

Report for Resolution

Report to Planning Applications Committee
Date 9 June 2011
Report of Head of Planning Services
Subject 11/00160/F, 11/00161/F, 11/00162/O, 11/00163/C:
Anglia Square Including Land And Buildings To The North
And West Anglia Square Norwich

Item
5(1)

SUMMARY

Description:

A single scheme for the phased comprehensive regeneration of Anglia Square and environs for mixed use development, as proposed through four individual applications:

11/00160/F comprising:

- (i) A Full application for **Phase 1(a)** of the comprehensive regeneration of Anglia Square and environs for mixed use development, along the south, west and north-east of the site, proposing an enlarged Anglia Square, detailed proposals for a new 7,792 sq.m. foodstore, supported by 507 car park spaces, and full details of servicing, car parking (both permanent and temporary), access (including enhanced pedestrian, cycle, public transport accessibility, a bridge link from St Crispins Road, and closing of subway). Detailed proposals for additional retail and other town centre uses (Class A1, A2, A3, A4) totalling 3,565 sq.m. net, a crèche (Class D1, 304 sq.m.) and up to 91 residential units (Class C3) in mixed private/housing association use;

and,

- (ii) Outline planning application to establish further residential development (a possible further 16 housing association units) on land west of Edward Street.

11/00161/F comprising:

- (i) A Full application for **Phase 1(b)** including for development of the east of the enlarged Square, comprising additional retail and food and drink uses (Class A1/A3) with a total of 2,985 sq.m. net floorspace and rooftop parking providing 99 spaces and 29 private flats with temporary car parking; and external refurbishment of the Gildengate House offices and improvement to existing office entrance;

and,

- (ii) Outline planning application for **Phase 2(a)** north of the enlarged square, to establish the principle of additional retail and food and drink uses (Class A1/A3) of 2,094 sq.m. and the provision of a gym (Class D2) of 1,478 sq.m.

11/00162/O: Outline application for **Phase 2(b)** to establish the principle of Class D2 (Assembly and Leisure) uses with ancillary Class A1/A3 uses on land north-east of the Square, south of Edward Street.

11/00163/C: Demolition to facilitate the comprehensive regeneration of Anglia Square and associated development proposals as applied for under planning applications 11/00160/F, 11/00161/F and 11/00162/O.

Reason for consideration at Committee:	Major Development Contrary to Policy Objections Planning Obligations requirements
Recommendation:	Resolve to support the principle of development as outlined in the applications and delegate authority to approve to the Head of Planning (in consultation) subject to satisfactory further amendments being consulted on, due consideration of the comments received and to completion of a Section 106 Agreement (as outlined in this report).
Note to Members:	<p>This matter is reported to Committee today in order to try and bring forward the redevelopment of Anglia Square to the quickest possible timetable.</p> <p>The applications together comprise a complicated comprehensive redevelopment proposal for Anglia Square. Officers are of the view that there is still some further work needed in order for the proposals to be considered acceptable. Amendments meeting some of the concerns raised have been submitted and agreement has been reached with the applicant about the nature of further amendments needed.</p> <p>However, the scale of amendments proposed and required is cumulatively of such significance that a further period of consultation is considered necessary. In order to minimise the delay this causes to commencement of development it is proposed to pursue this further consultation consecutively with the detailed work on the Sec 106 legal agreement.</p> <p>In order to give the confidence to allow this matter to be taken forward in this manner it is put before members to gain endorsement of the principle of redevelopment proposed. It is hoped that the outstanding details will be able to be dealt with under delegated authority but this will depend in part on the nature of any issues raised in the further consultation that is due.</p> <p>Due to the complex and inter-related nature of the four applications being considered today it is suggested that if members consider any single application to be unacceptable then all applications be deferred to allow further consideration of the issue.</p>
Ward:	Mancroft
Contact Officer:	Rob Parkinson Senior Planning Officer 01603 212765
Date of receipt:	26th January 2011
Applicant:	Mr Ranald Phillips, Totem Ltd (as General Partner of Anglia Square Ltd Partnership).
Agent:	Mr Ian Anderson, CB Richard Ellis.

INTRODUCTION

The Site

Location and Content

1. The total site area measures some 6.17 hectares, and is located in the north of Norwich City Centre. This is the majority of the Large District Centre as allocated within the City of Norwich Replacement Local Plan (Adopted 2004) and Northern City Centre Area Action Plan (Adopted March 2010). To the south is St Crispin's Road, part of the Inner Ring Road. To the west, the site fronts onto Pitt Street and the southern end of St Augustine's Street. Opposite is Gildencroft Park, some small retail units on Pitt Street, six dwellings along Gildencroft, and St Augustine's Church. To the north is Edward Street and Beckham Place.
2. The site includes a vacant area of land to the west of Edward Street and east of Rose Yard. The site does not include the site of the former Barclays Bank, nor most of the rest of the retail units fronting the west of Magdalen Street, although they are within the ownership of the applicant.
3. The site currently contains some small retail units, a print works and the Surrey Chapel along the corner of Pitt Street and St Crispin's Road. There are two large surface car parks accessed from Botolph Street (via St Crispin's Road) and Edward Street. The seven-storey vacant Sovereign House office block runs north-south along Botolph Street. There are multiple retail units fronting onto all sides of Anglia Square itself, including the larger QD, Boots, Iceland and Poundstretcher stores. The multi-storey car park and under-used five-storey Gildengate House offices, which are both accessed from Upper Green Lane (the elevated road) via the bridge off the St Crispin's Road flyover, are also included in the site, although the Hollywood Cinema is not within the 'red line'. There is no housing on the site at present.
4. Access into Anglia Square is currently from Magdalen Street via Anne's Walk or Sovereign Way, or from Botolph Street via Botolph Way. Cycling is not currently permitted through the Square itself.

Constraints and Topography

5. At ground floor level the site is relatively flat and accessible, although there is a general slope southwards toward the flyover. The site is also entirely within the City Centre Conservation Area, and contains a locally-listed building, 43-45 Pitt Street (previously occupied by Richer Sounds). The site also includes a group of ten mature London Plane trees and two Lime trees along St Crispin's Road by the entrance to Botolph Street.

The Conservation Area Consent application for site demolition

6. The area's Conservation Area status requires that any buildings requiring demolition are approved under a separate Conservation Area Consent application (11/00163/C). The proposal requires demolition of all the units along Pitt Street (including the locally-listed building), the Surrey Chapel, Sovereign House, the Multi-Storey Car Park, some of the units around the west, north and east of the Square, and the removal of Botolph Street. The twelve trees along St Crispin's Road will also have to be removed.

Planning History

7. The current proposals seek some significant changes to the principles of comprehensive redevelopment of the whole site, first proposed by planning applications in 2007. Initially, application 07/01349/F and its associated Conservation Area Consent application (07/01347/C) were withdrawn in August 2008 to allow revisions to the overall proposed scheme.
8. Planning permission was finally granted for application 08/00974/F in October 2009 (following Planning Committee approval in December 2008). By virtue of the construction of the new link road between Pitt Street and Edward Street ("New Botolph Street"), this application has been implemented and remains extant.
9. The current application is made by the same applicant as the previous withdrawn and approved applications.

The full description of the previous schemes are seen below:

07/01347/C - Demolition to facilitate comprehensive regeneration of Anglia Square and environs for mixed use development. (WITHDRAWN - 21/08/2008).

07/01349/F - Comprehensive regeneration of Anglia Square and environs for mixed use development, including detailed proposals for residential tower (block A) and foodstore and full details of servicing, car parking, access (including enhanced pedestrian, cycle, public transport accessibility, bridge link from St Crispins, foodstore service bridge and closing of subway) and proposed Edward Street/Pitt Street link road. Establishing the principle of additional retail (Class A1) and residential (Class C3), food and drink uses (Classes A3, A4 and A5), office use (Class B1), the potential relocation of Surrey Chapel (Class D1) and enhancement of landscaping including enlarged square. NB Application accompanied by Environmental Statement submitted under the Environmental Impact Assessment Regulations. (WITHDRAWN - 21/08/2008).

08/00974/F - Comprehensive regeneration of Anglia Square and environs for mixed use development, including detailed proposals for residential (Block A) and foodstore and full details of servicing, car parking, access (including enhanced pedestrian, cycle, public transport accessibility, bridge link from St. Crispins, and closing of subway), siting of ground floor units and detail of proposed Edward Street / Pitt Street link road.

Establishing the principle of additional retail (Class A1) and residential (Class C3), food and drink uses (Classes A3, A4 and A5), health centre (Class D1), the potential relocation of Surrey Chapel (Class D1) and enhancement of landscaping including an enlarged square. (APPROVED - 05/10/2009).

08/00975/C - Demolition to facilitate comprehensive regeneration of Anglia Square and environs for mixed use development. (APPROVED - 05/10/2009).

10. The Report to Committee and associated Minutes of the Planning Applications Committee of 11th December 2008, when the 2008 applications were considered, are available to view at the following website link:
http://www.norwich.gov.uk/webapps/meeting_minutes/Meetings.asp?meeting=specific&mid=1959&id=

11. Members will notice that a number of elements within the current proposals remain the same as those already approved in 2009, and there are a number of principles that have already been accepted. Nevertheless, there are numerous important differences between the two schemes. However, the current proposal differs from the previous approval in two particularly important ways concerning the project's delivery.

- (1) Different applications are proposed for constituent parts of the site area, rather than one single application.
- (2) The proposal anticipates the development being brought forward in separate phases with no guarantee that subsequent phases will follow. The previous consent was conditioned to the effect that the other aspects of the development had to be substantially complete by the time the foodstore opened; in this scheme there are few ties to the wider completion of the whole site.

In terms of the content of the new application, the main differences are as follows:

- The residential element has reduced from the previous approved 198 dwellings to a revised total of 136 dwellings, including the removal of dwellings fronting Pitt Street;
- The original approved residential 'block A' 10 storey tower has reduced in height;
- The multi-storey car park is now to be demolished;
- The Gildengate House office block is now to be retained;
- Anne's Walk is proposed to be removed and in-filled by larger retailing units, leaving only Sovereign Way as a route from the Square to Magdalen Street;
- There is a smaller number of retail units overall and a new crèche is now proposed;
- There are Outline proposals for two facilities within Use Class D2, shown indicatively as a gym (Phase 2a, above retail units within application 11/00161/F), and as a Cinema (Phase 2b within application 11/00162/O);
- Given the addition of the new D2 Use buildings, the shape of the enlarged Square has changed slightly by becoming more elongated, and the position of the north-south through-route has changed slightly. The access from the Square is now

shown further east, between the two new uses proposed, creating a dog-leg when moving north-south to St Crispin's Road;

- The houses on land west of Edward Street are shown in an indicative layout of 16 terraced houses rather than the previous proposal of 18 dwellings, although these are again Outline only;
- Although the floorspace of the supermarket remains the same as previously approved, and the number of car parking spaces beneath the foodstore remains the same, the overall number of car parking spaces provided throughout the site has reduced, predominantly due to the proposed removal of the multi-storey car park;
- The revised servicing arrangement to the north of St Crispin's Road no longer allows a direct pedestrian and cycle link between Pitt Street and Magdalen Street. Instead, access requires crossing St Crispin's Road via new pedestrian crossings to Calvert Street, and following existing access south of St Crispin's Road.

Enabling Developments

A number of related developments have already been the subject of separate planning applications and have been determined as they were considered acceptable on their own merits. These include some of the features of the previous application, namely:

- **10/02076/F: Relocation of Surrey Chapel** – Redevelopment of the car park site to the north of Edward Street on the western side of Beckham Place, to provide a replacement for the Surrey Chapel proposed for demolition in this application. This includes a two-storey building parallel to Edward Street with approximately 800 sq.m. of activity floorspace, to provide chapel, crèche and youth room facilities, and a 16-space car park accessed from Edward Street. (APPROVED – 15/04/2011, not yet implemented).
- Members may recall that the principle of the Chapel's relocation to the Edward Street site was previously included in the approved wider regeneration scheme 08/00974/F, although in outline form only. Given this specific existing permission, the current applications no longer need to include the Chapel's relocation.
- **10/01732/F: Provision of a healthcare centre** – Change of use of the vacant offices (use class B1/A2) above the retail units at 1-5 & 6 Sovereign Way (at junction with Magdalen Street, adjacent to flyover), and minor external alterations, to provide a health care centre (use class D1) above the retail units, with access from Magdalen Street. (APPROVED - 19/01/2011, not yet implemented).
- Members may recall that the principle of including the health care centre use was also previously included in the approved wider regeneration scheme 08/00974/F for location within the main Anglia Square centre. The revised location in this approved scheme, although outside the 'core' of the site, is nevertheless considered to achieve the same aims and be as accessible. As a result the current applications no longer need to include a health centre within these plans.
- **Construction of the Link Road, "New Botolph Street"** – Construction of the link road between Edward Street and Pitt Street / St Augustine's Street, and completion of the wider St Augustine's Gyratory Scheme. It has meant that St Augustine's Street has become one-way only for traffic heading north, and has

facilitated the complementary enhancement of the street environment of St Augustine's. The land was for the most part provided by the Anglia Square applicant and formed part of the previous planning permission 08/00974/F, constituting implementation of that previous scheme. This has been completed.

- **Alterations to the shopfronts and layouts of Sovereign Way** – a number of minor changes are shown to the interior layout and alterations to shopfronts on units on the south façade of Sovereign Way. These either do not need planning permission or would need only minor applications for alterations, which do not affect these proposals.

Equality and Diversity Issues

There are significant equality and diversity considerations raised by these proposals. All of these have either been satisfactorily addressed by the proposal(s) or the enabling development projects, or which are capable of being addressed by the conditions proposed. The relevant issues are discussed as part of the report's overall considerations.

The Proposal

A single scheme for comprehensive regeneration of Anglia Square and environs for mixed use development, which as a form of urban regeneration comprises development that has been subject to Environmental Impact Assessment (an Environmental Statement has been provided within the application). The comprehensive redevelopment is proposed through four individual applications:

11/00163/C: Demolition to facilitate the comprehensive regeneration of Anglia Square and associated development proposals as applied for under planning applications 11/00160/F, 11/00161/F and 11/00162/O. Involving demolition of:

- all retail units, Surrey Chapel and the printworks along Pitt Street / St Crispin's Road;
- Sovereign House vacant offices;
- Existing retail units (9 no. premises) on the western side of the existing Square;
- The Multi-Storey Car Park (730 spaces) and access ramp;
- Existing retail units (6 no premises) and service yard north of the Square.

It should be noted that parts of the proposed development at first floor level will be able to exit the first floor only from the flyover once the multi-storey car park exit ramp has been removed.

The existing Hollywood Cinema is not proposed for removal nor redevelopment in the current applications, despite the option of a future cinema use proposed in application 11/00162/O.

11/00160/F comprises:

- A Full detailed application for **Phase 1(a)** along the south, west and north-east of the site, proposing an enlarged Anglia Square, a new 7,792 sq.m. foodstore, 507 car park spaces in two storeys beneath the foodstore, and full details of servicing, car parking, access for pedestrians to and from the Square, a cycle link around the site and closing of the subway.

These proposals are largely a repeat of the 'foodstore block' permitted under application

08/00974/F, although they no longer provide a direct pedestrian and cycle access route along the north of St Crispin's Road to Magdalen Street.

- Full detailed proposals for 15 no. additional premises for retail and other town centre uses (Class A1, A2, A3, A4) totalling 3,565 sq.m. net floorspace via an extension to the west of the existing retail units along St Crispins Road (3 no. premises), as 'wrap-around' outlets to the north and east elevations of the foodstore (9 no. premises), and as a part of a 'triangle site' at the north-west of the square fronting Edward Street and the new link road (3 no. premises);
- Temporary surface car parking in two locations north of the Square on the site of the demolished multi-storey car park and the existing surface car park along Edward Street, for residents of the proposed apartments (93 no. spaces), accessed from two temporary entrances from Edward Street;
- Full proposals for a crèche at first floor level on the south of the Square (304 sq.m.);
- Full proposals for 91 residential apartment units overall in mixed private/housing association use, comprising:
 - Block A – 28 no. private apartments within the 'tower' south of the Square;
 - Block B – 33 no. affordable housing apartments along the northern elevation curve of the 'foodstore block';
 - Block C – 30 no. private apartments within the north-west and south-west elevations of the 'triangle site';

and,

- Outline planning application to establish further residential development (a possible further 16 no. 3-bedroom housing association units) on land west of Edward Street.

11/00161/F comprises:

- A Full application for **Phase 1(b)** including redevelopment of the east of the enlarged Square, effectively building over the existing Square and blocking Anne's Walk, to extend retail activity westwards, comprising 7 no. additional premises for retail and food and drink uses (Class A1/A3) with a total of 2,385 sq.m. net floorspace;
- Rooftop car parking providing 99 spaces for residential use over two storeys, including the relocation of some of the temporary surface level parking from Phase 1a;
- 29 no. private apartments along the eastern elevation of the Square above retail units at ground floor and car parking at first floor levels;
- external refurbishment of the Gildengate House offices and improvement to existing office entrance;

and,

- Outline planning application for **Phase 2(a)** north of the enlarged square to the eastern side of the 'triangle block', to establish the principle of:
 - additional retail and food and drink uses at ground and first floor (2

no. premises) (Class A1/A3 2,084 sq.m. floorspace);

- provision of a gym (Class D2) of 1,478 sq.m. floorspace above the retail units.

11/00162/O is an Outline application for **Phase 2(b)** to establish the principle of:

- additional retail at ground floor on land north-east of the Square in place of the temporary car parking with units on the western side of the new north-south access route (2no. premises)(417 sq.m. floorspace);
- A Class D2 (Assembly and Leisure) use facility with ancillary Class A1/A3 uses above, at ground floor accessed south of Edward Street, and first and second floor above. Illustrative proposals suggest a new 6-screen cinema could be provided in the space allowed, although this is entitled 'Option 1', suggesting that alternative uses could be accommodated in the same space.

