

**FOR THE APPLICANT:
WESTON HOMES**

**EXPERT EVIDENCE TO THE PUBLIC
INQUIRY UNDER SECTION 77 OF
THE TOWN AND COUNTRY
PLANNING ACT 1990**

ANGLIA SQUARE, NORWICH

**REBUTTAL: HERITAGE,
TOWNSCAPE AND VISUAL IMPACT**

WH 2/4

**LPA REF. 18/00330/F
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1.0 INTRODUCTION

1.1 This Rebuttal Evidence has been prepared by Dr Chris Miele in response to Proofs of Evidence (including Appendices) by:

- Mr Neale on behalf of Historic England (“HE”) (‘HE 1’ series);
- Mr Forshaw on behalf of SAVE (“SAVE”) (‘SBH 1’ series); and
- Mr Boon on behalf of The Norwich Society (‘NS 1’ series).

1.2 **Sections 2.0** and **3.0** treat matters common to both proofs, respectively on alternatives and the Policy Guidance Note (“PGN”) for the site (**CD2.11**).

1.3 **Section 4.0** presents evidence in response to other matters raised by HE, **Section 5.0** to other matters raised by SAVE, and **Section 6.0** to other matters raised by The Norwich Society.

1.4 This Rebuttal has Appendices which include further modelling work from Cityscape Digital. This is in response to specific allegations of impact made by SAVE variously in its Proof (**SBH 1/1**) and to a matter raised by The Norwich Society.

Terms of Rebuttal Evidence

1.5 The omission of comment on those parts of the evidence not mentioned here should not be taken as agreement to them.

1.6 I confirm here, and by my signature concluding this Rebuttal Evidence, that in preparing it I have had regard to the terms set out in the signed and dated affirmation concluding my main Proof. I do not need terms set out there, and my dated signature at the end of this Rebuttal Evidence.

2.0 ALTERNATIVES

- 2.1 HE's Appendix 1 (see **HE 1/2**) comprises a short design study by a firm of architects, Ash Sakula. This study proposes an alternative form of development on the Application Site. This scheme is treated at Section 10 of HE's main Proof (**HE 1/1**).
- 2.2 I do not understand what weight HE invites the Secretary of State ("**SoS**") to give to this alternative and the brief informing it.
- 2.3 For example, at paragraph 10.13 the main evidence states that "*The presentation of an alternative scheme would require much more than Ash Sakula's proposals, including financial assessment and a planning appraisal*". In any event, the paragraph concludes, HE confirms it is not varying from its SoC, in which it confirms it did not believe the alternative proposals would be at all viable.
- 2.4 On the other hand, however, there is the statement at paragraph 10.5:
- If the SoS agrees that the application scheme would cause material harm to the significance of the exceptional collection of heritage assets... then he may consider whether there is an alternative approach to the problem of Anglia Square.*
- 2.5 And furthermore at paragraph 10.16 where the evidence concludes that in the event of a finding against the Application, that this should "*not be seen as a refusal of any approach to the redevelopment of Anglia Square*".
- 2.6 SAVE's evidence (**SBH 1/1**) likewise invites the SoS to give weight to these proposals in his decision on this Application. See paragraph 127: "*It is accepted that there is no financial analysis available of either HE's alternative scenario or CMSA's vision, but this should not mean the potential is dismissed*".
- 2.7 Having reflected carefully on this, I conclude that the presentation of such a hypothetical scheme, which HE accept is not viable and also is not deliverable in the real world, should attract little if any weight at all.
- 2.8 Many things may be 'draw-able' within a red line, and within this red line. But, if the thing is neither deliverable nor viable, then I cannot see they can reasonably be considered an 'alternative' in the way that term is understood in a planning context. The HE drawing is simply an inchoate preference which cannot be had: a 'unicorn' in today's parlance. Accordingly I do not invite the SoS to give any weight to this material as a true alternative or at all. And in any event, the SoS is considering the application before him not a theoretical proposition.

3.0 THE POLICY GUIDANCE NOTE (CD2.11)

- 3.1 Both the objecting parties criticise the Application proposals with reference to the PGN (CD2.11).
- 3.2 HE assess the scheme against parts of this guidance from paragraph 9.33 of its evidence (HE 1/1), concluding that the Proposed Development “*would not conform to expectations*” of the PGN (paragraph 9.38).
- 3.3 SAVE take a similar approach at paragraphs 74 and 75 (SBH 1/1).
- 3.4 First, both parties are inviting the SoS to give weight to this document though neither says how much. The matter is treated in the evidence of others appearing before the Inquiry. See for example Mr Luder’s PoE (WH 1/1) from paragraphs 3.3 and especially 3.6 and 3.7. The document was not meant to give prescriptive guidance on the form the development might take. It was a non-statutory document which indicated a way or ways in which the development of the site might take place consistent with the development plan.
- 3.5 In relation to this matter, I note that paragraph 1.5 of the PGN refers to a further document, a Planning Policy and Design Framework for Anglia Square “*to assist in bringing forward the comprehensive redevelopment of the Square*”, and then one dealing just with policy. This was not pursued, for reasons I do not know; however, in my opinion, there is sufficient adopted policy for the determination of this application, read together with Supplementary Planning Documents (the City Centre Conservation Area (“CCCA”) Appraisal notably, CD2.10), the National Planning Policy Framework (“the Framework”) (CD1.1) and additionally the statutory framework relating to heritage matters (the Planning (Listed Building and Conservation Areas) Act 199, Sections 66 and 72).
- 3.6 Therefore, I do not read the PGN as a document intended for detailed development control purposes.
- 3.7 Second, and in any event, then I note simply that even statutory policy must be applied reasonably and flexibly, and according to the circumstances of any case. This is so much the more so in relation to guidance, which does not have the same weight.
- 3.8 Furthermore, the drafting of the PGN anyway allows for a range of responses.
- 3.9 On that point, and taking height as an apposite example, I refer the Inspector to paragraph 7.91 of the PGN (which the objecting parties cite severally) on the matter of defining the gateway and landmark, including tall buildings. The advice notes that a landmark does not need to be tall, but then goes on to refer expressly to the possibility of a tall building.

3.10 All this leads me to conclude that Norwich City Council (“**NCC**”) consider that the site is in principle acceptable, in its view, for a tall building, but that one is not required. The fact that an alternative form of development might also provide a landmark/gateway does not mean a tall building cannot, and the PGN expressly contemplates one here and also in Map 3 (see **CD2.11**, page 41), of proposed viewpoints.

3.11 These include distant viewpoints that are relevant to a tall building.

3.12 Fourth, the scheme specific nature of the PGN is also signalled later in the document in a detailed part of it on ‘Viability’ (paragraphs 7.114 to 7.124).

3.13 See also conclusions at paragraph 9.3, where it is stated that:

there may be issues of viability which would affect delivery and these matters will need to be carefully balanced when considering the potential redevelopment of this [the Anglia Square] site. [My emphasis]

3.14 The objecting parties do not draw attention to this part of the PGN or to the paragraph I cite above, confirming the then-intention to produce a policy document for the purposes of assessing a scheme in the planning process. SAVE questions whether viability is relevant at all. This is plainly not correct. Viability and deliverability are fundamental to the planning system and are both of particular relevance in relation to large-scale regeneration schemes and visions contemplating, as this one does, transformational change.

