

**PROOF OF EVIDENCE BY ALEC FORSHAW  
ON BEHALF OF SAVE BRITAIN'S HERITAGE**

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING APPLICATION CALLED IN BY SECRETARY OF STATE**

**ANGLIA SQUARE, NORWICH NR3 1DZ**

**APPLICATION REF: 18/00330/F**

**APPEAL REF: APP/G2625/V/19/3225505**

**INTRODUCTION**

1. My name is Alec Forshaw. I am a member of the Institute of Historic Building Conservation and the Royal Town Planning Institute. I worked in the Planning Department of the London Borough of Islington from 1975-2007, initially as an Urban Design Officer, and from 1988 until my retirement in 2007 as Principal Conservation and Design Officer. From 1987-1992 I worked on the development of policies and proposals promoted by the London Advisory Planning Committee and the City of London Corporation for the designation of protected views of St Paul's Cathedral. Since 2007 I have been involved in various major public inquiries, including Smithfield Market and the Liverpool Welsh Streets, as a heritage and planning witness.

2. I am acting on behalf of SAVE Britain's Heritage which has registered as a Rule 6 Party at this Public Inquiry, and I understand my duties as an independent expert witness. SAVE Britain's Heritage submitted written objections to the planning application for the redevelopment of Anglia Square on 1<sup>st</sup> October 2018. It urged Norwich Council to refuse planning permission for the proposed development. SAVE fully supported Historic England's objections to the scheme and its request to have the application called in by the Secretary of State, should Norwich City Council be minded to approve the scheme. SAVE regrets the Council's resolution on 6<sup>th</sup> December 2018 to approve the application, but welcomes the Secretary of State's decision to call in the matter for Public Inquiry.

3. SAVE has a long track-record of campaigning to protect Britain's historic environment. SAVE is non-statutory organisation and receives no government funding. Given its limited resources, SAVE selects very carefully the cases it chooses to comment on, and those it decides to pursue at public inquiry. However, such is the national as well as local importance of this case that SAVE has applied for, and been granted, Rule 6 status so that it can put its case in full to the Inquiry.

**THE PROPOSAL**

4. The scheme proposes the comprehensive redevelopment of Anglia Square and adjacent land on Edward Street for up to 1250 dwellings, hotel, ground floor retail and commercial floorspace, cinema, multi-storey car parks, place of worship and associated works to the highway and public realm areas. The scheme includes a 20-storey tower (reduced from 25 storeys) and blocks of 4-12 storeys, replacing existing post-war structures but also older existing buildings on the west side of the site. The application is a hybrid one, comprising part detailed and part outline proposals.

## **POLICY AND GUIDANCE FOR THE HISTORIC ENVIRONMENT**

5. The assessment of the impact of the development on heritage assets is guided by the following legislation, policy and guidance at national, regional and local level:

- Planning (Listed Buildings and Conservation Areas) Act 1990;
- National Planning Policy Framework 2019; Section 12 deals with ‘Achieving well-designed places’; Section 16 deals with ‘Conserving and Enhancing the Historic Environment’, in paragraphs 184-202;
- National Planning Practice Guidance 2019 provides advice and guidance on conserving and enhancing the historic environment relating to NPPF;
- Historic England: Managing Significance in Decision Taking in the Historic Environment (Good Practice Advice in Planning Note 2, 2015);
- Historic England: The Setting of Heritage Assets (Good Practice Advice in Planning Note 3, 2<sup>nd</sup> Edition 2017);
- English Heritage: Conservation Principles, Policies and Guidance 2008, reissued by Historic England 2015;
- Historic England: Tall Buildings, Advice Note 4 2015;
- Cathedral Cities in Peril March 2015, Foster and Partners & English Heritage;
- Joint Core Strategy for Broadland, Norwich and South Norfolk March 2011, amended January 2014, particularly JCS11;
- Norwich Development Management Policies Local Plan December 2014, particularly DM3 and DM9;
- Anglia Square Policy Guidance Note 2017;
- Norwich City Centre Conservation Area Appraisal 2007; and
- Anglia Square Character Area Appraisal 2017.

## **ASSESSMENT OF HERITAGE ASSETS AND THEIR SIGNIFICANCE**

6. The whole of the development site lies within the City Centre Conservation Area which is a designated heritage asset. In addition, there are a considerable number of individually statutorily and locally listed buildings whose setting is potentially affected by the proposals. The significance of these designated and undesignated heritage assets is considered in turn.

7. The assessment of significance is based on the criteria set out in Annex 2 of the NPPF. This states that significance is the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from its physical presence, but also from its setting. These four criteria accord broadly with those set out previously in Historic England’s Conservation Principles, namely evidential, historical, aesthetic and communal values.

### **City Centre Conservation Area**

8. The City Centre Conservation Area was created in October 1992, amalgamating various previous smaller designations which had begun in 1970. The City Centre Conservation Area covers the whole of the area within the medieval city walls. SAVE agrees with the Council (paragraph 15.3 of its SOC) that “the architectural and historic quality of Norwich city centre is of great national importance, having developed over the last 1000 years and containing a wealth and density of heritage assets, many enjoying the highest levels of protection”. Given the extraordinary survival of its medieval street pattern, an unrivalled collection of medieval churches

and its magnificent cathedral, Norwich, I would suggest that it is arguably the finest medieval city north of the Alps.

9. The City Centre Conservation Area is indisputably of outstanding importance, and of very HIGH significance when considering all four of the criteria suggested in NPPF. The archaeological, architectural, artistic and historical qualities of the Conservation Area are of the very highest value. Unlike statutorily listed buildings, Conservation Areas are not allocated 'grades', but were that to be done, then the Norwich City Centre CA would surely be grade I.

10. It is perhaps surprising that the medieval city of Norwich has never been officially put forward for consideration for designation as a UNESCO World Heritage Site. A review of potential new requests was undertaken by the Department of Culture Media and Sport in March 2011, in the document entitled 'The United Kingdom's World Heritage: A Review of the Tentative List'. It failed to consider medieval Norwich as a potential candidate, but it was noted (paragraph 4.17) that there were few applications for gothic cathedrals or walled medieval towns. The Norfolk Broads were considered, but not put forward to UNESCO. Norwich was not considered in previous tentative lists in 1986 or 1999.

11. Nevertheless, largely thanks to the efforts of Norwich's Heritage Economic and Regeneration Trust (HEART) it was the first English city to be admitted to the World League of Historical Cities in 2007. To gain membership, it had to pass a rigorous application process in which the city was judged on its heritage value and the quality of work undertaken to protect, regenerate and promote it. Norwich is one of 103 cities across 61 countries, with Edinburgh the only other UK member. The continuing aim of HEART is to achieve recognition of the outstanding universal value of medieval Norwich and its successful nomination for World Heritage Site status.

12. The City of Norwich is officially twinned with Rouen in France and Koblenz in Germany. Both these cities retain impressive medieval centres unspoilt by modern tall buildings and are dominated, like Norwich, by the spires of great gothic cathedrals. Norwich's distinctive skyline is one of its most recognisable and treasured features, a symbol of the city as a whole.

13. Owing to its large size, the character appraisal of the Conservation Area carried out by Norwich City Council has been divided into sub-areas. The application site lies within and comprises most of the Anglia Square character area, but it is also close to the Northern City and Colegate character areas. It is important to consider the significance of these sub-areas in terms of how they contribute to the overall character and appearance of the Conservation Area.

### **Anglia Square Character Area**

14. Following the methodology set out in the overall Conservation Area Appraisal, the Anglia Square Character Area is accorded 'Low' significance in heritage terms by the City Council. While the logic of the scoring system is noted, it nevertheless, in my opinion, masks or neglects some elements in the Anglia Square area which are of greater significance and worthy of more careful scrutiny.

15. Nos 43-45 Pitt Street are a pair of double-fronted early 19<sup>th</sup> century houses which are locally listed. Nos 41, 47 and 49 are a similar age and style of property, but with superficial alterations to fenestration. Nos 53-55 appear to be part of the former Queen Adelaide public house, and may be late 18<sup>th</sup> or early 19<sup>th</sup> century judging from the fine door case on its side elevation facing Cherry Tree Opening. The warehouse to the rear of Nos 47-49 is also of historic interest as an early 19<sup>th</sup> century industrial building, with stone walls. These buildings are of MODERATE architectural

and historic significance, and potentially HIGH archaeological value because their sites have not been damaged by 20<sup>th</sup> century development.

