

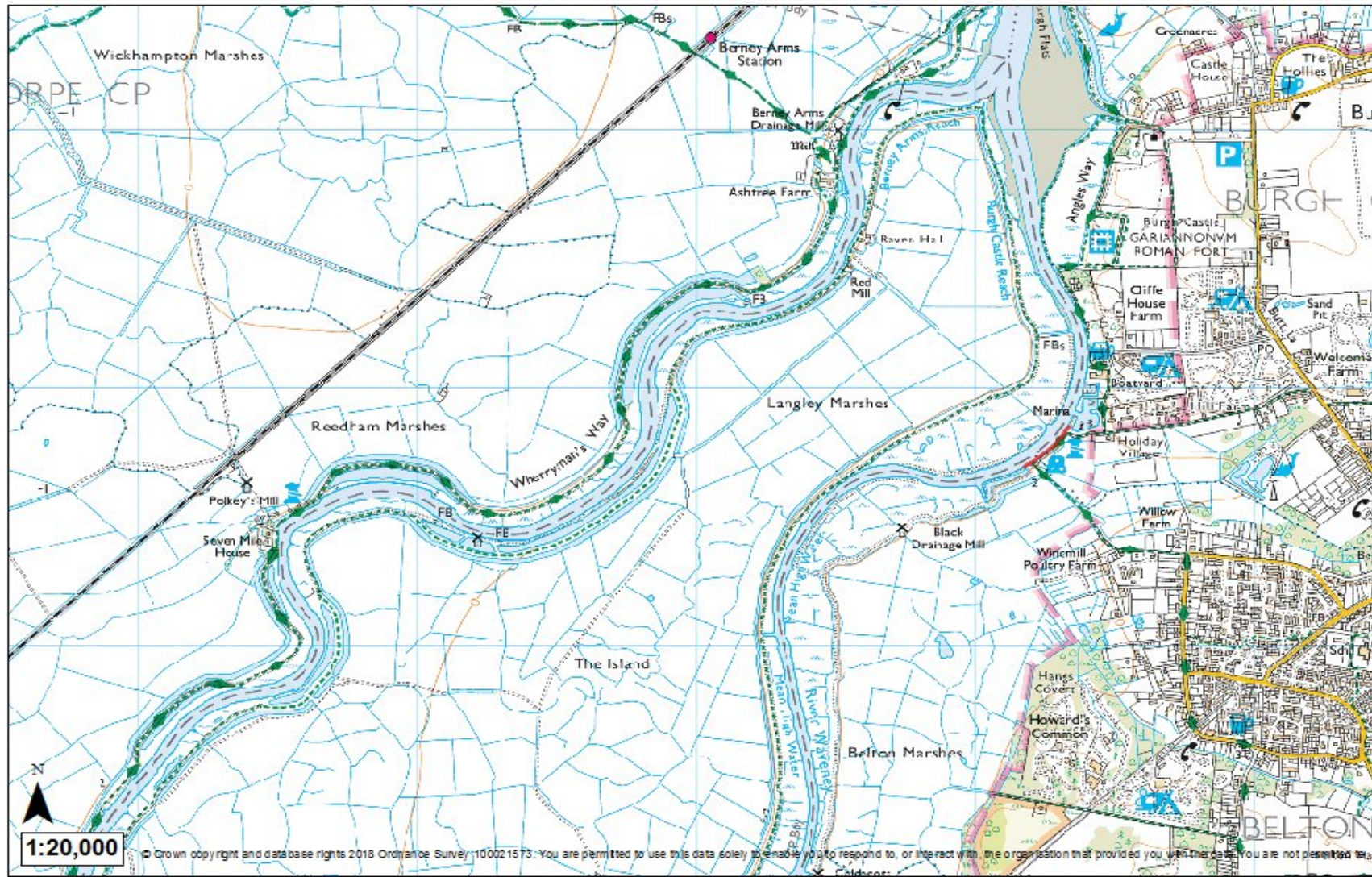
Reference:

BA/2018/0466/FUL

Location

Land at Burgh Castle - Right bank of River
Waveney, Compartment 34 of Broad Flood
Alleviation Project.

