

Application for Determination

Parish	South Walsham
Reference	BA/2009/0226/FUL Target date 4 December 2009
Location	Banks of River Bure and Fleet Dyke (Compartments 1 and 2)
Proposal	Removal of piling
Applicant	Environment Agency
Recommendation	Approve subject to conditions

1 Description of Site and Proposal

- 1.1 The application site is in Compartments 1 and 2 which extend to the south and west of the River Bure at South Walsham Marsh and Upton Marsh, and to the east of Fleet Dyke. The flood defences here have recently been upgraded and protect extensive areas of grazing marsh. Attached as Appendix 1 is a location plan showing the compartment and the areas where the application proposes to remove piling.
- 1.2 The application site extends along 2,355m of existing piled edge in 5 separate areas along the river frontage. The application proposes the removal of piling in these areas.
- 1.3 This application follows the completion of flood defence engineering in these compartments, permitted under applications 2006/0556 and 2005/1832 approved in July 2006 and March 2006 respectively and completed in 2007. The works comprised primarily setback with a new 1.3m high bank with a gradient of 1:2 on the front slope and 1:3 to the rear and with a 2m wide beam on the riverward side. The original floodbank and wooden/sheet piling frontage have remained in situ to allow the new bank to stabilise and the vegetation to establish sufficiently to allow removal old the original flood bank and piling.
- 1.4 On the 2005 consent, in view of the significant concern expressed regarding potential erosion, the definition of the 'edge' and general impact on the navigable parts of the river, a condition was imposed to withdraw the Environment Agency normal permitted development rights for pile removal to enable the Local Planning Authority to retain control of timing and technique to ensure that navigation interests would be protected and works would not

harm the character and appearance of the area.

- 1.5 BESL propose to use similar techniques for pile removal agreed in Compartments 11 and 35, which were the first areas where pile removal was agreed (in July 2007). This will involve land based machinery extracting the piling and this will be removed from site by wherry and unloaded and stock piled at Doles pump before being removed by lorry, using agreed routes from the site. It is estimated that the removal of the piling will generate an average of 7 lorry loads per week (14 vehicle movements), whilst waste timber and metal would be stored in skips which would be removed by skip lorries when full, generating 2 lorry movements per week (4 vehicle movements). Grips will be constructed through the re-profiled original bank to allow water behind it to drain and the area behind the original bank compartmentalised to allow the creation of an open water habitat and separate areas for the disposal of dredging. The original edge behind the pilings will be re-profiled to a 1:1 slope with material generated placed between the original and new banks. Temporary channel markers will be provided pending establishment of vegetation.
- 1.6 BESL recognise that following pile removal there will be some erosion of the new river edge created. Whilst the experience of BESL is that erosion levels are minimal (from monitoring of areas of pile removal in the Compartments 11 and 35), it is not possible to accurately model or predict the extent of erosion. Therefore they propose to monitor erosion protection rates and to identify appropriate measures to address unplanned and excessive rates of erosion. The proposed erosion monitoring is not as comprehensive as for earlier areas of pile removal in Compartments 11 and 35 as BESL consider the different nature of the tidal system and boat usage in this compartment justifies a less rigorous approach. In addition, based on previous experience of erosion, the photographic monitoring has been reduced from monthly to quarterly. The schedule for monitoring is as follows:

	Rond Erosion (direct measurement)	Photographic	Vegetation
Year 1	<i>Months 3,6,9,12</i>	<i>Months 3,6,9,12</i>	<i>Annually</i>
Year 2	<i>Months 6,12</i>	<i>Months 6,12</i>	<i>Annually</i>
Year 3	<i>Months 6,12</i>	<i>Months 6, 12</i>	<i>Annually</i>
Year 4 onwards	<i>Annually</i>	<i>Annually</i>	-

- 1.7 BESL have confirmed that where excessive eroded material is measured to cause an effect on the navigable envelope, it will contribute to the reinstatement of the agreed envelope. The contribution will either be by undertaking to carry out dredging or make a financial contribution to Broads Authority dredging operations.
- 1.8 The design of the scheme provides set back areas where some dredging disposal by the Broads Authority has taken place and further disposal is planned.

- 1.9 It is proposed that works will commence in November 2009 and be completed by March 2010.