16. The survival of the upper section of St Georges Street, now called Botolph Street north of St Crispins Road, on its original medieval line is of HIGH historical value, and the surviving 19<sup>th</sup> century granite cobbles and kerbstones on the carriageway itself are of MODERATE architectural and historical value. Great efforts have been made elsewhere in central Norwich to retain and enhance such historic paving.

17. The Anglia Square area as a whole has MODERATE/HIGH archaeological and historical value. The site falls within the Main Area of Archaeological Interest. The Council's SOC states in paragraph 20.17 that the site is highly likely to contain heritage assets of archaeological significance that have local and/or regional importance. These include the potential evidence of Anglo-Saxon and later settlements, defensive ditches and the remains of St Olave's and St Botolph's churches and their associated burial grounds. The site of St Olave's church is close to the existing Surrey chapel and locally listed buildings on Pitt Street.

### **Northern City and Colegate Character Areas**

18. These sub-areas of the City Centre Conservation Area which flank Anglia Square to the north and south, east and west, are ranked as 'significant' and 'high significance' in terms of the Council's scoring system for rating the sub-areas. I agree with this assessment. The prevailing scale of buildings in these areas is two or three storeys, fronting onto a medieval pattern of streets, lanes, alleys and courtyards. The areas include a sizeable number of individually listed buildings, several highly graded, some of which are highlighted below. There are also a number of post-war and more modern insertions into the fabric, most of which take great care to maintain the low-scale character and appearance of the area, including using vernacular materials.

### **Statutorily Listed Buildings**

19. The **Anglican cathedral** is arguably the most important designated heritage asset in Norwich, one of the great medieval gothic cathedrals of Western Europe, and it is of the HIGHEST archaeological, architectural, artistic and historical significance. Its tower and spire is one of the finest contributions to the townscape of Norwich as a whole. Its setting is a major factor in its significance.

20. There are four grade I listed churches close to the application site:

**St Augustine's Church** and its churchyard lie to the west and north of the appeal site, across the junction of Pitt Street and St Augustine's Street, and is now vested with the Churches Conservation Trust.

**St Saviour's Church** fronts the east side of Magdalen Street immediately south of the St Crispins Road flyover.

**St Martin at Oak** lies south of St Crispins Road west of the roundabout junction with Pitt Street.

**St Mary's Costany** fronts onto Duke Street which leads up to the roundabout junction of St Crispins Road and Pitt Street

These buildings are all of HIGH archaeological, architectural, artistic and historical significance.

21. There are several grade II statutorily listed buildings close to the appeal site. These include No.75 Magdalen Street, immediate opposite the site, and Doughty's Hospital which fronts St Crispins Road opposite Upper Green Lane. The grade II listed Gildencroft Cottages form an important group with St Augustine's Church. These Tudor cottages are of HIGH archaeological, architectural, artistic and historical significance. There are also several grade II listed buildings in St Augustine's Street.

22. Further away from the appeal site there are numerous important listed buildings whose setting may be impacted by the proposed development. These have been itemised in both the Council's and Historic England's SOCs. The vast majority of these buildings are of HIGH significance when considered under all the NPPF criteria.

23. In conclusion, when considering the level of significance to be afforded to Norwich City Centre and the numerous other highly graded designated heritage assets that lie within it, the city merits comparison with other great cathedral cities in northern Europe. Within England it must rank alongside Salisbury, Winchester, Exeter, Lichfield and Canterbury as the finest of our cathedral cities that occupy a valley floor, astride a river, overlooked by hills, where the cathedral is the unchallenged centre-piece. In Europe it is comparable to Rouen, Rheims, Ghent, Ulm or Erfurt, although many of these cities suffered greater war damage than Norwich. However, in terms of its surviving medieval fabric, its extraordinary collection of parish churches, its largely intact medieval street plan in addition to its magnificent cathedral, Norwich is supreme.

## **IMPACT OF THE PROPOSAL ON HERITAGE ASSETS**

24. I agree with Historic England's analysis that the height scale and massing of the proposals results in harm which can be understood from three principal perspectives. These comprise the following:

- The image of Norwich as seen in panoramic views from elevated positions of the city centre, including the famous views from Mousehold Heath, St James' Hill, Ketts Height and the Castle mound and battlements;
- Medium distance views from numerous locations within the city centre where the development would impinge on and compromise the city centre's character; and
- The impact on the immediate environment of Anglia Square including listed buildings in close proximity to the site.

25. As part of its submission the applicant has provided a number of visual impressions of the potential impact of the proposals from various viewpoints in and around the city. They are helpful but are based on photographs taken from a particular position which in some cases (as will be shown below) is not necessarily the best for demonstrating the full impact of the proposals. The images in the Townscape and Visual Impact Assessment (TVIA) submission, while useful, are no substitute for visiting the sites and looking with the human eye at what is often a continuum of views. I hope that some of these can be visited as part of an accompanied site visit.

26. The Council's City Centre Conservation Area Appraisal provides guidance on the appropriate scale of new buildings, and states that they must respect their context and be of an appropriate scale to their localities. In areas of significance or low significance

*'the prevailing scale of existing traditional buildings should be respected, but the careful siting of taller buildings and the use of larger scaled buildings in appropriate locations will be encouraged provided that they do not negatively impact on important views of citywide and local landmarks or affect the setting of listed buildings'.*

27. The City Centre Conservation Area Appraisal lists the existing landmark buildings within the area that make a positive contribution and help to define the character and appearance of the area. These include the Anglican and Catholic cathedrals, the Castle, the City Hall clock tower and St Peter Mancroft. It also specifically identifies several taller modern buildings that

*“are out of scale and have a blocky silhouette compared to their more traditional neighbours. These are considered to be negative landmarks and are identified on the map as follows....”*

Anglia Square is included in that list. The term ‘negative’ implies that the character and appearance of the Conservation Area would be improved if they were not there.

28. In terms of the hierarchy of tall buildings in central Norwich the Anglican cathedral is dominant. Overall it is 96 metres high (the second tallest spire in England, surpassed only by Salisbury), while the top of the square tower from which the great spire and corner spirelets rise is 57 metres. The slim clock tower of Norwich City Hall (built in 1938) is 63 metres. Norfolk County Hall (1974) is 45 metres; the tower of St Peter Mancroft (1455) is 44.5 metres; St John the Baptist cathedral (1910) is 38 metres. The Westlegate Tower, south of the Castle is 41 metres, comprising 13 storeys.

29. The 20-storey tower (approximately 60 metres) proposed in the appeal scheme will be the second tallest building in Norwich after the cathedral, according to Paragraph 310 of the Council Committee Report. It will seriously challenge the hierarchy of tall buildings in Norwich. It is no surprise that the tower, even when reduced in height from 25 storeys to 20, has attracted much attention.

30. I agree with Historic England that the reduction in height has done little to lessen its harmful impact. At approximately 60 metres in height it will have a colossal impact. Norwich’s status as one of the most important medieval cathedral cities in England, and in northern Europe is undisputed, and its skyline is a crucial and widely appreciated part of its character. While individual monuments are important it is the overall composition of the city centre, with its hierarchy of historic landmarks presiding over a prevailing low scale of buildings lining narrow winding streets, that make Norwich such a special place. It is something that deserves the utmost protection. The proposition that a 20-storey tower might be considered to be acceptable in the medieval centres of Salisbury, Exeter, Canterbury, Lichfield, or Winchester, or would improve the townscape of these special places, is surely unthinkable.

31. In order to make a degree of comparison with other equivalent cathedral cities in England, extracts from planning policies for Canterbury, Salisbury, Oxford and York are attached in Appendix 1. The potentially adverse impact of tall buildings has been recognised in all these historic cities and addressed by a raft of protective policies. The same degree of concern should apply equally or more so to Norwich.

32. It is claimed in Paragraph 28 of the Council Committee Report that the proposed 20 storey tower is intended to be a ‘high quality ‘marker’ building seeking to reinforce a sense of place and to make a contribution to Anglia Square’s identity. The revised design of the tower is claimed to be slender and to have a relationship with the aesthetic character of Norwich, making it different from towers in other cities. I totally refute this analysis as well as the suggestion that design of the tower will somehow mitigate its impact. Owing to its function as a residential block with accommodation on all floors, it totally lacks the slim and tapering architectural finesse of the

cathedral spire or the City Hall clock tower. Whatever subjective value might be given to close-up architectural detail, from a distance it will appear as an orthogonal stump.

33. A further matter, noted by the Council in Paragraph 365 of its Committee Report is that all the existing positive landmarks in central Norwich have a civic or spiritual function. I consider that the residential block proposed will seriously undermine this functional hierarchy. London has struggled, arguably in vain, to protect the prominence of St Paul's, Westminster Abbey and Parliament in a city now dominated by commercial towers; Norwich, it seems, now faces a similar choice.

