



Planning applications committee

9:40 to 16:00

6 December 2018

Present: Councillors Driver (chair), Maxwell (vice chair), Bradford, Button, Malik, Peek, Raby, Ryan, Sands (M), Stutely, Trevor and Wright

Apologies: Councillors Henderson

1. Chair's announcements

The chair explained the procedures for the meeting to consider Application no 18/00330/F - Anglia Square which had been submitted by Weston Homes and Columbia-Threadneedle. He introduced the members of the committee, the head of planning and senior planner, who would be presenting the report, and the other officers available to answer specific questions, together with the district valuer and the deputy monitoring officer. Notice was given that the meeting was being filmed and recorded.

2. Declarations of interest

Councillor Stutely declared an other interest in item 3 (below), Application no 18/00330/F - Anglia Square including land and buildings to the North and West Norwich, because his website design company hosted a website for a community group website on a paid basis. As host he had no control or interest in the content of the group's website.

Councillor Raby declared an other interest in item 3(below), Application no 18/00330/F - Anglia Square including land and buildings to the North and West Norwich, as a member of the Norwich Society, but had not participated in the Society's response to the planning consultation and was a director of the Norwich Preservation Trust which had specific interests in historic sites.

3. Application no 18/00330/F - Anglia Square including land and buildings to the North and West Norwich

The head of planning services introduced the report and thanked everyone who had engaged in the planning process. He explained that the committee could approve the application but that it was subject to a possible call-in from the Secretary of State if approved and a decision notice could not be granted until that process was complete. If the committee were to refuse the application then a formal notice of refusal could be issued within a few days.

The senior planner referred to the supplementary report of updates to the report, which was circulated at the meeting. This contained: a summary of 10 further letters of objection referring to issues already addressed in the main report; a letter

concerned about the loss of trees and the officer response, and a representation in support of the application. The report also included a further condition to restrict no more than 75 per cent of residential parking spaces in Block A to be used by residents of that block. The senior planner also said a further letter had been received overnight from the Norfolk Branch of the Campaign to Protect Rural England (CPRE) restating its objection. The senior planner explained that the objection from the CPRE was included within the summary of representations (set out in paragraph 37 of the main report) and she clarified that an objection from this body had been received.

The senior planner presented the report with the aid of plans and slides. The head of planning services referred to paragraph 570 of the report and explained that the statement that “no weight” be attached to the viability was erroneous. The statement related to the potential Housing Infrastructure Funding alone and not to other financial considerations. The head of planning then presented the Conclusions and Striking Balance section of the report.

(The committee adjourned for a short comfort break at this point. The committee reconvened with all members listed above as present.)

A total of 17 objectors addressed the committee and outlined their objections to the proposed scheme. The Cathedral, Magdalen and St Augustine’s Forum, Historic England and the Norwich Society were included in these speakers. The other speakers ranged from residents and people who worked in the area; two former city councillors; a former MP, and the chair of the Norwich Conservative Federation. The speakers called on the committee to refuse the application. The issues raised included: concern about the impact of the development on the thriving artistic and creative community and local businesses that would need to be relocated because of the development which was considered contrary to the council’s 2040 Vision to encourage social enterprise and entrepreneurs; that there should be more affordable housing; that 3 bedroom family homes were needed rather than 1 or 2 bedroom apartments; that the proposals for the tower and multi-storey blocks were overbearing and too dense for the site and would be detrimental to the historic setting of the city; that the tower was out of keeping for Norwich and could set a precedent for other applications across the city; that the city had a relatively low skyline and that the massing of this development was out of scale in relation to other developments in the city; that the visual impact of the tower would adversely affect the view of the cathedral, castle and City Hall; concern about the scheme being delivered in its entirety in the current economic climate; that residential accommodation in tower blocks had been discredited in recent years and was considered detrimental to community cohesion; that the internal layout of the apartments were impractical to live in; that the access to the flats was unsatisfactory and would require going down long corridors with shopping and had no storage for buggies; that some flats were single aspect and could be dark; that there would be a wind tunnel effect between the blocks; concern that later phases of the development would be detrimental to the outlook of the earlier phases; that the proposed scheme was not the only viable alternative that could be considered for this site; that there was no economic case for this proposal; the development would destroy the vibrant and diverse community of Anglia Square; that the proposals would not improve the current Anglia Square and that a better proposal could come forward which reflected the historic nature of the city and neighbouring streets.

