

## ANGLIA SQUARE, NORWICH

APPEAL REF; APP/G2625/V/3225505

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### OPENING SUBMISSIONS FOR THE LOCAL PLANNING AUTHORITY

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#### INTRODUCTION

1. These are the Opening submissions for the Local Planning Authority, Norwich City Council (“the Council”) in relation to Secretary of State’s decision to call in for his own determination the application by Weston Homes PLC and Columbia

Threadneedle Investments for

“Part full/part outline application for the comprehensive redevelopment of Anglia Square and adjacent land on Edward Street for up to 1250 dwellings, hotel, ground floor retail and commercial floor space, cinema, multi-storey car parks, place of worship and associated works to the highway and public realm.”

2. The application was considered with great care in the report of the Head of Planning Services<sup>1</sup> and it was recommended on balance that planning permission should be granted for the proposed development. On 6<sup>th</sup> December 2018 the Planning Applications Committee resolved to accept that recommendation and to permit the proposal. It is submitted that it was right to do so. At this inquiry it remains the Council’s case that the proposal should be permitted.
3. The remainder of these submissions deals with the following matters;

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<sup>1</sup> CD 2.15, 9.1

- a. Background
- b. The extent to which the proposed development is consistent with the Government's policies for delivering a sufficient supply of homes.
- c. The extent to which the proposed development is consistent with the Government's policies for building a strong, competitive economy.
- d. The extent to which the proposed development is consistent with the Government's policies for conserving and enhancing the historic environment.
- e. The extent to which the proposed development is consistent with the development plan for the area;
- f. Other matters;
  - i. Air quality;
  - ii. Viability and prospects for delivery of the scheme as a whole.
- g. Conclusions.

## **BACKGROUND**

- 4. Anglia Square is the most significant development opportunity in the Northern part of the City Centre and one of the Council's most important priorities for regeneration. Development plan policies have reflected this objective since 2004. Anglia Square is a large and highly prominent brownfield site within the Centre and its redevelopment forms an integral part of meeting the strategic objectives for the City as a whole and the Northern City Centre in particular.
- 5. However, the Council's vision for the Northern City Centre has not been delivered. The physical condition of Anglia Square and levels of vacancy have continued to decline and worsen. Although the shopping centre remains important for the local

community, its image is poor. Out of hours, the centre is unused, unwelcoming, unsightly and attracts anti-social behaviour and heightened levels of crime. The existing condition of the Site blights this part of the City and undermines the role and viability of the Anglia Square and Magdalen Street Large District Centre.

6. Policy JCS 11 (dealing with the City Centre) and the Council's strategic objectives for both Anglia Square and the wider City Centre remain sound and consistent with Government policy in terms of promoting significant growth in sustainable locations in supporting the economic and social role that city centres play. Following sustained decline over the last two decades the need to unlock this Site for comprehensive redevelopment is now more pressing than ever. The continued dereliction of the Site is not a sustainable option for either the Large District Centre or for Norwich as a whole and great weight should be attached to securing development which delivers the regeneration objectives for the Site. The application proposals before this inquiry do indeed deliver those objectives. Their merits are now examined by reference to the matters on which the Secretary of State has asked to be informed.

**EXTENT TO WHICH THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE GOVERNMENT'S POLICIES FOR DELIVERING A SUFFICIENT SUPPLY OF HOMES**

7. It is a core objective of the National Planning Policy Framework ("the Framework") to significantly boost the supply of homes. The need for housing for the area in which the Site is situated is great. The development if approved and implemented would represent the most significant housing project within the City of Norwich capable of being delivered in full over the next decade. With the scope to deliver two years of Norwich's housing supply needs, the development would significantly boost the supply of homes in the city. Furthermore, in terms of size, type and tenure the

development would make a significant contribution to meeting identified local housing need.