2 Planning History

- 2.1 In July 2006 planning permission was granted for flood defence works comprising primarily set back in Compartment 1 (2006/0556). These works were completed in 2007.
- 2.2 In March 2006 planning permission was granted for flood defence works comprising primarily set back in Compartment 2 (2005/1832). These works were completed in 2007.

3 Consultations

Ludham Parish Council – No objection.

Broads Society – Concerned at loss of casual moorings, but note that casual mooring can take place on re-profiled slopes. Re profiled slopes should be as steep as possible to facilitate casual mooring. If erosion protection is required gabions should not be used.

Highways Authority – No objection subject to use of vehicle routes as agreed.

Environment Agency – No objection.

Natural England – No objection.

Internal Drainage Board – No objection.

Norfolk Landscape Archaeology – Site is in area where there is potential for previously unidentified archaeological remains to be present; they are also adjacent to a former drainage pump. If planning permission is granted, we therefore ask that this be subject to a condition for a programme of archaeological work in accordance with Planning Policy Guidance 16, Archaeology and Planning (1990) as follows:

- No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- In this instance the programme of archaeological works will comprise the occasional monitoring of groundworks under archaeological supervision and control. Norfolk Landscape Archaeology will provide a brief for the archaeological work on request.

4 Representation

4.1 The Navigation Committee on 22 October 2009 considered this matter and the officer report concluded the following:

- Accept piling is deteriorating in condition to the extent that removal is justified.
- Provided monitoring methodology is sufficient to demonstrate that no adverse impact on navigation envelope by erosion application should be supported
- Conditions as previously used for compartments 5, 21 and 22 should be used.
- Topboards should be replaced on section of piling in Fleet Dyke and officers will take this up with BESL.
- Areas for dredging disposal are generally welcomed.

5 Policies

5.1 Broads Core Strategy DPD adopted September 2007

Policy CS 3 – Navigable water space

Navigable water space will be protected and enhanced through:

- (i) the design of flood alleviation/protection projects;
- (ii) avoiding development and changes in land management which are detrimental to its use.

Policy CS15 – Water space management

Adequate water depths will be maintained for safe navigation and the disposal of dredged and cut material will be carried out in ways that mitigate unavoidable adverse impacts on the environment. Beneficial use of dredgings will be encouraged. Opportunities for the disposal of dredged materials to enable the management of the Navigation will be sought and promoted in line with the Sediment Management Strategy. Control of sediment input from surrounding land, highways and river banks will be considered in development proposals.

5.2 Broads Local Plan (saved policies)

Policy INF5 – Broads flood alleviation strategy

In considering the Environment Agency's proposed Broadland Flood Alleviation Strategy, the Broads Authority will seek to ensure that the following issues are fully incorporated:

- a) minimising the risk to people and property, both in the defended and the undefended areas;
- b) adequate protection for the natural resources of the area, including the water environment, the wildlife habitats and species;
- c) adequate protection for the quality of recreation and navigation in the

Broads;

- d) adequate protection for grazing marshes to ensure the continued viability of farming within the Environmentally Sensitive Area scheme;
- e) investigation and implementation of opportunities for environmental enhancement, for example by habitat creation or pond regeneration;
- f) investigation and implementation of opportunities for recreational and navigational enhancement;
- g) investigation and implementation of opportunities to enhance the visual amenity and landscape of the Broads, from land and water, having regard to local character;
- h) minimising any significant adverse impact on local communities and on the Broads landscape, wildlife and waterways from development required to implement the strategy;
- i) minimising any significant adverse effects on the residential amenities of occupiers in the surrounding area from development required to implement the strategy.

Policy B15 – Evaluation of sites

Where development proposals are on sites which appear to raise archaeological issues, the Authority will, in consultation with the appropriate County Archaeological Officer, require an evaluation of the site to determine its archaeological significance so that informed and reasonable planning decisions can be taken.

Policy TR2 – Development impinging on the waterways

Development which would adversely affect navigation by impinging on or otherwise obstructing the Broads waterways will not be permitted.

