 The funding from the Council is intended to support the School in its redevelopment in order to accommodate the increased roll which has been requested by the Council to meet the needs of the growing population.
- 12.52 The EFA operate the Priority School Building Programme which has been established to deal with the renovation needs of the 'worst' school buildings in the country. The School made a successful application in April 2015 under this Programme and the EFA have established that the condition of Block C qualifies for this programme. The EFA will provide funding specifically for the costs of the renovation and refurbishment of this building only, equating to an estimated £5 million of the project cost.
- 12.53 The Central Foundation Schools of London Trust is responsible for the Boys' and Girls' schools. The application notes that it is required under the terms of its governing document to consider the needs of both Schools, both at the present time and in the future. The Trust receives funding from a number of sources, including charitable donations and investments. However, its resources are finite and it cannot do anything that undermines its ongoing responsibilities to both schools. The Trust's £20 million contribution is taken from the receipts of the Bezier scheme and its wider reserves without compromising its future responsibilities to its two schools.
- 12.54 The application states that all of the available sources of funding have been explored. Therefore, there is a need for the Trust to consider ways of releasing capital from their assets by redeveloping a portion of the site to release additional monies for the project in a bid to close the £14.14 million funding gap. It is proposed that funds generated from the enabling development scheme will be linked to the delivery of the education improvements via a Section 106 agreement. This will be achieved by restricting the occupation of the enabling scheme until a certain point in the delivery of the education project.
- 12.55 The application is accompanied by a financial viability assessment (FVA) which identifies that the enabling development scheme has the potential to deliver £6.72 million towards the funding gap and £7.42 million further funding is therefore required to deliver the scheme. The Council appointed BPS Chartered Surveyors (BPS) to undertake a review of financial viability for the scheme which is detailed later within this report. BPS have reviewed the applicant's costs and are broadly in agreement but contest a number of the

costs. Based on BPS' appraisal the remaining funding gap would be £6.74million. Either way, the remaining funding gap is significant.

- 12.56 The application indicates that, prior to planning permission being granted, it is not possible to secure or explore other sources of funding. Once a consent is secured, it may be possible to pursue these with more certainty. These may include heritage and sporting funds, charitable donations, and fundraising by the school and the Trust.
- 12.57 Improvements to the School would fall in to the category of 'School Improvements' as identified in the Council's Community Infrastructure Levy (CIL) Regulation 123 Infrastructure List. The enabling development scheme incurs a CIL liability of £441,661 (£271,791 Borough CIL and £169,869 Mayoral), as well as a £305,406 Crossrail Levy. The application advises that, post planning, a discussion will be held with the Council to explore whether the Borough CIL and any other monies collected from other schemes via CIL or Section 106 agreements can be returned to the school to deliver the increased student capacity that the Council are seeking. At the time of writing there had been no indication that significant funds would be released from CIL monies but it is noted that this would be the subject of further discussions should planning permission be granted.
- 12.58 The application advises that there is the ability for fundraising to take place with students and alumni. If the funding gap cannot be closed through other means, this is one option that will be explored, but does rely on public generosity to achieve this and, on its own, is unlikely to resolve the funding issues.
- 12.59 Private finance is not an option that is available to the School or the Trust as they have no regular available income to pay back the loan. The application states that this places increased importance on the need for maximum funds from the enabling development scheme.

#### Deliverability

- 12.60 Officers have raised concerns through the pre-application and application process that it has not been demonstrated that the proposed development is deliverable. Accordingly, the weight which can be attached to the education benefits that will arise from the proposal is undermined on the basis that there is no guarantee that the funding will be secured. This is a particular concern on the basis that the proposal is considered harmful in heritage terms, as set out later in this report, and the educational benefits must be weighed against the harm identified. Officers have maintained concerns that, if the required funding is not secured, then the educational benefits of the proposal assessed in the planning balance may not be fully realised.
- 12.61 There is at present no certainty that the above potential sources of funding will address the funding shortfall. The applicant advises that alternative sources, including funding from heritage and sporting funds, cannot be properly explored until a planning permission is in place.
- 12.62 The applicant has indicated a willingness to enter into a legal agreement including the following Head of Terms:

'Not to commence development of the office site or building prior to:



- (i) Practical completion of Blocks B and C of the Development;
- (ii) Commencement of works to the Sports Hall and Tabernacle of the Development.'

12.63 The above would offer a degree of comfort. It is the case that a substantive revision to the proposal would be the subject of a further planning application which would be assessed on its merits. It is also the case that, from a construction logistics point of view, the enabling block would be the final stage of the development as the building would occupy the access to the site required for the excavation and construction of the sports hall and Tabernacle building. It is therefore considered that, for the purposes of assessing this planning application, there is as much comfort as can reasonably be achieved that the education benefits of the scheme will be secured before the commercial enabling block is constructed.

#### Necessity to deliver the scheme at the same time

12.64 Officers have queried whether any part of the scheme could be delayed until such a time as all of the necessary funding has been secured. The applicant advises that all parts of the scheme are interrelated and therefore must all come forward at the same time. The Construction Management Plan details an indicative sequence of works to build out the proposed development. Phase 1 of the works involves the soft strip and demolition of Block B followed by the construction of the new Block B and the refurbishment of Block C. Phase 2 of the works includes the delivery of the new sports hall, extensive refurbishment of the Tabernacle and installation of the new courtyard and external landscaping. There is adequate funding in place to complete Phase 1 of the works and the funding gap must be bridged in order to proceed with Phase 2 of the works. The School must therefore complete the sale of the enabling development site part-way through the development programme in order to release funds for the Phase 2 works.

12.65 The works to Blocks B & C will deliver additional teaching capacity (in terms of classrooms) but will not deliver the improved sports, art, drama and music facilities and the site wide accessibility improvements sought by the School. The applicant advises that funders are significantly less likely to be interested in a split project (proposals spread across two separate planning applications) due to uncertainty and risk associated with it (for example, the need to secure planning permission twice). The applicant further advises that, even if funding were to be obtained for the proposals spread across two planning applications, it is likely that a risk premium will be attached to such contracts, thereby further increasing the School's costs. The applicant argues that removing the sports hall, drama theatre, creative arts facilities and landscaping from the planning application would put the whole project at risk, leaving the School, parents and students in an uncertain 'limbo' for a long period of time. It is suggested that the uncertainty would raise questions as to whether the campus is able to accommodate a School and would affect the decision of some students to enrol in the School.

12.66 It can therefore be accepted that it would be disadvantageous to deliver the scheme in two phases subject to separate funding arrangements as such an approach would introduce considerable uncertainty in relation to delivery of the sports, drama and creative arts facilities and the realisation of the associated education benefits.

#### Academisation

12.67 The Funding and Educational Need Statement which accompanied the application addresses the potential academisation of the school. It is noted that as a voluntary aided School the proposed school works would be liable for Value Added Tax (VAT), whereas academies, local authority schools and free schools are not liable for VAT on school works. Based upon the applicant's FVA, the removal of the VAT liability would reduce the funding gap by approximately £5 million to approximately £2.3 million. It is considered that there is reasonable potential that a funding gap of £2.3 million could be bridged and a shortfall of this level would represent significantly less cause for concern in terms of the deliverability of the scheme.

12.68 The Funding and Educational Need Statement sets out the series of hurdles involved in a process of academisation as follows:

- Register interest with Central Government for becoming an academy
- Obtain consent from the school's governing body
- Obtain consent from the school's foundation trust
- Statutory consultation with parents, staff and pupils
- Application made to convert to an academy
- Prepare memorandum and articles of association
- Set up an academy trust
- Draft funding agreement
- Setup academy bank accounts, transfer land ownerships, etc
- Transfer education responsibility to the academy trust
- Appoint local governing body

12.69 The Statement concludes that:

'There are a significant number of steps that need to be taken even if the School decided that it had no choice other than to become an academy.

As a consequence of all of these unknowns, academisation cannot be relied upon to reduce the funding gap, and therefore, the primary focus for additional funds should be from the enabling development scheme.'

12.70 Officers subsequently sought further clarification from the applicants in relation to academisation and the applicant advised by letter dated 31 July 2017 that there are discussions being undertaken in Central Government which would result in the liability for VAT being removed. In relation to academisation the letter also states that:

'If...other sources of funding are not forthcoming, then there may be the need to explore the issue of academisation. This has not been ruled out as an option. However, our understanding is that the Head and governing body of the School align with Council's view on this subject, and they have no desire to academise unless it is absolutely necessary to deliver the benefits proposed for the students of the school.

The School will be exploring all possible sources of funding and income, ensuring that they are maximised with academisation remaining a fall-back position of last resort. As to what these other sources of funding may be, the School is continuing

to explore all possible avenues. It is believed that a positive planning outcome will create a much stronger position to secure further funding as the funding gap will be perceived by other funders to be much easier to bridge.

The School can commit to the desire to avoid academisation unless absolutely necessary, and will be looking to work with the Council on alternative sources of funding such as CIL receipts to maximise the opportunities which are available to them.'

- 12.71 As noted by the applicant above, it is understood that the Council in its capacity as Local Education Authority is not presently supportive of academisation, and there would likely be political implications were the School to pursue this as an option. However, this is not a planning matter and is not relevant to consideration of this planning application. For the purposes of assessing this planning application the applicant has indicated that this academisation is a realistic option to bridge the funding gap in the event that all other avenues are exhausted. For the purposes of assessing this planning application it is therefore considered that the applicant has offered sufficient assurances that the funding gap can realistically be bridged and adequate safeguards to secure the School works can be provided.

### **Design and Appearance**

- 12.72 Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design generally in the area.'
- 12.73 Policy 2.11 of the London Plan is concerned with the strategic functions of the CAZ and states, inter alia, that boroughs should:

'seek solutions to constraints on office provision and other commercial development imposed by heritage designations without compromising local environmental quality, including through high quality design to complement these designations'

- 12.74 London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that:

'Buildings, streets and open spaces should provide a high quality design response that:

- a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
- b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
- c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
- d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.'

- 12.75 London Plan Policy 7.6 states, inter alia, that:

Buildings and structures should:

- a) be of the highest architectural quality
- b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c) comprise details and materials that complement, not necessarily replicate, the local architectural character
- d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- e) incorporate best practice in resource management and climate change mitigation and adaptation
- f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g) be adaptable to different activities and land uses, particularly at ground level
- h) meet the principles of inclusive design
- i) optimise the potential of sites.

12.76 Policy DM2.1 (Design) requires all forms of development to be of a high quality, to incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Development which fails to take the opportunities available for improving the character and quality of an area and the way that it functions will not be supported.

National heritage legislation, policy and guidance

12.77 Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application ‘the authority shall have regard to the provisions of the development plan, so far as material to the application,...and to any other material consideration.’

12.78 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that ‘If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.’

12.79 There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: ‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.

12.80 Section 72(1) of the Act states: ‘In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area’.

- 12.81 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 12.82 The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the 12 core principles that define sustainable development. NPPF policy advises that for new development to be sustainable it needs to encompass an economic, social and environmental role, with the latter including the protection and enhancement of the built and historic environment. Paragraph 8 notes that these roles are mutually dependent and should not be taken in isolation; and that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Paragraph 7 of the NPPF states that the environmental role of a development includes protection and enhancement of the historic environment, while section 12 sets out how the historic environment should be conserved and enhanced.
- 12.83 The NPPF addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 128-135 which state, inter alia, that:
- '128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...
  - 129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal...
  - 132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional...
  - 133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is

necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
  - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - the harm or loss is outweighed by the benefit of bringing the site back into use.
134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

12.84 Significance is defined in the NPPF as:

'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'

12.85 The setting of a heritage asset is defined in the NPPF as:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

12.86 Paragraph 9 of the NPPG notes that

'Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.'

12.87 Paragraph 17 of the NPPG provides guidance on assessing whether a proposal results in substantial harm to a heritage asset and states that:

'What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting

Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.'

12.88 The Guidance detailed above notes that substantial harm is a high test. Case law in this matter is of some assistance, such as Bedford Borough Council v Secretary of State for Communities and Local Government and Nuon UK Ltd, where substantial harm is referred to in the context of circumstances where the impact on significance is "serious such that very much, if not all, of the significance was drained away", or "an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated or very much reduced"

12.89 Paragraph 20 of the NPPG defines public benefits as:

'Anything that delivers economic, social or environmental progress...Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.'

12.90 The Historic England (formerly English Heritage) guidance document Conservation Principles (2008) sets out a framework for assessing the significance of historic buildings and places. It defines significance as the 'sum of the cultural and natural heritage values of a place, often set out in a statement of significance.' It is commonly agreed that Grade I and II\* buildings are of "exceptional" and "particularly important" interest; therefore these are generally considered of greater significance.

12.91 London Plan policy 7.8 is concerned with heritage assets and states, inter alia, that 'development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.'

12.92 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states at Part F that:

'Much of the area has a rich character and is noted for its historic value. This is particularly true of Clerkenwell, which has a street pattern that dates from medieval

times and contains surviving monastic precincts. But throughout Bunhill and Clerkenwell, a number of buildings, monuments, spaces and townscape attributes contribute positively to its character. This includes some locally important street level views to St. Paul's Cathedral and other local landmarks. These historic and character-defining attributes will be protected and enhanced. In particular, improvements will be sought to the quality of views to St. Paul's Cathedral and to the public spaces from which local views originate.'

12.93 Policy CS9 of the Core Strategy is concerned with 'Protecting and Enhancing Islington's Built and Historic Environment' and states, inter alia, that:

'High quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.

B. The historic significance of Islington's unique heritage assets and historic environment will be conserved and enhanced whether designated or not. These assets in Islington include individual buildings and monuments, parks and gardens, conservation areas, views, public spaces and archaeology.

D. All development will need to be based on coherent street frontages and new buildings need to fit into the existing context of facades.'

12.94 Policy DM2.3 of the Council's Development Management Policies document is concerned with Heritage and states, inter alia, that:

A. Conserving and enhancing the historic environment

Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged.

B. Conservation Areas

i) The council will require that alterations to existing buildings in conservation areas conserve or enhance their significance. Similarly, new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted.

ii) The council will require the retention of all buildings and structures which make a positive contribution to the significance of a conservation area. The appropriate repair and re-use of such buildings will be encouraged. The significance of a conservation area can be substantially harmed over time by the cumulative impact arising from the demolition of buildings which may individually make a limited positive contribution to the significance of a conservation area. Consequently, the loss of a building which makes a positive contribution to a conservation area will frequently constitute substantial harm to the significance of the conservation area.



### C. Listed buildings

- i) The significance of Islington's listed buildings is required to be conserved or enhanced. Appropriate repair and reuse of listed buildings will be encouraged.
- ii) The significance of a listed building can be harmed by inappropriate repair, alteration or extension. Proposals to repair, alter or extend a listed building must be justified and appropriate. Consequently, a high level of professional skill and craftsmanship will be required. Proposals to repair, alter or extend a listed building which harm its significance will not be permitted unless there is a clear and convincing justification. Substantial harm to or loss of a listed building will be strongly resisted.
- iii) New developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.
- iv) The best use for a listed building is usually that for which it was designed. However, where the original use of a listed building is demonstrably unviable other uses may be permitted provided they do not harm the significance of the listed building.
- v) The council will use its statutory powers to ensure that listed buildings at risk from neglect or decay are appropriately maintained and repaired.
- vi) Applications for listed building consent must be accompanied by a Heritage Statement which demonstrates a clear understanding of the significance of the affected listed building and of the impact on its significance.

12.95 Finsbury Local Plan Policy BC3 is concerned with the Old Street area within which the site falls and states, inter alia, that:

'Old Street will become a distinctive, high quality, diverse and vibrant commercial destination within central London. The environmental quality of the roundabout will be transformed through coordinated public and private investment, with complementary improvements to neighbouring residential areas, including ...Business uses, including workspaces suitable for occupation by small and micro enterprises, and supporting uses...

B. Buildings of high quality architectural design which:

- i. Relate positively to each other,
- ii. Improve the character, quality and identity of the area,
- iii. Demonstrate a scale and massing that responds to adjacent public spaces and street widths and enhances street level views of recognised and historic landmarks in the area,
- iv. Conserve and enhance heritage assets, and
- v. Respect the existing urban grain and, wherever possible, seek to repair lost urban grain'.

### Supplementary Conservation Area Guidance

12.96 Conservation Area leaflet states, inter alia, that:

‘City Road, Tabernacle Street and other side streets comprise smaller and lower buildings often with quite narrow frontages. Where redevelopment is acceptable heights should not exceed four or five storeys, with a clear parapet line. An additional setback floor may be acceptable. New buildings should be mainly brick, with punched window openings with a vertical emphasis. Curtain walling should be avoided.’

- 12.97 The Council’s design guidelines for the Bunhill Fields / Finsbury Square Conservation Area states at paragraph 22.6 that

‘A number of non-listed buildings are also critical to the existing character of the area and provide important frontages to the streets and spaces. They must be retained. Even a good standard of modern design would not compensate for the loss of these buildings, which hold the key to the turn of the century character of the conservation area.’

- 12.98 The design guidelines address Tabernacle Street, Epworth Street and other side streets at paragraphs 22.14-22.15 which state:

‘The established character of this area is commercial with a mixture of workshops, small offices and live/work units. The Council will seek to retain the established character and wholly residential schemes will be resisted.

The prevailing character of the narrow side streets either side of City Road is of late-Victorian warehouses and offices although there are also small pockets of earlier Georgian survivals such as 3 - 9 Paul Street. This character must be retained and new development where acceptable, must blend with this character in terms of scale, materials and ornament. Four or five storeys sheer from back of pavement should be maintained with a clear parapet line. Plant and roof structures should be set back to be invisible from the street. New buildings should be in brick, with punched window openings, and with a vertical emphasis. Bland flat frontages and curtain walling should be avoided. Glass to windows and entrances should be clear.’

### **Significance of heritage assets**

#### Historic England list descriptions

- 12.99 The Historic England list description for the main Grade II School building (Block A) states, inter alia, that the building is a ‘fine example of a mid-C19 charitable school building of considerable scale and gravitas, which combines a distinguished façade with interiors of considerable interest.’
- 12.100 The list description for the Grade II County Court building notes that it was set up by the City and Guilds of London Institute for the Advancement of Technical Education, and was the first technical college in England. The building and wider site therefore has historic significance. The building was the later converted into Shoreditch County Court.

#### Applicant’s assessment of significance

- 12.101 The application is accompanied by a Heritage and Townscape Assessment (HTA) which provides an assessment of the significance of the school buildings. It notes that the list descriptions identify the historic significance of Block A and the County Court building. It

further identifies that the internal configuration of the school buildings in Block A, including the circulation spaces, classrooms (and their various functions), and principal spaces such as the Assembly Hall, contribute to the historical value of the listed buildings. The list description for Block A makes reference to its distinguished façade, which demonstrates that the exterior of the building is of architectural value. Equally the façade to the County Court building, including its stone dressings, Doric portico and other architectural details, makes a positive contribution to the street scene and is of intrinsic aesthetic value. The courtyard-facing facades of these buildings are also of some architectural value.

12.102 The HTA identifies that the current Tabernacle Building contributes to the historical significance of the site due to its historical associations with the original 1752 Tabernacle, and as a historic building in its own right. The Gothic-style gables to the former chapel and Sunday School facing the street are particularly distinctive in the local townscape. The rear inward elevations facing the school courtyard have been altered and the Tabernacle at present has a largely blank brick rear façade. The 1966 extension to the school is considered to be of limited historical value, as a modern three storey building. Within the former Sunday school the main window and roof structure remains. Within the Tabernacle building there is an arch embedded within the upper floor of the building, and there are no other architectural features of note.