8. Although the amount of affordable housing is below policy compliant levels, the 102 social rented properties and 18 intermediate homes would make a very substantial contribution to addressing housing need in this part of the City.
9. In paragraph 117 of the Framework it is stated that planning decisions should promote the effective use of land in meeting the needs for homes and other uses, and that as much use as possible should be made of previously-developed land. It is stated in paragraph 118 that planning decisions should give substantial weight to the value of using brownfield land within settlements for homes to meet identified needs. Anglia Square is Norwich's highest profile City Centre brownfield site, a site which has sat vacant and under-utilised for many years. At a time when there has been historic under-delivery of housing in the area, the development would both unlock a brownfield site and enable residential growth to be focused in a location which limits the need to travel, offering a genuine choice of transport modes as promoted in paragraph 103 of the Framework.
10. Overall it is the Council's submission that the housing benefits associated with the development positively support the housing objectives of the development plan and the Framework. Great weight should be given to the development's contribution to boosting the supply of homes in Norwich and significant weight should be given to its provision of homes of the size, type and tenure which meet locally identified housing need, make effective use of a brownfield site and enable major residential development to be focused in a highly sustainable site.

**EXTENT TO WHICH THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE GOVERNMENT'S POLICIES FOR BUILDING A STRONG, COMPETITIVE ECONOMY**

11. The development will result in significant direct economic benefits for the local and Norwich-wide economies and indirect benefits through boosting the City's profile and attractiveness to other inward investment, acting as a catalyst for wider changes within the Northern City Centre.
12. Over the last two decades there has been a marked reduction in the number of jobs on the Site and the vitality of the Anglia Square centre has declined. The development will allow the Site to respond to changes that have occurred over that period and create the conditions in which existing and new business businesses can invest, expand and adapt.
13. The proposal is the largest development scheme proposed in the City Centre since Chapelfield, which opened in 2005. The £270 million investment will enhance the retail and leisure function and overall vitality of the Centre, the viability of the Large District Centre as a whole and boost confidence in the Northern City Centre as a location for wider re-development, assisting in reducing levels of deprivation in this part of the City.
14. Jobs created over the eight-year construction period will lead to a substantial increase in jobs in the sector and the jobs density on the Site will be permanently increased by the creation of additional job opportunities. These additional jobs will deliver both City-wide benefits and through a local employment strategy create conditions for local people and businesses to benefit from the development.

15. The economic benefits associated with the development support the economic objectives of the development plan and the Framework. Great weight should be attached to the fact that the development will support permanent economic growth within the Northern City Centre regeneration area and the wider City, and significant weight to the assistance that the development will bring in addressing deprivation in this part of the City.

**THE EXTENT TO WHICH THE PROPOSED DEVELOPMENT IS  
CONSISTENT WITH THE GOVERNMENT’S POLICIES FOR ENSURING  
THE VITALITY OF TOWN CENTRES**

16. The development will address existing deficiencies in the Anglia Square shopping centre and support the long-term viability of the Large District Centre.

17. The existing shopping centre at Anglia Square is outdated and has limited capacity to serve a large district centre function. The proposed replacement of the existing commercial floor space with a mix of premises suitable for shopping, leisure, hotel and office uses will create substantial new job opportunities. This, along with the proposed new residential neighbourhood, will support the long-term viability and vitality of the Large District Centre and enable this part of Norwich to contribute to the City’s regional role as a focus for retail, leisure and employment.

18. Significant weight should be attached to the benefit of the development in positively supporting the long-term vitality and viability of the Large District Centre.

**THE EXTENT TO WHICH THE PROPOSED DEVELOPMENT IS  
CONSISTENT WITH THE GOVERNMENT'S POLICIES FOR  
CONSERVING AND ENHANCING THE HISTORIC ENVIRONMENT**

19. The development will impact on the significance of Norwich City Centre

Conservation Area and identified designated heritage assets and result in less than substantial harm. The extent and nature of this impact has been considered in detail in the committee report and in the evidence put forward at this inquiry. In considering the impact of the development on individual designated assets, the Council has judged that the impact varies in magnitude. In some cases, the impact relates to assets which are of the highest national importance. However, in all cases the impact is less than substantial.