6 Assessment

- 6.1 This application is submitted as a consequence of the previous applications and subsequent works to improve the flood defences, which comprised the construction of setback flood defence banks, to protect the marshes to the south and west. With the new banks in place and established the applicant now seeks the removal of the piling which formed the previous flood defence solution.
- 6.2 The removal of piling is not in itself contentious, and there must be an acceptance that with a replacement flood defence solution in place maintenance of the piling will not continue and deterioration will occur, resulting in not only a hazard to navigation but to the piling becoming unsightly; the principle of removal is therefore accepted.

- 6.3 The concerns that are often raised, however, relate to the secondary function of the piling for use as casual moorings and the loss which would result as a consequence of the scheme. It should be noted, however, that any use for mooring is casual and informal and that the retention of pilings for this purpose is not supported in the Moorings Strategy and this therefore limits the weight that can be attached to this issue. In this case, it is noted that piling is to be retained at the top end of Fleet Dyke, where informal mooring has historically taken place, and that experience has shown that mooring can take place on the re-piled banks, therefore the potential for casual mooring is not entirely lost. In addition, it is noted that the Broads Authority provides 24 hour moorings at St Benet's Abbey and at Thurne Dyke and these contribute useful facilities in this area.
- 6.4 In terms of erosion monitoring, only limited area of pile removal in Compartments 11 and 35 have been subject to such monitoring. Whilst the monitoring undertaken has shown limited erosion, it is considered that given the different width of the River Bure, differences in number and type of boat movements and uncertainty regarding the changes that may occur after pile removal, a comprehensive erosion-monitoring regime is necessary and justified, similar to that agreed for area in the River Yare, to monitor erosion rates in the Rivers Ant and Bure. An erosion monitoring protocol has been agreed and it is appropriate to apply this here. This approach would ensure that the impact of erosion will be identified at an early stage and allow mitigation works to be undertaken to adequately protect and not unacceptably impact on navigation interest and avoid conflict with the provisions of Policies INF5 and TR2 of the Broads Local Plan and Core Strategy Policies CS3 and CS15.

7 Conclusion

- 7.1 This application seeks consent for the second stage of work associated with set back proposals on part of the River Bure. Subject to conditions to cover monitoring of erosion to ensure that the proposal would not unacceptably harm navigation interest, and other planning conditions set out in Appendix 2, the proposal is considered to be acceptable.

8 Recommendation

- 8.1 That the planning application be approved, subject to the following conditions:
- erosion monitoring details;
 - site access/delivery route to compartments;
 - hours of working;
 - implementation of erosion monitoring;
 - archaeological investigation;
 - construction traffic route restrictions;
 - timing and technique for pile removal; and
 - detail of any additional erosion protection to be agreed.

8.2 The permission shall be linked to the Memorandum of Understanding between the Broads Authority and the Environment Agency on 25 April 2003.

9 Reasons for Recommendation

9.1 The application is considered to meet the requirements of the Broads Local Plan Policies, in particular Policy INF5 and Broads Core Strategy in particular Policies CS3 and CS15 and would not materially conflict with other policies in the Plan / Strategy. The proposal is considered to represent an appropriate design associated with flood defence work in these locations.