34. It does not follow that a new public space has to have a tall building or landmark to give it character or quality, as is suggested by the applicant. Indeed the proposed tower and the bulk of the adjoining buildings will reduce the public amenity of the new St Georges Street and Square. It would undoubtedly be better without the tower.

35. The applicant makes conflicting arguments that on the one hand the tower will have little visual impact, but on the other will be a major landmark for Norwich, helping people to navigate around the city. Neither argument is convincing. I consider that the tower will have a seriously harmful visual impact by intruding into the historic skyline of the city. Furthermore, the idea that Norwich needs more landmark buildings seems little more than self-serving. This is exemplified in the applicant's analysis of Views 4 and 10 in the TVIA where it claims that the legibility of the existing townscape in Angel Road and Kett's Hill will be improved by the tower and the bulk of the proposed development around it. Similarly the proposition in the TVIA that the townscape of Tombland (View 23) and Wensum Street (View 25) will be improved by the visibility of the tower ("background elements which will indicate the northern location of Anglia Square") is highly tenuous. Far from being "moderately beneficial" the visibility of the proposals will harm the townscape.

36. In the longer views 7 and 7A, from Mousehold Avenue, I disagree with the applicant's argument that the new tower will be reflective and subservient to the Catholic cathedral of St John the Baptist, when in reality the tower will be in the foreground and far more dominant than the Catholic cathedral in the distance. Nor was this the best position chosen to assess the impact. A finer panorama across the whole of the city is seen from the nearby vantage-point of the grass mound and public open space in the foreground of the photograph.

37. The applicant's argument that the new tower is beneficial to the skyline of Norwich in, for example, the views from St James' Hill (View 8), or from the Castle Rampart (View 12) is strongly refuted. In my opinion, the impact is extremely harmful. View 54, taken from the Castle battlements shows that the new tower will significantly break the horizon in this particular panorama.

38. The Council's position regarding the tower is less confident than the applicant's, and in several respects is ambivalent and confused. On the one hand the Council appears to accept the proposition that the northern part of the medieval city, north of the river, could have a tall building that will "symbolise the new activity and spaces that are being created in the northern part of the city centre". However it also notes the harm that the tower causes in heritage terms, which implies that the Council would prefer a scheme that did not have a tower or landmark.

39. The City Centre Conservation Area Appraisal is clear that the existing Anglia Square is a negative landmark. There does not appear to be any current policy which positively encourages a very tall building for the northern city centre, notwithstanding the gateway policy discussed in paragraphs 72-74 below. The Council states that it disagrees with Historic England's opinion that

tall buildings are inherently unacceptable in this part of the city, but gives no policy justification for doing so. The Council's position appears to be entirely reactive, rather than proactive.

40. In the Committee Report's analysis of the applicant's three grounds for justifying the tower (paragraphs 365 – 367), the Council provides little clear guidance. The idea that a tall block of flats will somehow attract people to Anglia Square is based on no empirical evidence. Indeed it is acknowledged elsewhere in the Report that the tower will have a negative impact on the amenity of the proposed St George's Square. Experience from other cities that have seen high-rise development suggests that few people chose to linger at the foot of tower blocks.

41. It is not known whether, if the scheme is approved, and the 20 storey tower is built, the Council would seek to promote or resist a cluster of new towers in northern Norwich, to counterbalance those in the south of the city centre, such as Westlegate, Norfolk and Normandie. Such a possibility is a worrying prospect, and one that would only serve to diminish the great value and prominence of the historic landmarks that Norwich is fortunate enough to possess.

42. It is not only the 20 storey tower that is incongruous and harmful to the character and appearance of the City Centre Conservation Area. As the Council acknowledges in paragraph 15.7 of its SOC, "the entire development would be visible from many places in and around the city centre". The scale and bulk of the main Block A, described in the Planning Officer's Report (paragraph 26) as "a large single block", is grossly inappropriate. It rises from 4 to 12 storeys, resulting in a massing that is completely alien within the context of central Norwich. It greatly exceeds the height and bulk of the existing buildings in Anglia Square, which are already widely regarded as excessive and harmful. The scale and design of the proposals, and indeed the visualisations provided by the architect, look like something that might be appropriate for London's Docklands, Tottenham Hale or Nine Elms, areas where super-densities and high-rise buildings are being encouraged. It is utterly the wrong approach for the renewal of Anglia Square.

43. The bulk, mass and scale of the development as a whole, including the tower, will have a highly damaging impact on the setting of other designated heritage assets within the Conservation Area. The Council itself acknowledges in paragraph 15.7 of its SOC the harmful impact on St Augustine's Street where "the development would appear to loom in a disturbing way above this sensitive street with its listed buildings". Similarly, in the view north along Wensum Street from the junction with Elm Hill (view 26), south of the river and affecting the Elm Hill and Northern Riverside Character Areas, "the development would appear to loom in a disturbing way above this sensitive street with its listed buildings".

44. The Council acknowledge that the whole development, including the tower, will have a seriously detrimental impact of the view of the landscape setting of the city from the Castle ramparts (View 12). This is perhaps the most celebrated panorama of the city of Norwich, and a major tourist attraction. The height of the tower will breach the existing horizon of hills that form the backdrop to the medieval city in its valley. It will catch the eye and challenge the supremacy of the Anglican cathedral. In addition, the full width of the proposed development including the horizontal slabs (rising to 12 storeys) will be visible from the ramparts. It will obscure the wooded slopes of the valley side beyond the city centre and provide a completely new and alien backdrop to the medieval city from this vantage point.

45. Both the Council and Historic England agree that the proposal will harm the setting of many individual and groups of listed buildings, many of which are listed at grade I or II\*. A number of these are identified in Paragraph 15.98 of the Council's SOC. The level of harm appears to be serious in several cases.



46. **St Augustine's Church** is vested with and maintained by the Churches Conservation Trust, on the basis that it is of the very highest significance as a heritage asset. Its distinctive but modest red-brick seventeenth century tower is unique in Norwich and its setting will be very greatly impacted by the new development, given its close proximity. The assessment under View 32 in the TVIA makes the preposterous suggestion that the 20 storey tower, approximately 60 metres high, will be subservient to the modest scale of St Augustine's. In reality, when viewed from the public benches on the north side of the churchyard, the new tower will rise as high as the church tower, given the height and distance of the roof plant on top of the existing Sovereign House. The new tower will be twice the height of the top of Sovereign House, and closer to St Augustine's.

47. The two-storey **Gildencroft Cottages** which form a charming backcloth to the churchyard will be overwhelmed by the new backdrop of taller buildings fronting Pitt Street. The attempt in Paragraph 407 of the Committee Report to justify the extreme contrast in scale is totally unconvincing.

48. The setting of **St Martin at Oak Church** along Oak Lane, slightly further away from the development than St Augustine's, will also be harmed, as illustrated in View 29 of the TVIA. It should be noted that all of the post-war development in the immediate area of St Martin, of which there is a great deal, has respected the medieval scale of two or three storeys.

49. Nearby lies the medieval church of **St Mary's Coslany** which is featured in View 52 of the TVIA. The particular position selected for the photograph shows that the proposed development is only just visible above the east end of the nave, but there are likely to be more prominent views of the proposed tower and tall buildings facing the roundabout when seen from St Mary's Plain, in the gap between the church tower and the buildings to its west, and further east towards Duke Street across the churchyard, as well as from further south in Rosemary Lane. The existing setting of St Mary's Church is completely unspoilt by taller buildings.

50. The setting of the ensemble of important medieval buildings illustrated in View 37, including **St George Colegate** (grade I) and **Bacon's House** (grade II\*) will be harmed by the incursion into the streetscape of the new development. I completely disagree with the assertion that the tower and its associated blocks on St Crispins Road will have a "major beneficial" visual effect. The new development will completely break the spell of being in a medieval city. A slight adjustment to the position of the photographer in the nearby View 38 would show that the tower will be a major intrusion into the view down Calvert Street.

51. The proposals will have a severe impact on the setting of **Doughty's Hospital**, where Anglia Square forms an immediate backdrop, separated only by St Crispins Road. The viewpoint chosen in View 44 of the TVIA omits the proposed tower, which will be clearly visible from the south-east side of the courtyard, looming disturbingly over the rooflines and chimneys of the listed buildings. The courtyard is identified as an Open Space in the Norwich Development Management Local Plan Proposals Map. SAVE totally disagrees with the applicant's assessment that the impact is beneficial.

