



ISLINGTON

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
2nd Floor, Islington Town Hall, Upper Street,
N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO: B2
Date:	2 nd March 2020	

Application number	P2019/3742/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	N/A
Conservation area	Bunhill Fields & Finsbury Square
Development Plan Context	Central Activities Zone; Bunhill & Clerkenwell Key Area; Employment Priority Area (Offices); City Fringe Opportunity Area; Archaeological Priority Area (Moorfields); Mayor's Protected Vistas; Within 100m of SRN; Article 4 Direction A1-A2 (rest of borough); Article 4 Direction B1(c) to C3; Heathrow Safeguarding Area.
Licensing Implications	None
Site Address	33 Finsbury Square, London, EC2A 1BB.
Proposal	Continued Use of the building as a Non-Residential Institution (use Class D1) to be personal to City University and successor bodies (and to revert to B1 [Business] in the event of the cessation of the university's use).

Case Officer	Stefan Sanctuary
Applicant	City University
Agent	Gerald Eve

1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 1; and
- 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

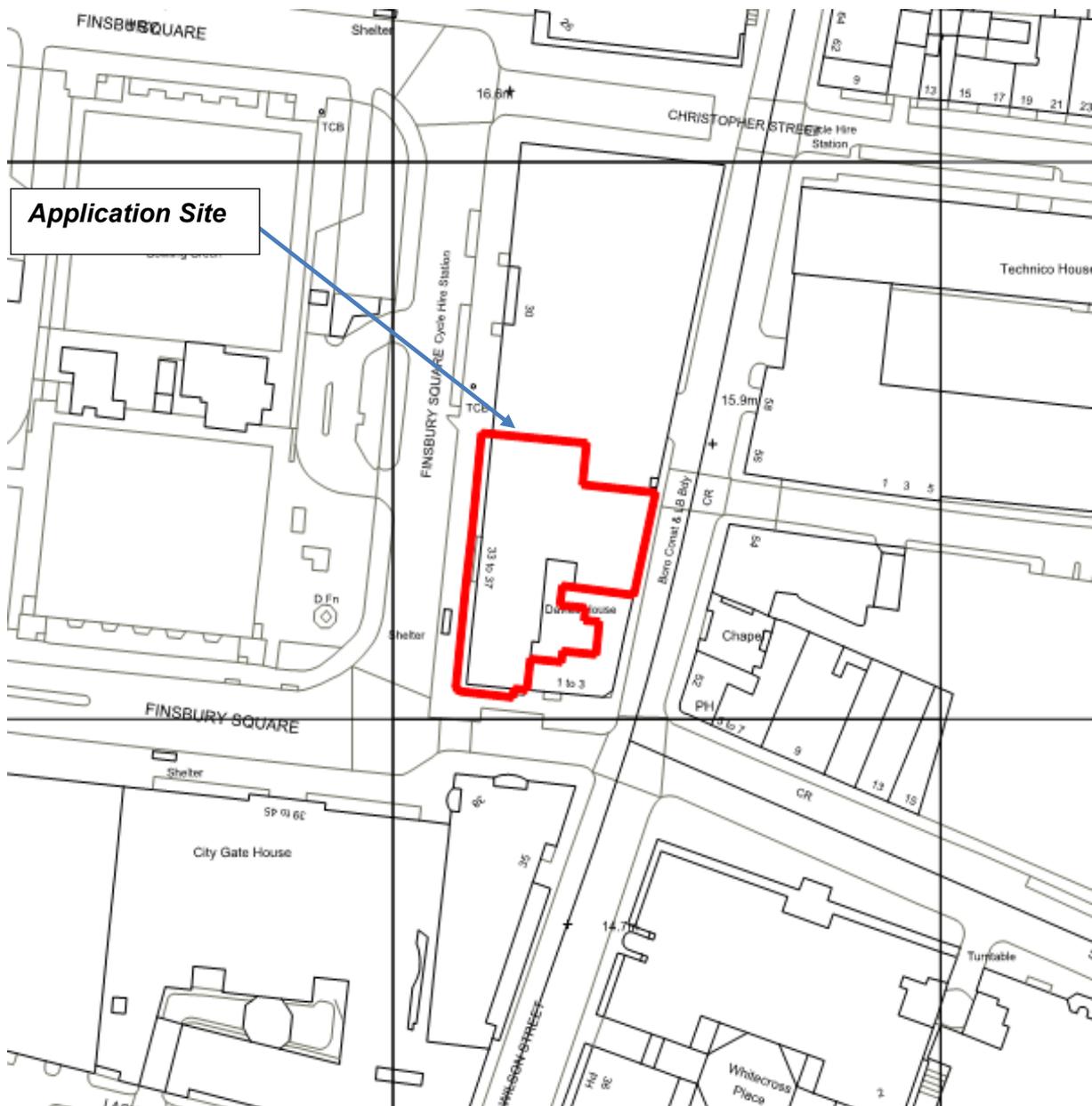


Fig 2.1 Site plan. Application site outlined in red / black

3. PHOTOS OF SITE/STREET

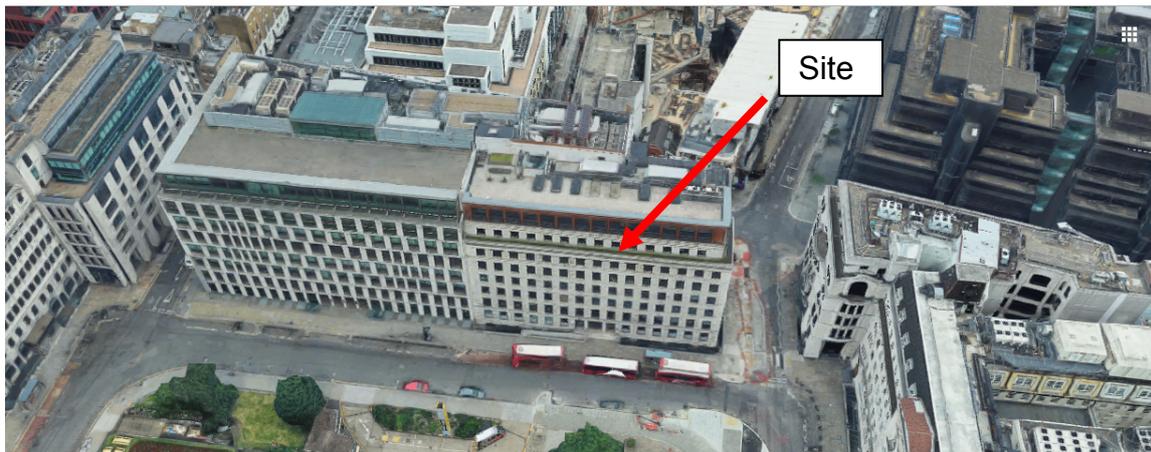


Fig 3.1 Birds-Eye View looking east

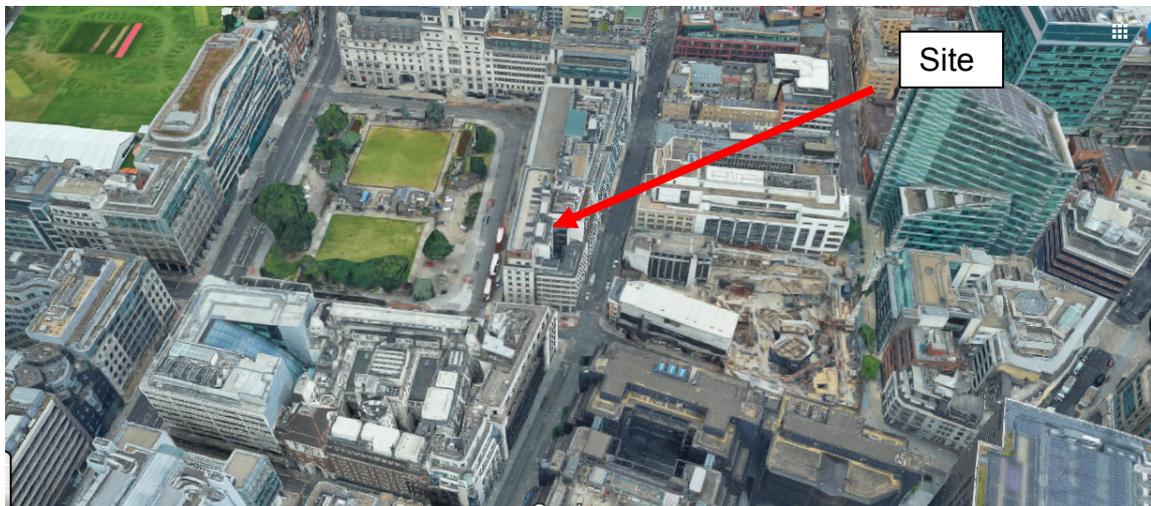


Fig 3.2 - Birds eye view looking north



Fig 3.3 View from the front looking north-east



Fig 3.4 View from front looking south-east



Fig 3.5 Building's Rear Elevation

4 SUMMARY

- 4.1 The site forms the southern third of the block bounded by Finsbury Square, Sun Street, Wilson Street, and Christopher Street. The building consists of nine storeys together with a basement and lightwell. The building was constructed in the 1950s in a simplified classical modern style with little detailing and ornamentation. It is not listed but lies within the Finsbury Square/Bunhill Fields Conservation Area. Since its original construction, there has been a more recent two-storey extension at roof level, granted consent in 2011.
- 4.2 The proposal involved the retention of the building and its continued use for education purposes. The site currently has a personal permission for Liverpool University under application P2012/0624/FUL for D1 use (Non-Residential Institution) and this application seeks for a continued use of the building as a D1 Use to be personal to City University and successor bodies (and to revert to B1 [Business] in the event of the cessation of the university's use). No development, physical alterations or changes of use are proposed.
