



Greater Norwich Local Plan (GNLP) Examination

Hearing Further Statement Matter 9: Residential Based Allocations
(New sites without planning permission that are allocated for more than 500 dwellings)

Issue 1: Anglia Square (Ref GNLP 0506)

Question 1. Is an assumed site capacity of 800 dwellings justified? How does this relate to the recent refusal of planning permission by the Secretary of State, (SoS) for a higher density mixed use scheme (Ref APP/G2625/V/19/3225505)?

Question 3. Does the evidence support the expected delivery of the housing units 2026/7 – 2031/32 (Document 3.2C)?

Question 4. Is this site subject to multiple leases / ownerships ? To what extent could this affect its delivery ?

Question 5. (Infrastructure Part): Has the effect of a scheme for 800 homes on ... the implications for infrastructure been properly assessed and can appropriate mitigation be achieved ?

Prepared on behalf of Weston Homes Plc & Columbia Threadneedle Investments

7 February 2022

Introduction

This Further Hearing Statement response has been prepared on behalf of Weston Homes (WH), who have a 'subject to planning' contract to purchase the site of Anglia Square Shopping Centre and surrounding mostly vacant land from Columbia Threadneedle Investments, (CTI), the current landowners. It has been drafted by Peter Luder MRTPI.

Question 1

Commentary

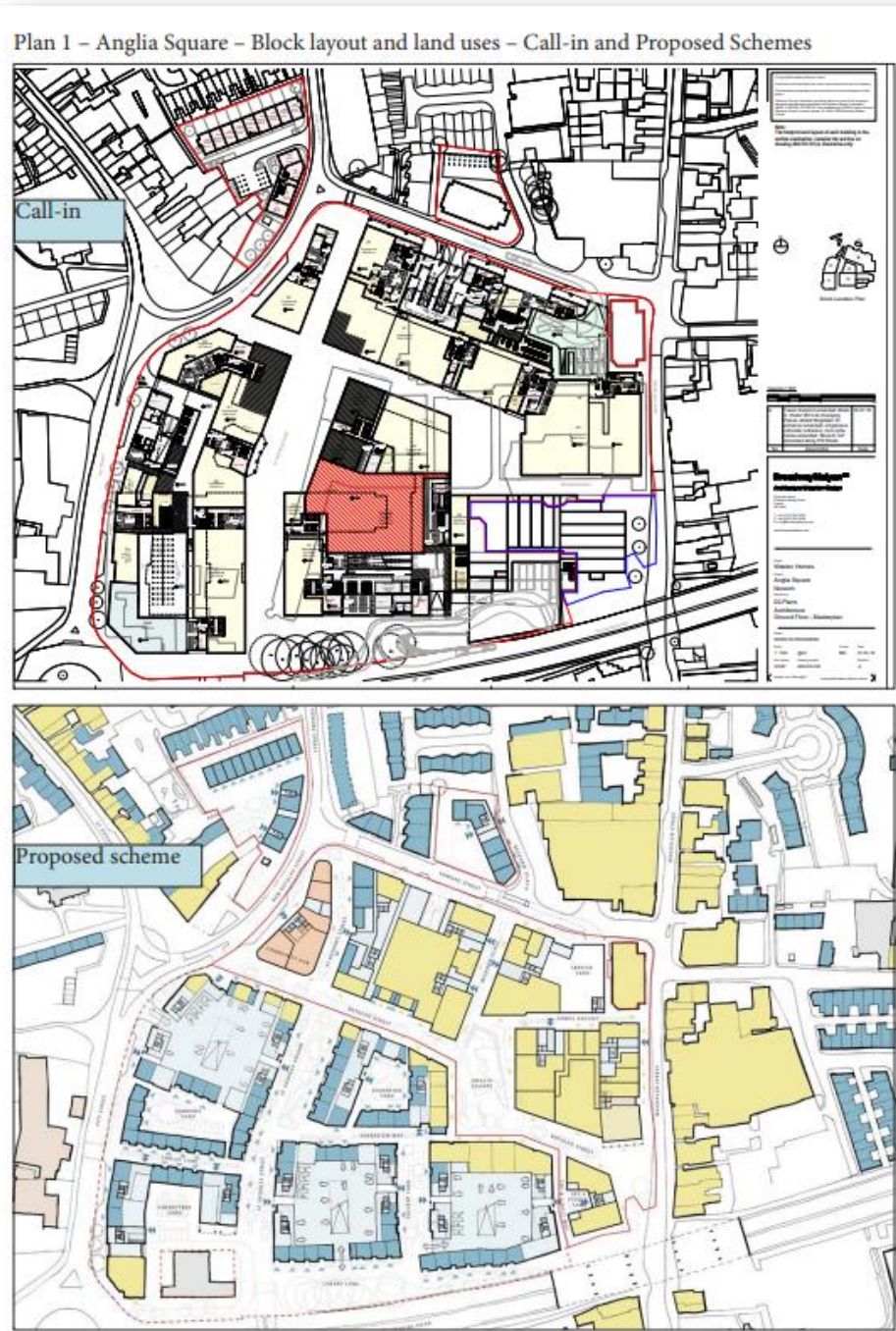
Weston Homes is preparing a planning application, to be submitted in March 2022, for a residential-led mixed-use regeneration which comprises around 1060 dwellings and an appropriate quantum of flexible commercial floorspace to maintain the role of Anglia Square as part of the Large District Centre (LDC),(around 6,600 sq m). This quantum of development has been informed by a concurrent Heritage Impact Assessment (HIA) being undertaken by Icen Projects, which is establishing the maximum extent of development appropriate to the site in terms of scale, mass and height, so as to limit the scheme to an acceptable heritage impact. The HIA process is itself informed by the conclusions of the SoS on the heritage impact of the Call-in scheme alongside further direct assessment, considerations of verified views and discussions with Historic England (HE) and Norwich City Council, (NCC).