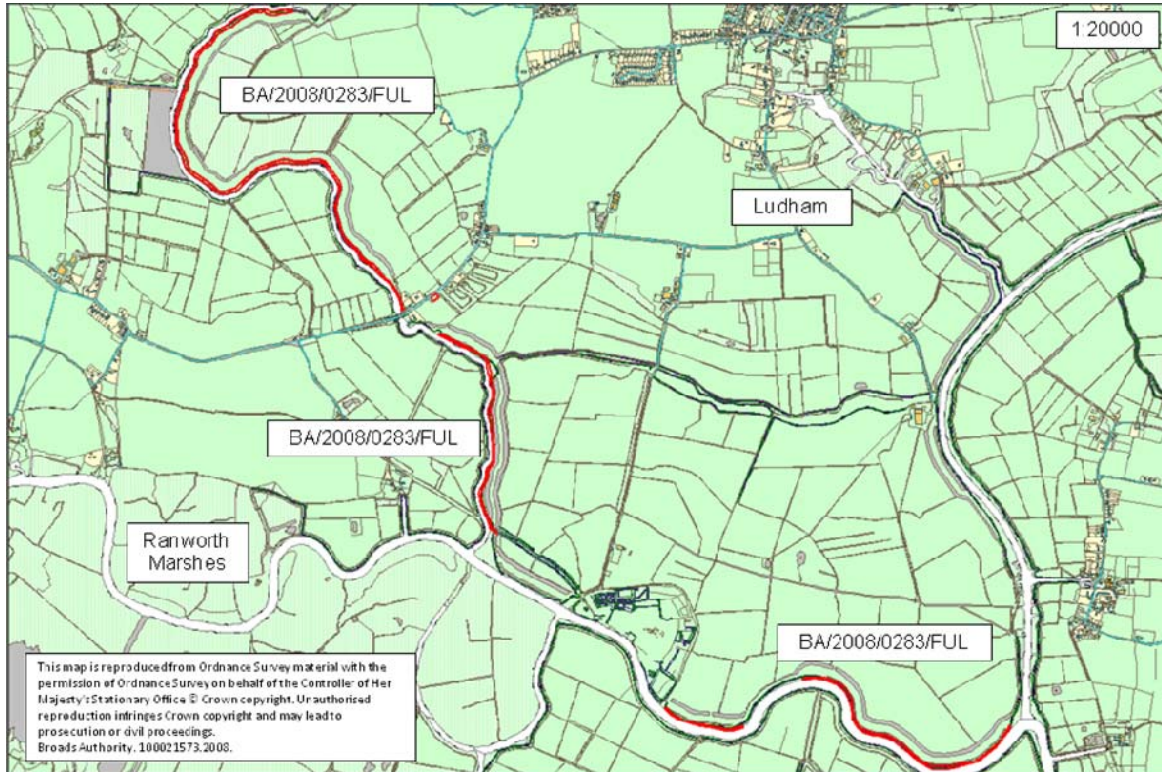
Background Papers: BA/2009/0226/FUL

Author: Cally Smith
Date of report: 22 October 2008

List of Appendices: APPENDIX 1 – Location Plan
APPENDIX 2 – List of Condition
APPENDIX 3 – Memorandum of Understanding 25 April 2003
APPENDIX 4 – Report to Planning Committee 7 November 2008

APPENDIX 1

BA/2008/0283/FUL - Banks of River Ant, up & downstream of Ludham Bridge & River Bure downstream Of St Benet's Abbey, Ludham
Removal of redundant piling at several locations along the Rivers Ant and Bure with channel markers installed along the line from which the piles are removed.



Compartment 5 – Pile removal works
Application No: 2008/0315FUL

Draft Conditions

1. The development hereby permitted shall be carried out in accordance with the revised erosion monitoring details and supporting information as submitted in correspondence dated xx xxxxxx 2008 which shows
.....
2. Unless otherwise agreed in writing between the applicant and the Local Planning Authority in consultation with the Highway Authority, the means of access and egress from the development hereby permitted shall be in the manner outlined in the supporting statement submitted with the application.
3. The hours of working shall be restricted to 08-00 to 18-00 Monday to Saturday only. No working is permitted outside these hours nor on Sundays or Public Holidays unless otherwise agreed in writing with the Local Planning Authority.
4. All erosion monitoring shall be undertaken in accordance with the details outlined in condition 1 unless otherwise agreed in writing by the Local Planning Authority. The results of erosion monitoring shall be provided in writing to the Local Planning Authority on request.
5. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
6. Prior to any additional pile removal, details of the rond cadge height shall be submitted to and agreed in writing by the Local Planning Authority. No change to this height shall be permitted without the written agreement of the Local Planning Authority.
7. No works shall commence on site to further remove the piling hereby permitted until details of the timing of works and technique for pile removal have been submitted and approved in writing by the Local Planning Authority. No change to this programme is permitted without the written consent of the Local Planning Authority.
8. No works shall commence on site until details of any additional erosion protection to be provided, linked to the removal of piling, has been submitted and approved in writing by the Local Planning Authority. No change to this specification is permitted without the written consent of the Local Planning Authority.

NOTE: This permission has been granted linked to the attached Memorandum of Understanding signed on 25 April 2003 between the Broads Authority and the Environment Agency.

