



Town and Country Planning Act 1990 - Section 77
Town and Country Planning (Inquiries Procedure) (England) Rules
2000

Proof of Evidence – Design and Heritage

Site:	Anglia Square including land and buildings to the north and west
Applicant:	Weston Homes PLC and Columbia Threadneedle Investments
Local Planning Authority:	Norwich City Council
Name of witness:	Ben Webster (MRTPI)
PINS reference:	APP/G2625/V/19/3225505
LPA reference:	18/00330/F
Reference:	NCC2/1

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1 INTRODUCTION

Qualifications and experience

- 1.1 I am Ben Webster, Design Conservation and Landscape Manager at Norwich City Council. I have managed the Council's team that is responsible for urban design and building conservation since 2005 and subsequently added responsibility for landscape architecture.
- 1.2 Prior to working in Norwich I was an Urban Design Officer at Nottingham City Council and before that Policy Officer at the Civic Trust. I developed the Civic Trust's policy positions, including writing a Tall Buildings Policy.
- 1.3 I hold an MPhil in Town Planning from University College London and an MA in Social and Political Sciences from the University of Cambridge. I am a member of the Royal Town Planning Institute.

Involvement with the scheme

- 1.4 I have provided expert comment and negotiated the development of schemes for Anglia Square for over a decade, including the current one that is subject to this inquiry since its inception. I supplied conservation and design content for Anglia Square Policy Guidance Note and commissioned the City Centre Conservation Area Appraisal. I have also played an important role in all the transport and public realm improvement works that have taken place or are planned near Anglia Square.

Scope of evidence

- 1.5 My evidence augments and mirrors the design and heritage content in paragraphs 302-438 and 579-587 of the Committee Report (December 2018)(CD9.1) and is structured in five parts:
 - (a) Background, covering the built environment context of Norwich and the current state of the site (section 2)
 - (b) Statutory and policy context, covering national policy and legislation, national guidance, the development plan and supplementary local policy (section 3)

- (c) Assessment of the scheme against these policies (section 4)
- (d) Observations made by objectors to the scheme (section 5)
- (e) Conclusion (section 6)

2 BACKGROUND

Norwich built environment context

- 2.1 The architectural and historic quality of Norwich city centre is of great national importance, having developed over at least one thousand years and containing a wealth and density of heritage assets, many enjoying the highest levels of protection. The entire area within the city walls is a conservation area.
- 2.2 Its defining characteristics are well articulated in Historic England's response to the planning application (CD11.24): *Norwich is one of England's – and Europe's – great historic cities. Set in the valley of the River Wensum, the historic centre of Norwich can still be read as having been defined by the longest circuit of city walls in medieval England. Containing more medieval churches than any city north of the Alps, large numbers of historic buildings, many of exceptional interest, and streets and spaces rich in character, the centre of Norwich is an extraordinary historic place. The heart of the city is articulated by its major landmarks. On the hills to the south of the river, stand the castle, City Hall, the Roman Catholic cathedral, and a number of the most prominent churches, including St Peter Mancroft and St Giles. Below them, near the river, is the medieval cathedral, one of the great churches of Europe, whose spire rises to form the central landmark of the city. Norwich north of the river has its own character, the streets within the circuit of the walls still rich in historic incident, but without the landmarks of the south.*

- 2.3 The Castle and Anglican Cathedral were the dominant buildings introduced by the Normans to subjugate the Saxon population and transform the face of the city. The Castle is the physical centre around which the city revolves. The market place established by the Normans at its base and the visual relationship with City Hall on the other side of the market further reinforces its centrality and importance. It is a grade I listed building and scheduled monument. Like the Cathedrals any diminution to its status in relation to other buildings in its setting would harm its significance as a heritage asset.
- 2.4 The Anglican Cathedral is the pre-eminent building in Norwich and this pre-eminence should remain unchallenged. Its spire is the tallest structure in the city and it is used to symbolize the city in photographs, often in combination with the other buildings that mark the city's skyline: City Hall, the Castle, Roman Catholic Cathedral and St Peter Mancroft. The spire rises in stages out of the tower and is surrounded by four spirelets forming a transcendent piece of architecture that is visible from many places across the city, especially from higher ground to the east and across the Cathedral meadows. Its importance is further enhanced by its spiritual role that has been central to the practice of Christianity in East Anglia for centuries. It is a grade I listed building.
- 2.5 The Cathedral precinct is a separate space within the city where quiet contemplation is encouraged. It is separated from the busy commercial world beyond by the precinct wall. It is essentially a fortified area to which people have always been admitted by a few points of entry, the Erpingham Gate being the most architecturally impressive and affording a view of the west front of the Cathedral. The significance of the Close and the Cathedral as a heritage asset is partly derived from this separateness and introspection, with the Cathedral itself being the beacon that speaks to the rest of the city.