52. The local impact of the development will be particularly severe, on the Northern City character area. One of the great claims of the Council is that the scheme helps to realise a key strategic objective of the development plan to achieve the physical and social regeneration of the older northern city centre, an area that is one of the most ethnically and culturally diverse parts of the city with a vibrant local community and a growing location for artists and small start-up businesses. The reality is that the proposed scale and footprint of the new development will effectively cut off the northern city from the rest of the city to the south and will act as a major

physical and psychological barrier. While the existing Anglia Square buildings are poor and seemingly unfit for purpose, the proposal is a great deal worse, and extends over a wider area.

53. The barrier effect of the proposal will be readily apparent in the continuum of views south along Aylsham Road, one of the key approaches to central Norwich. From its junction with Drayton Road, and running south to St Augustine's Street, the tower and spire of the Anglican cathedral is major landmark and guide towards the city centre. The existing Anglia Square is visible, but a comparatively minor element compared to the cathedral. That will greatly change with the new development proposals. View 49 of the TVIA clearly shows that the new tower will appear as a much larger and more prominent feature than the cathedral. Indeed, from the west side of the road, from the bus stop or the footpath, the tower will appear even closer to the cathedral. At present the cathedral spire rises higher than the existing Sovereign House. The new tower will seem far bigger. It will dominate this important approach to the city.

54. From here too it is not just the spire of the cathedral that is currently visible, but the upper part of the square tower and its corner spirelet pinnacles. These will disappear from view because of the height of the other proposed blocks. View 14 of the TVIA is positioned so that the proposed tower is almost obscured by existing buildings on the right, but it clearly shows that the bulk of the proposed buildings on the eastern side of the development site will rise considerably higher than the existing buildings and will block or partially block the existing views of the cathedral from the centre of Aylsham Road or the eastern pavement. From here too the new tower will appear massively taller than the cathedral spire.

55. The same impact will be experienced in St Augustine's Street and Edward Street. Far from helping to reconnect the northern city centre with the rest of central Norwich, the new development will further separate it, forming a massive barrier of monolithic new buildings. The idea put forward in paragraph 326 of the Committee Report that it will look like "a city within a city" seems to suggest that anything out of scale or context is by its very nature acceptable. However, paragraph 326 concludes that "the mass of the development, which is a result of the height of the proposed buildings combined with their footprints, will not successfully harmonise with its surroundings". I regard this as an understatement.

56. It is a matter of judgement as to whether the proposals result in substantial or less than substantial harm to designated heritage assets, and in particular the City Centre Conservation Area. Reference will no doubt be made to the 'Bedford' case, determined by Mr Justice Jay on 26<sup>th</sup> July 2013, where the meaning of 'substantial' was discussed at some length. The Inspector at the subsequent 2014 Smithfield Market case (Ref. APP/K5030/V/13/2205294 – see Appendix 4 or Core Document Ref CD12.6) noted in paragraph 222 of his decision that the Oxford English Dictionary defines substantial as 'more than a minor amount' but 'something less than overwhelming or complete'. The word 'substantial' is not defined in the glossary of NPPF. It is left to the decision maker to consider the arguments and make a judgement.

57. The City Council asserts that the harm is less than substantial and is reduced (but not offset) by heritage benefits (see assessment of public benefits below). Historic England consider that the severity of harm, albeit less than substantial, to be at the highest level, just below that of substantial harm. I suggest, however, that the cumulative effect of so many instances of harm, including the adverse impact on the setting of dozens of highly graded listed buildings, combined with the overall impact on the fundamental character, appearance and perception of Norwich City Centre, should be interpreted as substantial harm.

58. There are similarities between the Anglia Square case and the Secretary of State's decision, dated 14<sup>th</sup> July 2014 on the Smithfield case. This development involved the proposed construction

of new buildings within a very extensive Conservation Area, also affecting the setting of various nearby grade II listed buildings. The Secretary of State found that the replacement of the General Market hall (not a designated heritage asset) with a large block of offices and the addition of a taller office block on the Annex Market would cause substantial harm to the significance of the Smithfield Conservation Area as a whole. This was notwithstanding the arguments made by the appellant that the Conservation Area itself was very large, that the site formed a small part of it, and was on the edge of it. The Secretary of State also found that, through damage to their setting, there would be substantial harm to the significance of nearby listed buildings as designated heritage assets.

59. Reference may also be made to the more recent Chiswick Curve decision (Ref.APP/F5540/W/17/3180962). In this case both the Inspector and the Secretary of State agreed that the harm caused was less than substantial, applying the Bedford test, and that the significance of the designated heritage asset (in this case Kew Gardens) would not be ‘drained away’ or ‘very much reduced’ by the proposals. However, it should be noted that the development proposals were not within the designated heritage asset itself, not even within the buffer zone for the World Heritage Site, but some distance removed. At Anglia Square the development is within and part of the designated heritage asset of the City Centre Conservation Area and will have a profound impact on it from within. It is not merely a question of setting.

60. I would suggest that judgement of what constitutes substantial harm also relates to the significance placed on the designated heritage assets. At Anglia Square the proposals have consequences for the character and appearance, and the precious skyline, of one of England’s finest Conservation Areas, together with impacts on the settings of a large number of listed buildings of the very highest grade and status. The impact of the development will, in my opinion, very much reduce the significance of the Conservation Area. In my opinion this meets the test of substantial harm as set out in the Bedford case.

61. The proposed scheme does clearly involve very serious harm to non-designated heritage assets. It proposes the total destruction of all the existing buildings on the south-west corner of the site, a collection of two storey buildings described in paragraph 15 above, which predate the construction of the existing Anglia Square. These include Nos 43-45 Pitt Street, a pair of double-fronted early 19<sup>th</sup> century houses which are locally listed.

62. While these buildings at present appear somewhat isolated, mainly because of the adjacent vacant sites, they are surviving remnants of old Norwich whose historic character and appearance contribute positively to the Conservation Area. The demolition of these buildings is an unnecessary erosion of historic Norwich, involves the loss of undesigned heritage assets and is harmful to the character and appearance of the Conservation Area. Their retention should rather be seen as a template for the rebuilding of the Anglia Square area and the enhancement of the Conservation Area.

63. The Council state that their demolition is necessary to facilitate the overall development but given that they are on the periphery of the scheme this is highly questionable. If they had happened to be in separate ownership they would of course be retained. Moreover, as stated in the Council’s Committee Report Paragraph 4, these buildings are beneficially occupied by a number of businesses and social enterprises including Men’s Shed, Farm Share, and Print to the People. The buildings appear to be in reasonable condition. As existing buildings, they possess embodied energy which would be lost in demolition and redevelopment.

64. The scheme involves the regrettable loss of the exact original line of upper St Georges Street (now called Botolph Street) and its connection to the original Botolph Street and thence to St

Augustine's Street. This is a further erosion of the historic street plan of medieval Norwich and is in conflict with the Council's policies. There is a strong presumption to retain the historic street pattern where it survives. In areas of Low Significance, it is stated that "historic building lines must be reinstated according to cartographic and visual evidence, unless the proposals create a well-designed alternative layout". I do not consider that this caveat has been satisfied with the current proposals. Furthermore, the Council's policies are to retain historic paving materials and the loss of the surviving granite sett highway is contrary to this policy and harmful to the character and appearance of the Conservation Area.

## **ACHIEVING WELL-DESIGNED PLACES**

65. Chapter 12 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process is trying to achieve.

66. I would challenge certain aspects of the urban design analysis that the Council has carried out when assessing the current proposals. These are set out in paragraph 15.5 of its SOC. In particular, I suggest that:

- The scheme does not optimise the opportunity to improve movement connections between St Augustine's Street and Magdalen Street. The proposed route is dog-legged, unlike the sinuous but continuous original line of Botolph Street. Nor is there a clear visual link between St Georges and Edward Street. It is a very imprecise interpretation of the historic street plan;
- The inclusion of large amounts of car parking within the scheme does not promise to reduce dependency on cars, but encourages car ownership;
- The proposed dwelling mix is very heavily weighted towards small flats;
- The scale of buildings proposed will overpower much of the public realm; and
- The resultant character and sense of place may well be very different from the rest of central Norwich, and thus distinctive in that regard, but in its own right it is formulaic and typical of many comprehensive developments in 21<sup>st</sup> century Britain.

67. The Council acknowledges that "the scale of the development fails to harmonise with its surroundings in terms of the heights of some buildings and the size of block footprints". It also acknowledges the lack of affordable homes, the poor corridor access serving many of the flats, and the loss of the locally listed buildings (but fails to say why their loss is unavoidable).