(The head of planning services interjected after the Norwich Society's representative had commented to explain that the officer report had been misquoted. He explained that the "indisputable truth" quoted from paragraph 369 of the report was a reference to the fact that the tower would help people orientate around the city rather than the tower being a requirement of the development as had been suggested.)

Councillors Smith and Schmierer, Mancroft ward councillors, addressed the committee and spoke against the proposal. Councillor Smith said that Anglia Square currently met the needs of the local community as a social hub and trading centre and that the proposed scheme, with its high rise flats, would diminish the community. She also questioned the viability of the scheme without public funding and the risk that later phases of the development would not be completed and whether the proposed car parking arrangements would work. Councillor Schmierer strongly objected to the proposed scheme which he considered to be contrary to local planning policies and harmful to the historic character of the city, and said that there needed to be redevelopment of the site but that a scheme which met the needs of local residents was what Norwich deserved.

A representative of Surrey Chapel spoke in support of the application which would provide a replacement building for the chapel to use for worship and its community activities; and which he considered to be a unique opportunity to regenerate the city.

(The committee adjourned for lunch at this point. The committee reconvened at 13:30 with all members listed above as present.)

The vice chair of the Magdalen Street Area and Anglia Square Traders Association spoke in support of the application. He pointed out that the multi-storey car park had not been operational for several years. Anglia Square, and its low cost retail offer, would cease to exist without redevelopment.

A representative of Columbia Threadneedle commented in support of the application, which was the culmination of 4 years work with its partners, Weston Homes, the city council and stakeholders. He said that the mixed use district centre and new homes would benefit the local community. The public squares and cafes strategically placed would attract independent retailers as well as national or multi-national retailers. The phasing of the development would mean that the artists currently in Gildencroft would not need to be relocated for as long as possible. There would be the least possible disruption for traders during the construction. There was an opportunity to use the land under the flyover with pop up stores to ensure vibrancy during the works. Columbia Threadneedle and Weston Homes had a shared vision and he confirmed that the scheme was deliverable.

The chairman and managing director of Weston Homes referred to the company's reputation for delivering difficult schemes in the south east of England. He outlined elements of the scheme which would open up the site, provide better links to the town centre and remove the undercroft levelling out the ground level. He referred to the viability of the scheme which had been assessed by the district valuer and Homes England. He explained the phasing for the delivery of the scheme which included moving 4 electricity substations and would include the whole site to ensure that car parking was available throughout. He confirmed that there would be lifts available in all residential properties with more than two storeys and that there would be CCTV and sprinklers in all apartments. There were no single aspect apartments

facing north. The development would provide an opportunity for construction jobs in the Norwich area and would include training opportunities. (The chairman also referred to a poll in the local press.)

The head of planning and the senior planner referred to the report and responded to the issues raised by the speakers. It was not proposed to redevelop Gildencroft until the 4th stage of the development. This would give the artists and opportunity to look for alternative work spaces. There were a number of units in the development which were suitable for a wide range of uses including B1, small scale studios or creative workspaces. In relation to comments that the massing would create a fortress effect, the senior planner commented that the proposal would improve the permeability of the site, with routes north/south (providing a new link into the city centre) and east/west through the site, with clear views and wide pavements and remove the overhanging structures. The squares would be in public use during the daytime and evening and the entry points would be wide, safe and inviting.