Tabernacle Building



12.103 The 1966 extension (Block B) to the school is identified as being of limited historical value.

12.104 The former 6<sup>th</sup> Form block on Tabernacle Street is identified as being of some historical value, but less so than the older buildings on the site. The HTA identifies that they are not

unattractive, but are less distinguished architecturally when compared to the listed buildings and Tabernacle building.

12.105 The HTA identifies that the single-storey building at the corner of Cowper Street and Tabernacle Street detracts from the appearance of the Conservation Area and is not considered to be of aesthetic value (see photograph below).

Single storey building at corner of Cowper Street and Tabernacle Street



12.106 Historic England have provided an appraisal and an assessment of the significance of the buildings on the site as follows:

'The school is located at the north-west corner of South Shoreditch, which in this part was originally laid out towards the end of the 18th century as a residential area with small brick terraces occupied by artisans and tradesmen. These were gradually replaced in the 19th century as industrial and commercial use intensified, culminating in the late Victorian and Edwardian furniture factories, warehouses, showrooms and workshops that provide this part of Bunhill Fields/Finsbury Square (Islington) and South Shoreditch (Hackney) Conservation Areas with their predominant character. The buildings of the Central Foundation Boys' School form an important Victorian and Edwardian enclave of public and former ecclesiastical buildings set amongst commercial buildings of the same period that characterise the conservation area.

The school itself comprises two Grade II listed buildings and associated extensions, as well as the former Whitefield Tabernacle along Leonard Street, and a 1960s extension of no architectural merit along Cowper Street.

The former tabernacle and its adjacent Sunday school building were built in 1868 in a Gothic style designed by *C. G. Searle and Son* on (or near) the site of Rev. George Whitefield's original tabernacle of 1753. The tabernacle building turns the

corner to Tabernacle Street and forms an imposing end to the school complex to the east. The building is constructed in Kentish Ragstone with large windows in the Decorative style facing south and east. The Sunday School to the west...is in the same style, albeit at a much smaller scale.

Although the Tabernacle complex is not listed at present, it possesses high significance through the combination of aesthetic values for its well preserved Victorian Gothic architecture, and historical value for its connection to Whitefield's original Moorfields Tabernacle and for its role in illustrating the development of the church in this dense part of Victorian working class London.

The Tabernacle complex makes a very significant positive contribution to this part of the conservation area and the setting of the grade II listed former court building for the reasons set out above, but it is also worth noting that it contains other elements such as decorative cast iron railings that further contribute to the site and its surroundings.

The other historic building that would be affected by the proposals is the two storey, eight-bay gault brick structure fronting Tabernacle Street, an extension to the original school. This is an austere building decorated only by a moulded brick cornice and a pair of pitched gables, under which are symmetric pairs of double-height sash windows that are framed by moulded corbels in the brickwork. The building was probably added to the existing school block in the years following the 1894 Tabernacle Street fire. It is architecturally robust and in keeping with the listed school buildings and the nearby unlisted Victorian and Edwardian commercial buildings that characterise the conservation area. It occupies an important position along Tabernacle Street, and adds to the historic street frontage that survives along the west side of the street. The quality and aesthetic value of its architecture, combined with its size and key position in the townscape, mean that it makes a positive contribution to this part of the conservation area and enhances the setting of the grade II listed school building to the west.'

Former Sixth Form Block on Tabernacle Street



Assessment of significance

- 12.107 Having regard to the above, it is considered that the Grade II listed Block A, the Grade II listed County Court building and the Tabernacle building have substantial architectural and historic significance. The setting of these buildings is also considered to be of significance.
- 12.108 Historic England's assessment that the 1960s Block B is of no architectural merit can be accepted, as can the applicant's assessment that it is of limited historical significance.
- 12.109 It is considered that the applicant's assessment underplays the significance of the former sixth form block. Historic England consider that it adds to the historic street frontage whilst the quality and aesthetic value of its architecture, combined with its size and key position in the townscape, mean that it makes a positive contribution to this part of the conservation area and enhances the setting of the grade II listed school building to the west. Historic England's assessment is accepted. The Council's Design and Conservation Officer also notes that the building makes a positive contribution to the character and appearance of the conservation area.
- 12.110 The applicant's assessment that the single storey building at the corner of Cowper Street and Tabernacle Street makes a negative contribution to the character and appearance of the conservation area is accepted.

### Block B (Science Block)

- 12.111 The demolition of the existing 1960s block is considered acceptable subject to its replacement with a building which preserves or enhances the character and appearance of the Conservation Area.
- 12.112 It is proposed to erect a 4 storey block which will be comparable in height to the adjacent listed school building.
- 12.113 The Council's Design and Conservation Officer has raised concerns that the proposed plant screen will be visually prominent and will compete with the gable ends to Block C. The applicant has responded that they consider it important for the new interventions (such as plant screens) to be visibly different from the existing Victorian context and share a coherent language of modern materials which link with new facade elements. The proposed Block B plant screen is set back from the parapet line by circa 4m (while the Block C gable ends are flush with the existing facade). The perforations to the plant screen will offer some visual 'lightness' to the screen to ensure it does not appear solid and compete with the gables, whilst its folded form will also help to break down its mass. Furthermore, the height of the building will limit the visibility of any plant from the courtyard.
- 12.114 The existing defensive and inaccessible ground floor of the 1966 Block B would be replaced with a new active public frontage.

### Tabernacle Building

- 12.115 The Council's Design and Conservation Officer has raised concerns in relation to the proposed modern and largely glazed treatment of the courtyard facing elevation of the Tabernacle building. It is considered that the outward facing façades onto Tabernacle Street and Leonard Street are of the greatest heritage value as they contribute positively to the character and appearance of the Conservation Area and the setting to the listed buildings. The courtyard facing elevation is predominantly blank and can be considered of limited architectural merit whilst the application notes that it is in poor condition. The application also notes that, from a construction logistics perspective, the removal of the north elevation is desirable due to the significant excavation and ground works required for the internal reconfiguration and underpinning, along with the excavation required for the adjacent sports hall.
- 12.116 The Council's Design and Conservation Officer has commented that the roof form of the annexe building represents an alien form of development. The applicant notes that a small area of roof mounted plant is required and has been minimised as far as possible. It has been located on the annexe due to limited areas of flat roof available across the campus. The appearance of the plant screen is intended to appear as a modern intervention to clearly distinguish from the retained historic parts of the Tabernacle building.
- 12.117 The application notes that the existing Tabernacle building fabric is in poor condition and many of the windows have been boarded up either due to damage or to allow use of the spaces (for sports). The application advises of various defects including the following:
- Erosion at the base of the stone columns on Leonard and Tabernacle Street
  - Erosion of the main façade stonework including the high level cornice
  - Missing or broken stonework above the main windows (whose purpose is to route water away from the façade)



- Staining of the stonework due to pollution
- Plants growing in the stonework at high level
- Numerous types of stone are used on the primary external façades (Leonard Street and Tabernacle Street) including, Kentish Ragstone, Portland Stone, Forrest of Dean Sandstone, and Bath Stone (windows).

12.118 Restoration works are proposed to address the above defects. These will enhance the character and appearance of the conservation area and are therefore welcomed and represent a benefit of the scheme.

12.119 The application also notes that the proposed glazed design of the facade is informed by a requirement to allow daylight into the deep plan of the building in order to benefit the arts activities within the building whilst allowing activities within the Creative Arts Centre to be visible from the courtyard which will enliven the external space. This safeguards the more prominent and important facades from the need for alterations.

12.120 The Council's Design and Conservation Officer's objection to the proposed modern, glazed appearance of the courtyard elevation primarily relates to the harm to the historic character and appearance of the building. It can be accepted that there is a justification for the removal of this elevation from a construction logistics point of view. However, the objection suggests that a greater proportion of masonry could be incorporated into the replacement façade which would assist in maintaining the building's historic character. The applicant advises that the proposed glazing would allow more daylight into the building which would enhance the quality of the accommodation for performing arts, and this can be accepted. It can be acknowledged that the proposal will result in harm to the historic appearance of the building. However, the proposed replacement elevation would appear as a modern intervention of a good standard of design which is clearly distinguished from the historic building and which can be justified in design terms. In view of the blank appearance and limited architectural merit of the existing courtyard elevation it is considered that the enhancement to the appearance of the building as a result of the proposals would outweigh any harm to its historic character.

12.121 The indicative materials are of a high quality which will assist in ensuring that the proposed modern intervention to the building is successful. It is recommended that details of materials are secured by condition (condition 3).

Existing courtyard elevation of Tabernacle Building



CGI indicating proposed courtyard elevation of Tabernacle Building



Part subterranean sports hall with landscaped courtyard above

12.122 The application notes that, given the very constrained nature of the site, there are limited places where a new three court sports hall can be accommodated. The application advises that a thorough assessment of the available options has been undertaken by several design teams, including under the BSF Programme, and it has been concluded

that the most viable strategy would be to locate the sports hall to the east of the courtyard to link the excavation works with the proposed underpinning to the Tabernacle and to minimise the impact on existing basements.

12.123 The Council's Design and Conservation Officer has raised concerns that the landscaping scheme does not appear to have been designed as a school playground and therefore has not taken into account the needs of its users. The applicant has responded that, given the inner city context, the external play space will never be able to comply with Education and Skills Funding Agency space standards due to the area available. The proposed landscaping has arisen from a desire to best utilise the available space and the School's brief was to design a sophisticated 'grown up' space, akin to a University environment, which allows large numbers of students to be broken down into smaller more manageable groups. The applicant further advises that the current large monolithic playground does not work well operationally as pupils do not have enough space to run around and therefore simply replicating it would miss an opportunity to address the School's long term needs. The lower level within the courtyard would provide a zone for active play whilst a more static area for groups / individuals would be provided on the roof of the sports hall. Space for students to play sports will be accommodated within the School's indoor facilities. The alignment of the roof of the Sports Hall with the dominant raised ground floor level across the site (approximately 1.5m above the courtyard) along with the re-alignment of internal levels within the Tabernacle facilitate significant improvements to site wide accessibility within the School buildings. The applicant also advises that a fully submerged sports hall would add approximately £1 million to the cost of the scheme.

12.124 This sports hall, by reason of its subterranean location, will not result in a significant impact upon the character and appearance of the conservation area or the setting of the listed buildings. The landscaping scheme should improve the setting of the listed buildings and character and appearance of the conservation area, to the extent that it will be visible from the public realm.

#### Commercial building including demolition of former Sixth Form Block

12.125 As noted above, the former sixth form block to be demolished to make way for the proposed commercial enabling block is considered to make a positive contribution to the character and appearance of the conservation area. The application advises that the building is narrow, in poor condition and difficult to utilise for educational uses.

12.126 The former sixth form block is considered to make a positive contribution to the character and appearance of the conservation area and to the setting of the Grade II listed Block A. Its demolition is considered to result in less than substantial harm to the significance of the Conservation Area and the setting of the Grade II listed Block A. In accordance with paragraph 134 of the NPPF the less than substantial harm should be weighed against the public benefits of the proposal and a balancing exercise is carried out within the conclusion to this report.

12.127 The Council's Design and Conservation Officer has commented that the design team should have demonstrated attempts to retain the building or part of the building. The applicant has responded that to try and retain the facade of the unlisted building, and build above and around it (to the quantum of accommodation required to make the scheme viable), would result in a poorly proportioned facade retention with the new development significantly dwarfing the two storey existing elevation. Furthermore, the existing building

only occupies part of the site along Tabernacle Street, with gap sites at either end - leaving an incoherent and poorly defined street edge, uncharacteristic of the Conservation Area.

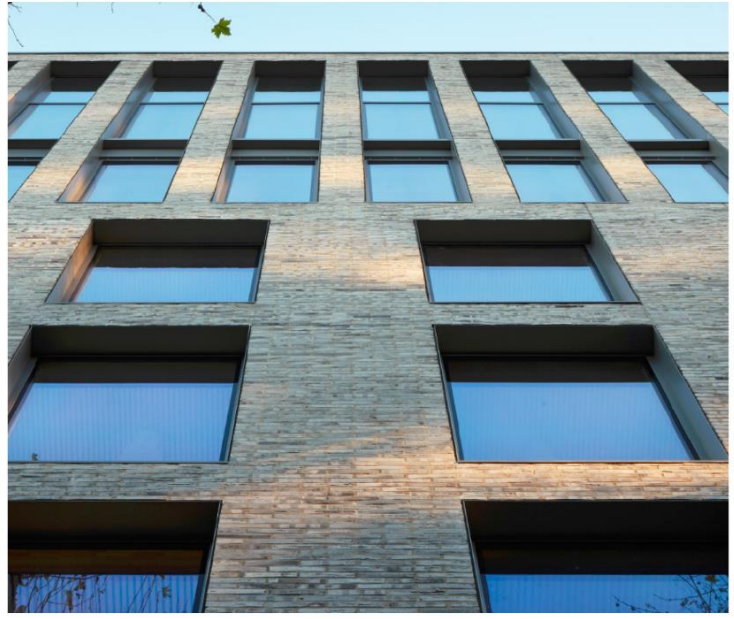
#### Proposed commercial building

- 12.128 The proposed eight storey commercial block will occupy the site of the existing sixth form block and single storey building on the corner of Cowper Street and Tabernacle Street.
- 12.129 The proposed materials include a glass reinforced concrete (GRC) frame, structural silicone glazing (SSG) panels, glazed spandrel panels (with a mesh interlayer), cream and brown vertical brick infill panels in varying proportions on different façades. The facade design of the block is intended to be distinctive from the new school buildings to reflect the different use and scale. However, commonality in some of the materials proposed (such as the mesh interlayer panels) are intended to provide subtle visual links with the new collection of school buildings. The use of brick is intended to reflect the dominant material found in the conservation area, however its use in a more contemporary way complements the profiled GRC frame to give the building a visually 'lighter' appearance. The three horizontal components of the building mass are intended to respond to the datums of the surrounding buildings while also knitting together the different scales of the immediate context including those of the adjacent school buildings and the taller commercial buildings.
- 12.130 The architects have provided details of the recently completed Bartlett School of Architecture in support of their proposals. They advise that the building would appear simple in its appearance when read as individual façades in 2D. However, high quality materials, careful detailing and facade depth introduced through articulation of window reveals, etc. assist to break down the overall mass of the building.

#### Bartlett School of Architecture







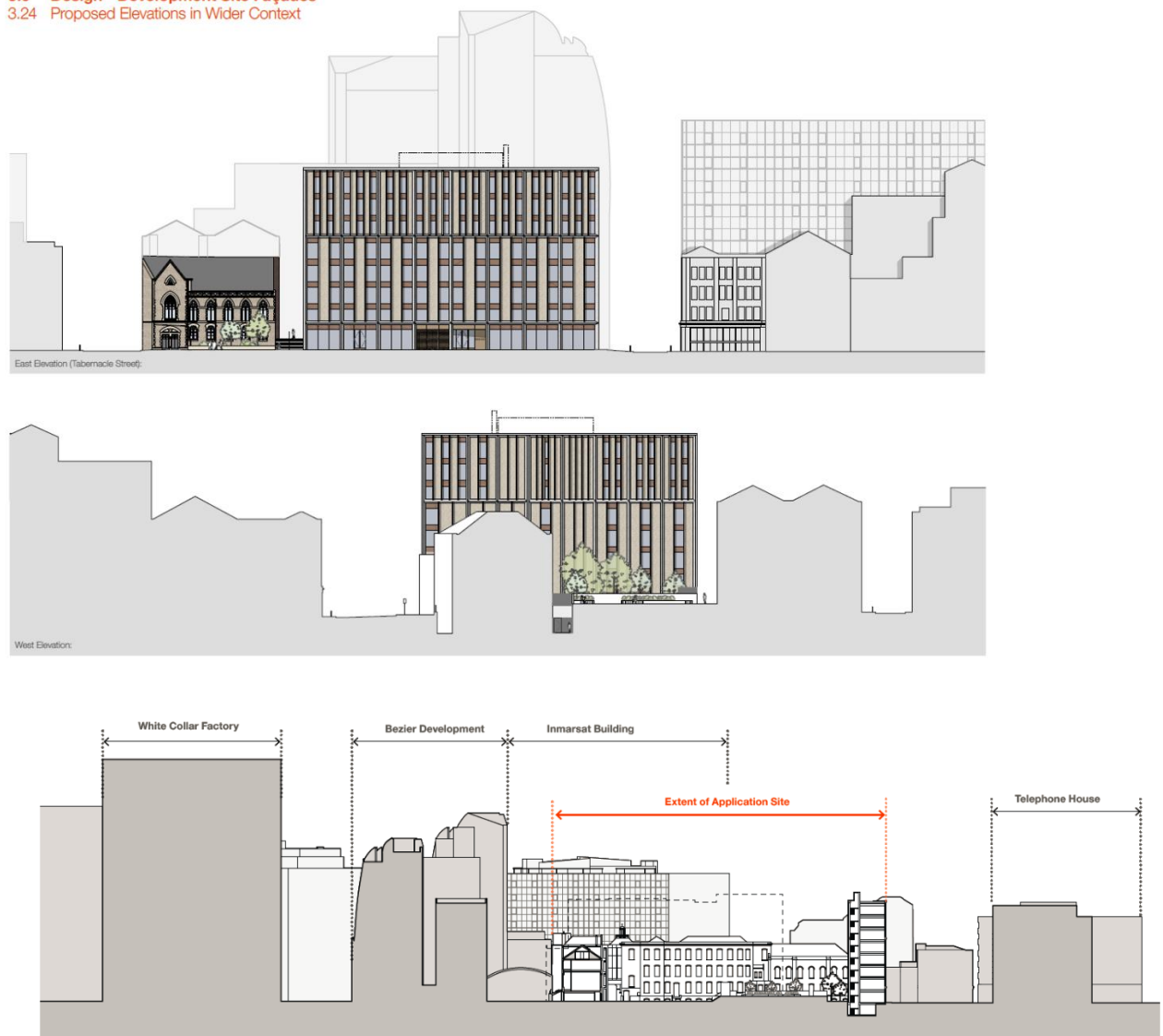
12.131 The applicant has sought to justify the height of the proposed building through reference to the wider surrounding context and this is represented visually in the map and sections below.

Map identifying building heights in the locality



## Enabling block in wider context

3.0 Design - Development Site Façades  
3.24 Proposed Elevations in Wider Context



12.132 Development on Tabernacle Street to the south of the site is predominantly characterised by four and five storey development and this is reflected in the guidance on building heights provided within the Conservation Area leaflet and guidelines detailed at paragraphs 12.96-12.97 of this report. It is also noted that Cowper Street is predominantly characterised by 3 and 4 storey development, albeit the much higher Inmarsat Building and Bezier Building are located at the end of Cowper Street towards City Road. The School buildings on the application site are generally 2-4 storeys in height.

12.133 It may be acknowledged that the development site occupies a location on Tabernacle Street where there is a transition to larger scale development. The immediate context of the development site includes Telephone House on the opposite side of Tabernacle Street which is 7 storeys high with a lower ground floor but is generally set back from Tabernacle Street and Leonard Street. It is noted that Leonard Street is typically characterised by 4-8 storey development. However, it is considered that the larger scale development around Old Street identified within the section plan above occupies a distinctly different character area to the site of the proposed enabling block and does not represent a significant justification for the height of the enabling block.

12.134 The architectural treatment of the building with datum lines which respond to neighbouring buildings assists somewhat in integrating the proposed building within its context. It is considered that the detailed architectural design of the building is of a good standard whilst high quality materials are indicated and can be secured by condition. The building would complete the urban block and in this regard would provide a townscape benefit.