68. The Council agrees that the overall height and massing create a form and character of development which in the context of Norwich is strikingly different and unfamiliar. However, it excuses this approach, in Paragraph 311 of its Committee Report, by an acceptance of the developer's commercial brief which 'prescribes a quantum and mix of development for the site'. The provision of a 600-space multi-storey public car park or a 'target' of 1250 dwellings was not the Council's absolute requirement, or part of the Anglia Square PGN.

69. Paragraph 127 of the NPPF requires that planning policies and decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

70. Judged against these criteria it is my opinion that the proposals fall short on most counts. I consider that the proposal does not add to the overall quality of the area, but will detract from it for decades to come; that it is not visually attractive because of its excessive height, bulk and scale; that it is not sympathetic to local character and history; that it does not create an attractive or welcoming place to live, work or visit; that it exceeds the potential of the site and does not provide an appropriate amount or mix of development; and does not necessarily create a place that will be safe and inclusive, or promote health and well-being. It completely fails to achieve the requirements in NPPF for acceptable development.

## **COMPLIANCE WITH LOCAL POLICY AND GUIDANCE**

71. Policy 11 of the Joint Core Strategy (2014) deals with Norwich City Centre. It states that areas of the city centre will be comprehensively regenerated and that the Northern City Centre will be developed in accordance with its Action Area Plan to achieve physical and social regeneration, to facilitate public transport corridor enhancements and utilise significant development opportunities.

72. Policy DM3 of the Norwich Development Management Local Plan (2014) gives significant weight to the following design principles in assessing development proposals:

- a) gateways
- b) long views
- c) local distinctiveness and character
- d) layout and siting
- e) density
- f) height, massing, scale and form
- g) design of roads and streets
- h) materials and details
- i) green infrastructure, landscaping and biodiversity
- j) energy efficiency and climate change

73. The issue of gateways is explained in greater detail in the ensuing text in paragraph 3.6. This makes it clear that the gateways, as specifically shown on the Proposals Map, are heritage features which “often coincide with the position of historic gateways to the old walled city of Norwich”. In the vicinity of Anglia Square two gateways are identified, one towards the north of St Augustine’s Street where the line of the medieval wall is marked across the pavements, and the other at the St Crispins roundabout. The key to the Proposals Maps, lists the gateways under ‘heritage assets’. It is curious to note that the St Crispins Roundabout location is in fact the only one (out of twelve) that does not relate to an historic position on the original city walls. The correct position should

surely be the roundabout at the western end of St Crispins Road, at its junction with Barn Road, where the River Wensum formed an obvious boundary and a natural position for a gateway. Perhaps the cartographer marked the gateway on the wrong roundabout. Whatever the explanation, the St Crispins Roundabout is not the site of a historic entry point into the medieval city, and it would be false to mark it as such. It appears to me that the idea of a 'gateway' at the south-west corner of the Anglia Square site is a spurious justification for a tall building. It does not, and should not, signify an entry into the medieval city.

74. Policy DM3 states "gateways may be marked by appropriately designed landmark buildings: for the purposes of this policy a landmark is defined as a building or structure that stands out from its background by virtue of height, size or some other aspect of its design. However, because of the particularly sensitive townscape of the historic city it is considered that excessively tall or large buildings would be inappropriate in most gateway locations. The expectation of this policy is that gateway sites would be marked by development of exceptionally high quality which relies for its distinctiveness on design aspects rather than size and height".

75. The Northern City Area Action Plan lapsed in 2016 and has not been updated. Reliance is now placed on the Anglia Square PGN, adopted in 2017. This refers in Paragraph 7.91 to the gateway policy of DM3 and reiterates caution over height, stating that landmark buildings do not need to be tall. Paragraph 7.92 recognises the gateway nature of the site particularly in terms of arrival from north of the city, having previously noted the highly sensitive townscape of the St Augustine's Street area. The list of objectives set down in paragraph 5.5 of the PGN does not include a landmark or gateway feature. Where it states in paragraph 7.91 that "taller buildings are likely to be more appropriate near the southern end of the site, adjacent to the St Crispins gateway" it might be assumed that this refers to the scale of existing buildings on the south side of St Crispins Road referred to in paragraph 3.15.

76. The Anglia Square PGN acknowledges in paragraphs 1.3 and 1.4 the ownership and forthcoming proposals of Columbia Threadneedle and Weston Homes, but states that the Council's vision goes beyond Anglia Square itself. Within the Council's Anglia Square PGN there is a requirement that any new development or rejuvenation should compliment the neighbouring area and reflect its location in the heart of the historic northern city centre, and should have a clear relationship in built form with the surrounding area. In paragraphs 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. Paragraph 3.18 states that "the height and traditional character of buildings and streets north and east of the site (noted in paragraph 3.23 as being two or three storey terraces) needs to be respected in the new redevelopment to ensure the buildings, streets and their settings are not unduly dominated or harmed by the new buildings. Paragraph 3.23 requires that the setting of St Augustine's Street and church, and Gildencroft are respected. In my opinion the proposals fail to meet those requirements.

77. In heritage terms the proposals run contrary to most of the policies in section DM9 of the Norwich Development Management Local Plan, which have been written to accord with NPPF. With reference to locally identified heritage assets, the total demolition of the locally listed buildings in Pitt Street runs contrary to policy DM9 which seeks to protect locally designated heritage assets. There appears to have been no serious investigation of options to retain these buildings as part of the development.

## **BALANCING HARM AGAINST PUBLIC BENEFITS**

78. While there may be debate about whether the degree of harm is substantial or less than substantial, I consider that the level of harm is significant and serious. Paragraph 193 of NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any balance must also be taken within the duty of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

79. Paragraph 196 of the National Planning Policy Framework (2019) requires that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing it optimum viable use."

80. English Heritage's Conservation Principles, reissued by Historic England in 2015, also offers guidance on balancing harm to heritage assets against public benefits. Paragraph 149 states that: "Changes which would harm the heritage values of a significant place should be unacceptable unless:

- a. the changes are demonstrably necessary either to make the place sustainable, or to meet an overriding public policy objective or need;
- b. there is no reasonable practical alternative means of doing so without harm;
- c. that harm has been reduced to the minimum consistent with achieving the objective;
- d. it has been demonstrated that the predicted public benefit decisively outweighs the harm to the value of the place, considering
  - its comparative significance,
  - the impact on that significance, and
  - the benefits to the place itself and/or the wider community or society as a whole"

81. Historic England's advice on Tall Buildings states in paragraph 5.5 that where a tall building is harmful to the historic environment it requires a careful examination of the worth of any public benefits that the tall building is said to deliver and of the alternative means of delivering them.

82. The applicant and the Council have suggested that the development provides public benefits which outweigh the harm caused. These are considered in turn:

### **Heritage benefits**

83. These are set out in paragraph 15.9 of the Council's SOC, and are challenged as follows:

84. The removal of areas of undeveloped wasteland off Pitt Street (and New Botolph Street), while desirable in principle, is negated by the inappropriate scale of the new buildings proposed. These will cause a very high level of harm to the setting of St Augustine's Church, 2-12 Gildencroft, listed buildings in St Augustine's Street and to the northern city character area of the Conservation Area. The existing vacant sites, used for car parking, do not cause this degree of harm.

85. The removal of buildings identified as negative in the City Centre Character Appraisal would only be a benefit if they were replaced by new buildings that are better and which enhance the character and appearance of the Conservation Area. That is not the case, something that has even been admitted by the Council.

86. I disagree that the historic street pattern has been satisfactorily reinstated, as discussed in paragraph 64 above, or that the new scheme is better connected to the surrounding area. The Committee Report acknowledges in paragraph 319 that the desire line connection between Cowgate and Pitt Street has not been achieved.

87. While the new development might well attract more people to the area than the existing Anglia Square, it does not follow that they will better appreciate the Conservation Area. Indeed, given the acknowledged harm that is caused to the setting of nearby listed buildings and to the adjoining Conservation Area character areas, the public's perception of nearby heritage assets may be reduced.

88. The framed view of the Anglican cathedral from within the development will be overpowered by the scale of the development itself, and will, if anything, serve to accentuate the dichotomy of building heights. There is, in fact, a fine view of the cathedral at present from the upper public deck of Anglia Square. Wide views of St Augustine's Church already exist owing to the open nature of the existing site; the proposed framed view will merely provide a more limited view. It does not enhance the setting of the church.

89. It is questionable whether the four and five storey scale and large footprint of new buildings proposed on Magdalen Street represent a high-quality replacement for what is currently there. The much higher buildings that rise behind the frontage will be visible in longer and oblique views (see Views 34, 35, 42 and 43 in the TVIA) and are grossly out of scale with the historic buildings in Magdalen Street. The heritage benefits here are highly questionable.