3.15 Finally, I note that the vision promoted in the document at section 5.4, which begins by seeking a “*rejuvenated Anglia Square, with a distinctive identity that compliments [sic] the surrounding area and reflects its location in the heart of the historic northern city centre*”. The contextual references are obviously important but what this sentence, read in the context of the document as a whole, leads me to conclude is that the scheme can have a different and distinctive character to the surrounding area.

3.16 Notwithstanding that, and as is clear from the Applicant’s evidence (both mine and Mr Vaughan’s) the proposals do seek to complement the surrounding area through the pattern of streets and spaces, active frontages, and a varied block height and massing that steps down in key locations. Materials too have been informed by precedent (again see Mr Vaughan’s evidence).

4.0 HISTORIC ENGLAND'S EVIDENCE

The 'Pattern of the City' and Its 'Intimacy'

- 4.1 In several places HE's evidence (**HE 1/1**) alleges the proposals are 'profoundly damaging to the pattern of the city' (paragraphs 1.4, 1.8, 8.41b). 'Pattern' is intended, on my reading of the evidence, to have a broad meaning and one of the effects of this pattern is the city's 'intimacy'. The quality is presented as an over-arching characteristic in the evidence.
- 4.2 I think that 'pattern' cannot be taken to mean a regular arrangement of townscape elements because the townscape of Norwich is quite varied which is self-evident and documented by the CCCA Appraisal (**CD2.10**). Thus, the pattern of the townscape, if there is one, is varied.
- 4.3 At present, however, the component of the CCCA which includes the Application Site already stands out as different from the other character areas for reasons the parties will agree and are obvious. On that basis, the Application Site offers the opportunity for a different form of development, an opportunity recognised in the PGN (as already discussed at **Section 3.0**).
- 4.4 I do not accept, however, that the proposals are inconsistent with many characteristics of the city: active frontages, mix of uses, well defined and varied spaces offering views of historic buildings from them. Again see my **Section 3.0**.

Intimacy

- 4.5 The HE evidence elides the city pattern with the characteristic of 'intimacy'. I agree, and it is obvious, that certain parts of the city have an intimate quality arising from narrow streets, architectural variety and traditionally scaled buildings. Many areas in the Elm Hill and Maddermarket character area fit this description. See page 75 of the CCCA Appraisal (**CD2.10**) which states:

This area is one of the most attractive in the City with a grid of often very narrow and intimate streets and lanes generally running north-south and linked by more major routes running east-west, the line of which dates back to Roman times.

- 4.6 There is a similar observation at page 66 on the Cathedral Close.
- 4.7 However, there are areas in the CCCA which are more open and not intimate in this sense, notably the market place which is a large open space, and many areas around the Castle mound which have a larger scale. The Appraisal recognises this variety severally and in more general terms in the Executive Summary, page 2, which states:

Much of the central area has narrow streets with buildings on the footpath edge producing tight and intimate townscapes. The central area also has a number of 'plains', areas of open space which vary considerably in scale but are often important to the setting of key buildings such as churches.

- 4.8 HE's evidence invites the SoS to apply the characteristic of intimacy (a spatial concept) to the whole of the city. See, for example, paragraph 6.87. For the reasons above, however, I do not advise the SoS to treat intimacy as an over-arching and consistent character of the city as a matter of baseline analysis. The matter – Norwich's townscape – is far more complex than that.
- 4.9 In any event, the Application Site at the moment is not intimate in its character. As developed, I think that the main spaces through the scheme would have an intimate character, by which I mean well defined and close. On the edges, particularly south and east, it will produce an intimate character too. Enclosure is one of the characteristics of intimate environments. A modern planned development with larger buildings can have an intimate quality through the disposition of spaces and routes.
- 4.10 In summary, then, I do not accept there is an overarching pattern which the proposals violate. 'Intimacy' is not an overarching characteristic anyway, but notwithstanding that I consider parts of the scheme will be intimate and I see no reason abstractly why a new planned environment cannot have that characteristic, which is one inference I believe HE intends the SoS to draw by, for example, the production of its theoretical alternative (HE 1/2).

Sustainable Development

- 4.11 At paragraph 5.5 HE cites the Framework's (CD1.1) well-known objective, which is to achieve sustainable development. The inference the SoS is invited to draw is that the proposals which cause harm to an environmental interest are intrinsically not sustainable, and that allegation is made directly at paragraph 11.6.
- 4.12 If a development causing harm to any acknowledged environmental interest of importance was unsustainable by definition, then it follows the proposal would lie outwith the policies in the Framework. However, the policies in the Framework intended to deliver sustainable development expressly allow the balancing out of harm to, for example, heritage interests on balance of planning advantage. It is clear that public benefits of a development might outweigh heritage harm providing clear and convincing justification for development. It is common ground as between the Applicant, HE and NCC that there is a degree of harm to heritage interests to be resolved in the planning balance. That however does not make the development unsustainable in terms of the Framework. Care has to be taken to ensure that public benefits are properly accounted for and balanced as required, as set out in the evidence of others. HE is clear that it

has chosen not to engage in that balance. SAVE's evidence does not expressly strike that balance either, or so it is stated and notwithstanding the latter parts of it deal with land-use planning matters.

- 4.13 Overall, then, the judgment on sustainability cuts across topics and is a matter of planning balance.
- 4.14 Therefore, and since HE are not presenting planning evidence, I do not see how as a matter of policy it can conclude the proposals are unsustainable; indeed, on the basis that the Framework contemplates the justification of even 'substantial harm', then even that too is not in principle at odds with the concept of sustainable providing the countervailing benefits are there.

Scale and Extent of Impact: 'Feeling'

- 4.15 Paragraph 6.1 states that the *"scale of the proposed redevelopment ... is such that its impact would be felt [my emphasis] across the historic city..."*.
- 4.16 As the Zone of Visual Influence ("ZVI") prepared as part of my main evidence (**WH 2/3, Appendix 11.0**) demonstrates, the proposals would not, as a matter of fact, be widely visible south the river, where the majority of the historic extent of the city (featuring historic fabric) lies. Insofar as visual perception is concerned, therefore, the impact is very limited (and I have addressed those places where it is visible in my evidence).
- 4.17 The allegation is that the proposed redevelopment would be 'felt'.
- 4.18 I do not know what this means as a matter of evidence but I infer it is used figuratively, that is, to have an idea which generates an emotional response. A 'feeling' is inherently subjective. I recommend the SoS base his decision on what can be perceived or experienced directly, with the evidence of the senses, and not to rely on a vague impression of a personal nature and which, as a matter of course, will vary from person to person and cannot be quantified. The approach I advise, on perception and direct experience, is directly compatible with the approach advised in Glossary to the Framework.
- 4.19 The HE evidence is characterised in places by the use of such figurative or metaphorical language, which I find difficult to treat by way of Rebuttal except to refer to it as characteristic of the piece's style or approach. Such language is emotive and not precise, and amounts to advocacy.

Famous Views of Norwich and Its Image

- 4.20 HE's evidence comprises an Appendix (see **HE 1/4**) reproducing artistic representations of Norwich. These are produced to evidence HE's identification of the

image of Norwich and also in connection with the impacts of the proposals on city-wide panoramas, and specifically, from St James's Hill.