12.135 The height of the proposed commercial block has been driven by a requirement to maximise the capital receipt from the sale of the development site. Whilst the design has architectural merit the block will not be set back from the frontage of the site and it is considered excessive in its height, scale and massing, and would therefore appear somewhat discordant and incongruous on the street scene. It is considered that an appropriate height for a building in this location may be 6 storeys. The CGI below illustrates what is considered to be a somewhat uncomfortable step up in building height from the lower rise Tabernacle Building.

CGI of proposed commercial block adjacent to Tabernacle Building



12.136 It is considered that overall, by reason of its height, scale and massing, the proposed building would result in harm to the character and appearance of the Conservation Area and may be considered to result in a minor degree of harm to the setting of the Grade II listed County Court and the main School building (Block A). The degree of harm is considered to be less than substantial and, in accordance with paragraph 134 of the NPPF this harm should be weighed against the public benefits of the proposal and a balancing exercise is carried out within the conclusion to this report.





### Tall Buildings Policy

12.137 Policy CS9 of the Core Strategy is concerned with protecting and enhancing Islington's built and historic environment and states, inter alia, that:

'Tall buildings (above 30m high) are generally inappropriate to Islington's predominantly medium to low level character, therefore proposals for new tall buildings will not be supported. Parts of the Bunhill and Clerkenwell key area may contain some sites that could be suitable for tall buildings, this will be explored in more detail as part of the Bunhill and Clerkenwell Area Action Plan.'

12.138 Policy BC9 of the Finsbury Local Plan is concerned with tall buildings and contextual considerations for building heights and states, inter alia, that:

A. Within the area covered by this plan, tall buildings are considered to be buildings or structures that are substantially taller than their neighbours and/or which significantly change the skyline.

B. Buildings of 30 metres in height or more may be appropriate only within the areas indicated on Figure 17. These areas include sites identified in Policy BC2 (City Road Basin) and Policy BC3 (Old Street), as well as an area adjacent to the City of London boundary at Moorgate.

C. Elsewhere, building heights must respond to the local context, particularly those contextual factors indicated on Figure 17.

'D. Proposals for tall buildings must satisfy all of the criteria set out in Part 4 of English Heritage and CABI's Guidance on Tall Buildings (2007), alongside other Development Plan policies. Specifically, proposals must:

- i. Reinforce the legibility and identity of the wider area and enhance the quality of street-level and long distance views, including across borough boundaries;
- ii. Conserve and enhance designated and non-designated heritage assets and their setting;
- iii. Not create unacceptable impacts on infrastructure, including transport capacity; and adequately mitigate any transport impacts;
- iv. Exhibit an exceptional standard of architecture;
- v. Create an active and interesting street frontage appropriate to the local context;
- vi. Exhibit the highest standards of sustainable design and carbon minimisation, by incorporating green roofs and/or walls, involving services engineers from an early design stage to ensure that energy use associated with mechanical cooling and lighting is minimised, utilising sustainable materials, and controlling solar gain;
- vii. Provide public space, including, where appropriate, mid-block pedestrian routes and the extension of (and integration with) neighbouring areas of public space;
- viii. Provide private amenity and play space where residential uses are proposed as part of the development, and –;
- ix. Not have adverse environmental effects at ground level, nor overshadow neighbouring habitable rooms or formal public spaces.

- 12.139 The main part of the building is marginally below 30m in height. However, the core and lift overrun to the rear of the building will exceed 30m in height. The proposed development is therefore contrary to policies CS9 and BC9. It is noted that policy BC9 is primarily concerned with the appearance, setting and infrastructure impact of tall buildings.
- 12.140 Clarification was sought from the GLA regarding referral of the application under category 1C (The Building is more than 30m high and is outside the City of London) of the schedule to the Town and Country Planning (Mayor of London) Order 2008. GLA officers confirmed that the application was referable at Stage 1 on the basis of the height of the proposed building and the application was therefore referred to the Mayor of London. The Stage 1 response from the GLA did not make reference to the London Plan Policy 7.7 which is concerned with tall buildings, and did not identify any strategic issues relating to the height of the building.
- 12.141 It should be noted that a similar issue arose following an appeal in relation to the proposed redevelopment of Nos. 130-154 Pentonville Road and 3,4 and 5A Cynthia Street, Islington N1 9JE (appeal reference APP/V5570/A/13/2195285). The inspector commented that:
- ‘CS policy CS9 identifies that tall buildings above 30m high are generally inappropriate to Islington’s medium to low level character. Because the building would exceed 30m in height it would technically be a tall building. This is why the Greater London Authority was consulted on the planning application. Nevertheless, it would only exceed 30m because of flues on the roof. These flues would not be visible from any public vantage point.’
- 12.142 In view of the limited visibility of the ‘tall’ (i.e. over 30m) part of the building it is considered that the harm arising as a result of the height of the block primarily relates to its impact on the character and appearance of the conservation area and the setting of the listed school buildings.

### **Accessibility**

- 12.143 London Plan Policy 7.2 states that development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances.
- 12.144 Development Management Policy DM2.2 requires all new developments to demonstrate inclusive design.
- 12.145 The Council’s Accessibility Officer notes that the current circulation is vertical, as horizontal circulation between buildings is not possible, and that there is a lot of pressure on existing narrow corridors and stairwells that are significantly under the recommended width. The proposed development addresses the issue of circulation, speeding up movement around the school between lessons and improving the experience of movement. Rationalising the layout and grouping of faculties also assists with circulation, ensuring the adjacencies are correct and the flow of people moving around the building is working efficiently. The Council’s Accessibility Officer advises that the commitment to address the current deficiencies relating to circulation is welcome

- 12.146 Improvements to access and accessibility between the buildings is a key driver for the project and the commitment to provide level access through the buildings wherever possible is welcomed.
- 12.147 It is noted that a new external lift will serve the lower and upper courtyard levels and the basement level for the sports hall and ancillary facilities Block A. However, the lift will also be used for goods and deliveries to the kitchen and will assist with the movement of waste around the site. The shared use of the lift should not cause disabled users disadvantage or loss of dignity. A condition is therefore recommended to require signage to the lift identifying that disabled users should be given priority over the use of the lift (Condition No. 28).
- 12.148 The replacement Block B has been designed to rationalise existing levels and the finished floor levels predominantly link with Block C with gentle 'slopes' used to overcome minor level changes. The new circulation core and through-lift is strategically located to facilitate non-stepped access to Block A. This is all welcome.
- 12.149 The significant improvements to accessibility across the school site are considered to represent a benefit in planning terms.

### **Landscaping and Ecology**

- 12.150 Islington Development Management Policy DM6.5 maintains that new developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of a development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitat and support the council's Biodiversity Action Plan.
- 12.151 The application is accompanied by a bat survey which recommends that roof materials are removed by hand and specialist advice should be sought in the event that bats or bat droppings are discovered. The Council's ecologist has raised no objections to the proposal subject to the recommendation being secured by condition.

### **Neighbouring Amenity**

- 12.152 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 12.153 Daylight and Sunlight: In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

12.154 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

*The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or*

*The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).*

12.155 Average Daylight Factor (ADF) is another daylight measurement which requires 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. It should be noted that this test is normally applicable to proposed residential units, but in some cases is used as supplementary information (rather than key assessment criteria) to provide a clearer picture regarding impacts upon existing properties.

12.156 Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.

12.157 Sunlight: the BRE Guidelines confirm that windows which do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

*In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.*

12.158 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guidelines provides numerical guidelines, the document though emphasizes that advice given here is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

12.159 The application site is located within an accessible location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.

12.160 It is widely acknowledged that daylight and sunlight are fundamental to the provision of a good quality living environment and for this reason people expect good natural lighting in their homes. Daylight makes an interior look more attractive and interesting as well as to

provide light to work or read by. Inappropriate or insensitive development can reduce a neighbour's daylight and sunlight and thereby adversely affect their amenity to an unacceptable level.

12.161 It is noted that the BRE Guidelines are predicated upon a suburban development model and the 'ideal' baseline target values they set out are based upon a suburban situation i.e. the level of light that would be expected in a situation with two storey dwellings facing one another across a reasonable width road.

12.162 Paragraph 1.3.45-46 of the Mayor of London's Housing SPD states that:

'Policy 7.6Bd requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.'

The application is accompanied by a Daylight and Sunlight Report which provides an assessment of the impact of the proposed commercial block on 25 Cowper Street and 112-116 Tabernacle Street.

#### 25 Cowper Street

12.163 The report notes that the property currently experiences daylight and sunlight levels above and beyond what would be expected within such a dense urban environment as it sees visible sky over the single storey corner building on the northern part of the site of the proposed development.

12.164 The VSC and NSL results of the survey are detailed within the table below.

Room / Window	Room Use	Vertical Sky Component			No skyline (daylight distribution)		
		Existing VSC (%)	Proposed VSC (%)	VSC reduction (%)	Existing (%)	Proposed (%)	Reduction (%)
Basement / W2	Dining room	23.48	11.24	52.10	86.73	69.50	-19.87
Ground floor / W2	Living room	23.48	11.24	52.10	45.72	17.19	-62.40
First floor / W1	Lounge / kitchen	26.29	11.29	57.05	99.24	64.78	-34.74
First floor / W2	Lounge / kitchen	26.65	12.73	52.23			
First floor / W3	Lounge / kitchen	25.94	13.36	48.48			
Second floor / W1	Lounge / kitchen	28.49	12.21	57.15	99.57	66.10	-33.62
Second floor / W2	Lounge / kitchen	28.70	13.60	52.63			
Second floor / W3	Lounge / kitchen	28.18	14.37	48.99			
Third floor / W1	Lounge / kitchen	32.51	17.07	47.50	100	89.26	-10.74

12.165 It is noted that the rooms within the property currently benefit from good levels of daylight when assessed for VSC and that the rooms would experience reductions in VSC in excess of the BRE recommendations. The lowest retained level of VSC would be to the basement and ground floor accommodation which would retain 11.24% VSC.

12.166 The NSL assessment demonstrates that only one room would experience a substantial loss of daylight as a result of the proposed development. The Report explains that the main part of this ground floor living room is set back into the building behind a void which allows light to enter the basement. The setback means that light has to travel further into the building to light the room. The remaining rooms which would experience a reduction in daylight distribution in excess of the BRE Guidelines would retain sky visibility to over 64% of their area which can be considered reasonable in a densely built up urban environment.

12.167 The ADF assessment is detailed within the table below.

Room / Window	Room Use	Total ADF (Existing)	Total ADF (Proposed)	ADF Reduction (%)
Basement / W2	Dining room	3.70	2.35	-36.58
Ground floor / W2	Living room	1.50	0.95	-36.41
First floor / W1	Lounge / kitchen	2.72	1.65	-39.30
First floor / W2	Lounge / kitchen			
First floor / W3	Lounge / kitchen			
Second floor / W1	Lounge / kitchen	2.64	1.56	-40.87
Second floor / W2	Lounge / kitchen			
Second floor / W3	Lounge / kitchen			
Third floor / W1	Lounge / kitchen	4.62	2.95	-36.26

12.168 The Report identifies that all but one of the rooms will achieve BRE compliance under the ADF method of assessment. The room which falls below the BRE target value is the ground floor living room which is set back from the front of the building.

12.169 The results of the sunlight analysis for 25 Cowper Street are detailed within the table below.

Room / Window	Room Use	Annual APSH			Winter APSH		
		Existing	Proposed	% loss	Existing	Proposed	% loss
Basement / W2	Dining room	18	13	-27.78	0	0	N/A
Ground floor / W2	Living room	18	13	-27.78	0	0	N/A
First floor / W1	Lounge / kitchen	42	11	-73.81	14	2	-85.71
First floor / W2	Lounge / kitchen	20	15	-25.00	2	2	0.00
First floor / W3	Lounge / kitchen	41	17	-58.54	14	4	-71.43
Second floor / W1	Lounge / kitchen	40	8	-80.00	14	1	-92.86
Second floor / W2	Lounge / kitchen	22	16	-27.27	3	2	-33.33
Second floor / W3	Lounge / kitchen	43	16	-62.79	15	3	-80.00
Third floor / W1	Lounge / kitchen	69	37	-46.38	23	7	-69.57

12.170 The survey identifies that the proposed development would result in an adverse impact on sunlight to rooms within 25 Cowper Street. The Report notes that, due to the height of the existing buildings on the development site, these rooms previously experienced sunlight levels beyond what would typically be expected in a densely built up urban environment.

#### 112-116 Tabernacle Street

12.171 All of the surveyed rooms within 112-116 Tabernacle Street would fully comply with the BRE Guidelines in relation to daylight following the proposed development. In view of the orientation of the windows the BRE Guidelines do not require assessment for loss of sunlight.

12.172 It may be considered that, in view of the densely built up urban context of the site, the daylight and sunlight impacts of the proposed development would not be unduly harmful in planning terms.

12.173 Outlook / Sense of Enclosure: The impact of a development on outlook can be considered a material planning consideration if there is an undue sense of enclosure for neighbouring residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical with key factors in this assessment being the local context and arrangement of buildings and uses.



- 12.174 In view of the degree of separation to the nearest residential properties, and given the surrounding built up urban context, it is considered that there would be no unduly harmful impacts in terms of outlook and any increased sense of enclosure.
- 12.175 Overlooking / Privacy: Development Management Policy 2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. Any increased overlooking will occur across a public highway and the proposed development is therefore considered acceptable in terms of overlooking and privacy.
- 12.176 Construction Impacts: In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is required to comply with the Council's Code of Construction Practice. Compliance would need to be secured as part of a Section 106 agreement together with a payment towards the monitoring of the site to ensure its neighbourliness. This payment is considered be an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project. The submission of a construction management plan and a construction logistics plan would also be required (condition 20).
- 12.177 To further address any concerns over noise and disturbance resulting from the construction of the development, a planning condition would be required to secure details to address the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) (condition 5).
- 12.178 Air Quality: Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM 6.1 of the Development Management Policies document requires that development should not cause significant harm to air quality, cumulatively or individually.
- 12.179 The application is accompanied by an Air Quality Assessment which recommends a number of mitigation measures to reduce potential exposure of future site users to elevated pollutant concentrations or off-set impacts associated with a development including the use of mechanical ventilation across the site.
- 12.180 The Council's Environmental Health Officer has raised no objections to the proposal in terms of emissions as a result if the proposed development. Mitigation measures will be required which are likely to include ventilation with nitrogen dioxide filtration. A condition is therefore recommended to secure measures to minimise future occupant's exposure to air pollution (condition 21). The proposal is considered acceptable in terms of air quality.
- 12.181 Noise: Development Management Policy DM6.1 states that noise sensitive developments should be separated from major sources of noise, and that noise generating uses within new developments should be sited away from noise sensitive uses.

- 12.182 The application is accompanied by a Noise Assessment Report which identifies that the ambient noise climate at ground level along the facades of the site predominantly consisted noise from construction activity and road traffic. The Report makes recommendations for Noise Rating levels to be applied in order that cumulative noise from fixed plant installations will meet the Council's requirements.
- 12.183 The Council's Environmental Health Officer has raised no objections to the proposal in terms of noise, subject to conditions securing a plant noise survey and plant noise control measures (conditions 8 and 17). The proposal is considered acceptable in terms of noise.

### **Sustainability, Energy Efficiency and Renewable Energy**

- 12.184 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 12.185 Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO<sub>2</sub> emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically all remaining CO<sub>2</sub> emissions should be offset through a financial contribution towards measures which reduce CO<sub>2</sub> emissions from the existing building stock.

#### **BE LEAN**

##### *Energy efficiency standards*

- 12.186 The council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values for the new build element of the school are: walls = 0.20w/m<sup>2</sup>k, roof = 0.20w/m<sup>2</sup>k, floors = 0.20w/m<sup>2</sup>k and glazing = 1.6w/m<sup>2</sup>k (with frames 2.2w/m<sup>2</sup>k). The air permeability of the building would be 5m<sup>3</sup>/hr.m<sup>2</sup>@50pa. These values are considered good.
- 12.187 The proposed U-values for the new build commercial building are walls = 0.20w/m<sup>2</sup>k, roof = 0.15w/m<sup>2</sup>k, floors = 0.14 w/m<sup>2</sup>k and glazing = 1.2w/m<sup>2</sup>k (with frames 1.8w/m<sup>2</sup>k). These U-values are generally considered to be good. The air permeability of the commercial building would be 3m<sup>3</sup>/hr.m<sup>2</sup>@50pa which is considered appropriate.
- 12.188 The proposed U-values for the refurbishment element are: walls = 1.0w/m<sup>2</sup>k, roof = 1.0w/m<sup>2</sup>k, floors = 1.0w/m<sup>2</sup>k and glazing = 6.4w/m<sup>2</sup>k (with frames 2.4w/m<sup>2</sup>k). The air permeability of the refurbished element would be 15m<sup>3</sup>/hr.m<sup>2</sup>@50pa.

12.189 Low energy and LED luminaires are proposed for the development, and this is supported. For the enabling development, photocell dimming and automatic presence / absence detection has been proposed. These proposals are considered acceptable.

## BE CLEAN

### *District heating*

- 12.190 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.
- 12.191 The applicant has investigated connection to the Bunhill and Citigen heat networks as both of these fall within 500m of the site. In both cases, connection has been ruled out due to the low heat load on site whilst technical challenges relating to distance and physical barriers are also cited. The applicant has presented evidence which satisfactorily demonstrates that, at the current time, it is not technically feasible for the development to make connection to either network.

## SHARED HEAT NETWORK

### *Combined Heat and Power*

- 12.192 Policy DM7.3(D) requires that 'Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.' It is not proposed to connect to a shared heat network on grounds that the heat loads on site are too low for it to be technically feasible and financially prohibitive. The Council's Energy Advisor advises that further investigation of shared heat network options would not be expected at this stage.

## BE GREEN

### *Renewable energy technologies*

- 12.193 The Sustainable Design and Construction Statement indicates that two photovoltaic arrays covering an area of 300m<sup>2</sup> and 100m<sup>2</sup> would be provided on the school and office elements of the proposal which would produce an output of 40kWp and 35,000kWh/year. The Council's Energy Advisor advises that these proposals are supported. Further details of renewable energy technologies will be secured by condition should planning permission be granted (condition 15).
- 12.194 It is currently predicted that the education element of the development will achieve a rating of 'Very Good', with an expected score of 69.13%. This is very close to the 70% threshold for an 'Excellent' rating, and the pre-assessment also identifies a number of potential additional credits, which may take the score up as high as 89.45%. It is therefore recommended that the applicant pursues these opportunities for additional credits, to ensure an 'Excellent' rating is achieved.
- 12.195 A confirmed BREEAM score of 76.12% has been demonstrated for the commercial element and this offers a fair margin of comfort above the 70% threshold for 'Excellent'. The applicant may again wish to pursue the additional potential credits identified, in order to guarantee an 'Excellent' rating and push further towards the 'Outstanding' threshold.
- 12.196 The applicant has confirmed that all endeavours will be made throughout the design process to ensure that an 'Excellent' rating is achieved for all elements. This is welcomed and the applicant should further develop their approach as soon as possible. It is recommended that, should planning permission be granted, a requirement to achieve BREEAM Excellent for the entire development is secured by condition (No. 6).