20. Overall, the Council's view is that the level of harm to heritage assets is lower than that assessed by Historic England, SAVE and the Norwich Society. Nevertheless, the Council accepts that given the designated heritage assets involved, great weight should be given to the assets' conservation and that pursuant to paragraph 194 of the Framework the harm requires very clear and convincing justification.

21. In considering whether the level of identified harm has been clearly justified, the Council has had regard to a number of considerations. The Council has had regard to the heritage benefits of the scheme, which will serve to enhance the Anglia Square character area. Also relevant are the circumstances of Anglia Square which have resulted in the Site's deterioration and current condition, the desirability that development should now come forward without further delay, and whether there are reasonable prospects of an alternative form of development on the Site being delivered which avoids or results in less harm. Having considered these factors the

Council considers the harm to be justified, albeit that great weight should be attached to the less than substantial impact of the development on heritage assets.

**THE EXTENT TO WHICH THE DEVELOPMENT IS CONSISTENT WITH THE DEVELOPMENT PLAN FOR THE AREA INCLUDING ANY EMERGING PLAN**

Strategic regeneration

22. The redevelopment of Anglia Square is a long held strategic objective of the Council and policy JCS 11 of the Joint Core Strategy<sup>2</sup> firmly establishes the regeneration of the Northern City Centre, including Anglia Square, as a strategic planning policy objective. The Site is large, highly constrained and supports an operational shopping centre. Comprehensive redevelopment requires the demolition of one of the largest buildings in Norwich, potential extensive archaeological investigation, contamination remediation and construction of a replacement Chapel. The costs of developing this Site are therefore exceptionally high, the time-lag between costs being incurred and new development being able to be sold is considerable, and current values in this part of the City are low. In this circumstance viability constraints mean that any regeneration of the Site will require compromises to be made.
23. However, it is the Council's case that delivery of the proposed development would positively support the objectives of policies JCS 4 (housing delivery), JCS 5 (the economy), JCS 7 (supporting communities), JCS 11 (Norwich City Centre), DM 1 (achieving sustainable development), DM12 (ensuring well-planned housing), DM16 (supporting the needs of business) DM 18 (promoting and supporting centres) and DM 28 (encouraging sustainable travel).

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<sup>2</sup> CD 2.2



24. The proposal is viable and beneficial and great positive weight should be attached to this scheme, which enables the strategic regeneration objectives for this Site to be achieved.

#### Sustainability

25. In terms of meeting development plan policies relating to sustainability matters (JCS 1, JCS3, DM1, DM3, DM6, DM7, DM8 and DM28) the Site is one of the most sustainable development sites in the City.

26. New residents will have direct access to shops, cafes and other services within the centre and will be able easily to walk into the City Centre. Cycle networks and bus routes passing along Magdalen Street will benefit residents, shoppers and visitors to the Centre. The location of the Site provides the very best opportunities for reducing the overall need to travel and reducing dependency on private cars.

27. Acceptable parking will be provided. A range of measures is proposed to promote sustainable travel, including residential and commercial travel plans, cycle parking, the provision of car club vehicles and Electric Vehicle Charging Points. The energy strategy for the development includes the provision of heat pumps to meet 18% of the required energy for the whole development, exceeding the minimum requirement set out in JCS3.

28. Furthermore, the development includes a comprehensive landscape strategy for the Site, which is currently devoid of green areas. A substantial level of tree planting is proposed within and on the edges of the scheme, which will enhance the streetscape in the vicinity of the Site and also assist in mitigating NO<sub>2</sub> levels in this part of the City. The landscape strategy, which also includes podium gardens and extensive

green roof provision, will result in a substantial ecological enhancement of this Site, a development benefit positively encouraged in DM6.

29. In the planning balance, significant weight should be attached to the sustainability benefits of focusing mixed-use development in this location and minor weight to the environmental benefits of the proposed landscape strategy.