- 2.6 The city wall was built in the fourteen century and is a scheduled monument. The section on Magpie Road in the north of the city centre at the entrance to St Augustine's Street has recently been revealed through the demolition of the Magpie Printers building and the simple landscape treatment provided in front of the monument. It is opposite the pedestrian crossing at the top of St Augustine's Street and reflects the importance of this key gateway into the medieval city. The alignment of Magpie Road and Bakers Road further highlights the importance of this heritage asset and contributes to the sense of Norwich being a defended city with a profound history.
- 2.7 St Augustine's Street and Magdalen Street form the most immediate historic context for Anglia Square. St Augustine's Street was historically the main route of entry into the city from the north-west. A well-balanced composition of historic buildings lines the back edge of the pavement, modulating between 2 and 3 storeys in height. Many are listed and those that are not fit politely into the street. Magdalen Street has always been part of the most important north-south route through the city linking to King Street and Bracondale via Tombland. Many of the buildings are listed and the street itself has considerable townscape value and contributes positively to the quality and significance of the conservation area.
- 2.8 The City Centre Conservation Area Appraisal (CD2.10) contains a thorough evaluation of what makes the historic city special.

Current state of the site

- 2.9 Much of the development site is a wasteland. Several of the largest and ugliest buildings on the site are empty. The layout is introverted and inhibits movement through the city on foot and by bicycle. The condition of Anglia Square has been deteriorating for years due to its inherent design failings. These features mean that the Anglia Square character area has the lowest possible rating of significance in the City Centre Conservation Area Appraisal and the greatest scope for improvement (fig.1).

ANGLIA SQUARE



PAGE 47 // NORWICH CITY CENTRE CONSERVATION AREA APPRAISAL

Fig 1. Extract from City Centre Conservation Area Appraisal p47 showing negative buildings in red

2.10 There are currently no clear, coherent or pleasant routes through the site. The route between St George's Street and Edward Street is blocked by a surface car park and has no flanking active frontages. People who do walk this way pass an empty building with a blank concrete base to the east and an open car park to the west. There are currently two routes from Magdalen Street to St Augustine's Street. The main route along Sovereign Way is overshadowed by the underside of the cinema and the vehicle bridge above. Ann's Walk is a threatening tunnel with no sight lines between Magdalen Street and Anglia Square. Buildings at the upper levels such as Gildengate House and the cinema are accessed on foot via staircases and across vehicular circulation routes which are hard to find and unpleasant to use. Anglia Square feels sealed off from the city and at night there is no natural surveillance or activity making it a barrier to movement in the city and a place to avoid.

- 2.11 At the southern end of St Augustine's Street lies Sovereign House, identified as a negative building in the Anglia Square conservation area appraisal. It juts into view with its horizontal banding of windows and angular lift tower surmounted by telecommunication equipment. Sovereign House can currently be seen as a tapering wedge of ugly building above the roofline of the 16th century almshouses at 2-12 Gildencroft (grade II listed) with the blocky lift tower and profusion of telecommunications equipment adding an awkward extra form to catch the eye.
- 2.12 The building of the flyover and Anglia Square caused significant damage to Magdalen Street and the project provides the opportunity for enhancement. Looking towards the development from south of the flyover the awkward form of the disused cinema building is seen in combination with the flyover. The grey flyover slab is strongly seen in relief against the white exterior of the cinema. This harms the setting of the listed buildings at 42-48 Magdalen Street and the quality of Magdalen Street as a whole. The close up views of Anglia Square on Magdalen Street to the north of the flyover (views 34 and 43) (CD7.81 SEI (t)) illustrate the effect on the setting of 75 Magdalen Street (grade II) and the townscape quality of the central portion of Magdalen Street, which includes a number of locally listed buildings. The building that currently fronts Magdalen Street is a long two-storey slab that projects over the narrow pavement with a strong horizontal emphasis in contrast to the traditional plot widths of shops in the street, exemplified by number 75. The portion of the building facing south has squat proportions, concrete roof tiles, a dated fascia and chunky eaves detailing.
- 2.13 St George's Colegate church (grade I listed) and Bacon House (grade II* listed) combine to create a charming collage of flint walls, brick details and mullioned windows at the entrance to the northern section of St George's Street. The view northward along St Georges Street (view 37) currently dissolves into the void formed by St Crispin's Road and the empty car parking land beyond. The buildings that currently terminate the view north up Calvert Street (view 38) are architecturally weak.

2.14 Anglia Square has been uniquely blighted by the damaging legacy of previous development. This along with the highly visible deterioration in the physical appearance of the site has created a perception amongst many in the Norwich area, and the wider development sector, that this is a place to be avoided. This site, unlike any other within central Norwich, is integral to the regeneration of an entire sector of the city. Development of Anglia Square has the scope to deliver transformative change, and allow the northern city centre to contribute and strengthen the wider Norwich city centre economy.

3 STATUTORY AND POLICY CONTEXT

National policy and legislation

Statutory Duties

- 3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty in respect of listed buildings in the exercise of planning functions. Subsection (1) provides: *“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.”*
- 3.2 With regard to applications for planning permission within conservation areas, the Planning (Listed Buildings & Conservation Areas) Act 1990 requires at Section 72 that: *“...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*
- 3.3 The meaning of preservation in this context is taken to be the avoidance of harm. Character not only relates to physical characteristics but also to more general qualities such as uses or activity within an area. Appearance relates to the visible physical qualities of the area. The concept of the setting of a conservation area is not enshrined in legislation and does not therefore attract the weight of statutory protection.

