

Report to Planning applications committee
Date 5 December 2013

Report of Head of planning services
Subject 13/01636/F Castle Mall Norwich

Item
5(1)

SUMMARY

Description:	Alterations to Castle Mall entrance at Back of The Inns including new design of entrance and alterations to access arrangements.
Reason for consideration at Committee:	Previously considered at committee
Recommendation:	Refuse planning permission
Ward:	Mancroft
Contact Officer:	Mrs Caroline Dodden Planner 01603 212503
Valid Date:	18th October 2013
Applicant:	InfraRed UK Retail Nominee3 Ltd and InfraRed UK Retail Nominees
Agent:	GL Hearn

INTRODUCTION

The Site

Location and Context

1. The Back of the Inns forms part of the Primary City Centre retail area and falls within the St Stephens character area of the City Centre Conservation Area. This area contains the majority of the large department stores within the primary retail area and is therefore a busy pedestrian environment.
2. Completed in 1993, the Castle Mall scheme redeveloped large parts of the city centre, in particular parts of the historic Timberhill and cattle market. Castle Mall was at the time unique for being largely underground, on the site of the outer bailey of Norwich Castle. The scheme won the Silver Jubilee Medal of the Royal Town Planning Institute and the Major Centre Award from the British Council of Shopping Centres.
3. The Back of the Inns entrance, at the junction with White Lion Street, is one of the main entrances to Castle Mall. The City Centre Conservation Appraisal identifies the entrance as having a positive frontage and as being a local landmark.
4. The architecture of the entrance is distinctive. A large glazed entrance with decorative glazing bars in a distinct design sits elevated and set back from the brick elevations of the clock tower to the south and the frontage to the north. A series of columns and steps provide access to the Mall with two ramps, one on either side of the entrance. A number of shops both within the Mall, and outside it, face this entrance.

Constraints

5. This is an area with a tight urban feel and an historic street pattern which should be respected in any development proposal.

Topography

6. The access into the Mall slopes down over a series of steps and ramps. A ramped access needs to be retained, and preferably enhanced, in any development proposals.

Relevant Planning History

13/00460/F - Alterations to Castle Mall entrance at Back of The Inns including new shopfront and alterations to access levels. Refused at Planning Applications Committee, 18 June 2013.

13/00499/A - Display of: 1) 1 No. internally illuminated fascia sign; 2) 1 No. fascia incorporating individually pinned internally illuminated letters. Refused at Planning Applications Committee, 18 June 2013.

13/01637/A - Display of 2 No. internally illuminated fascia signs (on north and west elevations of the existing tower). Pending consideration.

13/01638/F – Erection of infill extension at unit entrance. Pending consideration.

Equality and Diversity Issues

There are considered to be equality or diversity issues. These are discussed within the report (see paragraphs 37 - 39).

The Proposal

7. The proposal seeks to implement a significant remodelling of the Castle Mall entrance at the Back of the Inns by providing a new contemporary entrance feature and improving access arrangements.
8. The lower floor of the existing glazed entrance would be removed and the remaining façade would be wrapped in coloured vinyl and over-clad with a contemporary aluminium fret cut feature, which would be illuminated from behind. The height of the proposed central section would be approximately 10 metres and approximately 6 metres wide.
9. The four existing entrance columns would be narrowed and clad with an illuminated skin with stainless steel bases. The entrance steps would be removed but the handrails would remain. New, contrasting, granite paving would be laid, in which some recessed floor lighting would be added.
10. The original drawings submitted removed the four high level clocks and two decorative coat of arms from the clock tower. Revised details leave the four high level clocks and coat of arms intact. As the clock tower features are to remain as existing it was considered unnecessary for the application to be re-advertised. The only proposed change to the clock tower would be the installation of two signs, for

which separate advertisement consent has been sought (ref: 13/01637/A).

11. In the supplementary supporting information the Architect describes the proposal as follows:

“The key principles of the design concept are to create a new attractive entrance that responds to the local and historic context, responds to the existing scale of the frontage, provides an appropriate modern design solution that reflects the commercial activities within the shopping centre. The proposal is well thought through and has evolved in response to the local and historic context with input from the design team and clients. The proposal represents a high quality scheme that is appropriate for it's purpose and setting and will contribute towards a positive townscape and street scene for Norwich in the future”.

