

Report to Planning applications committee

Item

11 July 2019

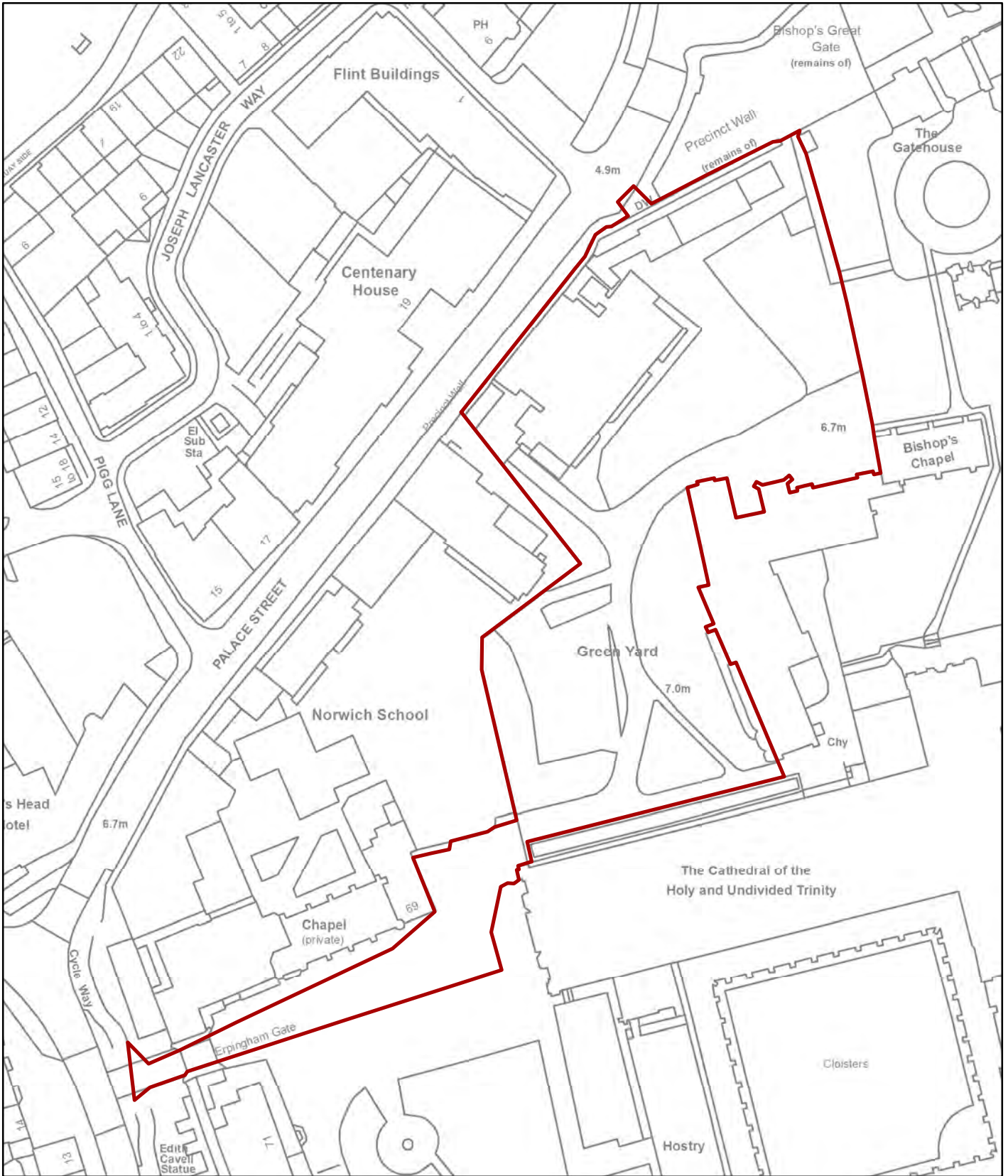
Report of Head of planning services

Subject Application no 19/00381/L - Norwich School Refectory, The Close, Norwich, NR1 4DD and Application no 19/00403/F - Norwich School Refectory, The Close, Norwich, NR1 4DD

4(a)

Reason for referral Objections

Ward	Thorpe Hamlet	
Case officer	Lara Emerson - laraemerson@norwich.gov.uk	
Applicant	Norwich School	
Development proposal - 19/00381/L		
Partial demolition and rebuilding works to reopen an historic filled-in opening within the Cathedral Precinct Wall, together with the provision of new surrounds to the opening, an entrance door and any associated repair works.		
Development proposal - 19/00403/F		
Demolition of the existing school dining hall, adhoc structures, sheds and trees. Redevelopment of site for new dining and teaching facilities, with the provision of a new pedestrian and service access, landscaping, the relocation of an electricity substation and the provision of associated infrastructure.		
Representations - 1st consultation		
Object	Comment	Support
14	0	26
Representations - 2nd consultation		
Object	Comment	Support
0	0	4
Main issues	Key considerations	
1. Principle of development	The need for development; site selection; loss of open space.	
2. Trees & biodiversity	Loss of trees; loss of habitat; replacement tree planting strategy; proposed biodiversity mitigation and enhancement.	
3. Heritage	Impact on listed buildings & scheduled ancient monuments; impact on conservation area; archaeology.	
4. Design	Layout, scale, form, detailing & materials of proposed development.	
Expiry date	17 July 2019 (extended from 19 June 2019)	
Recommendation	Approve, subject to the satisfactory completion of a legal agreement	

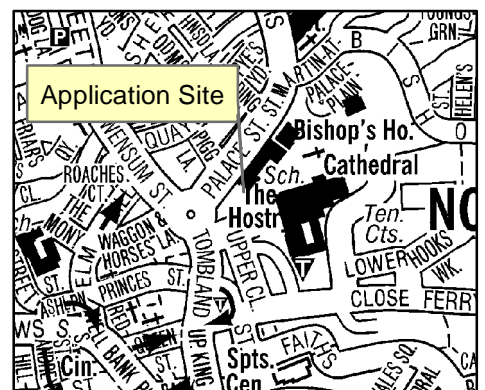


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Planning Application No 19/00403/F
 Site Address Norwich School The Close
 Scale 1:1,000



NORWICH
 City Council
 PLANNING SERVICES



The site & surroundings

1. The site is part of the Norwich School site located within the Norwich Cathedral Precinct in Norwich City Centre.
2. The surrounding area is characterised primarily by historic buildings and landmarks of varying ages, materials, heights and styles, although there are also a number of more modern buildings in the vicinity. Prevailing materials are red brick, flint and stone.
3. The Cathedral precinct wall runs along the north of the site, separating it from Palace Street, Whitefriars and St Martin-At-Palace Plain. The land levels are such that the land is considerably higher on the application site than on Palace Street. As such, the wall appears taller when viewed from the street than it does when viewed from the site itself. On the north side of the wall there is a group of mature trees situated within an area of lawn adjacent to the highway. Palace Street is made up of a mixture of historic buildings and more recent buildings (Centenary House on the north side, and some school buildings on the south side).
4. To the east of the site is the private residence known as the Bishop's House, along with substantial gardens and the gardener's residence which are separated from the site by a mature hedgerow.
5. To the south there is the Bishop's Palace which is used as teaching and library spaces by the Norwich School, and Norwich Cathedral sits just to the south of that.
6. To the west are more school buildings which stand at 2 and 3 storeys high and have 1 or 2 floors extending above the precinct wall. These buildings are mainly modern in design and surround a hard surfaced playground to the south.
7. The area proposed for development is currently occupied by the school refectory which is of poor architectural quality and dates from the 1960s, an area of lawn, a number of mature trees, several sheds and car parking. The trees on the site range in height from 7m-35m which are clearly visible from Palace Street, Whitefriars and St Martin-At-Palace Plain despite being located beyond the precinct wall. The refectory is single storey and cannot be seen over the precinct wall. There is also an electrical substation located in the north-western corner of the site.
8. The site is accessed via The Close with the school gates being located just to the north of the Cathedral. The approach from the gates to the development site is via a tarmacked track lined by a number of trees and informal seating and bag storage areas. This area is included within the application site.

Constraints

9. There are 12 mature trees located within the application site. 11 of these trees are protected by virtue of being situated within a conservation area, and the largest one is a London Plane tree directly protected via a Tree Preservation Order (TPO 538). Along the site's eastern boundary there is a hedgerow. The species and categories of trees on the site are listed below:
 - 1 x London Plane, category B, covered by TPO reference 538 (the council's Tree Officer would categorise this as category A)

- 2 x Lime, category B
 - 5 x Sycamore, categories C & U
 - 1 x Lawson Cypress, category C
 - 1 x Cherry, category C
 - 1 x Holly, category C
 - 1 x Birch, category C
10. The site sits within the Cathedral Close Character Area within the City Centre Conservation Area. Within the Character Area Appraisal, the precinct wall is identified as an 'Important wall' and the trees on both sides of the wall are identified as 'Important trees'.
11. The site is surrounded by highly graded heritage assets including:
- Grade I listed Cathedral Precinct Wall (parts of which are also a Scheduled Ancient Monument)
 - Grade II* listed Bishop Salmons Porch (also a Scheduled Ancient Monument)
 - Grade I listed Bishop's Palace
 - Grade II* listed Bishop's Chapel
 - Numerous other listed buildings on Palace Street and St Martin-At-Palace Plain
12. The site is also designated as follows:
- Area of Main Archaeological Interest
 - Open Space
13. The site has the potential to be contaminated due to land nearby previously being used as a garage and gas works, among other historic industrial uses.

Relevant planning history

Ref	Proposal	Decision	Date
07/00649/F	Erection of electricity sub-station.	Refused	21/08/2007
08/00958/F	Erection of a new building (electrical substation and switchgear room).	Approved	31/10/2008
09/00844/F	Extension of school refectory.	Withdrawn	28/04/2010
10/01092/F	Erection of new substation and switch gear building.	Approved	01/10/2010
10/01111/F	Erection of extension to school refectory.	Approved	12/10/2010

Ref	Proposal	Decision	Date
10/01975/D	Details of condition 3 - archaeological mitigatory work and condition 4 - a) bricks, b) roof tiles, c) external joinery, d) louvre doors of previous planning permission (App. No.10/01092/F) 'Erection of new substation and switch gear building'.	Withdrawn	27/01/2011
13/01816/D	Details of condition 3 - archaeological mitigatory work of previous permission 10/01092/F 'Erection of new substation and switch gear building.'	Approved	21/01/2014
18/01511/TCA	London Plane (T1): Remove.	Tree Preservation Order Served	15/11/2018

The proposal (19/00381/L)

14. This is an application for listed building consent relating to the demolition of a part of the Cathedral precinct wall and insertion of a door and door surround. The precinct wall is Grade I listed and parts of it are registered as a Scheduled Ancient Monument. The part of the wall for which the doorway is proposed shows signs of a previous doorway which has been infilled with a variety of materials. The application proposes an opening of 2m wide by 2.6m high, with an oak door and stone surround. The purpose of the new opening is to provide direct access from Palace Street to the application site to facilitate kitchen deliveries, refuse collections and student coach drop off and pick up.