4.21 As a matter of fact, I have looked at these views and have the following observations:

- Item 1: 1783 Prospect of the City from St James' Hill. This shows Norwich before its industrial expansion to the north, and the future site of Anglia Square would appear to be outside the frame (to the left);
- Item 2: This C18 oil (assumed) is from Mousehold Heath and is presented in portrait format with a piece of ruined wall providing a *repoussoir* (foregrounding) device to the right. The image collects together the core heritage towers. The future site of Anglia Square is well outside the frame to the north or right and so not visible.
- Item 3: 1826 engraving (assumed) from Mousehold Avenue around Gurney Road, and showing Cow Tower and part of the river. This focuses on the cathedral and castle and the future Anglia Square site is not in the frame.
- Item 4: Early Victorian watercolour (assumed) from Crown Point, an area SE of the city centre and near Whittingham/Trowse. The ZVI at my **Appendix 11.0 (WH 2/3)** suggests no intervisibility with the scheme from this approximate location.
- Item 5: SE view of the city, watercolour of 1846, from Crown Point and same comments on Item 4 apply.
- Item 6: mid-C19 gouache/watercolour (assumed), view of Norwich from Mousehold and showing Cow Tower, see Item 3 above. The future site is out of the frame. The image is interesting for showing the industrial expansion of the town in, I think, the Colegate area.
- Item 7: Watercolour of c. 1900 (?) from Mousehold Heath. See previous comments with the addition of the Roman Catholic Cathedral and featuring industrial uses/ buildings in the right middle ground. Site not in frame insofar as I can judge.
- Item 8: Norwich from Bungay Road, watercolour (assumed). The proposal might be visible on the ridge but the viewpoint no longer exists as a consequence of later development.
- Item 9: St James' Hill (not Mousehold as the caption in HE evidence states) of the interwar period, watercolour. Focused on the Anglican Cathedral and

Castle group with other towers faintly indicated. The location of the Application Site is well out of frame to the right.

- Items 10: and 11: Graphic images of the interwar period advertising Norwich as a tourist destination and featuring historic landmarks, Wensum, boats, motorcars. An image that encapsulates the image of England captured in the first generation Shell motoring guides. No equivalent contemporary marketing or tourism images are supplied.

4.22 In summary, I conclude the following from this gathering of visual images:

- None are contemporary and the views in each have changed markedly.
- The proposals do not appear in the artist's frame for any, except possibly one (Item 8 above), but that viewpoint does not exist anymore.
- None of the artists are major figures.
- None of the representations are celebrated representations in the sense that term is commonly used in planning (Constable's Dedham Vale or Salisbury Cathedral, any views by Turner or others of similar stature).

4.23 What this selection does is fortify me in the conclusions I offered in my main Proof (**WH 2/1**), in relation to my assessment of the St James' Hill View (see paragraphs 9.10-9.50), namely that the central historic grouping has a well-defined and picturesque character which does not rely, spatially (and in the mind of an artist), on the land comprising the Application Site. This demonstrates what I termed in my Proof 'visual separation'.

4.24 This evidence from HE prompted me to consider whether there is a similar process of composition/visual editing in popular image making. To do this I entered 'Norwich' in Google Images and the results are reproduced at **Appendix 1.0** to this Rebuttal (the first 100 hits).

4.25 Popular image making also favours compositions focusing on the central group north of the River Wensum, again demonstrating visual separation.

4.26 I acknowledge some of the bias in this data: the images uploaded tend disproportionately to come from young people and people of moderate means too. These images also include promotional commercial shots (which need to be taken into account).

4.27 Still, it is worth testing, and the search engine returns pictures of historic buildings and the river and close spaces which are intimate and feature shopping, eating and drinking as well as some panoramic views.

4.28 The proposals would not, on my analysis, appear in any of the local or close views at all. Neither would they appear in any of the fields of view of the panoramic shots in this selection.

Precedent

4.29 At paragraph 7.19, HE note that at present the only features that one currently sees in the city wide skyline are the *“great landmarks... which represent church, state or municipality and rich with meaning associated with these”*.

4.30 HE state further, at paragraph 7.20, that *“This historical analysis [which concludes that important civic buildings are located to the south of the Wensum] does not mean that there must never be anything built in the north of the city which breaks that roof-scape, but [the analysis] does belie the arguments put forward to justify the tower block”*.

4.31 These ‘arguments to justify’ the tall element of the proposal referred to are advanced severally in evidence by NCC, and by myself and by Mr Vaughan for the Applicant. In terms that evidence agrees that a tower provides a marker for a major new development, with attendant benefits relating to legibility and way finding and regeneration.

4.32 HE say that these reasons are flawed in the particular context of Norwich, and the existing historic townscape (see the first citation at my paragraph above). The overall proposition being put (I paraphrase on the basis of the whole of the Proof) is that a new tall building to the north of the city upsets an existing underlying and valuable trait of the city namely that all the taller buildings in the city are historic and located to the south.

4.33 As a matter of evidence, I do not accept this as a valid argument (see my proof), but I do have the following observations by way of further evidence.

4.33.1 First, I refer the opening paragraph of HE’s tall buildings guidance (**CD11.19**), which states:

“1.1 Towns and cities evolve, as do their skylines. Individually, or in groups, tall buildings can significantly affect the image, character and identity of towns and cities as a whole, and over a long period. In the right place well designed tall buildings can make a positive contribution to urban life. Past examples show us that they can be excellent works

of architecture, and some of the best post-war examples of tall buildings are now listed.”

4.33.2 Second, there is no policy in the local plan to suggest that tall buildings are in principle unacceptable in the city or in the north of the city.

Methodology

- 4.34 At paragraphs 8.69 and 8.70, HE assess the proposals' impact on the setting of listed buildings as perceived from the Castle, specifically St Andrew's Church (Grade I listed) and the former Nat West Bank on London Street (an early C20 classical revival building, listed Grade II).
- 4.35 At paragraph 8.69 it is observed that *“The proposed tower block would appear between them, and immediately to the left of the cupola”*. At paragraph 8.70 HE state that *“The immediate impression provoked by this view is of the gross disparity in scale between the historic cityscape and the proposed development”*.
- 4.36 Leaving aside the provocative use of language (e.g., 'provoked' and 'gross'), the analysis appears to proceed on the basis that the experience of the view is equivalent to that represented in the flat image which is the Accurate Visual Representation. This is not the only instance of this approach.
- 4.37 The Inspector will know and I advise the SoS that this is not the correct approach to visual impact assessment (“**VIA**”) in any context.
- 4.38 As a matter of established best practice, VIA must take into account distance and the fact that one does not focus in a single plane or depth of field at any one time. The composition of a view is, furthermore, not its arrangement on a two-dimensional plane (which is a pictorial image – painting, drawing, watercolour, and photograph) but the interaction of foreground, middle ground and distance in the first instance. Additionally, the impression that one has of objects and landscape elements in the foregrounds of views generally, including in the foreground of this one, will be greater by reason of proximity.
- 4.39 I presume this is why HE's setting guidance identifies 'distance' as a characteristic to be taken into account. I looked but did not find one instance of HE providing the Inspector either a) with any analysis of the effect of distance (positive or negative), or b) any particular separating distances.