- 4.3 Since 2013, there has been a change in material circumstances meaning that demand for office space has significantly increased. The application does not maximise or optimise B1 office accommodation, which is a policy expectation for sites within the Employment Priority Area (Offices) and City Fringe Opportunity Area. However, notwithstanding this, it is considered that an exception can be made for City University's Cass Business School in this instance on the basis that the proposal would continue the existing educational use and thus does not result in a loss of existing B1 office floorspace. Moreover, the use is an educational use that serves a wider objective of providing local employment skills and training and the use would directly serve to support and complement the central London economy as outlined in the main body of the report below.
- 4.4 There is not considered to be any additional impacts on neighbouring amenity in terms of loss of daylight/sunlight, privacy or increased noise and disturbance as a result of the proposal. The proposal is considered to be a sustainable use of an existing building in a sustainable location with excellent access to public transport.
- 4.5 The proposal is considered acceptable in planning terms, subject to condition and the satisfactory conclusion of the legal agreement, and is therefore recommended for approval.

5 SITE AND SURROUNDINGS

- 5.1 The site forms the southern third of the block bounded by Finsbury Square, Sun Street, Wilson Street, and Christopher Street. The building consists of nine storeys together with a basement and lightwell. The building was constructed in the 1950s in a simplified classical modern style with little detailing and ornamentation. It is not listed but lies within the Finsbury Square/Bunhill Fields Conservation Area. There has been a recent two-storey extension at roof level.
- 5.2 Situated north of the Moorgate border to the City of London, and located within the Bunhill Fields / Finsbury Square Conservation Area, this area contains a number of significant buildings and open spaces, including Bunhill Fields and Wesley's Chapel. Finsbury Square and the playing fields of the Honourable Artillery Company are also nearby ancient open spaces.
- 5.3 City Road and Tabernacle Street are lined with solid late-Victorian, Edwardian and contemporary buildings, which are predominantly in commercial and hospitality (including hotel) use. Generally, the area has a character of Edwardian grandeur and Victorian commercialism which relates well to the spaces and streets because of scale, materials and