BA20180466FUL Flood Bank, Burgh Castle



Application for Determination

Parishes:	Burgh Castle		
Reference:	BA/2018/0466/FUL	Target date:	15 February 2019
Location:	Land at Burgh Castle, right bank of River Waveney (Compartment 34)		
Proposal:	Installation of new piling in front of existing to maintain the long-term integrity of this section of flood defences.		
Applicant:	Environment Agency		
Recommendation:	Approve with conditions		
Reason for referral to Committee:	Director's discretion		

1. Description of Site and Proposal

- 1.1. Members will be aware of the on-going 20 year Broadland Flood Alleviation Project (BFAP). This has been implemented from 2001 and is nearing its final stages. A planning application for flood improvement works here and within the adjoining compartment 33 (Fritton) was approved by the Broads Authority in March 2011 (ref:BA/2010/0304/FUL). At the time of that application the Environment Agency's preferred option was to set back the bank and remove the piling. However, given the strategic location and importance of the moorings, it was agreed to undertake the construction of the flood wall on adjacent land but to leave the piling in place until a solution to retaining the mooring provision could be agreed with the landowner and Broads Authority. The other engineering work approved in 2011 has been undertaken by contractors on behalf of the Environment Agency. The current application now deals with the piling of the moorings.
- 1.2. The site is located on the right bank of the River Waveney immediately upstream of Burgh Castle Marina. It comprises part of the 3.3 km of flood defences that provide protection to land and property within Belton Marshes and adjoining areas (compartment 34 of the BFAP).
- 1.3. The piled edge here has formerly been used as free 24-hour moorings, managed by the Broads Authority, but these were closed in 2018 and the lease with the landowner terminated due to the poor condition of the piling.

- 1.4. The application proposal is to pile a total linear length of 211m, with 173m along the former moorings and a further 38m beyond the Internal Drainage Board outfall. This would involve installing 10m long steel sheet piles approximately 1.2m in front of the existing line of piling. This distance is required in order to give sufficient working space and be able to install the 14.5m long tie rods that will be anchored into a buried steel sheet retaining wall at the base of the earth embankment.
- 1.5. The gap between the existing and new pile line will be backfilled with well-graded granular material and topped with 150mm Type 1, to tie-in with existing ground levels. Details of the associated safety, chains, ladders, mooring posts etc. are shown in the application. The works would be completed in such a way and to a standard to be capable for mooring.

2. Site history

- 2.1. BA/2010/0304/FUL: In 2011 consent was granted for flood improvement work.

3. Consultation

- 3.1. Consultation has taken place and the responses received are outlined below:
- 3.2. Burgh Castle Parish Council: No response received.
- 3.3. BA River Engineer: Detailed advice on technical specification of piling and safety equipment. Further details requested from applicant in respect of a number of detailed technical matters.
- 3.4. Ecologist: No objection.
- 3.5. Navigation Committee: The proposals were considered at the Navigation Committee at its meeting on 17 January 2019. The Committee was in support of the works being undertaken as it will enable these important free 24-hour moorings to be brought back into use. It was noted that Members considered this a top priority given the location allowing access to the nearby Roman heritage site. It did not consider that there would be any negative impact on navigation.
- 3.6. No other representations have been received.

4. Policies

- 4.1. The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[Core Strategy \(adopted 2007\)](#)

CS1 - Landscape Protection and Enhancement

CS3 – Navigation
CS4 – Creation of New Resources
CS9 – Sustainable Tourism
CS14 – Water Space Management

[Development Management Policies DPD \(adopted 2011\)](#)

DP1 - Natural Environment
DP4 - Design
DP29 - Development on Sites with a High Probability of Flooding

- 4.2. The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Development Management Policies DPD (adopted 2011)
Development-Plan-document

DP12 – Access to Water
DP13 – Bank Protection

- 4.3. Other Material Considerations

[National Planning Policy Framework \(NPPF\)](#)

[National Planning Policy Guidance \(NPPG\)](#)

Neighbourhood plans

- 4.4. There is no neighbourhood plan in force in this area.