12. Any permission granted to the outline elements will be subject to the approval of reserved matters, so the proposals for the outline elements as depicted in elevations, artists impressions and the Design and Access Statement should be considered as indicative only. However, it is recommended that conditions would be used to establish the siting for the majority of units, and limit the maximum extent of certain floor sizes, and cap the maximum heights of the blocks.

13. It should be noted that the siting of the 16 dwellings proposed west of Edward Street to the north of the new link road are considered indicative only. As used previously in permission 08/00974/F, it is suggested that a condition can be used to determine only the principle of 16 no. three-bedroom dwellings being provided on this part of the site.

A Masterplan Approach

14. The proposals within this application have been prepared within the context of an indicative masterplan proposed as a possible **Phase 3** of the overall regeneration, also submitted by the applicant for illustrative content. This concerns the 'blue line' areas of the wider Anglia Square that are outside this application but within the ownership of the applicant, which may come forward for development in the future.

15. Phase 3 is illustrative only, but considers demolition and redevelopment of retail units fronting Magdalen Street and revisions to the north side of Sovereign Way to create a wider access and improved environment, comprising a new 8 no. retail premises. Car parking is envisaged across the rooftop at first floor level, with an additional 39 no. private residential apartments suggested in three storeys above that, along the Sovereign Way and Magdalen Street elevations. These suggestions would necessitate the removal of the existing Cinema if they were realised.

16. No suggestions are made for the area under the flyover, although the idea of redeveloping that space has been proposed by the Northern City Centre Area Action Plan (Policy PR1).

Consultation Process and Representations Received

17. In accordance with the City Council's adopted Statement of Community Involvement (SCI), the applicant held their own pre-application public consultation and exhibition events, for three days in September 2010, in a vacant retail unit at the site (advertised by adverts in two local newspapers and flyers to local households). The results of this

exercise are within the applicant's Statement of Consultation and Community Involvement report and in general shows a significant level of support for the scheme.

18. The applicant also made pre-application presentations to the Greater Norwich Design Quality Panel on 9th September 2010, the St Augustine's Residents Association, and the Norwich Society on 30th September 2010. The application's Statement of Community Consultation states that of 192 comments received, 89% were in broad support of the proposals and 11% objected to these proposals put forward at pre-application stage.

19. The four submitted applications have all been advertised on site and in the press. In response, the Council has received 8 letters of representation citing the issues as summarised below. These include the response of the Norwich Cycling Campaign, who wish to make it clear they do not support the application.

The following points of support were raised:

- The scheme will improve the appearance of the neighbourhood and regenerate the area, and there are no large foodstores within walking distance of the area.
- The proposal will replace streets which were 'lost' in the previous development.

The table below contains the points of concern or objection.

Issues Raised	Response discussed / at paragraphs:
<p><i>Landscaping and open space</i> Following demolition the site should be given a park and garden with the fens and trees of the northern hemisphere, to encourage people to reduce their car dependency and reduce congestion.</p> <p>The upper level car parks should be landscaped and given trees to break up the car park and provide a better view and improved environment for residents / visitors.</p>	<p>Landscaping – see paragraphs 186-192.</p> <p>Open space – see paragraphs 126, 213-220.</p>
<p><i>Cycling access</i> There are inadequate cycle connections through the centre of the development, both east-west and north-south.</p> <p>The proposed cycle route down Pitt Street and across the inner ring road is particularly poor because there are interruptions at (i) the car park entrance, (ii) the service access, (ii) the lights, (iv) the central reservation, (v) the tight dog-leg of the central reservation, (vi) the lights and crossing onto Calvert Street. The effect is to create a very indirect route and make the crossing slow. It makes cyclists the lowest priority and discourages its use. The effect is to force cyclists to look for quicker more dangerous routes across the inner ring road, which are impractical because:</p> <ul style="list-style-type: none"> • Duke Street and Whitefriars roundabouts are multi-lanes and dangerous; • Oak Street and Silver Road end in T-junctions; • Magdalen Street is too heavily used by busses and 	<p>See paragraphs 156-161</p>

<p>pedestrians.</p> <p>As a result, the Anglia Square route is the most central and most convenient, and yet the plans seem to downgrade, rather than improve, this connection.</p> <p>One suggestion to improve the flow along the journey for cyclists could be to retain the subway (proposed for removal) and create a new graded path to avoid the need to dismount.</p> <p>The development doesn't currently maximise accessibility by foot and by cycle, which is contrary to Local Plan policy TRA3, and does little to increase cycling in the local catchment area.</p> <p>There is no cycling proposed to be allowed through the development, which would be a net reduction in cycling access given the loss of existing Botolph Street. Joint pedestrian and cyclist access should be allowed into the Square and adequate signage provided to require considerate shared use, as has worked at Chapelfield Park and the Millennium Plain. Given the interruptions of the car park access at St Crispins and exit on Pitt Street, the route through the Square will be the easiest and most direct and will probably be used anyway towards Edward Street.</p> <p>The Norwich Cycling Campaign believes the present proposals are contrary to Local Plan policies TRA3, TRA5 and TRA15, and the objectives of PPG13.</p>	
<p>Cycle parking</p> <p>The proposed cycle racks under the foodstore are poorly accessed. They may be acceptable for the foodstore staff but they are inadequate for more general use.</p> <p>More available racks at the surface level should be provided for casual shoppers and the public, to improve security and bike theft. The current proposed cycle racks are at the periphery of the site, and of the 200+ proposed for public / staff use, only 12 stands are proposed across the four gateways to the site, meaning only 3 stands at each entry point, which is inadequate.</p>	<p>See paragraphs 162-167</p>
<p>Travel Plan</p> <p>Norwich Cycling Campaign believe the present submitted travel plan to be inadequate as it neither explains proposed measures to improve access by public transport, walking and cycling, or includes the true area likely to be affected, such as local wards.</p>	<p>See paragraphs 169</p>
<p>Energy efficiency and sustainable design</p> <p>There is a distinct lack of modern environmental and sustainable design in the proposals, an inappropriate disregard for long term sustainability, and little acknowledgement of the need for designs to minimise the effects of climate change.</p> <p>The development doesn't meet the target of providing 10% Renewable Energy on-site, and has chosen methods and designs</p>	<p>See paragraphs 178-180</p>

<p>that are swiftly becoming outdated and inappropriate for current or future needs.</p> <p>The scheme aims to meet only the 2006 Building Regulations standards for carbon reduction and insulation requirements, rather than the 2010 standards which require 21% carbon reduction as a minimum.</p> <p>Alternative options to the proposed renewable energy generation have not been adequately investigated or discounted too easily:</p> <ul style="list-style-type: none"> • The possible use of a Combined Heat and Power plant is not automatic – it is only likely to be used if the scheme needs to provide in excess of the East of England Plan’s 10% on-site renewable energy requirement; • Wind turbines are discounted on visual and noise grounds, but have not been investigated fully through design options; • There is no valid reason given for not undertaking a biomass boiler plant system particularly as communal heating is already part of the design; • Air Source Heat Pumps are the only renewable energy proposed, but only for the commercial development and not residential. Noise is cited as a reason for not adopting this technology for residential use, but it can be overcome or the benefits outweigh the concerns; • Photovoltaic panels are discounted due to being too expensive but the scheme should allow for these costs; • Solar water heating is discounted because it could only serve the top-floor apartments, but should be included for this reason alone. <p>The strategy has not looked to combine a variety of solutions, and instead takes an ‘all or nothing’ approach, which is inefficient.</p>	
<p><i>The area under the flyover</i></p> <p>The area underneath the flyover along Magdalen Street has been left out of the plans. The area could connect well into the new Anglia Square and would benefit from being brightened up.</p>	<p>See paragraphs 126, 217-218</p>
<p><i>The retail impact and social consequences</i></p> <p>Retail floor area should be reduced, especially the supermarket. Retailing is not the only driver to social and economic welfare; society benefits from other factors such as good local community facilities and opportunities that do not focus on retail. The identified skills shortage in the local area would be better (and more sustainably) met by providing training facilities and community spaces that are non-retail based, and which allow public activities, training, workshops and meeting spaces.</p>	<p>See paragraphs 76-96, 237</p>

Consultation Responses

20. **Environment Agency** – Initially (in their response of 15th April 2011) although the

Flood Risk Assessment (FRA) considered the risk of both fluvial and surface-water flooding, the FRA was found unacceptable because it: failed to consider how a cumulative flood effect would be managed; failed to adequately identify flood risk reduction measures; did not seek to locate vulnerable parts of the scheme (such as electricity substations) in areas of lowest flood risk; failed to consider historic flood risk; did not consider how the development would alter the site's permeability and effectiveness of sustainable drainage; did not address long-term maintenance of the drainage methods; and, did not provide adequate foul sewerage drainage proposals.

21. Given the need to address these concerns, the applicant has negotiated with the Environment Agency to secure their approval of the scheme. The changes sought to address allowances for climate change, flood defence measures, agree surface water discharge rates and aim for a net-reduction in discharge rates through using sustainable drainage measures not initially proposed. The scheme has also considered the effects of off-site surface water flooding and greater on-site storage through use of attenuation tanks. In agreeing a satisfactory way forward, the applicant has also liaised with Anglian Water to agree drainage strategy principles and appropriate discharge rates for the both the existing site and development proposals.
22. The Environment Agency has submitted a revised response (24th May 2011). This recommends that the scheme could be approved subject to conditions requiring implementation in accordance with the revised surface water drainage strategy, flood risk assessment and mitigation measures proposed within an agreed drainage layout. The drainage strategy now proposes two underground storage tanks and discharge limiters to reduce on-site flows, as well as permeable paving. Even when limiting the site discharge rates to a lower level as required by Anglian Water, the scheme will be able to accommodate the volume of water produced by a significant rainfall event on the site itself. However, long-term maintenance of the drainage strategy needs to be agreed, and a condition will be needed to ensure an agreement is in place.
23. Following acceptance of the flood risk and drainage issues, the Environment Agency is able to recommend a set of relevant conditions. The Environment Agency also recommend conditions for land contamination, requiring further investigations and monitoring, water extraction and foundation designs to be agreed, to prevent risks of contamination of controlled waters and groundwater aquifers.
24. The Environment Agency also provide advice to inform the use of conditions relating to improved pollution control, fuel tank storage and connections, removal of any remaining petrol filling station equipment, improving energy and resource efficiency, and improving water use efficiency.
25. **Anglian Water** – Anglian Water also had concerns regarding the scheme (5th April 2011), which could have had implications for the design and drainage strategy at the site. In particular, the uncertainty around the foul sewerage strategy was considered to present an unacceptable risk of downstream flooding, and the surface water drainage strategy had not looked to reduce the discharge rate overall, which was unacceptable.
26. Subsequently, a revised drainage strategy has sought to address these concerns by agreeing discharge rates, foul sewerage capacity and surface water disposal, such as to allow Anglian Water to recommend the scheme can be approved (24th May 2011) subject to final details being agreed through planning conditions and further investigation by the applicant to consider the use of sustainable drainage systems at

the site.

27. **Environmental Health (Pollution Control)** – The site's potential contamination, air quality and noise impacts are very similar to those recognised when analysing the previous planning permission. The revised locations of some of the residential units, such as the removal of flats fronting Pitt Street, may mean there is less impact from road traffic noise, although some mitigation will still be required to comply with relevant standards, and should be agreed prior to construction. Installation of plant and machinery and extract systems should also be subject to prior agreement of details. General measures proposed for noise and dust suppression during construction and demolition are also acceptable, but finer details should be agreed by condition. Conditions are suggested for contamination, imported material, plant and machinery and lighting.
28. In the event that the layout of the housing block west of Edward Street was revised, perhaps to reflect the previous permission and provide a scheme that addresses the new link road, there would be a greater impact from traffic noise felt by occupants. The revised alignment of the dwelling facades to face the carriageway will obviously have a negative effect in terms of impact by road traffic noise. It is accepted in the application noise report that some mitigation will still be required to ensure compliance with the agreed standards for a number of dwellings on the scheme; this would therefore be expected to include the new premises if they are to be realigned as suggested, and noise protection details would be required to be agreed prior to their installation.
29. **Norfolk County Council (Planning Obligations)** – Norfolk County Council's schools resourcing department have considered the number of children likely to reside at the development and have taken into account other existing extant or unimplemented residential development planning permissions in the area, which are also likely to introduce a demand on local schools. Within the catchment area, the County Council has secured education contributions of: £93,152 from Muspole Street (ref 08/00866/F), £93,152 from Hi-Tech House, St Saviours Lane (ref 10/00907/F) and £2,958 per dwelling from redevelopment of The Talk nightclub (ref 09/00128/O). Despite these contributions, however, the local Magdalen Gates Primary is projected to remain full to capacity, so contributions are still required from these proposals.
30. The two applications under consideration which contain residential uses require financial contributions for the needs of 19 children (15 in primary schools from application 11/00160/F; 4 in primary schools from application 11/00161/F). This is expected to require a contribution of £221,236 for the proposed dwellings applied for.
31. No contributions are needed for library services in this city centre location.
32. The developer should make provision for the costs of providing fire hydrants for residential and commercial developments (equivalent to 11/00160/F: £3,208; 11/00161/F: £1,604; 11/00162/O: £6,416). Alternatively they could be required to be installed by conditions.
33. Anglia Square is also considered a good highly accessible location for providing a Housing with Care scheme, and a high proportion of the flats could be developed for this purpose, as a higher-than-average pensionable population live in housing that is probably less adaptable for people to continue to live independently as mobility

decreases.

Highway Authority (Norfolk County Council and City Council joint response) –

34. **Transport Assessment** - The overall principle of this development has already been accepted and permission effectively commenced through constructing the Gyrotory system link road. By virtue of the reduction in car parking levels on this site, and an overall reduction in the scale of the development, the traffic impact of the new scheme represents a reduced impact on the original. There is therefore no objection to this proposal on traffic impact grounds.
35. **General Principles** - Many of the layout and access principles are already agreed, and the process for closing Botolph Street and the underpass under St Crispin's Road has already begun, whilst some cycle route connections to the west are partially constructed, and the two-way bus route in Edward Street is built.
36. **Cycle Access** – There is significant concern that there appears to be continuing pressure not to allow cycling across the development. There was previously agreed to be a trial of this, given that there has been some public concern raised that cycling wouldn't be allowed into and through the Square. The NCCAAP policy clearly requires a route through the site, and the importance of the through route is increased by these new proposals removing the cycle route previously shown immediately to the North of the flyover, which makes the potential to cycle in the square more, rather than less, desirable. It is appreciated that congregational cycling/skateboarding is not an acceptable practice, but a cycle route across private land in front of the Forum (Millennium Plain) works well, through a very busy public space, and this has operated successfully for the past ten years without significant incident. Permitting cycling across the site to make it permeable for cycling must now be a requirement.
37. **'Off site' Works** - The applicant has already contributed significantly to the transport requirements of this development by cooperating in the development of the St Augustine's Gyrotory scheme by providing land to build the Link Road. However, there remain some outstanding works which are absolutely necessary to the delivery and acceptability of this scheme, and given that the principle element of the development is the foodstore, all of these need to be developed early in the programme, as follows:
- **The new surface crossing over St Crispin's Road** MUST be delivered before the underpass is closed, and must be in place before the foodstore of Phase 1a opens. The underpass is legally currently no longer public highway, but should not be allowed to be closed or its access impeded until such time as alternative crossings are in place.
 - **The cycle route to the west of the site adjacent to Pitt Street** must be in place prior to the opening of the foodstore (both could be provided through conditions).
 - **Edward Street bus interchange (and lay-by)** - There has previously been an agreement in the existing permission that this would be funded partly through a S.106 transport contribution of £195,000, to be supported and constructed by the County Council. The lay-by facility on the south side of Edward Street can now be provided from the outset of the development (post-demolition) rather than in the previous permission needing to be delayed until later phases (the developer would also provide land for the lay-by construction). This facility is an essential element

of this scheme, improving public transport accessibility to the site. As a result, the lay-by and bus shelters also need to be in place in advance of the foodstore opening, either funded through the S106 contribution as before, or provided as an 'in-kind' contribution by the developer (with an appropriate allowance made from the contribution and a S278 agreement). Real time and any information system will continue to be provided through the transport contribution. Irrespective of the financial arrangements, there needs to be a condition requiring the provision of the lay-by and shelters prior to the opening of the foodstore.

- **Vehicle Messaging Signage (VMS)** – Upon completion, there will be a total of 810 parking spaces on the site, including 507 for public parking under the foodstore, with 166 spaces in the upper level car parks supporting the Gildengate House offices, healthcare unit, and to provide any additional public spaces. This upper level car parking provision is not of sufficient scale to warrant inclusion in the VMS system (as was envisaged with the previous consent where the previous retention of the multi-storey car park would have provided more public car parking). As a result, only the parking area under the foodstore requires connection to the VMS system, and must be constructed to include the necessary equipment to provide the information to the VMS system, and alongside that the various road signs around the City need to be altered to show the new foodstore car park. These need to be in place and operational before the foodstore opens; whilst the costs of altering the off-site signage will need to be part of the S106 financial contribution, the technology within the car park needs to be provided by the developer (and installed and ready for operation prior to the foodstore opening).

38. **Travel Plan** - The continuing development and implementation of an overarching site-wide Travel Plan is a requirement of this development, and will need annual monitoring to ensure it promotes non-car travel. This development involves a Travel Plan to be implemented within the scope of a legal Agreement between the applicant and the County Council. The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually, to be secured by a Section 106 Legal Agreement.

39. A number of conditions are suggested for use in any planning permission, covering both the issues discussed above and below, and to confirm more general details.

