



The Planning
Inspectorate

Report to Islington London Borough Council

by Sue Turner

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 30 April 2013

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO THE FINSBURY LOCAL PLAN

Document submitted for examination on 16 August 2012

Examination hearing held on 10 December 2012

File Ref: V5570/429/5

Abbreviations Used in this Report

| | |
|-------|--|
| AA | Appropriate Assessment |
| CAZ | Central Activities Zone |
| CPVS | Combined Policy Viability Study |
| CRM | City Road Masterplan |
| CS | Core Strategy |
| FLP | Finsbury Local Plan |
| GTB | English Heritage/ CABI: Guidance on Tall Buildings |
| IDP | Infrastructure Delivery Plan |
| IES | Islington Employment Study |
| LDS | Local Development Scheme |
| LP | Local Plan |
| LPA | Local Planning Authority |
| MM | Main Modification |
| NPPF | National Planning Policy Framework |
| SA | Sustainability Appraisal |
| SCI | Statement of Community Involvement |
| SCS | Sustainable Community Strategy |
| SHLAA | Strategic Housing Land Availability Assessment |
| UDS | Bunhill and Clerkenwell Urban design Study |
| WS | Waterspace Strategy |

Non-Technical Summary

This report concludes that the Finsbury Local Plan provides an appropriate basis for the planning of the Borough over the next 15 years providing a number of modifications are made to the Plan. The Council has specifically requested that I recommend any modifications necessary to enable them to adopt the Plan. All of the modifications to address this were proposed by the LPA, and I have recommended their inclusion after full consideration of the representations from other parties on these issues.

The modifications can be summarised as follows:

- Take account of development viability by adding flexibility to allow proposals for redevelopment of office floorspace to take account of market demand;
- Ensure deliverability by broadening the range/mix of uses for allocations at 96-100 Clerkenwell Road, Angel Gate (Goswell Road), Clerkenwell Fire Station and 11 Shire House (Lamb's Passage);
- Clarify the need to protect heritage assets in the Northampton Square, Goswell Road and Spencer Street area;
- Clarify locational criteria for visitor accommodation in the CAZ; and
- Amend Policy BC10 to add a presumption in favour of sustainable development.

Introduction

1. This report contains my assessment of the Finsbury Local Plan (FLP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for the examination is the submitted draft plan (June 2012) which, subject to changes made to address matters raised in consultation, is essentially the same as the document published for consultation in October 2011.
3. This report deals with the main modifications that are needed to make the plan sound and legally compliant and they are identified in bold (**MMF**). In accordance with section 20(7C) of the 2004 Act, the Council requested that I should make any modifications needed to rectify matters that make the plan unsound and thus incapable of being adopted. These main modifications are set out in the Annex.
4. The main modifications that go to soundness have been subject to public consultation and, where necessary, Sustainability Appraisal (SA) and I have taken the consultation responses into account in writing this report.

Assessment of Duty to Co-operate

5. Section s20(5)(c) of the 2004 Act requires this report to consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. The Council has prepared a Duty to Co-operate Statement which summarises how it has co-operated with other Local Planning Authorities (LPAs) and with the additional bodies prescribed in Regulation 4 of the 2012 Regulations.
6. Plan preparation has been informed by the Islington Strategic Partnership which was formed in 2001 and included a range of organisations covering emergency services, health and education providers and the Islington Chamber of Commerce. The Council has also participated in meetings of the Association of London Borough Planning Officers, Central London Forward and Islington Registered Provider Development Forum.
7. In preparing the FLP, which identifies where and how much growth is likely to occur in the Bunhill and Clerkenwell area, the Council has worked closely with neighbouring boroughs through meetings and ad hoc discussions. Discussions have included strategic issues relating to matters such as housing, employment and retail and leisure, climate change and heritage and design. Development of the FLP has also been based on collaborative working with GLA and its policies and allocations are consistent with London Plan policies relating to the Central Activities Zone (CAZ).