The reasons for the above conditions are

1. For the avoidance of doubt and to ensure erosion is satisfactorily monitored to enable any harm to navigation interests to be identified and to accord with the aims of policy INF5 of the Broads Local Plan and CS3 of the Core Strategy.
2. To control the impact of construction traffic / movements to accord with the aims of policy INF5 of the Broads Local Plan.
3. In order to limit impact on the amenities of local residents and visitors to meet the aims of policy INF5 of the Broads Local Plan.
4. To ensure that the implication of set back banks and pile removal is satisfactory recorded to then be used to identify when mitigation measures are required as a result of erosion impacts on the navigable parts of the river to meet the aims of policies INF 5 and TR 2 of the Broads Local Plan and CS3 of the Core Strategy.
5. To ensure that the archaeological interest of the site is investigated and recorded in accordance with policies B15 and INF5 of the Broads Local Plan.
6. In the interests of providing a rond height that will not harm navigation interests to meet the aims of policy INF 5 of the Broads Local Plan and CS3 of the Core Strategy.
- 7-8. To ensure an orderly approach to works to limit impacts on recreation and navigation to meet the aims of policy INF 5 of the Broads Local Plan and CS3 of the Core Strategy.

Reasons for Approval

The application is considered to meet the requirements of the Broads Local Plan policies, in particular policy INF 5 and Core Strategy policy CS 3 and would not materially conflict with other policies in the plan. The proposal represents an appropriate design of development associated with flood defence work in this location.

Memorandum of Understanding

This Memorandum of Understanding is dated this 25th day of April 2003

Between:

(1) **THE BROADS AUTHORITY** of 18 Colegate, Norwich, Norfolk, NR3 1BQ (hereinafter referred to as “the Authority”)

(2) **THE ENVIRONMENT AGENCY** of Kingfisher House, Goldhay Way, Orton Goldhay, PE2 5ZR (hereinafter referred to as “the Agency”)

(hereinafter referred to as “the Parties”)

1. Introduction

1.1 The Broadland Flood Alleviation Project (hereinafter referred to as “the BFAP”) is an important opportunity for the Agency and the Authority to work in partnership in accordance with the purposes set out in the Norfolk and Suffolk Broads Act 1988 (hereinafter referred to as “Broads Act”) and for the benefit of the Broads environment and those who live and work in the area. The intention of this memorandum of understanding (hereinafter referred to as the “MOU”) is to set out an agreed position on a number of strategic issues, facilitate joint-working and thereby make the best use of public funds.

1.2 The Authority is a statutory authority with duties under the Broads Act and the Town and Country Planning Acts. In relation to the BFAP the Authority has various roles, which are as a statutory stakeholder, local planning authority, navigation authority and in some circumstances as a “competent authority”. The Authority’s statutory policies are set out in the Broads Plan and the Broads Local Plan.

- 1.3 The Agency is a non-departmental public body established by the Environment Act 1995. It is the promoter of the BFAP which is being carried out for it by contractors. The Agency has a very wide range of duties and permissive powers under the Water Resources Act, Land Drainage Act, Environment Act, Town and Country Planning Acts and the Countryside and Right of Way Act.
- 1.4 The Broads Act gives the Authority the duty to manage the Broads for the purpose of :
 - (a) Conserving and enhancing the natural beauty of the Broads; and
 - (b) Promoting the enjoyment of the Broads by the public; and
 - (c) Protecting the interest of navigation.
- 1.5 Specifically the Authority is responsible for maintenance and dredging of the navigation and for managing navigational obstructions or hazards in the Broads system. Section 97 of the Countryside and Rights of Way Act 2000 inserted a new Section 17 A into the Broads Act. This places a duty upon public bodies such as the Agency that in exercising or performing any function in relation to or so as to affect land in the Broads shall have regard to the purposes cited in Clauses 1.4 (a) to (c) above. This approach is consistent with the Agency's customer charter that in undertaking flood defence work the Agency aims to include and improve facilities for the public to enjoy and to protect and enhance the environment which may include improving navigation facilities.
- 1.6 The Agency and the Authority will develop and strengthen partnership working, in a number of areas including the implementation of the BFAP, to improve the quality of life for those living in, working in and visiting the Broads and improving the Broadland environment and manage flood risk.
- 1.7 The Parties to this MOU recognise there is a need to improve flood defences in the Broads and this needs to be undertaken sustainably and on a strategic basis in the most cost effective manner. To this end, the Agency has entered into a 20 year contract with a private consortium (Broadland Environmental Services Limited, hereinafter referred to as 'BESL'). The contract has been formulated to provide an economically, technically and environmentally acceptable system of flood defences for Broadland and best value to the public purse, whilst limiting any damaging effects that the works may have on the local environment.