5. Assessment

- 5.1. The previous 2011 application has delivered significant benefits, notably in relation to delivering enhanced flood defences and nature conservation management of the area. However it did not deal with the important area of public Broads 24 hour mooring at Burgh Castle as at the time there was uncertainty around the solution here. The current application was submitted following extensive discussions around potential engineering approaches and seeks to enable this work to be undertaken with an aspiration that the moorings will be brought back into use. It will also protect the integrity of the flood defences at this point and further protect the adjacent grazing marshes and nearby properties.
- 5.2. The key issues in the determination of this application are the impact on flood levels, navigation and visual appearance. The proposal is accompanied by a Statement which outlines the proposal and the positive impact on the area. There is support for the reinstatement of the moorings in this location.

- 5.3. The applicant advises that the installation of the piles, although in front of the existing line, will not have any measurable effect on water levels within this part of the River Waveney and consequently no change in the flood risk either upstream or downstream. The river is approximately 50m wide and there is a large tidal range at this location and the solution has been devised to cope with this. The completed scheme, together with the recent crest raising of the earth embankment, will provide long-term protection to the nearby properties and grazing marshes within compartment 34.
- 5.4. It is anticipated that the works could take up to 6 weeks to complete. It is proposed to undertake daily working between 7am and 5pm Monday to Friday, accepting that there will be shorter days during the winter months. General site attendance will be three operatives and three excavator drivers with occasional visiting BESL staff. Site access will be from the A143, through north Belton and then the access track to the IDB pump and the river. The moorings are currently not in use therefore there will be no impact on moorings during the works.
- 5.5. As Members will be aware, the former 24 hour mooring at Burgh Castle served an important safety function in view of its proximity to Breydon Water and the works which would facilitate a resumption of this use are welcome. The proposal will maintain piling in this area beyond the life of the BFAP and the maintenance works is the best long term solution. In addition, it should be noted that an additional 38 metres of new piling is to be provided adjacent to this maintained piling, close to the IDB drain and scheme. Whilst this is not Broads 24 hour mooring, it may offer an additional area for boats to moor against in an emergency.
- 5.6. Although the piled frontage was previously used for 24-hour moorings, there is currently no lease in place with the landowner as this was terminated when the piling became unsafe. The site has recently been sold and it is understood that the new landowner is prepared to agree a long term lease. It should be noted, however, that the issue of whether, or when, the re-piled frontage becomes available for public mooring is not material to the determination of this application given that the works are considered acceptable as an engineering solution to the re-piling required here.
- 5.7. The proposal is not within or close to any designated sites. The Broads Authority Ecologist has been consulted and is satisfied that there will be no adverse impact on any habitat or species.

6. Conclusion

- 6.1. The proposal is in line with the previously approved flood defence work in this location in accordance with Local Plan Policy DP29.
- 6.2. The recreation and navigation interests of the area will be safeguarded by the proposal and access to water space will be maintained. Therefore the land and water based recreational interest will be protected as required by Local

Plan Policies DP12 and DP13 and Core Strategy Policies CS3, CS4, CS9 and CS14.

- 6.3. Visual and residential amenity will be safeguarded as a result of sympathetic design and a working condition in accordance with Local Plan Policies DP4 and DP28.
- 6.4. The ecological interest of the area will be safeguarded by the proposal as required by Broads Local Plan Policy DP1 and Core Strategy Policy CS1.
- 6.5. It is considered that the scheme will deliver clear benefits, including enhanced flood defence and nature conservation management, and satisfactorily protects and enhances recreation interest, particularly in relation to potential public mooring availability and water safety management. It is therefore considered that, subject to the conditions outlined below, the scheme is consistent with development policy as set out in the Broads Local Plan Policies DP1, DP4, DP12, DP13, DP29 and Broads Core Strategy Policies CS1, CS3, CS4, CS9 and CS14.

7. Recommendation

- 7.1. Subject to no substantive representation/comment being raised from any outstanding consultees, this planning application be approved subject to the following conditions:
 - Standard time limit conditions;
 - In accordance with the submitted plans;
 - Hours of working
 - Details to be submitted;
 - Details of footway to be submitted.
- 7.2. The following informatives be specified on the decision notice:
 - The permission shall be granted in the context of the Memorandum of Understanding between the Broads Authority and the Environment Agency on 25 April 2003.
 - The Environment Agency should consider pedestrian movements on the quay due to the proximity of the existing footpath in relation to the flood bank slope.

Background Papers:

Author: Ruth Sainsbury
Date: 24 January 2019

Appendix: Location Plan

BA20180466FUL Flood Bank, Burgh Castle