The head of planning services displayed slides demonstrating the visual impact of the proposed development from various viewpoints across the city. He said that in his judgement the benefits of the scheme had been played down by some of the respondents in respect of the impact to heritage assets. In relation to concern that the tower would set a precedent in the city, the head of planning services said that each application was considered on its own merit. He considered that the refurbished Westlegate Tower and the new student accommodation blocks at All Saints Green and Queens Road had contributed to the skyline of the urban environment and that these had been the decision that members of the committee had made, notwithstanding objections. The senior planner responded to the issues about liveability and said that not all apartments were single aspect and some but not all apartments were accessed by long corridors depending on location. There were some clusters of smaller groupings of apartments. All dwellings met national space standards and had access to outside amenity space or roof gardens. The scheme would increase vibrancy as future residents could walk into the city and shop locally. The head of planning services said that the proposal did meet local housing needs. There was demand for 1 to 2 bedroom flats to meet the needs of the general population with a good coexistence of professional and older people. The senior development officer (strategic housing) confirmed that there was an overwhelming need for 1 bedroom dwellings with 647 registered in the NR3 post code area. The head of planning services referred to the issue of risk of non-completion and said that it would take several years to build out the scheme. The council had applied for a grant from the Housing Infrastructure Fund (HIF) to help the deliverability and cash flow of the development. The private sector developer took the risk but would not take this without some prospect of financial return. Compulsory purchase of the site had been considered but the council did not have the finance or skills to take this risk and as such it might fail. Finally the head of planning services referred to the chairman and managing director's comments about the poll in the local press and advised members that this was not a material planning consideration.

The head of planning services and the senior planner referred to the report and the presentation and answered members' questions.

Members sought confirmation that that external cladding would conform to Building Regulations and noted that the applicant had and that the applicant had a policy of

fitting sprinklers to all dwellings over two storeys high. The senior planner confirmed that all apartments met minimum space standards. The commencement of the scheme could be in the late summer or autumn 2019 but this would depend on the length of time that the call-in by the Secretary of State took. There would be a very detailed construction management plan in place. Members also sought reassurance about the retail aspects of the development. A member also asked about archaeological surveys and was advised that it was not anticipated that there would be any significant findings that would cause substantial delay. In response to a member's suggestion that energy statement could be more ambitious, the senior planner explained that the energy efficiency exceeded minimum policy requirements and that district heating schemes had been considered by the applicants but had been discounted because these had proven problematic elsewhere.

The head of planning services answered a number of detailed questions on the viability of the scheme and developer contributions. The majority of dwellings were flats, with a few town houses. To do otherwise would likely mean that densities would be insufficient to overcome the infrastructure problems for developing this site. Members were advised that the consideration of Community Infrastructure Levy (CIL) exceptional circumstances relief (ECR) was a separate issue and not part of this planning application. The policy on CIL ECR agreed at council on 27 November 2018 was not specific to this application and members of the committee who had voted at council were not predetermined when an application for CIL ECR was considered at committee. It was the officers' view that the development would not overload the local infrastructure and that the doctor's surgery and school would have capacity for the additional need from the development. Affordable housing and the green infrastructure contribution would be secured through the S106 agreement. In reply to another member of the committee, the senior planner said the doctors' surgery was relocating irrespective of the outcome of this planning application and had the capacity for future residents from the development. There was no justification to seek funding through the application. The head of planning services explained that the current policy for CIL excluded health provision and this would be considered the preparation of the emerging Greater Norwich Local Plan due for adoption in 2021. The senior planner said that there were several points during the construction of the scheme where viability and affordable housing provision would be reviewed.

In reply to a member's question, the district valuer answered questions about the viability assessment process. He said that the costs of delivery were low compared to benchmarks but that the applicant could make savings because of the scale of the project. No information was redacted from his viability assessment except officer contact details in line with Civil Service practice.

For clarification, the senior development officer (strategic housing) reiterated the statistics for housing need that she had quoted earlier in the meeting. She explained that there were 4,000 people on the council housing list in total and that 2,500 required 1 bedroom flats. In the NR3 postcode, there were 647 people requiring 1 bedroom flats.

The principal planner (transport) answered questions on the proposals for highways improvements which would assist bus operators and passengers going to Anglia Square and Magdalen Street. Together with the head of planning and senior planner, he confirmed that the public car parking spaces should not exceed the

target for the city as a whole because this scheme replaced an existing multi-storey car park and level surface car park and other temporary car parks elsewhere in the city would cease to operate during the phasing of the development.