The proposal (19/00403/F)

15. This is an application for full planning permission relating to the construction of a new 800m² dining hall and kitchen, 6 classrooms and ancillary spaces (toilets, staff rooms, plant rooms). The development involves the demolition of the existing refectory building, the felling of 12 trees (including one which is protected via a TPO) and the insertion of a doorway through the Cathedral Precinct Wall. The trees identified for felling are listed below:

- 1 x London Plane, category B, covered by TPO reference 538 (although the council's Tree Officer would categorise this as category A)
- 2 x Lime, category B
- 5 x Sycamore, categories C & U
- 1 x Lawson Cypress, category C
- 1 x Cherry, category C
- 1 x Holly, category C
- 1 x Birch, category C

16. A phased approach to development is proposed, with the trees being felled and the new refectory building being built first on the space created by the felling of the trees and adjacent open space opposite the Bishop's Palace. Upon completion of the new refectory building, the old one will be demolished and the teaching block constructed on the space created adjacent to the precinct wall.
17. The proposed buildings are primarily for use by the school but the refectory (which doubles as a conference and concert hall) will be made available to external users outside of school time with community users given priority at charitable or discounted rates.
18. The single storey kitchen would be located adjacent to the precinct wall and would stand at approximately 4m in height. This part of the structure would have a wildflower green roof and would benefit from direct access for deliveries and refuse collection from Palace Street via the new doorway. Due to the variations in land level either side of the wall, a portion of the site adjacent to the wall would be dug out to a depth of approximately 1.6m to provide level access to a refuse storage area. The dining hall, which would step up in height to approximately 7m to provide additional internal ceiling height, would have a very shallow pitched roof and tall, heavily recessed windows facing towards the Bishop's Palace. The kitchen and dining hall combined would have a footprint of approximately 30m x 30m. The kitchen roof would sit at the height of the precinct wall, while the dining hall would extend above by approximately 3m. However, the dining hall is separated from the wall by a distance of 11m so is not visible from street level.
19. The teaching block would provide 6 classrooms, a staff room and ancillary spaces arranged across two floors. This building would stand at approximately 8.4m in height and would run along the precinct wall, with the wall being visible within the building's ground floor corridor. The building would protrude above the wall by 4.5m for a length of 31m. This block would again have a very low pitched roof. The northern and eastern Palace Street elevations would be punctuated by windows, brick recesses and perforated metal panels. The teaching block would have a footprint of approximately 33m x 12m.
20. Materials across the development would be pre-cast constituted stone walls, buff facing brickwork, bronze coloured metalwork and lead-effect roofs.
21. The proposal also includes the re-landscaping of the space leading from the school gates at the south-west of the site adjacent to the cathedral to the proposed development, including the creation of a new outside lunch and play space, a formal lawn in the space left between the proposed development and the Bishop's Palace and the planting of 13 new trees
22. As mitigation for the loss of the trees, the applicant is proposing the planting of 13 trees on site (noted above) and 688 trees at two sites within their ownership: one at Redmayne Playing Fields; and one at Horsford (adjacent to the Northern Distributor Road). A native mix of species is proposed, along with some fruiting species (Birch, Maple, Hornbeam, Hawthorn, Beech, Whitebeam, Rowan, Lime, Oak, Bird Cherry, Dogwood Shrub, Hazel Shrub, Filbert Shrub, Crab Apple, Medlar and Plum).

Representations

23. Application 19/00381/L was advertised on site and in the press on first receipt of the application. No letters of representation have been received.
24. Application 19/00403/F was advertised on site and in the press on first receipt of the application in March 2019. Adjacent and neighbouring properties have been notified in writing through two rounds of consultation. The first consultation was undertaken on first receipt of the application in March 2019 and attracted 26 letters of support and 14 letters of objection (3 of which were submitted by City Councillors). The representations cited the issues as summarised in the table below.

First round of consultation (March 2019)	
Letters of objection (14)	
Issues raised	Response
The design of the buildings should incorporate the trees	See Main Issue 2: Trees & Biodiversity
The loss of the trees would have a negative impact on the conservation area	See Main Issue 2: Trees & Biodiversity
The loss of trees would have a negative impact on climate change, the environment and biodiversity	See Main Issue 2: Trees & Biodiversity
The trees provide visual amenity	See Main Issue 2: Trees & Biodiversity
This application is at odds with the Tree Health Resilience Strategy from DEFRA that recognises the value of trees in the UK, and sets out to protect them as 'important natural capital'	See Main Issue 2: Trees & Biodiversity
The application is in conflict with Norwich Local Plan Policy DM7, as there are not 'exceptional and overriding benefits' in accepting the loss of these trees	See Main Issue 2: Trees & Biodiversity
This application does not comply with the National Planning Policy Framework which states: 'If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'	See Main Issue 2: Trees & Biodiversity
Letters of support (26)	
Issues raised	Response
The development and landscaping will enhance the area	See Main Issue 4: Design
The development will improve the school's offer	See Main Issue 1: Principle of Development
The development will provide a facility for use by the community	See Main Issue 1: Principle of Development
The existing dining facility is inadequate for the school's needs	See Main Issue 1: Principle of Development
The design is inspirational, strong and considered	See Main Issue 4: Design
The existing refectory building is out of character with the historic area	See Main Issue 3: Heritage and Main Issue 4: Design

First round of consultation (March 2019)	
Letters of objection (14)	
Issues raised	Response
The proposals would enhance views of the Cathedral from Palace Plain, and more people would be able to view the Bishop's Palace	See Main Issue 3: Heritage
The proposals would lead to a reduction in traffic travelling through The Close, improving pupil safety and lessening the risk of damage to heritage assets	See paragraph 151 relating to transport and traffic movements.
The school has taken all reasonable steps to lessen any environmental impact	See Main Issue 2: Trees & Biodiversity.
The development would create local jobs	It is understood that the proposals would not lead to an increase in pupil or staff numbers but local jobs may be created during the construction process.
The trees to be lost do not enhance the area as much as the proposed development would	See Main Issue 2: Trees & Biodiversity
The school's relationship with the Cathedral is symbiotic so the school must be allowed to develop within the precinct rather than be forced to move	See Main Issue 1: Principle of Development
The existing refectory building is poorly insulated and offers poor energy efficiency	Noted.
The loss of the trees is mitigated by the green roof, green wall and on-site tree planting	See Main Issue 2: Trees & Biodiversity
The school has engaged in an extensive period of pre-application discussion to arrive at this design	Noted.
There are no realistic alternative sites for this development	See Main Issue 1: Principle of Development
The trees cannot be incorporated into the design	See Main Issue 2: Trees & Biodiversity
The species of the largest tree to be removed (London Plane) offers little ecological benefit	See Main Issue 2: Trees & Biodiversity
The archaeological investigations will reveal interesting finds	See Main Issue 3: Heritage

25. During the course of the application, a replacement tree planting strategy was submitted to the council, and a second round of consultation was undertaken in June 2019. This consultation attracted 4 letters of support and no letters of objection.

Second round of consultation (June 2019)	
Letters of support (4)	
Issues raised	Response
The Norwich School does a lot to support local charities and community groups and this facility would be hugely beneficial to them	See Main Issue 1: Principle of Development
This well-designed development would be a credit to the city	See Main Issue 4: Design
The new buildings are aesthetically pleasing, are a huge	See Main Issue 4: Design

improvement over the existing structures and will greatly benefit a beautiful and historic corner of Norwich	
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Consultation responses

26. Consultation responses are summarised below. The full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Design and Conservation (internal consultee)

27. *No objection.*

28. The proposal was subject to extensive pre-application consultation with the the council's Design & Conservation Officers (amongst others) for a number of years prior to the submission of these applications. The design evolved considerably during those pre-application negotiations, and the final design submitted to the council was essentially the same as that being considered through these formal applications. The final comments from the Design & Conservation Officer concluded the following:

29. "The proposed application site is a particularly sensitive location, upon an area of open ground which has remained undeveloped for hundreds of years. The sense of openness and greenery contributes to the character and appearance of the conservation area and the setting of adjacent heritage assets. Any development upon the area proposed will result in some 'harm' to the character and appearance of the conservation area and setting of listed buildings as it will result in the loss of open space and greenery.

30. The applicants have heeded past pre-application advice in that they have lowered the overall height of development, broken the form down into two separate architectural elements and have shifted the bulk of the development away from the Bishop's Palace, closer to the precinct walls to align with the existing school development. This has in my view, reduced the potential harm to heritage assets. It is acknowledged that this scale and form is dictated by practicalities/function, but in order for this development to be considered acceptable and the 'harm' mitigated, this form needs to be tempered through careful, contextual design."

Environmental Protection (internal consultee)

31. *No objection. Conditions recommended.*

32. I note the information submitted by the applicant and request the following conditions regarding contaminated land:

- No development shall take place within the site in pursuance of this permission until a scheme to deal with the risks associated with contamination of the site has been submitted to and approved by the council.
- If, during development, contamination not previously identified is found to be present, then no further development shall be carried out in pursuance of this permission.
- All imported topsoil and subsoil for use on the site shall be certified.

33. I also request that an informative relating to the disposal of asbestos be applied to any approval.

Transport (internal consultee)

34. *No objection.*
35. Limited comments have been received at formal application stage since the council's Transport Officer provided considerable guidance during the pre-application discussions. It is understood that the Transport Officer is supportive of the proposals in so much as they reduce the need for vehicles to travel along Tombland and enter The Close via the Erpingham and Ethelbert gates. The loading bay outside the proposed new doorway would need to be varied via a Traffic Regulation Order (TRO) which would need to be funded by the applicant.

Landscape Architect (internal consultee)

36. *Objection.*
37. First round of comments (12th April 2019):
38. Trees contribute to the setting of historic assets and provide an irreplaceable landscape maturity to the urban environment. In this instance it is considered that the public realm outside of the precinct wall would be adversely affected by the removal of this tree group. The area within the Precinct Wall will also have reduced landscape maturity with hard and built features gaining dominance. An historic asset in themselves, important landscape features like those proposed to be removed cannot be restored or readily replaced within an urban setting.
39. The compensatory measures presented in the submission are insufficient to account for the loss of a significant tree and group within the city centre and do not mitigate effects on public realm. Planting proposals currently fail to go beyond the remit of what would be expected of a scheme of this profile in a scenario where limited trees of lesser value required removal.
40. A landscape objection is therefore raised.
41. Second round of comments, following the submission of a replacement tree planting strategy (26th June 2019):
42. Whilst the applicant has now made considerable effort to make provision for compensatory planting, the compensatory package can only be considered as an off-setting measure. Given the remoteness of the planting from the city centre and the limited environmental public benefit to the city and the street scene, it is not considered to directly account for the loss of an important tree and group within the city centre, and does not mitigate effects on public realm.
43. Landscape proposals within the site are limited due to site constraints, do not mitigate effects on public realm and fail to address the lack of maturity to the interior landscape resulting from the removal of tree group. Green wall and roof features offer some ecological criterion to the scheme however there are doubts as to whether these could be considered as providing ecological enhancement.
44. A landscape objection is therefore raised.