architectural detailing. Finsbury Square itself is composed entirely of early 20th century and post war buildings dating from either the 1950s or more recent additions

6 PROPOSAL

- 6.1 The proposal involves the retention of the building and its continued use for education purposes. The site currently has a personal permission for Liverpool University under application P2012/0624/FUL for D1 use (Non-Residential Institution) and this application seeks for a continued use of the building as a D1 Use to be personal to City University and successor bodies (and to revert to B1 [Business] in the event of the cessation of the university's use). No physical alterations or changes are proposed.



Existing / Proposed Front elevation

7 RELEVANT HISTORY

Planning Applications – Application Site

- 7.1 The following is the most recent planning history on the site:
- Planning permission (P102727) granted on the 31st of August 2012 for two additional storeys and versatile use of the ground and lower ground floors of the existing office building at 33 Finsbury Square, London, EC2A 1BB.
 - Planning permission (P122294) granted on the 12th December 2012 for the extension of the external staircase to 1-3 Sun Street upwards to serve the three upper floors, as on emergency exit stair; partial enclosure (cladding) to Wilson Street elevation; roof covering.

- Planning permission (P120624) granted on the 22nd March 2013 for the change of use from mixed use (A1 [Shops] A3 [Restaurants and Cafes], D2 [Assembly and Leisure] and B1 [Business]) to D1 [Non Residential Institutions] to be personal to the University of Liverpool (and to revert to B1 [Business] in the event of the cessation of the university's use).
- Planning permission (P2014/1587/FUL) granted on the 9th July 2014 for the installation of external plant at roof level including condensers for cold store, extract units, and a plant screen: installation of revolving front doors to the Finsbury Square elevation.

Pre-application Advice:

- 7.2 No formal pre-application advice was requested or provided in relation to the planning application being considered here.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 38 adjoining and nearby properties in Finsbury Square, Sun Street, Wilson Street and Earl Street on the 24th January 2020. A site notice and a press advert were displayed on the 23rd January 2020. The initial period of public consultation on the application therefore expired on the 17th February 2020, though it is the Council's practice to accept neighbour representations up until the day of Committee. No letters of objection or comments were received in response to the consultation letters.