Representations Received

12. Advertised on site and adjacent and neighbouring properties have been notified in writing. Six letters of representation from four commentators have been received citing the issues as summarised in the table below.

13.

Issues Raised	Response
Consider ideas for Castle Mall entrance to be inappropriate and rather clumsy, which do not match the elegance and creativity of the original designs.	Paragraphs 27 - 35
The 'shawl' is an inappropriate 'borrowed' and alien idea, as are the clocks and should not be approved.	Paragraphs 32 and 34
If misjudged, it will set a trend for other elements of the exterior of Castle Mall, all of which have unity, of great importance in their relationship to Norwich Castle and the city centre.	Paragraphs 28 - 32
The fret cut cladding is inappropriate and out of scale for an entrance that was designed to suggest connections with the castle behind.	Paragraphs 31 - 33
The obscure film should be removed from the existing glass gables. It would be a dramatic improvement that would be more cost effective.	Paragraphs 27 - 35
If Castle Mall's architecture was similar to Chapelfield, something like this could be considered acceptable. However, this is an award winning shopping complex that was designed in a particular way for a particular reason.	Paragraphs 27 - 35
The re-cladding of the four columns is unnecessary and would disconnect them from their internal counterparts.	Paragraph 34
The removal of the steps and handrails and full repaving is a good idea.	Paragraphs 37 - 39

Pleased to see that the four clocks and decorative coat of arms have been reinstated on revised drawings.	Paragraph 34
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A number of supporting letters have been submitted by the Agent from the following:

GCW Chartered Surveyors; Castle Mall, Centre Manager; Boots of Castle Mall, Norfolk Chamber of Commerce and Douglas Stevens Chartered Surveyors, all supporting new investment at Castle Mall and four out of the five positively supporting the specific entrance proposal at the Back of the Inns.

In addition, a three day public exhibition was recently held within Castle Mall. 524 respondents answered three questions as follows:

- Would you like to see investment in Castle Mall? 99% said 'yes'.
- Will making the entrance more visible and accessible improve the Back of the Inns? 98% said 'yes'.
- Are you in favour of this proposal? 97% said 'yes'.

Consultation Responses

14. **Transportation:** No objection on transportation grounds. The sloped entrance to the Castle Mall is welcome for disabled access and pedestrian flow especially for evacuation events and decongestion of Back of the Inns.

15. **The Norwich Society:** The tower already clearly defines the presence of the entrance, and acts as a visual stop, from both the Back of the Inns and White Lion Street directions. Applying a folded perforated metal screen to part of the total façade does not respect the scale and materials of the full Castle Mall entrance on this streetscape. This is a superficial measure which may well look "tired and dated" in only a few years thus defeating its intended purpose.

16. The projection of this folded screen extends outwards and clashes with the clear statement of the tower as viewed from the Back of the Inns. The increase in height of 2.5m above the existing curved gable adds to the overpowering appearance of the proposal again compromising the appropriate scale of the existing façade.

17. The existing elevation must be considered as a whole, including the tower and the large brick element to the left hand side of the entrance. Just remodelling one area disrupts the overall impact of the present satisfactory design.

18. It is strongly felt that the existing facade above the entrance has been left to fall into a poor state of maintenance and that this is the principal problem to solve.

19. We support the idea of reducing the visual impact of the columns by redesigning their casings and also infilling the open corner at the entrance to the shop. (ref: 13/01638/F)

20. Replacing the supports for the security doors at the bottom of the entrance steps with a full width opening will also help the pedestrian flow and offer a more

uncluttered appearance in the entrance. Here again the use of the latest lighting technology, colour and new materials can add tremendously to improving the visual vitality of the space. Down-lighting and not up-lighting makes sense in this location.

21. No objection to the changes in the flooring and the proposed removal of the steps.

22. **Historic Environment Service:** No archaeological implications.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework (NPPF):

Statement 1 – Building a strong, competitive economy

Statement 2 – Ensuring the vitality of town centres

Statement 7 – Requiring good design

Statement 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (JCS)

Policy 2 – Promoting good design

Policy 5 – The economy

Policy 6 – Access and transportation

Policy 11 – Norwich City Centre

Policy 20 – Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE3 – Archaeology assessment in Area of Main Archaeological Interest

HBE8 - Development in Conservation Areas

HBE12 - High quality of design in new developments

TRA26 - Design and materials in streetscape

Supplementary Planning Documents and Guidance

City Centre Conservation Area Appraisal, September 2007

Other Material Considerations

Development Management Policies Development Plan Document – Pre-submission

policies (April 2013)