The justification for this approach is that under both GNLP Policy 7.1 and Allocation 0506, there is an expectation by the Partnership to make most effective use of this highly sustainable site for housing. Thus Policy 7.1 text states *“Comprehensive redevelopment of the large district centre [LDC] at Anglia Square and surrounding vacant land will provide a viable, **high density**, housing-led mixed-use development ...”* (emphasis added). There is no stated maximum density or unit numbers, but the expectation is that the scheme must be viable, presumably so that it is deliverable. Under *“4. Housing”*, the policy states *“To **maximise the potential of the city centre to deliver new homes**, housing will be required on the specific allocated sites detailed in the Sites document.”* (emphasis added). The Housing table in Policy 7.1 proposes *“Total deliverable housing commitment 2018 – 2038”* for *“Northern City Centre Strategic Regeneration Area”* as 1,558, with no specified limit for Anglia Square as part of that area. The supporting text for *“The Northern City Centre”* identifies Anglia Square as a *“major regeneration priority”*, noting its *“capacity ... to deliver **a significant element of the plan’s housing need** on a highly accessible brownfield site means that it has strategic significance for Greater Norwich.”* (emphasis added). It notes that the SoS’s refusal of the Call-in scheme nevertheless *“gives considerable comfort that medium to high density residential mixed-use development in this location is appropriate.”*

None of the above suggests that there should be an arbitrary maximum number of dwellings or density per hectare imposed on this site, but to the contrary, it should play as full a part as possible in meeting the plan’s housing need, subject to other considerations, of which it is acknowledged heritage impact is of very considerable weight.

In the Weston Homes SoCG Q4 Addendum, the reasoning is set out as to why the GNLP Partnership decision to allocate the site for *“in the region of 800 homes”* is unsound, being based on a simple process of deciding how tall the development on the site could be without causing any heritage harm, and then calculating how many dwellings that process of “shaving off” height from the Call-in scheme would omit. As explained in the Addendum, the Partnership have acknowledged that in drafting Policy 0506 and / or arriving at the *“in the region of 800 homes”* figure, there was no change to the extent of ground floor commercial floorspace from the Call-in scheme, and no omission of the latter’s 600 space public car park, 7 screen cinema or hotel. In fact, the reduction in the quantum of flexible commercial floorspace now proposed relative to the Call-in scheme and omission of the public car park, cinema and hotel, together with increase in site area by the inclusion of the southeast corner to Magdalen Street, has meant that a larger number of dwellings can be included

within an overall acceptable height and massing established by WH's on-going HIA. *Plan 1 – Block Layout and land uses – Call-in and Proposed Schemes*, below, demonstrates the Call-in scheme floorspace for commercial (yellow), cinema (orange), hotel and service yard (pale blue), covering the entire ground floor other than car parks. In contrast, the Proposed Scheme illustrates the enlarged site and how much ground level floorspace would be residential (blue with pale blue parking) compared to commercial, (yellow) or community (orange), within smaller blocks, which would break up the massing in views of the scheme. Icen Project's response to Matter 9 Issue 1 Question 5 (Heritage Part) addresses the limitations of the Partnership's approach and the potential for an HIA and revised commercial element of the scheme to support a higher quantum of dwellings.