In reply to a question the head of planning services confirmed that there was potential to provide council homes on nearby sites, including surface car parks in the council's ownership and this potential had been recognised in the council's bid for HIF funding. The regeneration of Anglia Square would generate confidence in the market.

In response to further questioning from members, the head of planning services and the senior planner explained that the Design Review Panel for the South East was a peer group that challenged emerging development proposals during the planning process. Changes had been made to the design proposed in response to the comments from the panel. However the comment that the density of the development was more suitable for a location such as central London was a matter of opinion.

In response to the impact on the heritage of the city, the head of planning services said that heritage must always be included in the assessment of a planning application. In his view the harm to the skyline of the city in these exceptional circumstances did not outweigh the benefits that this development would bring.

(The chair called for an adjournment on the completion of members' questions. The committee reconvened with all members above listed as present.)

The chair moved and the vice chair seconded the recommendations as set out in the report with the additional condition as set out in the supplementary report of updates to reports.

Discussion ensued in which several members commented on the application.

Those members who were minded to refuse the application stated their concerns about that design of the scheme. Members cited the lack of affordable housing which was below policy and concern about the viability of the scheme. A member considered that there were anomalies in the report and that objections to the scheme had not been adequately addressed. A member said that it was false to suggest that this was the only scheme that would come forward and that there could be something better. The scheme repeated errors in the original Anglia Square plan. A member commented on the transport and traffic impact of the scheme. Members also commented on the design, density and scale of the development and that they had taken into consideration the representations from the Norwich Society and Historic England.¹

Several members referred to the run-down state of Anglia Square and the benefits that regeneration of the area this scheme would bring to the area and the city as a whole. A member referred to the history of the site and said that it was better to accept 10 per cent affordable housing than to have no development on the site and

¹ Amended at planning applications committee, 10 January 2019, to include the reasons Councillor Trevor was minded to refuse the application because of her concerns about: use of space, lack of mixed communities, lack of trees and green space, air quality and daylight.

achieve nothing. The scheme would provide an economic boost to the city. Members commented that Anglia Square had once been thriving but that had changed in recent years, exacerbated by *Her Majesty's Stationery Office*² vacating Sovereign House. The design of the square had led to antisocial behaviour in its dark alley ways. Anglia Square was considered a "blight" and in need of regeneration which would benefit the community and the city.

The chair moved and the vice chair seconded a procedural motion for a recorded vote and on being put to the vote it was carried.

RESOLVED, with 7 members voting in favour (Councillors Driver, Maxwell, Bradford, Button, Peek, Ryan, Sands) and 5 members voting against (Councillors Malik, Raby, Stutely, Trevor and Wright) to approve application no. 18/00330/F - Anglia Square, including land and buildings to the north and west, and, subject to the outcome of the referral of the application to the National Casework Unit, to grant planning permission, subject to the completion of a satisfactory legal agreement to include provision of affordable housing and matters listed in para. 565 and subject to the following conditions:

Detailed element - Block A and tower	
1	Standard timescale
2	In accordance with approved plans
3	No implementation of tower until approval of reserved matters for block E/F
4	Materials and detailed drawings - (a) external flues/vents; (b) external decoration and patterning to brickwork, render, joinery and metalwork; (c) external materials (e.g. bricks, metal cladding of the upper level and rooftop plant, window frames, doors, rainwater goods, balcony balustrades, car park ventilation panels, green vegetated walls) (d) brick bond and mortar;(e) large scale cross-sectional plans showing depth of window reveals, depth of recesses offering vertical subdivisions in the facade bays and the projection of balconies(e) shopfront components
5	Detailed landscape scheme - public realm and highway; Full details of hard and soft landscaping, (including play trail artistic elements and heritage interpretation) (prior to commencement of above ground construction works)
6	Public car park management Plan ; tariff; variable message signing, provision for disabled drivers and EVCPs (prior to commencement of that use)
7	Within 2months of first use of the MSCP the public (including contract) parking use of the surface level parking shall cease (this does not preclude the use of this parking for operational parking associated with the construction phase)