3.4 It has been confirmed¹ that Parliament’s intention in enacting section 66(1) was that decision-makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings, where “preserve” means to “to do no harm” (after South Lakeland). Case law has confirmed that this weight should also be applied to the statutory tests in respect of conservation areas². These duties, and the appropriate weight to be afforded to them, must be at the forefront of the decision maker’s mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. The Secretary of State has confirmed³ that ‘considerable importance and weight’ is not synonymous with ‘overriding importance and weight’.

National Planning Policy Framework (Revised 2018)

3.5 The revised National Planning Policy Framework was published on 24th July 2018 (updated February 2019) and sets out policies that relate to the historic environment in Chapter 16 and paragraphs 184 to 202. The following paragraphs are particularly relevant to consideration of the appeal proposals.

¹ HMSO (1990) Planning (Listed Buildings and Conservation Areas) Act (a) Barnwell Manor Wind Energy Limited and (1) East Northamptonshire District Council (2) English Heritage (3) National Trust (4) The Secretary of State for Communities and Local Governments, Case No: C1/2013/0843, 18 February 2014 (CD11.21)

² The Forge Field Society v Sevenoaks District Council [2014] EWHC 1895 (Admin); North Norfolk District Council v Secretary of State for Communities and Local Government [2014] EWHC 279 (Admin)(CD11.22)

³ Land at Razor’s Farm, Chineham, Basingstoke RG24 8LS. Appeal Reference: APP/H1705/A/13/2205929, Secretary of State for Communities and Local Government letter 22nd September 2014, paragraph 21. 25 (CD11.23)

- 3.6 Paragraphs 193 and 194 consider the specific impacts of proposed development on the significance of designated heritage. Paragraph 193 requires that great weight should be given to the conservation of heritage assets - where conservation remains defined as the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance. This reflects the requirements of the statutory duties and the paragraph further reflects the affirmation provided by recent case law that great weight must be given irrespective of the degree of harm to significance. Paragraph 194 requires that harm to or loss of significance should have clear and convincing justification and should be exceptional in the case of grade II listed buildings or park and gardens and wholly exceptional in the case of more highly graded heritage assets.
- 3.7 Paragraph 195 applies to instances where proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, requiring refusal of such proposals unless that harm can be outweighed by the achievement of substantial public benefits, or a series of tests regarding alternative uses, viability and ownership are addressed.
- 3.8 Paragraph 196 on the other hand, deals with instances of where development proposals will lead to less than substantial harm to the significance of a designated heritage asset. Harm in this category should be weighed against the public benefits of the proposal.
- 3.9 Paragraph 197 requires that the effects of proposals that directly or indirectly affect the significance of non-designated heritage assets should be taken into account in the determination of such applications, requiring a balanced judgement to be reached weighing the scale of harm and significance of the heritage asset.
- 3.10 Finally, paragraph 200 relates to opportunities for new development within (inter alia) the setting of heritage assets to enhance or better reveal their significance – noting that proposals that preserve or better reveal elements that contribute positively to the asset should be treated favourably.

- 3.11 NPPF chapter 12 provides policy for achieving well-designed places. Paragraph 124 states that the *'creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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.'*
- 3.12 Paragraph 130 establishes a strong basis for schemes which are poorly designed and which fail to take the opportunities for improving the character and quality of an area to be refused planning permission.
- 3.13 In accordance with paragraph 129 the local planning authority has used Building for Life as the key assessment framework for the design quality of the development and engaged the services of the Design South East panel to provide independent expert design advice on the scheme at three stages: 1) design concept (CD11.15); 2) Prior to submission - layout, form and massing (CD11.16); and 3) application stage – architectural quality of the tower (CD11.17).

National Planning Guidance

- 3.14 Planning Practice Guidance (PPG) has been adopted to support the NPPF and reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle.

- 3.15 The setting of a heritage asset is the surroundings in which an asset is experienced. The PPG confirms in paragraph: 013 reference ID: 18a-013-20190723 and paragraph: 018 Reference ID: 18a-018-20190723 that the setting of an asset may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by understanding of the historic relationship between places. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance. Harm may arise from works to the heritage asset or from development within its setting. A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change.
- 3.16 Paragraph: 018 Reference ID: 18a-018-20190723 explains that within the substantial and less than substantial categories of harm the extent of harm may vary and should be clearly articulated. In the assessment section below a gradated classification within the category of less than substantial harm has been adopted ranging from negligible, minor, moderate and major harm.

3.17 Public benefits are defined as anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 8).The Guidance confirms at paragraph: 020 Reference ID: 18a-020-20190723 that 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. It is noted that public benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Public benefits may include heritage benefits, such as:

- (a) sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- (b) reducing or removing risks to a heritage asset
- (c) securing the optimum viable use of a heritage asset in support of its long term conservation

Other national guidance

3.18 Historic England's advice note on tall buildings (December 2015)(CD11.19) has been taken into account and resulted in the insistence by the local planning authority that this element of the scheme would need to be submitted as a detailed part of the application.

3.19 Historic England's guidance document "GPA3: The Setting of Heritage Assets" (Dec 2017)(CD11.18) includes a five step method of assessing how the development would affect the setting of heritage assets. Step 1: Identify which heritage assets and their settings are affected. Step 2: Assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it. Step 4: Explore the way to maximise enhancement and avoid or minimise harm. Step 5: Make and document the decision and monitor outcomes.