Specific transportation comments on Phase 1A:

40. **Pedestrian Access** - The reconfiguration of the square and the removal of Anne's Walk and the alteration to the main route to Edward Street is in my opinion an improvement over previous proposals. It provides a better sense of enclosure and purpose to the square, whilst enhancing the status, access to and potential for development on Edward Street. I would, however, want to ensure that all the pedestrian routes into the site, including the 'temporary' one from Edward Street, are available for use before the foodstore opens.
41. **Vehicular Access** - The loss of the east-west linear pedestrian and cycling route just north of the flyover and its replacement with a service yard has had two detrimental impacts. Firstly, the loss of the cycle/pedestrian link; Secondly, the major vehicular access into the site now becomes slightly more awkward, the egress is wider than it was previously, and there will be some vehicular movement, albeit limited, across the main route into the square. Service vehicles crossing the main access by the

cycle/footway is not a significant issue and it is not possible to reduce the width of the egress due to the space requirement of turning articulated vehicles. As the numbers involved will be low, most of the time there will be no delay for people from the servicing crossing here. Having the service vehicles crossing the car park entrance, although slightly more indirect than the previous scheme, does offer better visibility between drivers and those wishing to cross, and is a safer solution overall. Nevertheless, this, and the loss of the cycle footway link, is disappointing and does add greater weight to the need to permit cycling through the development.

42. **Car Parking** - The car park under the foodstore must be connected to the VMS system, and must be available for the wider public to use, preferentially with a tariff and operation as a shopper's car park. There is no objection to the use of the northern sites (Phase 2a and 2b) as temporary car parking/site storage, but would expect to see the bus facilities in Edward Street delivered as part of the first phase. This might mean a reconsideration of the position of the temporary vehicular accesses to the two sites involved. Management of the car parks will be needed to ensure that residents do not have access to any more parking spaces than they will be eventually allocated.
43. **Servicing** - The revised commercial servicing arrangements are acceptable, subject to proposals for timed access to/across the main pedestrian areas/routes. However, the arrangements for the residential units are unclear. The technical details of the abutment with the Flyover resulting from the revised access to Upper Green Lane needs to be agreed with the County Council's Bridge team.
44. *The applicant has since revised the refuse storage proposals through recent amendments, discussed later in the report.*
45. **Cycle Parking** - The issue of cycle parking has not been adequately addressed by this proposal yet, and in some respects is worse than the previous submission, discussed as follows:
 - The cycle parking areas shown in the foodstore car park is acceptable for staff in that store (provided that it is suitably secure), but it doesn't appear to be suitable for staff in the other retail units around the site (and it is not clear if they will be afforded access to it).
 - Dedicated cycle storage space for the residential units should be provided on the basis of at least 1 space per dwelling and located in positions that are convenient and easy to use.
 - Customer / visitor cycle parking provision would be best provided within the pedestrian areas, probably clustered at the entrances to the site, with some provided by the entrances to the larger stores. There is a significant provision on Magdalen Street, near to the proposed health centre, which is good, but the provision elsewhere on the site is very limited and inadequate. Whilst it's appropriate to provide cycle stands in the locations shown, there should be a significant provision adjacent to the foodstore entrance, and other groups of stands arranged around the square near to the other main units. People tend to take their bikes with them when they shop and if stands aren't provided regularly within a shopping area other street furniture, lampposts etc will get used. As a general principle a cluster of 2/3 stands spaced every 50metres, and around the square would be very beneficial.

- Also, the number of stands proposed is nowhere near acceptable. It is not appropriate to apply our usual policy-based cycle standards to a development of this scale (which would suggest somewhere approaching 200 spaces for customers), but aside from the Magdalen Street provision, I can only see 18 stands for customer on the periphery of the site.
- *The applicant has since revised the refuse storage proposals through recent amendments, discussed later in the report.*

46. **The Crèche** – This element was unacceptable as initially proposed because there was no access to this facility from the ground floor level, and the only pedestrian access was across the car park and through the existing upper level environment, which is quite hostile. This facility must have a surface presence either to the square or opposite the kiosks in front of the supermarket and can't be acceptable without it, as it is virtually inaccessible. There is also no cycle parking for this facility either.

47. *The proposals have since revised the crèche proposal through recent amendments, discussed later in the report.*

48. **Block E (outline family housing west of Edward Street)** – Whilst there is no objection in principle to residential development, the scheme shown currently has even less to recommend it than the previous one. The scheme needs to both address the new link road with a proper frontage, and provide access to the Leonard Street play area, which will be of significantly value to the occupants, and create a properly overlooked footway in the process.

Specific transportation comments on Phase 1b and Phase 2a:

49. Provided that the general cycle parking can be agreed as part of phase 1a, then additional public cycle parking is not needed as a consequence of the additional shop units. However, I can't see how they propose to provide cycle parking for the new flats (in Phase 1b), or any potential for refuse storage and collection, which should be fully accounted for in the detailed proposals as their provision can still have a fundamental impact on the design, and really do need to be considered at the earliest stages.

50. The Edward Street servicing yard remains largely unaffected by these proposals, as the demolition process leaves it intact other than a new electricity substation being provided behind the former Barclays Bank building, and able to serve outlets around the site. Whilst it is important to ensure Edward Street receives a more interesting treatment than exists currently, the front wall is only proposed to be changed in Phase 3, when indicative proposals show the addition of car parking above the service area.

51. There is some concern that the height restriction on the service bay may prove awkward, if not preventative, to optimal use. The service bay entrance is shown as 4.6m high, but it is on sloping ground and it is possible that larger articulated lorries could clip the bar (articulated vehicles are typically up to about 4.3m high but there are bigger ones). Although transportation would be more comfortable with a bit more leeway built into the plans, these can be looked at again when Phase 3 is considered.

Specific transportation comments on Phase 2b:

52. Provided that the general cycle parking can be agreed as part of phase 1a, then I don't think we need to consider additional public cycle parking as a consequence of

the additional shop units.

53. There is no problem in principle in transport terms with any of the Use Class D2 'Assembly and Leisure' uses outlined in the application. I would not expect to see any additional car parking provide as a consequence of this phase, but the detailed issues of cycle parking (particularly for staff), and servicing will need to be confirmed.
54. **Historic Environment Service (Norfolk Landscape Archaeology)** – The proposed development will impact on a large area of the medieval and early medieval city of Norwich, including the pre-Conquest defences, the site of St Olave's Church and churchyard, and several medieval street fronts. The application includes a number of reports on the impact of the development on the historic environment, including a number of archaeological evaluations. Any permission should be granted only with a condition requiring a programme of archaeological mitigatory work, including excavation, analysis, archiving and publication of results, and preservation of remains in situ. A condition is suggested for each application.
55. **English Heritage** - The proposals offer an opportunity to enhance this part of the Conservation Area by removal of the least attractive existing elements and providing a more sympathetic redevelopment that is better integrated into the grain of the city (including the reinstatement of a Calvert Street and a significant part of Botolph Street). The proposal should provide as great a level of enhancement of the Conservation Area as possible, and ensure the application will deliver at least an equal enhancement, if not greater, as was the case in the extant permission.
56. Whilst English Heritage raise no objection to the proposals, the following comments are provided outlining where improvements should be sought:
- **Demolitions (11/00163/C)** – Almost without exception, the buildings being removed make a negative contribution to the Conservation Area and their loss is of no significance. However, 43-45 Pitt Street (former Richer Sounds) is a locally-listed building which makes a positive contribution, and to demolish this will cause harm to the conservation area. Nevertheless, this is a modest two-storey building and its retention is considered to result in a visually-discordant relationship that would not benefit either the existing building or the new structure. Given the wider benefits of the wholesale redevelopment though, English Heritage does not oppose the demolition. However, conditions could be used, in line with PPS5, to further mitigate the harm resulting through the loss by requiring a record of the building to be made and submitted to the Historic Environment Record prior to its removal.
 - **Phase 1a (11/00160/F)** – The revisions to the permitted scheme reduce the bulk of Block A ('residential tower') and are considered an enhancement to the long views across the city. The foodstore and 'triangle' (Blocks B and C) are similar to the permitted scheme, but there is still inadequate activity to the street frontage along Pitt Street (such as by adding more kiosks).
 - The suggested layout of the Outline housing proposed west of Edward Street should not be approved in the form shown because it fails to respond to the new link road. As the layout makes no attempt to 'stitch' the new road into the grain of the city, it actually accentuates the fact that the new road cuts through the historic grain. Instead the layout should align houses in the southern terrace fronting onto the footpath (albeit with shallower front gardens),

which will also ensure greater privacy for the rear gardens of the houses.

- **Phase 1b and 2a (11/00161/F)** – The first floor car park to be provided above the block of new retail units on the east side of the new enlarged Square and beneath the proposed flats (Phase 1b, fully detailed element), shows ventilation grilles on its west elevation facing the Square. These are felt to be poorly positioned and could be better treated to appear a part of the flats above, rather than attempting to form a part of the shopfront fascia below. Slight design alterations could resolve this easily.

- Gildengate House is proposed for external refurbishment; whilst the alterations will subdivide the building into three elements, the designs currently leave too much horizontal emphasis and fail to introduce sufficient verticality to the elevations. It is recommended that further design options are investigated before this part of the scheme is approved, and 'brise soleil' shading is suggested as a worthy addition.

- **Phase 2b (11/00162/O)** – There are no substantive comments over scale, form or mass, except to say the use of active frontages is encouraged wherever possible.

57. **Natural England** – The site currently offers very little biodiversity value although some of the buildings scheduled for demolition may provide bat roost potential and should be surveyed prior to demolition, whilst general biodiversity enhancements should also be sought. The ratio of hard landscaping to greenspace in the current designs seems disproportionately high so is of concern with regard to adapting to and minimising climate change, creating resilient landscapes, heat absorption and water conservation. Within the landscaping shown, a programme of native tree, grass and wildflower planting should be encouraged to enhance biodiversity around the site. The loss of greenroofs (proposed in the former applications) and their replacement with roof-top car parking should be replaced by enhanced use of green walls as an innovative approach to green infrastructure.

58. **Norwich Society** - The Norwich Society has re-submitted as their formal representation to the current planning applications, a letter sent in October 2010 in response to the applicant's pre-application consultation presentation, with the following suggestions:

- Design – The view from the south, of the foodstore, block A 'tower', and re-clad Gildengate House is poor, lacks architectural coherence and appears fragmented.
- Traffic – There is concern that the light-controlled pedestrian crossing over the inner ring road will increase congestion and air pollution. There could also be conflict between cyclists and pedestrians when cycling through the Square.
- Section 106 financial contributions – The Society wished to see public art in the scheme to enhance the public space, more open space, and community funds.
- Area under the flyover – The land should be sold by the Council and utilised.

59. **Norfolk Constabulary** – Design, security and safety appear to have been considered in the preparation of plans, including lighting, CCTV, pro-active site management and street furniture design. Closing the St Crispin's Road underpass will improve public surveillance and reduce the fear of crime, whilst developing links to Rose Yard will be

important factors in making efforts to 'design out crime' subject to the orientation of housing and recreation areas. Private areas should have controlled access. CCTV should be provided.

60. **Norwich International Airport** – No objection to the applications. Advisory notes are offered concerning the use of construction cranes.

61. **Norwich Shopmobility Service** – As with the previous application, a specific unit to house a Shopmobility outlet would not be required on the site, although supportive financial contributions would be welcomed. The site can be, and often is, accessed by Shopmobility users hiring vehicles from the Chapelfield complex.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 - Delivering Sustainable Development
PPS1 Supplement – Planning for Climate Change
PPS3 – Housing
PPS4 – Planning for Sustainable Economic Growth
PPS5 - Planning for the Historic Environment
PPS9 - Biodiversity and Geological Conservation
PPG13 – Parking (January 2011)
PPS23 - Planning and Pollution Control
PPG24 – Planning and Noise
PPS25 – Development and Flood Risk

Relevant policies of the Regional East of England Plan (May 2008)

SS1 - Achieving Sustainable Development
SS6 – City and Town Centres
E6 - Tourism
T14 - Parking
ENV3 - Biodiversity and Earth Heritage
ENV6 - The Historic Environment
ENV7 - Quality in the Built Environment
WAT1 – Water Efficiency
WM6 - Waste Management in Development
ENG1 – Carbon Dioxide Emissions and Energy Performance
NR1 - Norwich Key Centre for Development and Change

Saved Policies of the Adopted Norfolk Structure Plan (October 1999):

T.2 - Transport - New Development

Relevant Policies of the Joint Core Strategy for Broadland, Norwich and South Norfolk (Adopted March 2011)

Policy 1 – Addressing climate change and protecting environmental assets
Policy 2 – Promoting good design
Policy 3 – Energy and water
Policy 4 – Housing delivery
Policy 5 – The economy
Policy 6 – Access and transportation

Policy 7 – Supporting communities
Policy 8 – Culture, leisure and entertainment
Policy 9 – Strategy for growth in the Norwich Policy Area
Policy 11 – Norwich City Centre
Policy 19 – The hierarchy of centres
Policy 20 – Implementation

Relevant policies of the City of Norwich Replacement Local Plan (November 2004)

NE3 – Tree protection, control of cutting, lopping etc.
NE4 – Street trees to be provided by developers
NE9 – Comprehensive landscaping scheme and tree planting
HBE3 – Archaeological assessment in Area of Main Archaeological Interest
HBE6 – Protection of medieval street network
HBE7 – Evaluation of standing archaeology
HBE8 – Development in Conservation Areas
HBE12 – High quality of design
HBE13 – Protection of major views and height of buildings
HBE14 – Gateways to City and quality design
EP1 – Contaminated land – evaluation and treatment prior to permission
EP5 – Air pollution emissions and sensitive uses
EP6 – Air Quality Management Areas
EP10 – Noise protection between different uses
EP16 – Water conservation and sustainable drainage systems
EP17 – Protection of watercourses from pollution from stored materials
EP18 – High standard of energy efficiency for new development
EP20 – Sustainable use of materials
EP21 – Network of material recycling sites
EP22 – High standard of amenity for residential occupiers
EMP3 – Protection of small business units and land reserved for their development
EMP16 – Office development – sequential test and criteria
TVA8 – Heritage interpretation
SHO1 – Limit on major non-food shopping development
SHO2 – Major convenience goods stores – limited to small size
SHO3 – Locational conditions for new retail development – sequential test
SHO7 – Smaller scale expansion of existing retail units
SHO8 – Contribution to Shopmobility scheme
SHO9 – Development contribution to enhancement of public facilities in the vicinity
SHO11 – Changes of use in retail frontages in the Secondary and Large District Centres
SHO20 – Additional small scale markets
SHO22 – Food and drink uses and conditions on hot food takeaways
HOU1 – Provision of new housing to meet needs and monitoring
HOU2 – Mix of uses including housing on sites in the City Centre
HOU5 – Accessibility for wheelchair users
HOU6 – Contribution to community needs and facilities by housing developers
HOU7 – Phasing of new housing development
HOU9 – Sites allocated for mixed use development including housing (Site HOU9.A22)
HOU10 – Sites identified for conversion of buildings to housing use or redevelopment (Site HOU10.A39)
HOU13 – Proposals for new housing development on other sites
HOU18 – Conversion of larger properties to multiple occupation
AEC1 – Major arts and entertainment facilities – location and sequential test
AEC2 – Local community facilities in centres
AEC7 – Childcare provision

SR4 – Provision of open space to serve new development
SR7 – Provision of children’s equipped playspace to serve development
SR12 – Green Links network, including provision by developers
TRA3 – Modal shift measures in support of Norwich Area Transport Strategy
TRA5 – Approach to design for vehicle movement and special needs
TRA6 – Parking standards – maxima
TRA7 – Cycle parking standard
TRA8 – Servicing provision
TRA10 – Contribution by developers to works required for access to the site
TRA11 – Contributions for transport improvements in wider area
TRA12 – Travel Plans for employers and organisations in the City
TRA14 – Enhancement of the pedestrian environment and safe pedestrian routes
TRA15 – Cycle network and facilities
TRA16 – Public transport measures to increase efficiency and attractiveness
TRA18 – Major road network
TRA21 – Tariffs on car parks in the City Centre
TRA22 – Information for drivers on car parking
TRA23 – Alternative fuels and provision for appropriate technology
TRA24 – City Centre Strategy
TRA26 – Design and materials in streetscape
TVA4 – Proposals for visitor attractions with priority areas and sequential approach
TVA8 – Heritage Interpretation measures

Relevant policies of the Northern City Centre Area Action Plan (March 2010)

LU1 – Mixed use development to promote regeneration and a distinctive identity
LU2 – Large District Centre
LU3 – Residential development
LU4 – Community identity and changing perceptions of the area
MV1 – Sustainable transport
TU1 – Design for the historic environment
TU2 – Key landmarks and views; building massing and form
ENV1 – Climate change mitigation and adaptation
AS1 – Anglia Square mixed use redevelopment
AS2 – Anglia Square retail development
AS3 – Anglia Square design
AS4 – Anglia Square access and parking
PR1 – New Squares
PR2 – Enhancement of space under the flyover
NS1 – Leonard Street

Supplementary Planning Documents and Guidance

Trees and Development SPD - adopted September 2007

Open Space and Play Provision SPD - adopted June 2006

Heritage Interpretation SPD – adopted December 2006

Green Links and Riverside Walks SPD – adopted November 2006

Transport Contributions from Development SPD - Draft for Consultation – January 2006

Energy Efficiency and Renewable Energy SPD - adopted December 2006

Flood Risk and Development SPD – adopted June 2006

Accessible and Special Needs Housing SPD – adopted June 2006

Biodiversity Supplementary Planning Guidance for Norfolk – adopted September 2004

Principle of Development

Policy Considerations

62. Anglia Square is defined in the City of Norwich Replacement Local Plan (RLP) as a part of a Large District Centre that includes Magdalen Street (both north and south) and St Augustine's Street. This definition has been further detailed by the site's identification within the Northern City Centre Area Action Plan (NCCAAP) as a Large District Centre within which regeneration of Anglia Square is envisaged through specific policies.
63. The East of England Plan also requires that major new retail development and complementary town centre uses should primarily be located in Norwich, as one of the regional centres, and be consistent in scale with the size and character of the centre and its role. In specific policies for Norwich, it also supports appropriate retail growth focussed on the city centre, particularly where this can address some of the marked deprivation of the urban area.
64. The principle of the redevelopment of Anglia Square has been long established through the RLP and most recently the NCCAAP. Adopted NCCAAP Policy LU2 envisages the large district centre to be anchored by a new foodstore development, along with small specialist shops, cafes and cultural uses throughout the centre, as well as residential, office, replacement car parking, and leisure provision. The intention to retain a retail-based centre with a variety of services is seen in the policies limitations on future changes of use; as such it is considered appropriate to re-impose the conditions used on the extant permission, and introduce advisory informative notes where necessary, to seek the agreement of a retail frontage at the site, and the continued preservation of a certain percentage of retail uses across the site.
65. The nature of Anglia Square's redevelopment is furthered by the NCCAAP policies AS1, AS2, AS3 and AS4. Under policy AS1, Anglia Square will be comprehensively redeveloped to provide a phased regeneration scheme including the Link Road and:
- A minimum of 250 residential dwellings across the site, with appropriate affordable housing provision on site, and family housing designs (to accord with policy LU3);
 - Retail development in accordance with policy AS2;
 - Enhanced open space (as per policy AS4);
 - A community hub or facility, or contributions thereto (as per policy LU4);
 - Employment provision as offices and workshops/starter units;
 - A decentralised, renewable or low carbon energy network with capacity to extend;
 - A cinema (retained or reprovided) as a leisure attraction, and restaurants and bars;

- Buildings of a domestic scale to the north, a landmark feature to the south, avoiding designs that detract from the historic character or fail to enhance the townscape;
- Enhanced views of the City Centre, Castle, Cathedral and St Augustine's Church;
- A comprehensive landscaping scheme and biodiversity enhancement.