45. Should the committee resolve to approve this application it is recommended that the following items are conditioned:
- LA1 Landscaping Details - Detailed hard and soft landscape scheme for on-site works.
 - Requirement of management and maintenance regime for 15 years for offsite compensatory planting.
 - TR7 Works on site in accordance with AIA, AMS and TPP – soft felling of trees etc.
 - TR8 Protection of areas.
 - Arboricultural conditions to be discussed and agreed with Arboricultural Officer.
46. In order to secure the compensatory planting measures in perpetuity, a s106 agreement should be entered into requiring implementation of the compensatory planting scheme, management and maintenance in line with submitted documents for at least 15 years. As compensatory planting is outside of the Norwich local planning authority boundary, a s106 agreement is considered to be the most effective, if not the only mechanism to secure these off-site works.

Natural Areas Officer (internal consultee)

47. *Objection. Conditions recommended.*
48. First round of comments (2nd May 2019):
49. Bat issues have been adequately dealt with.
50. The loss of significant existing trees has been undervalued in terms of their biodiversity value and climate change contribution. Compensatory planting would be inadequate to compensate for loss of biomass and the range of ecological functions provided by these trees.
51. The mitigation and enhancement offered would be insufficient to compensate for the loss of existing trees.
52. I do not consider that the proposals meet the requirements of Policy DM1 Achieving and delivering sustainable development, Policy DM6 Natural environmental assets, and Policy DM7 Trees and development. I am therefore unable to support this application.
53. Second round of comments, following some additional information from the applicant (29th May 2019):
54. It would be useful for the ecological consultants to consider the removal of the existing trees in more detail. I am hoping that the landscape/planting proposals can be tweaked to increase benefits. We should definitely seek invertebrate habitat and I would also suggest that the ecological consultants are asked to consider other additional mitigation and enhancement measures.

Tree Protection Officer (internal consultee)

55. *Objection.*
56. First round of consultation (prior to the submission of the replacement tree planting strategy):
57. This proposal involves the removal of 12 valuable trees from the city centre. 11 of which are protected by conservation area status, and one of which is considered to be so valuable, as to warrant protection with a Tree Preservation Order (TPO 538).
58. This application conflicts with the Norwich Local Plan Policy DM7, as I do not consider that there are 'exceptional and overriding benefits' in accepting the loss of these trees. The development does not outweigh the loss of trees, and the applicant has not demonstrated how they intend to provide equivalent replacements in terms of biomass. This potential loss of biomass cannot be adequately replaced (either by planting new trees on, or off-site), and the CAVAT value of the trees is prohibitive, in terms of providing adequate replacements, therefore this application does not comply with the National Planning Policy Framework which states, 'When determining planning applications, local planning authorities should apply the following principles: If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
59. Trees provide numerous benefits, this is especially true of trees situated in urban environments, such as this. The trees in question not only benefit the students, staff, and visitors of The Norwich School, but their sphere of influence extends well beyond the cathedral walls, providing both tangible, and intangible benefits for everyone within the city.
60. If this application is approved it would be inconsistent with the strategic direction of Norwich City Council. The NCC corporate plan, aims to make Norwich a fine city for all, a low carbon city, and a healthy city. The retention of these trees is intrinsically linked to all these goals. This loss of trees from our city centre (including a highly valuable tree, protected by TPO 538) would set an extremely dangerous precedent, putting at risk any tree, no matter how valuable, that stands in the way of future development.
61. Second round of consultation (following submission of the replacement tree planting strategy):
62. This application affects the city centre, the locations of the proposed planting strategy do nothing to lessen the severity of its impact on the city centre.
63. Policy DM7 states that replacement planting should be provided on-site, unless exceptional circumstances justify replacement provision elsewhere. Admittedly, it does not define exactly what 'elsewhere' means, but, in my view, the essential element of any mitigation, should be its proximity to the site where its need arises. This rather open interpretation of the policy's requirements is biased towards the needs of the applicant, rather than being beneficial to Norwich city centre (and ultimately begs the question, 'Where do you draw the line, in terms of distance, when implementing effective mitigation?').

Parks & Open Spaces (internal consultee)

64. *Comment.*
65. Mitigating the proposed tree loss from the proposed development is not a matter we can assist with since there are insufficient suitable city centre sites where planting would be desirable to cope with the volume of trees to be planted to mitigate the loss. Uncertainty over what form the highway agency agreement will return to the county means that highway verge planting cannot be considered.
66. If the application is approved and the trees are removed, the mitigation measures put in place need to be the responsibility of the Norwich School and the resource implications initially and into the future need to rest with the school, rather than impact on council resources; at a time when we are having to reduce expenditure and service delivery on an ongoing basis, in line with the Medium Term Financial Statement.

Historic England

67. *No objection.*
68. 19/00381/L: Historic England has concerns regarding the application on heritage grounds, particularly that further details of the historic fabric and archaeology affected by the proposals should be secured before determination, or if practical under a condition. We would also suggest an oak lintel with brick margins to the opening would be a more suitable design for the new door and this might also be the subject of a condition. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 7, 8, 189 193 and 194.
69. 19/00403/F: We have given extensive pre-application advice to the applicants and several suggestions have been incorporated into the plans so that the dining hall would be less prominent in views from Palace Plain and is set away from the precinct wall. The teaching block will be a prominent feature of Palace Street but has the advantage of masking the end of the existing school buildings seen above the wall and responds to existing multi-storey development on the other side of the road. We are also of the view that the design of the new buildings is of some quality, although we have previously advised that fenestration or at least modelling of the facing brickwork would enliven the 'blind' northern elevations of these two buildings.
70. Despite these positive aspects of the scheme the development of the open space with the dining hall will result in the loss of a historically significant undeveloped space. It would also result in the loss of all the trees inside the wall, which make a positive contribution to the setting of the listed buildings and conservation area. As regards archaeology, the development would affect an area of considerable potential as it is not a space which has seen previous modern development.
71. We have considered this application in terms of this policy and conclude that the development of the new dining hall and resulting loss of trees would have a harmful impact on the setting and historic significance of several highly important listed buildings inside and outside the precinct wall as well as the conservation area. However, we would accept that the proposed design for this and the new teaching block is of good quality and could reduce the visual impact. We would consider the

level of harm to be less than substantial in terms of the NPPF, paragraph 196. This paragraph states that the 'clear and convincing' justification for such harm could be found in the public benefit of the development. There is certainly some public benefit to be delivered by the improved facilities at the school, but we would leave it to the Council to weigh this against the harm as required by the Policy and seek the required justification before determining the application. Should consent be granted we would recommend the detailing of the northern elevations of the two buildings be considered, as noted above, as well as a very high quality of materials and detailing achieved through conditions placed on the consent.

Norfolk Historic Environment Service

- 72. *No objection.*
- 73. 19/00381/L: Apply condition requiring programme of archaeological monitoring & recording (relate it specifically to the wall).
- 74. 19/00403/F: Apply standard conditions.

Society for the Protection of Ancient Buildings (SPAB)

- 75. *No objection.*
- 76. 19/00381/L: We are concerned that the application is not informed by the appropriate assessments. We consider that the principle, and not simply the detail, of the proposals should be informed by opening up works and archaeological investigations. This is a site of exceptional significance and deserves a detailed analysis to inform the proposals.
- 77. As Historic England has rightly stated, there is insufficient information on the significance of the historic fabric and archaeology which would be affected by the development in order to assess the impact, as required by paragraph 189 of the NPPF. The application therefore does not meet the requirements of the NPPF. We would ask you to take this into account when determining the application.

Environment Agency

- 78. No comments.

Norfolk Constabulary Architectural Liaison

- 79. *No objection.*
- 80. 19/00403/F: The comments provide various detailed recommendations from the Secured by Design guidance document 'Schools 2014'. It is important that access to enclosed spaces is restricted.

Norwich Society

- 81. *No objection.*
- 82. 19/00381/L & 19/00403/F: Lanpro and LSI gave a very informative presentation to the Committee, and we were impressed with the careful and considered approach. The creation of the new 'quadrangle' makes sense of a wasted space, and gives a

valuable new amenity area. The buildings will be a vast improvement on those existing. We very much liked the new Dining Area colonnade with the full height windows looking over the quadrangle.

Anglian Water

83. *No objection.*
84. 19/00403/F: Anglian Water request that an informative note is added to any permission stating that Anglian Water has assets close to or crossing the site.
85. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable. We request that the agreed strategy is reflected in the planning approval.
86. Anglian Water request that a condition is applied to any permission requiring the surface water strategy to be carried out prior to the construction of any hard-standing areas.

Norfolk Fire & Rescue Service

87. *No objection.*
88. 19/00403/F: The proposal will be required to meet the necessary requirements of the current Building Regulations 2000 - Approved Document B (volume 2 - 2006 edition amended 2007, 2010, 2013) as administered by the Building Control Authority.
89. Of particular note is the requirement to provide access for a pumping appliance to within 45m of all points on the building footprint. Taking into account the close proximity of the building to significant listed buildings, I recommend the installation of a fire suppression system to control any outbreak of fire, preventing it from spreading and becoming out of control.

Assessment of planning considerations

Relevant development plan policies

90. **Joint Core Strategy for Broadland, Norwich and South Norfolk March 2011 (amendments adopted Jan 2014)**
 - JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS6 Access and transportation
 - JCS7 Supporting communities
 - JCS8 Culture, leisure and entertainment
 - JCS11 Norwich city centre
91. **Norwich Development Management Policies Local Plan Dec 2014**
 - DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM4 Providing for renewable and low carbon energy

- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM22 Planning for and safeguarding community facilities
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM33 Planning obligations and development viability

Other material considerations

92. Relevant sections of the National Planning Policy Framework 2019 (NPPF)

- NPPF2 Achieving sustainable development
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF12 Achieving well-designed places
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

93. Supplementary Planning Documents (SPD)

- Landscape and Trees SPD adopted June 2016
- Heritage Interpretation SPD adopted December 2015

Case Assessment

94. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main Issue 1: Principle of Development

95. In order to assess whether the principle of development is acceptable, the first matter to consider is the fact that the site is designated as Open Space within the Local Plan and therefore Policy DM8 applies. The designated area of Open Space stretches from the school's main gates in the south to Palace Street in the north and the Bishop's Gardens in the east. Since the site is not used for sport or recreation, it is the second part of DM8 which applies in this case:

"...development leading to the loss of open space of whatever type (identified on the Policies map), will only be permitted where:

a) the proposal would not cause significant harm to the amenity or biodiversity value of the open space; and

b) an assessment shows that the site is no longer required for or is demonstrably unsuitable for its original intended purpose; and

c) there is no viable or reasonably practicable means of restoring or re-using it for an alternative form of open space.”