² *Her Majesty's Stationery Office* – amended planning applications committee , 10 January 2019

8	No more than 75% of residential parking spaces in block A shall be available for use by residents of that block.
Outline	
8	Time limit – Outline elements: access, layout, scale, external appearance, landscaping
9	Details outline – in accordance with details including parameter plans
10	Reserved matters to include –Blocks E/F and G/H parking monitoring data , Block B updated air quality assessment, Block G/H (formation of new access from St Crispins Road detailed AIA and AMS
All phases	
11	Maximum quantum - Housing - 1250, Flexible commercial – 11000sqm, Hotel – 11,350sqm Cinema – 3400sqm, sui-generis up to 250sqm; Public car park – 600 car spaces, 24 motorcycle spaces; Other parking maximum of 950 car parking spaces for Use Classes C1 / C3 / B1 / D1, (of which maximum of 40 spaces for C1/B1/D1)
12	In accordance with phasing plan or any other revised phasing plan agreed by the local planning authority
13	Prior to the commencement of any demolition works for each phase a demolition statement shall be submitted to and approved in writing by the local planning authority. The plan shall include a detailed methodology for the retention and protection of the retained frontages during the construction phase and be substantiated by a structural engineer's report. In the case of phase 1 the statement shall include works and arrangements in relation to 100 Magdalen Street
14	No demolition of Surrey chapel until practical completion of block C
15	No occupation of block E/F until demolition of Sovereign House
16	No demolition of 43-45 Pitt Street until a contract or sub-contract for carrying out the structural works of redevelopment on the site has been made and reserved matters approved for block E/F
17	Prior to the commencement of each phase submission and approval of Construction Traffic Management Plan and Access Route.
18	Details of highway scheme to be submitted and approved (prior above ground construction) i
19	Highway works to be completed in accordance with phasing plans to be submitted and approved

20	Edward Street Works to be completed (improved cycle route) prior to the commencement of above ground works block A
21	Prior to commencement of each phase – submission and approval of construction and environmental management plan (CEMP)
22	Archaeological written scheme of investigation - prior any works which break ground
23	Stop works if unidentified archaeological features revealed
24	Contamination conditions recommended by Environment Agency – conditions in relation to site investigation (including asbestos survey), remediation, verification and long term monitoring - relate to individual phases. (prior to any works which break ground)
25	The submission of a Desktop Study for unexploded ordinance (UXO) for the application site /evaluation of the implications upon the future use of the application site.
26	Stop works if unknown contamination detected
27	No infiltration without consent
28	Piling method statement for each phase – submission and agreement prior to piling operations commencing
29	All imported topsoil and subsoil for use on the site shall either (a) be certified to confirm its source and that it is appropriate for its intended use or (b) in the absence of suitable certification, analysis of the imported material will be required along with evaluation against the derived assessment criteria for this site. No occupation of the development shall take place until a copy of the certification has been submitted to the Local Planning Authority.
30	Detailed drainage conditions recommended by lead flood authority scheme – submission and approval (prior to works breaking ground)
31	Submission and approval of flood proofing measures
32	Submission and approval of flood warning and evacuation plan
33	Fire hydrants - details for each phase to be submitted and approved prior to any works which break ground
34	Secure by design – prior to commencement of above ground construction works each Phase submission of crime prevention strategy including details related to access to the residential element, front door servicing/emergency vehicle access, the commercial units and areas of car parking within each Phase
35	Further noise and air quality surveys shall be undertaken prior to the commencement of development for each Phase in accordance with schemes to be first approved in writing by the LPA