66. The recent adoption of the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk also furthered the proposals for redevelopment of Anglia Square. The JCS Key Diagram identifies Anglia Square as an 'area of change' with a focus on residential, commercial and retail development, with improved public realm, and enhanced links to the rest of the city centre. It is also identified as a leisure area (although not for late night activity); Policy 11 states that the Northern City Centre will be developed in accordance with its Area Action Plan to achieve physical and social regeneration, facilitate public transport corridor enhancements, and utilise significant redevelopment opportunities; Policy 4 (Housing delivery) requires 33% of new housing units to be affordable; and Policy 7 (Supporting communities) promotes provision of community infrastructure.

67. In general, district centres should be strengthened by promoting a wider range of services to facilitate the diversification of uses and improve the environment. Residential or office developments are also seen as appropriate uses above ground floor retail.

Non-retail units

68. The exact proportion of non-retail, restaurant and café uses (Use Class A3) and drinking establishments (A4) will be established by conditions attached to any permission. Depending on the quantum of floorspace proposed, any Reserved Matters applications for retailing will possibly have to demonstrate that non-retail uses would not lead to a harmful impact on vitality and viability of the area. In general, non-retail uses would also be subject to opening hours restrictions given the proximity of the proposed residential development, to be agreed by condition, in accordance with RLP policy AEC1 and NCCAAP policy LU1 to promote evening activity but prevent late night activities in the area.

The cinema and leisure facilities

69. The intention to retain the cinema at this stage is welcome, and in line with the objectives of the NCCAAP. The indicative suggestion of providing a new cinema in Phase 2b, or alternative Assembly and Leisure uses in Phase 2b, as well as the outline applications for agreeing the general principle of a gym within Phase 2a, are all supported by national policy PPS4 as town centre uses, and RLP policy AEC1 and TVA4 as appropriate developments within both the city centre leisure area and visitor attraction area, and NCCAAP policy LU1. However, conditions will be proposed to limit the range of activities possible under the D2 Assembly and Leisure Use Class, within any Outline permissions. This is to ensure the range of activities allowed will remain appropriate to residential amenity, complementary to the remainder of the retail-led large district centre, and will avoid creating any unacceptable impact in other ways, such as through traffic generation.

70. The Anglia Square site currently includes a nightclub premises, although this has been unused for a long while. As this is still within the applicant's ownership and therefore control, it is recommended to impose a condition to prevent the nightclub being reused in the period before that particular part of the site is redeveloped. This

would be in the interests of protecting future residential amenity at the site, which is a position supported by the adoption of the NCCAAP which defines Anglia Square as part of the City Centre Leisure Area, but makes clear that late night activities would not be accepted in this area.

Retention of office space

71. The application now proposes to retain the existing Gildengate House office block, rather than demolish it as was the case for the extant planning permission. There is 4,406 sq.m. of vacant office floorspace in the building, and any proposals to bring the building back into active office use are extremely welcome, particularly as there is a recognised shortage of high quality office space in the city centre at present.
72. RLP policy EMP16 suggests that a major office development of over 2,000 sq m could be provided on the existing surface car park site to the west of the Square, which would be acceptable in principle, but this is not a restrictive allocation for the site and in fact the recent NCCAAP allocation requires that the scheme provides some commercial office space on-site. Overall, retaining the office space on site is encouraged by policy, and more recently by the Greater Norwich Employment Growth and Employment Sites Study (Ove Arup, 2007) which encourages such sites to be used to prevent an over-dominance of employment uses to the south of the city; at least 100,000 m² of good quality office space is required in the City Centre.
73. Despite proposals to renovate the exterior of Gildengate House (proposed within Phase 1b), it should be noted that neither the permission nor conditions can reasonably require the internal office space to be brought up to an improved standard. Nevertheless the viability assessment that has been undertaken has found the scheme would be most beneficial to the applicant if they did provide an internal refurbishment, and in doing so complement the surrounding area and improve the viability and vitality of the overall district centre, further increasing the strength of the city centre as an employment destination overall.
74. The proposal fails to provide the smaller start-up business units and workshop space anticipated by NCCAAP policy AS1, and neither are they indicated illustratively in the Masterplan for possible inclusion in later stages. A re-invigorated Anglia Square area may prompt local business diversification in the area and support local start-up businesses in the wider area of the Large District Centre. Not providing employment starter units as required in NCCAAP Policy AS1 is, on balance, not considered to justify refusal of the application as redevelopment sites in the wider area could provide such facilities.

Summary

75. PPS4 generally encourages economic development particularly in established centres in sustainable locations. The overall variety of the non-residential uses proposed are considered acceptable and appropriate to the site's position as a large district centre, leisure area and tourist attraction area, and the proposals are on the whole broadly compliant with both the established development plan comprising the Joint Core Strategy and the Northern City Centre Area Action Plan.

Retail Implications

76. PPS4 requires that a Retail Impact Assessment be undertaken for all proposals creating more than 2,500 sq.m. floorspace due to their possible significant impacts on nearby existing retail centres. The results of the Assessment found the proposals to be largely favourable; the anchor superstore will help to address some identified

qualitative deficiencies in the retail offer of Anglia Square at present, and provide a service to meet the needs of the local catchment area.

77. The Retail Impact Assessment accompanying the application has also demonstrated a sequential approach to the site selection. Though there may be more appropriate sites available elsewhere in the City Centre for certain elements of the scheme, it is considered that the mix of uses proposed as part of a wider scheme, in this location, will be acceptable against the sequential criteria.
78. Development needs to be consistent with the centre's position within the retail hierarchy and the Local Plan and NCCAAP both identify the purpose of the Large District Centre as being to meet the everyday shopping needs for the north of Norwich and to provide specialist shops. The centre is not currently considered to be fulfilling its role in the hierarchy as a centre for convenience shopping, largely due to the absence of a supermarket. The provision of a superstore and additional retail here is considered appropriate to the locations position in the retail hierarchy, given that Joint Core Strategy Policy 19 'Hierarchy of Centres' identifies the Large District Centre as the second tier in the retail hierarchy, behind only the city centre itself.
79. Almost identical to the extant permission, the foodstore's overall floorspace size is 7,792 sq.m., with a Gross Internal Area floorspace of 5,773 sq.m., of which 4,792 sq.m. will be available for retail (83% based on operational requirements of the expected occupier) (the difference being for cafes, lobby areas, checkouts, toilets etc). The 4,792 sq.m. is split into 2,492 sq.m. for convenience goods (food sales) (52% of the net sales area), and 2,300 sq.m. for comparison goods (non-food sales)(48% of the net sales area).
80. The renovations, extensions and additions to the existing retail offer will result in a displacement of 9,068 sq.m. Gross Internal Area floorspace being relocated elsewhere in the site. As the replacement floorspace amount to a total of 8,622 sq.m., the proposals actually result in a net decrease of 446 sq.m. gross floorspace (or 356 sq.m. sales floorspace) from the existing. When the foodstore floorspace is factored into the equation, the total net additional GIA available for retail floorspace will be 5,417 sq.m.

Convenience goods

81. The Greater Norwich Retail and Town Centres Study (August 2007) considered occupation by one of the major foodstore operators to be appropriate at Anglia Square, and as a result considered the need and market capacity against sales densities and higher value figures of £12,000 per sq m. As a result, the retail study identified the following capacity for additional higher value convenience goods floorspace for the wider Norwich Urban Area:
- Up until 2011: 3,567 sq m capacity exists in the Norwich Urban Area;
 - Until 2016: 5,199 sq m;
 - Until 2021: 6,981 sq m.
82. The retail study identified part of the retail floorspace capacity to be at Anglia Square, which would include a supermarket providing additional convenience floorspace of between 3,000 and 4,000 sq.m.
83. The impact of the proposed floorspace also needs to consider other allocations or commitments to large-scale convenience retailing by major foodstore operators made since the retail study was issued, such as at the Hall Road District Centre, which will

also be anchored by a major foodstore. In addition to the Anglia Square proposals the cumulative total net convenience floorspace increases in the area would exceed both the 2011 capacity and 2016 capacity, but would be within the 6,981 sq m capacity identified as being required by 2021.

84. NCCAAP policy AS2 sets out the expectations for the specific retail provision on site:

- The first phase of the redevelopment should provide a maximum net floorspace of 3,600 sq.m. of convenience (food sales).
- Other retail development should include at least 25% of units below a threshold size of 200 sq.m. within retail frontages of the redeveloped area.

85. The maximum size of the foodstore's convenience floorspace allowance has been determined with consideration of the large district centre's position and role in the retail hierarchy, taking into account the size of its catchment area to the north and the wider capacity of the Norwich urban area.

86. Although the NCCAAP envisages a maximum of 3,600 sq.m. convenience floorspace, it is considered more appropriate to use a planning condition to secure a minimum floorspace of 2,350 sq.m. of convenience goods to be located within a single unit, in order to ensure the continued presence of an anchor foodstore at Anglia Square and establish the regeneration and continued viability of the Large District Centre. Even if the single unit was used entirely for convenience sales, this would represent only 792 sq.m. floorspace in excess of the maximum identified need (4,000 sq.m.), and the impact would likely be marginal. The scheme would benefit the local area and improve the ability of local people to access convenience facilities, and is sufficient to comply with the latest capacity and needs assessment considered by the retail study (3,000-4,000 sq.m.). On balance it is considered that the excess floorspace created above the 2016 capacity is acceptable given the ongoing improved regeneration potential offered by this scheme.

Comparison goods

87. Comparison retail floorspace has fallen somewhat since the existing permission, but nevertheless retains a healthy and appropriate content for the large district centre.

88. The 4,792 sq m floorspace that results after discounting the area needed for the non-sales elements of the foodstore, combined with the 356 sqm lost existing floorspace, means that the proposals for the foodstore will create some 5,417 sqm of net additional retail sales floorspace across the site.

89. The Greater Norwich Retail and Town Centres Study (August 2007) confirmed there to be capacity within the City for comparison goods retailing to provide 12,945 sq m net additional floorspace to 2011, increasing to 39,395 sq m by 2016. This should offer great potential for the additional and replaced comparison retailing to remain viable well into the future, so improving the vitality of Anglia Square.

90. NCCAAP policy AS2 expects non-foodstore retail development to include at least 25% of units to be sized below a threshold size of 200sq.m. in order to protect existing facilities which provide for people's day-to-day needs and promote diversity amongst local shopping and other facilities to help address social exclusion. Whilst a number of units are shown within the scheme that are less than both 500 sq m and 200 sq.m., their provision should be fixed through agreement via planning conditions to ensure a continued supply of retail units sizes across the centre and prevent opportunities to merge some smaller comparison retail units to create larger units.

91. Of further significance to the overall variety of retail offer at the site, is the consideration of the proposal against the requirement of NCCAAP policy AS2, whereby the scheme should provide at least 25% of new units below a threshold size of 200 sq.m. The intention of the policy is to create a mix of retail provision at Anglia Square to help provide jobs and support a distinctive and independent local shopping character. The four phases 1a, 1b, 2a and 2b, and the enabling works alterations, will result in creating 38 no. new units, of which 16 no. units (42%) are below 200sq.m. The highest proportion is found within Phase 1a, which will ensure their availability at the earliest possible stage of redevelopment. The retail / premises outlets around the site will be varied in size, and the inclusion of food and drink uses and other ancillary activities such as the crèche, and with the permitted healthcare centre in the near vicinity, means this proposal will boost the vitality and viability of the shopping offer, and provide a healthy mix of premises that is consistent with the general criteria of a Large District Centre.
92. In this particular situation it is not considered appropriate to prohibit bulky goods sales within this development because they are not considered to offer a threat to the trade of the Primary Retail Area. Although bulky goods could be sourced elsewhere, customers incorporating bulky goods into 'linked trips' to the city centre would have its own benefits of reducing unnecessary travel.

Controlling the nature of retail activity

93. As with the extant permission, it is proposed to use conditions to limit the overall Gross Internal Area floorspace across the site and the foodstore as a whole. It is also proposed to use conditions to ensure the continued provision of a minimum of 2,350 sq.m. of convenience (food sales) floorspace sales within the foodstore, to ensure it remains roughly half that of the comparison goods (non-food) floorspace and remains predominantly a convenience outlet. This would ensure the new store avoids creating an adverse effect on the nearby Primary Retail Area, by virtue of its size and the nature of goods sold, and remains an outlet for meeting the needs of the surrounding local communities as is the role of a Large District Centre. This would also ensure the scheme remains broadly consistent with the findings of the most recent Retail Study of 2007.
94. Conditions would also specify the proportion of smaller units to be provided across the site and the proportion of ground-floor retail frontage to remain in A1 retail use. By using conditions to require the continued provision of smaller retail unit sizes, the viability and vitality of the centre should be strengthened over the long-term. Further, it should also be noted that Circular 01/2006 requires planning permission for any mezzanine floors to be added or extended in retail outlets in excess of a permitted development limit of 200 sq.m.
95. Currently, RLP policy SHO11 and the Local Plan Proposals Map define a retail frontage zone within and around the area of the Square, within which ground floor A1 retailing should not fall below 70% of the total frontage. It is considered appropriate that a condition be applied to ensure that the requirement for a minimum 70% A1 retail frontage at ground floor level remains in place, subject to a revised retail frontage zone being agreed by separate condition to reflect the new layout. Conditions would (i) establish which uses would be proposed in which units, to show a minimum 70% A1 use across the frontage, and (ii) protect retail vitality, viability and character at the site by requiring the frontage to retain at least 70% of its units in retail use, to reflect and be consistent with its role as a Large District Centre, and to protect

the residential amenity at and around the site through limiting the proportion of A3 and A4 uses to a theoretical maximum of 30%.

96. Generally, there are a number of retail units around the site which are shown with two storeys, both in the Full and Outline applications. The plans received are not clear in how these units operate, where they are accessed, how circulation takes place and what activities take place at upper levels, for example. Conditions can be used for certain elements, such as determining the quantum and locations of floorspace for sales and ancillary activities, but some of the more fundamental issues need resolution by separate planning applications, such as the shopfront designs. Informatives will advise on this.

Housing Proposals

Housing Numbers and Density

97. Residential development is required as part of the mixed use proposals. National policies PPS3 and PPG13, and the NCCAAP, expect the housing element in the redevelopment to be relatively high density in this sustainable and accessible location, and to achieve considerably higher numbers than were proposed in current local plan allocations (80 units in policy HOU9 A22 and 50 units in policy HOU10 A39). Indeed NCCAAP policy AS1 expects the site to deliver 250 dwellings as a minimum figure for the site as a whole.

98. Phase 1a (application 11/00160/F) delivers 107 dwellings, and Phase 1b (11/00161/F) delivers 29 dwellings. The overall share of residential units comprises:

- 8 no. 1-bed flats (6%);
- 107 no. 2-bed flats (78%);
- 5 no. 3-bed flats (4%); and,
- 16 no. 3-bed terraced houses (12%).

No housing is proposed in Phase 2a or 2b. Phase 3, which is not subject to a current planning application, proposes approximately 39 additional housing units, based on the indicative masterplan for the site, but there is no guarantee that this will be delivered. The mix of unit types proposed in the applications here is considered appropriate given this is a core part of the city centre and a fairly high density scheme.

99. However, as the quantum of housing proposed is 136 dwellings in phases 1a and 1b, this is significantly lower in relation to NCCAAP policy AS1 (250 minimum for the site as a whole) and also lower than the consented scheme of 198 dwelling units.

100. 250 units is the minimum number of dwellings envisaged for the whole site in the NCCAAP policy AS1. This application proposes 136 dwellings, some 114 fewer than the minimum expected. Whilst the indicative Masterplan suggests that 39 additional apartments could be accommodated in later phases of the development, this would still leave a shortfall of 75 residential units overall (and of course has not been applied for). Whilst it is possible for the level of housing in Phase 3 to be increased, the plans submitted to depict Phase 3 don't offer much scope for much more than the 39 units suggested, which is unfortunate given that this phase may not take place until the economy improves and with it an expectation that there will be an increased demand for housing.