96. The proposals do not meet criteria a) since the loss of the trees would cause significant harm to the amenity and biodiversity value of the space. It doesn't appear that the applicant has undertaken any sort of assessment to argue that criteria b) or c) are satisfied, and it is unlikely that a convincing argument could be made for either in this case. DM8 requires all three of these criteria to be satisfied, and so the proposals are contrary to this policy. The landscape and biodiversity impacts of the scheme are considered in more detail in the sections below.

97. Policy DM22 deals with development of community facilities, including educational facilities. The relevant part of the policy reads as follows:

“Proposals involving the construction of new or replacement schools and other educational facilities, extensions to existing educational establishments and (where permission is required) changes of use for school or other educational and training purposes, will be accepted and permitted where:

a) they would not undermine the objectives for sustainable development set out in policy DM1, in particular by increasing the need to travel by private car;

b) they would not give rise to significant impacts on the environment, highway safety or traffic arising from locational constraints or the particular configuration of the site or premises which could not be overcome by the imposition of conditions;

c) they would result in the efficient and effective use of existing school sites and/or an accessible distribution of school places or other educational opportunities;

d) appropriate and adequate provision can be made for the residential accommodation needs of students (where required) in accordance with the criteria in policy DM13.

Particular support will be given to proposals which provide for the shared use of schools facilities by the wider community.”

98. On balance, the proposals are considered to meet criteria a), which refers to sustainable development, with specific reference to reducing car travel. The development involves the loss of car parking facilities so that staff and visitors to the school would be discouraged from travelling by car to the site. The school has very limited on-site parking and staff and visitors are instead encouraged to use alternative modes of transport. In terms of criteria b), the proposals do impact on the environment through the loss of trees and the loss of open space, but there are improvements to the school's highways impacts through the loss of car parking provision and the creation of a new access through the precinct wall. On balance, it is considered that criterion b) is satisfied. Criterion c) is satisfied since this proposal makes efficient use of land within this tightly constrained city centre school site. Criterion d) does not apply since the proposals do not relate to further education. It is also worth noting the support within the policy for proposals which provide for the shared use of schools facilities by the wider community, which is the case here. Overall, it is considered that Policy DM22 offers some support for the proposals.

99. It is then necessary to consider whether there are other material considerations in support of the application. In this case, these can include the importance of the proposed development to the continuing operation of the school and whether this is the best available site for the proposed development.
100. The application details the pressing need for additional space within the dining hall and kitchen to accommodate the school's current pupil numbers (1,175). Many of the letters of support have noted the inadequacy of the current facilities. Indeed, the applicant has been engaged in years of pre-application discussions with the council regarding the need for a new dining hall. The current dining hall was built in the 1960s when pupil numbers were 600, compared to the 1,175 currently attending the school. The existing kitchen, servery and dining hall measure approximately 550m², while the proposed spaces measure approximately 800m².
101. The application also proposes the erection of a teaching block to provide 6 classrooms and associated spaces. Again, the application documents set out the school's need for modern classrooms. The school is currently operating from a number of buildings within The Close, including a number of historic properties which are not fit for purpose in terms of space and IT provision. The school has also expressed a desire to provide a comprehensive development which avoids the need for additional future development within their highly constrained site.
102. The applicant has undertaken a site selection exercise in order to find the best possible site for the proposed development. This exercise identified eight potential sites for the development, including the application site. The other seven options were ruled out for a variety of reasons including distance from campus, impact on recreational facilities, impact on heritage assets and the availability of land. It should be acknowledged that the application site is extremely constrained and is far from an ideal site for development. However, given the lack of alternative options, it is accepted that the applicant has genuinely exhausted other options and that this is therefore the best site available for development.
103. The demolition of part of the listed precinct wall has been the subject of much debate, but given the evidence of previous disturbance within this part of the wall, and given that the proposal would remove some traffic from The Close, the principle of this work has been accepted as appropriate by key consultees. Further discussion on the acceptability of this aspect of the scheme can be found within the heritage section, below.
104. In summary, it is considered that this development is contrary to policy DM8 but finds some support in DM22. In cases where policies pull in different directions, the council may consider what other considerations are material to the determination of the application. In this case, these include the school's need for improved facilities and that this site has been selected as the best available option. Given the constraints on the site, any development here will inevitably cause harm to trees, biodiversity and heritage, and a remarkable design with exceptional public benefits is required to outweigh any such harm.

Main Issue 2: Trees & Biodiversity

Trees

105. Outside the site boundary, there is a group of mature trees on the highway verge fronting Palace Street and St Martin-at-Palace Plain. It has been demonstrated that these trees can be adequately protected during the construction process, but that some pruning is necessary to facilitate the development and for good arboricultural management.
106. The site itself is populated by a group of 12 trees, all of which would be felled to accommodate this development. The species and categories are listed below.
- 1 x London Plane, category B, covered by TPO reference 538 (although the council's Tree Officer would categorise this as category A)
 - 2 x Lime, category B
 - 5 x Sycamore, categories C & U
 - 1 x Lawson Cypress, category C
 - 1 x Cherry, category C
 - 1 x Holly, category C
 - 1 x Birch, category C
107. The largest of these trees is the London Plane tree which stands at 35m tall and forms part of a significant group along with the other trees on site which range in height from 7-21m. These trees make a significant contribution to the street scene and historic environment, have numerous environmental benefits and offer considerable biodiversity value.
108. Throughout the pre-application process, the applicant has been urged to explore alternative forms of development on the site. The council's strong preference has always been to retain the trees and to see the new refectory built upon the site of the existing refectory. However, the applicant has maintained that it would not be possible due to the other constraints on the site (the electrical substation and the proximity of heritage assets), and the required size of the dining hall. They have also demonstrated that there are no other alternative and less damaging sites available to the school.
109. The local policy which deals with the loss of trees is DM7. The relevant part of that policy is quoted below:
- “Development requiring the loss of a protected tree or hedgerow (including preserved trees, protected hedgerows, trees in Conservation Areas, ancient trees, aged and veteran trees and trees classified as being of categories A or B in value), will only be permitted where:*
- a) the removal of a tree or hedgerow will enhance the survival or growth of other protected trees or hedgerows; [or]*

b) it would allow for a substantially improved overall approach to the design and landscaping of the development that would outweigh the loss of any tree or hedgerow.

Where the loss of trees is accepted in these circumstances, developers will be required to provide at least equivalent replacement in terms of biomass. This should be provided on-site unless the developer can show exceptional circumstances which would justify replacement provision elsewhere.”

110. In this case criteria a) is not met. In terms of criteria b), it has been demonstrated that development on this part of the site creates a coherent and practical layout that efficiently meets the school’s needs. As set out above, the loss of the trees causes considerable harm in terms of the impact on the street scene and the loss of amenity in townscape terms as well as the loss of biomass and habitat, and whether the improved layout outweighs this harm needs to be weighed in the planning balance.
111. The final part of policy DM7, quoted above, notes that “*developers will be required to provide at least equivalent replacement in terms of biomass*”. It goes on to state that any such replacement planting “*should be provided on-site unless the developer can show exceptional circumstances which would justify replacement provision elsewhere*”.
112. The first matter to consider is therefore the scale of tree planting required to equate to the biomass proposed to be lost. Biomass is defined as “the amount of living matter in a given habitat, expressed as the weight of organisms”. Calculating the biomass of the trees enables us to understand their ability to capture carbon. In this case, using a calculation method promoted by the Field Studies Council, the biomass of the 12 trees to be felled equates to 25.1 oven dried tonnes. Half of this biomass is within the London Plane tree. At the size new trees tend to be at the stage of planting (3-4m in height), this equates to 682 replacement trees.
113. Policy DM7 highlights that it would be preferable to see replacement planting delivered on site, as this would ensure that the visual and biodiversity benefits are retained in the vicinity. While the proposals include the planting of 13 trees within the landscaped area to the south of the development, clearly it would be impossible to find enough land within the immediate area for a planting project of the necessary scale.
114. It has therefore been necessary to consider sites further afield to accommodate the remaining trees. The council’s Parks & Open Spaces team have confirmed that the council does not have any land available for such a number of trees, nor the resources to buy land or staff such a project. The applicant owns two parcels of land which sit outside of the Norwich City Council administrative boundary (both within the Broadland District Council area) and for which a replacement tree planting strategy has been developed. A total of 688 trees and 126 hedging plants are proposed across the two sites. These sites, and details of the planting proposed, are described in more detail below.
115. The first site is known as Redmayne Playing Fields and located 2.5 miles from the application site (address Redmayne Playing Fields, North Walsham Road, Norwich, NR6 7JJ). This is a large site used by the Norwich School as additional playing fields. It is therefore largely open in character, with some mature trees in banks

along the boundaries. The site sits just to the north of the Norwich suburban fringe, with a new housing development located to its south. To its north is the Norwich Rugby Club which forms part of an allocated housing site and has outline consent for housing development (known as the Beeston Park development). The Redmayne site is identified as a secondary green infrastructure corridor within Broadland's Growth Triangle Area Action Plan. A total of 223 trees are proposed for this site in two groups and along the site's eastern and northern boundaries. Following the advice of the council's Landscape Architect, the large tree species proposed for this site are Birch, Maple, Hornbeam, Hawthorn, Beech, Whitebeam, Rowan and Lime. 54 of the trees are proposed to be smaller fruiting species in order to increase the biodiversity value of the planting. Species include Hazel Shrub, Filbert Shrub and Buddleia.

116. The second site is farmland to the south of the village of Horsford which is located 4.5 miles from the application site (postcode NR10 3GL). The site stretches either side of the new Northern Distributor Road (NDR) and is currently untenanted. There are some trees and hedges along boundaries. Two areas of planting are proposed: one large group at the northern end of the site; and one strip along the site's western boundary, south of the NDR. In total, it is proposed that this site would accommodate 465 trees of varying species (Oak, Maple, Hawthorn, Bird Cherry, Rowan). 126 hedging plants are also proposed, in order to provide another habitat, join up green corridors and fit with the surrounding landscape context.
117. While these proposals will technically be the final part of DM7, the locating of the replacement tree planting so far from the application site makes the benefits a little tenuous. Nevertheless, the planting of a total of 701 trees, many of which could be described to be within the wider Norwich area and many of which fit within a wider green infrastructure network, is a substantial undertaking which has clear and tangible benefits. These benefits are set to increase as the trees grow to maturity.
118. It has been agreed with the applicant that a legal agreement will be necessary to secure the planting and long term retention of the trees, since they are essential to the acceptability of the scheme. The legal agreement would require the planting of the replacement trees prior to the felling of the trees on the application site and the management and maintenance of those trees for 15 years (at which point they would be large enough to sustain themselves). The trees would then be required to be retained for a minimum of 25 years, which means the applicant would be legally obliged to retain the trees for a minimum of 40 years from commencement of development. This would equate to the useful life identified for the trees that would be lost, including the London Plane tree.
119. Both the council's Tree Officer and the council's Landscape Architect have maintained strong objections to these proposals and they rightly argue that the replacement planting proposed would do nothing to offset the townscape impact or the biodiversity loss within the immediate setting of the application site. These trees are significant and irreplaceable assets to the city and their loss would cause considerable and long-term harm, not all of which is effectively compensated for via the tree planting strategy proposed.