8. Cross- borough working has been undertaken to bring forward sites at or near the borough boundary. Liaison with the London Borough of Hackney and Transport for London has been undertaken to manage change in the Old Street Roundabout area.
9. Taking account of the Council's approach to plan preparation, the FLP policies and the proposals for delivering site allocations and infrastructure it is evident that the Duty to Co-operate has been met.

Assessment of Soundness

Main Issues

10. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified eight main issues upon which the soundness of the Plan depends.

Issue 1 – Overview - is the Plan consistent with the NPPF and has it been positively prepared to deliver the level of development that is identified for the FLP area in the Core Strategy?

11. The FLP covers the Bunhill and Clerkenwell area of Islington, which is identified in the Core Strategy (CS) as Key Area 7. Whilst much of the area is of historic value and requires careful management, it is also an area of significant change and lies within London's CAZ. Policy CS7 of the CS sets out the strategic direction for the area and states the intention to prepare an area Local Plan to address the anticipated degree of change and the range of conflicting pressures. The FLP sits alongside the emerging Site Allocations Local Plan which allocates sites in the rest of Islington.
12. The FLP identifies seven key areas of change and conservation where it is intended to focus resources. For each of these areas it includes a spatial policy, which identifies the site allocations and estimated quantum of development, sets out how change and development will be implemented and lists the community infrastructure and public realm priorities for that area. Not all of the plan area falls within a key area of change but the whole area is covered by Policy BC8, which seeks to achieve a balanced mix of uses in the CAZ and Policy BC9, which deals with tall buildings throughout the plan area. The delivery and monitoring chapter of the FLP also applies to the whole area.
13. Table 1 of the FLP sets out the quantum and indicative phasing of new development and open space in the area. Whilst the CS identified a target of 3,200 homes for the area for the period 2010 to 2025, the FLP plans to deliver 3,417 new homes over the period 2012 - 2027. Table 1 shows that in each of the three phases the CS housing trajectory targets will be exceeded.
14. The CS estimated that the area would need to accommodate an additional 14,000 B use jobs and Table 1 of the FLP sets out how this will be achieved. Around 10,000 jobs are expected to be delivered through allocated sites and the remainder will be supplied through projected B use completions and small sites identified in urban design studies.
15. The allocations are in the main flexible and seek a mix of uses to support economic growth. Thus, rather than set targets for individual sites, the FLP

indicates an estimated quantum of development for each of the key areas. However it is clear that whilst broad area wide targets are provided, they have been assembled from detailed evidence and rigorous assessment of the individual allocation sites. The starting point has been information in the Strategic Housing Land Availability Assessment (SHLAA) and the 2010 Bunhill and Clerkenwell Urban Design Study (UDS). Subsequently the site capacity assessments that informed the UDS have been amended and updated by the Council, using the same methodology. Deliverability testing has been undertaken through the Workspace Viability Report and the Combined Policy Viability Study (CPVS), the findings of which are considered in the next section of this report.

16. The FLP includes an ambitious programme of priority community infrastructure and public realm projects, most of which are located within the key areas of change. This programme, set out in Table 2, is underpinned by estimated costings and consideration of a range of funding mechanisms. The Council has confirmed that an assessment of infrastructure projects identifies funding as the only risk to delivery. Most projects are either self funding, can be adjusted in scale to reflect available funding without affecting the overall delivery of the plan or, as in the case of affordable housing, will be delivered subject to viability and will relate in scale and type to the nature of the development of which they form a part.
17. Three projects have been identified as being at risk of non delivery due to funding. These are refurbishment of Finsbury Health Centre, provision of a new healthcare facility and Old Street roundabout/ station redevelopment. In each case it is evident that the FLP seeks to minimise risk by taking a flexible approach, building in potential for cross subsidy and providing for monitoring during the first phase of the plan period. However the Council accepts that a review of the FLP could be triggered if monitoring were to reveal loss of funding for these sites or other changes which could prevent delivery.
18. The framework in Table 3 of the FLP provides a basis for monitoring delivery across the FLP area as a whole and for each of the key areas of change. The 15 year Plan period is divided into three five-year phases, based on discussions with landowners and developers, existence of planning permissions and taking account of site complexity.
19. The FLP promotes sustainable development through supporting housing and employment development in accessible locations and promoting modal shift away from use of the private car. However the submitted FLP has no policy to reflect the principles of the presumption in favour of sustainable development. To ensure soundness in this respect, implementation Policy BC10 should be amended through modifications **MMF8** and **MMF9**.

