

Planning Committee

21 June 2024

Agenda item number 7.1

BA/2024/0128/FUL- Willow Marine, Riverside Estate, Brundall

Report by Planning Officer

Proposal

Reconfiguration of marina, demolition of 6 miscellaneous sheds, removal of caravan. Installation of 75m long floating pontoon and 9 associated finger jetties. Car park resurfacing and creation of landscaped mound.

Applicant

Mr Daniel Thwaites

Recommendation

Approval subject to conditions

Reason for referral to committee

Applicant is a member of Navigation Committee

Application target date

03 June 2024

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1. Description of site and proposals

- 1.1. The subject comprises a modest sized marina and boatyard located in the Riverside Estate area of Brundall, access to which from Brundall is via Station Road and across the railway line. The road known as Riverside Estate leads directly south/south-west from Station Road, it generally comprises riverside chalets to the west side (River Yare side) and a variety of marine businesses to the east side (Hobrough’s Dyke side). The subject site was formerly the home of Willow Marine, providing moorings and boatyard services including chandlery and boat repairs. It appears that in recent times the site has been providing moorings and support services only.
- 1.2. The site currently features 7 structures comprising 6 sheds of varying sizes and 1 static caravan. Three of the structures are sizeable timber sheds in a line with ends facing the road, with 2 of these fronting the marina area, although only 1 has the appearance of a boat workshop. The other 3 structures comprise a timber chalet type building (former toilet and shower provision) sited approximately halfway down the marina area adjacent to which is a domestic garden sized shed, and a domestic garden sized shed sited next to the static caravan, both adjacent to the road. One thing all the buildings have in common is their obvious poor state of repair with repairs over the years, often with different materials, buildings subsiding, and sagging eaves.
- 1.3. The existing marina area has moorings for up to 20 boats stern-on, accessed via timber walkways and finger jetties. A small section of the site beyond the former toilet and shower building is laid to lawn, the remainder of the site is hard surfaced.
- 1.4. The proposal is effectively for two elements: firstly, the reconfiguration of the marina area including the installation of a 75m long floating pontoon and 9 associated finger jetties; secondly the demolition of the 6 sheds, removal of the caravan, extension of the

grassed area alongside the marina area, car parking provision in the area of the demolished sheds, and a low level spoil mound adjacent to the road.

- 1.5. The existing mooring provision is up to 20 boats; the reconfigured marina would provide mooring for up to 19 boats.

2. Site history

- 2.1. In 2019 planning permission was granted to replace approximately 90m of quay heading, re-profile the mooring area and replace with quay heading and floating pontoon. Planning reference BA/2019/0402/FUL.
- 2.2. In 2004 retrospective planning permission was granted for 5 additional moorings. Planning reference BA/2004/3881/HISTAP.
- 2.3. In 2003 retrospective planning permission was granted for the erection of a sectional workshop (9.7m x 5.8m base steel girders on concrete blocks). Planning reference BA/2003/3900/HISTAP.
- 2.4. In 2004 planning permission was granted for the re-alignment of quay heading and new moorings. Planning reference BA/2000/4120/HISTAP.

3. Consultations received

District Member

- 3.1. This application can be determined by the Head of Planning (delegated decision).

Environment Agency

- 3.2. Thank you for your re-consultation dated 30 May 2024. We have reviewed the submitted Dice Environmental Phase 1 Geo-Environmental Report, dated 29 May 2024 and referenced 101408, and consider it that it satisfactorily addresses our earlier concerns.

Subject to the conditions set out in our response, we therefore withdraw our previous objection, dated 30 April and referenced AE/2024/129414/01-L01. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Broadland District Council Environmental Quality Team

- 3.3. I write on behalf of the Environmental Quality Team in reply to your consultation regarding the above planning application. Having reviewed the application documentation, we now consider that part 1 of the proposed contaminated land conditions is no longer required. All other recommended conditions (set out in response dated 18 April 2024) are still considered to be required.

BA Ecologist

- 3.4. A Preliminary protected species survey was carried out in May 2024. The six sheds and a caravan at Willow Marina were assessed to be of NEGLIGIBLE potential value to

roosting bats and consequently no further survey work is considered necessary prior to the proposed works. The presence of nesting birds in areas to be impacted was considered unlikely.

Planning conditions proposed including submission of a Pollution Prevention Plan and a Construction Management Plan, along with suggested biodiversity enhancements.

BA Project Support Officer

3.5. No impact on Navigation Channel.

4. Representations

4.1. None received.

5. Policies

5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).