Development plan

- 3.20 Joint Core Strategy Policy 2 and Development Management Policy 3 (DM3) state that all development will be required to be designed to the highest possible standards, creating a strong sense of place. DM3 sets out the design principles against which development proposals will be assessed.
- 3.21 DM3 requires the design of new buildings to protect and enhance the significant long views of the major landmarks identified in Appendix 8 of the local plan. The Anglican Cathedral is the most important of these.
- 3.22 DM9 requires development to maximise opportunities to preserve, enhance or better reveal the significance of designated heritage assets. Two locally listed buildings are proposed to be demolished and the requirement of DM9 to obtain a legally binding commitment from the developer to implement a viable scheme before any works affecting the asset would be necessary in the event of planning permission being approved.
- 3.23 DM3 expects applications to explain how their choice of materials reflects sustainability considerations, such as the energy intensiveness of different building materials.

Supplementary local policy

Anglia Square PGN

- 3.24 The PGN (CD2.11) includes within the vision, that a rejuvenated Anglia Square will have a 'distinctive identity that compliments the neighbouring area and reflects its location in the heart of the historic northern city centre' and that the development will have a 'clear relationship in built form with the surrounding area'. In para 7.86 and 7.87 it is stated that the site provides an opportunity for significant enhancement to the character of the conservation area and that any future application will need to address how the proposals can successfully integrate and improve upon the existing townscape character.

- 3.25 Numerous policies, including PGN para. 7.90, expect new development to be sensitive to the scale of existing buildings in their vicinity in order to respect the character of the area.
- 3.26 PGN para. 7.88 identifies the opportunity of the Anglia Square development to reinstate and improve views from the north of the site to major city landmarks, including the Anglican Cathedral.

City Centre Conservation Area Appraisal

- 3.27 The Northern city character area analysis (P44)(CD2.10) acknowledges that the 1970s office developments around Anglia Square prevent views back towards the major landmarks of the historic city and that redevelopment of the area could open up views and visually reconnect the northern city to the area south of the river.
- 3.28 The appraisal identifies that the Anglia Square character area has the lowest significance in the whole conservation area and therefore has the most potential for dramatic and beneficial change.
- 3.29 The policies set out in the conservation area appraisal are material considerations and the most relevant are:
- (a) B2 - Historic street patterns and historic building lines in areas of low significance, like Anglia Square, must be reinstated according to cartographic and visual evidence, unless the proposals create a well-designed alternative layout.
 - (b) Anglia Square character area M&E3 – Desirability of reinstating an historic route between Magdalen Street and St Augustine’s Street.
 - (c) B4 - Enhance the setting of the city gates / walls.
 - (d) C1 - Remove negative landmarks, such as Sovereign House and Gildengate House.
 - (e) C2 - Preserve and enhance views of citywide and local landmarks.
 - (f) D2 - New buildings should be an appropriate scale.

- (g) D6 - Care given to the design of roof-top plant.
- (h) Anglia Square character area M&E1 - Where the redevelopment of Anglia Square meets existing development along Magdalen Street the existing scale of buildings should be respected.
- (i) Anglia Square character area M&E2 - Large-scale buildings are appropriate near the ring road.
- (j) Anglia Square character area M&E4 - Retain the significant open space of Anglia Square in any new development.

4 ASSESSMENT

- 4.1 A full assessment of the development in terms of design quality and impact on heritage assets is provided in paragraphs 302-438 of the planning Committee Report (December 2018)(CD9.1). This section of my proof summarises that assessment.
- 4.2 The overall height and massing of the scheme act to create a form and character of development that in the context of Norwich is strikingly different and unfamiliar. The applicant has invested heavily in a design process that seeks to deliver a new vibrant mixed-use quarter north of the river ('over the water) providing the opportunity for transformative change. The Design and Access Statement accompanying the application detailed the design process that has been followed. This included: a study of the history and heritage of Norwich; site and area appraisal; and evidence of how this analysis influenced the scheme.
- 4.3 An urban design assessment has been based on the Building for Life assessment method (CD11.20). The scheme performs reasonably well against the twelve questions, receiving nine greens and three ambers. The design strengths of the scheme are:
 - (a) Provision of new and improved movement connections between St Augustine's Street and Magdalen Street and between St George's Street and Edward Street on the general alignment of historic routes in the area.

- (b) It is well served by local facilities and offers better facilities so that residents would have excellent access to the goods and services they need.
- (c) Residents and shoppers would enjoy excellent access to public transport and high-density development in this location would help to reduce dependency on using cars.
- (d) The size of the new homes is appropriate to the identified need.
- (e) A sense of place would be created that is distinctive, interesting and vibrant.
- (f) Mature trees would be retained and more trees planted.
- (g) Wildlife habitat would be created on a site that is ecologically barren.
- (h) Well-defined and interesting streets and open spaces would be created with good natural surveillance.
- (i) There would be a clear distinction between public, semi-private and private space helping with management of spaces and combatting anti-social behaviour.
- (j) Clear building entrances would be provided on street frontages.
- (k) Plentiful and well located cycle parking would be provided.
- (l) Residents would have access to generous shared podium gardens.