Biodiversity

120. The site is within an urban location but the trees on site form part of the city's wider network of green links. By way of demolition, felling of trees, and the erection of

buildings, the proposals have the potential to disturb wildlife and lead to a loss of habitat.

121. Firstly, it is necessary to consider the potential impact of the proposals on bats. The applicant has submitted an ecology statement which confirms that the existing refectory building, set for demolition, does not have the potential to support any bat roosts. The trees, however, do have low bat roosting potential, and a low level of foraging and commuting activity has been recorded at the site. As such a soft-felling approach is recommended and several biological mitigation and enhancement methods are to be required. The natural environment also has the potential to support many other forms of wildlife such as birds and invertebrates.
122. Paragraph 175 of the National Planning Policy Framework states: *“When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”*.
123. The proposed biodiversity mitigation measures are:
 - Bird and bat boxes are proposed to be built into the fabric of the new buildings, with exact locations and specifications to be agreed via condition.
 - A wildflower green roof is proposed to parts of the building, and a green wall is proposed along the eastern elevation. The flower mixes will be chosen to attract insects which will in turn provide a foraging environment for bats.
 - An invertebrate habitat will be required to be installed within the site in order to provide a home for some of the species that will be inhabiting the existing trees.
 - Thirteen trees are proposed for the landscaped area towards the southern end of the application site, which will provide some replacement habitat for birds, invertebrates and potentially bats.
 - 688 trees and 126 hedging plants proposed to be planted at two off-site locations (as described in the final paragraphs of the trees section above). While the planting schedule offers some biodiversity benefits, it cannot directly mitigate the habitat lost on-site. The Redmayne site is on a designated green corridor and the identified sites connect well with existing tree banks so. The addition of trees on this site, and to a lesser extent the Horsford site, will provide some meaningful biodiversity benefits. By including fruiting trees and hedging, the tree planting schedule has been updated to boost the biodiversity benefits following comments from the council’s Landscape Architect and Natural Areas Officer.

Main Issue 3: Heritage

124. The proposed development site is in a highly sensitive location in terms of buried archaeology, direct impact to listed buildings and the setting of historic buildings in the immediate vicinity and the wider setting of important historic buildings and spaces nearby. It should be noted that the existing refectory is of poor architectural quality and it contributes negatively to the surrounding heritage assets, albeit that it is relatively small and unassuming. Its removal would enhance the area, but any

new development of this scale in this location is contentious and its impacts must be carefully managed.

125. The site is bounded on one side by the Grade II* listed precinct wall at the point where this ancient boundary is at its most impressive and well preserved. The site is also in the centre of a group of historically and visually related historic buildings all of high significance with Norwich Cathedral itself rising behind the Bishop's Palace which stands at the south side of the site. The Palace is Grade I listed and is a large L-plan multi-phase building containing mediaeval and post-medieval elements. The side facing the proposed development site is tall and imposing, to some degree reflecting Victorian alterations and extensions to the building. Adjacent to the Palace is the Bishop's Chapel, which dates from 1661-76 but was built in a gothic style incorporating windows with unusual tracery. It is listed at Grade II*. The chapel stands at the southern end of the former site of Bishop Salmon's Hall, while Bishop Salmon's Porch, the only remaining portion of a medieval hall is at the northern end in the present Bishop's garden behind a hedge. The Porch is a Scheduled Ancient Monument, as is the Bishop's Gate on the precinct wall which can also be seen across the proposed development site.
126. The proposals have a direct physical impact on the listed precinct wall. The significance of this heritage asset is largely derived from its role as a continuous barrier between the Cathedral Precinct at the rest of the city, so the insertion of a doorway undermines this significance. However, the harm has been kept to a minimum by using a small opening with modest materials and simple details. The area posed for demolition shows signs of previous disturbance, which makes this an appropriate place for the opening to be inserted. It is recommended that a detailed record of the wall is kept on the Historic Environment Record. Historic England and the council's Design & Conservation Officer do not object to the scheme and the current doorway is a result of their lengthy guidance. At this point the inside of the precinct wall cannot currently be accessed or viewed. The proposed development opens up views of the inside of the wall along the length of the teaching block, and as such its significance is better revealed and its setting is enhanced in some ways. The proposals amount to less than substantial harm as set out in the National Planning Policy Framework (NPPF). Paragraph 196 of the NPPF states that local planning authorities should weigh this harm against the public benefits of the proposal. In this case the public benefits include the provision of educational facilities, the availability of the space to community users and the opening up of views to other heritage assets (the Bishop's Palace and Norwich Cathedral).
127. Historic England have noted within their comments that they would have preferred additional intrusive investigations of the precinct wall to have taken place prior to the submission of the application, but deferred judgement on this to Historic Environment Services, who are satisfied with the level of detail supplied at this stage.
128. The loss of trees and the erection of buildings in this location also impacts on the setting of various other heritage assets. The impact on key heritage assets is assessed below.

Bishop's Palace

129. The principal effect on the setting of the Bishop's Palace will result from the reduced spatial separation currently afforded between the Palace and the existing refectory, alongside the loss of trees within its setting and the depth of views currently available from the grounds of the Bishop's Palace. The proposed refectory will push built form towards the northern elevation and reduce the level of historic open space as well as change the nature of available views to and from the Palace.
130. However, the proposed scheme has been developed with significant input from council officers and Historic England and it is considered that its resultant design causes a low level of harm to the Palace and forms an intentional relationship with this important heritage asset. The new refectory will directly face towards the Bishop's Palace to create a strong mutually supporting interface. The proposed landscape design has also been developed to improve the quality of space between the two buildings, as well as views between and towards each of the principal buildings – proposed and existing. The use of a single storey building will also ensure that the primacy of the Palace is not undermined. The teaching block has been located to the far north-western corner of the study site. This ensures that it relates more closely to the adjacent school buildings to its immediate west and reduces the potential effects of its height on the Bishop's Palace. Its location here also ensures that the negative effects on the setting of the Palace created by the presence of Centenary House outside the precinct on the opposite side of Palace Street are partially reduced by introducing a more sympathetic architectural intervention into views out of the study site. As the proposed buildings are also located to provide sufficient separation between them and the Palace the principal elevations from which the Palace's architectural interest can be appreciated and understood are largely sustained.
131. The proposals will therefore cause less than substantial harm to the significance of this heritage asset.

Bishop's Salmons Porch

132. The siting of the new dining hall approximately 26m to the west of this heritage asset would be harmful, especially since its significance is derived somewhat from its association with the Bishop's Palace. The dining hall would interrupt views between the two assets, but it has been designed so as not to block them entirely. The proposals will therefore cause less than substantial harm to the significance of this heritage asset.

Bishop's Chapel

133. Views of this heritage asset from the Bishop's Gardens will be affected by the construction of the refectory, but this harm is limited by the single storey height of the proposals and the use of a green wall along this elevation. The proposals are considered to cause less than substantial harm to the significance of this heritage asset.

Norwich Cathedral

134. The Cathedral is separated from the application site by the Bishop's Palace, but given its height and mass it is visible from within the site and forms one of the city's

most prominent landmarks. Given its status as a landmark, the Cathedral's setting contributes greatly to the asset's significance. The felling of 12 trees on the application site and the development of the refectory and teaching block would change views of the Cathedral from Whitefriars and Palace Street. While the loss of trees would open up views of the Cathedral spire, it is considered that the existing trees contribute positively to this view but that the proposed development would be narrowly visible in this view and would provide a neutral contribution. The trees offer interest, richness and depth to this view, the loss of which would cause less than substantial harm to the significance of the heritage asset.

City Centre Conservation Area

135. Since the kitchen and refectory are designed to be low and barely visible over the precinct wall, the impacts of the proposals on the wider conservation area are largely attributed to the loss of the trees and the construction of the teaching block.
136. Grouped with the highway trees to the north of the wall, the trees on the application site are identified as 'Important trees' within the Cathedral Close Character Area Appraisal. Despite being beyond the precinct wall, by virtue of their height and density, the trees add considerable interest to the street scene. The greenery can be seen from many angles and contributes to the softness of Palace Street, which would otherwise be quite a hard and imposing environment. The loss of the trees would cause less than substantial harm to the conservation area.
137. The first floor of the teaching block would be visible over the precinct wall, alongside the first and second floors of a number of other school buildings. There is considerable historic precedent to development lining the inside of the precinct wall in this way, and the teaching block has been treated in contextual materials and in a modest way that does not detract from the street scene.
138. Overall it is considered that the proposals cause less than substantial harm to the conservation area.

Buried archaeology

139. The site has significant potential for holding archaeological deposits, and the applicant's archaeological assessment notes that assets are likely to be found dating from the prehistoric period, Middle to Late Saxon and Late Medieval, of potentially regional significance. The site appears to have remained largely open ground since its integration into the precinct of Norwich Cathedral in about 1318, although the northern range of the Bishop's Palace appears to have extended into the site's north-eastern side. Historical map analysis and the geophysical survey results have identified the alignment of former 19th century garden features and carriageways of negligible significance. Due to the level of interference that the proposed piling would have with ground deposits, there will be a requirement for archaeological excavation and recording. Two archaeological trenches have been dug, investigated and the results are recorded within this application. Additional ground investigation was not possible at this stage due to the presence of tree roots and Historic Environment Services have confirmed that they are happy for further investigations to take place after consent is granted.
140. In conclusion, the proposals cause less than substantial harm to a number of designated heritage assets and so the National Planning Policy Framework

requires clear and convincing justification for such harm and requires the public benefits of the scheme to be weighed up against the harm, which is done in the concluding section of this report.

Main Issue 4: Design

141. The existing refectory has no architectural merit and its loss is not objectionable.
142. The scale of the development is determined by the size of facility the school requires. A development of this scale on this tightly constrained and historically sensitive site requires very careful design.
143. Taking the teaching block first, it has been designed to hug the inside of the precinct wall following the pattern established by earlier developments. This is the part of the site which is capable of taking extra height. The teaching block stands at 2 storeys tall, alongside 2 and 3 storey school buildings and opposite 3 storey office building (Centenary House). The teaching block is designed to have a very low pitched roof which wouldn't be visible from ground level. The building has simple modern detailing with traditional materials (buff brick walls & lead effect roof). When viewed from Palace Street, the overall analysis of the teaching block is a subservient and elegant building which would enhance the street scene. Historic England has noted that the building will conceal the end of the Fleming Building adjacent, which has a rather bland elevation.
144. When viewed from within the application site, the teaching block has a colonnade on the ground floor and a consistent rhythm of windows above. The building has a modest modern appearance appropriate for its setting.
145. The refectory building has a much larger footprint but a lower height than the teaching block. It will have minimal impact on the street scene, being almost impossible to view over the precinct wall. From within the site, however, the refectory has a striking appearance with tall vertical windows with deep reveals fronting the Bishop's Palace. The building is to be built of reconstituted stone and have a lead-effect roof, reflecting the ecclesiastical architecture around the site. Compared to the highly detailed and diverse architecture of the Bishops Palace, the refectory will appear very simple and clean appearance so as not to detract from the prominence that the Bishops Palace has.
146. The two blocks would each have their own distinctive architectural style, but matching materials would tie the development together. This comprehensive and high quality design approach is considered the only acceptable way to design a development in such a sensitive location.
147. The simplicity and lack of clutter on these buildings are key to their acceptability, and as such the applicants have designated areas for plant, machinery and ventilation equipment that avoids the need for any rooftop plant. A condition is recommended which would require the applicants to agree any plant with the council prior to installation.
148. The refectory building is separated from the Palace by a formal lawn, replicating the gardens which appear to have previously occupied the site. The whole approach to the site from the school gates is set for re-landscaping to enable better use of the school's limited outside space, and to provide additional planting. It is considered

that the open space created by the proposals is of a higher quality, than that which is lost, in terms of the ability for students and outside users to enjoy the space. A full landscape plan would be requested by condition.

