



The Gardens Trust  
70 Cowcross Street, London EC1M 6EJ  
Phone: (+44/0) 207 608 2409  
Email: [enquiries@thegardenstrust.org](mailto:enquiries@thegardenstrust.org)  
[www.thegardenstrust.org](http://www.thegardenstrust.org)

[margiehoffnung@thegardenstrust.org](mailto:margiehoffnung@thegardenstrust.org)

Research - Conserve - Campaign

6<sup>th</sup> November 2018

Lee Cook Esq  
Norwich City Council  
City Hall  
St Peter's Street  
Norwich NR21 1NH  
[planning@Norwich.gov.uk](mailto:planning@Norwich.gov.uk)  
[leecook@norwich.gov.uk](mailto:leecook@norwich.gov.uk)

Dear Mr Cook,

## **SECOND RESPONSE BY THE GARDENS TRUST - 18/01062/NF3**

### **Construction of 3 all-weather hard tennis courts, with flood lighting on the former grass courts; Heigham Park, Recreation Road Norwich**

The Gardens Trust has read the Officer's Report (OR) recommending approval for the above application, submitted prior to the Committee meeting on 8<sup>th</sup> November 2018 to decide this application. As you are aware, the GT is the statutory consultee for Grade II Registered Parks & Gardens<sup>1</sup>, so our comments on this important historic site within Norwich are extremely important. We are anxious that your Planning Committee is fully aware of our strong **OBJECTION** to this application.

We would like to stress the irreversible harm that 18/01062/NF3 would cause to Sandys-Winch's nationally important design. There are gradations in the amount of harm caused by any particular application. We feel that this has not been fully understood in the OR. In our opinion, as stated in my email of 22<sup>nd</sup> August 2018, the complete loss of all the grass tennis courts and replacement with hard courts which obstruct and effectively destroy Sandys-Winch's main vista to the Pavilion, would cause harm which is very "**high on the less than substantial side**" to the significance and understanding of S-W's design intent for this designated heritage asset. We feel that the OF has not fully understood this. It is therefore **directly contrary to the revised NPPF para 195** and as such we disagree with Para 57 of the OR : "*The Gardens Trust and other consultees have agreed that the proposals result in less than substantial harm. The test to require refusal or support for alternative management under para. 195 of the NPPF falls away.*" We also maintain that it **fails the public benefit test within Para 195** as it is clear that "...23 hard courts within one mile of Heigham Park, a further 18 within 2 miles and a total of 46 hard courts within the city of Norwich (yet no other grass courts),<sup>2</sup>" indicates more than sufficient hard court provision nearby. The submission of Heigham Park's Grass Tennis Group's Business case, which removes any running and maintenance costs

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<sup>1</sup> Historic England are statutory consultees for Grades I & II\* historic designed landscapes

<sup>2</sup> GT letter of objection 3.8.18

from Norwich City Council also means that **this application clearly fails NPPF Para 195, paras b & c.**

Norwich CC's own Urban Conservation & Design response states that "it should be clearly demonstrated that there are no other feasible alternatives to enable the.. hardcourt tennis facilities.' The materiality of the sound Business case is valid on principle as being relevant to the application of para 194 : **the loss and harm to the significance of Heigham Park is not clearly or convincingly justified.**

The GT finds it hard to understand how the OR can recommend approval when it so **clearly fails key NPPF conditions** as well as your own Policy DM9. The development results in great harm to this heritage asset and the Business Plan demonstrates a viable alternative. We also refute Para 53 of the OR as it is highly unlikely that if the ten grass courts are replaced with hard courts, these will ever be removed in future.

We would be grateful if you could please put both our letters of objection regarding this application before your Committee and urge your officers to **REFUSE** this application.

Yours sincerely,

Margie Hoffnung  
Conservation Officer