- 12.197 Carbon Emissions: Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO<sub>2</sub> emissions associated with the building through a financial contribution towards measures which reduce CO<sub>2</sub> emissions from the existing building stock.
- 12.198 Paragraph 2.0.7 of the Council's Environmental Design states that the Council's 'CO<sub>2</sub> reduction targets apply to all major developments, including refurbishments. It is accepted that some schemes, particularly refurbishment schemes, may struggle to reach the relevant target. In such instances the onus will be on the applicant to demonstrate that CO<sub>2</sub> emissions have been minimised as far as reasonably possible.'
- 12.199 Paragraphs 2.0.8 – 2.0.10 detail the Council's energy hierarchy which should be followed in meeting the Council's CO<sub>2</sub> emissions reduction target. The final stage of the hierarchy requires developers to:
- '...offset all remaining CO<sub>2</sub> emissions (Policy CS10) through a financial contribution, secured via a Section 106 agreement, towards measures which reduce CO<sub>2</sub> emissions from the existing building stock (e.g. through solid wall insulation of social housing). For all major developments the financial contribution shall be calculated based on an established price per tonne of CO<sub>2</sub> for Islington. The price per annual tonne of carbon is currently set at £920, based on analysis of the costs and carbon savings of retrofit measures suitable for properties in Islington.
- 12.200 The new build element of the school proposal would achieve a reduction on total emissions of 40.9% compared to a 2013 baseline target, which slightly exceeds the Islington requirement of 27% and is welcomed. For the refurbished element, a total emissions reduction of 48.1% is achieved against the baseline (at the time of writing there was an outstanding query regarding the baseline used by the applicant).
- 12.201 The commercial block would achieve a reduction of 17.7% on total emissions is achieved which falls short of the Islington target.
- 12.202 The entire development would achieve a 37.2% reduction against a 2013 baseline. In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £292,475 would be required and £126,342 of this sum relates to the commercial block. As set out in the financial viability section below it is recommended that a financial contribution is not sought as it would undermine the financial viability of the proposed development.
- 12.203 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.

12.204 The application is accompanied by an Overheating Assessment and the applicant has submitted additional information requested by the Council's Energy Conservation Officer to demonstrate maximisation of the cooling hierarchy. At the time of writing further advice was awaited from the Council's Energy Conservation Officer and any update will be provided verbally at the committee meeting.

Sustainable Urban Drainage System (SUDS):

12.205 Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate', where feasible.

12.206 The application is accompanied by a Sustainable Urban Drainage report which demonstrates that the proposed development will reduce the total hard-standing area on the site by approximately 771m<sup>2</sup>. The proposed SUDS measures include green roofs, bio-retention areas, use of soft landscaping and underground attenuation storage.

12.207 The proposed total peak surface water discharge rate for the redevelopment site is 37.9 l/s which is approximately 63% reduction in the peak runoff rate in comparison to a 1 in 100 year storm event. All the proposed surface water networks will be designed to accommodate a 1 in 100 year storm event plus 30% climate change. It is proposed to accommodate the excess surface water runoff during the critical storm event in underground storage systems for the school with a capacity of 11.3m<sup>3</sup>.

12.208 The Council's Sustainable Design Officer has reviewed the proposals and raises no objection subject to further details to be secured by condition. Thames Water raise no objections to the proposal in relation to foul or surface water drainage. It is recommended that a Sustainable Urban Drainage System is secured by condition (No. 15).

Basement Development

12.209 The proposal includes a basement sports hall. The Council adopted the Basement Development Supplementary Planning Document in January 2016. The document states that for all basement development a Structural Method Statement (SMS) must be submitted (in accordance with the SMS requirements in Appendix B) in support of any such application, and this must be signed and endorsed by a Chartered Civil Engineer or Chartered Structural Engineer with relevant experience, appointed by the applicant.

12.210 The application is accompanied by a Basement Construction Structural Method Statement. The Statement does not raise any concerns from a structural point of view but notes that there may be unexploded ordnances and archaeological remains on the site.

12.211 The application is accompanied by a Detailed Unexploded Ordnance (UXO) Threat and Risk Assessment which identifies that there is a high risk of unexploded ordnance on the site. Significantly the majority of the site has not been subjected to any post-WWII redevelopment. Consequently, it is highly unlikely that any UXO would have been discovered and removed. As such, pro-active risk mitigation measures are strongly recommended during any intrusive works on-site.

12.212 The archaeological implications of the proposed development are considered below.

## **Highways and Transportation**

- 12.213 The site has a PTAL score of 6a, indicating an excellent level of access to public transport.
- 12.214 In 2015 public consultation was concluded on TFL's plans to transform Old Street roundabout. TFL's proposals involve the closure of the north-western arm of the existing roundabout and the introduction of new cycle lanes and crossings throughout the junction to improve circulation and safety. The proposals include a subway at the junction with Cowper Street which would improve pedestrian access to the School site.

### **Cycle Parking**

- 12.215 Cycle parking will need to be provided on-site, in compliance with Development Management Policy DM8.4. Appendix 6 of the Development Management Policies document sets out cycle parking requirements for both residential and non-residential uses. Cycle parking facilities must be step-free and accessible in accordance with best practice guidance, and should be located at ground floor level. Provision for parking suitable for accessible bicycles, tricycles, trailers and for use by visitors should also be provided.
- 12.216 TfL raised concerns at application stage that the proposed cycle parking provision would fall below the London Plan minimum cycle parking standards. The application proposed 40 cycle parking spaces in addition to the 15-20 that currently exist. In order to be London Plan policy compliant 169 long stay and 12 short stay cycle parking spaces should be provided for the school use. TfL also advised that the applicant should provide justification for maintaining the current level of 12 car parking spaces associated with the school use (located within the car park to the Bezier Buildings) given the high PTAL of the site.
- 12.217 The applicant has subsequently confirmed that 181 cycle parking spaces can be provided within the associated car parking area resulting in the loss of up to seven car parking spaces. The associated car parking is located outside of the application site and it is therefore recommended that the cycle parking be secured by Grampian condition (No. 14). The concerns raised by TfL in relation to cycle parking and car parking have been satisfactorily addressed.
- 12.218 TfL have requested that the cycle parking should be provided in accordance with the London Cycling Design Standards (LCDS 2014) and it is recommended that this is secured by condition (No. 29).

### **Car Parking**

- 12.219 The school currently have 12 car parking spaces in the Bezier Buildings car park. It is proposed that up to seven of these car parking spaces will be used to accommodate the 181 cycle parking spaces that are required to comply with London Plan cycle parking standards. In view of the high PTAL of the site the reduction in car parking at the site is welcomed.

### **Construction Management Plan**

- 12.220 The application is accompanied by a Construction Management Plan which sets out the construction methodology, programme and general logistical requirements for the proposed development.

12.221 TfL and the Council's Highways Officer have requested that a Construction Management Plan be secured by condition, in particular given the site constraints of the area and given that that pupil safety will be of paramount importance during the construction phase. It is recommended that a more detailed Construction Management Plan and Construction Logistics Plan is secured by condition (No. 20).

#### Servicing

12.222 Deliveries of science laboratory chemicals and equipment will be received at ground level, on the western side of the new Block B. A service entry door is proposed with access off the existing Astroturf area. Kitchen delivery access will continue to occur at the secondary entrance off Cowper Street.

12.223 The proposed servicing arrangements have been reviewed by the Council's Highways Officers and are considered acceptable. TfL have not raised any concerns in relation to the proposed servicing arrangements. It is recommended that Delivery and Servicing Plans for the education and commercial uses are secured by condition (No. 19).

#### Waste

12.224 The school refuse will be collected from the Cowper Street entrance and will be temporarily stored in the entry portico of the existing Block A building ready for collection. A refuse store will be provided at basement level near to the dining hall and kitchens and will be transported by lift whilst a second refuse store will be provided within the new Block B and will accommodate Eurobins already used by the School.

12.225 The commercial block will incorporate a refuse store at ground floor level with a controlled entrance from Cowper Street.

12.226 The Council's Highways Officer has reviewed the refuse collection and servicing arrangements and finds them acceptable. Transport for London have no raised no concerns in relation to these matters.

#### Travel Plan

12.227 The application is accompanied by a School Travel Plan. It is recommended that travel plans for the education and commercial uses are secured through a Section 106 legal agreement.

#### Archaeology

12.228 The site is located within an Archaeological Priority Area and the application is accompanied by an Archaeology Desk based Assessment.

12.229 Historic England (Greater London Archaeology Advisory Service) note that the site lies in an area which has been built up since the 18th century and there is evidence of prehistoric and Roman finds in the vicinity. During the medieval and post-medieval periods the site was probably outside the built up area and may have been used for urban fringe activities such as pasturage, quarrying and rubbish disposal. A wooden Methodist meeting house was erected in 1741 then replaced by a brick building fronting on to Tabernacle Row in 1753. Map evidence suggests that the earlier meeting house lay in the south-eastern part of the plot away from its replacement so buried remains could have survived. There is no documentary evidence for burials but that is not conclusive and the possibility for such



discoveries should not be discounted. Geotechnical information indicates the presence of modern made ground, potentially several meters deep as might be expected in this area, but the central courtyard appears to have been relatively little disturbed so has potential for 18th century or earlier remains to be disturbed by the new basement.

12.230 A condition is recommended to require a two stage process of archaeological investigation. Firstly, an evaluation to clarify the nature and extent of surviving remains followed, if necessary, by a full investigation.

## **Financial Viability**

### Viability Review

12.231 The concept of viability testing is to determine the potential amount of planning obligations that can be sought before the return to the landowner and developer falls below a “competitive return”. Firstly, a Residual Land Valuation (RLV) is calculated to ascertain the amount that can be paid for the site. This is calculated from the total value of the completed proposed development minus any development costs. Secondly, a Benchmark Land Value is established (based on the EUV of the current site), which is the measure against which the RLV is compared with to determine whether the scheme is viable.

12.232 The submitted FVA was scrutinised by BPS and Council officers and a report providing a review of the FVA was issued by BPS. The following provides a summary of the conclusions of the review of the FVA. However, given the detailed and comprehensive way that the BPS report deals with financial viability it is not attempted to fully summarise the report here and a copy of the report is provided at **Appendix 4**.

- The total cost of the proposed school works is reported by the applicant’s surveyors as £41.84million – BPS’ cost consultant has reviewed the cost plan and concludes that the Applicant’s costs are reasonable but notes the following:
  - There is an addition for employer other risks of 5% amounting to £1,904,250 - this sum might be appropriate as a project contingency but should be excluded from any viability costing
  - The whole school cost includes the sum of £674,353 for tender inflation to 1Q2018 and a further sum of £988,712 for construction inflation to the mid-point of the two phases - for a viability assessment these sums should be omitted although they may be included in the estimated project cost based on the current anticipated programme.
  - The total whole school cost of £39,990,000 includes for fees, decant and in-house costs, FF&E (furniture, fixtures and other equipment), ICT (information and communications technology) and AV (audio visual) equipment plus VAT at 20% - the fees equate to 15.8% whereas a typical allowance is 12%.
- The applicant’s surveyors identify that the residual land value of the former sixth form site is £6.723million based upon an estimated rental value for the offices of £45psf for the ground floor and £60psf for the upper floors - these values appear reasonable.
- The applicant’s surveyors include a 6 month void period and a 6 month rent-free incentive and capitalise the rental income from the offices at 5.25% - these assumptions are in line with market evidence - the Net Development Value of the office space, accounting for purchasers costs, is approximately £32.37million.

- BPS' cost consultant has reviewed the cost plan for the office development and concludes that the costs are reasonable but the amount for risk should be adjusted and the allowance for inflation omitted - the construction cost for inclusion in the viability appraisal should therefore be £10,828,000.
- It should be noted that the cost plan assumes the property would be constructed to shell finish requiring the incoming tenant to fund works such as installation of raised floors and other finishes.
- The applicant's surveyors have included a cost allowance of £45psf (totalling approximately £1.43million) which is identified as a capital contribution to the tenants for fit out works - this contribution is proportionate to shell fit though to some extent the cost is dependent on the specification sought by the incoming tenant and therefore there is an element of uncertainty over this allowance without having the benefit of a pre-letting.
- 'Miscellaneous costs' totalling £957,905 have also been included within the applicant's appraisal to cover a range of development costs including adverse ground conditions, removal of contamination including asbestos, neighbourly matters and fixtures and fittings – a breakdown of how these figures have been arrived at has not been provided and the inclusion of adverse ground conditions may result in a double-counting of the cost since the substructures are measured in reasonable detail within the total substructure cost of £957,083.
- The applicant's appraisal included a developer's profit allowance of 15% on costs, equating to 12% of GDV - this relatively low rate is justified on the basis that the site will be sold once the planning risk has been removed and the developer would not need a higher margin in order to secure development funding - a higher profit margin in this context would result in a lower residual land value.
- Taking into account the above comments in respect of construction costs the appraisal has been re-run and arrives at a residual land value of £7.4million - on this basis there remains a funding gap of -£6.74m based on a total cost for school works of £41.84m.
- The additional project costs over construction costs total £1.85m and are not adequately explained - irrespective of this there would still be a substantial project deficit even if none of these costs were accepted.

#### Scenario Testing (Height of block)

- The applicant's appraisal includes scenario testing on the scheme a with one and two storey reduction in the height of the commercial block to test the impact on the identified funding gap - BPS have re-run the appraisals with adjusted inputs and identify that a 7 storey scheme would result in an increase to the funding gap to - £7.84 million whilst a 6 storey scheme would result in an increase to the funding gap of -£8.98 million

12.233 As noted above, the applicant has demonstrated that any decrease in height would increase the funding gap which would undermine the deliverability of the proposed school works. In viability terms the application may be considered to satisfactorily demonstrate that the enabling block is necessary in order to maximise the capital receipt from the sale of the development site in order to fund the proposed school works.

#### Scenario testing (affordable workspace)

12.234 There is no policy requirement to provide affordable workspace within the proposed commercial block. However, the applicant has modelled scenarios where affordable workspace is provided to demonstrate the impact on the funding for the proposed school

works. These appraisals have not been re-run by BPS. The scenarios involve the provision of affordable workspace within the two ground floor units and are detailed as follows:

1. 1 affordable workspace unit let at 50% of market rent and 1 unit let at market rent - £341,000 increase in funding gap
2. 1 affordable workspace unit let at nil rent and 1 unit let at market rent - £683,000 increase in funding gap
3. 2 affordable workspace units let at 50% of market rent - £683,000 increase in funding gap
4. 2 affordable workspace units let at nil rent - £1,366,000 increase in funding gap.

12.235 It can be accepted that the provision of affordable workspace within the proposed commercial block would also undermine the deliverability of the education benefits.

#### Carbon offset contribution

12.236 The proposed development gives rise to a requirement for a carbon offset payment of £292,475, of which £126,342 relates to the proposed commercial block. In view of the specific circumstances of the case and the substantial outstanding funding gap it is considered that education represents a higher priority than carbon reduction. Accordingly, it is recommended that, in this instance, a financial contribution to offset carbon emissions is not sought.

#### Planning Obligations and Community Infrastructure Levy

12.237 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

12.238 The Section 106 agreement would include the following agreed Heads of Terms:

- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required;
- Compliance with the Code of Employment and Training.
- Facilitation of 4 work placements during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £20,000 to be paid to LBI;
- Contribution of £38,763 towards employment and training for local residents;
- Compliance with the Code of Local Procurement;
- Compliance with the Code of Construction Practice, including a monitoring fee of £4,875 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site;
- Provision of 7 additional accessible parking bays or a contribution of £14,000 towards provision of on-street bays or other accessible transport initiatives;
- Submission of a Green Performance Plan and a post occupation Green Performance Plan;

- Future proofing for connection to a local energy network if a viable opportunity arises in the future;
- Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase;
- Payment of Council's fees in preparing and monitoring the S106;
- Contribution of £528,360 towards the construction of Crossrail;
- Not to commence development of the Office Site prior to:
  - (i) Practical completion of Blocks B and C of the Development;
  - (ii) Commencement of works to the Sports Hall and Tabernacle of the Development..

12.239 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

12.240 The proposed development gives rise to a requirement for a payment in lieu of on-site affordable housing of £603,840. The proposal is presently demonstrating a significant funding shortfall. If the applicant were required to make the financial contribution it would further increase the funding gap and jeopardise the delivery of the educational benefits of the proposed development. It is therefore considered that in this case there is adequate justification for not requiring a payment in lieu of on-site affordable housing.

### **13. OVERALL ASSESSMENT, SUMMARY AND CONCLUSION**

13.1 Central Foundation Boys' School is a successful school which has an 'outstanding' OFSTED rating. Much of the existing school accommodation is no longer fit for purpose whilst some of the facilities are grossly inadequate, including one block which has been identified as amongst the 200 most inadequate school buildings in the country. The proposed development would significantly enhance the quality of education offered by the school through the provision of new and improved education facilities which will also allow expansion of student numbers in response to local need and a request made by the Local Education Authority.

13.2 The proposed school works are currently subject to a significant funding shortfall and an 8 storey office block is proposed on the school's land as an enabling development to assist in bridging this shortfall.

13.3 The application is accompanied by a financial viability assessment which may be considered to satisfactorily demonstrate that, in viability terms, the enabling block is necessary in order to maximise the capital receipt from the sale of the development site.

13.4 The proposed development is considered to result in harm in planning terms, including by reason of the following:

- Further loss of school land which will restrict its ability to expand in the future

- A required £603,840 contribution in lieu of on-site affordable housing would not be secured
- The proposed office block would conflict with the Council's tall buildings policies
- The proposal would result in the loss of a building which is considered to make a positive contribution to the character and appearance of the conservation area
- The proposal would result in harm to the character and appearance of the Conservation Area a minor degree of harm to the setting of the Grade II listed County Court and the main School building (Block A) by reason of the height, scale and massing of the proposed commercial block.

- 13.5 The further sale of the school land for commercial development would leave the school ill equipped to meet any future needs. However, it can be acknowledged that the proposed development is necessary in order for the school to meet its more pressing current needs. It is considered likely that a future need for additional school accommodation will arise. However, at such a time circumstances may have changed and funding may be available to enable the school to acquire nearby off-site accommodation. It is therefore considered that the harm in terms of a restricted ability for the school to meet its future needs is limited.
- 13.6 In view of the compelling educational need and the funding shortfall which has been demonstrated it is considered that, in this instance, the need for education provision may be considered to represent a higher priority than the provision of affordable housing. The proposed development gives rise to a requirement for a payment in lieu of on-site affordable housing of £603,840. If the applicant were required to make the financial contribution it would further increase the funding gap and jeopardise the delivery of the educational benefits. It is therefore considered that, in this case, there is some justification for not securing a payment in lieu of on-site affordable housing. Accordingly, the harm in terms of the delivery of affordable housing is considered limited.
- 13.7 The core and lift overrun to the rear of the building will exceed 30m in height. The proposed development is therefore contrary to policies CS9 and BC9. It is noted that policy BC9 is primarily concerned with the appearance, setting and infrastructure impact of tall buildings taller than that of the predominant building height. In view of the limited visibility of the 'tall' (i.e. over 30m) part of the building it is considered that the harm arising as a result of the height of the block primarily relates to its impact on the character and appearance of the conservation area and the setting of the listed school buildings rather than any harm in relation to policy CS9.
- 13.8 The former sixth form block is considered to make a positive contribution to the character and appearance of the conservation area and to the setting of the Grade II listed Block A. Its demolition is considered to result in less than substantial harm to the significance of the Conservation Area and the Grade II listed main school building (Block A).
- 13.9 It is further considered that, overall, the height, scale and massing of the proposed commercial building would result in harm to the character and appearance of the Conservation Area and a minor degree of harm to the setting of the Grade II listed County Court and the main School building (Block A).
- 13.10 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to

give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.