External Consultees

- 8.2 The Crime Prevention Design Advisor: was consulted on the application, offering no comments in response.

Internal Consultees

- 8.3 The Council's Access Officer was consulted on the application. No objections were raised.
- 8.4 Planning Policy were consulted, offering no comments in response.
- 8.5 Public Protection were consulted. No comments were received in response.
- 8.6 Highways and Transport Planning were consulted, but no comments were received in response.
- 8.7 The Council's Energy Team were consulted but no comments were received in response.

9 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

- 9.1 The National Planning Policy Framework 2018 (as revised) 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.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy (2011) and Islington Development Management Policies (2013) and 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.

Emerging Policies

Draft London Plan, (Intend to Publish Version) December 2019

- 9.3 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State has appointed a Panel to conduct an examination in public ("EIP") this opened on 15 January 2019 and continued until May 2019. The Planning Inspector made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with a version which is intended to be published by March 2020. Whilst the draft London Plan does not have the full weight of a statutory development plan at this stage, it is capable of being considered a material consideration.

Draft Islington Local Plan 2018

- 9.4 From 20 November 2018 to 14 January 2019, the Council consulted on a Regulation 18 draft of the new Local Plan. There have been objections to policies relevant to this application. The Regulation 19 Draft of the Local Plan is scheduled to be taken to Full Council for approval at the end of June 2019, and the Independent Examination into the draft Local Plan is expected to take place in Spring 2020. As such, the draft Local Plan has limited weight. Relevant policies are also included at Appendix 2.

Designations

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

Islington Local Plan

- Central Activities Zone;
- Bunhill & Clerkenwell Key Area;
- Employment Priority Area (Offices);
- Archaeological Priority Area (Moorfields);
- Bunhill Fields & Finsbury Square Conservation Area;
- City Fringe Opportunity Area;
- Mayor's Protected Vistas;
- Article 4 Direction A1-A2;
- Article 4 Direction B1(c) to C3;
- Heathrow Safeguarding Area.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and Conservation
- Neighbouring Amenity
- Highways and Transportation
- Planning Obligations.

Land-use policy

Policy Context

10.2 The National Planning Policy Framework (NPPF) recommends strategic policies that set out an overall strategy to make provision for community facilities, which includes education infrastructure (paragraph 20). Paragraph 94 of the NPPF requires local planning authorities to take a proactive, positive and collaborative approach to widening the choice in education.

10.3 London Plan Policy 3.18 'education facilities' states that the Mayor will support provision of further and higher education facilities adequate to meet the demands of a growing and changing population. Part (C) of the policy supports development proposals which enhance education and skill provision. Part (I) of the policy goes on to state that "*boroughs should support and maintain London's international reputation as centre of excellence in higher education*". The supporting text of the policy recognises the important part that higher education facilities play in enabling London to remain globally competitive and providing Londoners with the high order skills necessary to succeed in a changing economy.

10.4 At the same time, London Plan Policy 4.2 (Offices) supports 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

10.5 The application site lies within the Bunhill and Clerkenwell Area of the borough and thus Islington Core Strategy Policy (ICS) CS7 is of relevance. The Policy states that employment development in the area will contribute to a diverse local economy which supports and complements the central London economy. Moreover, the policy confirms that there are a number of notable educational institutions in the area, such as City University, with historic ties to the area, whose expansion in the area will be supported.

10.6 The site is currently within educational use, which is personal to the University of Liverpool, with the site reverting back to employment (B1 use) once the current occupiers vacate the site. As such, Policy CS13 (Employment Spaces) is also of relevance, which states that existing business spaces should be safeguarded throughout the borough by protecting against change of use to non-business uses, particularly in the CAZ.

10.7 The site is also located within the Employment Priority Area (Offices) of Islington's Finsbury Local Plan (Bunhill/Clerkenwell) and as such Policy BC8 is of relevance. The Policy states that no net loss in business floorspace is permitted through the change of use or redevelopment unless exceptional circumstances can be demonstrated. The Policy also states that the proportion of office B1(a) floorspace provided within a development or a change of use should be optimised.