Issue 2 – Does the FLP take account of development viability to ensure that it is deliverable?

20. The NPPF requires plan preparation to pay careful attention to viability and costs to ensure that plans are deliverable, to ensure that the cumulative effect of all planning requirements does not put implementation of a Plan at serious risk and to facilitate development through the economic cycle. The Council commissioned the CPVS to test the viability of its emerging Local Plans.

21. The CPVS takes account of the Mayor's CIL, Crossrail Section 106 contributions, the CS, emerging Local Plans (Development Management Policies; Site Allocations), Supplementary Planning Documents and the FLP itself. It identifies the key implication for delivery as the need for policies promoting new office floorspace to be able to adapt to changing economic circumstances. It also identifies that policy requirements to protect office floorspace in the CAZ could have an impact on development viability.

Promoting new office space – viability implications

22. The allocations at 96-100 Clerkenwell Road (BC41) and Angel Gate, Goswell Road (BC48) require redevelopment to be commercial or office led. However the findings of the CPVS, which was completed during the examination, indicate that a more flexible approach should be taken to the range and mix of uses proposed on these sites to ensure that they can be delivered. To provide this flexibility the Council has proposed change **MMF12**, to allow a broader range of employment uses in site allocation BC41 and change **MMF13**, to allow a more flexible balance of employment uses in site allocation BC48.

Protecting existing office floorspace in the CAZ

23. Policy BC8 sets out how the FLP will address London Plan Policies relating to the CAZ. It is supported by the 2005 Islington Employment Study (IES) and the 2008 IES update, the 2012 Islington Employment Clusters Update and evidence which has informed the London Plan. Amongst other things Policy BC8 addresses the need to sustain the existing level of business floorspace on sites within the Borough's designated General and Office Employment Priority Areas, in order to support existing clusters of economic activity. Part A of BC8 states that within these areas no net loss of business floorspace will be permitted unless exceptional circumstances can be demonstrated. It requires evidence relating to the marketing of vacant floorspace to be submitted.
24. The protection of employment clusters which BC8 provides is consistent with both the NPPF and the London Plan. However site appraisals carried out as part of the CPVS show that viability could be affected where the FLP requires a significant amount of office floorspace development to be provided during periods of weak office market demand.
25. The Council has proposed modifications to Policy BC8 A (i) and paragraph 11.1.2 of the FLP to provide flexibility in assessing market demand for business floorspace. These changes will allow a market demand analysis to be taken into account where a vacancy period has been less than two years. However concerns have been raised that the proposed changes would only allow consideration of market demand analysis as evidence of lack of demand in "wholly exceptional" cases.
26. On the basis that "exceptional cases" would be those which are unusual or not typical, I consider this would set a sufficiently rigorous test on which to allow a market demand analysis to be considered and the inclusion of "wholly" is unnecessary. I have therefore removed the word "wholly" from changes **MMF5** and **MMF7**, which are required to allow market demand analysis to be considered and ensure that Policy BC8 provides for development viability to be taken into account on a site by site basis.

Issue 3 – Policy BC2 and the City Road Basin Area allocations: are the policy and allocations consistent with the NPPF and the CS and are they soundly based on robust evidence?