- 13.11 Overall, it is considered less than substantial harm will occur to the significance of designated heritage assets, including the Bunhill Fields and Finsbury Square Conservation Area and to the Grade II listed main School building and County Court building, via the loss of the existing sixth form block and the erection of the proposed commercial block. In cases where the degree of harm is considered to be less than substantial, paragraph 134 of the NPPF is of relevance and this indicates that the harm should be weighed against the public benefits of the proposal.
- 13.12 The proposed development would deliver significant improvements to the quality, accessibility and functionality of the existing school, including through provision of a 3 court sports hall, an improved sixth form centre and a creative arts facility. These improvements will allow the school to build upon its impressive record of success and improve the quality of education and the school environment for its pupils. The educational benefits of the proposal are considered to be compelling. The proposed development would deliver a number of other benefits including the following:
- Repair, restoration and modernisation of existing listed and curtilage listed historic buildings
  - Improvements to the character and appearance of the conservation area as a result of works to the Tabernacle building and the replacement of Block B
  - Provision of office floorspace and associated employment benefits in a location where there is very strong policy support for the delivery of new offices
  - Landscaping improvements to the School courtyard
  - Additional capacity to facilitate the acceptance of an additional form of entry as requested by the Local Education Authority and an enlarged sixth form
  - 8 hours a week community use of the 3 court sports hall.
- 13.13 The benefits of the proposal, in particular the educational benefits, are considered to be substantial. It is considered that the benefits of the proposal will significantly outweigh the less than substantial harm to the significance of designated heritage assets and other policy shortfalls. The proposal is therefore considered acceptable.

## **Conclusion**

- 13.14 It is recommended that planning permission be granted subject to conditions and S106 legal agreement heads of terms as set out in Appendix 1 – RECOMMENDATIONS.
- 13.15 It is further recommended that listed building consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

That planning permission be granted **for the reasons summarised in paragraphs 13.1 to 13.13 of this report** and subject to the prior completion subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service.

1. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required;
2. Compliance with the Code of Employment and Training.
3. Facilitation of 4 work placements during the construction phase of the development, lasting a minimum of 26 weeks, or a fee of £20,000 to be paid to LBI;
4. Contribution of £38,763 towards employment and training for local residents;
5. Compliance with the Code of Local Procurement;
6. Compliance with the Code of Construction Practice, including a monitoring fee of £4,875 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site;
7. Provision of 7 additional accessible parking bays or a contribution of £14,000 towards provision of on-street bays or other accessible transport initiatives;
8. Submission of a Green Performance Plan and a post occupation Green Performance Plan;
9. Future proofing for connection to a local energy network if a viable opportunity arises in the future;
10. Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase;
11. Payment of Council's fees in preparing and monitoring the S106;
12. Contribution of £528,360 towards the construction of Crossrail;
13. Not to commence development of the Office Site prior to:
  - (i) Practical completion of Blocks B and C of the Development;
  - (ii) Commencement of works to the Sports Hall and Tabernacle of the Development.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

## RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

1	<p><b>Commencement (compliance)</b></p>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p><b>Approved plans list (compliance)</b></p>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>CFBS-HBA-00-00-DR-A-PL01-0010; CFBS-HBA-00-B1-DR-A-PL01-0100; CFBS-HBA-00-00-DR-A-PL01-0100; CFBS-HBA-00-01-DR-A-PL01-0100; CFBS-HBA-00-02-DR-A-PL01-0100; CFBS-HBA-00-03-DR-A-PL01-0100; CFBS-HBA-00-10-DR-A-PL01-0100; CFBS-HBA-00-00-DR-A-PL01-0200; CFBS-HBA-00-00-DR-A-PL01-0201; CFBS-HBA-00-00-DR-A-PL01-0202; CFBS-HBA-00-00-DR-A-PL01-0203; CFBS-HBA-00-00-DR-A-PL01-0204; CFBS-HBA-00-00-DR-A-PL01-0205; CFBS-HBA-00-00-DR-A-PL01-0206; CFBS-HBA-00-00-DR-A-PL01-0207; CFBS-HBA-00-00-DR-A-PL01-0208; CFBS-HBA-00-00-DR-A-PL01-0209; CFBS-HBA-00-00-DR-A-PL01-0210; CFBS-HBA-00-00-DR-A-PL01-0211; CFBS-HBA-00-00-DR-A-PL01-0212; CFBS-HBA-00-00-DR-A-PL01-0300; CFBS-HBA-00-00-DR-A-PL01-0301; CFBS-HBA-00-00-DR-A-PL01-0302; CFBS-HBA-00-00-DR-A-PL01-0303; CFBS-HBA-00-00-DR-A-PL20-0000; CFBS-HBA-00-B2-DR-A-PL20-0100; CFBS-HBA-00-B1-DR-A-PL20-0100; CFBS-HBA-00-00-DR-A-PL20-0100; CFBS-HBA-00-01-DR-A-PL20-0100; CFBS-HBA-00-02-DR-A-PL20-0100; CFBS-HBA-00-03-DR-A-PL20-0100; CFBS-HBA-00-10-DR-A-PL20-0100; CFBS-HBA-00-00-DR-A-PL20-0200; CFBS-HBA-00-00-DR-A-PL20-0201; CFBS-HBA-00-00-DR-A-PL20-0202; CFBS-HBA-00-00-DR-A-PL20-0203; CFBS-HBA-00-00-DR-A-PL20-0204; CFBS-HBA-00-00-DR-A-PL20-0205; CFBS-HBA-00-00-DR-A-PL20-0206; CFBS-HBA-00-00-DR-A-PL20-0207; CFBS-HBA-00-00-DR-A-PL20-0208; CFBS-HBA-00-00-DR-A-PL20-0209; CFBS-HBA-00-00-DR-A-PL20-0210; CFBS-HBA-00-00-DR-A-PL20-0211; CFBS-HBA-00-00-DR-A-PL20-0212; CFBS-HBA-00-00-DR-A-PL20-0213; CFBS-HBA-00-00-DR-A-PL20-0300; CFBS-HBA-00-00-DR-A-PL20-0301; CFBS-HBA-00-00-DR-A-PL20-0302; CFBS-HBA-00-00-DR-A-PL20-0303; CFBS-HBA-00-00-DR-A-PL20-0304; CFBS-HBA-00-00-DR-A-PL20-0305; CFBS-HBA-00-00-DR-A-PL20-0306; CFBS-HBA-00-00-DR-A-PL20-0307; CFBS-HBA-DS-B1-DR-A-PL20-0100; CFBS-HBA-DS-00-DR-A-PL20-0100; CFBS-HBA-DS-01-DR-A-PL20-0100; CFBS-HBA-DS-03-DR-A-PL20-0100; CFBS-HBA-DS-05-DR-A-PL20-0100; CFBS-HBA-DS-10-DR-A-PL20-0100; CFBS_(97)LP 001 Rev. 05; CFBS_(97)LP 002 Rev. 05; Design &amp; Access Statement (including Landscape Strategy); Transport Assessment; Travel Plan; Heritage and Townscape Assessment</p>



	<p>(including Statement of Significance); Daylight &amp; Sunlight Report; Energy Statement; Sustainable Design and Construction Statement (including the Green Performance Plan); Drainage Strategy and Flood Risk Assessment; Noise Statement; Air Quality Assessment; Basement construction structural method statement; Construction Management Plan; Bat Survey Report; Detailed Unexploded Ordnance (Uxo) Threat and Risk Assessment; M&amp;E Routing Report.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Materials and Samples (Compliance and Details)</b></p> <p>Details and samples (where appropriate) of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of superstructure or relevant works. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Brickwork/cladding details;</li> <li>b) Window treatment (including glazing, sections and reveals);</li> <li>c) Doors</li> <li>d) Balustrade treatment (including sections);</li> <li>e) Green procurement plan for sourcing the proposed materials;</li> <li>f) Soffits;</li> <li>g) Ground floor canopies;</li> <li>h) Louvres;</li> <li>i) Window cleaning apparatus (samples not necessary)</li> <li>j) Any other materials to be used.</li> </ul> <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p><b>Landscaping/Tree Planting (Details)</b></p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) specification to ensure successful establishment and survival of new planting.</li> <li>b) a schedule detailing sizes, species and numbers of all new trees/plants;</li> <li>c) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</li> <li>d) proposed trees: their location, species and size;</li> <li>e) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoils, levels, drainage and fall in drain types;</li> </ul>

	<p>g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>h) hard landscaping: including ground surfaces, kerbs, edges, rigid and flexible pavings, unit paving, furniture, steps</p> <p>i) any other landscaping features forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
5	<p><b>Demolition Construction Environmental Management Plan (Details)</b></p> <p>CONDITION: A Demolition Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour and vibration) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition works commencing on site. The report shall assess impacts during the demolition and construction phases of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>THE Demolition Construction Environmental Management Plan should pay reference to BS5228:2009, LBI's Code of Construction Practice, the GLA's SPG on construction dust and emissions (including the Non-Road Mobile Machinery register) and any other relevant guidance.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
6	<p><b>BREEAM (Compliance)</b></p> <p>CONDITION: The entire development shall achieve a BREEAM rating of no less than 'Excellent' unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
7	<p><b>Green/Brown Biodiversity Roofs (Details)</b></p> <p>CONDITION: Details of the biodiversity (green/brown) roofs as shown on plan HCL605-S196 shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works. The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); and</p> <p>b) planted/seeded with an agreed mix of species within the first planting season</p>

	<p>following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
8	<p><b>Fixed Plant (Compliance)</b></p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
9	<p><b>Piling Method Statement (Details)</b></p> <p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.</p>
10	<p><b>Lighting Plan (Details)</b></p> <p>CONDITION: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minimised. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
11	<p><b>Energy Efficiency – CO2 Reduction (Compliance/Details)</b></p>

	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy which shall together provide for no less than a xxx% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 as detailed within the Sustainability Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following shall be submitted prior to the commencement of the development:</p> <p>A revised Energy Strategy, which shall provide for no less than a xxx% onsite total C02 reduction in comparison with total emissions from a building which complies with Building Regulation 2010. This shall include the details of any strategy needed to mitigate poor air quality (such as mechanical ventilation).</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
12	<p><b>Renewable Energy (Compliance)</b></p>
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology (solar PV panels), which shall provide for no less than tbc% on-site regulated CO<sub>2</sub> reduction as detailed within the 'Energy Strategy' shall be installed and operational prior to the first occupation of the development.</p> <p>Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:</p> <p>a) a revised scheme of renewable energy provision, which shall provide for no less than tbc% onsite regulated CO<sub>2</sub> reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO<sub>2</sub> emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
13	<p><b>Solar Photovoltaic Panels (Details)</b></p>
	<p>CONDITION: Prior to relevant works, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>- Location;</li> <li>- Area of panels; and</li> <li>- Design (including elevation plans).</li> </ul>

	<p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
14	<p><b>Cycle Parking Provision</b></p> <p>CONDITION: Development shall not commence until 169 long stay and 12 short stay cycle parking spaces (to include 7 accessible cycle parking spaces) have been provided within the Bezier Building car park in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
15	<p><b>Sustainable Urban Drainage System (Details)</b></p> <p>CONDITION: Details of measures to reduce surface water run-off from the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of superstructure. The details shall include the provision of green roofs and a surface water attenuation tank. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development. A rainwater recycling system shall be installed and operational prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
16	<p><b>Archaeology</b></p> <p>CONDITION: No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:</p> <p>A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</p> <p>B. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. this part of the</p>

	<p>condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.</p> <p>Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.</p> <p>This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>REASON: Heritage assets of archaeological interest may survive on the site. The planning authority (in conjunction with Historic England) wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development</p>
17	<p><b>Plant Noise Survey</b></p> <p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced and competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with Condition 8. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
18	<p><b>Future Connection</b></p> <p>CONDITION: Details of how the boiler and associated infrastructure shall be designed to allow for the future connection to any neighbouring heating and cooling network shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The agreed scheme shall be installed prior to the first occupation of the development hereby approved. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the facility is provided appropriately and so that it is designed in a manner which allows for the future connection to a district system</p>
19	<p><b>Delivery Servicing Plan – TfL (Details)</b></p> <p>CONDITION: Two delivery and servicing plans (DSP) for the commercial and education parts of the development detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the relevant part of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
20	<p><b>Construction Management Plan and Construction Logistics Plan (Details)</b></p> <p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted</p>

	<p>to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The reports should demonstrate that vehicular activity associated with construction will be co-ordinated with activity associated with the redevelopment of neighbouring sites in order to manage the cumulative impact on the local highway network.</p> <p>The CMP shall include details of a telephone contact for neighbouring residents in relation to queries or concerns regarding construction management.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
21	<p><b>Air Quality Report</b></p> <p>CONDITION: Prior to the commencement of development (excluding demolition) a site report detailing steps to minimise the development's occupiers' exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be completed prior to occupation of each part of the development and shall be permanently maintained thereafter.</p> <p>REASON: In order to ensure satisfactory air quality for occupants of the development.</p>
22	<p><b>Details of Appearance of Escape Stair</b></p> <p>CONDITION: Details of the design and appearance of the new escape stair to the main assembly hall in Block A should be submitted to and approved in writing by the Local Planning Authority prior to commencement of the relevant works.</p> <p>REASON: In the interests of the appearance of the Grade II listed School building.</p>
23	<p><b>Community Use Plan</b></p> <p>CONDITION: Prior to first use of the sports hall a Community Use Plan setting out how the use of the sports facility by the local community would be promoted and managed shall be submitted to and approved by the Local Planning Authority.</p> <p>REASON: In order to secure a satisfactory programme of community use of the proposed sports hall.</p>
24	<p><b>Demolition by Hand</b></p> <p>CONDITION: The removal of roof slates, ridge tiles and wooden soffits, fascia's and barge boards is to be undertaken by hand, with the features lifted instead of dragged. If during development works a bat (or an accumulation of bat droppings) is discovered, work is temporarily cease whilst a bat ecologist is contacted for advice.</p> <p>REASON: To ensure that no harm occurs to bats.</p>
25	<p><b>Bird Survey</b></p> <p>CONDITION: 5 days prior to the commencement of the relevant part of the development an inspection of the buildings and roofs shall be undertaken to check for active bird's nests. Ecological advice should be sought if any live nests are identified.</p>

	REASON: In order to ensure that no harm occurs to birds.
26	<b>Inclusive Design (Compliance)</b>
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate step free external space, open space and landscaping, and level access to amenity facilities.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
27	<b>Nesting Boxes (Details)</b>
	<p>CONDITION: Details of bird and bat nesting boxes and/or bricks shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works.</p> <p>The details shall include the exact number, location, specification and design of the habitats.</p> <p>The nesting boxes / bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
28	<b>Disabled Priority Signage</b>
	<p>CONDITION: The proposed courtyard lift shall feature clear signage indicating that disabled and wheelchair users shall have priority over other users.</p> <p>REASON: In order that disabled and wheelchair users of the lifts are not disadvantaged during any periods of intensive use of the lift.</p>
29	<b>London Cycle Design Standards</b>
	<p>CONDITION: The cycle parking shall accord with TfL's London Cycle Design Standards (2014) unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure cycle parking is easily accessible on site and to promote sustainable modes of transport.</p>

### List of Informatives

1	<b>Planning Obligations Agreement</b>
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<b>Superstructure</b>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. In this</p>



	<p>case, the council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of the new element of a building above its foundations, excluding demolition.</p> <p>The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p><b>Community Infrastructure Levy (CIL) (Granting Consent)</b></p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p>Pre-Commencement Conditions:  These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	<p><b>Thames Water (Surface Water Drainage)</b></p> <p>With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.</p>
5	<p><b>Thames Water (Mains Water Pressure)</b></p> <p>A Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	<p><b>Fire Sprinklers</b></p> <p>The London Fire and Emergency Planning Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier .</p>

7	<b>Thames Water (Groundwater Discharges)</b>
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing <a href="mailto:wwqriskmanagement@thameswater.co.uk">wwqriskmanagement@thameswater.co.uk</a> . Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a> .
8	<b>Thames Water (Water Main)</b>
	There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
9	<b>Thames Water (Water Main)</b>
	There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
10	<b>CIL Informative</b>
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/">http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</a></p>

## RECOMMENDATION C

That listed building consent be granted.

## RECOMMENDATION D

That the grant of listed building consent be subject to **conditions** to secure the following:

1	<p><b>Commencement (compliance)</b></p> <p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p><b>Approved plans list (compliance)</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>CFBS-HBA-00-00-DR-A-PL01-0010; CFBS-HBA-00-B1-DR-A-PL01-0100; CFBS-HBA-00-00-DR-A-PL01-0100; CFBS-HBA-00-01-DR-A-PL01-0100; CFBS-HBA-00-02-DR-A-PL01-0100; CFBS-HBA-00-03-DR-A-PL01-0100; CFBS-HBA-00-10-DR-A-PL01-0100; CFBS-HBA-00-00-DR-A-PL01-0200; CFBS-HBA-00-00-DR-A-PL01-0201; CFBS-HBA-00-00-DR-A-PL01-0202; CFBS-HBA-00-00-DR-A-PL01-0203; CFBS-HBA-00-00-DR-A-PL01-0204; CFBS-HBA-00-00-DR-A-PL01-0205; CFBS-HBA-00-00-DR-A-PL01-0206; CFBS-HBA-00-00-DR-A-PL01-0207; CFBS-HBA-00-00-DR-A-PL01-0208; CFBS-HBA-00-00-DR-A-PL01-0209; CFBS-HBA-00-00-DR-A-PL01-0210; CFBS-HBA-00-00-DR-A-PL01-0211; CFBS-HBA-00-00-DR-A-PL01-0212; CFBS-HBA-00-00-DR-A-PL01-0300; CFBS-HBA-00-00-DR-A-PL01-0301; CFBS-HBA-00-00-DR-A-PL01-0302; CFBS-HBA-00-00-DR-A-PL01-0303; CFBS-HBA-00-00-DR-A-PL20-0000; CFBS-HBA-00-B2-DR-A-PL20-0100; CFBS-HBA-00-B1-DR-A-PL20-0100; CFBS-HBA-00-00-DR-A-PL20-0100; CFBS-HBA-00-01-DR-A-PL20-0100; CFBS-HBA-00-02-DR-A-PL20-0100; CFBS-HBA-00-03-DR-A-PL20-0100; CFBS-HBA-00-10-DR-A-PL20-0100; CFBS-HBA-00-00-DR-A-PL20-0200; CFBS-HBA-00-00-DR-A-PL20-0201; CFBS-HBA-00-00-DR-A-PL20-0202; CFBS-HBA-00-00-DR-A-PL20-0203; CFBS-HBA-00-00-DR-A-PL20-0204; CFBS-HBA-00-00-DR-A-PL20-0205; CFBS-HBA-00-00-DR-A-PL20-0206; CFBS-HBA-00-00-DR-A-PL20-0207; CFBS-HBA-00-00-DR-A-PL20-0208; CFBS-HBA-00-00-DR-A-PL20-0209; CFBS-HBA-00-00-DR-A-PL20-0210; CFBS-HBA-00-00-DR-A-PL20-0211; CFBS-HBA-00-00-DR-A-PL20-0212; CFBS-HBA-00-00-DR-A-PL20-0213; CFBS-HBA-00-00-DR-A-PL20-0300; CFBS-HBA-00-00-DR-A-PL20-0301; CFBS-HBA-00-00-DR-A-PL20-0302; CFBS-HBA-00-00-DR-A-PL20-0303; CFBS-HBA-00-00-DR-A-PL20-0304; CFBS-HBA-00-00-DR-A-PL20-0305; CFBS-HBA-00-00-DR-A-PL20-0306; CFBS-HBA-00-00-DR-A-PL20-0307; CFBS-HBA-DS-B1-DR-A-PL20-0100; CFBS-HBA-DS-00-DR-A-PL20-0100; CFBS-HBA-DS-01-DR-A-PL20-0100; CFBS-HBA-DS-03-DR-A-PL20-0100; CFBS-HBA-DS-05-DR-A-PL20-0100; CFBS-HBA-DS-10-DR-A-PL20-0100; CFBS_(97)LP 001 Rev. 05; CFBS_(97)LP 002 Rev. 05; Design &amp; Access Statement (including Landscape Strategy); Transport Assessment; Travel Plan; Heritage and Townscape Assessment (including Statement of Significance); Daylight &amp; Sunlight Report; Energy Statement; Sustainable Design and Construction Statement (including the Green Performance Plan); Drainage Strategy and Flood Risk Assessment; Noise Statement; Air Quality Assessment; Basement construction structural method statement; Construction Management Plan; Bat Survey Report; Detailed Unexploded Ordnance (Uxo) Threat and Risk Assessment; M&amp;E Routing Report.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>