36	Air quality mitigation measures shall be submitted to and approved by the Local Planning Authority prior to the commencement of development for each Phase
37	The submission of acoustic surveys and approval of proposed mitigation measures (inclusion of details of sound attenuation between commercial spaces and adjoining dwellings, trickle vents, mechanical ventilation, glazing etc.) resulting in an attenuation to an internal level of 30dB at night, 35dB during daytime for habitable rooms, shall be submitted to and approved by the Local Planning Authority prior to the commencement of development for each Phase set out in Plan A02-P2-400 Rev A
38	Accessible/adaptable homes - 10% dwellings (applicable to market and affordable separately)
39	Water Efficiency – residential – 110l/person/day water efficiency
40	Water Efficiency - commercial - scheme for each phase prior to first occupation
41	Air Source Heat Pumps scheme for the Commercial and Retail Space, including the Hotel and Cinema shall be submitted for each phase, prior to first occupation of that phase (achieve the predicted generation level set out in approved Energy Statement).
42	External lighting scheme to be submitted and approved for each phase prior to first occupation of that phase – scheme should have regard to biodiversity consideration and air traffic safety
43	Travel plan (commercial) prior to occupation each phase
44	Travel plan (residential) prior to occupation each phase
45	Monitoring scheme – for car/cycle parking to be agreed with LPA – prior to first occupation
46	EVCP scheme for each phase to be submitted/approved/available for use prior to first occupation
47	The residential car parking shown on the approved plans within the development hereby permitted shall be used only for the residents and visitors of that development and for no other purpose, including public, commuter or contract parking
48	Full details of cycle and bin storage (residential) for each phase to be submitted to and approved - provision prior to first occupation each phase
49	Full details of cycle and bin storage (commercial) for each phase to be submitted to and approved - provision prior to first occupation each phase

50	Delivery and Servicing management plan - submitted and approved for each phase prior to first occupation
51	Provision of litter bins and waste collection facilities
52	The A3 and A4 premises which form the subject of this permission shall not be open to the public, trading, or have members of the public, as customers or guests, on the premises before 7am; or after midnight; Friday – Sunday or before 7am or after 11.30 Monday-Thursday unless otherwise agreed in writing with the Local Planning Authority. No cinema screening to commence after 00:30
53	Odour/fumes - Before the any A3 or A4 use hereby permitted commences, a scheme shall have been submitted to and approved in writing by the Local Planning Authority for the effective control of fumes and odours from the premises
54	All external plant /machinery /equipment – full details to be approved prior to installation designed/selected (or attenuated) to be 5dB below the existing background level.
55	Telecommunication strategy
56	PD removal Part 16 GPDO telecommunications
57	Phase 1 of the development shall include provision of a single food store unit at least 800sqm GIA. Notwithstanding the provisions of section 55(2)(a) of the Town and Country Planning Act 1990 or the Town and Country Planning General Permitted Development Order 2015 (or any Act or Order revoking and re-enacting that Act or Order, with or without modification), the food store hereby permitted shall have a net sales area not exceeding [number] square metres, of which not more than 20% shall be used for the sale of non-convenience goods, where convenience goods are defined as everyday essential items, including food, drinks, newspapers/magazines and confectionery
58	The proposed total 9780 sqm GIA of flexible floorspace would include a minimum of 1500sqm (GIA) of A3/A4 uses. These uses (min of 75%) shall be centred around the new 'leisure' square (as identified on plan ref. Retail Strategy – Ground floor plan) and not exceed a total 3500sqm (GIA)
59	Phase 3 of the development shall include a replacement cinema
60	The floorspace identified on plan ref Retail Strategy – Ground floor plan shall include a minimum of 5 units less than 150sqm GIA and 5 units less than 250 sqm GIA
61	PD restriction for the creation of mezzanines
62	PD restrictions changes of use - Part 3 Class A – Restaurants, cafes or takeaways to retail (limit in leisure square?)

	Class M – Retail and specified sui generis uses to dwellinghouses Class O – Offices to dwelling houses
63	Scheme /arrangements for shop mobility facility/service
64	Anglia Square Public Space strategy - management and maintenance arrangement including: signage; use of spaces by public and tenants; security; event /noise management

Informatives, including:

Norwich airport information relating to procedure for crane notification

None of the development (business or residential) will be entitled to on-street parking permits offered by the council.

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy, Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) and the Conservation of Habitats and Species Regulations 2017 and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.