

## **Application for Determination**

<b>Parish</b>	Thorpe St Andrew		
<b>Reference</b>	BA/2009/0242/FUL	<b>Target date</b>	9 December 2009
<b>Location</b>	River Green, Thorpe St Andrew		
<b>Proposal</b>	Landscape works to include footpath and new street furniture with bus shelter and flag pole.		
<b>Applicant</b>	Thorpe St Andrew Town Council		
<b>Recommendation</b>	Approve subject to conditions		

### **1 Description of Site and Proposals**

- 1.1 The 2,050m<sup>2</sup> application site is known as The River Green in Thorpe St Andrews and is situated within the Thorpe St Andrews Conservation Area. The site is triangular in shape and is situated between the River Yare to the south and Yarmouth Road to the north. The eastern boundary adjoins the public toilets with The Rushcutters Pub situated beyond the toilets to the east. The western end of the site tapers to a width of approximately 4m and adjoins a small undeveloped area of land. The eastern boundary of the site is defined by the walls of the public toilets, the western boundary is defined by a 2m high close boarded fence and the northern boundary is delineated by a low post and single rail fence. The southern boundary is open to the river. The eastern sector of the site slopes gently down from Yarmouth Road to the river whilst the western sector of the site slopes more steeply down to the river. Vehicular access into the site is currently provided via an entrance located towards the eastern end of the site which links into a formed hardstanding/parking area on the site. The site access is secured by a gate which opens into the site and is kept locked. An electricity substation is positioned in the south-eastern corner of the site. There are several very large mature trees situated in the main body of the site and a line of mature poplar trees extends into the western end of the site.
- 1.2 The site is overlooked by the flats and shops on the northern side of Yarmouth Road and is also directly visible from the River Yare and Thorpe Island beyond, to the south.
- 1.3 The site is currently used as an area of community grassed open space. Pedestrian access onto The Green is currently via two gaps in the fence along Yarmouth Road and directly from the river. Whilst a footpath has been created along the river frontage there is currently only one path, located adjacent to

the eastern boundary of the site, which provides a link between Yarmouth Road and the footpath along the river bank. There are a number of benches located in various positions on the site, together with an assortment of litter and dog waste bins. A fenced War Memorial is situated towards the middle of the site, fronting Yarmouth Road. A bus stop is located on the pavement immediately adjacent to the site, close to the War Memorial. There are a number of Broads Authority Waterway signs located on the site together with a number of Town Council information signs.

- 1.4 The site is within the ownership of, and managed by, the Thorpe St Andrew Town Council.
- 1.5 The proposal is to carry out landscape works to the site to include the provision of a footpath link between the streetscape and the rivers edge and to rationalise the street furniture on the site to improve the overall appearance of the area and to provide access for all visitors arriving by car, coach, cycle or foot throughout the year.
- 1.6 The existing fence along Yarmouth Road is to be replaced by a new low level fence comprising of oak timber posts with a single metal rail between. Some fill will be required to the south of the newly erected railing to reduce the hazard of the level change at the back of the street pavement and to assimilate the railing onto The Green. The existing gate across the vehicular access is to be replaced by a pair of metal gates, to be secured in the centre. The existing decorative high level metal posts positioned along the street frontage are to be retained in situ.
- 1.7 A new semicircular footpath is to be created utilising the two existing access points from Yarmouth Road, which will then link into another semicircular footpath providing continuous access to the footpath along the river bank and two benches located on the river frontage. The new path has been designed to a width and gradient to encourage access for all. It will be surfaced with breddon gravel. Some minor fill works are required to achieve the 1:12 gradient slopes for the path however little excavation should be required to create the paths.
- 1.8 The War Memorial is to be upgraded with new York stone paving with a new access available from the street via a new step. The War Memorial area is to be fenced using the same fence detail that is to be used to define the street frontage of the whole site. A section of this fence, within the site, will be removable to provide wheelchair access to the War Memorial. A new 10m high glass fibre white flagpole, with internal halyard is to be erected in the southwest corner of the War Memorial area.
- 1.9 A bus shelter is to be provided within the site beside the proposed western access point into The River Green, close to the existing bus stop on Yarmouth Road. The bus shelter is to be constructed of hardwood timber with a shallow dual pitched roof clad in cedar shingles. It will measure 2.9m x 2m in size and have a maximum height of 2.87m.