- 10.8 The emerging draft London Plan Policy GG1 (Building strong and inclusive communities) seeks to ensure that London continues to generate a wide range of economic and other opportunities, and that everyone is able to benefit from these to ensure that London is a fairer, more inclusive and more equal city. Policy S1 (Developing London's social infrastructure) states, inter alia, that development proposals that provide high quality, inclusive social infrastructure that address a local or strategic need and support service delivery strategies should be supported. Moreover, Policy S3 supports education facilities and requires for development proposals to ensure that there is no net loss of education facilities, unless it can be demonstrated that there is no ongoing or future need.
- 10.9 Finally, draft Policy BC1 of Islington's emerging Bunhill and Clerkenwell area action plan requires for all development proposals providing 500sqm or more net increase in floorspace to comprise of at least 90% office floorspace (as a proportion of the total gross floorspace proposed) in the City Fringe Opportunity Area, unless there are mitigating circumstances such as that the proposal is publicly-funded or serves a public service such as educational or as a research institution.

Assessment

- 10.10 There are various opposing threads of planning policy, which need to be fully considered here, not least the support for educational uses across local, regional and national planning policy and guidance on the one hand and the support for business uses, particularly B1(a) offices, within the Bunhill and Clerkenwell Area of the CAZ on the other. Policy CS13 and Finsbury Local Plan BC8 resist the loss of office/business uses within the CAZ, and in particular within the Employment Priority Area (Offices), through development or change of use; and while the application does not constitute development or change of use per se, it is clear that the proposal does not optimise or maximise office uses, which is the consistent thread running through planning policy for this area of the Bunhill/Clerkenwell.
- 10.11 The original consent for the building to be used for education purposes (P2012/0624/FUL) approved a change of use from business uses (B1) to educational uses (D1) as it was supported by 2 years marketing evidence to demonstrate exceptional circumstances in accordance with policy BC8. The consent that was given was personal to the University of Liverpool with the following condition attached to the permission:
- "Planning permission is hereby granted on a personal basis and shall operate for the benefit of The University of Liverpool only and shall not operate for the benefit of the land nor any other person or company having an interest therein.*
- On the cessation of the personal planning permission hereby granted the building and land shall revert to the use/purpose for which it was normally used prior to the grant of this planning permission (B1 Office)."*
- 10.12 As Liverpool University would be vacating the building and ceasing the use, the building would revert back to B1 office use. City University are thus applying for the continued use of the building for educational purposes, as the use would otherwise revert back to B1 use. The application is not supported by marketing evidence or a market demand assessment, presumably because there is no evidence that there is a lack of demand for offices in this location. Indeed, since 2013, demand for office space has significantly increased and to accommodate this growth, evidence produced by the Council demonstrates an unprecedented high need for additional office floorspace – 400,000sqm up to 2036. Although it is recognised that D1 education uses will generate employment, the number of jobs created is likely to be low in comparison with office uses.

- 10.13 However, the application is accompanied by information and details supporting the continued use of the building for educational purposes by City University and cites the particular background of the University in supporting and promoting business uses. As such, the applicants refer to the Committee Report for the original consent which granted the use of the building by University of Liverpool in which it was considered that the proposed use would “*directly and specifically support the business function of the city*”. Indeed, City University intend to use the building for its Cass Business School which is considered to support the City of London and the types of business that operate within the city by providing an educational and research function.
- 10.14 It is also confirmed that the University of Liverpool has used, and is still using, the building for its business course(s) and that there would be little difference in the nature of educational use that is proposed on the basis that City is proposing to use the building for its Cass Business School. As with the University of Liverpool permission, the proposals would be complimentary to the primary economic function of the area, providing opportunities for local employers to expand the skill-sets of their employees by utilising the business related courses which would be offered by City. At the same time, universities in general and City University in particular, are a significant source of local employment and contributor towards improved skills and training for local people including Islington residents.
- 10.15 With respect to adding social value to the London Borough of Islington, the applicant confirms that City University is working across a number of areas which support the Borough’s priorities including:
- (i) working with Islington Council on local applied research, supporting the evaluation of local projects, involvement in the Living Wage Action Group and Skills Strategy and Application for Affordable Workspace;
 - (ii) drawing up a new Civic Engagement Strategy for City which will enhance existing civic activities as well as developing new initiatives targeted to addressing local priorities;
 - (iii) offering bursaries and scholarships across its undergraduate courses and running foundation programmes to support the transition from secondary to tertiary education;
 - (iv) engaging with over 600 pupils each academic year, offering free taster weeks, spotlight session, campus tours, mentoring and numeracy and literacy tutoring;
- 10.16 The application is also supported by an Economic and Social Statement that sets out the benefits of having the Cass Business School and City University, as a wider institution, within LBI. The Statement demonstrates that “*no other institution in LBI provides the range of employment related activities as Cass does in this locality*” and that the proposal would increase the range of services, facilities and benefits to residents and businesses in the locality and the London Borough of Islington. The Economic and Social Statement sets out the varying strands of City’s initiatives within LBI.
- 10.17 For instance, the Cass Business School has an established presence in the area with an extensive network of links to traditional both traditional ‘Square Mile’ sectors such as banking and insurance as well as new areas of innovation and entrepreneurship associated with the City Fringe, which makes the specific location here particularly important. Moreover, the school provides high quality Continuing Professional Development (CPD) to professionals in the City/CAZ and leads on City’s commitment to social enterprise and entrepreneurship, and the proposal would allow this activity to be further expanded.
- 10.18 The Statement supporting the application also refers to a number of key programmes and projects that City University and the Cass Business School would be able to continue to

develop and provide at the application site in the event of planning permission being granted. These include:

