



THE
NORWICH
SOCIETY

Reference: NS3

**Planning Application 18/00330/F
PINS reference
PCY/RTI/G2625/3216532
Land at Anglia Square, Norwich**

Proof of evidence: Simeon Jackson

I am a Trustee of the Norwich Society, and a member of their Planning Appraisal Committee (PAC) and their Conservation and Development Committee. I was a city councillor for Mancroft Ward between May 2013 and May 2018, during which time I served on the council's Planning committee (five years), and Sustainable Development Panel (four years). I was also the principle opposition group's spokesperson on Sustainable Development and Regeneration. I hold a masters degree in Architectural Engineering from the University of Leeds and have worked in a private architectural design practice based in Norwich for five years.

This proof of evidence addresses e) The extent to which the proposed development is consistent with the development plan for the area including any emerging plan.

I will argue specifically that the Local Planning Authority's assessment of the application fails to sufficiently address clauses within the local development plan, and misled the planning committee councillors through the advice they gave within the committee report. As a result, I argue, some key elements of harm should have been given more weight when balancing against the benefits of the scheme. Once the extent of the inconsistency with local policy is fully taken into account, the application as a whole is unacceptable and should be refused.

In the context of no formally adopted site-specific policy, since the North City Centre Area Action Plan expired in 2016, the most relevant policy document is the Norwich Local Plan Development Management policies, which clarify how Norwich specifically seeks to achieve sustainable development. However, for this site, the council has produced the Anglia Square and surrounding area Policy Guidance Note (PGN), which provides further information on how the development management policies would be assessed in the context of this site.

DM12 of the Development Management policies states that "*All residential development should comply with the following criteria in addition to the requirements of other policies:*" and goes on to list six criteria. I would like to draw your attention to the way this requirement is phrased. The use of "*in addition to*" strongly suggests that the intention of this clause is that these criteria should be met regardless of any other factors which impact upon the development's acceptability in other ways. It should be noted that it may be that the requirements of this (and indeed some other policies) may impose limits on the level of development that is acceptable, even to an extent that the development of the site would not be viable. Under these circumstances, the LPA may have to offset planning obligations against

deliverability of its objectives to secure sustainable development. However, this should not change the way a development should be assessed against this policy. The failure to be transparent about where planning obligations have been relaxed for the sake of project deliverability, I believe, constituted misleading councillors about key aspects of the decision that they were to make.

I will now assess the extent to which the development is consistent with the specific criteria within DM12.

a) Proposals for development should not compromise the delivery of wider regeneration proposals and should be consistent with the overall spatial planning objectives for sustainable development set out in the JCS and policy DM1 of this plan;

In assessing the application against this policy within the committee report (paragraph 200), the officers state "*the quantum of residential proposed is the level the applicant indicates is necessary for the whole regeneration scheme to be viable.*" This is the applicant's opinion and is not a satisfactory assessment of the application against this policy criteria. Indeed, it indicates that the LPA was predetermined in its view when assessing whether the quantum of residential is consistent with DM12.

Nowhere in the council's policy is there a statement that "*the proposed level of housing is essential to deliver the regeneration of the site and the wider northern city centre*", as the officer states. Indeed, the council's most recent policy for the area (NCCAAP) indicates that a minimum of 250 houses would be an acceptable quantum within the Anglia Square site, and 900 over the entire NCCAAP area. Whilst the council indicates within the PGN (7.10) that "*there is clearly no policy constraint on proposals for Anglia Square that would deliver significantly more housing than previously envisaged either in the Northern City Centre Area Action Plan...*", it does not indicate that a higher minimum quantum of housing would be essential to meet the council's wider regeneration objectives.

Furthermore, the PGN states "*the residential capacity of the site will require careful balancing of the following considerations*" and lists four considerations.

The first is "*the constraints on the scale of development*". Earlier within the PGN (paragraph 3.18), a statement is made that "*the height and traditional character of buildings and streets to the north and east of the site (most immediately Magdalen Street, St Augustine's Street and Gildencroft) needs to be respected in the redevelopment to ensure the buildings, streets and their settings are not unduly dominated or harmed by the new buildings.*" The current proposal fails this test. This is demonstrated not only by a comparison of the number of storeys of the new development in comparison to the existing buildings on these streets (more detail of which is contained within the Norwich Society's Building For Life 12 assessment of the proposed development), but also through the number of objections from residents and local groups, specifically citing the lack of respect for the surrounding context as their main objection to this scheme.

The council does not appear to have carried out the careful balancing mentioned within PGN paragraph 7.10, and instead has, without due reason, accepted the applicant's statement as fact.

A further criteria of DM12 states:

Proposals should achieve a density in keeping with the existing character and function of the area, taking account of the significance of heritage assets where relevant and the proximity to local services, and/or public transport routes. At least 40 dwellings (net density) per hectare should be achieved unless this would have a harmful impact on the

character and local distinctiveness of the area or where there are other exceptional circumstances which justify a lower density. In the city centre, within and adjoining district and local centres and in other locations of high accessibility higher densities will be accepted taking account of identified housing needs and the need to protect character, local distinctiveness and heritage significance'

The committee report quoted only the first sentence of this criteria. This omission may have misled councillors in making their decision as they may not have been aware of the full criteria. The report also only directly responded to the issues raised within the first sentence.

The policy specifies a minimum density to prevent inefficient use of space in a city context. However, the overall intention of this criteria is clearly not just to set a minimum, but also to assist in determining what considerations come into play to assess whether the density is appropriate to the character and function of the area. Within the committee report, the density for the site is given as 296 dwellings per hectare. However, no comparisons are made with other densities, both in the local vicinity, and in other comparable cities, to determine whether this is an appropriate density for the area. 2011 census data suggests that only a handful of the census output areas in Norwich exceed 100 dwellings per hectare, and that none of those are within the immediate vicinity of this site, where the density ranges from 19 dwellings per hectare (around Oak Street) to 80 (Magdalen Street and surrounding flatted courts such as Magdalen Close). Whilst a higher density than the surrounding area may be appropriate, it is quite clear that such a high jump in density will substantially change the character of the area. This has not been addressed within the committee report.

Conclusion

The planning committee members deciding this application were not provided with a full and balanced assessment of the application against local plan policies. Local development plan policies DM12, DM3 and PGN paragraphs 3.18 and 7.10 put significant emphasis on the need to respect the character and density of the surrounding area.

In my view, the significant increase in density and height of the proposed development does not respect the height, density and traditional character of buildings and streets in the local area, and therefore the application should be refused.