90. Irrespective of the above, it should be noted that good design is a basic requirement of sustainable development, as set out in NPPF Chapter 12, and is not in itself a public benefit. I have strong misgivings whether the new development produces any real heritage benefits, or that the overall impact produces any enhancement to the Anglia Square character area.

### **Other planning benefits**

91. SAVE does not have the resources to make detailed submissions on the other planning benefits that are claimed by the applicant, nor will SAVE be able to attend the whole of the Inquiry to hear all the evidence presented, but I offer the following comments based on documents already available.

### **Housing**

92. The Council's Statement of Case notes that housing target figures are out of date and unrealistic. Nevertheless, as is explained in Paragraph 187 of the Committee Report, the Northern City Centre Action Area Plan identified only a minimum of 250 dwelling units to be provided within the Anglia Square area. While JCS11 identifies the city centre as suitable for high density housing which will support the vibrancy and role of Norwich, this also has to be assessed within the context of policies to retain historic character. JCS11 and the Anglia Square PGN do not justify the super-densities now being proposed in the appeal scheme. The fact that, if built, the scheme would provide 2.6 years' worth of the whole of Norwich's housing supply suggests perhaps that too many eggs are being placed in one basket. Paragraph 194 of the Committee Report suggests that application of new Local Housing Need figures will lead to a significant reduction in the homes needed to account for unmet need.



93. By swamping demand for small units for private sale it might slow the development of other sites that are available for housing. A number of areas of surface car parking exist in central Norwich where development would be desirable (see Map attached as Appendix 3).

94. The low proportion of affordable housing, at around 10%, or 120 units, is also a serious concern that limits the housing public benefit. Questions are also raised in Paragraph 217 of the Committee Report about the affordability of affordable units, and in Paragraph 219 about delivery and phasing.

95. Doubts remain as to whether the development provides the right dwelling mix and tenure mix. Apart from nine houses provided on the northern Edward Street site, the scheme is entirely flats. Paragraph 205 of the Committee Report suggests that the central location and the proximity of busy roads makes the area unsuitable and unpractical for family housing or ground level housing, but alternative visions (see below) show that this need not be the case. It is also conceivable, and perhaps desirable, that in the not-too-distant future planning policies in Norwich may evolve towards to ones of traffic constraint and encouraging mixed communities within the city centre. It is perhaps symptomatic of current attitudes that paragraph 1.2 of the Anglia Square PGN describes the one-way traffic gyratory in St Augustine's, Magpie and Edward Streets as an improvement.

96. The Council states in Para. 12.24 of its Statement of Case that it afforded the level of housing substantial weight when balancing harm against public benefits. I would suggest that it was afforded too much weight, given the acknowledged 'tensions with planning policy regarding housing types and tenure mix', noted in Para. 12.25.

### **Retail, leisure and office accommodation**

97. The public benefits of retail, leisure and office space are given less weight by the Council. The proposed benefits appear to rely on qualitative improvements to the retail and commercial offer. There is uncertainty, acknowledged in Paragraph 233 of the Committee Report, concerning whether the development will provide the mix of uses to meet local residents' shopping needs retail units. Commercial rents are likely to be higher than at present following an expensive redevelopment. Owners and operatives of other retail centres in Norwich have also expressed concern, given current uncertainties in the retail and leisure sectors.

98. While not claimed as a public benefit, the relocation of the existing Surrey Chapel into new accommodation is a component of the scheme which involves considerable expense (estimated by the applicant at c.£2 million). While the church members are supportive, and no doubt like the idea of brand-new premises, it would appear that the existing building is in beneficial use. While of no particular heritage value it is sympathetic in scale to the locally listed buildings adjacent, and well located for public access. Its demolition and relocation could be regarded as an unnecessary cost and loss of embodied energy. Its current site also happens to lie close to that of the medieval St Olave's, which gives its current location some historic resonance.

### **Public Realm**

99. While the development does provide two new places where people might pass through and gather, both these spaces have their shortcomings, not least because of the scale of development that encloses them. The new space called St George's Square will be greatly overshadowed by the mass and height of the tower and its podium blocks.

100. Overall, I consider that the level of public benefit provided by the development is modest, particularly in the context of the level of Homes England funding (£12 million) and the waving of

£8 million of Community Infrastructure Levy. Regardless of the level of harm in terms of being substantial or less than substantial, Paragraph 193 of the NPPF requires that great weight be given to the conservation of designated heritage assets, and the more important the asset, the greater that weight should be. I consider that the degree of harm to heritage assets greatly outweighs the public benefits that are achieved.

## **ALTERNATIVE VISIONS FOR THE SITE**

101. It is acknowledged that there have been previous schemes and planning permissions for the development of Anglia Square which for a variety of reasons have not been implemented. While there is an understandable frustration among some in the local community that ‘nothing has been done’, and that Anglia Square continues to decline and deteriorate through lack of investment, there is also a concern that the current proposals have been approved by the City Council almost on the basis that ‘anything is better than nothing’. This alone is not a good justification.

102. I consider it is essential that if Anglia Square is to be redeveloped, the opportunity should be taken to make a major enhancement to the character and appearance of the Conservation Area, compatible with a long-term vision for Norwich city centre, and something that does not repeat or embed the mistakes of the past. It is vital to consider all possible alternatives that might achieve this more effectively than the current proposed scheme, given the clear harm that it causes.

103. The opportunity costs of pursuing the appeal scheme as opposed to a better alternative must be considered for the future well-being of the whole of central Norwich, not just Anglia Square itself. The existing Anglia Square sits like a cuckoo in the nest within the remarkable medieval core of the city, a comprehensive development that is regarded now by the vast majority of its citizens as a mistake of the 1960s. The appeal scheme promises to repeat those mistakes but on a much bigger and more damaging scale.

104. The six options that are considered within Paragraphs 160 - 164 of the Committee Report do not provide a full exploration of possible alternative scenarios in my opinion. The only radically different approach considered is Option 6 prepared by the Cathedral Magdalen & St Augustine Forum, and it is summarily dismissed by the Council without any further investigation.

105. I welcome the decision of Historic England (HE) to commission an alternative scenario for the development of the area. This scheme, drawn up by Ash Sakula architects, provides a vision which seeks to restore the Anglia Square area back into the medieval morphology of the inner city, reinforcing the extraordinary character and appearance of the historic city and removing the incongruous elements of the existing Anglia Square which currently blight the area.

106. HE’s alternative scheme restores the street pattern, dating from medieval times, which had survived until the Anglia Square development was built in the 1960s and 70s. This includes the reinstatement the sinuous line of Botolph Street, and the original Calvert Street, Middle Street and Cat and Fiddle Row.

107. The HE scheme also includes land uses which respond to local needs for shopping, small business, leisure and community facilities, and provides residential accommodation with a dwelling mix and variety of tenure types which can meet a wide variety of housing needs. Although the number of dwellings in the alternative scheme is smaller at 453, there is a higher percentage of larger units, including 308 two bed and 92 three-bed units (a total of 945 bedrooms compared with 1790 in the application scheme) with the intention to provide at least as many affordable units as the appeal scheme. The HE scheme provides flexible space for local shops and small businesses, anticipating future trends in the retail demand and a continuing decline in the

‘high street’, together with new workshops and artists studios which would strengthen the cultural quarter of this northern part of the city.

108. The alternative vision proposes low-rise terrace buildings, respecting and reinforcing the existing contextual scale of most of central Norwich and the City Centre Conservation Area, and the Colegate and Northern City character areas. The scheme retains the existing locally listed buildings on Pitt Street and stitches them back into the urban fabric.

The scale of all the buildings within the alternative scheme is such that lifts are not required (with the exception of disability access within the cinema). The benefits of this are many. The high construction and maintenance costs of lifts are avoided, together with the ongoing energy use of driving the lift motors. Above all there is a huge benefit to health and well-being by requiring people to use stairs. The low-rise nature of the scheme provides ample scope to house everybody for whom stairs are problematic in ground floor accommodation. The traditional terrace arrangement also enables the provision of private gardens or external spaces for many of the units, with individual external front doors reducing the need to internal common parts with their inherent maintenance problems.

109. The vision offers flexibility and the ability to change over time. While a modest amount of car parking is provided to comply with current City Council requirements it is arranged in a manner so that the space can easily be reduced and replaced in the future, in a gradual manner if necessary, by additional buildings and/or public realm. It anticipates a future when perhaps the whole of central Norwich is largely car-free, with local journeys carried out by foot, bicycle and bus, and the whole city served by a comprehensive park-and-ride regime. This alternative vision, significantly, does not include a 600-space public multi-storey car park, which will be expensive to construct, and to demolish or convert when it becomes a white elephant.