27. City Road Basin, on the Regent's Canal, is the focus of a key area of change close to the boundary between Islington and Hackney. The basin is used for recreation and leisure whilst the surrounding area includes large development sites, some of which already have planning permission. Policy BC2 sets out the Council's objectives for developing the area as a new urban quarter with high quality buildings and an enhanced public realm. A number of development sites for both housing and employment, together with four public realm priority projects, are associated with Policy BC2.
28. Policy BC2 and the associated allocations are supported by the Infrastructure Delivery Plan (IDP), the Open Space and Recreational Assessment and the UDS. However concerns have been raised that the FLP includes proposals which differ significantly from those in the 2006 Waterspace Strategy (WS) and the City Road Masterplan (CRM). It is argued that the CRM remains the appropriate document to guide development in this area.
29. The CRM was adopted in 2004 as planning guidance for development control purposes and the 2006 WS was prepared, in consultation with Islington Boat Club, to complement it. However since 2004 the proposals for City Road Basin have evolved from the 2009 Issues and Options, through the 2010 Direction of Travel document to the proposed submission version of the FLP in 2011. The later stages of this process have been informed by the UDS, which takes account of the CRM. From the evidence that has been submitted I am satisfied that the transition from the CRM proposals for City Road Basin to those in the submission version of the FLP has been an iterative process which has included appropriate consultation at each stage. It is common ground that the WS will need to be updated to reflect the FLP proposals for this area.
30. The fact that the proposals in Policy BC2 differ from those in the CRM has led to detailed concerns relating to three site allocations, which are considered in detail below, together with concerns regarding the strategy for tall buildings, as set out in Policy BC2 (B).

Site BC9 - Graham Street Park and Linear Park extension

31. The CRM included development on part of Graham Street Park but compensated for this by providing additional open space. This resulted in an overall gain of approximately 2400sqm of open space. However the new open space that was proposed in the CRM would have been linear in nature or, in the case of a proposed new games area, located on the less accessible east side of the basin. Thus, whilst increasing the quantity of open space around the basin, the quality of open spaces proposed in the CRM would not have achieved the objectives of CS Policy CS15, which seeks to create a greener borough and requires existing local open spaces to be protected and improved.
32. The UDS identifies Graham Street Park as an area for public realm enhancement and site allocation BC9 carries this forward. It proposes retention of the existing open space and play area, together with the addition of some vacant land to create a new public open space with improved car

parking. Thus, whilst the allocation departs from the proposals in the 2004 CRM, it is consistent with the CS and is justified by the most up to date evidence in the UDS.

Sites BC8: Islington Boat Club and site BC10: 37-47 Wharf Road

33. The CRM had proposed relocating the Boat Club building to site BC10, 37-47 Wharf Road, on the east side of the basin. However the FLP proposes refurbishing the existing boat club building, integrating it with Graham Street Park and improving access between the park and the canal basin. The FLP allocates site BC10 for housing, with active uses at ground floor and improved pedestrian links between Wharf Road and the canal.
34. Retaining the Boat Club building on the west side of the basin clearly provides opportunities to create an enhanced public realm, with a wider range of uses and improved accessibility. This is consistent with the CS and the UDS. It is common ground that a revised waterspace strategy is needed to ensure consistency with Policy BC2 and to make the most of the basin's recreational and leisure uses. This is recognised in paragraph 5.0.3 of the FLP. In these circumstances site allocations BC8 and BC10 are sound and justified by up to date evidence.