5.0 SAVE'S EVIDENCE

5.1 SAVE's evidence ('**SBH 1**' series) makes a number of points similar to the ones I have rebutted above; for example, SAVE tends not to take distance into account and to treat two-dimensional images as surrogates for visual experience. I do not, therefore, repeat those points in the following comments.

Comparisons with Other Historic Cities

5.2 SAVE's Proof (**SBH 1/1**) invites the SoS to draw a range of comparisons as between Norwich and other European cathedral cities, Rouen and Koblenz, with which Norwich is twinned through the well-known Council of Europe scheme. This evidence is, as a matter of fact, not material to the SoS' decision. It is, insofar as I can see, it is rhetorical in its intent.

5.3 SAVE also presents development plan the policies on height in Oxford, Canterbury, York and Salisbury. These are policies that the planning system has seen fit through statutory processes to apply to these cities. That these policies are different to those in Norwich is not a surprise: it is an inevitability.

5.4 Nevertheless, I make a few observations pertaining to these points.

5.5 The first comparison is as between Norwich and its Continental twins (see paragraph 12 of SAVE's evidence). These are said to retain impressive medieval centres which are unspoilt by modern tall buildings and are dominated, like Norwich, by the spires of great Gothic Cathedrals.

5.6 I do not know the point of this comparison because Continental cities were generally not developed with tall buildings after the war as British cities were and are.

5.7 In any case, the main roads along the Seine in Rouen, from which one sees the Cathedral, the fine Church of St Ouen and to a more limited extent the Basilica Church of St Remi (to its east), also feature the tower block of the regional government, which is across the river from the Cathedral, and a circa 22 storey residential tower further west on the right bank. The visual interaction of these buildings with the Cathedral is more direct and appreciated by many more visitors than would be the case in Norwich were the application proposals constructed. I include Google Streetview images in my **Appendix 2.0**.

5.8 I will add, based on personal experience, that I have visited Rouen many times as a tourist in the historic core, expressly to enjoy these buildings and their context. Until SAVE raised the point, I never thought to consider whether there were any tall buildings here because they simply did not feature in my experience of the historic environment. In my estimation, a tourist coming to Norwich by train as one might to Rouen would not

actually experience the Anglican Cathedral in the context of the tower proposed and would probably head back home without having noticing it.

- 5.9 Koblenz has a smaller historic centre, I understand, than Norwich and this includes a number of prominent modern buildings, near to its historic centre. These are lower than the Rouen examples. I have never visited this site.
- 5.10 SAVE also invites the SoS to draw a comparison as between the development plan policies cited in relation to other English historic cities (SAVE Appendix 1 (**SBH 1/2**) and paragraph 31 of Proof, **SBH 1/1**) in terms to suggest that the protection these policy protections should be transposed to Norwich, which, it is implied, somehow lacks a development plan basis for judging the Application. Those other development plan policies are of no weight in respect of the SoS's determination of this application. I do not see either objecting party are alleging the local plan is defective. I assume, furthermore, that HE would have been consulted on the plan of a city with important heritage assets. I presume, reasonably I think, that had its planners found the plan defective it would have said so and that HE would be tabling that criticism. They are not.
- 5.11 Earlier in the Proof, paragraph 30 concludes with a rhetorical question framed around a comparison between Norwich and five other English cathedral cities. This is to cast doubt on the principle of any tall building in Norwich on the basis one of this height would in those places *"is surely unthinkable"*.
- 5.12 This observation is not evidence and is not relevant.

Views and Townscape Character

- 5.13 More substantively, SAVE makes a number of criticisms of the view modelling work now before the Inquiry, alleging deficiency in viewpoint selection. SAVE also criticises the judgments offered in the Townscape and Visual Impact ("**TVIA**") (**CDs 4.86m and 7.81m, x**) but that is a valid matter of judgment as between the parties and so I do not seek to gainsay their opinion (which would be pointless).
- 5.14 Its paragraph 25 identifies a number of 'visual impressions' which are 'helpful' but *"in some cases... is [sic] not necessarily the best for demonstrating the full impact of the proposals"*.
- 5.15 I am advised that these 'impressions' (by which is meant the 'Accurate Visual Representations' ("**AVRs**") comprising the environmental information supporting the Application, see **CD4.86m** and **CD7.81m, x**) were made from locations agreed with NCC and HE and over a considerable period of time, enabling them fully to be considered. These views were published and consulted on, and insofar as I am aware no party has alleged any omission or deficiency, and neither did SAVE in its Statement

of Case (“**SoC**”), **CD11.7**. Additionally, the Statement of Common Ground (“**SoCG**”, **CD11.10**) agreed as between the Applicant, NCC and HE accept these views are sufficient to understand the setting impact for the purposes of this Inquiry.

- 5.16 Notwithstanding that background, SAVE has now identified some specific deficiencies, and to assist the Inquiry, I comment on these and present further computer information from Cityscape, the visualisation company which did the original AVRs and the further computer visualisation and visual analysis work presented in my main Proof’s **Appendices 8.0, 10.0, 11.0, 12.0 and 13.0 (WH 2/3)**.

St Martin at Oak and View 29

- 5.17 Paragraph 48 of SAVE’s Proof (**SBH 1/1**) treats TVIA view 29, of St Martin at Oak, a medieval buildings formerly a parish church and now used for theatre arts. SAVE’s analysis overlooks the consented scheme at St Mary’s Works, which comprises a cumulative consent and would change the modelled view looking east. See application reference 16/01950/O.
- 5.18 On my brief, Cityscape has produced an animation along the route of view 29 showing this cumulative scheme and the Application scheme. This is included at **Appendix 4.0**.
- 5.19 From this it will be noted that the already cumulative consent at St Mary’s Works is a significant and nearer influence in the townscape that effectively provides a transition as between the foreground and the proposals closing the view. I did not refer to this cumulative in my main evidence.
- 5.20 The Committee Report considers St Martin at Oak and view 29 at paragraph 416. It concludes that the existing setting of the church is poor and that the building “*appears sufficiently strong in the foreground for its setting not to be significantly harmed by the proposed buildings*”.

St Mary’s Coslany and View 52

- 5.21 At paragraph 49, SAVE states that the proposals are likely to have a greater impact on the setting of the Grade I listed medieval church of St Mary’s Coslany than that impact modelled in view 52 by Cityscape (in wireline).
- 5.22 I did not treat this view at all in my evidence but confirm here I considered that view during my site analyses, and walked along Rosemary Lane to the south and the church. I concluded that the impact was not likely to be material or, if it was, then it would be neutral.
- 5.23 I take it from the drafting of SAVE’s paragraph 49 that Mr Forshaw does not in fact consider the impact of any real consequence – the view “*shows the proposed*

development is only just visible above the east end of the nave” – but that there are impacts likely to be “more prominent” from other locations.

- 5.24 I refer the Inspector to the ZVI published in my main Proof, **WH 2/3 Appendix 11.0** which shows no material impact. However, to assist the Inquiry Cityscape has prepared a model animation from view 52 with the proposals and including the consented scheme I earlier referred to at St Mary’s Works and others on Duke Street and St Crispin’s (17/01075/F and 17/01391/F respectively).
- 5.25 The model animation is at **Appendix 5.0**.
- 5.26 This work shows, first, that the consented, cumulative scheme can be seen from view 52 clearly rising above the nave of that building. This work also shows that the proposals do not have the impact SAVE alleges it might.
- 5.27 For the avoidance of doubt, and on the basis of this further work, I consider the minor impact documented in view 52 is not material but, even taking a different view, conclude it has a nil effect because it is fleeting (changeful in a moving sequence) and very minor.