101. It is not ideal for the level of housing proposed to have dropped to such a low level in this revised scheme given the sustainability of this location and the anticipated

delivery set out in NCCAAP policy AS1. However, this is a revision brought about due to the scheme's economic viability and the changes show a more viable scheme than would have been possible previously. Nevertheless, the proposals show all 136 dwellings being provided through the Phase 1a and Phase 1b, so their early delivery is welcome, and (other than the Edward Street houses) does not leave them to be subject of Reserved Matters. Whilst the average housing density across the site is lower than might otherwise be hoped for from a solely residential city centre site, it is unrealistic to expect comparable densities when this is a retail-led regeneration scheme. It is considered appropriate and largely acceptable given the range of associated activities at the site, and it is also possible for the density to be increased further through final phase of the scheme depicted in the Masterplan.

102. The residential elements benefit from proposals for areas of private and shared rooftop gardens serving residents of Block B (on the north elevation of the foodstore), within the 'triangle block', and available to Block A. These will enhance the amenity for residents, in line with RLP policy EP22.

Family housing and affordable housing

103. The NCCAAP requires the provision of a mix of housing types, including family housing, and the inclusion here of both family housing (16 dwellings) and flats in the proposals is welcome. There is proposed family terraced housing shown for provision at the site west of Edward Street (block E) (earmarked for affordable housing) as well as a mix of 5 no. 3-bed private market apartments. NCCAAP policy LU3 requires that schemes provide at least 15% of their residential quota as 'family housing', meaning units that are suitable for occupation by a family with children. The overall number of 3-bed dwellings is 21 units, which is 15.4% of the overall residential provision, and therefore accords with policy LU3.

104. However, although the Edward Street site has not changed since the previous permission was considered, the layout shown in plan form has altered, albeit it remains in Outline form. The previous permission allowed for 18 no. 3-bed family houses within the same site, in a layout generally felt to be somewhat better than that indicated here. As a result, it is proposed to use conditions to ensure at least 16 no. 3-bed family houses are provided on the site, and require the layout to be subject to further designs and agreement.

105. The level of affordable housing proposed comprises the 16 no 3-bed terraced houses west of Edward Street (Block E), and the 33 no. 2-bed apartments within the residential development block on the north elevation of the foodstore block (Block B). In total these number 49 units, which at 36% of the overall provision is in excess of the requirement in the Joint Core Strategy Policy 4, both in terms of the number and proportion of different types of housing, which is representative of the overall housing mix at the site.

106. The development has been subject to an independent evaluation of the viability of the scheme, given that it does not appear to be able to provide the 'usual' expected levels of planning obligation financial contributions; the assessment has considered the tenure of the affordable housing units because Joint Core Strategy policy 4 requires that 85% (41 units) are used for 'social rent' housing, whilst the remaining 15% (8 units) are used for 'intermediate tenure' housing, which might include, for example, shared equity or affordable rent.

107. Following the advice of the valuation exercise, the District Valuation Service has

determined the scheme to be just viable with the inclusion of its proposed Affordable Housing above the policy requirements when provided at the necessary tenure proposed by Joint Core Strategy Policy 4. Therefore it is considered appropriate and reasonable to require this to be secured by Section 106 Agreement.

108. The affordable housing units as proposed will be able to meet a current identified need in the city, and will be built to a Housing Corporation standard to enable transfer to a Registered Social Landlord. The two proposed affordable housing blocks are in very accessible locations with optimum access to Gildencroft Park and the Leonard Street play area, and will also provide ease of management for housing associations.

Impact on Living Conditions

Noise and Disturbance

109. The development will lead to higher volumes of traffic in the area than currently experienced, although these are likely to be lower than the existing permission would have generated, and so there will still be some increased noise as a result to existing residential areas, but the overall impact would be outweighed by the improved range of services on offer to the local area as a result of the changes.

110. New residents will also be vulnerable to noise increases in the future; in particular the apartments overlooking the flyover in the proposed Block A tower, and the proposed family housing that might be redesigned to address the New Botolph Street link road. Environmental Health officers have confirmed these can be addressed by planning conditions requiring noise and acoustic defences within glazing and window treatments. In terms of exposure to noise disturbance, the new proposals are an improvement over the existing permission in that they have removed the flats previously proposed fronting onto Pitt Street which would have been susceptible to increased noise and air quality impacts.

111. Conditions will also be used to control the opening hours for non-retail premises, as noise and activity could affect the residents in the scheme. Being an extended part of the newly-designated City Centre Leisure Area (by virtue of the adoption of the NCCAAP), it is considered appropriate to include restaurant, café and bar uses as a means of providing evening activity and life to the Square, but conditions will require such outlets to close by 12midnight at the latest (being closed to the public between 00:01 and 08:00 hours), and will determine the extent of external seating considered acceptable, given the residential uses proposed above.

Overlooking and surveillance

112. The reduced height of the Block A 'tower', and the reduced numbers of dwellings within it, reduces the previous concerns that the tower could lead to overlooking of the Doughty's Hospital grounds. There are also, as a consequence, fewer units overlooking the Square, although the apartments proposed in Block D would still provide surveillance from upper floors. The entrance to Gildencroft Park is also afforded some surveillance through the retention of Blocks B and C.

113. The proposal to use conditions to reconsider the layout of outline Block E will ensure the layout can improve the surveillance of the adjoining Leonards Street play area, providing an important link and visual connection to whatever revised proposals are put forward to enhance the play space, encouraging its increased use by families.

Overshadowing and overbearing development

114. Overall, the mass and scale of the proposal has been lessened somewhat through these revised designs. The foodstore block is slightly reduced in height due to the loss of residential apartments from the Pitt Street elevation, the Block A tower along St Crispins Road has been reduced in height, and the multi-storey car park will be removed.

Design

Layout and access

115. The proposals are based on the principles established through the existing permission; the foodstore is the same footprint positioned on the west side of the site hard against the Pitt Street pavement, retail blocks again extend west from the east side of the current Square; and the southern access is again framed by the residential 'tower' of block A to the east, and the corner of the foodstore.

116. The removal of Sovereign House and the multi-storey car park will help to re-establish long views into and across the city towards buildings such as the cathedral, whilst the re-creation of a pedestrian route along the old Botolph Street will provide key views of St Augustine's Church from the square, helping to re-connect the site with its surroundings (although the proposed species and positioning of trees on this boulevard will need to be carefully considered so as not to impinge on this view).

117. Within the Square, the uses proposed will ensure a vibrant environment of retailing and complementary uses, and offer separate environments for the residential elements, such as private communal courtyards within each residential block and specific residential cycle stores. Although the proposed crèche access was initially unacceptable, because there was no access proposed to this facility from ground floor level at the Square (leaving the only pedestrian access route across the car park and through the existing upper level environment), this has since been revised to show a new street-level access to the crèche from surface level on the southern access route to the Square, which is a much improved proposition. The crèche facility is a welcome addition to the scheme (and supported by Local Plan policy AEC7), and will serve users of the facility and be most available to local people. The lack of specific cycle parking for the crèche is not ideal, but there is more general visitor cycle storage around and within the Square, and staff parking for Block A units.

118. The main changes to the new scheme's layout concern the revised access proposals to and through the Square. The scheme retains the existing route from Sovereign Way from the east, the already-established north-west route linking to St Augustine's Church, and the southern access from St Crispin's Road. However, the north-south route to the Square from Edward Street is relocated slightly further east to allow the Phase 2a proposed retail and leisure facility to adjoin the former 'triangle block'; this actually enhances the Square by 'framing' its north elevation and reduces the sense of the Square being a through-route.

119. In addition, the revised design of Block A pulls back the former blocks jutting into the Square which previously impeded views along Sovereign Way from Magdalen Street, to now provide an improved, flush layout and clearer visibility.

120. Significantly though, two access routes are removed from the new proposals. The existing permission had included a proposal to enhance the existing St Anne's Walk link between the Square and Magdalen Street (next to the former Barclays Bank) by removing the existing dog-leg, but the revised plans propose this to be removed altogether, to allow the space to be infilled by the Edward Street service yard and the extended line of shops on the Square's east side proposed under Phase 1b (application 11/00161/F). During Phase 1a the St Anne's Walk link remains available, and the construction hoarding applies only around the temporary car parking areas to effectively create a larger Square, which will be required to be landscaped and treated to an appropriate standard through the use of conditions to agree a phased landscaping strategy.
121. The consequences of eventually removing the St Anne's Walk link from the later phases and final scheme are that the Square loses some connection to Magdalen Street (although not a visual connection compared to the existing situation) and pedestrian flows between the two shopping areas could reduce. As such, other routes need to be much improved over the existing situation; Edward Street needs more activity and interest and environmental improvements to create a safe route with a more pleasant reason to turn around the corner at EPIC studios or bring people east, and Sovereign Way needs to be open and entice people to Magdalen Street.
122. Considerable improvements are proposed to the Edward Street frontage by removing the car park and exit ramp (which will happen before Phase 1A is built), although the wall to the service yard remains in place throughout, but eventually two buildings with active frontages to Edward Street with windows overlooking it will be provided in place of the multi-storey car park. This is a great improvement and the proposals should help to create a sense of life in what is currently a rather dead area, however it should be noted that the buildings fronting Edward Street are not provided until the later phases of development so there is no guarantee of this happening and during the construction of Phase 1A these areas are proposed to be used for surface level car parking. Despite these elements of the scheme being proposed only in Outline form, conditions will be used to ensure the proposed access points are retained. When combined with the bus interchange facility on Edward Street, the scheme will greatly improve the northern perimeter of the site and ensure visitors encounter a safe and secure, active welcoming environment.
123. The second main alteration also concerns east-west links. In addition to improving St Anne's Walk, the former permission included a proposal for introducing a new east-west cycle and pedestrian link around the southern edge of the site, beside the northern edge of the flyover and across the existing service yard. The changes come about from the revisions proposed to the servicing arrangements to Block A; previously the scheme included servicing from the flyover, along Upper Green Lane at first floor level, but this option has been removed and replaced with surface-level servicing in the area currently used for servicing at the rear of Block A. Due to the potential for conflict between cyclists, pedestrians and service vehicles in a confined space and the lack of visibility and natural surveillance down the route due to the structures supporting Upper Green Lane and lack of general activity, Officers suggested that the applicant remove this link at an early stage in the design process.

124. It is unfortunate that this east-west route has had to be removed as reduces the links to Magdalen Street and, given the possible access restrictions through the Square and along Sovereign Way itself, it makes cycling more convoluted and slower as it requires crossing the inner ring road via the surface level crossing before accessing the existing cycle path along the south of the flyover. This is particularly unfortunate in view of the expected provision of a health centre on Magdalen Street but is regarded as preferable to the security and safety issues that would be raised of having a cycle and pedestrian path proposed in this location.
125. Further access concerns have also been raised relating to the need for service vehicles to now cross over the north-south entrance to the Square, from St Crispin's Road to access the service yard. This is also regrettable but can be managed by conditions restricting servicing hours and through a landscape scheme which uses a range of materials to draw attention to the servicing zone access.

The area under the flyover

126. As a consequence of its increased use by people linking to the east-west route south of St Crispin's Road, the area under the flyover is now given a more pivotal 'role' in the way people use and interact with Anglia Square, and now more than ever needs improvements to improve the standard of the public realm environment there. The site is identified in the NCCAAP (policy PR2) for long-term reuse as a retail location on the east side of Magdalen Street and a landscaped area for market stalls and public realm use on the west side. The Anglia Square redevelopment and the revisions to the site's access means the improvements should be brought about as early as possible. The NCCAAP identifies this as being implemented and funded by the City Council and Norfolk County Council (as landowners); unfortunately given the lack of financial resources available, the Council has to identify other means of funding these improvements, and this is proposed to come from the Anglia Square redevelopment Section 106 financial contributions. As a means of improving the local environment, and providing some degree of informal public open space, the works to the flyover could be funded through the improvements to the public realm, albeit at the expense of other more formal means of play equipment and open space recreation facilities. A sum has been identified to deliver this improvement and this has been agreed with the applicant as an appropriate use of Section 106 funds, in part mitigation for some of the issues discussed above.

Phasing and delivery

127. The applicant has proposed the whole scheme to be delivered in construction phases (1a, 1b, 2a, and 2b) across the different applications. Although the use of separate applications leaves the delivery of all of these proposals in a timely manner somewhat uncertain, it should be noted that the scheme could be left with the 'interim' surface parking for an extended period on the site of Phase 2a and 2b. However, the District Valuer's viability assessment gives some assurance that the scheme is more valuable to the developer when built in its entirety rather than being left for development in a piecemeal fashion. This is also highly desirable from an urban design, access and regeneration perspective, to ensure the phased schemes come forward in swift succession. It should be noted that the sites are all in the applicant's control and although they are proposed for redevelopment through different planning applications, the viability assessment has determined that the completion of each phase is most beneficial in creating an appropriate setting and improved developer confidence for successive phases.

128. Controls can be required of the development, such as through the use of conditions requiring elements of Phase 1a to be completed before the foodstore is opened, or the provision in the Section 106 Agreement for certain limits on open market housing occupancy prior to affordable housing provision. However, the applicant has suggested that any proposals to link the phases through conditions could compromise the overall viability and funding of the scheme..
129. Completion of Phase 1a at a time of recession in the property and retail market may mean that Phase 1b or Phase 2a remains undeveloped for a long time, leaving the Square enlarged and lacking in focus, and not enclosing its northern side, leaving a temporary car park and hoardings in situ. The consequences from a design point of view would be undesirable. Therefore, conditions should be imposed to ensure intermediate or temporary design solutions are in place between the phases.
130. From a design and regeneration perspective it is considered necessary to impose some restraint on the activities of the phases. For example, the foodstore should not open before the rest of Phase 1a is constructed, and retail units of Phase 1b and 2a should not be occupied until the residential above (in Phase 1b) or leisure facility above (Phase 2a) is completed and ready for occupation. Phase 2b is important to the wider functioning of the site, and will be required by conditions to provide a leisure attraction as an anchor attraction at the site, and to provide Edward Street with a focus of activity.
131. Within the Section 106 Agreement a phasing plan will also be required to agree an appropriate programmed delivery of the scheme, including interim measures for design and landscape treatments between the phases.

Form, scale and elevation treatments

132. Members should note that the following comments are made on the basis of current plans, although further revisions have been requested and will be subject to further public consultation to address some of the issues discussed. These are:
- Pitt Street elevation changes – to provide animation, new glazing, wider extent of green walling.
 - Gildengate House southern elevation design investigations inc. briese soleil as a means to add more verticality too.
 - St Crispins elevation to foodstore – reduction in brickwork massing close to roundabout, addition of a south facing greenwall, render massing treatments closer to flyover, overall material palette.
 - Block D west elevation Phase 1b – ventilation grilles repositioning and shopfront realignment.
133. The foodstore proposes the same footprint with minor alterations to the street elevation. The overall mass has been reduced by removing the residential block within the Pitt Street elevation, but it does become less interesting and less active. The proposals show some areas of green walling, but these are far too small to be worthwhile, and bear little relation to the surroundings. The majority of the length of Pitt Street's ground floor frontage is dominated by galvanised metal weave grills to the car park beneath the foodstore, and brickwork panels, which will be less successful in creating a pedestrian-friendly street, but the difficulties in providing an active street frontage in this location are understandable. Above this, a large mass of glazing will provide interest if it successfully mixes glazing materials; revisions to the elevations have been requested and will be the subject of further public consultation.

134. In turning the corner to curve around the north of the foodstore, the scheme provides ground floor retail units with flats above arranged in a variety of blocks with different elevational treatments which creates a sense of variety and identity. The flats share an inner courtyard within the block at first floor level, the elevation details of which should be conditioned to ensure an airy, light feel to the space, reducing the over-dominance of the foodstore block behind.
135. The St Crispin's foodstore elevation remains very similar, but in doing so presents a large area of tall, wide brickwork and render panelling around the glazed foodstore first floor, only partially broken up by a rendered screen wall in front of the car park access. Being a south-facing elevation it is considered better for this to present an interesting living green wall (complementary to Pitt Street) and introduce a more varied materials palette. Revised elevations to address this point in relation to Pitt Street and St Crispin's elevations have been requested.
136. The remainder of St Crispin's Road receives a much improved design. In retaining the Gildengate House office block, the scheme has a landmark structure, successfully broken into more vertical sections to reduce its overall mass, which ties-in with the residential 'tower' of Block A, particularly as this residential block is now proposed as a square rather than elliptical form. Subject to the agreement of details on the cladding and glazing proposals, and possible use of brise soleil shading, the new form of Gildengate House will provide a high quality design that enhances the site as a gateway feature which should attract investment and office tenants to the area (particularly as the internal refurbishment should greatly improve the quality of the workspace available). Given the significance of Gildengate House revised elevations have been requested to show improved treatments. When these have been received they will need to be the subject of further consultation.
137. The retail and residential apartments of Block C provide a high quality approach to the site from the west and north, with a consistency around the site of metal cladding to the three storeys of residential units above the retail units. For the most part the shopfronts align with the flats above, but the final details will be agreed by condition. The northern elevation of the Square is completed by the addition of the Phase 2a leisure facility; a glazed frontage to the square with a metal cladding surround, similar to the suggested appearance of Phase 2b, but this remains an indicative design option given its outline proposal.
138. The proposed flats above retail units within Phase 1b effectively enclose the east side of the Square (Block D), providing important overlooking and activity. Whilst generally successful, the position and design of the metal ventilation grilles to the car park and the proportions of the buildings appear to lack consistency, but this could be improved if the cladding of the floors above were brought down to the canopy-level and if the size of the openings for the ventilation grilles were to match the size and positioning of the windows above, for example. Again revised elevations have been requested and will be subject of further consultation.
139. The 'illustrative masterplan' makes a number of suggestions for possible future development which have not been applied for formally in the current applications. These include the possible widening of Sovereign Way, providing 40no. additional apartments and car parking above the Phase 1b retail units in place of the existing cinema, and revising the Magdalen Street shopping frontage. The treatment of the Edward Street service yard is included within these ideas, as it suggests providing a

roof and car parking above, and the future design of a replacement frontage will need to relate successfully with the Phase 2b proposal along Edward Street.