- 1.8 The Parties will endeavour to ensure that appropriate mechanisms are in place to deliver the BFAP successfully. To this end, BESL, in full consultation with stakeholders, has updated the Strategic Environmental Assessment (hereinafter referred to as the 'SEA') and will implement the BFAP in accordance with stated environmental objectives; these will be reviewed and updated on an annual basis. The Broads Authority has welcomed this approach and believes that it can form the basis for an agreed set of environmental objectives and standards for the BFAP.
- 1.9 The Authority welcomes the approach to the design of the BFAP taken by the Agency utilising sustainable flood defence options to provide significant landscape and nature conservation benefits through the creation of rivers with a more natural appearance. It is the Authority's intention to work with the Agency to deliver these common objectives.
- 1.10 The significant flood defence and erosion protections works proposed in the Broadland Rivers include some that are of an innovative nature. It is not always possible to predict with absolute certainty the effects of such works in terms of future erosion shoaling and siltation, either in the directly affected reaches or elsewhere. Accordingly the Authority seeks assurances from the Agency it will not be exposed to increased liability in the future as a consequence of the BFAP.
- 1.11 The Authority supports the implementation of the BFAP in a manner consistent with the Authority's purposes.

2. Enhancements

- 2.1 It is anticipated that the Project will create opportunities for enhancements, which may include improvement of habitats, landscape, environment and facilities for navigation and recreation. Where the opportunity presents itself for the joint working on enhancements the Parties where possible will adopt the following approach:
- 2.2 The Parties will take a pro-active and strategic approach to identifying and implementing appropriate enhancement opportunities. Identification of opportunities

will take full account of the relevant Agency and Authority's plans and strategies. Opportunities that are identified will necessarily take account of the limitations of resources available to the Parties and the contractual obligation in respect of the BFAP.

2.3 Where possible early discussion on a scheme by scheme basis to identify enhancement opportunities that may be available will take place'

2.4 Where possible the Parties will work together to seek external funding for enhancements. Where either of the Parties wishes to pursue a particular source of funding independently, that party will indicate at the earliest opportunity that this is the case to the other party.

3. Navigation Interests

3.1 Navigation and other rights of way will be protected and where possible enhanced as part of the BFAP in accordance with the SEA objectives.

3.2 Where the Authority's navigation interest is damaged by the BFAP the Agency will undertake the appropriate remedial action or pay compensation in accordance with the relevant statutory provisions.

3.3 The Agency will use its best endeavours to ensure that the BFAP will not result in a reduction in the extent and qualities of established public moorings or lawful public access to them by land and water.

3.4 The BFAP will not result in any permanent hazards to river users.

3.5 Potential short term and temporary hazards to navigation, where possible will be avoided, but where this is unavoidable it shall be clearly identified to boat users.


3.6 Post implementation the Agency will monitor bank condition, rind erosion and the navigation channel to examine the effects of setback on the environment and public amenity including the use of navigation.

4. Nature of MOU

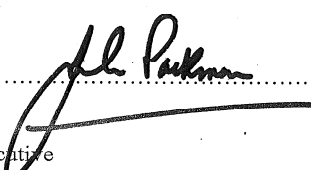
- 4.1 The Parties have entered into this MOU in good faith and in the spirit of co-operation.
- 4.2 Neither of the Parties will represent itself as being the agent of the other party and is thereby not authorised to commit the other party to this MOU without the express written consent of the other party.
- 4.3 Although this MOU relies upon the co-operative approach of the Parties it is recognised that occasions will arise when one party will have statutory functions or duties that must be applied. Nothing in this MOU is intending to prejudice or prevent expedition of those statutory functions. This is part of the openness and understanding of the MOU in that the same goals are required but for different reasons.

5. Review of MOU

This MOU shall run from the commencement date until terminated by either of the Parties on three months notice and will be reviewed on a regular basis. The Parties will examine the performance of the Memorandum of Understanding at an annual meeting.