St George’s Church and Colegate, View 37

- 5.28 Paragraph 50 discusses view 37, which is the view directed along Calvert Street running between two important historic buildings, the Grade I listed St George’s Colegate and the Grade II* listed Bacon’s House.
- 5.29 I do not agree, for the reasons set out at my main Proof, paragraphs 8.118-8.146, that this impact is harmful.
- 5.30 My comment on the SAVE analysis relates to their characterisation of the streetscape, and the ‘incursion’ of the Application proposals which, it is stated, will “*completely break the spell of the medieval city*”.
- 5.31 ‘Spell’ is figurative language and I understand it to stand for ‘character’.
- 5.32 However, and as a matter of fact, the western part of Colegate, Calvert Street and St George’s Street do not comprise continuous or consistent medieval townscape.
- 5.33 To illustrate this I direct the Inspector’s attention to the adopted CCCA Appraisal’s characterisation of this area at pages 57 to 64 (**CD2.10**). This states:

The contrast between the small intimate streets, narrow alleys and courtyards, and the large factory buildings provides a dramatic juxtaposition in the townscape of the area, and differentiates it from the medieval areas south of the river.

5.34 The large factory buildings formed part of the contextual basis for the design of parts of the application scheme.

5.35 In summary, the affected area of townscape is varied. There are medieval elements (street alignment and the listed buildings at issue) but Georgian buildings and later ones, including late Victorian and early C20 industrial/commercial structures and even, opposite the pair of medieval buildings, a 1930s speculative commercial building.

Aylsham Road and View 14

5.36 SAVE's paragraph 54 comprises an analysis of TVIA view 14, documenting changes to the approach scene along Aylsham Road to the north and which includes a view of the Anglican Cathedral.

5.37 The analysis at paragraph 54 relies on inference (I make no criticism when I call it that) as to what of the Anglican Cathedral comes into and out of view in the proposed condition as against the existing. For completeness, I note that I treated this view in my main Proof at paragraphs 7.109-7.119. I concluded, in agreement with the Committee Report, that there is some harm to the significance of the Anglican Cathedral arising from the change to the ability to appreciate the spire in views along Aylsham Road. The detailed design of the lower blocks which appear in the view will be an important consideration as to the actual level of harm, and this will be taken into account at RM stage.

5.38 In reflecting on this analysis in SAVE's evidence, and to assist the Inquiry, the Applicant instructed Cityscape on my brief to prepare a new animated sequence of this approach impact from both sides of the road. See my **Appendix 7.0**.

5.39 From this, I conclude that:

5.39.1 The proposals, and the tower in particular, are visible to those on the in-bound carriageway, approaching the city centre.

5.39.2 There is no view of the Cathedral spire on the in-bound or south-bound footway.

5.39.3 The view impacts arise in connection with those approaching south from the other footway, and against the flow of traffic. The spire of the Cathedral with pinnacles at its foot is visible in this sequence.

5.39.4 The proposed massing tapers down to the spire in this view, maintaining a view of the spire for whole of the modelled sequence, with the tower to one side.

Failure to Retain Botolph Street

- 5.40 SAVE's evidence at paragraph 64 criticises the proposals for developing over Botolph Street, the continuation of Upper St George's Street. The two together comprise an historic street alignment. SAVE state there a strong presumption to retain the historic street pattern where it survives. I do not know the basis for this assertion.
- 5.41 I acknowledge that historic street pattern can be an aspect of the historic environment's interest. That is obvious. However, the character of that route has changed considerably.
- 5.42 At its southern end, there is an access turning that is not consistent with the historic pattern. At the northern end the old road is a car park access, and the present streetscene is not historic. Furthermore, the dual carriageway was eroded the form of the street.
- 5.43 To demonstrate the extent of change to historic street pattern, I have overlaid, in Adobe Photoshop, the historic street plan recorded on the 1896 Ordnance Survey (OS) and the modern aerial view from Google Earth. See **Appendix 8.0**. This shows the considerable loss of historic layout.

6.0 THE NORWICH SOCIETY'S EVIDENCE

- 6.1 I will next address the images which are shown in The Norwich Society's Proof (**NS 1/1**) in section 2.2 at the top of page 6.
- 6.2 The Norwich Society question the VIA on the basis that visual impacts are experienced kinetically and not as static viewpoints. I agree: AVRs are always regarded as two-dimensional representations which are tools to aide analysis, but they are not without limitation and must always be understood in context through qualitative analysis and mindful of best practice (for example GLIVIA3¹ and Historic England's setting guidance, GPA3, **CD11.18**).
- 6.3 The Norwich Society have specifically identified view 36 of the TVIA, at the junction of Muspole Street/Colegate to illustrate their point, on the basis that the tower will appear behind a pub sign in the location from which the photograph has been taken. They suggest that the impact would be different, and more appropriate to understand the effects, if the photograph was taken "*a few paces to the right*".
- 6.4 The Norwich Society then produce an image from the alternative viewpoint. The application scheme is shown as block massing.
- 6.5 The evidence does not contain how this image was produced – on the basis of what base information, its position, the software used, etc., and there is no basis, therefore, to vouch for its accuracy as to placement in the image. The view is not presented as one that can be independently verified.
- 6.6 I have the following comments arising from this image.
- 6.7 First, I have already noted that the viewpoints were agreed through considerable consultation with NCC and HE.
- 6.8 The existing, proposed and cumulative versions of view 36 which were produced in the TVIA are included at **Appendix 9.0** for ease of reference.
- 6.9 Second, and to assist the Inquiry, on my advice the Applicant instructed Cityscape to model this view using their own Zmap model for the area and the CAD base model (general arrangement parameters) sent to them by the architects. The existing, proposed and cumulative versions are provided at **Appendix 10.0**.
- 6.10 The model information demonstrates the following:

¹ Landscape Institute (2013) Guidelines for Landscape and Visual Assessment, Third Edition and Technical Guidance Notes 1-20.

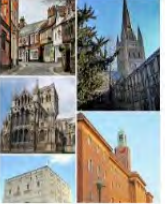
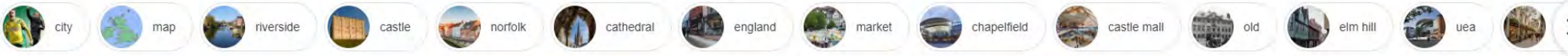
- 6.10.1 The height of the tower in the image prepared by The Norwich Society in their Proof is inaccurate. The tower is depicted as noticeably higher, and therefore more impactful, than it would appear in the view. The ‘model shot’ at **Appendix 10.0** demonstrates that the tower is, in fact, in relative scale terms more or less consistent with the height of the pitched roof in the right part of the view, which can be used as a reference point.
- 6.10.2 The model shot shows the tower at 20 storeys. The Norwich Society’s image appears to show a tower that would exceed even the 25 storey tower which was originally proposed.
- 6.10.3 The lower block in The Norwich Society image appears to be more accurate (on the basis of visual study).
- 6.10.4 In the cumulative condition, with the consented scheme at St Crispin’s Road included (ref. 17/01391/F), the model shot at the alternative viewpoint demonstrates that the consented development fully occludes the lower block and the impact of the tower is neutral.
- 6.11 I do not find any harmful effects to the historic environment or townscape in this particular view. Neither, it is noted, did the NCC in the Committee Report, which concluded with a Moderate-Neutral residual effect on the view (see paragraph 381).