DM3 Delivering high quality design*

DM9 Safeguarding Norwich's heritage

DM16 Employment and Business development*

DM30 Access and highway safety

* Limited weight may be applied alongside existing development plan depending on circumstances of the case

Written Ministerial Statement: Planning for Growth March 2011

Background

A previous planning application, ref: 13/00460/F, for this Castle Mall entrance included a new high level glazed frontage. This application was refused, against officer recommendation, at the Planning Applications Committee in June 2013. The reason for refusal was as follows:

'The proposed shopfront is considered to be out of scale with the adjacent buildings. The design is not considered to represent or respond to local character and history or result in good architecture. It is considered that the resulting impact of the proposals would have a detrimental impact on the street scene, and wider heritage asset of the City Centre Conservation Area. Therefore the proposals are considered to be contrary to the NPPF, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011), policy HBE8 and HBE12 of the City of Norwich Replacement Local Plan (Adopted November 2004) and emerging policy DM3 of the Development Management Policies DPD (Pre-submission policies April 2013).'

With different architects on board a pre-application enquiry for a new entrance feature was submitted to the Planning Department in September 2013, which included a pre-application presentation to the Planning Applications Committee on 10 October 2013.

Principle of Development

Policy Considerations

Procedural Matters Relating to the Development Plan and the NPPF

23. The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.
24. Of particular relevance to the proposal are Paragraph's 60 and 64 of the National Planning Policy Framework. Paragraph 60 states that planning decisions should not attempt to impose architectural styles or particular tastes, but it is, however, proper to seek to promote or reinforce local distinctiveness.
25. Paragraph 64 states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
26. Policy 2 of the JCS and Local Plan Policies HBE8 and HBE12 seek to achieve all development to be designed to the highest possible standards and in particular, that proposals respect local character and distinctiveness.

Design and Impact on Conservation Area

27. The Castle Mall dates from the early 1990s and is a post-modern style of design typical of the 80's and early 90's period. A considerable effort was put into the

design of the mall, which was unique for being mainly underground, on the site of the former castle bailey.

28. There are four main entrances to the Mall at the Back of the Inns, Timberhill, Castle Meadow and Cattlemarket Street. Each entrance differs slightly in its character and form in response to the local context of the street/area upon which they open out onto. However, it is important to note that there is a common shared architectural language throughout the building, which reinforces a sense of a cohesive identity throughout the Mall as a result of architectural unity. Any proposed alteration therefore needs to take into account both the impact of any change within the immediate area of an entrance, as well as the overall impact on the architecture of the mall as a much larger and complex building structure.
29. This application includes the proposal to implement a significant remodelling of the Back of the Inns entrance, which falls within the St. Stephens character area of the city centre conservation area. The part of the Back of the Inns close to the Castle Mall entrance has always been characterised by relatively functional, low status buildings of humble design (with the exception of the Royal Arcade). More recent buildings are also of no significant architectural merit, with the exception of the award winning Castle Mall. It was praised at the time of completion for achieving a unified and coherent architectural form on a constrained site. Because this part of the city was relatively devoid of architectural note and poor in townscape quality, the clock tower was designed to provide a very prominent and legible landmark, which also provides an important function and interest in the wider townscape with its clock faces.
30. With large and complex buildings such as Castle Mall, which have been designed with architectural unity, but have been split into multiple units, there is a danger that gradual incremental changes in character can dilute the overall design quality and the strength of a unified design approach. Some changes have already been carried out to the entrance such as fitting obscure glazing to the gable features and the sub-division of the former Virgin Megastore unit. Although these have to some extent degraded the quality of the architecture, the entrance still retains commonality with the other entrances to the mall whilst also responding to the local context, particularly with regard to the local tower feature. Special care and consideration therefore needs to be taken to ensure that further incremental alterations to the Mall seek to enhance the overall character rather than dilute it further.
31. The principal element of this proposal is to upgrade the central glazed section with a new fret cut aluminium covering, which would “fold” to a point approximately 2.4 metres forward of the current glazed entrance. This is of significant scale being approximately 10 metres in height. It is understood that the current proposal would be replicated in some form at the other entrances, although the extent and scale of treatment is likely to vary.
32. The supporting information informs that the contextual shape, form and pattern of the proposed entrance structure relates to the ‘Norwich Shawl’ and Norwich’s textiles industry. It is assumed that this relates to the shape made by draped fabric over an off-centre raised point rotated through 90 degrees. This is unconvincing, particularly as other supporting information states the aim was to make the entrance more visible in the streetscene and the shape, form and pattern were randomly created digitally rather than being based on a particular pattern. The proposed structure would result in a significant change in character and loss of the cohesiveness, which has been achieved through the existing unified architectural approach. Overall, it is therefore considered to have a significant, but negative, impact on the character of the Mall.
33. The desire to make the entrance more visible is appreciated and the principle of a