Policy BC2 (B): Buildings over 30 metres in City Road Basin area

35. Old Street roundabout is a developing area for buildings of 30 metres in height or more (very tall buildings) and Islington and Hackney jointly support a cluster of such buildings focussed on sites fronting and surrounding the roundabout. The UDS did not identify City Road Basin as an area suitable for buildings over 30 metres, but re-evaluation by the Council has led to parts of the City Road Basin area being identified as appropriate for very tall buildings, as explained in paragraph 11.2.5 of the FLP.
36. Part B of Policy BC2 identifies these areas, where it states that buildings over 30 metres high may be appropriate if they meet certain criteria. These criteria include complying with the requirements of FLP Policy BC9: Tall buildings and contextual considerations for building heights, as well as forming a coherent cluster which is subordinate to the emerging cluster at Old Street roundabout. Paragraphs 5.0.6 and 5.0.7 add detail to the policy and include requirements for the visual material that will be needed to support tall building applications.
37. The Council, through discussions with English Heritage, has proposed amendments to add detail to criterion (ii) of Policy BC2B and to include a new criterion to protect heritage assets and their settings. However the submitted policy is clear and when read with the supporting text leaves no doubt as to the requirements for very tall buildings at City Basin in relation to massing, design and impact on the surrounding area. Furthermore cross reference to Policy BC9 means that very tall buildings in City Road Basin area must meet the evaluation criteria in the English Heritage/ CABE document: Guidance on Tall Buildings (2007) (GTB) and should conserve and enhance heritage assets as set out in BC9 (ii).
38. I have also taken account of concerns that Policy BC2 (B) is negatively worded and does not provide for proposals for individual very tall buildings in the City Basin area to be assessed on their merits. However paragraph 5.0.7 and part

4 of the GTB provide a positive approach to evaluating proposals for very tall buildings.

39. Taking all of these factors into account, the guidance for buildings over 30 metres in City Road Basin is justified, soundly based and consistent with national policy. There is no need for the suggested changes.

Issue 4 – Northampton Square, Goswell Road and Spencer Street: do the site allocations provide an effective strategy for protecting the historic environment in Northampton Square key area, consistent with policies in the NPPF and the CS?

40. Concerns have been raised that Policy BC4 and allocations for the Northampton Square key area do not adequately reflect national policy for preserving heritage assets. Particular concerns relate to the potential development of City University sites BC1 and BC2. Site BC2 lies within the Northampton Square Conservation Area, which affords protection to the historic environment. Whilst this allocation does not refer specifically to building heights, the conservation area designation provides a framework to ensure that future development will preserve and enhance the heritage assets.
41. However site BC1, which allocates the City University site for refurbishment and redevelopment of existing buildings, lies immediately outside the conservation area boundary. Any development here would be required to have regard to the setting of the adjacent conservation area and BC1 refers to the requirement to conserve and enhance the grade II listed college buildings. However to ensure positive protection for heritage assets any development will need to protect the setting of listed buildings on Ashby Street. **MMF10** should be made to address this matter and ensure soundness.
42. The FLP includes a programme of public space improvements to be implemented during the plan period. Northampton Square Gardens is a public space priority project (Appendix 2: Project 6). In order to ensure consistency with the NPPF and with the objectives of Policy BC4, the guidance for this project should refer to the area's conservation area status and links to the area wide green chain. Change **MMF14** is therefore necessary to ensure that the FLP is internally consistent.

Issue 5 – North Clerkenwell and Mount Pleasant: Are the policies and site allocations relating to site BC44, Clerkenwell Fire Station, sufficiently flexible to ensure that the allocation can be delivered?

43. Clerkenwell Fire Station is a listed building and is one of London's surviving original fire stations. It is valued by the local community and retaining it in the use for which it was built would clearly be the best way to preserve its special historic and architectural interest. However the building is now outdated and operationally unsuited for its purpose. The London Fire and Emergency Planning Authority is tasked with taking a pan-London approach to the provision of fire stations and states that the retention of this building as a fully operational fire station is unlikely.
44. Policy BC6 refers to the safeguarding of the fire station as a community asset. It is argued that this could be interpreted as a requirement to retain the building as a fire station, which the evidence indicates may be neither realistic

nor deliverable. However the Council has confirmed that whilst it will continue to press for the building to continue in use by emergency services, neither Policy BC6 nor allocation, BC44 are intended to require retention of the whole building as a fully operational fire station. Both set out the requirement for continued operational use in some form, but allow sufficient flexibility for reduced/ changed operational use and partial conversion.