- 1.10 The existing vehicle hard standing area is to be replaced with a smaller hard standing area situated further to the east away from the canopy of the Horse Chestnut tree on the site. The area will be defined with timber edging and will be surfaced with a thin covering of marine aggregate over a sub base of Type 1 material. The existing vehicular access will continue to be used.
- 1.11 There are currently 11 benches on the site, 4 of these are to be relocated and upgraded to provide wheelchair and pram facilities. The existing picnic bench is to be removed. The 5 existing bins and dog waste bins are to be replaced with 3 new litter bins and 1 new dog waste bin. The 3 existing lifebelts and Broads Authority signboards are to be upgraded with 3 smaller signs with throw rope canisters. One of these signs is to be repositioned. Two of the three Thorpe St Andrew sign boards are to be relocated with the third sign being removed.
- 1.12 Whilst the written information supporting this application includes reference to a bird bath being located on the site as part of these proposals, the Landscape Architect has confirmed that this is no longer included in the scheme and has been omitted from the plans.

## **2 Site History**

None

## **3 Consultation**

Broadland District Council – No response.

The Broads Society - The Broads Society support these proposals which will enhance the area.

Town Council – The Town Council is the applicant so no response received.

District Member – No response.

Thorpe Conservation Group - On behalf of the Thorpe Conservation Group, I thank you for notifying us of this application, which is supported. Anything that helps to tidy up the River Green and its surroundings is to be encouraged.

EDF Energy - General guidelines for planting in the vicinity of underground cables and overhead lines:

No tree should be planted so that its roots encroach within 1m of a cable when the tree reaches maturity. It is important that all excavation works should comply with the requirements of Health and Safety Executive document 'Avoiding danger from underground services'.

No excavation should be undertaken within 4m of a pole and no tree should be planted that will encroach the 4m vertical or 6m horizontal safety clearance of the overhead line when the tree reaches maturity.

You should contact EDF Energy Networks prior to the commencement of your works and obtain copies of our records to identify any equipment in the vicinity of your proposals.

Environment Agency – Response awaited.

Waterways - Proposals do not impact on the navigation. The upgrading and relocation of the 24hr mooring signage is in accordance with previous discussions with the Town Council. Keen to see retention of a parking area on site as beneficial to use when carrying out river works.

Local Residents –

An objection to the proposal has been received from the proprietors of Hearts Cruisers at the Boatyard on the Island. They have stated that the proposed area of hardstanding is not large enough to accommodate the vehicles serving the Boatyard on the far side of the river so that they can be positioned broadside to the river to be unloaded by floating crane. Also the proposed hardstand area is not big enough to enable vehicles to turn round on site and leave in a forwards direction. The inadequacies of the hardstand area will mean that the Boatyard will be unable to operate as it is currently run and it is probable that with such restricted access it will be entirely unviable as a Boatyard at all.

The letter concludes by agreeing that the remainder of the proposal appears to contain improvements which will no doubt be of great benefit to the village of Thorpe.

An objection has also been received from a resident of Thorpe Island who states that this is a public staithe with a proud history and he considers that some of the design proposed amounts to little more than vandalism of what is a historic area. He thinks that the idea of the scheme is to force visitors to enter and leave The Green at specific restricted points, which in reality is never going to happen. Trying to force people to leave The Green via the Memorial will create more of a health and safety issue as people will still try to leave The Green at other points by scrambling up the bank. He thinks that the whole plan needs a complete rethink with more consideration given to the points above in particular, with a reminder that this is a public staithe, and as such wholesale changes should be resisted.

One letter of support has been received from a resident who is very supportive of the provision of a bus stop in the proposed location as she has been campaigning for a long time to get a bus stop erected in this area.

One other letter has been received which specifies that the footpath should be constructed in small York Stone with grass in between to balance wheelchairs and give breathing space for the roots of trees. The letter notes that Granite would not be suitable and would spoil the look of River Green. The resident also strongly requests that the flagpole be located beside the Memorial.

## **4 Policies**

### **4.1 Broads Core Strategy adopted September 2007**

#### **Policy CS1 Landscape Protection and Enhancement**

Development and changes in land use / management must ensure that all aspects of the environmental and cultural assets of the Broads' distinctive landscape are protected, enhanced and restored. Proposals should ensure opportunities for positive impacts on the following core assets have been addressed and adverse impacts avoided:

- (i) the defining and distinctive qualities of the varied landscape character areas formed by the built and natural environment
- (ii) tranquillity and wilderness as part of the Broads experience;
- (iii) the value and integrity of nature conservation interest; and
- (iv) the character, appearance and integrity of the historic and cultural environment

Opportunities to mitigate the visual impact of currently intrusive features should be sought.