4.4 The weaknesses of the scheme are:

- (a) The scale of the development fails to harmonise with its surroundings in terms of the height of some buildings and the size of block footprints.
- (b) Fewer affordable homes are provided than the policy target.
- (c) Locally listed buildings on Pitt Street would need to be demolished to facilitate the development.

- (d) There are long internal routes from the residential lobby entrances to many flats through windowless corridors.
 - (e) The public car park cannot be accessed directly from Magdalen Street.
- 4.5 The assessment of the impact on the significance of heritage assets is based on Historic England's guidance document "GPA3: The Setting of Heritage Assets" (Dec 2017) (CD11.18).
- 4.6 Step 1 involved the applicant thoroughly listing the assets whose significance could be impacted by the development. I concluded that their approach to establishing distance thresholds for different depths of analysis according to the grade of listing was a pragmatic and proportionate way of approaching the task. Further the applicant's assessment of the contribution setting (step 2) makes to the significance of the assets is judged as thorough.
- 4.7 Step 3 involves the assessment of the effect of the development on the setting of heritage assets. The main evidence for effects can be found in the compendium of verified views supplied by the applicant that show before and after images of the development from viewpoints specified by the local planning authority that show the development at its most visible in relation to the highest graded and most sensitive heritage assets.
- 4.8 Step 4 was part of the pre-application negotiations and has been explained in the applicant's documentation but did not form part of my assessment because the applicants indicated that the submitted scheme is fixed and no further opportunities exist for enhancement or mitigation of harm in terms of quantum and form of development.
- 4.9 Table 1 below summarises my conclusions on the level of impact on each heritage asset and the townscape and visual impact assessment, with reference to the verified views (CD7.81 SEI (t)). The Committee Report provides evidence explaining these judgements.

4.10 The entire development would be visible from many places in and around the city centre. These impacts have been exhaustively reviewed. Views within Magdalen Street looking south from the junction with Edward Street have been identified as being significantly improved as a result of replacing the poor quality buildings that front the street with higher quality buildings. By contrast, in many cases it was found that the development would have a harmful effect on the setting of heritage assets and an adverse townscape and visual impact. The most serious of these are:

- (a) The view towards the development from the Castle ramparts (view 12) which would obscure part of the landscape setting of the city and diminish the sense of being in a defensive position above the city, from which the Castle derives some of its significance as a heritage asset.
- (b) The view south along St Augustine's Street from the junction with Sussex Street (view 16) from which the development would appear to loom in a disturbing way above this sensitive street with its listed buildings.
- (c) The view north along Wensum Street from the junction with Elm Hill (view 25) from which the development would appear to loom in a disturbing way above this sensitive street with its listed buildings.
- (d) The view south along Aylsham Road from the pedestrian refuge close to the junction with Green Hills Road (view 49), where the Anglican Cathedral would be diminished by the introduction of large-scale new development as the focus of the view on this axis of arrival into the city centre.

Table 1 – Impact on Heritage Assets

IMPACT ON HERITAGE ASSETS				
Main Heritage Assets	Properties in group (exc local list)	Listing grade	Relevant views	Impact on significance
Anglican Cathedral		I	7A, 8, 9, 14, 15, 20, 48, 49, 58, 60	Moderate harm
St Helen's Church		I	58, 60	Minor harm
Waterloo Park		RHPG II*	48	Minor harm
RC Cathedral		I	7, 7A, 8, 9	Moderate harm
45 London Street		II	12, 54	Moderate harm
Castle		I, SAM	8, 9, 12, 54	Minor harm
St Andrew's Church		I	12, 54	Minor harm
City Hall		II*	8, 9, 11, 53	Minor harm
St Peter Mancroft Church		I	8, 9, 11	Negligible harm
The Guildhall		I	11	Minor harm
1 Guildhall Hill		II	11	Minor harm
St Andrews and Blackfriars Halls		I, SAM	22, 55	Minor harm
St Peter Hungate Church		I	22, 55	Negligible harm
Britons Arms		II*	22, 55	Negligible harm
2-8 Elm Hill				
St Augustine's Street group	Nos. 1-11, 21-29, 22-36, 42, 44, 46, 48, 50, 52, 59, 61, 71-73 New Botolph Street	Various	15, 16	Major harm
St Augustine's Church		I	32, 33	Negligible harm
2-12 Gildencroft		II	32, 33	Minor harm
City Wall (Magpie Road)		SAM	17	Minor harm
Upper Close (northern group)	69, 70, 71, Erpingham Gate	Various	20	Negligible harm
Maids Head Hotel		II	23	Minor harm
St Clements Church		I	25, 27, 56	Major harm
Fye Bridge Street group	Nos. 2-8, 9-13, Fye Bridge, 3 Colegate	Various	25, 27, 56	Major harm
Wensum Street group	9-13 Wensum Street, 40 Elm Hill	Various	25	Major harm
St Martin at Oak		I	29	Minor harm
47-49 St Martin's Lane		II	29	Moderate harm
St George's Street group	St George's Colegate church, Bacon House, Nos. 63, 80, 82	Various	37	Minor harm
Calvert Street group	Nos. 9, 11, 12, 13, 20, 22, 1-9 Octagon Court	Various	38	Minor benefit
42-48 Magdalen Street group		Various	42	Negligible benefit
Magdalen Street (centre and north)	Nos. 75, 105, 107	II	34, 43	Major benefit
Doughty's Hospital		II	44	Negligible harm
43-45 Pitt Street		Local	30, 46	Total loss
St Mary's Church		I	52	Negligible harm
Pykerell's House		II*	52	Negligible harm
69-89 Duke Street		II	52	Negligible harm
City Centre Conservation Area		NA	All	Minor-Moderate harm