projecting element is not necessarily opposed, if well designed. It is considered that the inappropriately designed and prominent alteration which projects forward would have a detrimental impact on views within the conservation area. In particular, the projecting structure would be detrimental to views along the intimate street scene of the Back of the Inns as it cuts across views of the tower, in so doing detracting through its prominence from a landmark that already provides an important and recognisable focal point with a clear, functional, design. The new design is strikingly different to the existing architecture of Castle Mall, to the extent that at the scale proposed it will become the dominant feature within the streetscene at this entrance. Since the proposed design remains unconvincing and is not considered to be of high quality, the proposal is considered to result in a detrimental impact on the character and appearance of the city centre conservation area. At present the dramatic change in style has also only been proposed at this scale for this entrance and it remains unclear how this change in style and identity for the Mall would be introduced into the other parts of the complex.

34. The retention of the four high level clocks and two Castle Mall motifs on the clock tower is a welcome revision as these are an important and very visible landmark feature.
35. The narrowing and re-cladding of the four entrance columns and removal of the entrance steps are also considered to be positive aspects of the proposal as they will improve pedestrian access and enhance the attractiveness of the shopping centre.

Local Finance Considerations

36. There are no direct financial considerations as a result of the proposal. However, the importance of the overall investment and upgrading works to Castle Mall is acknowledged.

Equality and Diversity Issues

37. Significant alterations are proposed to the access to Castle Mall. There are currently a series of four columns and steps with two ramps on either side of the entrance.
38. The four columns would be narrowed and clad with an illuminated skin and stainless steel. The existing hand rails (currently either side of the steps) would remain and a gradient would be created from the perimeter of the Castle Mall down to the entrance doors. Although this does not meet the current building regulations standards it improves the existing situation, retains the hand rails (the previous refused scheme removed them) and it would be practically impossible to extend the ramp to achieve the ideal gradient.
39. The proposed re-configuration of the entrance is considered to be acceptable with regard to access and is considered to meet the requirements of the NPPF, policy 6 of the JCS and emerging local plan policy DM30.

Conclusions

40. There are a number of positive aspects to this proposal. The remodelling of the lower level, notably the “opening up” and other design changes to the ground floor pedestrian environment are an improvement on the existing situation. In principle, a contemporary entrance feature at this Castle Mall entrance may be acceptable if designed to a high standard and complements the existing design of the Mall, and it