#### **Policy CS5 Historic and Cultural Environments**

Key buildings, structures and features which contribute to the Broads' character and distinctiveness will be protected from inappropriate development or change, and enhancements which maintain the overall cultural heritage value of an area will be encouraged through:

- (i) The identification of locally important assets and their context through the cultural heritage strategy and the Landscape Character Assessment and by applicants in their design statements;
- (ii) The revision of the statutory list and the preparation and adoption of a local list published in a Supplementary Planning Document;
- (iii) The repair and appropriate re-use of buildings and structures of historic, architectural, cultural or landscape value where the repair and/or use would not be detrimental to the character, appearance or integrity of the building or structure, its context or setting; and
- (iv) Encouraging the highest standard of design to protect existing assets and add to the future cultural heritage value of the locality.

#### **Policy CS10 Sustainable Tourism**

Gateways and entrances between the Broads and settlements will be created and those already existing will be enhanced.

#### **Policy CS17 Access and Transportation**

Safe recreational access to both land and water and between the water's edge and the water will be protected and improved through:

- (i) Developing the Public Rights of Way (PRoW) network in line with the recommendations of the Norfolk and Suffolk Rights of Way Improvement Plans;
- (ii) Developing access to designated open country;
- (iii) Identifying and safeguarding potential crossing points of land and water;
- (iv) Protecting and improving staithes and slipways;
- (v) Creating new access to the waterside by boat (where there is good road access and provision for parking);
- (vi) Improving and maintaining launching facilities for small craft;
- (vii) Protecting and creating waterside spaces for informal recreation;
- (viii) Incorporating appropriate measures for disabled people.

**Policy CS20 Rural Sustainability**

Development within the Environment Agency's flood risk zones will only be acceptable when it:

- (i) Is compatible with national policy and when the sequential test and the exception test, where applicable, as set out in PPS25, have been satisfied;
- (ii) Is demonstrated that it is necessary to support the social and economic needs of the local community;
- (iii) Would not increase flood risk elsewhere; and
- (iv) Would not affect the ability for future flood alleviation projects to be undertaken.

**4.2 Broads Local Plan (Saved Policies)**

**Policy C7 Waterside development**

Development on or close to the waterside will not be permitted outside the development boundaries as defined on the Proposals Map Insets except where it is in accordance with other relevant policies in the Local Plan.

**Policy C9 Trees and woodlands**

Development which would have a significant adverse effect on trees or woodlands of landscape or wildlife importance will not be permitted.

**Policy C12 Protection of open space, common land and staithes**

Development will not be permitted if it would have a significant adverse effect on open space, common land or land at parish or public staithes which is identified on the Proposals Map or which otherwise:

- a) makes a positive contribution to the character and appearance of the Broads landscape, waterways or built environment; or
- b) is important for wildlife or is an important wildlife habitat.

**Policy B7 New development in Conservation Areas**

Development in Conservation Areas will be permitted if it would preserve or enhance the character or appearance of the Conservation Area.

## Policy B11 Design

Development will only be permitted if its scale, form, design, external materials and colour would be appropriate to its setting. New development in the built environment should respect the character and townscape of the area. New development in the countryside should be appropriately located so as to minimise its visual intrusion in the landscape.