- City Ventures, which supports and develops a wide range of start-ups and entrepreneurship;
- City Launch Lab, which hosts a successful accelerator programme and focuses on expert-led learning;
- The Cass Entrepreneurship Fund, which facilitates commercial investments.

10.19 Finally, the supporting information also confirms that Finsbury Square provides an excellent opportunity to expand on this success by positioning City's entrepreneurial activity closer to investors and potential sources of funding, often cited amongst one of the major reasons for Start-ups failing (i.e. lack of or distance from potential funding). This type of space also presents a rare opportunity for start-ups to access a premium location, which will provide young enterprises with the head start to establish themselves in a highly valuable network. The applicants have also confirmed their willingness to include the above-mentioned programmes and initiatives within a (s106) legal agreement so that some of the social and economic value generated by the use is secured through the planning permission.

10.20 As such, the continued use of the application site for educational purposes, by City University's Cass Business School, is considered to directly support and compliment the functions of the city. While the proposal does not optimise or maximise B1 office uses, the use would continue to provide an important employment function, given the important employment role universities provide in Islington. Moreover, the proposed continued use for educational purposes is consistent with London Plan Policy 3.18 which require boroughs to support and maintain London's international reputation as centre of excellence in higher education.

10.21 The proposal would also be consistent with Policy CS7 of the Finsbury Local Plan, which supports the expansion of educational institutions with historic ties to the area, such as City University. The proposal to locate the Cass Business School at the subject site, with its track-record of delivering the programmes and initiatives described above, is also considered to be consistent with another strand of Policy CS7, which encourages employment development in the area to contribute to a diverse local economy which supports and complements the central London economy.

10.22 In terms of emerging policy, there is consistent support for the expansion of educational uses in Islington's Local Plan as well as the emerging new London Plan. Though Policy BC1 of Islington's emerging Bunhill and Clerkenwell area action plan requires for development proposals to maximise B1 office floorspace in the area, the policy also allows for exceptional circumstances in cases that proposals are publicly-funded or serve a public service such as educational or as a research institution.

10.23 So, while the application does not maximise or optimise B1 office accommodation, which is a consistent thread running through planning policy for sites within the Employment Priority Area (Offices) and City Fringe Opportunity Area, it is considered that an exception can be made for City University's Cass Business School in this instance on the basis of the following: (i) that the application continues the existing educational use and thus does not result in a loss of existing B1 office floorspace; (ii) the use is an educational use that serves a wider objective of providing local employment skills and training, and (iii) that the use would directly serve to support and complement the central London economy. Planning obligations securing the planning benefits referred to this report will be secured through the legal agreement in the event of planning permission being granted.

Design, Conservation & Heritage

- 10.24 The NPPF (2018) introduces the presumption in favour of sustainable development, paragraph 124 states that *'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*
- 10.25 London Plan (2016) Policies 7.1, 7.4 and 7.6 are relevant to the design of new development, as are Islington Core Strategy Policies CS8 and CS9, which require the scale of development to reflect the character of the area and new buildings to be of sympathetic scale and appearance and to be complementary to local identity. Development Management Policies DM2.1 and DM2.3 provide further detail about design and heritage requirements and expectations.
- 10.26 The application does not propose any external changes to the building and thus there is no need for an assessment of the proposal's design and appearance. The existing building is of an attractive design and the proposal to retain the building would not have any effect on the character or appearance of the Bunhill Fields and Finsbury Conservation Area. The subject building's front elevation is shown below.



Neighbouring Amenity

- 10.27 All new developments are subject to an assessment of their impact on neighbouring amenity; including in terms of daylight, sunlight, privacy, increased sense of enclosure, noise and disturbance as required by London Plan Policies 7.14 and 7.15 and Development Management Policy DM2.1.
- 10.28 Given the City Fringe location, there are very few neighbouring residential occupiers. In any case, the application does not propose change of use or redevelopment and would simply continue the existing educational use. As such, the application is not considered to result in a material change from the existing use that would result in increased impacts on neighbouring residential amenity in terms of loss of daylight/sunlight, loss of privacy, overlooking, noise and disturbance or outlook.