45. For clarification and to ensure that the FLP can be delivered, change **MMF3** is needed to remove from Policy BC6 any implication that the building must be retained as a fire station and to acknowledge the potential for residential use. This will ensure consistency with BC44, which acknowledges that conversion of parts of the fire station to residential use may be appropriate. The implementation box to Policy BC6 should also be amended, as set out in **MMF4**, to clarify that retention as a fully operational fire station is not required.

Issue 6 – Site BC12: Finsbury Leisure Centre - does the allocation provide flexibility to ensure that pedestrian access and permeability will be addressed in redevelopment of the site?

46. Policy BC1 requires definition and enclosure to Central Street and site allocation BC12 requires a new leisure centre building to provide a positive frontage to Central Street. This has led to fears that relocating the building to the Central Street side of the site could result in reduced access to open space from the surrounding residential area.
47. However the allocation acknowledges need to incorporate public open space, improve pedestrian permeability through the site and improve legibility. The design considerations and constraints in BC12, together with objectives set out in Policy BC1, give sufficient weight to public access and environmental quality to ensure that residents' concerns can be satisfactorily addressed through the design process.

Issue 7 - Site BC31: 11 Shire House; Lamb's Passage - is the allocation deliverable?

48. This site is allocated for redevelopment to provide a mixed use development comprising small scale business and residential uses. These were priority uses identified in the 2006 Development Brief for this site. BC31 also draws attention to vaults under the southern part of the site which it states should if possible be utilised in the redevelopment. However it is argued that the narrow range of uses proposed could prevent use being made of the basement vaults, where hotel use would be the most appropriate and viable.
49. The Council accepts that other uses, such as small scale retail or hotel use may be appropriate on this site. It proposes a change to broaden the range of uses by referring to development "including", rather than "comprising", employment and residential use. Whilst it is argued that the change should go further and include hotel use as a priority, this is not necessary. The proposed modification introduces sufficient flexibility for redevelopment to include hotel and other uses, without undermining the emphasis on the priority uses, employment and residential. Modification **MMF11** should therefore be made to ensure that the allocation is flexible and deliverable.

50. The Open Space Sport and Recreation Assessment 2009 (OSSRA) identifies that this site lies within an area of deficiency in access to nature and BC31 states that the redevelopment should include some open space. It was explained at the examination hearing that this is not a requirement for an area of public open space, but for open space which could simply provide visual amenity and increase biodiversity. On this basis the requirement is not so onerous or restrictive that it would undermine viability of the allocation.

Issue 8 – Policy BC8: Visitor accommodation in the CAZ: is the policy deliverable?

51. Policy BC8 (H) includes onerous criteria for the location of visitor accommodation in the CAZ. A revision is needed to clarify that such development may be appropriate in either the City Fringe Opportunity Area or in proximity to Farringdon Station, but not both together. This modification, **MMF6**, is necessary to ensure that the policy is not so restrictive that it prevents development from coming forward.

Assessment of Legal Compliance

52. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

| LEGAL REQUIREMENTS | |
|---|--|
| Local Development Scheme (LDS) | The Finsbury Local Plan is identified within the approved LDS, January 2012 which sets out an expected adoption date of December 2012. The Council has updated the LDS and the draft revised version, which sets out an adoption date of June 2013, is expected to be adopted in May 2013. |
| Statement of Community Involvement (SCI) and relevant regulations | The SCI was adopted in July 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM) |
| Sustainability Appraisal (SA) | SA has been carried out and is adequate. |
| Appropriate Assessment (AA) | A Habitats Regulations AA Screening Report was prepared in August 2009 and updated in October 2011. It sets out why AA is not required |
| National Policy | The Finsbury Local Plan complies with national policy except where indicated and modifications are recommended. |
| London Plan | The Finsbury Local Plan is in general conformity with the London Plan. |
| Sustainable Community Strategy (SCS) | Satisfactory regard has been paid to the SCS. |
| 2004 Act (as amended) and 2012 Regulations. | The Finsbury Local Plan complies with the Act and the Regulations. |