Signed.....
EP WOODCOCK

Regional Director
On Behalf of the Environment Agency, Anglian Region

Signed.....
Chief Executive
On Behalf of the Broads Authority

24/4/03

**Broads Authority
Planning Committee**
7 November 2008

Additional consultations received for meeting

Parish: Ludham

Reference: BA/2008/0283/FUL **Target Date:** 3 November 2008

Location: Banks of River Ant and River Bure (Compartment 5)

Proposal: Removal of redundant piling with channel markers installed along the line of the removed piles.

Applicant: Environment Agency

Recommendation: Approve with conditions, subject to receipt of revised erosion monitoring details and resolving any objection received from consultees.

Update of Consultations Responses

Below is an update of comments received from consultees, highlighting in bold, who have supplied comments since the Committee report has been prepared.

Ludham Parish Council - Refuse, Piling helps to maintain the existing riverbank. It was put there for a purpose, because the riverbank could not retain the river. The bank has been strengthened but not raised.

Horning Parish Council: No Comment
South Walsham Parish Council: Awaiting
Thurne Parish Council: Awaiting

Broads Society: We object to removal of piling in the Ant within half a mile of Ludham Bridge unless provision is made for mooring and shore access. This area is very popular for casual mooring, for which there is a right in tidal waters, and mooring there was possible and popular before the piling was installed. We do not object to removal of piling in the rest of the Ant and in the Bure, provided that the bank line is kept marked until there is good vegetation growth. Gabions should not be used to protect the bank. Where the piling is removed, it should be removed completely and not cut off below water level. There should be no work on site on Sundays or Public Holidays. Where dredgings are put ashore, precautions should be taken to prevent growth of scrub, saplings etc. By way of explanation, at the time of the consultation in April 2004, we did not object to the piling removal since we did not appreciate that it would make the bank impractical for mooring;

however, as the result of experience in other compartments and details shown for this proposal we now realise the position.

NCC Highways: No objection, subject to a condition / agreement regarding vehicle movements / haul route.

Environment Agency: No objection

Broads IDB: Awaited

Natural England: No comment

RSPB: Awaited

NNDC Environmental Health Officer: No objection

Norfolk Landscape Archaeology: No objection. As sections of the proposed piling removal works are located adjacent to a medieval causeway associated with St Benet's Abbey, would request that the causeway itself between St Benet's Abbey and the River Ant is not used as an access route. If this is not possible, due care must be taken to avoid any damage to the causeway bank or its flanking ditches. If planning permission is granted, we therefore ask that this be subject to a condition for a programme of archaeological work in accordance with Planning Policy Guidance 16, Archaeology and Planning (1990).

No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

In this instance the programme of archaeological works will comprise the monitoring of the piling removal under archaeological supervision and control. This condition specifically applies to the section adjacent to the medieval causeway. We would request that Norfolk Landscape Archaeology are notified if anything of archaeological importance is revealed during the piling removal in other areas, in accordance with BESL Best Practice.

Representation

Preliminary comments from the Norfolk and Suffolk Boating Association (NSBA) received

- The proposals entail over a kilometre of piling removal starting at Thurne Mouth and reaching upstream, 234 metres of piling removal on the east bank a short way downstream of Ludham bridge, and piling removal close to St Benets Abbey as well as several other stretches. All three locations are very important for moorings, for different reasons, including, mast lowering at Ludham bridge, hire boat mooring and a number of local traditional sailing regattas based at Thurne Mouth.
- We continue to resist the removal of piling which is important for moorings.
- We do not yet have a clear view as to which pilings are redundant and may be removed without loss of amenity, safety and visitor attraction, from those we would strenuously resist permitting removal
- We seek further clarification of BESL's proposals for scour protection.
- At what time of year will the work be carried out, and will it entail temporary

river closure?

The Navigation Committee on 23 October 2008 considered this matter and the officer report concluded the following:

- Generally accept piling is deteriorating in condition to the extent that removal is justified.
- Proposed monitoring methodology is not comprehensive enough to provide adequate reassurance that erosion of new banks is not having an adverse effect on the navigable envelope.
- Use of scaffolding posts in erosion monitoring is unacceptable due to the safety hazard this would create.
- Full channel width hydrographic surveys should be carried out quarterly after pile removal for one year and then twice yearly thereafter.
- Erosion protection may need to be installed at pile removal to limit erosion.
- Channel marking and works may be able to increase channel width.
- Areas for dredging disposal are generally welcomed.