Other matters

Phasing

149. In order to allow continuous operation of the school's dining facilities, the applicant is proposing a phased approach to development. Essentially this involves the new refectory being built before the current one (on the site of the proposed teaching block) is entirely demolished. The detailed phasing plan is set out below.
150. Phase 1A would be the felling of the trees and carrying out of the archaeological ground investigations on the eastern part of the site; Phase 1B would be the part demolition of the existing refectory building; Phase 1C would be the construction of the refectory building along with landscaping works between this building and the Palace; Phase 2A would commence once the new refectory was operational and would involve the demolition of the existing refectory and the carrying out of archaeological ground investigations on this part of the site; Phase 2B would be the construction of the teaching block; and finally Phase 2C would be the remaining landscaping works to the south of the site.

Transport & traffic movements

151. The site is in an accessible city centre location. The proposals do not provide for an increase in student or staff numbers and therefore there is no need to provide additional cycle or car parking. The insertion of a doorway in the precinct wall allows deliveries and refuse collections to be made from the loading bay on Palace Street. This, along with the removal of on-site car parking, would reduce the amount of traffic using Tombland and entering The Close via the Erpingham and Ethelbert gates.
152. As noted by the Fire & Rescue Service, since the site does not allow access to emergency vehicles, a fire suppression submission will be required by building control.

Amenity

153. The proposals do not create any significant amenity impacts. A noise impact assessment has been submitted as part of the application but given the lack of residential neighbours (the closest being the Bishops House & gardener's residence), and the anticipated use of the school facilities, it is not considered necessary to restrict the hours of use or installation of amplification equipment. There are no significant impacts on loss of light, outlook or privacy.

Refuse storage & servicing

154. Refuse storage is at the rear of the kitchen, close to the proposed doorway through the precinct wall. Refuse collections would be made via the new doorway, with refuse vehicles stopping in the loading bay on Palace Street. This is considered acceptable.

Energy efficiency

155. The applicant is proposing air source heat pumps to generate hot water for the development. The applicant's energy statement calculates that this will generate 12% of the development's energy requirements, which satisfies the 10% required by local policy.

Water efficiency

156. Details of water efficient fittings have been submitted with the application, satisfying local requirements.

Sustainable urban drainage

157. It is not considered appropriate to use point infiltration drainage as the primary method for the disposal of surface water due to risk of dissolution feature, soil contaminant mobilisation and archaeology. As there is no watercourse nearby the only feasible approach for discharging surface water is to connect into the Anglian Water surface water sewer to the north of the site.
158. In order to achieve a controlled discharge rate to the sewer, approximating 2l/s to replicate greenfield run-off rates and provide betterment over the existing situation, a significant volume of surface water attenuation storage is required. This will be provided within a sustainable drainage system (SuDS). It is proposed that this will comprise a blue/green roof over dedicated areas of the building.

Contaminated land

159. Acceptable subject to conditions as recommended by the council's Environmental Protection Officer.

Equalities and diversity issues

160. The application does not raise any significant equality or diversity issues.

S106 Obligations

161. As set out in the final paragraphs of the tree section, above, the applicant has agreed to enter into a Section 106 agreement with the council to secure the planting and long term maintenance of the trees proposed for the Redmayne and Horsford sites. The legal agreement will require:
- The planting of all 688 off-site trees prior to the felling of any of the trees on the application site.
 - Intensive maintenance of the trees for a period of 5 years.
 - Annual check-ups and maintenance for each tree for a further 10 years.
 - No trees to be felled for a further 25 years.

This essentially ensures that the trees will be retained for a minimum of 40 years from the date the development commences. Most of the trees on the application

site which are posed for felling have been noted to have a life expectancy of around 40 years.

Local finance considerations

162. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to be material to the case.

Conclusion

163. The proposals involve the loss of designated open space and twelve valuable trees which would cause harm to the city's townscape, to biodiversity, and to the city's air quality and overall environment. The proposals also cause less than substantial harm to a number of highly graded heritage assets.

164. An off-site replacement tree strategy has been prepared which satisfies policies relating to biomass, and offers clear and tangible off-site compensation. The harm to biodiversity is considered to have been partially mitigated on-site and partially compensated for off-site. However, this off-site planting does nothing to offset the townscape impact, the biodiversity loss or the environmental impact within the immediate setting of the site.

165. The school occupies a tightly constrained historic site and has demonstrated that these facilities are necessary for the school's ongoing operation. A number of alternative sites have been explored but no suitable sites have been found.

166. The proposed scheme would support the development of the school and secure community access to the facilities. A condition is recommended to secure this community use. The condition would require the applicant to agree the hire costs, number of community hires per year and the types of community groups which would be sought.

167. This is a complex application on a tightly constrained site. The proposals would involve the loss of 12 valuable trees, and would cause less than substantial harm to a number of designated heritage assets. 688 of the 701 replacement trees are proposed to be planted off-site at some distance from the application site which lessens their ability to compensate for the visual, environmental and ecological impacts of the development.

168. The proposals are accompanied by public benefits including the provision of improved educational facilities, the availability of the space to community users and the opening up of views to heritage assets. In order for the scheme to be considered acceptable, it is essential that the replacement trees are secured via a legal agreement and that the community benefits of the scheme are secured via a suitably worded condition.

169. This is a very finely balanced recommendation and is extremely sensitive to the weight placed on the compensatory planting scheme and the securing of wider access to the facilities in the new refectory. Notwithstanding these, the proposals result in the loss of one of the largest trees in the city centre and will have a significant impact upon the character of the immediate townscape and biodiversity in the city centre. On balance, however, officers feel able to recommend approval subject to the conditions listed below and to the completion of a Section 106 agreement to secure the compensatory planting.

170. In conclusion, it is the wider public benefit and the high standard of design which are considered to marginally outweigh the harmful elements of the scheme.

Recommendation

(1) To **APPROVE** application no. 19/00381/L - Norwich School Refectory, The Close Norwich, NR1 4DD and grant listed building consent subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Details and materials to be agreed, including samples
4. Method of repointing and mortar mix to be agreed
5. Full photographic survey to be undertaken prior to the commencement of works
6. Programme of archaeological monitoring & recording to be agreed
7. Any damage made to the listed building shall be made good in accordance with a scheme first submitted to and agreed in writing by the local planning authority

Informative:

- 1) Only these works permitted

Reason for approval:

The proposed insertion of an opening in the Cathedral Precinct wall will result in less than substantial harm to the listed structure. The insertion of the opening within an area shown to have experienced some disturbance and the use of simple designs and materials lessens this harm. In accordance with paragraph 196 of the NPPF, this harm must be weighed against the potential public benefits of the proposals. In this case it is considered that the improved for the school and the wider community marginally outweigh this harm. The proposed works are therefore considered to comply with the National Planning Policy Framework, policies 1 and 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and policies DM1, DM3 and DM9 of the Norwich Development Management Policies Local Plan (December 2014).

(2) To **APPROVE** application no. 19/00403/F - Norwich School Refectory The Close Norwich NR1 4DD and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of:

- (a) The planting of all 688 off-site trees prior to the felling of any of the trees on the application site.
- (b) Intensive maintenance of the trees for a period of 5 years.

(c) Annual check-ups and maintenance for each tree for a further 10 years.

(d) No trees to be felled for a further 25 years.

And subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Details and materials to be agreed, including samples
4. Letting schedule to be agreed (to include a list of dates when the buildings would be available for hire by external agencies and community groups; the types of agencies and groups that the spaces will be offered to; and a schedule of hire costs by agency type)
5. Landscaping details - detailed hard and soft landscape scheme for on-site works, including a lighting scheme to minimise disturbance to wildlife
6. Works on site in accordance with AIA, AMS and TPP – soft felling of trees etc.
7. Protection of tree root areas
8. Pre-construction site meeting between arborist & council's Tree Officer
9. Biodiversity mitigation details to be agreed and installed prior to occupation - bat boxes, bird boxes, invertebrate habitat
10. No site clearance within bird nesting season
11. Boundary treatments to include provision for small mammal access
12. Refuse storage and collection arrangements to be agreed
13. Archaeological written scheme of investigation to be agreed
14. Construction method statement to be agreed
15. No development shall take place within the site in pursuance of this permission until a scheme to deal with the risks associated with contamination of the site has been submitted to and approved by the council.
16. If, during development, contamination not previously identified is found to be present, then no further development shall be carried out in pursuance of this permission.
17. All imported topsoil and subsoil for use on the site shall be certified
18. Security measures to be agreed prior to occupation including details of access routes and restrictions, CCTV and external lighting
19. Heritage interpretation
20. Development to comply with the submitted surface water drainage strategy
21. Development to comply with the proposals for energy efficiency set out within the submitted energy statement
22. Development to comply with the proposals for water efficiency set out within the submitted energy statement
23. No plant & machinery to be installed without prior consent
24. No occupation until TRO has been secured with highway authority and provisions put in place

Informatives:

1. This permission is subject to a planning obligation entered into under legal agreement under the provisions of section 106 of the Town and Country Planning Act 1990, as amended
2. Traffic Regulation Order (TRO) to be funded by the applicant.
3. Anglian Water has assets close to or crossing the site
4. A Landscape Management Plan will be expected to set out the overall objectives of a landscape scheme and the steps including legal arrangements including

ownership and management responsibilities, planned maintenance tasks, phased works, monitoring procedures

5. Asbestos should be handled and disposed of as per current government guidelines and regulations
6. Clearance of the site should have due regard to the need to minimise the impact on wildlife
7. Archaeological brief to be provided by Historic Environment Services



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Client: Norwich School
 Project: Palace Lawn Redevelopment Proposals
 Title: Site Plan - Existing

Scale @ A1: 1:250
 Date: 01.06.2018
 Drawn: MC
 Category: S2
 Purpose of issue: Issued for Planning
 Handler: 15191-LSI-PLD-00-DR-A-1172
 Rev: P01



Rev: Job: Date: Revision:
 0m 5m 10m 15m
 Scale: 1:250

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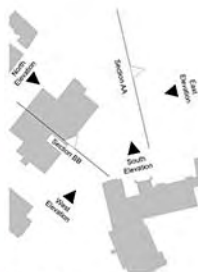
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Client: Norwich School
 Project: Palace Lawn Redevelopment Proposals
 Title: Site Plan - Proposed