3	<p><b>Details to match listed buildings</b></p> <p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage assets.</p>
4	<p><b>Window Schedule</b></p> <p>CONDITION: A window schedule detailing the significance and condition of the existing windows and a justification for any proposed works of repair or replacement, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant works.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage assets.</p>

## **APPENDIX 2: RELEVANT POLICIES**

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

### **1 National Guidance**

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

## **A) The London Plan 2016 - Spatial Development Strategy for Greater London**

### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

### **2 London's places**

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

### **3 London's people**

Policy 3.2 Improving health and addressing health inequalities

Policy 3.18 Education Facilities

Policy 3.19 Sports Facilities

### **4 London's economy**

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.12 Improving opportunities for all

### **5 London's response to climate change**

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.18 Construction, excavation and demolition waste

### **6 London's transport**

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

### **7 London's living places and spaces**

Policy 7.1 Lifetime Neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and Design of Tall and Large Buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.12 Implementing the London View Management Framework

Policy 7.14 Improving air quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

### **8 Implementation, monitoring and review**

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

**B) Islington Core Strategy 2011**

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)  
Policy CS8 (Enhancing Islington's Character)

Policy CS13 (Employment Spaces)  
Policy CS17 (Sports and Recreation Provision)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)  
Policy CS10 (Sustainable Design)  
Policy CS11 (Waste)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)  
Policy CS19 (Health Impact Assessments)

**C) Development Management Policies June 2013**

Design and Heritage

DM2.1 Design  
DM2.2 Inclusive Design  
DM2.3 Heritage  
DM2.4 Protected Views

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements  
DM7.3 Decentralised energy networks  
DM7.4 Sustainable design standards  
DM7.5 Heating and cooling

Employment

DM5.1 New Business Floorspace

Transport

DM8.1 Movement hierarchy  
DM8.2 Managing transport impacts  
DM8.3 Public transport  
DM8.4 Walking and cycling  
DM8.5 Vehicle parking  
DM8.6 Delivery and servicing for new developments

Health and open space

DM6.1 Healthy development  
DM6.4 Sport and recreation  
DM6.5 Landscaping, trees and biodiversity  
DM6.6 Flood Prevention

Infrastructure

DM9.1 Infrastructure  
DM9.2 Planning obligations  
DM9.3 Implementation

**D) Finsbury Local Plan June 2013**

BC3 Old Street  
Role Within London's Central Activities Zone

BC8 Achieving a balanced mix of uses  
BC9 Tall buildings and contextual considerations for building heights

Delivery and Monitoring

BC10 Implementation

**3. Designations**

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Bunhill and Clerkenwell Key Area
- Archaeological Priority Area
- Central Activities Zone (CAZ)
- City Fringe opportunity area

#### 4. **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

##### Islington Local Development Plan

- Conservation Area Design Guidelines
- Environmental Design SPD (October 2012)
- Inclusive Design in Islington SPD (February 2014)
- Inclusive Landscape Design SPD (January 2010)
- Planning Obligations (Section 106) SPD (December 2016)
- Streetbook SPD (October 2012)
- Urban Design Guide SPD (December 2006)
- Development Viability SPD (January 2016)
- Basements SPD (January 2016)

##### London Plan

- Accessible London: Achieving an Inclusive Environment SPG (October 2014)
- Shaping Neighbourhoods – Character and Context SPG (June 2014)
- Central Activities Zone SPG (March 2016)
- London Planning Statement SPG (May 2014)
- Sustainable Design and Construction SPG (April 2014)
- Planning for Equality and Diversity in London SPG (October 2007)
- The Control of Dust and Emissions During Construction and Demolition SPG (July 2014)
- Use of Planning Obligations in the Funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG (April 2013)
- City Fringe Growth Area SPG (December 2015).



**APPENDIX 3: DESIGN REVIEW PANEL RESPONSE LETTER  
DATED 7<sup>TH</sup> OCTOBER 2016**

**CONFIDENTIAL**

ATT: Jade Wong  
Montagu Evans LLP  
5 Bolton Street  
London W1J 8BA

Planning Service  
Planning and Development  
PO Box 333  
222 Upper Street  
London  
N1 1YA  
T 020 7527 2389  
F 020 7527 2731  
E [Luciana.grave@islington.gov.uk](mailto:Luciana.grave@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: DRP/114

Date: 14 February 2017

Dear Jade Wong

**ISLINGTON DESIGN REVIEW PANEL**

**RE: Central Foundation Boys School, Cowper Street, London, EC2A 4SH  
(pre-application ref. Q2016/2217/MJR)**

Thank you for attending Islington's Design Review Panel meeting on 25 January 2017 for a second review of the above scheme. The proposed scheme under consideration is for demolition of existing Block B and erection of new 4 storey science block, part subterranean sports hall in central courtyard and partial redevelopment of existing Tabernacle Building to provide new creative arts block; demolition of existing ancillary building and erection of an 8 storey commercial block (officer's description).

**Review Process**

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (chair), Thomas Lefevre, Richard Lavington, Cordula Zeidler, Patrick Lynch and Simon Foxell on 25 January 2017 including a presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. There was no site visit as this was a second review. The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

**Panel's observations**

The Panel welcomed seeing the scheme for a second review, with some of the changes addressing the issues raised in the first review. However, panel members continued to raise concerns over the proposed circulation strategy and landscape design, and the design of both the new entrance block and commercial block. The Panel made the following observations:

**Circulation**

The Panel appreciated the challenge that the complexity and varying levels of the existing buildings presents, though reiterated the need to see circulation plans and detailed drawings, particularly sections, showing the existing and proposed arrangements, as previously requested. Panel members were very supportive of the overall access improvements proposed as part of the works, but some concerns remained over the access arrangements in some locations on the school site, particularly the courtyard.

### Demolition

The Panel remained concerned about the demolition of the Victorian conservation area buildings on Tabernacle Street. In light of no further information justifying their loss, a preference for their retention remains; though it was noted that Historic England had apparently not raised any objections to this element of the proposals.

### Future proofing

The change of use of the enabling development from a residential to a commercial building was welcomed by panel members. It was considered essential that the school retains ownership of the new commercial building so that they do not end up with a very constrained site, given the inevitable need for further expansion in future.

### Central courtyard

Significant concerns persisted following the first review of the design of the courtyard. Some panel members were unconvinced that the space would work as a school playground due to the split levels and various landscape obstacles. The lack of shelter in the playground also surprised the panel. Furthermore, the landscaping strategy was considered to be discriminatory because of a lack of external level or ramped access between the two main areas of the playground; detailed sections were requested to demonstrate whether the arrangement is an appropriate solution. The idea that the proposed sports hall could be sunk completely was still felt to be the best option as it would resolve these issues, allowing the courtyard to fulfil its purpose much more successfully.

### Proposed commercial block

The Panel was broadly supportive of this in terms of the commercial use of the proposed building, but commented that further clarification regarding the justification of the proposed height, which is harmful to the listed buildings and conservation area, was required.

### Architectural treatment

The omission of green cladding to additions was welcomed, but the Panel continued to question the rationale behind the design of the new elements, including the entrance building, rear elevation of the Tabernacle and the enabling block as there was little apparent reasoning behind the choice of different treatments for the various parts of the buildings. Panel members felt that the priority should be to design new buildings that respond more to their specific situation and functional requirements as well as to the strong materiality and sense of scale of the existing buildings.

Taking each of the new buildings in turn, the Panel felt that the new entrance building could be a more contextual response to the gate house that it abuts, so that it would sit in the background of the listed building. It was suggested that the colonnade might be carried across to the new building. Panel members considered that it could be slightly taller, so that it would match the parapet height of the school building on the other side of the gate house. This would have the benefit of book-ending the gate house, increasing its prominence and signalling it as the main entrance.

Conversely, the Panel did not understand why the commercial block needed to be contextual to the school buildings given that it is separate, in a different use and of a totally different scale. They commented that in attempting to reconcile it stylistically with the listed school buildings, the heavier articulation that this would require would make its presence more harmful to the listed buildings and conservation area. Panel members felt that the idea of completing the urban block was logical, but finishing it with a substantially taller building would damage its coherence. The Panel also advised that as a large new commercial building,



design cues should be the provision of optimum light and ventilation. Panel members stated that if a building of this height was to be considered permissible, it would need to be of a higher quality design. They felt that the brick proposed to the commercial building would be more appropriate to the school buildings and the material choices of the new school buildings i.e. metal may be more appropriate to the commercial building.

Panel members remained concerned over the treatment of the rear elevation of the Tabernacle. The Panel welcomed revisions to the design, but felt that the proposed fenestration could be more sympathetic with a reduction in the amount of glazing, to echo the solidity of the chapel building.

### **Summary**

The Panel acknowledged that this is a very challenging site and considered that proposals had moved in the right direction in some respects. However, they advised that further information would be required, which very clearly demonstrates an understanding of how the site works and how the proposals are a response to this. In particular, the school needs to be understood externally as an urban block and internally on its courtyard plan; the overall approach and design of the new elements should be determined on this basis. In order to successfully respond and develop the qualities of the listed buildings, the priority should be the creation of an uncompromised central courtyard as the focus of the site – its functionality remains a major concern. In attempting to create a sense of unity between the new additions, which are by nature disparate parts, the quality of their design is being undermined.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

### **Confidentiality**

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in the assessment of the proposal and determination of the application.

Yours sincerely,



**Luciana Grave**

Design Review Panel Coordinator  
Design & Conservation Team Manager



## **APPENDIX 4 – BPS INDEPENDENT VIABILITY REVIEW (date)**

**Central Foundation Boys' School**  
**Cowper Street EC2A 4SH**  
Independent Viability Review

Prepared on behalf of London Borough of Islington

1<sup>st</sup> June 2017



82 South Street, Dorking, RH4 2HD  
[www.bps-surveyors.co.uk](http://www.bps-surveyors.co.uk)

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Planning Reference: P2017/1046/FUL

## 1.0 INTRODUCTION

- 1.1 BPS Chartered Surveyors have been instructed by London Borough of Islington ('the Council') to undertake a review of a Financial Viability Assessment (FVA) prepared by DS2 on behalf of Central Foundation Boys' School ("CFBS") ('the Applicant') in connection with a planning application for the redevelopment of the above site.
- 1.2 The proposals are for *"Demolition of existing Block B and erection of a replacement four storey building to provide science teaching facilities; alteration and refurbishment of the Tabernacle Building; development of a partially sunken sports hall within the school courtyard; improvements and alterations to existing school buildings including listed buildings; demolition of the existing former sixth form block on Tabernacle Street and erection of an eight storey office (Use Class B1a) building; landscaping and associated works."*
- 1.3 We have received a copy of the FVA prepared by DS2 dated March 2017 which identifies that consent is needed for the delivery of a new-build office building on the site of the existing sixth form centre as a means of generating value. This value is required to contribute towards the funding of the proposed school works which have an estimated cost of £41.84m. After allowing for current identified sources of funding excluding the value of the land with consent for the office building there remains an apparent shortfall in funding the overall project of £14.14m. The FVA prepared by DS2 focuses on the viability of the office part of the development only, referred to in their report as "the Development".
- 1.4 DS2 state that, subject to the necessary approvals, the site of the existing sixth form centre will be sold by CFBS to a commercial developer. The land receipt generated from the sale of the Site will contribute towards the cost of the proposed works and is therefore considered an "enabling development".
- 1.5 DS2 have viability tested a number of development scenarios which reflect different heights of the office building including variations in height from ground floor plus seven stories to ground floor plus five stories and conclude that a reduced height scheme would jeopardise the Applicant's funding strategy. DS2 further conclude that the inclusion of affordable work space within the building reduces the land receipt generated from the site and that to maximise the land receipt the development should comprise a ground plus seven storey office with the space being let at full market rent.
- 1.6 We have assessed the cost and value inputs within the financial appraisal in order to determine whether these conclusions are justified. We have also reviewed the cost plan for the school development to determine whether the costs, and therefore the funding gap, are justified.

## 2.0 CONCLUSIONS AND RECOMMENDATIONS

2.1 We have reviewed the Financial Viability Appraisal received from DS2, dated March 2017. The report indicates that, in order to facilitate an increased student roll and ensure the buildings are fit for purpose, the Applicant intends to undertake a series of redevelopment and improvement works to the CFBS.

2.2 The total cost of these works is reported by DS2 as £41.84million. Our Cost Consultant, Neil Powling, has reviewed the cost plan provided by Gardiner and Theobald dated 23.2.17 for the school works. He concludes that the Applicant's costs are reasonable but notes the following:

*There is an addition for Employer other risks of 5% amounting to £1,904,250. This sum might be appropriate as a project contingency but should be excluded from any viability costing.*

*The whole school cost includes the sum of £674,353 for tender inflation to 1Q2018 and a further sum of £988,712 for construction inflation to the mid-point of the two phases. For a viability assessment these sums should be omitted although may be included in the estimated project cost based on the current anticipated programme.*

*The total whole school cost of £39,990,000 includes for fees, decant and in-house costs, FF&E, ICT and AV equipment plus VAT at 20%. The fees equate to 15.8% - a typical allowance is 12%. A further sum of £587,726 for other below the line fees is identified. The Viability Report para 2.11 refers to the cost of the proposed works as £41.84M. We have not identified the difference between this figure and the cost shown in our analysis of £39.99M.*

2.3 The Applicant has a number of funding sources in place for the whole project including from the Council (£2.7million); the Education Funding Agency (£5million); and the Central Foundation School of London Trust (£20million). At present and based on a total cost of £41.84m there remains a funding gap of -£14.14million.

2.4 To help address this funding deficit, the Applicant has proposed the delivery of an office development comprising a ground plus seven storey building on the site of the former sixth form centre. Assuming planning permission is secured the Applicant intends to sell this site to a developer and use the entire sale proceeds for the delivery of the school development works.

2.5 Based on DS2's appraisal, the residual land value of the former sixth form site is £6.723million, which reduces the funding gap to -£7.417million.

2.6 The proposed office building provides approximately 2,963 square metres (31,893 square feet) net office floor area of which 100% is proposed to be let at full market rent. DS2 provide analysis of local market transactions to arrive at an estimated rental value for the offices of £45psf for the ground floor and £60psf for the upper floors. We have carried out our own research to confirm that these values appear reasonable.

2.7 DS2 include a 6 month void period and a 6 month rent-free incentive and capitalise the rental income from the offices at 5.25%. We find these assumptions to be in line with market evidence. The Net Development Value of the office space, accounting for purchasers costs is approximately £32.37million.



- 2.8 Our Cost Consultant, Neil Powling, reviewed a separate cost plan for the office development only, from Theobald and Gardiner dated 23.2.17. He concludes the following:
- Our benchmarking shows the costs to be reasonable, but the amount for risk (para 3.7) should adjusted and the allowance for inflation (para 3.11) omitted. We therefore consider the construction cost for inclusion in the viability appraisal should be £10,828,000.*
- 2.9 It should be noted that the cost plan assumes the property would be constructed to shell finish. This would require the incoming tenant to fund works such as installation of raised floors and other finishes.
- 2.10 DS2 have included a cost allowance of £45psf (totalling approximately £1.43million) which is identified as a capital contribution to the tenants for fit out works. We are satisfied that fit-out has not been included in the build costs for the development. We have also considered that this contribution is proportionate to shell fit though to some extent the cost is dependent on the specification sought by the incoming tenant and therefore there is an element of uncertainty over this allowance without having the benefit of a pre-letting.
- 2.11 "Miscellaneous costs" totalling £957,905 have also been included within the appraisal to cover a range of development costs including adverse ground conditions, removal of contamination including asbestos, neighbourly matters and fixtures and fittings. We have not been provided with a breakdown of how this figure has been arrived at. Our Cost Consultant notes that the inclusion of adverse ground conditions may result in a double-counting of the cost since the substructures are measured in reasonable detail within the total substructure cost of £957,083. Abnormal substructure costs have been accounted for within the cost benchmarking exercise Neil has undertaken. A breakdown of the Miscellaneous costs would be useful to confirm that there is no double-counting of costs.
- 2.12 DS2 have included a developer's profit allowance of 15% on costs, equating to 12% of GDV. They justify this relatively low rate suggesting that the site will be sold once the planning risk has been removed. Consequently the developer would not need a higher margin in order to secure development funding. A higher profit margin in this context would result in a lower residual land value.
- 2.13 Taking into account Neil Powling's comments in respect of construction costs, we have re-run DS2's appraisal to arrive at a residual land value of £7.4million. On this basis we identify that there remains a funding gap of -£6.74m based on a total cost for school works of £41.84m.
- 2.14 The additional project costs over construction costs total £1.85m and are not adequately explained. Irrespective of this there would still be a substantial project deficit even if none of these costs was accepted.
- 2.15 We are concerned that such a significant funding gap remains unresolved. The FVA does not address how this deficit in funding would be met and the implications for delivery of all or part of the project if it were not met. If additional resources are available to bridge the remaining deficit then it must be ascertained whether these resources could be stretched further to reduce the pressure on the scale of the proposed development.

- 2.16 Alternatively if no additional resources are available to bridge the gap then elements of the project are unlikely to be built, this might equally reduce pressure on the scale of the office building.
- 2.17 It is important that further examination of the means of bridging this gap be considered as this consideration is highly relevant to the scale of the proposed office development for the reasons identified above.

#### Scenario Testing

- 2.18 Within their report, DS2 include scenario testing on the scheme with one and two storeys less to test the impact of a reduction in height on the identified funding gap. They conclude that any reduction in height serves to increase the identified funding gap and reduces the prospects of delivering the proposed refurbishment and redevelopment works.
- 2.19 We have prepared analyses of the two scenarios based on the appraisals provided by DS2, using construction costs based on the rate per square foot as advised by our Cost Consultant in the core Ground + 7 storeys scenario. In preparing the appraisals for these scenarios we have made some adjustments to the inputs which are based on floor area, and the resulting figures have not been verified. This includes the inputs for CIL payments, miscellaneous development costs and void payments.
- 2.20 The Gross Development Value in the Ground + 6 storeys scenario is £30.13million which is unchanged from the Applicant's estimate. We have adjusted build costs in line with the rate identified by our Cost Consultant (£266.55psf) for the Ground + 7 storeys scenario. The resulting residual land value is £6.30million. This reduces the identified funding gap of -£14.14million to -£7.84million.
- 2.21 The Gross Development Value in the Ground + 5 storeys scenario is £25.25million which is unchanged from the Applicant's estimate. Again, we have adjusted build costs in line with the rate identified by our Cost Consultant. The resulting residual land value is £5.16million. On this basis the funding gap is reduced to -£8.98million.
- 2.22 As identified in 2.13 above, the proposed Ground + 7 storeys scheme has the most significant impact on reducing the funding gap to -£6.74million.