110. The alternative vision is capable of being implemented in a phased manner and by a variety of agencies. It offers the potential for fragmented ownership and community involvement together with the benefits that can bring in terms of personal investment, property maintenance and community development.

111. The HE vision is one example of a different approach. The CMSA have also produced an alternative brief for the development of the site, referred to and appended to its written submissions.

112. Further inspiration for an alternative model for the development of Anglia Square might also be taken from the recently completed Goldsmiths Street housing scheme, a short distance to the south-west.

This low-rise high-density development, designed by Riches Hawley Mikhail Architects, provides 105 new Council homes and has received widespread praise, including winning the prestigious 2019 RIBA Stirling Prize. Significantly, this scheme was a Norwich City Council initiative and undertaking.

113. The urban strategy here is described on the scheme architects’ website as follows:

*“The design seeks to re-introduce streets and houses in an area of the city which is otherwise dominated by 20<sup>th</sup> century blocks of flats. The popular Golden and Silver Triangles, areas of highly desirable late 19<sup>th</sup> century terraced housing, is within five minutes walk.... Street widths are intentionally narrow, emulating the 19<sup>th</sup> century model. Parking is on street... Our scheme is dense and low-rise. We provide many more houses*

*than other schemes, which were mainly flats – thus better values from the site. Future maintenance has been minimised by designing flats whereby every flat has a front door onto the street, with its own staircase and lobby at street level – designing out all internal common parts.”*

114. If this approach is seen as exemplary and award-winning, reinstating a 19<sup>th</sup> century street pattern, surely a similar approach is even more compelling for Anglia Square, within the medieval city itself.

## **THE CONTRIBUTION OF ANGLIA SQUARE TOWARDS A FUTURE VISION FOR NORWICH**

115. I believe that the consideration of the Anglia Square scheme and its alternatives has a crucial impact on the future character and prosperity of the whole of central Norwich. The report published in March 2015 entitled *Cathedral Cities in Peril* provides a highly relevant background to this issue (see Appendix 2 or Core Documents Refs. CD12.3 and CD12.4). The study focussed on the case studies of Durham, Ely, Chichester and Lichfield, and referred also to Delft, Lund, Tübingen and Bayonne, and it made various observations. These include the following:

- Our smaller cathedral cities are in danger of losing their character and beauty;
- The quantum of housing set by local authorities can be too much, exceeding population projections for the sake of expected economic returns;
- The size of single sites can be too large in relation to the existing town and, if released without a clear planning vision, they tend to be monolithic and out of character with the existing fabric; and
- Heritage protection can be turned into an economic asset for the city.

116. The study drew several conclusions and made a number of recommendations which are applicable to Norwich. These include:

- Maintain and where appropriate increase the density of urban centres and rebuild the scale and street pattern of the historic urban fabric by repurposing brown-field sites and infilling urban gaps;
- Build upon the distinctive character of each city area and its land uses;
- Manage scale, affordability and complexity of development sites to allow community-led schemes and alternative housing models;
- The old and new should be mixed. By developing inner city, smaller sites for housing, the city centre will be rejuvenated, heritage will be re-used and general design standards will rise;
- Community-led development models should be encouraged so that local character is kept and expansion grows from within the town rather than being imposed; and
- Design quality and scale should be at the core of planning applications. Divide large sites into small parcels and give cooperatives priority over large developers.

117. It has already been noted (see Appendix 1) that other cathedral cities such as Canterbury, Oxford, Salisbury and York have developed and established policies to protect existing character and to guide future development within their historic centres.

118. Norwich has enormous potential to exploit its unique character. It is an unchallenged regional centre, but because of its location it benefits from comparatively low property values. It has a world-class university on its periphery. It is already a magnet for a growing community of artistic and small-medium enterprise businesses. It has huge potential to increase tourism and visitor

numbers. It has opportunities to modernise the urban fabric where needed and to repair it within sensitively designed infill development. It has the opportunity to develop its exceptional historic core as an eco-quarter for the future.

119. The ‘Norwich 12’ initiative devised by the Norwich Heritage Economic and Regeneration Trust (HEART) secured £ 1.1 million of UK government funding to promote the city’s heritage. Heritage Open Days are a continuing and popular activity. The Norwich Castle Museum has secured major funding for regeneration. The Shaping 24 project which links Norwich and Ghent was funded by the European Regional Development Fund and seeks to link and promote the heritage of these two remarkable medieval cities.

120. The comprehensive regeneration approach, advocated by JCS11 for the Northern City Centre requires very careful consideration. As the Dean and Chapter of Norwich Cathedral noted in its letter of objection to the proposals, Norwich City Council has been sponsoring the creation of a Vision 2040 document and action plan for the city, “to celebrate the historic and the contemporary, youthful ambition and established values, and the dynamism of tradition. This development speaks of none of these. It would overwhelm the distinctive, the local and the vibrant.”

121. It is noteworthy that the Visit Norwich leaflet and map (Appendix 5) which is freely available to visitors (and even given out by taxi drivers!) promotes the area north of the River Wensum as the ‘Creative Quarter over the Water’. It is glowingly described in the leaflet as the area “where the Anglo-Saxons are said to have first settled; a place where the streets echo with creativity and industry, past and present.” On the leaflet’s map the area is coloured yellow, but it terminates at St Crispins Road, almost as if to indicate that this is the edge of the medieval city. Anglia Square is labelled to the north in an area coloured in grey.

122. There is a great danger that the scale and bulk of the Anglia Square proposals will perpetuate and reinforce the impression (wrongly) that the medieval city terminates at St Crispins Road. An alternative vision is needed to address the existing severance of the historic areas to the north, including St Augustine’s, and to reunite and stitch together the disparate parts of the Conservation Area.

123. It is noted that in Paragraph 131 of the Council Committee Report the suggestion is made that the proposed development of Anglia Square will help to attract investment into other key development sites close to Anglia Square, including Duke’s Wharf, the former Jarrold’s printworks on Whitefriars, and St Mary’s Works on Duke Street, among others. If the current proposals for Anglia Square are a template for these sites then the future for Norwich as an historic city are bleak indeed.

## **OPTIMUM VIABLE USE**

124. Historic England has cast some doubt on the relevance of Optimum Viable Use in terms of Paragraph 196 of NPPF, because the development site in itself does not comprise the whole of a designated heritage asset. National Planning guidance July 2019 states that “Area-based designated heritage assets such as Conservation Areas will not themselves have a single use (although individual heritage assets within them may). Therefore, securing the optimum viable use for the area-based asset as a whole is not a relevant consideration in assessing the public benefits of development proposals affecting such heritage assets. However, securing the optimum viable use of any individual heritage assets within the area-based designated heritage asset may still be a relevant consideration”.

125. These circumstances were accepted by the Secretary of State at the Smithfield inquiry, where buildings affected by proposed development were undesignated heritage assets, lying within a very large Conservation Area with impacts on the setting of nearby listed buildings. Prior to the updated NPPG, Norwich City Council had accepted the validity of OVU and considered the matter in its Committee Report.

126. The issue of viability is clouded by the fact that the proposed scheme is itself unviable, and relies on a sizeable input from Homes England. Additionally, the Council has waived its normal affordable housing requirement by applying Exceptional Circumstances Relief to its Community Infrastructure Levy. The Council's Statement of Case, paragraph 10.9, notes that the potential grant funding available to support delivery of the Anglia Square scheme had been increased from £ 12.2 million to £ 15 million (the third highest of 94 grants being awarded nationally). It is assumed that this subsidy is targeted at the provision of affordable housing, which in the proposed scheme amount to 120 units. If that is correct it amounts to £ 125,000 per unit, split between 111 flats and 9 three-bed units. Historic England has raised further concerns about the viability of the applicant's scheme, even with the allowance for the subsidies.

127. It is noted in the Planning Officer's Report that six alternatives had been examined, and all rejected as unviable apart from a 'do nothing' option. It is considered that this analysis failed to explore radically different strategies or scenarios, such as that presented by the Historic England vision, or the aspirations of the CMSA.

128. It is accepted that there is no financial analysis available of either Historic England's alternative scenario or the CMSA vision, but this should not mean that their potential is dismissed. Viability also encompasses deliverability, and the potential of lesser-scale alternative scenarios to involve a consortium of different agencies might introduce flexibility with advantages over a monolithic scheme by a single developer. Viability is also a moveable feast, where parameters change over time. In the Smithfield decision, even though little hard financial evidence was provided at the Inquiry of the deliverability of an alternative scheme to oppose the appellant's claim that its scheme was the only viable option, the Secretary of State nevertheless concluded that the alternative scheme could provide a long-term future through sustainable uses which would maintain the character of the Conservation Area. As it has turned out, following the rejection of the original office proposals, a different conservation-friendly and well designed scheme has emerged, which was not foreseen at the time of the Inquiry.