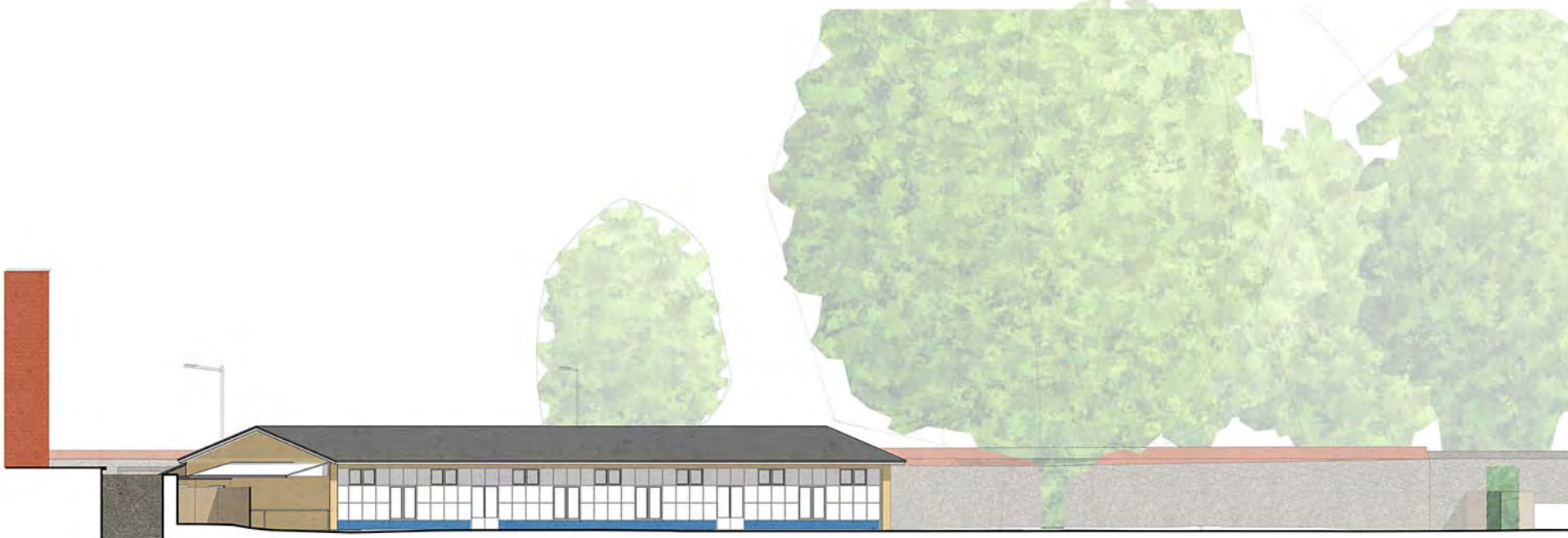
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LSI Ref: 15191-LSI-PLD-ZZ-DR-A-0001
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 Drawing to be used in conjunction with the project specification.
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Key Plan



South Elevation



East Elevation



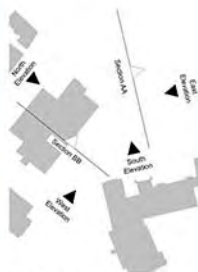
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Client: Norwich School
 Project: Palace Lanes Redevelopment Proposals
 Title: Existing General Arrangement Elevations
 Sheet 01

Scale @ A1	Date	Drawn
1:100	14.08.2018	DO
Revisability	Purpose of issue	
S2	Issued for Planning	
Number	Rev	
15191-LSI-PLD-ZZ-DR-A-1250	P03	



Key Plan



West Elevation



North Elevation



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Client: Norwich School
 Project: Palace Laven Redevelopment Proposals
 Title: Existing General Arrangement Elevations
 Sheet 02

Scale @ A1	Date	Drawn
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Number	Rev	
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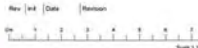
Key Plan



South Elevation



East Elevation



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Client:
 Norwich School
 Project:
 Palace Lane Redevelopment Proposals
 Title:
 Proposed General Arrangement Elevations
 Sheet 01

Scale @ A1	Date	Drawn
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S2	Issued for Planning	
Number	Rev	
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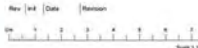
Key Plan



West Elevation



North Elevation



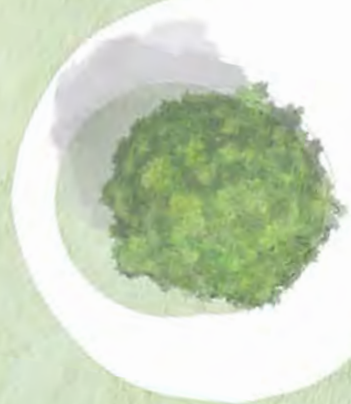
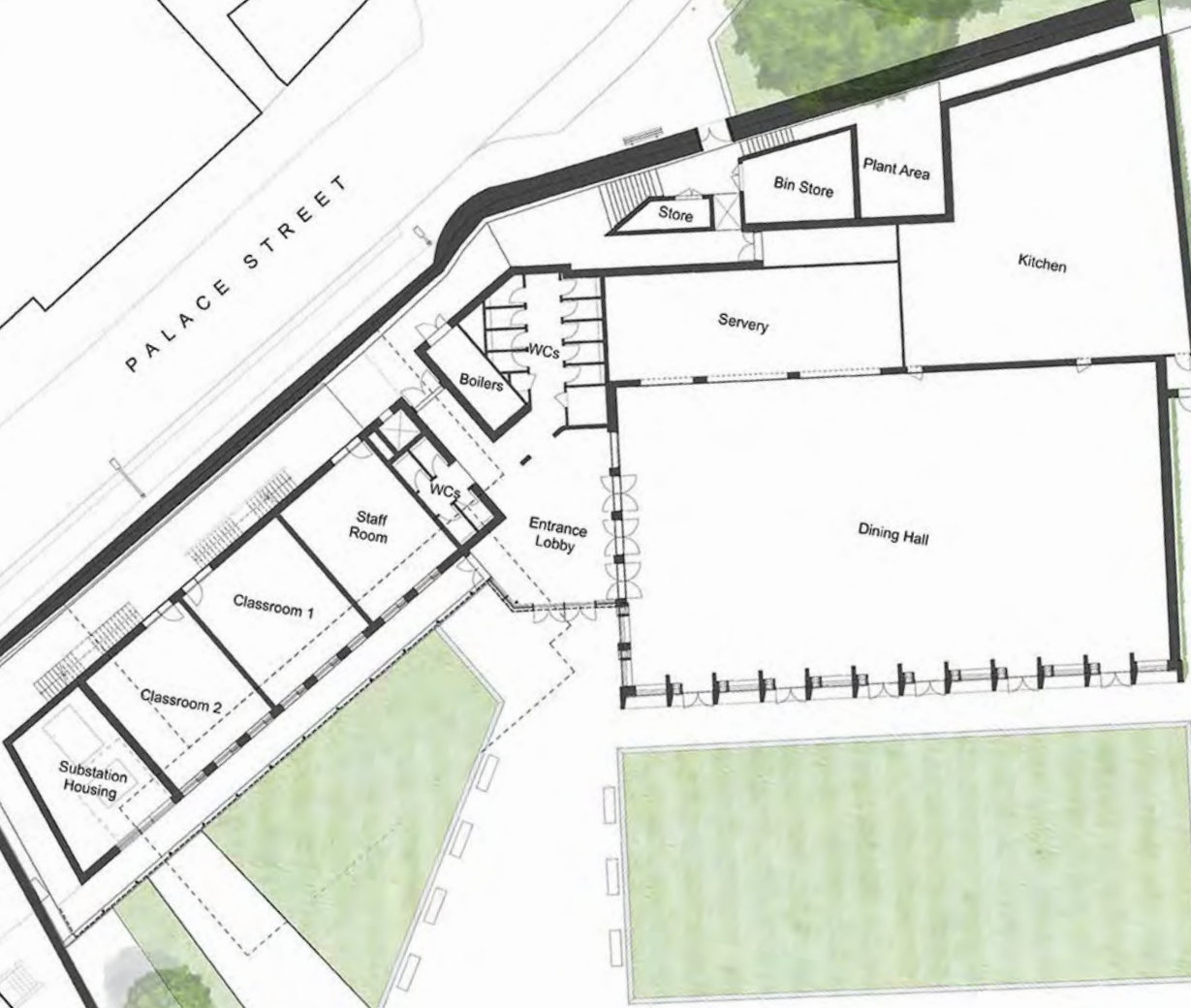
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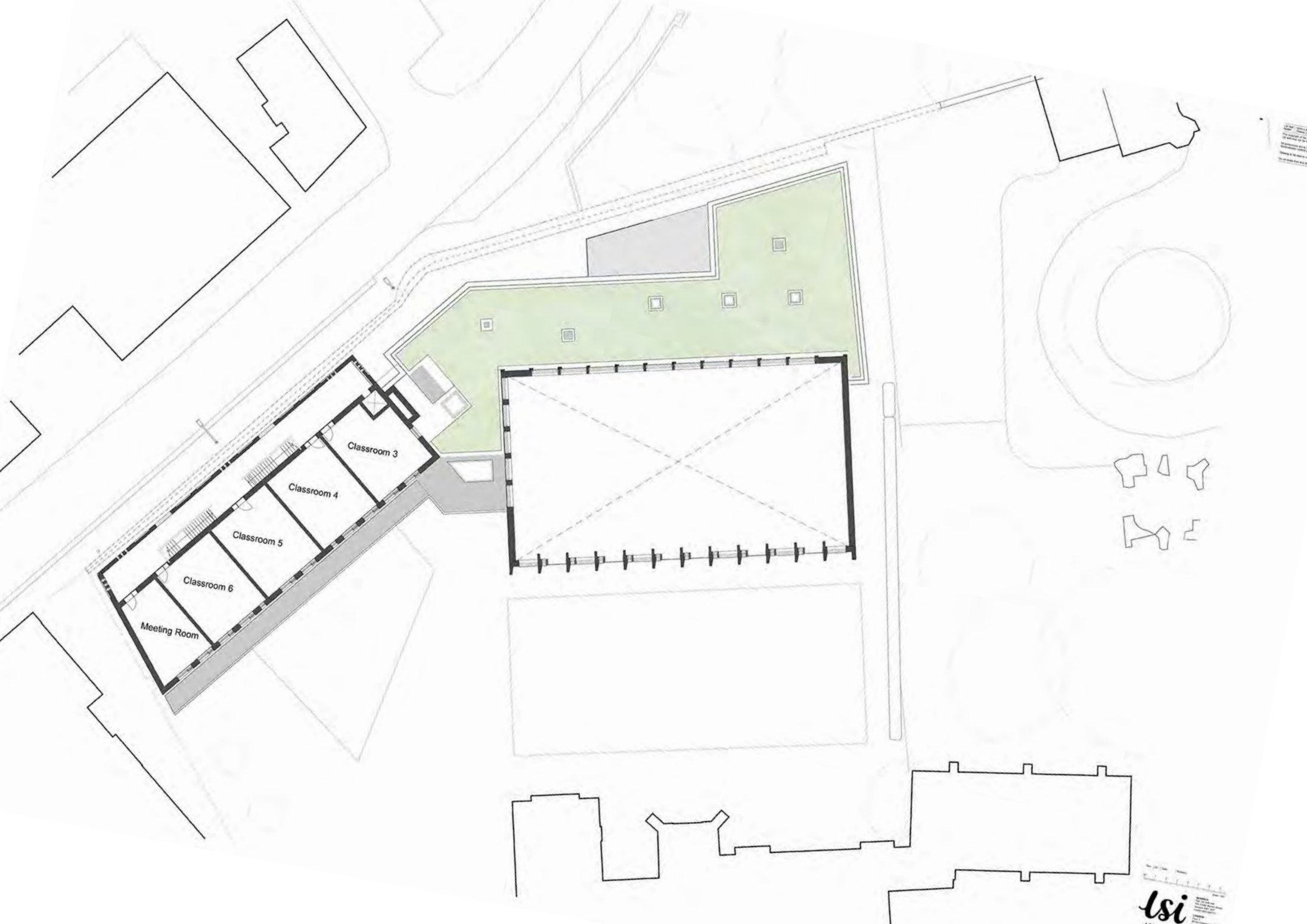
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Client: Norwich School
 Project: Palace Laven Redevelopment Proposals
 Title: Proposed General Arrangement Elevations
 Sheet 02