### 3.0 PLANNING POLICY CONTEXT

- 3.1 We have had reference to national planning policy including the National Planning Policy Framework. We have also had regard to the London Plan including the Further Alterations to the London Plan March 2015 and Housing Standards Minor Alterations to the London Plan March 2016.
- 3.2 The site is located within the Bunhill and Clerkenwell area as defined in Islington's adopted Local Plan. The site is just on the edge of a marked mixed-use development area.
- 3.3 The development site falls within the Bunhill Fields/ Finsbury Square Conservation Area. Within the wider site there are two Grade II listed buildings: Block A on Cowper Street and Shoreditch County Court on Leonard Street. The site is also within an Archaeological Conservation Area.
- 3.4 The existing sixth form centre is not an allocated development site within Finsbury Local Plan Area Action Plan for Bunhill & Clerkenwell.
- 3.5 The Finsbury Local Plan excludes the school site from the Employment Priority area however it does locate the site within the City Fringe Opportunity Area. Policy BC8 (J) would apply which states the following:
- i. *The provision and retention of uses that complement and support the creation of sustainable communities (including community facilities and open space) will be prioritised, alongside housing.*
  - ii. *Micro and small workspaces / retail spaces that do not impact on the amenity or character of adjacent residential areas will be encouraged.*
  - iii. *Ground floor frontages must reinforce the character of the street, with active frontages provided on major and key streets / routes. Where dwellings are provided at ground floor, the design of the building must provide a good standard of privacy and amenity for occupants.*
- 3.6 Policy CS13 (A) of Islington's Local Plan states that new business floor space should be flexible to meet future business needs and a range of unit types and sizes is required, including those suitable for SMEs. (C) of the same policy requires that development provide jobs and training opportunities/support by providing on-site construction/training opportunities and *"either a proportion of small, micro and/or affordable workspace or affordable retail space, or contributions towards these, from major non-residential developments where the majority of floorspace is not in public education, community or social infrastructure uses."*
- 3.7 The applicant's Planning Statement assembled by Montagu Evans provides the following extract:
- "As the Site is located outside Employment Priority Areas, there is no requirement for affordable workspaces on the ground floor. This position has been confirmed with planning officers during the pre-application process."*
- However Policy DM5.1 (E) provides that *"Within the Central Activities Zone (CAZ) major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site."*
- 3.8 The application of this policy would impact the proposed schemes viability.

- 3.9 The proposed office development is intended to be classed as enabling development.
- 3.10 Enabling development is usually considered in the context of listed buildings whereby, as stated in the NPPF, "Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies."
- 3.11 In the context of this scheme we understand that the Council have identified that there is an established educational need and we assume that that the proposed school facilities are, in their entirety, considered necessary to be both delivered, and delivered on this specific site.
- 3.12 In respect of scheme viability it is necessary to consider
- a) Whether the current funding gap is justified and whether the opportunities to source other forms of finance have been fully explored
  - b) Whether the scale of the proposed development represents the minimum necessary and
  - c) Whether the development would serve to adequately secure the redevelopment of the school site and enable the expansion of the school pupil roll.
- 3.13 DS2 state in their FVA that "the CFBS will only therefore be incentivised to sell the site for redevelopment if the funding gap is minimised as much as reasonably possible. The wider the funding gap, the less the prospect that the CFBS will release the site for redevelopment. This will have direct implications for the delivery of the school works".

#### 4.0 PROPOSED DEVELOPMENT

- 4.1 The FVA is concerned only with the development of the part of the site to be sold to part-fund the wider works, described in the planning application as:

*Demolition of the existing sixth form block on Tabernacle Street and redevelopment of Class B1 office development and associated works*

- 4.2 The planning statement identifies the current sixth form centre as being “very compromised by the irregular footprint, and the area to the north is mothballed due to damp and the building’s deteriorating condition. The external fabric of the former sixth form building is also in poor condition with cracks visible on the external façade”.
- 4.3 The proposed development comprises an eight storey building with basement which will provide 31,893 sq ft (NIA) of Office (B1) floor space arranged as follows:

Floor	Use	NIA (sq ft)	GIA (sq ft)
Roof			97
7	B1	4,133	4,822
6	B1	4,133	4,822
5	B1	4,133	4,822
4	B1	4,166	4,855
3	B1	4,166	4,855
2	B1	4,155	4,844
1	B1	4,155	4,844
Ground	B1	1,426	4,844
	B1	1,426	
Basement	Plant		1,819
	Total	31,893	40,624

- 4.4 The ground floor of the building will be split into two separate units with their own entrances from Tabernacle Street. The first to seventh floors are intended to have large flexible floorplates. Access to the upper floors will be via a dedicated ground floor reception with a single stairwell and two lifts.
- 4.5 Also at ground floor level is space for bin storage, bike store for 38 bikes and shared shower facilities.
- 4.6 There is no parking associated with the proposed development.

## 5.0 OFFICE VALUES

5.1 In arriving at a value for the proposed office building, DS2 include a number of local transaction evidence which we have reviewed and summarise as follows:

5.2 Office lettings:

- **White Collar Factory, EC1Y** located immediately adjacent Old Street Station, a mix of refurbished and new office space with a 17 storey tower. Recent lettings at £63.50psf and £67.50psf
- **Old Street Yard, EC1Y** part of the White Collar Factory 'campus' refurbished office space arranged around a courtyard. Recent letting of £62.50psf
- **The Bower, 207-211 Old Street EC1V** located immediately north west of Old Street roundabout made up of refurbished office space and a new build tower, with on-site facilities. Recent lettings between £52.50-£67.50psf, varied due to outlook with The Tower providing office space up to 17<sup>th</sup> floor
- **Linen Court, 10 East Road N1 6AD** located north of Old Street station providing offices from ground to tenth floor, completed in 2011. Recent letting of tenth floor office space at £63psf
- **1 Oliver's Yard EC1Y** south of the site fronting City Road, a 1960s office building, refurbished in 2003 with office accommodation over ground to ninth floors arranged around a courtyard. Recent lettings £48-51psf
- **65-67 Leonard Street EC2A** a former Victorian warehouse conversion reportedly finished to a good standard but in need of refurbishment, recent letting was at £48.50psf

5.3 Based on the above evidence DS2 have adopted a rental value of £60psf for the office floor space over the first to seventh floor of the proposed development. They have assigned a value of £45psf for the ground floor retail space.

5.4 DS2 have assumed that a developer may be required to offer a capital contribution, in addition to a rent-free allowance, towards fit out costs.

5.5 Investment sales:

- **Mark Square House EC2A** purpose built detached office building providing 61,660 sq ft of office space over basement to fourth floor, located in Shoreditch. Property let for a term expiring 24<sup>th</sup> December 2017 at £1,495,000 per annum. Sold November 2016 at £38million reflecting a yield of 3.78%
- **Rivington House, 82 Great Eastern Street EC2A** a former Victorian clothing factory renovated in 2014. Freehold purchased in March 2015 for £15.2million reflecting a yield of 4.75% reportedly rack rented and let to a strong covenant
- **24 Chiswell Street EC1Y** renovated 2010 basement to ninth floor property includes 6,842 sq ft of retail space and 76,465 sq ft of office space. Multi-let to 10 tenants generating an annual income of £2.85m. Long leasehold interest purchased March 2015 in excess of £45m - at £45m this reflects yield of 6%
- **Noble House, EC2A** 1980s office building providing 13,926 sq ft of office space over ground and four upper floors. Long leasehold interest was purchased in April 2016 for £8.7million reflecting a capital value of £625psf. The property was sold with vacant possession in a reportedly dated condition.

- **79-81 Paul Street, EC2A 4NQ** a former warehouse building providing 8,779 sq ft of office accommodation renovated in May 2016, reportedly to a high standard. Sold February 2015 at £7.23million reflecting £822 psf capital value
- 5.6 DS2 consider an investment yield of 5.25% appropriate for the proposed office space which equates to £1,015psf or £32,372,252 based on the proposed rental value.
- 5.7 DS2's assumptions in regard to the office values are summarised as follows:
- 31,398 sq ft of net office space
  - £60psf on typical floor and £45psf on ground floor office
  - Capital contribution equivalent to £45psf c. £1.4m for tenant incentives, rent-free period of 6 months, assuming average term of 5 years
  - Average letting void of up to 6 months post practical completion
  - Yield of 5.25%
  - Capital Value of £1,015psf after purchasers costs
- 5.8 We have conducted our own research to test if these assumptions are reasonable.
- 5.9 In addition to the information provided by DS2 we have identified the following relevant lettings transactions:

Address	Description	Floor area sq ft	Letting agreed	Rent per annum	Price per sq ft
72-74 Paul Street EC2A	First floor corner office within a converted Victorian warehouse	917	17/03/2017 5 year lease	£44,475	£48.50psf Plus £2.50psf service charge £8.61psf rates
31-35 Pitfield Street N1	First floorsecond hand three storey office building with separate café on ground floor	3,100	01/02/2017 4 year lease	£89,497	£28.87psf Plus £1.51psf service charge £2.65psf rates
Churchill House 142-146 Old Street EC1V	Fifth (top) floor of attractive office building refurbished in 2014	3,600	23/01/2017 8 year lease	£216,000	£60psf Service charge and rates unknown
66 Leonard Street EC2A	Second floor of Grade II*listed former school building	1,568	11/12/2016 5 year lease 3 months rent free	£101,920	£65psf Plus £4.87psf service charge £7.65psf rates
16-26 Banner Street EC1Y	Ground and lower ground floor, self contained, newly refurbished	1,666	08/12/2016 5 year lease	£54,028	£32.43psf Plus £14.25psf rates
50-52 Paul Street EC2A	Newly refurbished office space over first to fifth floor	29,997	01/11/2016 10 year lease	£1,979,802	£66psf Service charge and rates unknown

<b>47 Paul Street EC2A</b>	Second-hand but modern office space	3,006	04/03/2016 5 year lease	£125,801	<b>£41.85psf</b> Plus £0.42psf service charge
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- 5.10 The properties listed above are all located within the immediate area of the subject site. Rental values appear to range between approximately £30psf up to £66psf. Lettings at the lower end of the range are generally for second-hand office space and the highest value space appears to be refurbished or new space, in attractive buildings or more prominent locations.
- 5.11 Based on the above, the rates of £45psf and £60psf on the ground floor and upper floors respectively appear reasonable. Although not located in a particularly prominent location we have assumed that the office building will be an attractive design and finished to a high standard.
- 5.12 We do not have information relating to tenant incentives for most of the above transactions however we comment that a rent-free period of 6 months is in line with our expectations.
- 5.13 In respect letting assumptions it is unclear whether DS2 assume the building will be multi-let or let to a single tenant. We consider a piecemeal fit out via contributions to be impractical due to impact on tenants through phased fit out. Therefore either the developer fits out or the property is let to a single tenant.
- 5.14 If let to a single tenant we would expect the reception to be rentalised at 50% of office rents which would add £5-10,000 per annum to the overall rental value of the property.
- 5.15 Similarly a letting to a single tenancy would be considered a more secure investment as this would imply a more substantial tenant and therefore a stronger covenant and would attract a keener investment yield.
- 5.16 It is accepted that at this stage either letting route could be considered a possibility and would not be known at the point the school sells the site to a developer.
- 5.17 We have undertaken some research into investment yields for offices within the area surrounding the property and have not been able to locate any more transactions to add to the details presented by DS2 above. Latest research published by Knight Frank in April 2017 shows yields for prime City offices falling between 4.25%-4.5%. Given the location of the property which lacks visibility compared with some buildings on the Old Street roundabout, we consider a yield of 5%-5.25% would be appropriate.
- 5.18 Having considered the above, we are of the view that a value of £32,000,000 for the proposed development is broadly reasonable.
- 5.19 In their appraisal, DS2 have included a cost of £45psf on the net office space which equates to a total of approximately £1.43million and is considered a capital contribution to tenants for fit out. This is reportedly based on evidence of tenants' investive offered in a recent local transaction. We have not been able to verify this however we appreciate that detailed information on tenants incentives can be difficult to come by as it is often confidential, and we note that works would be required to the property to enable it to be fitted out and let and this allowance in



that context is in an appropriate order of quantum though this would depend on the specification sought by an incoming tenant.

- 5.20 We have confirmed with our Cost Consultant that the fit-out has not been included in the Construction Costs in the appraisal. We consider that this contribution is proportionate to shell fit though to some extent the cost is dependent on the specification sought by the incoming tenant and therefore there is an element of uncertainty over this allowance without having the benefit of a pre-letting.

## 6.0 BUILD COSTS

6.1 DS2 have provided a copy of the applicant's cost plan which sets out a headline construction cost of £11,600,000 inclusive of prelims (15%), overheads & profit (6%) and contingency (5%). This equates to approximately £285psf on the development's GIA.

6.2 Our Cost Consultant, Neil Powling, has reviewed the Cost Plan provided by Gardiner & Theobald dated 23.2.17. Neil's full report can be found at Appendix 1 and is summarised as follows:

*The cost plan includes an allowance of 15% for preliminaries to the Development site. We consider 15% reasonable.*

*The allowance for risk for the Development site is 4% for Design Development and a further 5% for Construction Risks (a total 9%). We consider a total risk allowance of 5% for new build work to be appropriate. The 4% should be omitted from the viability calculation.*

*There is a further addition for Employer other risks of 5% amounting to £1,904,250. This sum might be appropriate as a project contingency but should be excluded from any viability costing.*

*The Development site has an addition of £337,000 adjustment for inflation to both an expected start on site date and to the mid-point for inflation during the construction period. We assess viability on a current cost/ current value basis. In our view for viability purposes this sum should be omitted.*

*Refer to our attached file "Commercial Development Site Elemental analysis and BCIS benchmarking". Our benchmarking shows the costs to be reasonable, but the amount for risk (para 3.7) should adjusted and the allowance for inflation (para 3.11) omitted. We therefore consider the construction cost for inclusion in the viability appraisal should be £10,828,000.*

6.3 The following fees have also been included in the appraisal:

- Professional fees at 12% of construction costs
- Commercial marketing at £2.50 psf on commercial area
- Commercial sales agent fee at 1% of commercial GDV
- Commercial sales legal fee at 0.5% of commercial GDV
- Letting agent fee at 10% of first year's annual income
- Letting legal fee at 5% of first year's annual income

6.4 We consider these to be in line with the market norms.

6.5 Planning obligations have also been accounted for within the appraisal at levels reportedly advised by Montagu Evans and are as follows:

- Borough CIL £271,791
- Mayoral CIL £169,869
- Crossrail Levy £305,406

6.6 We have not tested these figures which DS2 advise are subject to change.

- 6.7 Finance has been assumed at 7% and the appraisal assumes that the development is 100% debt financed.
- 6.8 "Miscellaneous costs" totalling £957,905 have been included within the appraisal to cover a range of development costs including adverse ground conditions, removal of contamination including asbestos, neighbourly matters and fixtures and fittings. We have not been provided with a breakdown of how this figure has been arrived at. Our Cost Consultant notes that the inclusion of adverse ground conditions may result in a double-counting of the cost since the substructures are measured in reasonable detail within the total substructure cost of £957,083. Abnormal substructure costs have been accounted for within the cost benchmarking exercise Neil has undertaken. A breakdown of the Miscellaneous costs should be provided to confirm that there is no double counting of costs.
- 6.9 Void costs have also been included within the appraisal at £13.50psf business rates and £8.50 service charges, figures which are based on DS2 research. This allowance reflects the liabilities arising from the practical completion to the tenant taking occupation that would accrue to the landlord.
- 6.10 Developer's profit has been adopted at 15% of total project costs on the basis that DS2 have appraised the scheme assuming the benefit of planning permission. DS2 suggest that if the planning risk remained they would expect to see a 20% profit on cost return. The 15% profit on cost equates to approximately 12% of GDV.
- 6.11 DS2 is realistic in our view in identifying the lower risks associated with a site benefitting from consent and in making a consequent adjustment to profit expectations.
- 6.12 Our Cost Consultant has also reviewed the Cost Plan relating to the whole school development and comments as follows:

*The cost plan includes an allowance of 19.5% for preliminaries to the whole school cost. We consider given the location, nature of the works and the phasing 19.5% may be appropriate but should be supported by further detail to justify the higher cost.*

*The whole school cost includes the sum of £674,353 for tender inflation to 1Q2018 and a further sum of £988,712 for construction inflation to the mid-point of the two phases. For a viability assessment these sums should be omitted although may be included in the estimated project cost based on the current anticipated programme.*

*The total whole school cost of £39,990,000 includes for fees, decant and in-house costs, FF&E, ICT and AV equipment plus VAT at 20%. The fees equate to 15.8% - a typical allowance is 12%. A further sum of £587,726 for other below the line fees is identified. The Viability Report para 2.11 refers to the cost of the proposed works as £41.84M. We have not identified the difference between this figure and the cost shown in our analysis of £39.99M.*

*Refer to our file "School Costs Elemental analysis and BCIS benchmarking". These show an adjusted benchmark for Block B of £3,411/m<sup>2</sup> that compares to the Applicant's £3,298/m<sup>2</sup>; Block C of £1,576/m<sup>2</sup> that compares to the Applicant's £1,721/m<sup>2</sup>; Tabernacle of £3,255/m<sup>2</sup> that compares to the Applicant's £3,500/m<sup>2</sup>; Sports Hall including Block A of £3,867/m<sup>2</sup> that compares to the Applicant's*

*£3,235/m<sup>2</sup>. We have not benchmarked the works to County Court. The combined amount of these differences shows a difference of £707,712 - adjusted benchmark more than the Applicant. We therefore consider the Applicant's costs to be reasonable but note the comments in 3.9, 3.12 and 3.13.*

- 6.13 It should be clarified what additions have been made to the total costs of £39.99m to arrive at the £41.84m figure.

## 7.0 FUNDING ARRANGEMENT

- 7.1 The planning statement prepared by Montagu Evans states that “The school has a pressing need to deliver new education facilities on their existing historic site. The existing facilities are no longer fit for purpose”. It is reported that the school has been asked by the local education authority to undertake the redevelopment in order to increase its roll by 150 students starting from September 2018.
- 7.2 DS2 advise that the Applicant will fund the proposed works via several funding sources, including from the Council (£2.7million); the Education Funding Agency (£5million); and the Central Foundation School of London Trust (£20million).
- 7.3 Given the estimated cost of works at £41.84million the limited available funding results in a funding gap of -£14.14million.
- 7.4 Montagu Evans has prepared a Funding and Educational Need Statement, which was submitted with the planning application. The Statement includes the following remarks in relation to finding sources:
- “All of the available sources of funding have been explored. Therefore, there is a need for the Trust to consider ways of releasing capital from their assets by redeveloping a portion of the site to release additional monies for the project in a bid to close the £14.14 million funding gap.”
- 7.5 DS2 have tested a number of scenarios of various height reductions and note that any reduction in height serves to increase the funding gap. Further, they test the impact of the inclusion of affordable workspace which also serves to increase the funding gap.
- 7.6 With a maximum height of ground floor plus seven stories, with 100% of the space let at market rent (ie. the most valuable scenario), DS2 note the finding gap remains at £7.417m.
- 7.7 With our revisions we identify that there remains a funding gap of £6.74m based on a total cost for school works of £41.84m.
- 7.8 The Educational Need and Funding Statement indicates that “to facilitate delivery of the scheme, the Foundation has agreed that the net receipts from this sale will be made available to the School to assist in funding the new development. This will be secured via a Section 106 Agreement. It is anticipated that this can be achieved by restricting occupation of the enabling scheme until a certain point in the delivery of the School project.”
- 7.9 We are concerned that such a significant funding gap remains. The FVA does not address how this deficit in funding would be met and the implications if it were not met. If additional resources are available to bridge the remaining deficit then it must be ascertained whether these resources could be stretched further to reduce the pressure on the scale of the proposed development.
- 7.10 If the deficit cannot be bridged by other means it is important to understand where any planned reduction in delivering school buildings is likely to be made and whether this affects already committed funding. The sports hall, for example, is estimated to cost in the region of £5.67million.
- 7.11 If there is potential to reduce the scale or number of components of the school redevelopment it should be ascertained whether these compromises have potential

to reduce the pressure on the scale of the proposed development in the first instance.