Anglia Square Townscape and Visual Impact Summary				
Viewpoint	Viewpoint name	Sensitivity	Magnitude of change	Residual effect
Distant range / image of Norwich				
4	Angel Road	Low	Medium	Moderate-Neutral
7	Mousehold Avenue	Low	Medium	Moderate-Neutral
7A	Mousehold Avenue panorama	Medium	Medium	Moderate-Adverse
8	Motram Monument	High	Medium	Moderate-Adverse
9	Ketts Heights	Medium	Medium	Moderate-Neutral
10	Ketts Hill	Low	Medium	Minor-Adverse
12	Castle rampart	High	Medium	Major-Adverse
14	Aylsham Road outside no 22	Medium	Medium	Moderate-Neutral
15	Junc St Augustines St / Magpie Rd	Medium	Medium	Moderate-Adverse
48	Waterloo Park	Medium	Medium	Moderate-Adverse
49	Aylsham Road	Medium	High	Major-Adverse
54	Norwich Castle battlements	High	Medium	Major-Neutral
60	Cathedral Meadow	High	Low-Medium	Moderate-Adverse
Medium range / Streets, spaces, incidental				
11	Outside Forum	High	Low	Moderate-Adverse
13	Junc Gentlemans Wlk / Davey Pl	High	Very Low	Minor-Adverse
19	OS St James Church, Barack St	Low-Med	Medium	Moderate-Beneficial
20	Upper Close	High	Very low	Minor-Adverse
22	Junc Elm Hill / Prince St	High	Low	Moderate-Adverse
23	Outside 21 Tombland	High	Low	Moderate-Adverse
25	Junc Wensum Street / Elm Hill	High	Medium	Major-Adverse

27	Riverside walk next to boat pontoon*	Medium	Low	Minor-Adverse
29	Junc Oak St / St Martin's Lane	Medium	Medium	Moderate-Adverse
31	Quaker Burial Ground*	Medium	Medium	Moderate-Neutral
36	Junc Muspole St / Colegate	Medium	Medium	Moderate-Neutral
37	Junc Calvert St / St George's St	High	Medium	Major-Neutral
50	Bakers Road	Medium	Low	Minor-Neutral
51	Sussex Street	Medium	Low	Minor-Neutral
52	Rosemary Lane	High	Low	Moderate-Adverse
53	City Hall balcony	High	Low	Moderate-Neutral
55	Peter Hungate Church gardens	High	Very Low	Minor-Adverse
56	Fye Bridge	High	Low	Moderate-Adverse
Close range / immediate environs				
16	Junc St Augustine St / Sussex St	Medium	High	Major-Adverse
17	Magpie Road	Med-High	High	Major-Neutral
18	Junc Edward Street / Magpie Rd	Low	High	Moderate-Beneficial
30	Junc St Crispins Road / Oak St	Low	High	Moderate-Beneficial
31	Quaker Burial Ground	Medium	Medium	Moderate-Neutral
32	St Augustine's Churchyard	High	High	Major-Neutral
33	St Augustine's Church porch	High	High	Major-Neutral
34	107 Magdalen Street	Medium	High	Major-Beneficial
35	Junc Cowgate – Bull Close	Low	Medium	Moderate-Adverse
38	Junc Calvert Street / Colegate	Medium-High	Low-Medium	Moderate-Beneficial
42	39 Magdalen Street	Medium	Medium	Moderate-Beneficial
43	59 Magdalen Street	Low	High	Moderate-Beneficial
44	Doughty's Hospital	Medium	Medium	Moderate-Neutral
46	Junc St Mary's Plain / Duke St	Medium	Low	Minor-Beneficial

4.11 The development has not been found to inflict substantial harm on any designated heritage assets, although substantial harm through total demolition would be caused to a locally listed heritage asset - 43-45 Pitt Street. It was found to have a less than substantial impact of differing degrees on a number of designated heritage assets, including:

- Anglican Cathedral
- Roman Catholic Cathedral
- Castle
- City Hall
- St Peter Mancroft
- Guildhall
- St Andrews and Blackfriars Hall
- St Peter Hungate
- 2-8 Elm Hill
- Britons Arms
- 1-11 St Augustine's Street
- 21-29 St Augustine's Street
- 22-36 St Augustine's Street
- 71-73 New Botolph Street
- St Augustine's Church
- 2-12 Gildencroft
- City Wall at Magpie Road
- Maids Head Hotel
- 9-13 Wensum Street
- Fye Bridge
- 2-8 Fye Bridge Street
- 9-13 Fye Bridge Street
- St Clement's Church
- 3 Colegate
- St Martin at Oak
- 47-49 St Martin's Lane
- St George Colegate