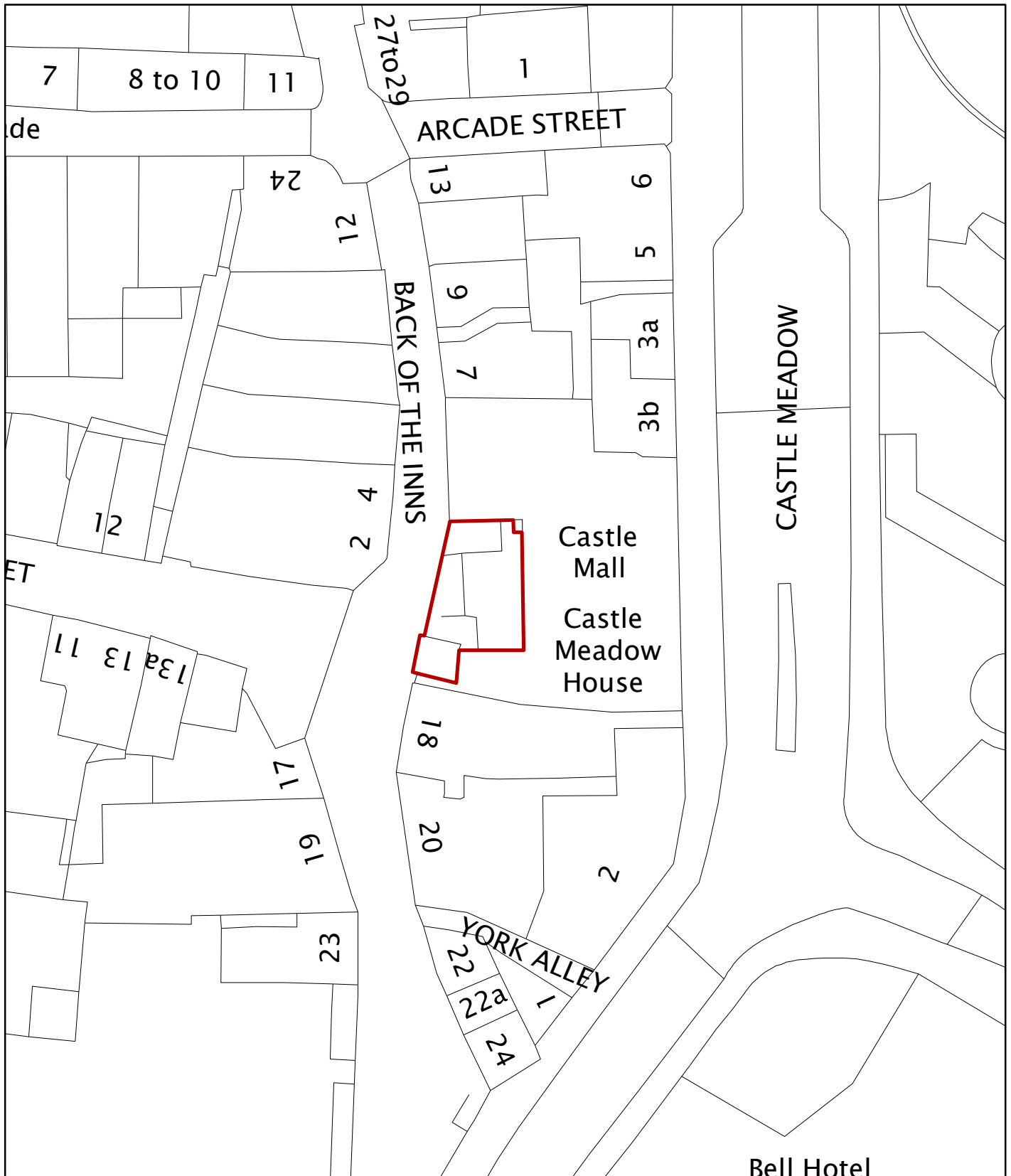
is not the case that the existing upper floor treatment must be retained. However, the design solution proposed is not considered to be of adequate architectural and aesthetic quality and will result in a detrimental change to the architectural character of the building, and the character and appearance of the city centre conservation area, which cannot be justified.

41. The comments and advice given to the Agent have been consistent throughout the pre-application and application process. Officers positively sought to negotiate an acceptable revised proposal and it is disappointing that this has not been achieved.

RECOMMENDATIONS

To refuse planning permission for Application No 13/01636/F at the Castle Mall entrance, Back of the Inns for the following reason(s):-

1. The design of the proposed entrance (above ground floor level) would provide a discordant feature, considered to be of low design quality, which would result in a significant change to, and dilution of, the existing architectural character of the Castle Mall complex. There is inadequate architectural reasoning and local historical connection to justify the proposal. The proposals are therefore considered to be contrary to the NPPF, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011), policy HBE8 and HBE12 of the City of Norwich Replacement Local Plan (Adopted November 2004) and emerging policy DM3 of the Development Management Policies DPD (Pre-submission policies April 2013).
2. The proposed entrance feature (above ground floor level) would have a significant detrimental impact on views of the clock tower, which already provides an important and recognisable focal point within this part of the City Centre Conservation Area. In particular the proposed entrance design would be a prominent feature that would become an intrusive element that would detract from views of the tower from the north along the narrow street of the Back of the Inns. Therefore the proposals are considered to be contrary to the NPPF, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011), policy HBE8 and HBE12 of the City of Norwich Replacement Local Plan (Adopted November 2004) and emerging policy DM3 of the Development Management Policies DPD (Pre-submission policies April 2013).



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Planning Application No 13/016836/F
 Site Address Castle Mall, Back of the Inns

Scale 1:500



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 City Council
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