- 7.12 Within the Educational Need and Funding Statement, Montagu Evans attempt to address the issue of how the remainder of the funding gap may be closed. They suggest that the school would be in stronger position to seek additional funds once the proposed development receives planning consent. The following funding sources have been investigated:
- **LB Islington CIL** Montagu Evans indicate that a meeting will be sought post planning to discuss whether the Borough CIL from this project, or monies collected from S106 from other projects, can be returned to the school
  - **Fundraising and Charitable Donations** from students and alumni is suggested as one option but it is acknowledged that this source alone is unlikely to resolve the funding issues
  - **Private Finance** this option is ruled out because neither the school nor trust has a regular income to be able to pay back a loan.
- 7.13 One final option considered is the Academisation of the school which Montagu Evans suggest would serve to reduce the funding gap by removing VAT of 20% of the cost to the school development. The impact of this, they suggest, is a reduction of £5.05million in the build costs, resulting in a reduced funding gap of £2.37million.
- 7.14 On balance, Montagu Evans indicate that academisation cannot be relied upon to reduce the funding gap and that the main focus for additional funds is from the enabling development scheme.

BPS Chartered Surveyors

1<sup>st</sup> June 2017

## Appendix 1: Build Cost Report

### Project: Central Foundation Boys' School

#### 1 SUMMARY

- 1.1 The cost plan includes an allowance of 15% for preliminaries to the Development site and 19.5% to the whole school cost. **We consider 15% reasonable and given the location, nature of the works and the phasing 19.5% may be appropriate but should be supported by further detail to justify the higher cost.**
- 1.2 The allowance for risk for the Development site is 4% for Design Development and a further 5% for Construction Risks (a total 9%). We consider a total risk allowance of 5% for new build work to be appropriate. The 4% should be omitted from the viability calculation.
- 1.3 There is a further addition for Employer other risks of 5% amounting to £1,904,250. This sum might be appropriate as a project contingency but should be excluded from any viability costing.
- 1.4 The Development site has an addition of £337,000 adjustment for inflation to both an expected start on site date and to the mid-point for inflation during the construction period. We assess viability on a current cost/ current value basis. In our view for viability purposes this sum should be omitted.
- 1.5 The whole school cost includes the sum of £674,353 for tender inflation to 1Q2018 and a further sum of £988,712 for construction inflation to the mid-point of the two phases. For a viability assessment these sums should be omitted although may be included in the estimated project cost based on the current anticipated programme.
- 1.6 The total whole school cost of £39,990,000 includes for fees, decant and in-house costs, FF&E, ICT and AV equipment plus VAT at 20%. The fees equate to 15.8% - a typical allowance is 12%. A further sum of £587,726 for other below the line fees is identified. The Viability Report para 2.11 refers to the cost of the proposed works as £41.84M. We have not identified the difference between this figure and the cost shown in our analysis of £39.99M.
- 1.7 Refer to our attached file "Commercial Development Site Elemental analysis and BCIS benchmarking". Our benchmarking shows the costs to be reasonable, but the amount for risk (para 3.7) should adjusted and the allowance for inflation (para 3.11) omitted. We therefore consider the construction cost for inclusion in the viability appraisal should be £10,828,000.
- 1.8 Refer to our file "School Costs Elemental analysis and BCIS benchmarking". These show an adjusted benchmark for Block B of £3,411/m<sup>2</sup> that compares to the Applicant's £3,298/m<sup>2</sup>; Block C of £1,576/m<sup>2</sup> that compares to the Applicant's £1,721/m<sup>2</sup>; Tabernacle of £3,255/m<sup>2</sup> that compares to the Applicant's £3,500/m<sup>2</sup>; Sports Hall including Block A of £3,867/m<sup>2</sup> that compares to the Applicant's £3,235/m<sup>2</sup>. We have not benchmarked the works to County Court. The combined amount of these differences shows a difference of £707,712 - adjusted benchmark more than the Applicant. We therefore consider the Applicant's costs to be reasonable but note the comments in 3.9, 3.12 and 3.13.

## 2 METHODOLOGY

- 2.1 The objective of the review of the construction cost element of the assessment of economic viability is to benchmark the Applicant's costs against RICS Building Cost Information Service (BCIS) average costs. We use BCIS costs for benchmarking because it is a national and independent database. Many companies prefer to benchmark against their own data which they often treat as confidential. Whilst this is understandable as an internal exercise, in our view it is insufficiently robust as a tool for assessing viability compared to benchmarking against BCIS. A key characteristic of benchmarking is to measure performance against external data. Whilst a company may prefer to use their own internal database, the danger is that it measures the company's own projects against others of its projects with no external test. Any inherent discrepancies will not be identified without some independent scrutiny.
- 2.2 BCIS average costs are provided at mean, median and upper quartile rates (as well as lowest, lower quartile and highest rates). We generally use mean or occasionally upper quartile for benchmarking. The outcome of the benchmarking is little affected, as BCIS levels are used as a starting point to assess the level of cost and specification enhancement in the scheme on an element by element basis. BCIS also provide a location factor compared to a UK mean of 100; our benchmarking exercise adjusts for the location of the scheme. BCIS Average cost information is available on a default basis which includes all historic data with a weighting for the most recent, or for a selected maximum period ranging from 5 to 40 years. We generally consider both default and maximum 5 year average prices; the latter are more likely to reflect current regulations, specification, technology and market requirements.
- 2.3 BCIS average prices are available on an overall £ per sqm and for new build work on an elemental £ per sqm basis. Rehabilitation/conversion data is available an overall £ per sqm and on a group element basis ie. substructure, superstructure, finishings, fittings and services - but is not available on an elemental basis. A comparison of the applicants elemental costing compared to BCIS elemental benchmark costs provides a useful insight into any differences in cost. For example: planning and site location requirements may result in a higher than normal cost of external wall and window elements.
- 2.4 If the application scheme is for the conversion, rehabilitation or refurbishment of an existing building, greater difficulty results in checking that the costs are reasonable, and the benchmarking exercise must be undertaken with caution. The elemental split is not available from the BCIS database for rehabilitation work; the new build split may be used instead as a check for some, but certainly not all, elements. Works to existing buildings vary greatly from one building project to the next. Verification of costs is helped greatly if the cost plan is itemised in reasonable detail thus describing the content and extent of works proposed.
- 2.5 BCIS costs are available on a quarterly basis - the most recent quarters use forecast figures, the older quarters are firm. If any estimates require adjustment on a time basis we use the BCIS all-in Tender Price Index (TPI).
- 2.6 BCIS average costs are available for different categories of buildings such as flats, houses, offices, shops, hotels, schools etc. The Applicant's cost plan should ideally keep the estimates for different categories separate to assist more accurate benchmarking. However if the Applicant's cost plan does not distinguish different



categories we may calculate a blended BCIS average rate for benchmarking based on the different constituent areas of the overall GIA.

- 2.7 To undertake the benchmarking we require a cost plan prepared by the applicant; for preference in reasonable detail. Ideally the cost plan should be prepared in BCIS elements. We usually have to undertake some degree of analysis and rearrangement before the applicant's elemental costs can be compared to BCIS elemental benchmark figures. If a further level of detail is available showing the build-up to the elemental totals it facilitates the review of specification and cost allowances in determining adjustments to benchmark levels. An example might be fittings that show an allowance for kitchen fittings, bedroom wardrobes etc that is in excess of a normal BCIS benchmark allowance.
- 2.8 To assist in reviewing the estimate we require drawings and (if available) specifications. Also any other reports that may have a bearing on the costs. These are often listed as having being used in the preparation of the estimate. If not provided we frequently download additional material from the documents made available from the planning website.
- 2.9 BCIS average prices per sqm include overheads and profit (OHP) and preliminaries costs. BCIS elemental costs include OHP but not preliminaries. Nor do average prices per sqm or elemental costs include for external services and external works costs. Demolitions and site preparation are excluded from all BCIS costs. We consider the Applicants detailed cost plan to determine what, if any, abnormal and other costs can properly be considered as reasonable. We prepare an adjusted benchmark figure allowing for any costs which we consider can reasonably be taken into account before reaching a conclusion on the applicant's cost estimate.
- 2.10 We undertake this adjusted benchmarking by determining the appropriate location adjusted BCIS average rate as a starting point for the adjustment of abnormal and enhanced costs. We review the elemental analysis of the cost plan on an element by element basis and compare the Applicants total to the BCIS element total. If there is a difference, and the information is available, we review the more detailed build-up of information considering the specification and rates to determine if the additional cost appears justified. If it is, then the calculation may be the difference between the cost plan elemental £/m<sup>2</sup> and the equivalent BCIS rate. We may also make a partial adjustment if in our opinion this is appropriate. The BCIS elemental rates are inclusive of OHP but exclude preliminaries. If the Applicant's costings add preliminaries and OHP at the end of the estimate (as most typically do) we add these to the adjustment amounts to provide a comparable figure to the Applicant's cost estimate. The results of the elemental analysis and BCIS benchmarking are generally issued as a PDF but upon request can be provided as an Excel spreadsheet.

### 3 GENERAL REVIEW

- 3.1 We have been provided with and relied upon the Financial Viability Assessment - dated March 2017 issued by DS2 including appendices 1 to 12 and in particular Appendix 5 the High Level Construction Cost Estimate Rev 3 issued by Gardiner & Theobald dated 23.2.17 - base date of cost 4Q2016.
- 3.2 In addition the Cost Estimate Stage 3a Rev E for the school costs issued by Gardiner & Theobald dated 23.2.17 - base date of cost 4Q2016 has been provided and analysed in detail by BPS.

- 3.3 We have also downloaded a number of files from the planning web site.
- 3.4 The cost plan is on a current day basis base 4Q2016. Our benchmarking uses current BCIS data which is on a current tender firm price basis. The BCIS all-in Tender Price Index (TPI) for 4Q2016 is 286 and for 2Q2017 289 - both figures are forecasts.
- 3.5 The cost plan includes an allowance of 15% for preliminaries to the Development site and 19.5% to the whole school cost. **We consider 15% reasonable and given the location, nature of the works and the phasing 19.5% may be appropriate but should be supported by further detail to justify the higher cost.**
- 3.6 The allowance for overheads and profit (OHP) is 6% which we consider reasonable.
- 3.7 The allowance for risk for the Development site is 4% for Design Development and a further 5% for Construction Risks (a total 9%). We consider a total risk allowance of 5% for new build work to be appropriate. The 4% should be omitted from the viability calculation.
- 3.8 The allowance for risk for the whole School Cost is 2.5% for Design Development and a further 5% for Construction Risks (a total 7.5%). We consider a risk allowance of 5% for new build work and 10% for works to existing buildings. We therefore consider these risk allowances to be reasonable.
- 3.9 There is a further addition for Employer other risks of 5% amounting to £1,904,250. This sum might be appropriate as a project contingency but should be excluded from any viability costing.
- 3.10 We have downloaded current BCIS data for benchmarking purposes including a Location Factor for Islington of 123 that has been applied in our benchmarking calculations.
- 3.11 The Development site has an addition of £337,000 adjustment for inflation to both an expected start on site date and to the mid-point for inflation during the construction period. We assess viability on a current cost/ current value basis. In our view for viability purposes this sum should be omitted.
- 3.12 The whole school cost includes the sum of £674,353 for tender inflation to 1Q2018 and a further sum of £988,712 for construction inflation to the mid-point of the two phases. For a viability assessment these sums should be omitted although may be included in the estimated project cost based on the current anticipated programme.
- 3.13 The total whole school cost of £39,990,000 includes for fees, decant and in-house costs, FF&E, ICT and AV equipment plus VAT at 20%. The fees equate to 15.8% - a typical allowance is 12%. A further sum of £587,726 for other below the line fees is identified. The Viability Report para 2.11 refers to the cost of the proposed works as £41.84M. We have not identified the difference between this figure and the cost shown in our analysis of £39.99M.
- 3.14 Refer to our attached file "Commercial Development Site Elemental analysis and BCIS benchmarking". Our benchmarking shows the costs to be reasonable, but the amount for risk (para 3.7) should adjusted and the allowance for inflation (para

3.11) omitted. We therefore consider the construction cost for inclusion in the viability appraisal should be £10,828,000.

- 3.15 Refer to our file "School Costs Elemental analysis and BCIS benchmarking". These show an adjusted benchmark for Block B of £3,411/m<sup>2</sup> that compares to the Applicant's £3,298/m<sup>2</sup>; Block C of £1,576/m<sup>2</sup> that compares to the Applicant's £1,721/m<sup>2</sup>; Tabernacle of £3,255/m<sup>2</sup> that compares to the Applicant's £3,500/m<sup>2</sup>; Sports Hall including Block A of £3,867/m<sup>2</sup> that compares to the Applicant's £3,235/m<sup>2</sup>. We have not benchmarked the works to County Court. The combined amount of these differences shows a difference of £707,712 - adjusted benchmark more than the Applicant. We therefore consider the Applicant's costs to be reasonable but note the comments in 3.9, 3.12 and 3.13.

BPS Chartered Surveyors

Date: 4<sup>th</sup> May 2017

**Central Foundatiion Boys School, Cowper St, EC2A 4SH**  
**BCIS downloaded 4th May 2017**

Development - commercial (offices) Gd + 7 = 8 storey building - assume a/c (shell & core MEPH @ £495/m<sup>2</sup>)  
 Sports Hall 1992m<sup>2</sup> - 500-2000m<sup>2</sup>

Islington LF	123
Estimate 23.2.17 but base 4Q2016 TPI 4Q2016	286
Current TPI 2Q2017	289

<b>Avg prices def</b>		<b>LF100</b>	<b>LF123</b>	<b>sample</b>
Offices generally mean	} new build	1,576	1,938	143
Offices a/c generally mean		1,683	2,070	41
Offices a/c 6+ storey mean		2,020	<b>2,485</b>	7
Offices shell only		560	689	1
Sports Hall generally mean		1,452	1,786	78
Sports Hall 500-2000m <sup>2</sup> mean		1,435	1,765	63
Specialised teaching block - Secondary Schools mean		1,786	2,197	86
6th form specialised teaching blocks		1,894	2,330	16
6th form mixed facilities		1,771	2,178	6
Rehab/convert secondary school mean		834	<b>1,026</b>	12
Rehab/ convert Specialised teaching block - Secondary Schools mean		762	937	9

<b>Avg prices max 5yrs</b>				
Offices generally mean	} new build	1,856	2,283	10
Offices a/c generally mean		1,775	2,183	5
Offices a/c 3-5 storey mean		1,988	2,445	1
Sports Hall generally mean		1,735	2,134	5
Sports Hall 500-2000m <sup>2</sup> mean		1,735	<b>2,134</b>	5
Specialised teaching block - Secondary Schools mean		2,231	<b>2,744</b>	9
6th form specialised teaching blocks		1,676	2,061	5
6th form mixed facilities		1,679	<b>2,065</b>	3
Rehab/convert secondary school mean		504	620	3
Rehab/ convert Specialised teaching block - Secondary Schools mean		626	770	5

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Central Foundation Boys School, Cowper St, EC2A 4SH

High Level Construction Cost Estimate Rev 3 Shell & Core only - Gardiner & Theobald- 23.2.17

Commercial Development Site Elemental analysis & BCIS benchmarking

	GIA m <sup>2</sup>	£	£/m <sup>2</sup>	New bid offices		From ANO	Net
				LF100	LF123	Cat A	Shell only
				£/m <sup>2</sup>	£/m <sup>2</sup>	LF123	LF123
Enabling inc demolition		474,109	124				
<b>1 Substructure</b>		<b>957,083</b>	<b>251</b>	<b>181</b>	<b>223</b>		<b>223</b>
2A Frame		285,824	75	127	156		156
2B Upper Floors		643,529	169	56	69		69
2C Roof		315,478	83	133	164		164
2D Stairs		120,000	31	33	41		41
2E External Walls		2,467,550	647	223	274		274
2F Windows & External Doors				79	97		97
2G Internal Walls & Partitions		101,720	27	76	93		93
2H Internal Doors		127,050	33	52	64		64
<b>2 Superstructure</b>		<b>4,061,152</b>	<b>1,066</b>	<b>779</b>	<b>958</b>		<b>958</b>
3A Wall Finishes		176,130	46	42	52	5	47
3B Floor Finishes		144,970	38	74	91	47	44
3C Ceiling Finishes		49,960	13	42	52	40	12
<b>3 Internal Finishes</b>		<b>371,060</b>	<b>97</b>	<b>158</b>	<b>194</b>		<b>103</b>
<b>4 Fittings</b>		<b>132,480</b>	<b>35</b>	<b>23</b>	<b>28</b>	<b>8</b>	<b>21</b>
5A Sanitary Appliances				18	22		22
5B Services Equipment (kitchen, laundry)				21	26		26
5C Disposal Installations				20	25		25
5D Water Installations - MEP		1,886,445	495	32	39	4	35
5E Heat Source				38	47		47
5F Space Heating & Air Treatment					0		0
5G Ventilating Systems				79	97	81	16
5H Electrical Installations (power, lighting, emergency lighting, standby generator, UPS)				193	237	63	175
5I Fuel Installations				3	4		4
5J Lift Installations		190,000	50	25	31		31
5K Protective Installations (fire fighting, dry & wet risers, sprinklers, lightning protection)				9	11	11	0
5L Communication Installations (burglar, panic alarm, fire alarm, cctv, door entry, public address, data cabling, tv/satellite, telecommunication systems, leak detection, induction loop)				58	71		71
5M Special Installations - (window cleaning, BMS, medical gas) - PVs		30,000	8	25	31	13	17
5N BWIC with Services				18	22	10	12
5O Management of commissioning of services				8	10	5	5
<b>5 Services</b>		<b>2,106,445</b>	<b>553</b>	<b>547</b>	<b>673</b>		<b>486</b>
6A Site Works		30,000	8				
6B Drainage							
6C External Services		326,695	86				
6D Minor Building Works							
<b>6 External Works</b>		<b>356,695</b>	<b>94</b>				
<b>SUB TOTAL</b>		<b>8,459,024</b>	<b>2,220</b>	<b>1,688</b>	<b>2,076</b>	<b>285</b>	<b>1,791</b>
15.0% <b>7 Preliminaries</b>		<b>1,269,000</b>	<b>333</b>				<b>269</b>
6.0% <b>Overheads &amp; Profit</b>		<b>584,000</b>	<b>153</b>				<b>inc</b>
<b>SUB TOTAL</b>		<b>10,312,024</b>	<b>2,706</b>				<b>2,059</b>
4.0% Design Development risks		412,000	108				
5.0% Construction risks		516,000	135				
Employer change risks							
Rounding		-24	0				
<b>SUB TOTAL</b>		<b>11,240,000</b>	<b>2,949</b>				
3.0% Fixed price start Jul20, complete Apr22 mid point May21		337,000	88				
<b>TOTAL</b>		<b>11,577,000</b>	<b>3,038</b>				
say		<b>11,600,000</b>	<b>3,044</b>				
Benchmarking offices with fit out a/c 6+ storey def						2,485	
Add for max 5 years (BCIS data not available)						113	
						2,598	
Omit Cat A fit out						285	
Net shell only						2,312	
Add demolitions		124					
Add external works		94					
Add additional cost of substructure		29					
Add additional cost of external walls & curtain walling (wdws)		276					
		523					
Add prelims 15%		78					
Add OHP 6%		36					
Total adjusted benchmark before additions for risk						637	
						2,949	