Accordingly, it is contended that an assumed site capacity of around 800 homes is not justified, since it fails to enable the site's full potential to meet the plan's housing need within the sustainably located City Centre to be achieved, whilst still taking appropriate account of heritage impact via an HIA. As has been explained in the WH SoCG Addendum, Policy 0506 should allow for a significantly higher quantum of housing where a scheme demonstrates that all relevant other considerations have been appropriately addressed. This should include meeting the on-site requirements, which may not need to include a 600 space public shopper car park, and also undertaking the NPPF paragraph 202 planning balance exercise should the HIA find there to be Less than Substantial Harm to any heritage assets, (taking account of the SoS's finding of no 'Substantial Harm' in respect of the larger Call-in scheme).

The wording of the policy and supporting text has been discussed between WH and the Partnership following publication of the Inspectors' MIQs, and a modification to Policy 0506 was proposed in draft by the Partnership. WH and CTI are prepared to support this modification, with a minor adjustment to the range of housing numbers anticipated, but at time of submission of this response, no final confirmation of the modification has been advised by the Partnership. It is understood however that the Partnership is to acknowledge the on-going discussions with WH in respect of a scheme for around 1060 dwellings, a reduction in flexible commercial floorspace to about 6,600 sq m, and around 400 parking spaces, with confirmation that the proposal will be assessed at application stage. This further undermines any relevance of including reference to around 800 dwellings in the policy.

Recommended Policy Changes

Reflecting the Partnership's draft modification, WH set out below in red its recommended changes to Policy 0506:

Omission of the following from the policy text;

~~"The site will deliver in the region of 800 homes"~~

~~5. Delivery of replacement high quality decked public car parking to serve the large district centre~~

Replacement of the above policy text by:

~~Provision of an appropriate level of car and cycle parking to serve the large district centre;~~

Omission of the following from the supporting text:

~~"The site is likely to accommodate in the region of 800 homes, a significant proportion of which will be affordable, although the precise level will need to be the subject of further detailed viability assessment. It will also provide a mix of affordable tenures consistent with identified needs at the time of submission of a planning application. Anglia Square should retain its position as part of a defined large district centre, complementing the city centre retail offering."~~

Addition of the following within the supporting text:

~~Following the Secretary of State's refusal of a previous scheme which provided over 1200 homes, the capacity of the site to accommodate housing is unknown. It is a highly sustainable location where high densities are encouraged, although the constraints of the site do limit its potential. The level of development and detailed design will be best determined through the~~

development management process informed by consideration of the factors listed in the policy below. It is expected that this is likely to be in a range between 600-1060 homes. For the purpose of establishing a figure to contribute to the 'total housing potential' of the strategy, and for interim monitoring it is assumed that the site will deliver 800 homes although it should be stressed that this is neither an assessment of capacity nor a minimum requirement. It is expected that a material proportion of housing will be affordable, although the precise level will need to be the subject of further detailed viability assessment. It will also provide a mix of affordable tenures consistent with identified needs at the time of submission of a planning application. Anglia Square should retain its position as part of a defined large district centre, complementing the city centre retail offer.

Question 3

Commentary

The issue of delivery of the scheme now proposed by WH was addressed in general during the Hearing session on Matter 3 Issue 1 Policy 7.1. The relevant evidence is as follows:

1. **The ownership and contract arrangements** – CTI are an investment company, not a developer, and have long sought a development partner to realise the potential for regeneration of Anglia Square. Weston Homes have extensive experience of large scale residential-led mixed-use urban regeneration projects, with completed schemes for example at Bridges Wharf, Battersea; Stratford High St, London; and Millpond, Dartford; and current projects of a comparable size at Abbey Road, Barking, and Goodmayes, Ilford. CTI entered a partnership with WH in respect of the Call-in scheme, in which CTI would have retained an interest post redevelopment. Following the SoS's refusal of that scheme, CTI and WH have now entered into a 'subject to planning' contract, which will require WH to purchase the entire CTI landholding on grant of permission. WH will then need to implement the scheme in full in order to secure the return on its own investment to secure planning permission and purchase the site, as well as to service the finance required to complete the purchase; thus the developer has an obligation to purchase the site and is incentivised to complete the scheme for the greatest return;
2. **The HIF grant funding** – Homes England have confirmed to NCC that the £15m grant for redevelopment of the Anglia Square site currently owned by CTI remains available, despite the SoS's refusal of the Call-in scheme, provided that the WH scheme as presented to Homes England is pursued, and the HIF grant is fully expended by March 2024. If the funds are not spent in time, or the scheme is not completed in full, the funding must be returned to NCC by WH; this again incentivises the developer to complete the scheme in the timeframe indicated;
3. **The scheme viability is relatively marginal which incentivises the developer** – the SoS acknowledged "*there is a reasonable prospect that the [Call-in] scheme would be delivered as a whole*", despite the viability assessment indicating that it was only marginally viable. The fact that the HIF grant has been offered by Homes England for the new scheme confirms that it too is marginal, as the purpose of HIF is to unlock marginal sites. As was explained, the developer is incentivized in such circumstances to complete the development given the

upfront 'sunk' costs and since the return increases as more units are sold, compared to the start of the scheme which has to support high up-front costs;