129. I remain unconvinced that the applicant's scheme represents the optimum solution for the site, and believe that less harmful schemes could be developed which achieve equivalent or greater public benefit.

130. If the advice of the July 2019 NPPG is taken at face value, and the OVU test cannot be applied in term of the scheme as a whole, then it can be considered for those parts of the scheme that are undesignated heritage assets. These comprise the locally listed buildings at Nos 43-45 Pitt Street, and arguable their neighbouring properties at Nos 41,47,49 and 53-55 Pitt Street and warehouse to the rear in Cherry Orchard Opening which together form an historic group. Similarly the surviving historic road surface and alignment of Botolph Street, immediately west of Sovereign House could also be regarded as an undesignated heritage asset. I would argue that the proposed scheme does substantial harm to these undesignated heritage assets by reason of total demolition. Alternative scenarios which retained all or part of these historic structures would be the optimum viable use.

## CONCLUSIONS

131. The proposal is a mega-structure, completely alien to its context and the character of medieval and pre-war Norwich. In my opinion it does nothing to mend the morphology of the Anglia Square area or to re-unite the northern city centre to the rest of the City Centre Conservation Area. It replaces a failed example of 1960s comprehensive redevelopment with something which promises to be even more disastrous.

132. It is noted that the City Council has been endeavouring to foster the redevelopment of the site for several years, and that previous schemes for comprehensive treatment have failed to materialise despite a number of planning permissions. I would argue that a comprehensive approach is intrinsically wrong, and even if such a scheme were to be implemented it would stand a high chance of future failure.

133. The argument that the proposed scheme is the only option that is currently on offer and ‘better than nothing’ is not a reason to cause very serious harm to heritage assets of such outstanding value. Viability of alternatives can change with time.

134. The fact that the proposal is a £270 million investment and is the largest development scheme proposed in the city centre for over two decades in itself does not make it a good or acceptable one. It is right to be wary of the Council’s strong support for this level of investment. Rather than boosting the city’s national profile and its attractiveness to other inward investors, as claimed in Para 14.4 of the Council’s SOC, the appeal scheme is likely to do precisely the opposite.

135. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”. Considerable weight should be attached to any harm caused to a Conservation Area by development within it. The local authority has a duty to preserve and enhance its Conservation Areas. This operates as a strong presumption against the grant of planning permission, as confirmed by the Barnwell Manor case, for any scheme that causes serious harm.

136. In my opinion the proposals do cause substantial harm to the City Centre Conservation Area and serious harm to the setting of other designated heritage assets of the very highest level of significance and the destruction of undesignated heritage assets. I consider that the Council has undervalued both the importance of the heritage assets and the degree of harm that the proposals cause, and has afforded this insufficient weight in balancing harm against public benefits whose worth it has overvalued. I consider that there are no overriding public benefits that could not be achieved by a less harmful scheme. I urge the Secretary of State to reject the current proposals and to refuse planning permission.

## **APPENDIX 1**

### **Extracts from:**

#### **CANTERBURY DISTRICT LOCAL PLAN 2017**

8.35 Accommodating growth will require a relatively high density of development. Tall buildings (over five storeys) are not considered necessary to achieve this and most parts of the District are not considered suitable for tall buildings. High density development does not have to involve building high or disrupting the urban form.

8.37 Canterbury is the most critical place in terms of its character and the impact of new development on views and vistas. It is not expected that new buildings will exceed four residential storeys over an active ground floor (i.e. five storeys maximum height). The seven storey accommodation block of Christ Church University has a detrimental effect on the skyline of the City and if these buildings are redeveloped their visual impact should be reduced.

9.25 Canterbury is a compact city in a valley setting that provides for a close relationship between the town and the surrounding rural landscape. The Cathedral is the dominant element of the townscape, as it has been for centuries, and is the focus of many views from city streets and surrounding areas.

9.28 The height, mass and form of any development in the City needs to be considered in terms of its impact on long views of the cathedral. Any development should not detrimentally effect important viewpoints or significantly change the skyline of the city, and should enhance, rather than detract from, the historic roofscape.

#### **OXFORD CITY COUNCIL ADOPTED LOCAL PLAN 2001-2016**

5.7.1 Viewed from the surrounding high places Oxford may be seen as a city of ‘dreaming spires’. Viewed from within there are fascinating glimpses of the surrounding and mostly green hills. Some of these views are from outside Oxford’s boundaries, some are shorter views from prominent places within Oxford, but all are unique and vulnerable to insensitive intrusions.

5.7.2 The main characteristics of Oxford’s skyline are:

- a) St Mary’s tower which is the dominant point of the skyline from wherever it is viewed;
- b) its extreme fragility; the skyline seems to be composed mainly of pinnacles; the occasional dome and spire seems only to serve to accentuate the spikiness of the silhouette. The scale of the elements in the skyline is extremely small in height and volume. The introduction of any bulky elements would destroy this essential character.

5.7.3 Within the central core no buildings will be allowed which interfere with the character of the skyline, i.e. no buildings of considerable bulk shall protrude.

#### **POLICY HE 3 – HIGH BUILDINGS AREA**

Planning permission will not be granted for any development within 1200 metres of Carfax which exceeds 18.2 metres in height except for minor elements of no great bulk. A lesser height may be considered more appropriate for buildings that have to fit into the existing townscape. If existing buildings at or in excess of this limit are redeveloped, the city council will consider carefully whether rebuilding to their previous height is acceptable in terms of how it would affect the appearance of the existing townscape and skyline.



5.7.5 The effect of high buildings on the townscape needs to be considered not only from points at street level but also in relation to the silhouette of Oxford as seen from high points in Oxford and from the surrounding hills.

### **OXFORD CITY COUNCIL LOCAL PLAN 2016-2036**

This is as yet not adopted, following public consultation and public inquiry, but contains the following in its report on recommended future policy:

6.4 Oxford is a unique city in terms of its built heritage and form and its relationship to the landscape in which it sits. It has a distinct physical form, of a floodplain overlooked by ridges, and much of its character is derived from its landscape setting and the presence of two rivers, and many tributaries, creating a network of water through the city. It is highly recognisable by its iconic skyline and its architecture. Oxford contains buildings from every period of architectural history from the 11<sup>th</sup> century. Delivering successful, high quality design in new development requires a full understanding of the existing character and heritage of the area.

6.8 The character of Oxford and in particular its historic centre, was clearly a prominent feature of opinions about design. A large number of people agreed with the statement that views of Oxford's dreaming spires should continue to be protected by restricting tall buildings, and a similar number agreed that new development should be planned to protect local character.

### **OXFORD CITY COUNCIL HIGH BUILDINGS RECHNICAL ADVICE NOTE OCTOBER 2018**

This provides detailed technical methodology aimed at providing protection for the famous Oxford skyline and its viewing cones.

### **YORK CITY COUNCIL CENTRAL HISTORIC CORE CONSERVATION APPRAISAL 2019 EXECUTIVE SUMMARY**

“The appraisal identifies a number of threats to the built character of the Conservation Area, as well as management tools to address them. Views across and into the Conservation Area and the city's little-altered skyline are some of its most precious but fragile qualities; development could harm them if not carefully managed.”

Priorities for action include “Implement a Views and Building Heights Policy to conserve and enhance key views and the core's fragile roofscape and skyline.”

### **SALISBURY DISTRICT LOCAL PLAN 2011**

Since the adoption of the first Salisbury District Plan in 2003 the distinctive character of Salisbury Central Area within its magnificent cathedral spire has been protected by the so-called '40 foot rule' (Policy D6):

*“All new buildings within the Salisbury Central Area will be controlled to a height that does not exceed 12.2 metres (40 feet), and only pitched roofs clad in traditional materials will be permitted. Decorative architectural features that positively contribute to the variety, form and character of the area's roofscape, skyline and silhouette may be allowed*

*to exceed this height where appropriate, provided that they do not result in any increase in useable floorspace.”*

This policy has been reviewed several times but remains in force in the 2011 adopted plan and in the 2019 Local Plan Review.

## **APPENDIX 2**

Cathedral Cities in Peril March 2015, Foster and Partners & English Heritage

## **APPENDIX 3**

Map showing nearby churches and surface car parks.

## **APPENDIX 4**

Smithfield Market 2014 Secretary of State decision letter

## **APPENDIX 5**

Norwich: The City of Stories. Map and Guide