140. Generally around the site the treatment of the elevations will be important and a palette of materials should be agreed. The site is so large that a variety of approaches would be needed but it is important that materials throughout the development relate well to one another, and their surroundings. Samples of all materials and render colours must be agreed, including green walls, green roof landscaping, balcony styles, metal weaving, glazing and positioning of ventilation grilles.
141. The proposed family housing within Block E (west of Edward Street) has already been accepted in principle (albeit in greater numbers) but the scheme shown currently is less successful than the previous one. It suggests a layout that provides a terraced street form perpendicular to Edward Street, similar to the housing to the north, but actually it results in a scheme which is rather dominated by car parking and which gives the appearance that the new link road has cut through the historic form of the area's street layout. The rear elevation of the southern row of houses also presents a tall brick wall to the link road, and an inactive streetscene, which is partly the problem created by the existing vacant site. When assessing the optimal design for the site, it is considered more appropriate for the layout to instead address the new link road with a proper frontage (a principle which has been shown to work to an extent through the existing permission). The scheme should also provide much improved access to the Leonard Street play area, which will be of significantly value to the occupants, and create a properly overlooked footway in the process. It is proposed to use conditions to revise the layout whilst accepting the principle of at least 16no. 3-bedroom 2-storey family houses being provided on the site.
142. The removal of the multi-storey car park from the outset will be a significant improvement in views from the north of the city centre, and will make the Edward Street / Magdalen Street area feel a lot less oppressive and overbearing. Although the Phase 2b replacement proposal is only in outline form, and the Phase 3 proposals are only illustrative, their replacement redevelopments are a significant improvement, creating a 'lighter' and more interesting proposal than the current approach to the site, and eventually providing a safer, more pleasant and more active street frontage for the Edward Street east-west corridor than currently.

Building for Life

143. In accordance with Policy 2 of the Joint Core Strategy, the scheme should aim to provide a residential development to a design quality which achieves 'silver' standard when assessed against the 20 criteria of the Building for Life assessment (whereby 'silver' is gaining 14 points or more). Assessing a predominantly-flatted scheme as this, with so many competing interests and site requirements, is always difficult and sometimes means the assessment can be rather unrepresentative. Nevertheless, the scheme has been considered suitable to score at least 14 points overall, scoring particularly well in creating character and identity, but slightly less well in the design and construction aspects where it is hoped that conditions can secure a high standard of materials palette and where the constraints on energy efficiency are noted.
144. The importance of reconsidering the layout and design of the 16 houses proposed in outline Block E is demonstrated through the additional separate Building for Life Assessment undertaken just for that one element of the scheme. Notwithstanding that the proposal is outline, the scheme achieves only 11 points, being successful in bridging the gap between traditional terraced housing to the north and the more

contemporary development proposed to the south, but proposing a layout which has not enhanced the townscape nor the urban design integrity of the area. Although the site is hampered by some undeveloped sites around it, it should still be revised to provide an improved link through the site and try to address Edward Street more, rather than turning its back to the road by presenting a high brick wall and rear elevation, and also to try and reduce the dominance of car parking within the site.

Conservation Area – Impact on Setting

145. The Norwich City Centre Conservation Area Appraisal states that Anglia Square is currently of low significance in terms of its overall contribution to the character and appearance of the city centre conservation area. However the site is key to the area's regeneration and the design should enhance the townscape, relate better to the surrounding area and re-create lost views of local landmarks. Generally the current proposals succeed in achieving these aims.

146. In terms of the demolition proposals, other than the loss of the locally-listed building (the principle of which has already been established) the Conservation Area Appraisal identifies the buildings such as the car park, Sovereign House as being negative landmarks, and encourages their removal as a means to improve the character of the local area and allow space for replacement developments to establish positive contributions to the area. These will be further enhanced by the requested changes to the design treatments as required prior to final approval.

147. In light of the demolition plans, the scheme should ensure it makes reference to the site's historic past, so conditions should be used to ensure that the buildings at and around 43-45 Pitt Street are recorded and researched, and a record left with the Historic Environment Service. In addition, as with the former permission, the three parish boundary markers which are located on a wall of one of the properties due to be demolished must be carefully removed, stored and re-located in a position close to the existing location. An existing heritage interpretation sign on Surrey Chapel relating to the former St Olave's Church at the site, should either be salvaged and repositioned or a new plaque provided.

148. Overall, the scheme is considered not to make as much of the site's opportunities to make a locally-distinctive development that refers to its historic context as possible. However, it does provide many benefits and improvements even when compared to the existing permission.

Public art and heritage interpretation

149. Around the site a number of locations for public art or heritage interpretation are suggested (such as at Stump Cross at the corner of Sovereign Way and Magdalen Street) and these will be included in the S106 agreement to ensure that acceptable schemes are agreed and implemented. A media screen of 4m x 3.5m is also proposed on the north elevation of Block A facing into the Square (sited beneath the crèche); as with the existing permission, conditions will be used for agreeing a management plan, hours of operation, content, noise levels etc so as to minimise any nuisance to neighbours and ensure an appropriate use of the facility.

Transport and Access

Transport Assessment

150. The redevelopment of Anglia Square is critical to achieving many of the aims of the NCCAAP and its intended improvements to cycling, walking and public transport infrastructure as a means to reduce the impact of traffic. Currently, there are poor connections through the area for all modes of transport. Routes linking the inner ring road with the major radial routes are via historic streets which are significantly marred by the volumes of traffic on them, whilst the inner ring road acts as a barrier to cycling and walking and hinders connections to the city centre. Public transport routes are also relatively convoluted, particularly those linking to the north–west of the city.
151. Within the NCCAAP, Anglia Square's redevelopment is anticipated to deliver:
- Substantial parts of the strategic cycle routes running north-south and east-west;
 - Improved pedestrian permeability, including a surface level pedestrian/cycle crossing over St Crispin's Road;
 - Promotion of cycling and pedestrian facilities through a green link network;
 - A new public transport interchange on Edward Street, and routing improvements;
 - Access from the inner ring road, with egress linked into the Gyratory system, and minimal access for servicing only from Edward Street;
 - Continued effective pedestrian access and movement through the site by pedestrians and cyclists maintained....

These improvements will complement the substantial improvements brought to the area through air quality enhancements and improved traffic flows being achieved as a result of the completion of the St Augustine's Gyratory scheme and the New Botolph Street link road provided through the previous planning permission.

Car Parking

152. Upon completion, there will be a total of 810 parking spaces on the site (compared to 906 in the previous approval). Despite the reduction of 104 spaces over the previous approval, 507 spaces will remain under the foodstore as previously approved, and a further 120 will be provided in the upper level car park allocated to the proposed flats, and 16 for the outline houses west of Edward Street. That leaves a total of 166 spaces in the upper level car parks to support the offices, health unit, and provide any additional public spaces.
153. The car park under the foodstore must be connected to the Vehicle Messaging System, and must be available for the wider public to use, preferentially with a tariff and operation as a shopper's car park. There is no objection to the use of the northern sites (Phase 2a and 2b) as temporary car parking/site storage, but the scheme needs to provide the bus facilities in Edward Street as part of the first phase. This might mean a reconsideration of the position of the temporary vehicular accesses to the two sites involved, but this can be addressed and agreed through appropriate conditions. Management of the car parks will be needed to ensure that residents do not have access to any more parking spaces than they will be eventually allocated, which will also be confirmed through agreement of a car parking management plan.

Vehicular Access

154. The accesses to the site are essentially as agreed in the previous permission. However, The loss of the east-west linear pedestrian and cycling route just north of the flyover and its replacement with a service yard has had two detrimental impacts. Firstly, we have lost the cycle/pedestrian link here, and secondly, the major vehicular access into the site is now slightly more awkward, the egress is wider than it was previously, and there will be some vehicular movement, albeit limited across the main route into the square.

Servicing

155. Service vehicles crossing over the main access by the cycle/footway, is not so great an issue as to cause concern, as volumes of delivery traffic etc should be relatively low, and hours of access can be controlled by conditions. Similar arrangements seem to work elsewhere in the city centre. It is not possible to reduce the width of the egress, due to the space requirement of turning articulated vehicles, but the numbers involved will be low, so most of the time, there will be minimal delay crossing here. The crossing of the car park entrance, whilst slightly more indirect than previously, does offer better visibility between drivers and those wishing to cross, and is a safer solution than that previously approved.

Cycle Routes and Pedestrian Links

156. The Area Action Plan proposes in Table 9B a series of key pedestrian and cycle routes throughout the northern city centre. This shows a cycle route through Anglia Square - as well as one on Pitt Street - which is an important strategic north-south route linking Anglia Square with the city centre and to the north, and which should be part of the development proposals. Key pedestrian routes are also shown east-west through the site, which are important for the site's permeability.

157. The revised applications no longer include an east-west pedestrian and cycle link to the north of the flyover – this link will now be along the existing pedestrian/cycle route to the south of the flyover. The loss of the cycle footway link is disappointing (although considered necessary from a security of design perspective), and does add greater weight to the need to permit cycling through the development. The route along the southern side of the ring road will form a key route into the redeveloped shopping centre and doctor's surgery from the south; further underlining the importance of improving the area under the flyover as referred to above.

158. It is also important that the scheme ensures direct pedestrian access from the family housing area at Block E, through to the Leonard Street open space to the west, which will be redesigned and enhanced in the near future. This access link should be given careful design consideration and be incorporated into the future design of the revised layout in Block E, and will be required by condition.

159. Generally, the reconfiguration of the square and the removal of St Anne's Walk and the alteration to the main route to Edward Street is an improvement over previous proposals. It provides a better sense of enclosure and purpose to the Square, whilst enhancing the status, access to and potential for development on Edward Street.

Links during site works

160. However, all the pedestrian routes into the site, including the 'temporary' one from Edward Street, a new 'temporary' link from the south, and a 'temporary' connection to St Augustine's Street, where possible and feasible, need to remain available during demolition and construction, and finally need to be completed and finished and

available for public use before the foodstore opens. It is proposed to use conditions requiring agreement of a scheme for providing cycle and pedestrian links during the demolition and construction processes. The applicant has proposed to retain existing links along Sovereign Way and Anne's Walk and a temporary northern link to Edward Street post-demolition, but this is considered unsatisfactory and would limit access, possibly compromising vitality and viability of the retail links from surrounding neighbourhoods to Magdalen Street. The applicant has expressed concerns that health and safety constraints could prevent a scheme being agreed but it is considered important to address this when contractors are appointed and site management can be discussed prior to works commencing.

Cycle access through the Square

161. It is imperative for the success of the scheme that both pedestrian and cyclist public access can be maintained for continued rights of public access into and across the Square. It is proposed to include this in the S.106 Agreement, on a trial basis of 6 months at the very minimum. However, it will not be possible to reasonably conduct this trial until at least phase 1b of the development is completed. During demolition and construction of the development there will be inevitable disruption to movement across the site and this will have to be minimised by access plans to be required by condition. Through these plans it may be possible to provide for cycle access to, and through, the new square, through earlier phases of construction especially on the north-south route linking Edward Street to St Crispin's Road.

Cycle Parking

162. Revised plans and elevations have been submitted in the last week confirming improved cycle parking arrangements, which are for the most part satisfactory. These new arrangements are discussed below.

163. A staff cycle parking area is proposed in the foodstore car park for foodstore staff, adjacent to their specific staff entrance which is acceptable for staff in that store. Over 200 additional spaces are provided in secure areas in the foodstore car park for staff of adjoining units and for general shopper storage, accessed from Pitt Street with a specific entrance available off the cycle route.

164. Additional staff-specific cycle storage is proposed in the service yards off St Crispin's Road and Edward Street. This is far from ideal due to its distance to staff working locations, but at least it is secure and covered (with final details to be agreed by condition).

165. In addition to the foodstore storage areas, customer / visitor cycle parking provision would be best provided within the pedestrian areas, clustered at the entrances to the site, with some provided by the entrances to the larger stores. There is a significant provision on Magdalen Street, near to the proposed health centre, but the provision elsewhere on the site is more limited. Revised plans have been submitted showing improved provision adjacent to the foodstore entrance (for 16 cycles), and other small groups of stands arranged around the access routes into the Square, showing space for 12 cycles in each route. This will help people take their bikes with them when they shop and reduce use of other street furniture, lampposts etc. Although as a general principle a cluster of 2-3 stands spaced every 50 metres or so, and placed around the square, would be more beneficial, the revised proposals combined with the large store in the supermarket, are considered on balance to be acceptable.

166. Conditions will be used to agree the details of the cycle stores and stands provision linked to each phase.

167. Residential cycle storage (at a 1:1 cycle:flat ratio using secure and covered stores) has been proposed for each residential block, with individual stores envisaged in Block E's family housing. Block A proposed stores within secure facilities off the St Crispin's Road access adjacent to a new substation enclosure; Block B has stores on each floor, accessed via a bike lift. Block C has a communal facility within the shared amenity space, accessed by lift; and, Block D has two stores at first floor parking level accessed by a lift. Revised plans have been submitted and subject to agreement of finer details, these proposals are considered acceptable.

Refuse Storage and Collection Arrangements

168. Communal residential refuse stores are provided at ground floor level, for the most part close to and convenient for service collections, which are acceptable. The quantum of storage space is not quite at the level of storage expected for public weekly or fortnightly collections, but the applicant's waste collection strategy proposed a twice-weekly collection service to overcome the storage space constraints, and would improve communal amenity standards. Subject to using conditions to ensure agreement of final details of waste management proposals and storage facilities, the principle of private service collections is acceptable.

Travel Plan

169. The Travel Plan proposed has been accepted by the Highways Authority as a good basis from which to promote non-car travel. Final details will be agreed through condition to reflect any changing circumstances at the time of the first use or residential occupation, although its success will depend in large part on the annual monitoring required as part of the planning obligations legal agreement.

Environmental Issues

Site Contamination and Remediation

170. Geotechnical studies and modelling has shown the site to have a high risk of contamination. The need for further investigations (for example surveys beneath the existing buildings and groundwater and asbestos searches) and remediation measures can be required by condition. Disposal of contaminated material will also have to be conditioned, as will the storage of materials on site in order to prevent watercourse pollution.

Waste Management

171. East of England Plan policy WM6 and Local Plan policy EP21 both require such major retail schemes to collect, separate, sort, recycle and recover waste on site where possible. This includes providing residential and commercial recycling facilities, which are suggested as part of the servicing. In addition, public recycling and litter collection in and around the square for shoppers will need to be provided by condition to help minimise waste and litter. The applicant has outlined their waste management procedure, but the final details will have to be confirmed and approved by planning condition.

Noise

172. Whilst a noise assessment has found that there is benefit from a reduced noise level along Magdalen Street and St Augustine's Street, certain properties will need protection from road traffic noise, such as those within the block above St Crispin's Road and those within the 'triangle' and any units fronting the link road. Conditions will require the specification of additional glazing and ventilation, and their sound reduction ratings, and noise insulation works to be agreed.

Air Quality

173. Generally, locations for the residential units has avoided accommodation at ground floor and first-floor fronting the busiest road, to avoid the undesirable noise and air quality disturbance that might result. The air quality levels are projected to be below the National Air Quality Strategy objectives for residential use, but the overall result will provide some negative and some positive effects, creating a fairly neutral impact overall. However, dust emissions arising from the demolition work could be significant, and it is proposed that conditions require this to be addressed as part of an approved Environmental Management Plan.

Flood Risk

174. The emerging findings of the Norwich urban area Surface Water Management Plan show that there is some surface water flood risk in the immediate area of Anglia Square. In addition, the study identifies the area to the north as one of two Critical Drainage Areas (CDAs) in the city, in which actions will be taken to reduce surface water flood risk. Fortunately in times of extreme flood, surface water from these locations would flow eastwards around the site, so generally avoiding adding to loads on the proposed underground attenuation tanks. These form part of a revised surface water drainage strategy which reduces overall surface water discharge, but is yet to consider the use of Sustainable Drainage Systems. Conditions from the Environment Agency and Anglian Water will ensure final details are agreed although the principle has been accepted. Flood risk from nearby watercourses is low, but is able to be mitigated by planning conditions.

Archaeology

175. The site is within the city's Area of Main Archaeological Interest adjacent to an area of significant archaeological value as one of the earliest settled areas of Norwich, known to include the important Stump Cross area and the site of the former St Olaves Church and its graveyard. A pre-development archaeological evaluation has found a notable Saxon defensive ditch running north-south parallel to Botolph Street and evidence of works from as early as medieval inhabitation, particularly around the Pitt Street frontage. Whilst additional evaluation has been undertaken since the previous permission, some further works are still needed prior to both construction and demolition development. These further works can be required by conditions, including a requirement for construction works to be monitored and any finds recorded if necessary under archaeological supervision. In the event of particularly significant finds on site, excavations would need to be conditioned such that works are tied to a specific brief and methodology, and any finds are recorded, interpreted and published.

176. In recognition of the area's history and to pay regard to the historic street form, the designs propose to reinstate the historic north-south link known as Calvert Street and, through the masterplan, potentially recreate the line of the historic east-west route between St Augustine's Church and former Stump Cross, in the area of Magdalen Street by the flyover.

177. In the interests of providing a record of the historic environment, it is considered appropriate to use conditions to (i) ensure that historic parish boundary markers in the area can be salvaged and re-instated, as supported by Local Plan heritage interpretation policy TVA8 and the Heritage Interpretation SPD, and (ii) require public art to enhance the area and possibly provide heritage interpretation.

Energy Efficiency and Renewable Energy

178. As with the existing planning permission, the Energy Statement states that Air Source Heat Pumps will provide space and water heating and cooling for the commercial element of the development, providing a separate system for the foodstore rather than a linked-in site-wide heating network. Air source heat pumps are proposed to generate energy at the retail units through a refrigerant system, providing 10% of the energy demand from these units. It also states that the residential element of the development will be served by community heating, either from a number of gas fired boilers or from a single CHP plant.