Healthy, safe and inclusive communities

30. Development plan policies promote healthy and safe communities, seeking to maximise opportunities for improved health and well-being and safeguard the interests of the elderly and vulnerable groups (JCS 7, DM1, DM2, DM3). The re-planning of the Site provides the opportunity to create well used streets and public spaces which will discourage crime and antisocial behaviour.
31. The proposed public realm and communal gardens are designed to function as accessible, community spaces for sitting, socialising and play. The scheme includes new homes including affordable homes, a replacement chapel, new shops and leisure facilities, public toilets, a Changing Places facility and the shopping centre owners have agreed to make provision for mobility scooters. These measures in combination are beneficial to health, well-being and inclusivity.
32. Significant weight should be attached to the development's ability to create and deliver a healthy inclusive and safe place in accordance with Joint Core Strategy policy JCS 7 and Norwich Local Plan policies DM1, DM2 and DM3.

33. In terms of the design of the proposed development, the design has substantial strengths which have been identified through the Building for Life assessment. Overall the development will make effective use of the Site, much of which is a wasteland and despoiled by a largely vacant and outdated precinct. The proposed development will replace these negative features with a new neighbourhood with its own distinct character. The character of development that is proposed is a bold, modern, high density and unashamedly urban, mixed-use quarter for the City, the public spaces would be rich, interesting and animated by public activities and the pedestrian connections which open the Site up to the rest of the City. The tower gives further distinction and is capable of symbolising the regeneration of this part of the City.
34. Moderate weight should be given to the benefits of the design approach and its impact on its surroundings.

Policy relating to preservation of heritage assets

35. Policies JCS2 and DM9 deal with the preservation of heritage assets. Both indicate that development shall have regard to the historic environment. Policy DM 9 states that development “shall maximise opportunities to preserve, enhance or better reveal the significance of designated heritage assets and that of any other heritage assets...”
36. The assessment of the development has identified some heritage benefits but these are considerably outweighed by the less than substantial harm that is caused. DM9 does allow for the loss of heritage assets, both designated and non-designated, and harm to their significance, but makes clear in relation to designated assets that this should be in “exceptional” circumstances. The justification for the scheme does meet this test,

although the Council accepts that great weight should be attached to the harm identified, in accordance with national policy.

### Overall

37. The Council's overall conclusion is that the proposed development is broadly consistent with the development plan and that where conflict arises there are material considerations of sufficient weight to justify granting planning permission.

### **OTHER MATTERS**

#### Air Quality

38. The impact of the proposals on air quality has been carefully considered by the Council. In the Council's view, any concerns over air quality impacts will be adequately dealt with by the proposals to minimise and mitigate any impact. It is also relevant that policy, both national and local, strongly supports the redevelopment of this sustainable City Centre site. Any such redevelopment would result in a degree of impact on air quality, and in the case of the scheme proposals any impact has been minimised to an acceptable level.

#### Viability

39. The Council's case is that there is a realistic prospect that the proposed development would be viable and deliverable within a reasonable time-frame. The issue of viability has been carefully considered by the Council throughout the planning application process, with input from Mr Tony Williams, Head of Viability (Technical) at the Valuation Office Agency. When the application was considered by the planning

committee in 2018, Mr Williams concluded that the scheme would be viable and deliverable. Mr Williams has now reviewed the Applicant's up-dated valuation and considered the valuation evidence submitted on behalf of Historic England. His conclusion remains that the scheme is deliverable.

40. That conclusion is supported by the fact that the consideration of whether grant Housing Infrastructure Funding should be granted (and the Government has now decided to make a grant of £15m) included a review of values and costs by Deloitte on behalf of Homes England.

41. Overall, therefore, the Council remains of the view that the proposals are viable and deliverable. Further, no alternative viable redevelopment scheme has been identified, and Historic England has specifically acknowledged that its proposed alternative scheme is not viable.

## **CONCLUSION**

42. In conclusion, the proposed development of the Site will deliver great economic, social and environmental benefits. Of course, the Council recognises that Norwich has a remarkable historic Centre and that great weight should be given to the conservation of the City's historic environment. However, cumulatively the benefits of the scheme are sufficient to outweigh the harm to the historic environment and therefore planning permission should be granted.

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