Overall Conclusion and Recommendation

53. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Annex the Finsbury Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Sue Turner

Inspector

This report is accompanied by the Annex containing the Main Modifications

Annex: Finsbury Local Plan: Main Modifications

| Ref | Page | Section / paragraph / policy | Modification (Deleted text struck through; new text in bold blue ; changes to diagrams, tables etc described in <i>italic text</i>) |
|------|------|--|---|
| MMF3 | 69 | Policy BC6 (North Clerkenwell & Mount Pleasant), fourth bullet point | <i>Amend text as follows:</i> “The safeguarding of key community assets within the area, including the Clerkenwell Fire Station (for operational and potentially residential use), Finsbury Health Centre, Royal Mail museum and 3 Corners Centre/Adventure Playground...” |
| MMF4 | 71 | Implementation box, second bullet point | <i>Amend text as follows:</i> “The refurbishment and retention of Finsbury Health Centre (see site allocation BC47) and refurbishment of Clerkenwell Fire Station (see site allocation BC44)” |
| MMF5 | 82 | Policy BC8 (Achieving a balanced mix of uses), Part A (i) | <i>Amend text as follows:</i> “No net loss in business floorspace will be permitted, either through change of use or redevelopment, unless exceptional circumstances can be demonstrated, including through the submission of clear and robust evidence related to the marketing of vacant floorspace; and where: which shows that there is no demand for the floorspace. This evidence must demonstrate that the floorspace has been vacant and continuously marketed for a period of at least two years. In exceptional cases related to site-specific circumstances, where the vacancy period has been less than two years, a robust market demand analysis which supplements any marketing and vacancy evidence may be considered acceptable. In addition, the loss of business floorspace will only be permitted where: a. The proposal would not have a detrimental individual or cumulative impact on the area’s primary business role and would not compromise economic function/growth, or b. It can be demonstrated to the council’s satisfaction that the site is no longer suitable for the provision of similar uses.” |
| MMF6 | 84 | Policy BC8 (Achieving a balanced mix of uses), Part H | <i>Amend text as follows:</i> ““Visitor accommodation may be appropriate within the City Fringe Opportunity Area and or in proximity to Farringdon Station. Proposals for visitor accommodation must meet the criteria set out in Policy DM28 of the Development Management Policies, alongside other Development Management Policies” |

| Ref | Page | Section / paragraph / policy | Modification (Deleted text struck through; new text in bold blue ; changes to diagrams, tables etc described in <i>italic text</i>) |
|------|------|------------------------------|---|
| MMF7 | 85 | Para 11.1.2 | <p><i>Insert/amend text as follows:</i> “For proposals which affect existing business floorspace, evidence is required to be submitted demonstrating that the quantity of business floorspace to be provided on site has been maximised, in the form of a market demand assessment. Where a reduction in business floorspace is proposed, evidence of vacancy and marketing is required for a period of at least 2 years. In exceptional cases, where market demand may be affected by site-specific circumstances and the floorspace has been vacant for less than two years, a market demand analysis (either standalone or forming part of a viability assessment) may be considered suitable as evidence of lack of demand. This must be submitted alongside, or where justified, in place of marketing and vacancy evidence. The applicant may be required to fund an independent assessment of the market demand analysis. Marketing and market demand evidence should meet the specification provided in Appendix 11 of the Development Management Policies. Recently demolished business floorspace will be expected to be reprovided unless exceptional circumstances can be demonstrated, or where reprovision would conflict with other policies relating to design and heritage. Policy DM31 of the Development Management Policies requires applicants to demonstrate that marketing of vacant business floorspace has been unsuccessful. In considering proposals that would result in a net loss of business floorspace, the council will also have regard to proposed new uses and improvements to the quality of facilities, and the potential benefits that these may bring to the area’s economic vitality and viability.”</p> |
| MMF8 | 94 | Policy BC10 (Implementation) | <p><i>Insert/amend text as follows:</i> “Policy BC10: Implementation A. When considering development proposals within the Finsbury Local Plan area, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to secure development that improves the economic, social and environmental conditions in the area. B. Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without avoidable delay, unless material considerations indicate otherwise. C. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the council will grant permission unless material</p> |