4. **The construction programme has been scrutinized and accepted** - the SoS considered the timeframe realistic, since he concluded that the *"viability considerations do not weigh against the proposal"* (SoS para 67), and this timetable has simply been adjusted to reflect the delay to the start date resulting from the need to submit a new application for approval. Homes England have also considered the new timeframe for construction, as again, it is their intention that HIF grants are used so as to provide homes within agreed timeframes, and with the HIF grant fully expended by March 2024.

Question 4

Commentary

As noted above, the Anglia Square shopping centre, including the redundant multi-storey car park, the adjoining surface car parks and a small group of buildings on Pitt Street are all in the single ownership of CTI, and all this area comprises the 'subject to planning' contract area. Thus, it would be sold in its entirety to WH upon grant of planning permission for the scheme to be submitted in March 2022.

CTI do not own the Surrey Chapel premises fronting St Crispin's Road, nor the former bank (vacant) at 100 Magdalen Street. These are two sites, benefitting from their own road frontages, which lie within the GNLP 0506 allocation area, but with their separate respective owners. The scheme to be submitted is carefully designed to allow either building to remain, or to be redeveloped independently, without causing harm to the amenity of the proposed residents of the WH scheme, or vice-versa. Accordingly, neither property would inhibit the delivery of the WH scheme, and each could be redeveloped itself at a later date.

Within the CTI landholding, there are currently leases on retail units, the surface level car parks, and the small group of buildings on Pitt Street. However, except for Poundland, all these leases are short term arrangements which can be terminated by CTI to enable the regeneration to be undertaken. The Poundland lease allows relocation, and a unit is being proposed to enable this. The tenants have been aware of the redevelopment proposals for many years or since taking recent short term leases, and WH has already opened discussions with many of the tenants, including retail and social enterprise users, in respect of taking premises in the new scheme if consented, working around the phased redevelopment.

Accordingly, neither the current land ownership nor tenancy arrangements would impinge on delivery of the scheme; in fact, they are all beneficial to securing the regeneration of the site.

Question 5 (Infrastructure Part)

Commentary

The Call-in application was for a greater quantum of dwellings and commercial floorspace than the current proposal. The former scheme application was subject to normal review by statutory consultees in respect of its potential impact on infrastructure. In fact, given the site's sustainable location, the responses indicated that the existing infrastructure was, in respect of most matters,

able to cope with the additional population and traffic movements. For example, no contribution to health care provision (including GPs' surgeries), educational facilities, or libraries was sought, and the only highway works required related to pedestrian / cycle crossing improvements, off-site cycle lane widening, additional bus stops and adjustments to road alignments, all just in the vicinity of the site boundaries. No issues were identified that could not be suitably addressed via conditions or s.106 obligations, which covered for example the contribution to the Greater Norwich Green Infrastructure Strategy.

In respect of the Call-in scheme, the SoS concluded *"there would be no severe impacts on the highway network and no significant impacts on highway safety."* (SoS para 68); *"the proposal accords with policy JCS3 concerning meeting energy requirements from decentralised and renewable or low-carbon sources,"* (para 70); *"the proposal would be appropriate for its location taking account of likely effects on health and living conditions,"* (para 61); *"the conditions recommended by the Inspector comply with the policy tests set out at [NPPF] para 55,"* (para 72) and *"the obligation complies with [CIL] Reg 122 and the tests at [NPPF] para 56."* (para 73). Accordingly, there was no objection from the SoS in respect of impact on existing infrastructure with appropriate mitigation where relevant.

Whilst the new application will need to be assessed by all statutory consultees directly, it is contended that since its impact on infrastructure is likely to be similar or reduced by comparison to the Call-in scheme, and suitably mitigated if necessary, (which has been taken into account in the draft viability assessment), the implications of the new proposal on infrastructure have been assessed at an appropriate level for this stage, and the mitigations previously supported by the Inspector and SoS are again feasible to achieve.