5.2. The following policies were used in the determination of the application:

- DM5 - Development and Flood Risk
- SP4 - Soils
- DM13 - Natural Environment
- DM16 - Development and Landscape
- DM18 - Excavated material
- DM21 - Amenity
- SP11 - Waterside Sites
- DM26 - Protecting General Employment
- DM28 - Development on Waterside Sites
- DM31 - Access to the Water
- DM33 - Moorings, mooring basins and marinas.
- DM43 - Design
- DM46 - Safety by the Water
- BRU2LP - Riverside Estate Boatyards, etc.

5.3. Material considerations

- National Planning Policy Framework
- Planning Practice Guidance

- Environmental Protection Act 1990

6. Assessment

- 6.1. The proposal is for the reconfiguration of the marina area including the installation of a 75m long floating pontoon and 9 associated finger jetties, and the demolition of 6 sheds, removal of the caravan, and various landscaping works. The main issues in the determination of this application are the principle of development, the design and appearance of the pontoon, jetties, car parking area and landscaping, residential amenity, ecological issues, flood risk, and site contamination.

Principle of development

- 6.2. The site is adjacent to the former Eastwood Marina site which now forms part of the wider Barnes Brinkcraft group under the Norfolk Boat Sales (NBS) banner. The company has recently acquired the site and is seeking to amalgamate this into the wider NBS site. The two sites share the existing mooring area, of the 4 rows of moorings 3 are in the NBS site and 1 in the subject site, with the water space between the moorings a shared element.
- 6.3. The current principal use of the subject site for mooring provision would be maintained and improved. Whilst there would be the loss of some support services such as shower provision, these are provided at the adjacent NBS site and so would not represent a loss of overall provision. There would also be the loss of repairs and service provision. Although it is understood that in recent years this has become a low key and more informal provision, it still contributes to the boatyard use of the site alongside the existing moorings. Again, the adjacent NBS site provides service and repair facilities, taking into account the amalgamation of the subject site into the NBS site the existing services are maintained overall. The proposal is therefore considered to be acceptable in principle with regard to Policies SP11, DM26, DM28, and BRU2 of the Local Plan for the Broads.

Impact on the landscape

- 6.4. The site has a tired appearance, all the buildings are in some state of disrepair or have clearly been patched up to elongate their life. The combination of materials highlights the ad hoc nature of repairs and gives an indication of the inability to carry out meaningful repairs given the overall state of the buildings. When visiting the site, the former owner demonstrated how rotten essential supporting elements of the buildings had become. Given the state of these buildings their removal would be to the benefit of the appearance of the site overall. Along with the improvements to the landscaping of the site it is considered that the proposal and its appearance in the wider landscape and river scene would be acceptable. The boatyards to the eastern side of the Riverside Estate access road comprise a mix of sites with many buildings, sites with a lesser building provision, and the occasional site with no buildings or only garden sheds, as such the presentation of the site without buildings would not be out of keeping or character with this location.

- 6.5. The proposal includes the provision of a 75m long floating pontoon and 9 associated finger jetties. The existing basin would be widened so that the outside edge of the proposed pontoon would be on the same line as the existing mooring basin edge. At the top end of the basin a modest size area of land would be removed to allow for a more regularised basin shape and sufficient mooring space taking into account the length of the pontoon. The 9 finger jetties would effectively replicate the existing finger jetties at the site. The appearance of the pontoon and jetties is considered acceptable in an urban boatyard setting such as this and would complement an existing pontoon and jetties on the adjacent NBS site.
- 6.6. The majority of the existing site is hardsurfaced, with only a modest grassed area at the eastern end of the site. The proposal would include a grassed area on the retained land running parallel to the full length of the proposed floating pontoon. The area of land at the western end of the site, currently occupied by buildings and a small parking area, would be divided between parking provision and a low landscaped spoil mound, proposed to match the mound existing at the adjacent NBS site. This is a notably low feature that adds definition to the site boundary and car park edge and does help to green this area of the site. The proposed landscape changes are fairly low key but would improve the appearance of the site and are therefore considered acceptable. The proposal is therefore considered to be acceptable with regard to Policy DM16 of the Local Plan for the Broads.

Amenity of residential properties

- 6.7. There are residential properties in holiday use on the opposite side of the Riverside Estate access road,; there is limited separation to the properties with buildings set close to the road with a principal elevation and amenity space on the opposite side adjacent to the river. Whilst there would be some noise and disturbance during demolition and construction works, it is considered that the inclusion of a construction management plan would ensure that there would not be an undue impact on the amenity of residents at the adjacent sites. The proposal is therefore considered to be acceptable with regard to Policy DM21 of the Local Plan for the Broads.