REBUTTAL ENDS



Dr Chris Miele MRTPI IHBC
Senior Partner
Montagu Evans LLP
Date: 14th January 2020

Appendix 1.0



Norwich - Wikipedia en.wikipedia.org



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Where to eat in Norwich | COSMO Restaurants cosmo-restaurants.co.uk



Norwich, Norfolk - Best Places to Live ... thetimes.co.uk



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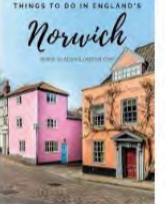
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Cathedral to feature in four-part TV series cathedral.org.uk



Locations and Grounds - Norwich School norwich-school.org.uk



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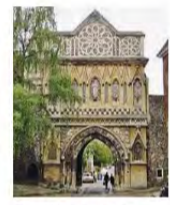
Norwich: Great British Breaks | Travel ... thetimes.co.uk



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fans hold their own open-top bus parade ... itv.com



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Norwich Restaurant - Breakfast, Lunch ... bills-website.co.uk



Contact Norwich Agency | NPS Group property.nps.co.uk



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Norwich City Women FC - Norwich City canaries.co.uk



Norwich, Norfolk | Lovewell Blake lovewell-blake.co.uk



What we do - OPEN Norwich Youth Trust opennorwich.org.uk



Norwich Cathedral, Norfolk, The Ivy ... theivynorwich.com



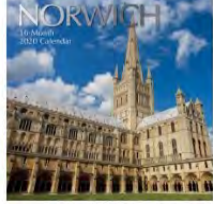
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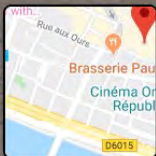


Appendix 2.0

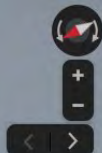
D6015
Rouen, Normandy

Google

Street View



Google







Appendix 3.0

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Appendix 4.0

Animation from Zmap model prepared by Cityscape Digital

St Martin at Oak

<https://vimeo.com/383325035>

Password: **Norwich 070120**

Appendix 5.0

Animation from Zmap model prepared by Cityscape Digital

St Mary Coslany

<https://vimeo.com/383324442>

Password: **Norwich070120**

Appendix 6.0

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Appendix 7.0

Animation from Zmap model prepared by Cityscape Digital

Aylsham Road (West Pavement)

<https://vimeo.com/383326053>

Password: **Norwich 070120**

Aylsham Road (East Pavement)

<https://vimeo.com/383326115>

Password: **Norwich 070120**

Appendix 8.0

1886 MAP OF ANGLIA SQUARE

- Application Boundary
- Other land in ownership of Columbia Threadneedle



Location: Anglia Square, Norwich

Date: January 2020

Scale: NOT TO SCALE

Figure:

▲ North



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GOOGLE AERIAL OF ANGLIA SQUARE

- Application Boundary
- Other land in ownership of Columbia Threadneedle

Location:
Anglia Square, Norwich

Date:
January 2020

Scale:
NOT TO SCALE

Figure:

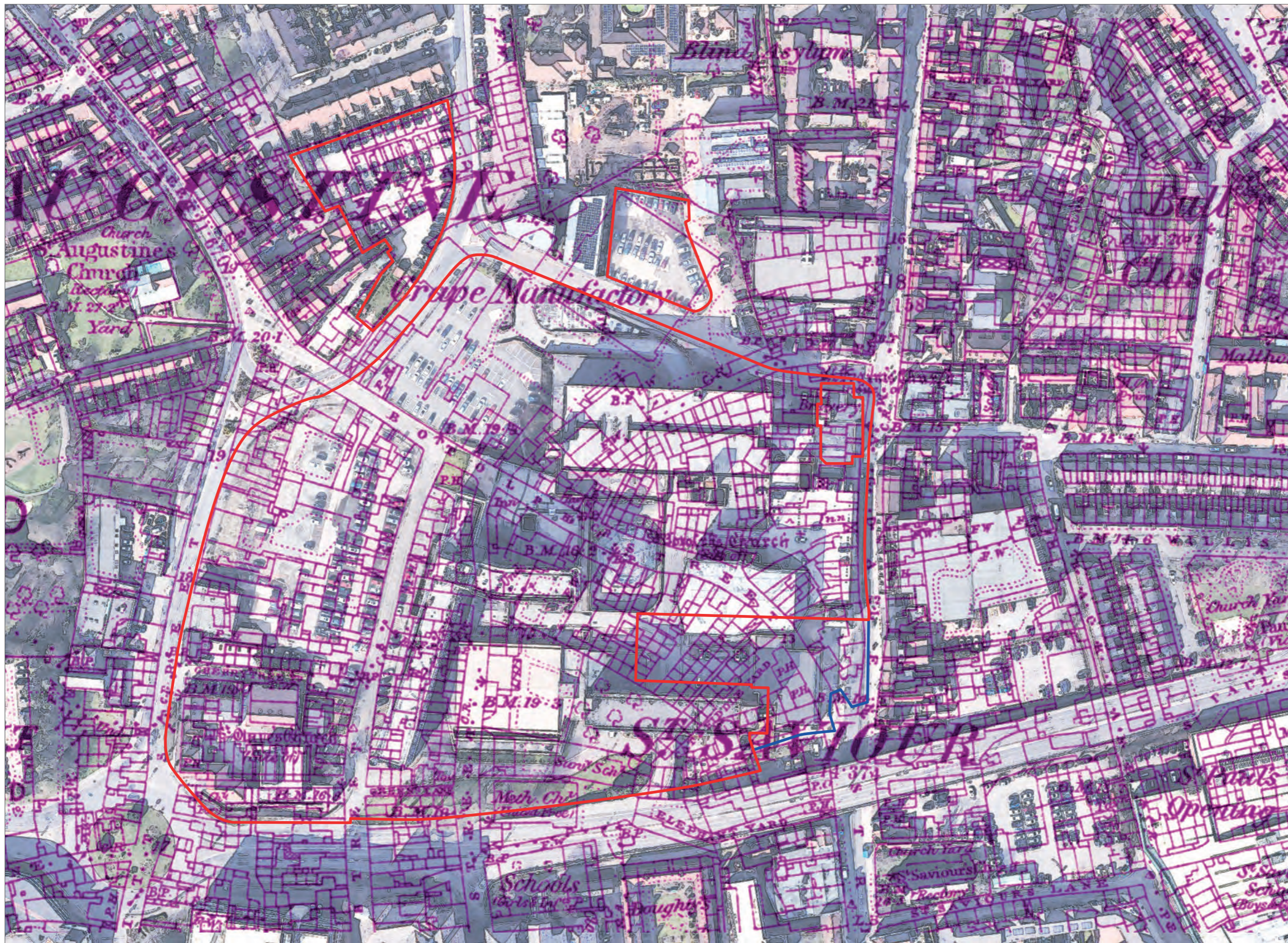
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1886 MAP OVERLAY ON GOOGLE AERIAL OF ANGLIA SQUARE

- ▭ Application Boundary
- ▭ Other land in ownership of Columbia Threadneedle



Location:
Anglia Square, Norwich

Date:
January 2020

Scale:
NOT TO SCALE

Figure:

▲ North



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Appendix 9.0

VIEWPOINT 36 - MUSPOLE STREET (IN FRONT OF WOOLPACK YARD INN)



EXISTING

Existing

This view, looking across the open space formed by Muspole Street and the surface car parking to the east of the former factory buildings west of this thoroughfare. The view, framed to the left by the Grade II listed Woolpack Yard PH, and to the right by a group of modern buildings with some local detailing, includes within it a good deal of recent development, including St Crispin’s House. The view takes in a backland area with a mixed feel, and a less sensitive historic character than nearby Colegate, for example. Varied and open, it mixes good and poor quality elements at present.