| Ref | Page | Section / paragraph / policy | Modification (Deleted text struck through; new text in bold blue ; changes to diagrams, tables etc described in <i>italic text</i>) |
|-------|------|---|---|
| | | | <p>considerations indicate otherwise – taking into account whether:</p> <p>(i) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</p> <p>(ii) Specific policies in that Framework indicate that development should be restricted.</p> <p>AD. Proposals will contribute to the delivery of priority projects identified in Table 2 of this plan, alongside other programmes and projects where appropriate. The type and nature of contributions sought will be consistent with the council's policies and guidance on planning obligations.</p> <p>BE. The council will take a proactive approach to ensuring that development in the area is comprehensive, integrated, and based on sound community engagement, particularly within those areas covered by Policies BC1 to BC7. Partnership working will be promoted, premature applications will be resisted, and where necessary the council will uses its statutory powers to ensure that sustainable outcomes are achieved.”</p> |
| MMF9 | 94 | Paragraph 12.1.1 | <p><i>Insert new paragraph as follows:</i> “12.1.1 When considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The purpose of the planning system is to contribute to the achievement of sustainable development - social, environmental and economic. The NPPF reiterates the five ‘guiding principles’ of sustainable development set out in the UK Sustainable Development Strategy: Securing the Future. These are: living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. The policies in the council’s Local Plan articulate how sustainable development will be achieved in Finsbury.”</p> <p><i>(Amend existing paragraph numbers 12.1.1 and 12.1.2 accordingly)</i></p> |
| MMF10 | 113 | Site allocation BC1 (City University London, Northampton Sq.) | <p><i>Amend text as follows:</i> “New buildings are required to conserve and enhance the adjacent Northampton Square Conservation Area, Grade II listed buildings on Ashby Street and the Grade II listed College building through sensitive design, heights and massing.”</p> |

| Ref | Page | Section / paragraph / policy | Modification (Deleted text struck through; new text in bold blue ; changes to diagrams, tables etc described in <i>italic text</i>) |
|-------|------|--|---|
| MMF11 | 176 | Site allocation BC31 (Car Park at 11 Shire House, Lamb's Passage) | <i>Amend text as follows:</i> "Allocation and justification: Redevelopment to provide a mixed use development comprising including small scale business uses and residential uses, alongside open space." ... "Design considerations and constraints:... The site lies within the designated City Fringe Opportunity Area. " |
| MMF12 | 196 | Site allocation BC41 (96-100 Clerkenwell Rd) | <i>Amend text as follows:</i> "Redevelopment of existing petrol station for commercial employment -led mixed use development, potentially including an element of residential alongside small-scale offices and/or workshops." |
| MMF13 | 210 | Site allocation BC48 (Angel Gate, Goswell Rd) | <i>Amend text as follows:</i> "Redevelopment of the site to provide predominantly office uses for a mix of uses , including units for small businesses. A small element of other employment-generating uses/residential uses may also be acceptable Reprovision of the existing quantum of business floorspace is required as part of an overall increase in employment floorspace, alongside residential uses. " |
| MMF14 | 228 | Appendix 2, Project 6 (Northampton Square Gardens and City University London entrance space) | <i>Insert new text as follows:</i> " Improvements should aim to reinforce the area-wide green chain (see Objective 3, Figure 6 and Policy BC4) and conserve and enhance the Northampton Square Conservation Area " |