- Bacon House
- Doughty's Hospital

4.12 The cumulative harm identified above is to some extent offset by other beneficial aspects of the development for the historic environment, that serve to enhance the Anglia Square character area as part of the City Centre Conservation Area:

- (a) The removal of areas of undeveloped wasteland off Pitt Street.
- (b) The removal of buildings identified as negative in the city centre conservation area appraisal.
- (c) The reinstatement of streets on an alignment close to those that previously existed on the site resulting in clear relationships between surrounding streets and the development.
- (d) New streets and squares with a high quality landscape treatment that, combined with the new accommodation, will attract people to the area and resulting more people appreciating the surrounding parts of the conservation area.
- (e) Framed views of St Augustine's Church and the Anglican Cathedral from within the development.
- (f) Higher quality replacement buildings on Magdalen Street.

5 OBJECTIONS TO THE SCHEME

Introduction

5.1 This section of my proof discusses aspects of the alternative positions taken by other Rule 6 parties as expressed in their statements of case. It explains why my professional opinion about the design and heritage merits of the case differs from theirs. In general terms Historic England (HE), SAVE and the Norwich Society assess the design to be worse and the harm to heritage assets significantly greater than I, whilst the applicant is slightly more positive about the design and considers the harm to heritage assets to be significantly less.

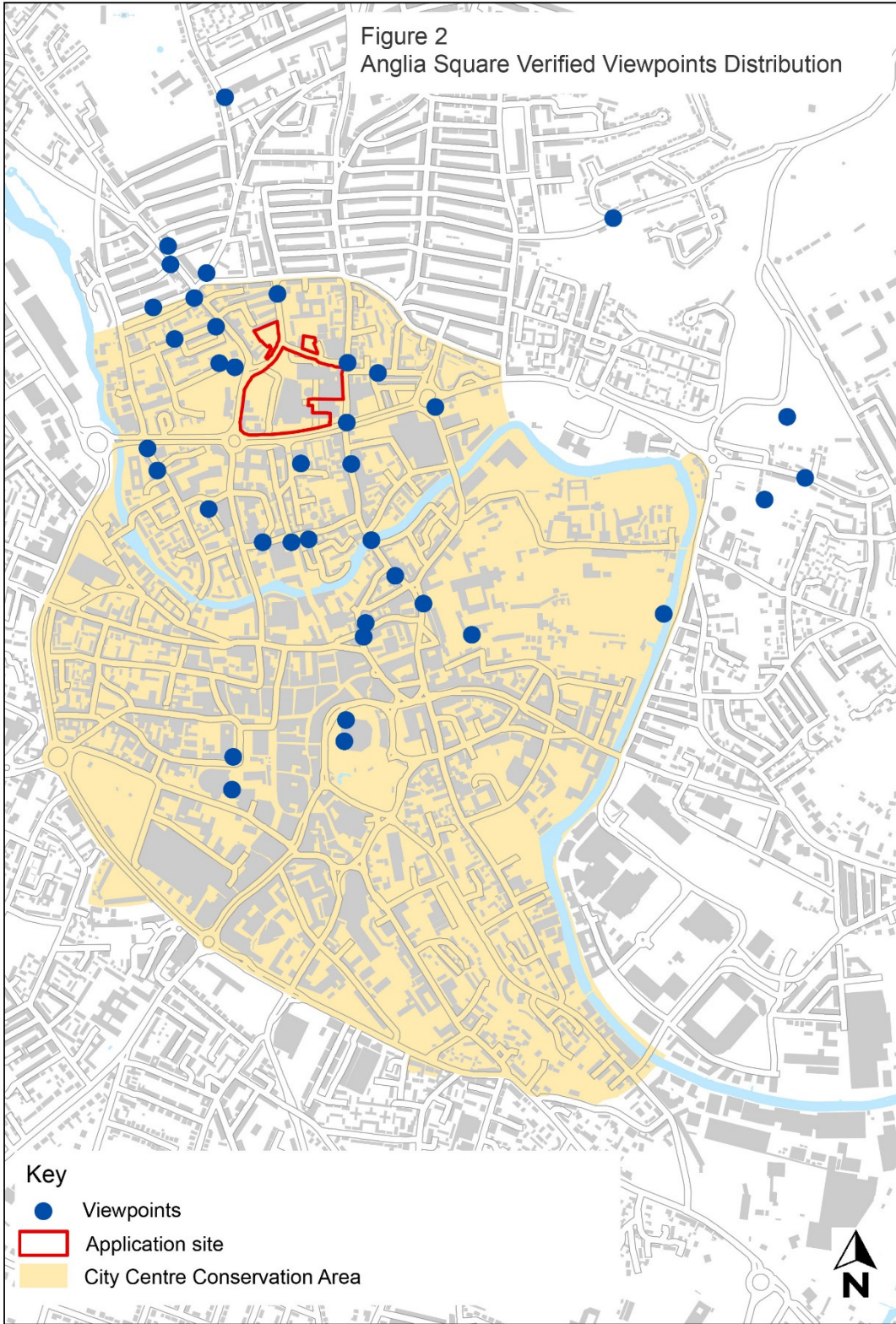
Historic England (HE)