## 5 Assessment

- 5.1 This application has been prepared by Thorpe St Andrew Town Council following a comprehensive public consultation exercise including public meetings and exhibitions. The Town Council are keen to upgrade The Green so that it can be used and enjoyed by able bodied and disabled people alike and so that it complements the settlement of Thorpe St Andrew. The key issues to consider are the continuation of the role of The River Green; the design of the proposals and the effect the proposals will have on the Conservation Area; the visual impact of the proposed alterations; protection of the mature trees on site; vehicular/works access to the site and the waterways.
- 5.2 The Green is a very important part of the fabric of the settlement of Thorpe St Andrew and the area of open space plays an important role at the heart of the community. Policy C12 of the Local Plan seeks to protect areas of open space such as this. The Green is also a very important gateway between the Broads and Thorpe St Andrew and Norwich. Policy CS10 of the Core Strategy seeks to achieve the enhancement of these gateways. It is considered that the proposed enhancements to The Green will result in a high quality area of open space that not only enhances the setting of Thorpe St Andrew but also creates an area that the community can enjoy. The inclusion of a bus shelter within the site will be a very welcome addition to the scheme which will help to meet the needs of the community, as mentioned in the letter received in support of the scheme. The improvements to the area will also enhance an existing gateway between the built environment and the Broads area which is in accordance with the Broads Authority's desire to continually improve the quality of the Broads setting as a whole.
- 5.3 The design of the scheme has been driven by the desire to make the area accessible to the whole community and to create a high quality environment which complements the Thorpe St Andrew Conservation Area. The design and detailing of the scheme was discussed at length with the Broads Authority's Landscape Architect and the Historic Built Environment Specialist prior to submission. It is considered that the design and the materials to be used together with the specification of the street furniture and the bus shelter will result in a high quality development, which will satisfy the requirements of Policies B7 and B11 of the Local Plan and enhance the Conservation Area.
- 5.4 The site is clearly visible from Yarmouth Road and the properties on the northern side of the road, the river and Thorpe Island. The proposals could therefore potentially have a significant visual impact. This is however a comprehensive and positive scheme and the overall principle of the design is

to assimilate the new elements into the landscape with little or no visual impact. This is to be achieved by the use of soft lines to the layout, the choice of sympathetic hard landscape materials and the ordering of the furniture into groups around the existing trees. On this basis it is considered that the proposal would have a positive impact on the local amenity and is to be welcomed.

5.5 There are a number of mature trees on the site which make a very significant contribution to the landscape setting of Thorpe when viewed from the river and the wider area, and also to the setting of the river when viewed from Thorpe. The application was accompanied by an Arboricultural Assessment which demonstrates that the scheme can be achieved without adverse impact on the trees. A planning condition should be imposed to cover monitoring to ensure protection of these important features.

5.6 A letter of objection has been received regarding the impact of the proposal on the operation of the boatyard on Thorpe Island and this must be considered. It states concerns that the proposed area of hardstanding is not large enough to accommodate the vehicles serving the boatyard on the far side of the river so that they can be positioned broadside to the river to be unloaded by floating crane. It also states that the proposed hardstand area is not big enough to enable vehicles to turn round on site and leave in a forwards direction. It states that the inadequacies of the hardstand area will mean that the boatyard will be unable to operate as it is currently run and it is probable that with such restricted access it will be entirely unviable as a boatyard at all. Whilst these concerns are noted, the land is owned by the Town Council and the boatyard has no rights of access over this land; they have been permitted to use the hardstand area on the site by the Town Council who have opened the gates for them when required. On this basis there is no right of use which must be protected as the use of the access is discretionary and can be withdrawn at any point. Furthermore the boatyard has not operated as a boatyard for many years and there is in fact access onto Thorpe Island via the bridge. Following prior arrangement with the Town Council the Waterways Team of the Broads Authority sometimes use the existing area of hardstanding for their works vehicles whilst carrying out maintenance work along this stretch of the river. The proposed area of hardstanding is large enough and the correct shape to meet their operational needs and has been designed to allow turning. The boatyard does not have any legal rights of access over this land and therefore their specific requirements for the hardstanding are not a matter that can be taken into account as a planning consideration. The other letter of objection that has been received states that The River Green is a public staithe. However The River Green is not included in the Register of Public Staithes.

## **6 Conclusion**

6.1 It is concluded that the proposed alterations to The River Green will significantly enhance this area and reinforce its role as an important area of community open space and as a gateway to the Broads. The quality of the design and the materials to be used are considered to be suitable for the

location and setting and will complement the Conservation Area. The scheme is intended to provide better access to the area for able bodied and disabled people alike, which should be supported.

## 7 Recommendation

Approve subject to conditions

- (i) Standard time limit
- (ii) In accordance with submitted plans
- (iii) All works to be undertaken in accordance with information submitted by Consultant Arboriculturist
- (iv) Prior to commencement of works schedule of proposed Arboricultural Monitoring to be submitted and approved.
- (v) Hours of operation for construction work to be limited
- (vi) Remove permitted development rights

## 8 Reason for Recommendation

The proposal is considered to be in accordance with saved policies C7, C9, C12, B7 and B11 of the Broads Local Plan (1997) and policies CS1, CS5, CS10, CS17 and CS20 of the adopted Core Strategy (2007).

Background papers: None

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List of Appendices: Site Location Plan