Sustainability and Energy

- 10.29 Planning application for major development or change of use are normally subject to an assessment of their sustainability, energy efficiency and carbon emissions. As the application does not propose physical alterations, extensions, development or change of use per se, such an assessment is not considered necessary or relevant. However, a condition is recommended (*condition 5*) to require details of a Green Performance Plan to be submitted in order to monitor the ongoing performance of the building in terms of its sustainability and green credentials.

Highways and Transportation

- 10.30 The building is within a highly accessible location, with a PTAL rating of 6b – excellent. This is due to the close proximity of a number of underground and bus routes. It is considered that the location encourages students and staff to use sustainable transport modes in line with the London Plan Policy 6.1 and Islington's Development Management Policy DM8.3 and DM8.4.
- 10.31 As the use of the site is not changing, and there are no changes to the floorspace figures, it is considered that there will be no additional requirement on the surrounding or wider transport networks, in line with Policy DM8.2. The applicant has confirmed that all deliveries, servicing and waste arrangements will remain as per the existing arrangements for the University of Liverpool and the application is also accompanied by an outline delivery and servicing plan. The plan details restricted delivery and servicing hours to minimise impacts and is considered acceptable.
- 10.32 The applicant has confirmed that there would be no change to the cycle parking requirements and provision but it is not clear what these are. As such, a condition (6) is recommended in order to require further details of cycle parking to be submitted and approved. A further condition (4) is recommended in the event of planning permission being granted to require a Travel Plan to be submitted and approved, in order to further promote sustainable forms of transport.
- 10.33 In summary, the proposed development is located within a highly accessible location and seeks to encourage sustainable transport modes. As such the proposed development is considered to comply with national and local planning policy requirements.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.34 The proposal does not seek to increase the amount of floorspace through extensions, basement excavations or layout changes. However, a number of planning obligations are considered necessary to mitigate the impacts of the development as outlined in the main body of the report.
- 10.35 The heads of terms that have been agreed with the applicant would suitably mitigate any impacts of the development. They are considered to be fairly and reasonably related in scale and kind to the scale and nature of the proposals. None of the contributions represent items for which five or more previous contributions have been secured. The full list of contributions is set out at Appendix 1 of this report.
- 10.36 These obligations sought by the Council satisfy the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (and paragraph 204 of the NPPF), as set out below:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The site forms the southern third of the block bounded by Finsbury Square, Sun Street, Wilson Street, and Christopher Street. The building consists of nine storeys together with a basement and lightwell. The building was constructed in the 1950s in a simplified classical modern style with little detailing and ornamentation. It is not listed but lies within the Finsbury Square/Bunhill Fields Conservation Area. There has been a recent two-storey extension at roof level.
- 11.2 The proposal involved the retention of the building and its continued use for education purposes. The site currently has a personal permission for Liverpool University under application P2012/0624/FUL for D1 use (Non-Residential Institution) and this application seeks for a continued use of the building as a D1 Use to be personal to City University and successor bodies (and to revert to B1 [Business] in the event of the cessation of the university's use). No development, physical alterations or changes of use are proposed.
- 11.3 Whilst the application does not maximise or optimise B1 office accommodation, which is a policy expectation for sites within the Employment Priority Area (Offices) and City Fringe Opportunity Area, it is considered that an exception can be made for City University's Cass Business School in this instance on the basis that the proposal would continue the existing educational use and thus does not result in a loss of existing B1 office floorspace. Moreover, the use is an educational use that serves a wider objective of providing local employment skills and training and the use would directly serve to support and complement the central London economy as outlined in the main body of the report below.
- 11.4 There is not considered to be any additional impacts on neighbouring amenity in terms of loss of daylight/sunlight, privacy or increased noise and disturbance as a result of the proposal. The proposal is considered to be a sustainable use of an existing building in a sustainable location with excellent access to public transport.
- 11.5 The proposal is considered acceptable in planning terms, subject to condition, and is therefore recommended for approval.

Conclusion

- 11.6 The proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to Section 106 Agreement and conditions as set out in Appendix 1– RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted 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 Area Team Leader:

- The continued delivery of the programmes and initiatives of the type set out in the submitted Social and Economic Statement.
- Submission of a Green Performance Plan.
- Submission of a draft framework Travel Plan with the planning application, 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 (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

All payments to the Council are to be index linked from the date of Committee and are due upon implementation of the planning permission.