5.2 HE have concluded that the proposed development would cause a “severe” degree of harm to the character of Norwich, which would be “of a degree close to the threshold of what the Framework terms “substantial harm”” (Statement of case para 6.39). It is not clear how this conclusion has been reached with reference to the individual heritage assets that need to be separately assessed. It is my opinion that the harm caused to most of the affected heritage assets is more modest, as summarised in table 1 above. HE’s term “severe” probably equates to my term “major” and I conclude that the heritage assets in St Augustine’s Street, Fye Bridge Street and Wensum Street are the only ones that experience this degree of harm. It seems logical to suggest that a conclusion of severe harm to the character of the entire city could only be reached if a much larger proportion of individual assets were experiencing major harm. There are large parts of the city centre conservation area where no view of the development can be obtained and the setting of heritage assets will be unaffected. This can be seen from the spread of verified viewpoints in fig 2. Furthermore, the conclusion of serious harm is even less tenable because HE ignore the beneficial aspects of the development for the historic environment listed in paragraph 4.12 above.

- 5.3 HE's tripartite distinction between long, medium and close range views in paragraphs 6.17-19 of their statement of case is helpful. In these paragraphs they cite a number of views, which they consider represent the harm that would be caused by the development. Table 1 shows that I have concluded the harm is lesser or non-existent from several of these viewpoints: Kett's Heights (view 9); the Quaker Burial Ground (view 31); St Augustine's Churchyard (view 32); the junction of Calvert Street and Colegate (view 38); and Doughty's Hospital (view 44): for the reasons explained in the planning Committee Report. In their October 2018 response to the revised planning application (CD11.24), HE continued to maintain that the development would be visible from Catton Park and harmful to the setting of that registered historic park and garden when the verified views suggest otherwise. Catton Park is within Broadland District Council's area and even though they attended the site visit when the viewpoint was selected they did not object on these grounds in their comments.
- 5.4 The history of the evolution of Norwich's built environment articulated by HE in paragraph 6.2 of their Statement of Case (CD11.3) shows that large scale changes have occurred that we now celebrate as part of the city's character - the construction of the great Norman buildings of the Castle and Cathedral, the shoe factories of the nineteenth century and City Hall in the early twentieth. Although not mentioned by HE, the Forum opposite St Peter Mancroft church is the most recent example in the twenty first century. This shows that that Norwich has the capacity to change and grow.

5.5 HE contends that all the prominent buildings are south of the river and therefore taller buildings to the north that alter the skyline are inherently illegitimate. By contrast, my view is that this characterisation downplays the presence of larger buildings to the north of the river, such as the shoe factory buildings on Colegate and the largest Odeon Cinema north of London opened on Botolph Street in 1938 and subsequently demolished. The pattern described by HE existed before the nineteenth century at a time when the medieval walls were the outer limit of the city and the area to the south of the river was the symbolic centre of the city. The whole area within the walls (both north and south of the river) now forms the city centre and is the symbolic and functional heart of a growing urban area. It is therefore fitting that more dense and prominent buildings can extend into new areas to the north of the river.

Figure 2
Anglia Square Verified Viewpoints Distribution



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- 5.6 HE places much stress on the image of Norwich as a historic city and describes the city as a “collective work of art” in its statement of case. Norwich’s identity, appeal and success is undoubtedly to a large extent attributable to the quality of its built environment. However, the image of the city is about more than its built character. Its image is also derived from the welcoming, tolerant nature of its people; the radical innovations in thought, politics, finance, creativity and science that have emerged from the city; its embrace of new trends; the enjoyment of public spaces that have been reclaimed from car movement; the interweaving of generous open space and vegetation into the city and its relationship with the surrounding countryside and coast. The description of Norwich as a “work of art” is a rather precious, static, and visual notion, implying a conscious mind, a concept that can only really be applied following the advent of the modern planning system in 1947.
- 5.7 HE commissioned an alternative development proposition from Ash Sakula Architects (CD11.5). They acknowledge that this would be unviable and it therefore appears to be an entirely theoretical exercise. Although I am reluctant to engage in a critique of a proposal that cannot be built, it is worth noting a) the lack of a replacement public square, b) the inclusion of part of the site on the corner of Magdalen Street and Edward Street that does not belong to the applicant, c) large areas of surface car parking and d) the severance of the north south route between St George’s Street and Edward Street, which forms an important walking and cycling connection between the north of the city and the city centre.

Other objectors

- 5.8 I have read the statement of case and comments on the planning application supplied by SAVE and the Norwich Society. The Committee Report is clear on the extent to which I disagree with their positions. I would only add that SAVE’s contention that the development amounts to substantial harm is more extreme than Historic England and untenable given that no listed buildings are physically altered by this development and the setting of those buildings can continue to be enjoyed from several viewpoints without the development being visible.

6 CONCLUSION

6.1 The elements of the scheme that enhance the Anglia Square character area listed in paragraphs 4.3 and 4.12 are outweighed by the more diluted and dispersed but nevertheless significant cumulative harm to the wider conservation area and numerous important heritage assets within it. On balance, therefore, in heritage terms, the harm caused by the scheme is considered to be greater than the benefit to be derived from it. I conclude that this harm is greater than claimed by the applicant but lower than claimed by Historic England, the Norwich Society and especially SAVE.