179. Since the policy requirement of Joint Core Strategy Policy 3 is for statements to show 'whether or not there is viable and practicable scope for exceeding the minimum percentage provision' (10%), the Energy Statement should clearly set out the difference between the two proposed approaches for residential development and draw a conclusion as to which will be used accordingly, which it fails to do adequately at the moment. It is considered though that these final details can be approved through appropriate planning conditions, which needs to include the positioning and noise limit controls for air source heat pumps for example, given that the existing permission has already been able to demonstrate adequate energy provision on site.

180. Valid concerns have been raised by the public as to the energy efficiency performance of the development, as the scheme has not been designed to the most recent 2010 standards for energy efficiency as required by the Building Regulations. The applicant acknowledges this, but explains that the scheme has already been approved to use the Building Regulations standards of 2006; according to colleagues in the Building Control service, there appears to be leeway for developments to adopt the less onerous and less expensive 2006 standards if the development can be started before October 2011, or thereabouts. Whilst certain planning policies may aim to secure the highest energy efficiency standards possible, it is considered most appropriate that the scheme achieves the most efficient energy performance within the constraints of economic viability. Given the site's limited viability, it is not considered necessary to pursue any higher standards at this stage as it could threaten the scheme's commencement, and instead look to later outline developments and 'masterplan' proposals to achieve the highest possible standards, some of which can be required by conditions.

Plant

181. Various electricity substations are currently positioned around the site and shown for relocation as part of enabling works, for example a large facility is proposed to the south of the entrance next to Block A. Given the Conservation Area and the need to minimise the impact on amenity of new residents, the final designs of the replacement facilities will have to be approved by planning condition. The general use of plant and machinery, ventilation and extract requirements, will all need their exact specification and location of plant works to be provided and approved by condition.

182. Details of the plant, machinery, extraction systems and proposed odour control mechanisms used across the site will need to be conditioned, including that for any CHP system. Details will have to confirm the siting, height, screening and noise generation of machinery required across the whole site.

Lighting and CCTV

183. The application does not include full details of the proposals for external and security lighting, which will be particularly relevant to the Conservation Area, nor CCTV coverage and its management plan, required for the public safety benefits. Both of which will be required by planning conditions.

184. In addition to determining street lighting and way-marking, the considered use of lighting around the site can be extremely beneficial for the regeneration and public interest and urban design in creating a sense of identity of place. It will also benefit the public performance envisaged. It is proposed to use conditions for a lighting design strategy.

Opening Hours

185. Conditions will be imposed to determine opening hours, to prevent A4 and A3 uses being open during hours when residential amenity is most important, and to be consistent with the area's designation as a part of the City Centre Leisure Area rather than Late Night Activity Zone.

Trees and Landscaping

Loss of Trees or Impact on Trees

186. An important part of the site's existing character is the group of ten London Plane trees and two lime trees fronting onto St Crispin's Road which soften the impact of both the road and the existing dominant buildings of Anglia Square. The wider group forms part of the designated Urban Greenspace (Local Plan policy SR3), where development should not be permitted if there is an overriding amenity or biodiversity interest in retaining the site in its existing open form.

187. The application proposes removal of the majority of these to make way for Block A and the vehicle access to the foodstore and north-south route, and for the revised servicing arrangements to the south of the site. Further, the remainder would not survive such damage to their collective growth, and in the interests of health and safety it is considered that all twelve should be removed. This is a group of trees normally worthy of protection by Tree Preservation Order and their location in a Conservation Area does require advance permission for their lopping or felling. Their removal would be contrary to Local Plan policy NE3, and would need to be justified not only in terms of the feasibility for construction of the scheme but also in terms of the biomass and biodiversity that would be lost from the site.

Replacement Planting

188. A tree survey and indicative landscaping proposal has been provided as part of the submission. The Arboricultural Implications Assessment submitted with the application demonstrates the loss of 20 trees, equivalent in biomass and species variety terms to 63 no. replacement trees. The proposed landscape scheme suggests that 50 trees can be provided around the site, which means that financial contributions are expected to replace the net loss of 13 trees and continue their 20-year maintenance. This is calculated on a basis of £634.72 per replacement tree, requiring a commuted sum of £8,251.36p.

189. Conditions should be imposed requiring careful agreement of a tree planting strategy, covering species, ages, tree loss mitigation methods, planting space and growing conditions, ground conditions preparation, and continued maintenance and management strategies, for example.
190. A comprehensive landscaping scheme for the whole site would be required by condition, building on the principles suggested in the application, to demonstrate adequate compensation for the loss of the group of trees by offering a net increase in overall site biomass. The plans will be required to provide a green link connection along St Crispin's Road and Pitt Street to Gildencroft Park, and to include adequate street tree planting to the minimum requirements of policy NE4. Feature trees will be also required at certain points around the scheme, such as in the enlarged Square, where careful location could provide shade during the summer without compromising light in winter. Considered species selection will be necessary to mitigate the impact of the extensive hardstanding and help create a resilient landscape that can help adapt to climate change.
191. Although a preferred strategy would be to plant street trees along Pitt Street, it is understood that underground servicing in this area may make this unfeasible. If this proves to be the case, the applicant has suggested that a 'green wall' could be incorporated along Pitt Street and St Crispin's Road elevations, which would also provide much more interesting street elevations. In terms of using financial contributions for off-site tree planting, possible locations could be the renovation of the Leonard's Street play area, the roundabout and west side of Pitt Street, and the south side of St Crispin's Road.

Hard Landscaping and the Enlarged Square

192. The Square will be relocated to a position west of the existing square (to allow for additional ground floor retail and upper floor parking and residential flats of Phase 1b). The new Square is larger than both the existing and previously approved scheme, and has been better 'contained' than the existing permission allowed for, by virtue of the relocated north-south through-routes and the addition of the extended eastern side of the 'triangle block' proposed by Phase 1b. It will fulfil an important role as a public open space, as required by the NCCAAP and RLP, and will be able to contain facilities for performance space and market stalls amongst other activities, and will demonstrate a design that acknowledges Norwich's historic industrial past. The enlarged square will cater for the open space needs of some of the new dwellings, and conditions will be used to require the provision of performance space facilities.

Viability and Planning Obligations

193. Before the content of legal agreement is considered some attention must be given to the general issue of viability and particularly how this particular set of proposals' viability have arisen. In discussion, the applicant has described three key aspects of the previous proposals which contributed to the decision not to pursue the consented development. These aspects were (i) the level of retail floorspace proposed, (ii) the amount of flatted residential development proposed, coupled with (iii) certain exceptional build costs.

194. With regard to the viability of the retail floorspace proposed, the current proposals are broadly similar to the previous scheme in terms of overall floorspace. However, the previous scheme included conditions which required all the floorspace to be constructed before the foodstore unit started trading. The current market for retail floorspace in the City remains depressed; although Norwich has been less severely affected in the current downturn than many other centres, vacancy rates have increased and rental values eased. In circumstances such as this very few retail operators are prepared to agree to pre-letting units unless very considerable inducements or discounts are offered. The quantum of retail floorspace proposed to be brought onto the market at a single time thus exposed the developer to a very considerable level of risk.
195. With regard to residential development, the market for private flats in the north of the City continues to remain weak. As a result the number of such flats proposed has been reduced particularly where they added considerably to construction costs (as was particularly the case with flats previously proposed in the residential tower and those fronting Pitt Street above the foodstore).
196. It should also be noted that servicing retail units from the first floor level as previously proposed from St Crispin's Road added significantly to the previous scheme's build cost due to the need to strengthen access bridges. The current proposal retains existing service access at surface level, removing the need for this restricting expense.
197. As the proposals had been substantially revised to improve viability, and the developer had indicated that it was unlikely the scheme could afford to make the full range of contributions required by policy, the City Council instructed the District Valuer (DV) to assess viability using information supplied by the developer. The starting point for this assessment was the applicant's offer of retaining the level of Section 106 financial contributions at the same level as that previously agreed, with an increased level of affordable housing provided in this scheme. As the District Valuer's assessment contains commercially sensitive information it is not in the public domain nor is referred to in this report. However the conclusions of the exercise are summarised below. In view of the phased nature of development proposed the DV was also asked to provide a view on the viability of each individual phase proposed in order to assist the Council in assessing the risks proposed by the phased nature of the development.
198. The development is expected to provide funding for a variety of planning obligations requirements as per established Replacement Local Plan policy, the requirements of the NCCAAP, and the necessary affordable housing targets specified through the recently-adopted Joint Core Strategy (Policy 4).
199. Given the need for a comprehensive planning strategy at the site, the three redevelopment applications have been considered as a single scheme for the purposes of the expected planning obligations and financial contributions, which will be secured through a single planning legal agreement. When considered as a comprehensive regeneration proposal, taking into account the on-site works proposed and to be required by condition or obligation, and having taken into account the provision of land for the link road supplied by the former approved scheme, a policy-compliant set of applications would provide a combined sum of £702,159, seen in the table below.

200. The conclusion of the DV is that in the current market the overall scheme is only marginally viable. Although it is profitable the expected levels of profit are less than those which would normally be expected on a scheme of this nature, particularly given the risks on investment involved. In view of this marginal viability the reduced level of Section 106 contribution of £525,000 as offered by the applicant is recommended to be accepted, even though it should be noted that this would not allow profit levels to reach the normals for this type of development.
201. With regard to individual phases the DV assesses phases 1a and 2b as the most profitable and he identifies a lower risk profile in relation to phase 1a which he views as deliverable in the current market. Subsequent phases (particularly 1b and 2a) may be less profitable in the current market in their own right, but they do add further value to the phases previously constructed, leading the DV to conclude that it is in the applicant's best interest to deliver the whole of scheme.
202. With regard to affordable housing the DV assessment has been conducted on the basis of the tenure split of the 49 affordable units being 85% social rented and 15% intermediate tenure with no public grant subsidy support. He notes that increasing the proportion of intermediate tenure would improve viability although does not conclude that the 85/15 split proposed will undermine delivery. He also identifies the need for an overage clause so contributions foregone can be recouped if the development proves to be more profitable than expected.
203. Within the contributions proposed, there will be funding available for a number of policy requirements, to address the needs arising from the development, including improved local community facilities and open space / play space, securing a high quality public realm, and providing the necessary infrastructure to support public transport in the area. In addition to a Section 106 Agreement, many benefits will be delivered through planning conditions.
204. In summary, the District Valuation review has determined that the applicant can currently make a contribution of £525,000 towards S106 requirements outlined under policy HOU6 and through the NCCAAP, in addition to providing certain works as part of the build costs, such as on-site landscaping and tree planting, and providing the 36% affordable housing. The specific planning obligations are discussed below. As reduced financial contributions are proposed, these have been discussed with the Council's Portfolio holder and agreed as an acceptable suite of contributions to serve the needs arising from the scheme.

Transport Improvements

205. The overall expected transport contribution would normally be calculated on the basis of a peak hour traffic generation multiplier for non-residential developments, and a per-dwelling contribution for the residential development. Ordinarily this would equate to £2.93m, if there were no improvements delivered through the scheme itself.
206. However, in this instance there are a number of measures proposed on site. The development has made provision already, and intends to make further provision, for a package of measures for delivering the scheme, including the original land transfer for the Link Road (New Botolph Street), provision of land for the Edward Street interchange bus lay-by, provision of cycle corridors along Pitt Street, and alterations to highway crossings. These are proposed to be required by planning conditions, to be in place prior to the opening of the foodstore, in order to mitigate the impact of

development and serve the wider area.

207. Consequently, the only commuted sums necessary would be for improvements such as bus shelters, providing the bus interchange facility on Edward Street (a requirement identified by NCCAAP policy MV1) and alterations to Vehicle Messaging Service (VMS) around the city centre. The provision of a bus interchange on Edward Street is an essential transportation requirement to support public transport in the district centre and wider area by creating a better designed and more accessible location for bus users on the route that the majority of buses now take following recent changes to the traffic circulation system. As part of this, real-time information must be provided in the bus lay-bys. Updates to the VMS are needed to improve the ease and flow of car parking in the area by notifying drivers of car park capacity. Real time services and any ticketing or timetable information system will continue to be provided through the transport contribution. Although the existing permission provided £195,000 for sustainable transport measures, the changes in the scheme means the contribution can now be revised down to £185,000 to be delivered in the first phase of development.
208. In addition, separate costs will need to be met to cover the necessary changes to Traffic Regulation Orders required to facilitate the scheme.
209. As discussed at paragraph 161, the legal agreement shall include a scheme to secure rights of public cycle access into and through the Square.

Travel Plan

210. A Travel Plan will be required to be included in the S.106 Agreement as an obligation, and its implementation and monitoring will need to be the subject of financial contributions. The County Council will undertake Travel Plan monitoring on receipt of contributions of £500 per year, paid from first occupation of any element of the development until two years after the final occupation of the last element of the development.

Affordable Housing

211. Given the national economic situation at the time of the previous application being considered, the previous permission was unable to meet the Local Plan requirement for 30% affordable housing provision on site at the time, and instead the scheme proposed to provide 20.2% affordable housing. The adoption of the Joint Core Strategy has since reconsidered affordable housing contributions and has set the requirement for a scheme of this size to provide 33% affordable housing on site.
212. The proposals actually show 36% affordable housing overall (some 49 no. units), applied for in Phase 1a of the overall scheme (application 11/00160/F). This provides some comfort of their earliest delivery, although the legal agreement obligations will determine this. The District Valuation review has confirmed the scheme to be capable of delivering the affordable housing units within the expected tenure mix of 85% social rent and 15% intermediate tenure (including shared ownership and affordable rent). As such the scheme appears policy compliant in this regard, to be finalised by legal agreement.

Public Open Space and Play Equipment Improvements

213. Developments would normally provide separate contributions towards local open space and play equipment provision in accordance with policies SR4 and SR7 using standard Council formulas based on dwellings and child bedspace numbers to be

provided on site.

214. In calculating the expected Public Open Space contributions, it is appropriate to consider the benefits brought about by the creation of a new and enlarged public Square; as this is to replace the existing Square, a contribution has been calculated based on the net increase in public open space provided as a result. The new Square is 586 sq.m. larger than the existing Square upon completion of the Phase 1b retail units, which represents enough public open space for the needs of 24 of the proposed 136 dwellings. When calculated at a rate of £515 per dwelling for off-site provision and ongoing maintenance, this would incur a contribution of £57,680 for 112 dwellings in line with the Open Space and Play Provision SPD.
215. Play Equipment contributions are also calculated on a formulae basis dependent on child bedspaces created in the development. A combined financial contribution of £179,992 is expected from the two applications with residential uses (£138,920 from Phase 1a; £41,072 from Phase 1b).
216. Together, the Public Open Space and Play Equipment contributions would amount to £237,672. Due to the difficult viability of the proposals, the City Council consider that this element should be reduced to £20,000, which is equivalent to 8% of the expected contribution. The contributions are anticipated to be combined for use for improvements to the existing Leonard Street play area, to the west of the housing proposed west of Edward Street, as envisaged by the NCCAAP policy NS1. The shortfall of contributions proposed can be met from available funds from existing identified S106 funds, which already have Cabinet agreement for use on this project.

Off-Site Landscaping and Public Realm Enhancement

217. Improving the existing derelict and vacant space underneath the flyover has long been recognised as a potential enhancement of the local environment and streetscape. In particular, the area under the western side of the flyover has been an eyesore and is dark and out-of-the-way, receiving very little natural surveillance. Occasionally market stalls are sited there, but generally the space is greatly underused. The space is deep, extending far underneath the flyover. Despite its poor condition the space is used as an important pedestrian route connecting Magdalen Street to the cycleway and footpath running alongside the south of St Crispins Road. This will become even more popular once the Square's redevelopment has been finished, because more people will circulate through this space and the Healthcare centre will attract people to the site.
218. Since its adoption the NCCAAP (policy PR2) has recognised the importance of improving the area under the flyover. Although the policy envisages the eventual installation of permanent retail units in the space, it recognises that alternatives may be needed either for the short-term or in the event of retailing proving unfeasible. The policy has provided a formal planning basis on which to use contributions for landscaping, the use of market stalls, and for providing improved waiting facilities for bus passengers. As such, it is proposed to use £111,750 for works to improve the area under the flyover as an enhancement to the public realm and to provide a degree of informal open space or play area.

Off-Site Tree Planting

219. The proposals result in the loss of 20 established trees on-site, equivalent in biomass and species variety terms to 63 no. replacement trees. The indicative provision of 50 proposed replacement trees on the site leaves 13 to be provided in the

form of off-site replacements provided through a financial contribution. This is calculated on a basis of £634.72 per replacement tree, ordinarily requiring a commuted sum of £8,251.36p.

220. Due to the difficult viability of the proposals, the City Council consider that this element should be kept at £8,250, (100%) of the expected contribution, sufficient to provide 13 replacement trees in the local area.

Education Contributions

221. The applicant would normally be expected to provide £221,236 towards the local educational demands that arise from the residential element of the scheme. This is expected under Local Plan policy HOU6 and is calculated against County Council standards of the day taking into account classroom availability and existing commitments. The proposals have been considered alongside the recent planning permissions for Muspole Street (08/00866/F), The Talk (09/00128/O) and Hi Tech House (10/00907/F) and current school capacities, and as a result is thought to require financial contributions for 19 children (15 in primary schools from application 11/00160/F; and 4 in primary schools from application 11/00161/F).

222. Due to the difficult viability of the proposals, the City Council consider that this element should be reduced to £160,000, which is equivalent to 72% of the expected contribution, sufficient to provide for the needs of 14 of the 19 pupils expected from the development.

Community Facilities

223. The principle of supporting improved community facilities is set out in JCS policy 7 and RLP policy HOU6, and NCCAAP policy LU4 requires provision of community facilities in the immediate Anglia Square area if not the site itself. It is considered most appropriate for the proposals to assist existing local facilities which serve both the established community and future new residents, based on a feasibility study to demonstrate what provision might be required. The Section 106 agreement for the current planning consent includes a sum of £40,000 to enhance community facilities in the Anglia Square area, specifically to be spent on improving St Augustine's church hall.