That, should the **Section 106** Deed of Planning Obligation not be completed within the timescales set within the Planning Performance Agreement, the Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development 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, Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader 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:

List of Conditions:

1	Commencement (compliance)
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

	<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>Approved plans list (compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Cover Letter by Gerald Eve dated 19th December 2019; Site Location Plan: CBS _ RSS _ 02 _ ZZ _ DR _ A _ 0005; Existing and proposed drawing number: CBS _ RSS _ 02 _ ZZ _ DR _ A _ 1205; Existing and proposed elevations: 137_PL_035 Rev P1 Maintenance, Servicing, Deliveries and Waste Strategy; Cover Letter dated 8th January 2020 by City University; Planning Statement dated 17th December 2019 by Gerald Eve; Social and Economic Statement by City University.</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>Personal consent (compliance)</p> <p>CONDITION: Planning permission is hereby granted on a personal basis and shall operate for the benefit of City University and successor bodies.</p> <p>On the cessation of the personal planning permission hereby granted the building and land shall revert back to B1 office use.</p> <p>REASON: The council in determining the planning application consider that permission should only be granted subject to its limitation on a personal basis. It is considered that the grant of planning permission on a non-personal basis may cause harmful. The limitation of planning permission ensures compliance with policies: CS13 of the Islington Core Strategy 2012 and section 57(2) of the Town and Country Planning Act 1990 (as amended).</p>
4	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: Details of cycle parking shall be submitted and approved in writing by the Local Planning Authority prior to the occupation of the application hereby approved.</p> <p>The development 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 adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
5	<p>Lighting and Roller Blinds</p> <p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the conservation area shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted. These measures might include:</p> <ul style="list-style-type: none"> · Automated roller blinds;

	<ul style="list-style-type: none"> · Lighting strategies that reduce the output of luminaires closer to the façades; · Light fittings controlled through the use of sensors. <p>The blinds are to be set on an automated timer and automatically lowered daily between the hours of 20:00 to 07:00 the following day, and shall cover the full extent of the windows. The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
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List of Informatives:

1	<p>POSITIVE STATEMENT</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	<p>SIGNAGE</p> <p>The applicant is advised that additional Advertisement Consent may be required for any new or additional business identification signage adhered to the fabric of the building.</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 2018 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, and Finsbury Local Plan 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

3 London's people

Policy 3.2 Improving health and addressing health inequalities

4 London's economy

Policy 4.1 Developing London's economy

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

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

7 London's living places and spaces

Policy 7.1 Lifetime Neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.4 Local character

8 Implementation, monitoring and review

Policy 8.1 Implementation

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Policy CS7 (Bunhill and Clerkenwell)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS10 (Sustainable Design)

Policy CS13 (Employment Spaces)

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

Health and open space

DM6.1 Healthy development

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

Transport

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.3 Implementation

D) Finsbury Local Plan June 2013

BC8 Achieving a balanced mix of uses

BC10 Implementation

3. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Finsbury Local Plan (2013)
- Planning Obligations (Section 106) (December 2016)
- Environmental Design
- Inclusive Design in Islington (February 2014)

London Plan

- Accessible London: Achieving and Inclusive Environment
- Shaping Neighbourhoods: Character and Context
- Sustainable Design & Construction
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy

Emerging Policies

Draft London Plan (Intend to Publish Version) December 2019

The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State has appointed a Panel to conduct an examination in public (“EIP”) this opened on 15 January 2019 and continued until May 2019. The Planning Inspector made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with a version which is intended to be published by March 2020. Whilst the draft London Plan does not have the full weight of a statutory development plan at this stage, it is capable of being considered a material consideration.

Policy GG1 Building strong and inclusive communities

Policy GG5 Growing a good economy

Policy D13 Noise

Policy E1 Offices

Policy E11 Skills and opportunities for all

Policy HC3 Strategic and local views
Policy HC5 Supporting London's culture and creative industries
Policy S1 Developing London's social infrastructure
Policy S3 Education and social care facilities
Policy SI2 Minimising greenhouse gas emissions
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T5 Cycling
Policy T6 Car parking
Policy T7 Deliveries, servicing and construction

Draft Islington Local Plan 2018

From 20 November 2018 to 14 January 2019, the Council consulted on a Regulation 18 draft of the new Local Plan. There have been objections to policies relevant to this application. The Regulation 19 Draft of the Local Plan is scheduled to be taken to Full Council for approval at the end of June 2019, and the Independent Examination into the draft Local Plan is expected to take place in Spring 2020.

Policy B3 Existing business floorspace
Policy B5 Jobs and Training Opportunities
Policy S1 Delivering sustainable design
Policy S3 Sustainable design standards
Policy T2 Sustainable transport choices
Policy T3 Car-free development
Policy T4 Public Realm
Policy T5 Delivery, servicing and construction
Policy DH1 Fostering innovation while protecting heritage

Bunhill and Clerkenwell AAP

BC1 – Prioritising Office Use
BC3 – City Fringe Opportunity Area