Scale @ A1	Date	Drawn
1:100	14.08.2018	DO
Revisability	Purpose of issue	
S2	Issued for Planning	
Number	Rev	
15191-LSI-PLD-ZZ-DR-A-1351	P06	

PALACE STREET





Meeting Room

Classroom 6

Classroom 5

Classroom 4

Classroom 3

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London Plane 14h

North Elevation

Kerb / grass line altered

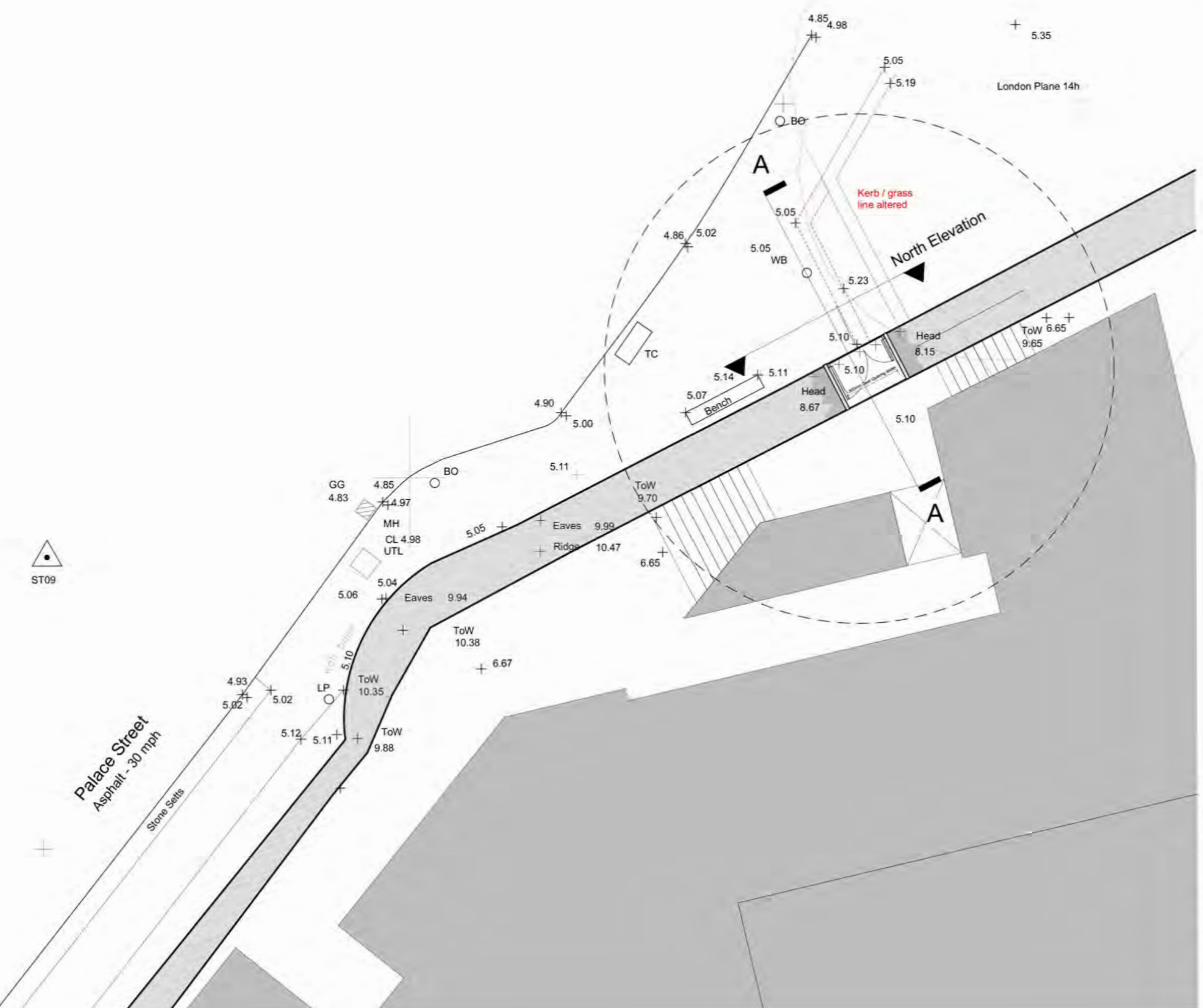
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A

Palace Street
 Asphalt - 30 mph
 Stone Setts



ST09



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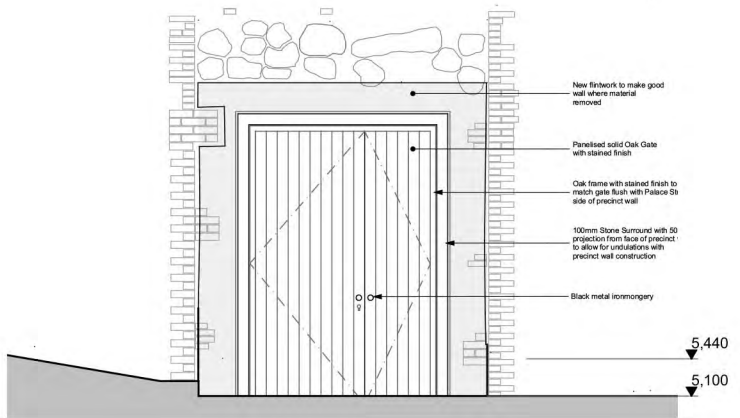
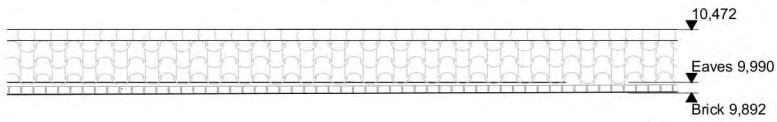
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Client
 Norwich School

Project
 Palace Lawn Redevelopment Proposals

Title
 Listed Building Application
 Precinct Wall - Plan (Proposed)

Scale @ A1 1:50	Date 28.09.2018	Drawn MC
Subsity S2	Purpose of Issue Issued for Planning	
Revision 15191-LSI-PLD-00-DR-A-1383		Page P05



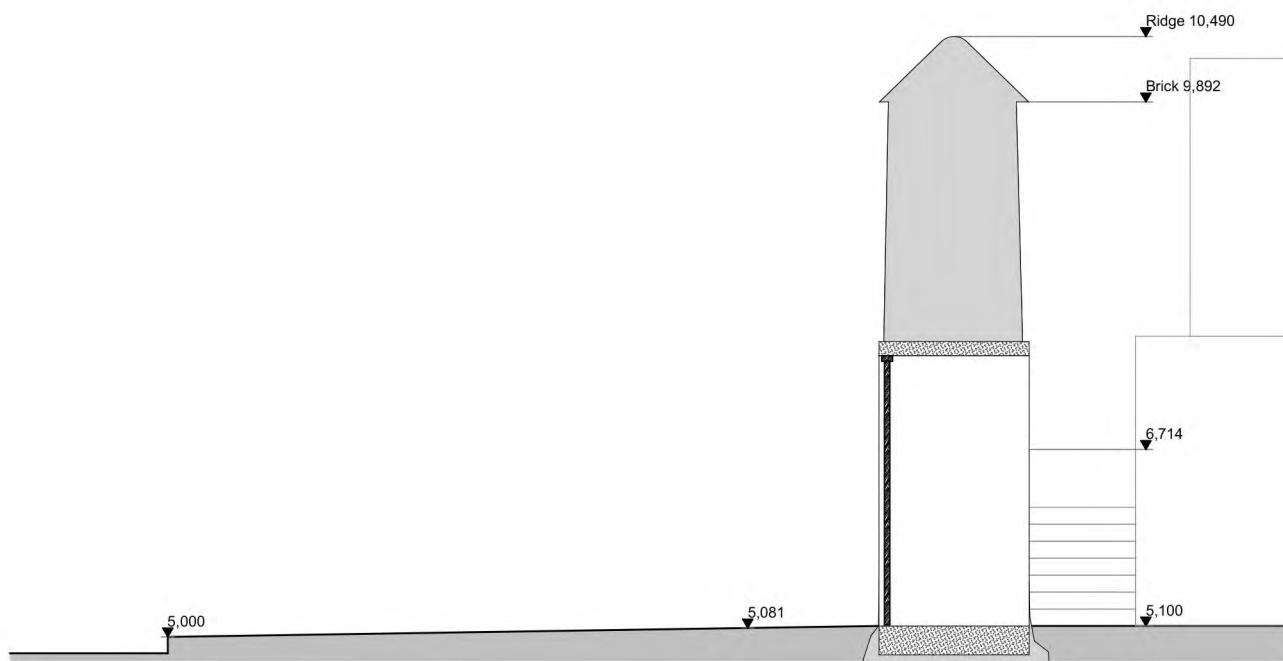
North Elevation (Part)

Refer to Fig 21 within Oxford Archaeology's 'Archaeological Evaluation and Photographic Building Survey Report'

Feature 15



South Elevation (Part)



Section AA

Rev	Iss	Date	Revision
On	1		

Scale 1:50

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Client Norwich School	
Project Palace Lawn Redevelopment Proposals	
Title Listed Building Application Precinct Wall - Elevations [Proposed]	
Scale @ A3 1:50	Date 28.09.2018
Drawn MC	Issue MC
Subsidiary S2	Purpose of issue Issued for Planning
Identifier 15191-LSI-PLD-00-DR-A-1384	Rev P05