224. In accordance with NCCAAP policy LU4, a survey was carried out by the Council in March-April 2011 to determine up-to-date local priorities for enhanced community and leisure facilities in the northern city centre area, followed by an audit of existing facilities in the area. The key local priority identified is provision of meeting facilities for community and voluntary groups, and the audit identified a number of existing meeting places in need of some enhancement to encourage greater community use. Based on this information, it is not considered necessary to require a specific community facility to be provided within Anglia Square itself. Although several existing community facilities were assessed, the best use of S106 contributions for community facilities from the Anglia Square development is considered to remain for use towards the enhancement of St Augustine's church hall, a well-used and managed facility open to the whole community, which is in need of some improvement to serve residents in the area including those arising from the Anglia Square development.

225. It is considered that the proposal should contribute £40,000 towards the centre's overall improvement, which is consistent with the previous permission, as well as being required by conditions to provide a community notice board within the new Anglia Square open space, and facilities for market stalls and open-air events.

Public Art

226. Public Art is considered an important component to the successful urban design strategy across the site, bringing an element of identity and interaction to the community. In addition to any art displayed in the public space, for occasional exhibitions or events, a contribution in kind would be expected for public art. Some installations or performance space has been suggested in the submitted landscaping strategy, so there is some agreement in principle already, but the exact form of this (e.g. whether by a local arts competition or by a piece donated by the developer) will be the subject of a condition.

Miscellaneous

227. No contributions are needed for **library services** in this city centre location.

228. The developer should make provision for the costs of providing **fire hydrants** for residential and commercial developments. Fire hydrant provision will be achieved through planning condition.

229. Under RLP policy SHO8 retail proposals over 1,000 sq m, or car parking for 300 spaces as short-stay use, would also be expected to provide a financial contribution to the **Shopmobility** scheme currently operating from Chapelfield and Castle Mall. This has been considered and, in agreement with the Shopmobility service, it is considered more appropriate for contributions to instead be better spent on localised community schemes which could help the wider local area. This is made more possible given the available accessibility to the area by the existing Shopmobility service, whose service is currently used for trips as far away as Anglia Square already.

230. Contributions for **archaeological works** may sometime be expected as a planning obligation through RLP policy HBE3, but it is considered sufficient to instead require this by condition, and to examine further works in the more archaeologically-significant area around Magdalen Street and the Stump Cross area during later development proposals.

231. Ordinarily, **childcare facilities** or contributions thereto would be expected to form a part of the development as suggested by RLP policy AEC7; the development has proposed a crèche facility within the planned Block A anyway, so is policy-compliant in this regard. In addition, the provision of public toilets to serve the site is proposed at first floor level of Block D to the east of the Square (stage Phase 1b). Their timely provision can be required by condition.

Overview of Section 106 financial contributions:

232. In a “policy-compliant” scheme, the following contributions and stages for their payment would be required as set out in Table 1 below:

Table 1: Expected financial contributions from a hypothetical ‘policy-compliant’ scheme.

Contribution	£ Prior to Phase 1a	£ Prior to Phase 1b	£ Total Contributions
Education	174,660	46,576	221,236
Public Open Space	0	57,680	57,680
Childrens play provision	138,920	41,072	179,992
Trees - off-site	0	8,251	8,251
Transportation	186,818	8,182	195,000
Community facilities	40,000	0	40,000
Affordable Housing	35 dwellings - 30 no. Social Rent; - 5 no. Intermediate Tenure	10 dwellings - 8 no. Social Rent; - 2 no. Intermediate Tenure	45 dwellings - 38 no. Social Rent. - 7 no. Intermediate Tenure.
Total commuted sums	540,398	161,761	702,159

233. Following the findings of the District Valuation Service viability assessment, and the recommended acceptance of a reduced financial contribution amounting to £525,000, the following sums are proposed in Table 2 below. These are shown in comparison to the previously approved scheme, to illustrate the changes to the terms proposed, should the recommendation be accepted.

234. In finalising these recommendations, local ward members were consulted on the issue and Cllr Bremner as Portfolio holder has agreed the proposals, in line with the adopted procedures of the Council’s Section 106 Prioritisation Framework procedure.

Table 2: Financial contributions from both previous approved scheme and the current proposals.

Payment type	Previous approval 08/00974/F			Current proposals 11/00160/F / 11/00161/F		
	£ if Policy compliant	£ Cash proposed	% of required sum	£ if Policy compliant	£ Cash proposed	% of required sum
Education	279,546	160,000	57%	221,236	160,000	72%
Transportation	195,000 + facilities	195,000 + land	100%	195,000 + facilities	185,000 + land	95%
<i>Residential uses</i>	55,857			38,372		
<i>Commercial</i>	£2.9m			£2.9m		
Play/Open space	263,145	130,000	49%	237,672	20,000	8%
<i>Play equipment</i>	210,864			179,992		
<i>Open space sum</i>	52,281			57,680		
Community facility	No formula	40,000	-	40,000	40,000	100%
Offsite tree planting	-	-	-	8,250	8,250	100%
Area under flyover	-	-	-	No formula	111,750	100%
Affordable housing	30%	40 dwellings	20%	33%	49 dwellings	36%
Total contributions	737,691	525,000	71.2%	702,158	525,000	74.8%
Overage / 'top-up' clause 'claw-back'		212,691	28.8%		177,158	25.2%

Overage and reappraisal

235. The financial contributions detailed above are the minimum level proposed to be acceptable from the scheme, and are based on the District Valuation Service's assessment of the reasonable level of profit that can be expected from this scheme taking into account the site's constraints, abnormal costs, and levels of investment risk involved.

236. Given that the current economic climate could improve before the scheme has been started in earnest, it is recommended that any permission is dependent on the agreement of planning obligations, and the inclusion of an 'overage' clause in the agreement such that any rise in the value of the scheme would be reflected by higher amounts of financial contributions. This would involve using a clause in the Section 106 Agreement to require a similar financial reappraisal upon completion of the development of each Phase.

Regeneration, Equality, Diversity and Socio-Economic Implications

237. The implications for the socio-economic character of the area have been considered as part of the overall environmental impacts of the proposal. These studies found a general level of deprivation, including some of the highest in the city for employment, income, health and the living environment. The proposal should address some of the underlying socio-economic issues and have a positive impact on community services, health and crime levels, and to some extent, income, through possible local job creation in retail and construction (the development is thought to provide approximately 250 additional jobs) and the re-use of the existing offices on

site. It is thought there is sufficient capacity in the local services to accommodate the increased dentistry and doctors' demands, and the new health care centre permitted in Anglia Square will further improve the quality of service offered to the local community. The new housing will also attract workers to the area whilst affordable housing will help meet the needs of the local area. The Environmental Statement recognises the negative impacts from the severance of the ring road and the widespread existing vacant open spaces at the site, and the proposals will reduce these impacts by improving public access in and around the site, using improved pedestrian, cycle and public transport links to the city centre and surrounding neighbourhoods.

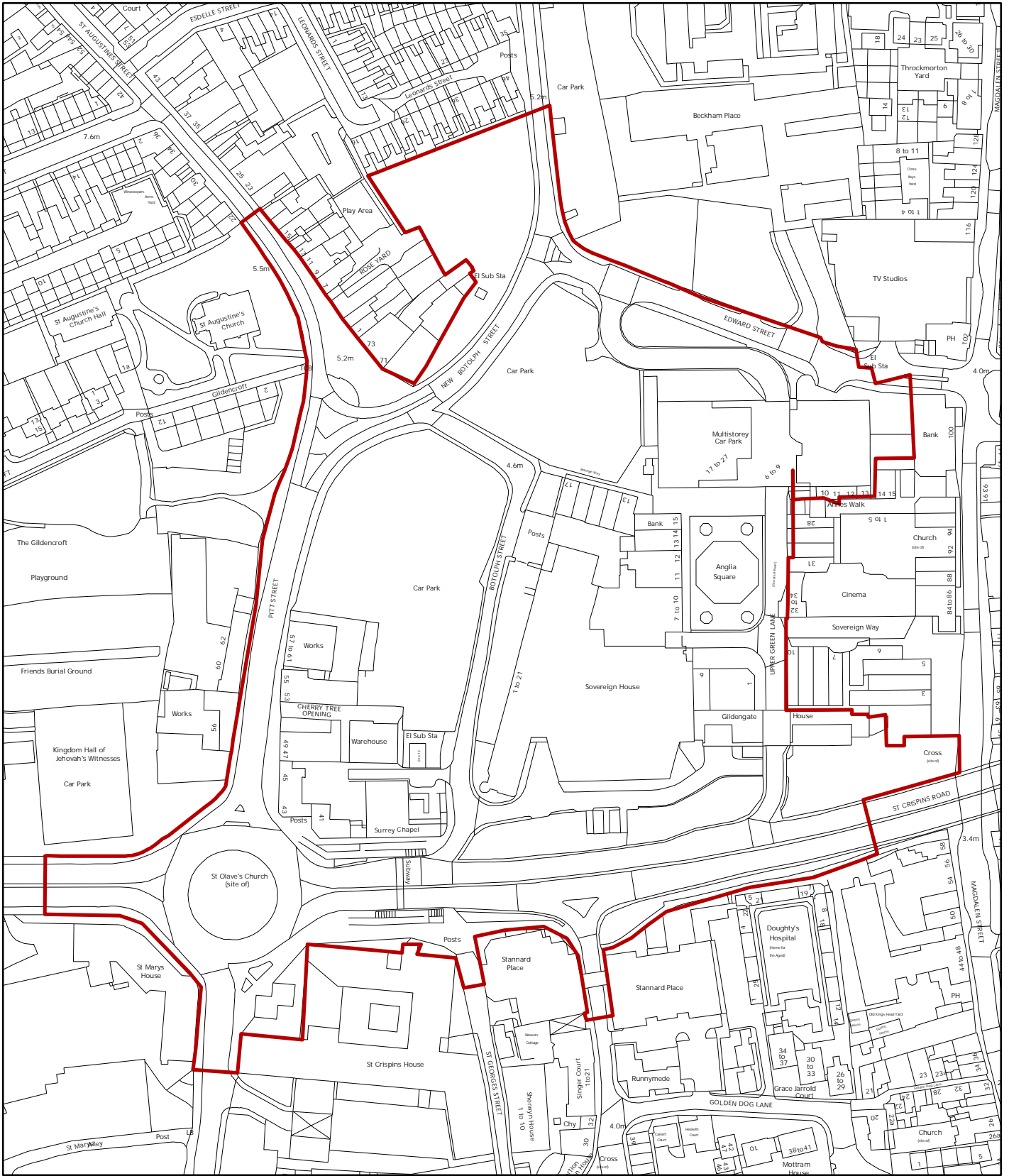
Conclusions

238. Overall the proposals for consideration represent arguably the most significant development seen in Norwich for a decade. They deliver significant aspects of the Northern City Area Action Plan and long held objectives of the City Council to secure the redevelopment of Anglia Square.
239. The proposals are complicated and it is fair to note that in certain aspects they are some considerable way from what may be regarded as ideal. However, they represent a significant opportunity to secure a major redevelopment and, bearing in mind the process by which these proposals have been arrived at, officers are enthusiastic about what they will deliver. On balance they are considered to be a significant improvement on the previously approved proposals and if implemented in full should uplift a significant area of the City Centre with impacts stretching far beyond Anglia Square itself.
240. The key risk associated with the proposal is that phase 1a of the development will be delivered and subsequent phases of the development will not follow. If this happens the overall result will be highly unsatisfactory, the development will not be of a coherent design, and will not provide the impetus for regeneration in the wider area. Although there is a risk of this happening there are two key elements giving confidence that this risk is limited; firstly, the District Valuer assesses it as being in the applicant's interests to complete the development; and secondly, the extent of demolition and clearance proposed prior to phase 1a of the development being completed is such that the land proposed for development in phases 1b, 2a and 2b of the development will then be considered an attractive plot of developable land adjacent to a modern shopping development and be relatively unconstrained, so encouraging and being attractive to future development.
241. On balance therefore Officers consider that the risks involved in approaching the redevelopment of Anglia Square in a phased manner as now proposed are acceptable. The benefit of the proposals overall far outweigh the negative impacts of the uncertainty and delay that would result if this opportunity for development was not taken at this time.

RECOMMENDATIONS

That delegated powers be given to the Head of Planning (in consultation with the Chairman and Vice Chairman) to approve planning applications 11/00160/F, 11/00161/F, 11/00162/O and Conservation Area Consent 11/00163/C subject to:

- (a) Amendments being received to satisfactorily address the points raised relating to design and cycle parking;
- (b) A further period of formal consultation to relevant bodies, including advertisement in the press and on-site, regarding the amendments described in (a) above;
- (c) Consideration of any comments received by the Head of Planning (in consultation with the Chair and Vice Chair);
- (d) The completion of a satisfactory planning obligation to include the provision of:
 - 49 units of affordable housing, at a tenure mix of 85% social rent and 15% intermediate tenure;
 - agreement for continued rights of public access into and across the Square for pedestrians and cyclists;
 - financial contributions to cover the necessary changes to Traffic Regulation Orders required to facilitate the scheme;
 - education contributions (£160,000);
 - off-site public open space and childrens play provision contributions (£20,000);
 - off-site landscaping and public realm enhancement contributions (£111,750);
 - off-site tree planting contributions (£8,250);
 - transportation contributions for Vehicle Messaging Systems and construction of the Edward Street bus interchange and associated facilities (£185,000);
 - travel plan monitoring contributions (£500 per year) from the first occupation of any element of the development until two years after the final occupation of the last element of the development;
 - community facilities contributions (£40,000);
 - phasing plan and inter-phase design and landscape requirements; and,
 - appropriate inclusion of an overage clause requiring a financial reappraisal (to be paid for by the applicant) on completion of the phases of development, with appropriate adjustments to the above contributions to be made towards the policy-compliant expected amount.
- (e) Subject to conditions and Reasons for Approval (to be distributed at the Committee meeting) and as may be amended by the Head of Planning (in consultation with the Chair and Vice Chair) because of consequential changes pursuant to amended information from the applicant or issues raised by third parties.



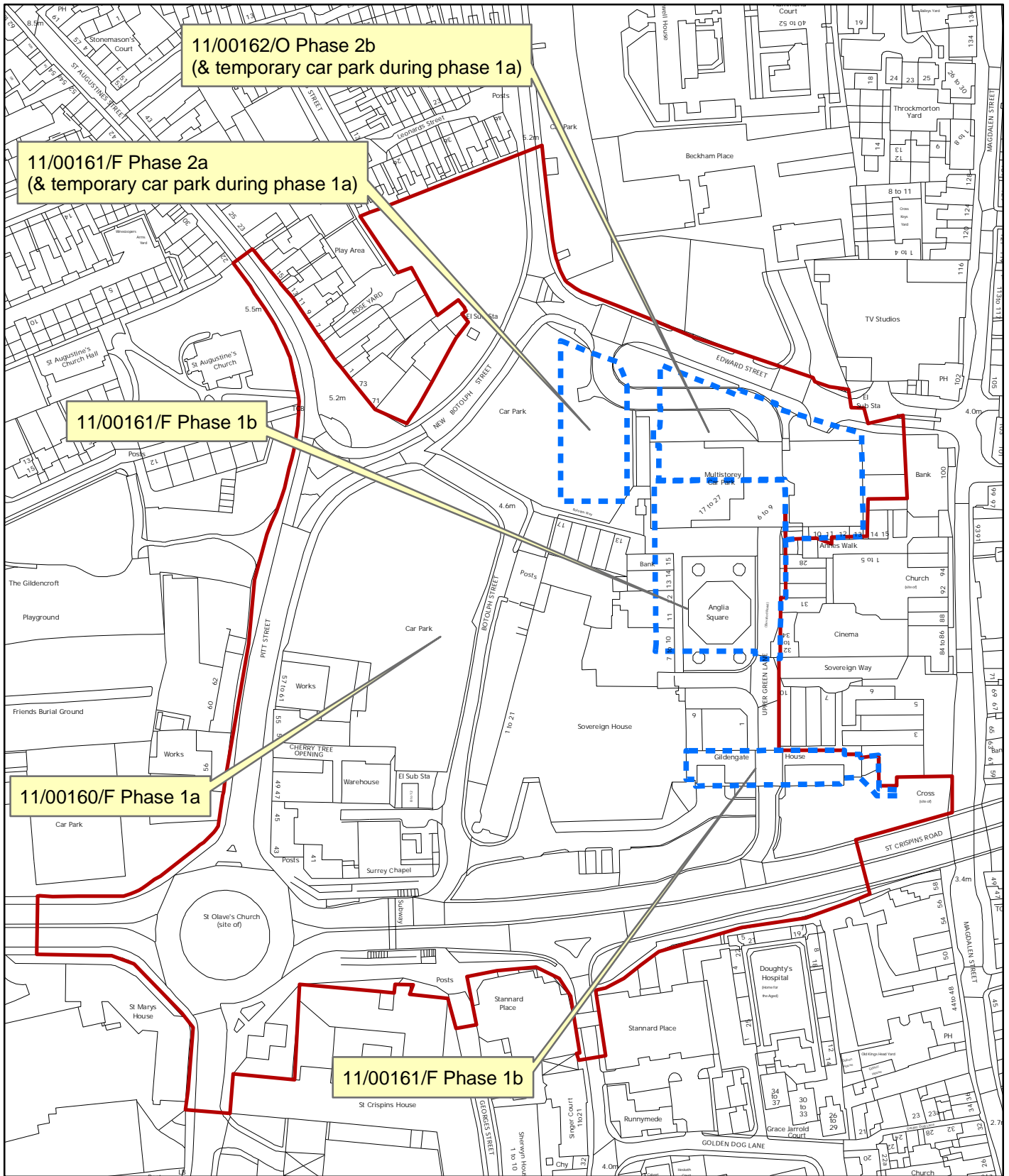
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Planning Application No 11/00160/F & 11/00161/F & 11/00162/O & 11/00163/C
 Site Address Anglia Square including land and buildings to the North & West
 Scale 1:2,000



NORWICH
 City Council
 PLANNING SERVICES





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