Sensitivity

Given the nature of the townscape in this view, and the intrusion of poor quality elements alongside a Grade II listed building, it is considered to have a Low-Medium Sensitivity to change.



PROPOSED

Proposed

As proposed, the tower element of the development will appear in this view, centrally set, although partially obscured by the Woolpack PH’s freestanding sign. Experienced more widely here the tower, acting as a legible marker of the importance of the Anglia Square development, will be seen beyond the bulk of twentieth century building including St Crispin’s House, north of Muspole Street, the tower being lower set under the amended massing and maintain a contextual introduction of new built form within the background. The Proposed Development would introduce a high-quality new insertion into this rather mixed visual space, it will add interest, and an additional focus, to the view.

Magnitude of Change

Medium magnitude of change.

Residual Effect

Moderate-beneficial.



4. ASSESSMENT OF EFFECTS ON TOWNSCAPE & VISUAL RECEPTORS

4.1 ASSESSMENT OF EFFECTS ON TOWNSCAPE RECEPTORS | 4.2 ASSESSMENT OF EFFECTS ON VISUAL RECEPTORS



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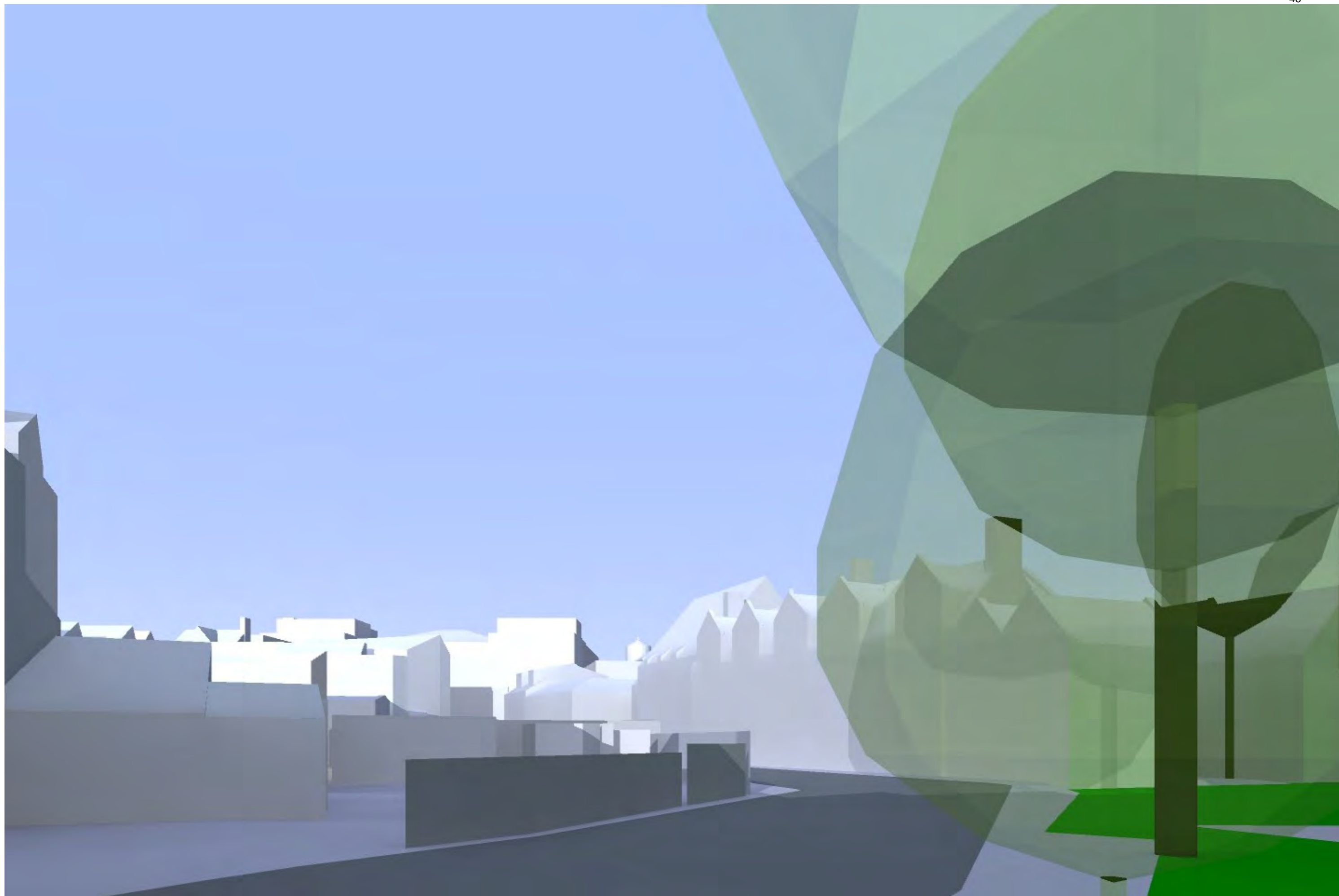
VIEWPOINT 36 - MUSPOLE STREET (IN FRONT OF WOOLPACK YARD INN) CUMULATIVE

Cumulative Effect

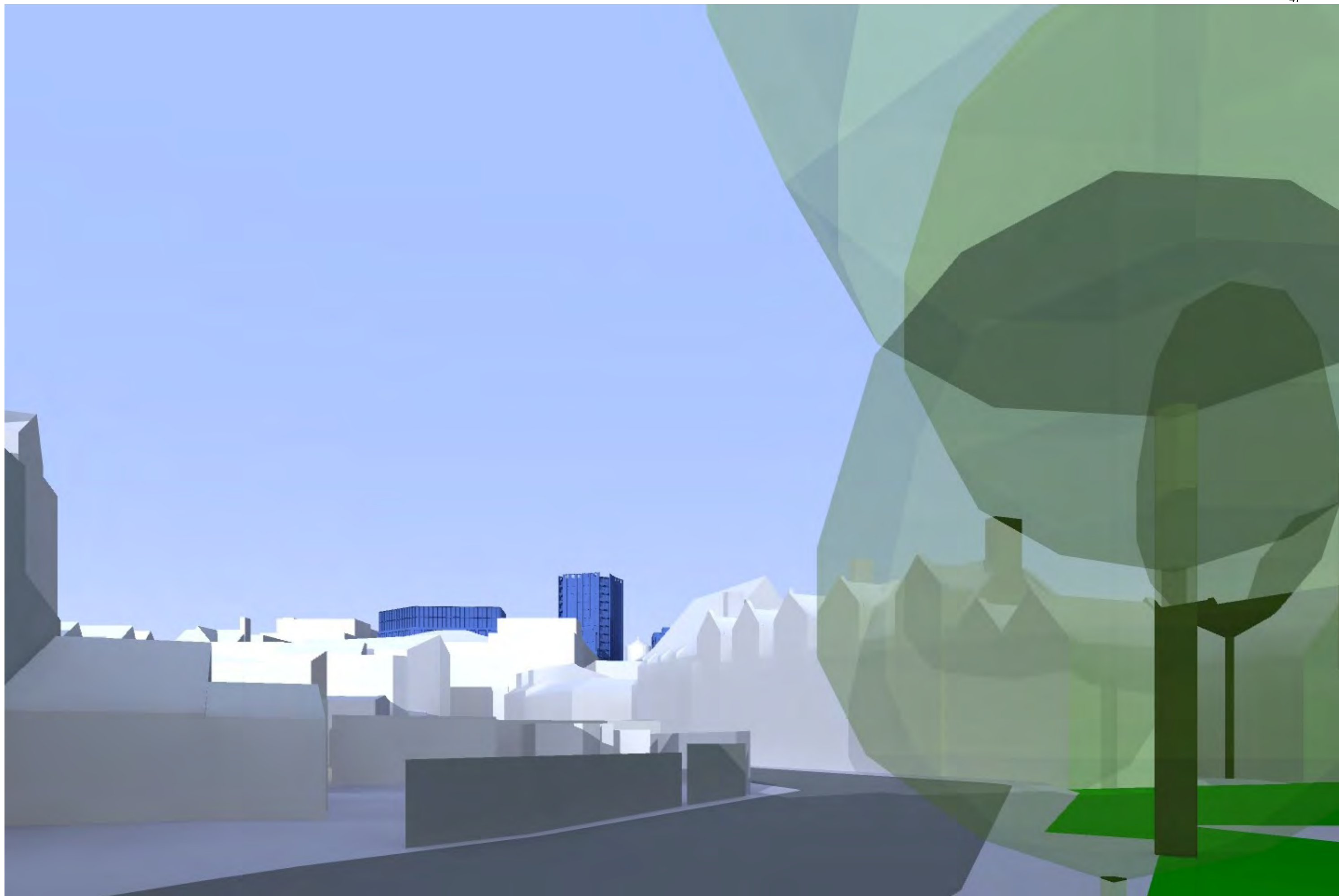
When viewed in combination with committed developments (indicated in orange wireline), the Proposed Development will be experienced alongside St Crispin's House development, which will sit in front of the Proposed, occluding much of it from view. The remaining visible portion of the development would consist predominantly of the already partially occluded tower. Accordingly, the overall impact of the Proposed Development on the view overall will be less than that of St Crispin's House. Together, the developments will not fundamentally change the sensitivity of the view, which will remain at a Low-Medium level of Sensitivity. Overall, however, the developments will remove some poor quality buildings from the backdrop to the view, and create a higher quality piece of townscape overall, an interesting, contemporary and attractive interlinked piece of taller development in the background. This will lead to a High Magnitude of change, and a **Major Beneficial** Impact on the view.



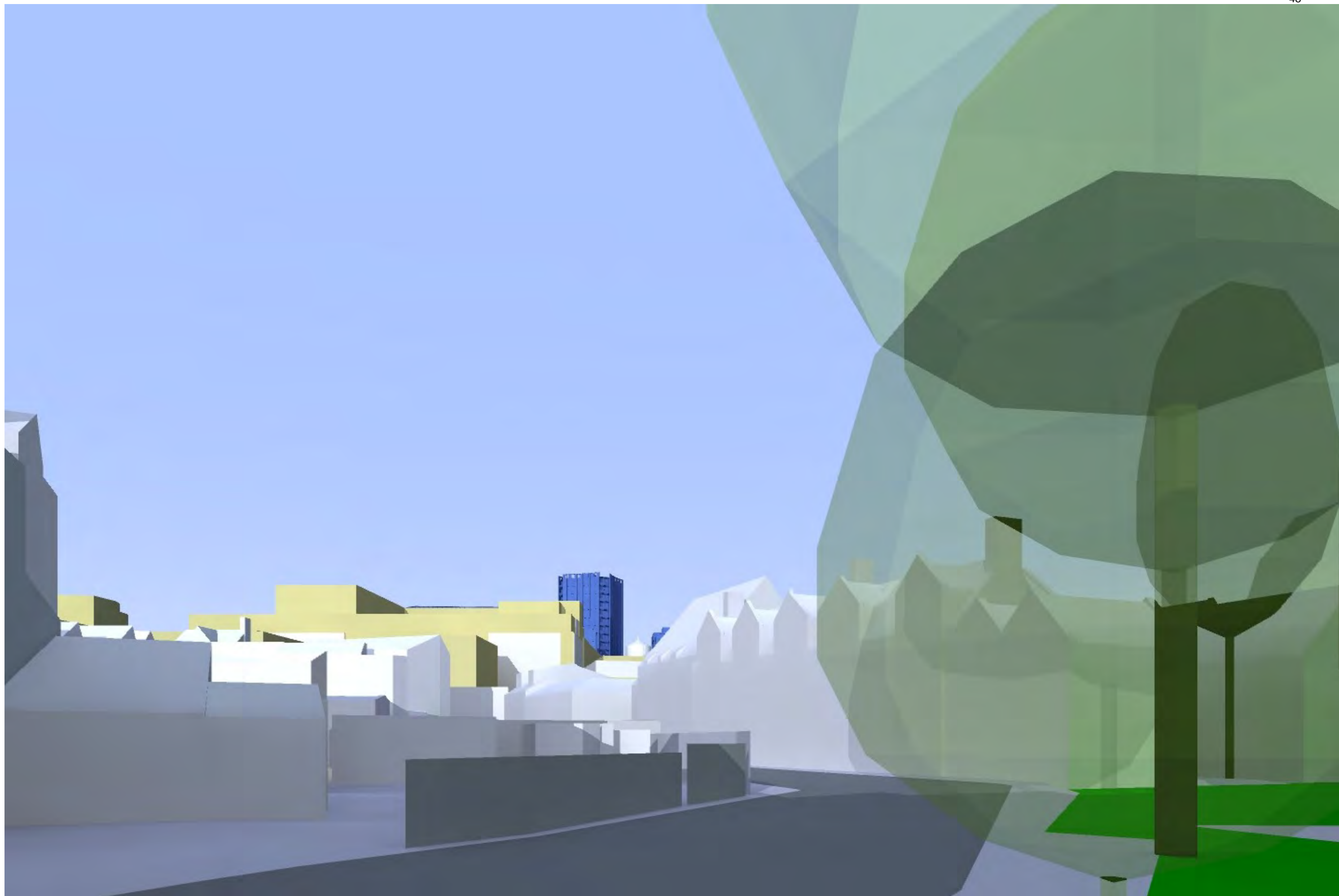
Appendix 10.0



Existing—Alternative position for view 36, junction of Muspole Street and Colegate.



Proposed—Alternative position for view 36, junction of Muspole Street and Colegate.



Cumulative—Alternative position for view 36, junction of Muspole Street and Colegate.