Ecology

- 6.8. The BA ecologist assessed the proposal and requested a preliminary roost assessment to ensure that the buildings were not providing bat roosts. The submitted survey confirmed negligible potential value to roosting bats. The presence of nesting birds in areas to be impacted was considered unlikely. Provision of a Pollution Prevention Plan and a Construction Management Plan was requested by the BA ecologist. These can be required by planning condition, subject to which the proposal is considered to be acceptable with regard to Policy DM13 of the Local Plan for the Broads.

Flood risk

- 6.9. The Environment Agency (EA) confirmed that the proposal is for 'water compatible' development and does not raise an objection on flood risk grounds. The EA notes that

there may be users of the marina facilities present during a flood event and as such an Emergency Flood Plan should be provided.

- 6.10. The EA noted that the development includes the provision of an earth mound on the site using spoil excavated as part of the pontoon works. Several existing structures at the site will be removed which have a greater footprint than the proposed mound. As a result, it is considered that the extension of the small earth mound will not result in a net loss of floodplain storage, nor obstruct floodwater flows greater than the existing scenario. Therefore, compensatory floodplain storage will not be required. The proposal in relation to flood risk is therefore considered to be acceptable with regard to Policy DM5 of the Local Plan for the Broads.

Site contamination

- 6.11. Consultation responses from the EA and the District Council Environmental Quality Team (EQT) highlighted the preceding use of the site and the potential for contamination. The EA have stated that the use as a boatyard presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. A Phase 1 Geo-Environmental Report was submitted by the applicants, and following consultee comments a revised report (version 2) was submitted. The report has been considered by the EA and EQT who have confirmed that a potential unacceptable risk from contamination has been identified and recommend that any grant of planning permission should include the conditions regarding Site Investigation and potential need for provision of a Remediation Method Statement. Subject to the inclusion of the conditions specified by the EA and EQT the proposed development is considered acceptable with regard to Policy SP4 of the Local Plan for the Broads, NPPF, PPG, and Environmental Protection Act 1990.

7. Conclusion

- 7.1. The proposed reconfiguration of the marina, demolition of 6 miscellaneous sheds, removal of a caravan, installation of a 75m long floating pontoon and 9 associated finger jetties, car park resurfacing and the creation of a landscaped mound is considered to be acceptable in principle taking into account the retention of the existing principal use of the site, and its amalgamation into the adjacent site which provides service and repair facilities. The proposed changes to the appearance of the site are acceptable. There would be no adverse impact on ecology and biodiversity, flood risk, or the amenity of neighbouring residents. Potential risk from contamination has been identified but subject to appropriate conditions can be adequately addressed. Consequently, the application is considered to be in accordance with Policies DM5, SP4, DM13, DM16, DM18, DM21, SP11, DM26, DM28, DM43, and BRU2 of the Local Plan for the Broads, along with the National Planning Policy Framework.

8. Recommendation

- 8.1. That planning permission be granted subject to the following conditions:
- i. Standard time limit
 - ii. In accordance with approved plans
 - iii. Submission of Construction Management Plan
 - iv. Submission of Pollution Prevention Plan
 - v. Submission of a site investigation scheme and a full risk assessment, based on the preliminary risk assessment (Phase 1 Geo-Environmental Report)
 - vi. Submission of detailed remediation scheme, if the site investigation scheme and full risk assessment (under condition 5) identifies a need for remediation
 - vii. Where a remediation scheme is submitted and approved under condition 6, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks. The Local Planning Authority shall be given prior written notification of commencement of the remediation scheme works.
 - viii. Following the completion of any approved remediation scheme, prior to first use of the site submission of a verification report that demonstrates the effectiveness of the remediation carried out shall be produced.
 - ix. Process if contamination not previously identified is found to be present.
 - x. Any imported topsoil and subsoil for use on the site, evidence that soil is appropriate for use, prior to first use of the site.
 - xi. Provision of silt curtain and use of bunding to prevent excavated soil/sediment from leaching back into the watercourse.
 - xii. Provision of bunding around any spoil excavated and the newly landscaped "wildlife habitat".
 - xiii. Submission of flood response plan.
 - xiv. Works to cease if any bats are disturbed/roosting evidence is recorded during works.
 - xv. Works to cease if any nesting birds are encountered during works.
 - xvi. Provision of one woodcrete bat box or summer roost/nursery (Schwegler) bat boxes.
 - xvii. Provision of one woodcrete nest box (27mm) and one woodcrete nest box (30mm x 45mm).
 - xviii. No external lighting without agreement in writing.

9. Reason for recommendation

- 9.1. The proposal is considered to be in accordance with Policies DM5, SP4, DM13, DM16, DM18, DM21, SP11, DM26, DM28, DM43, and BRU2 of the Local Plan for the Broads, and the National Planning Policy Framework (2023) which is a material consideration in the determination of this application.

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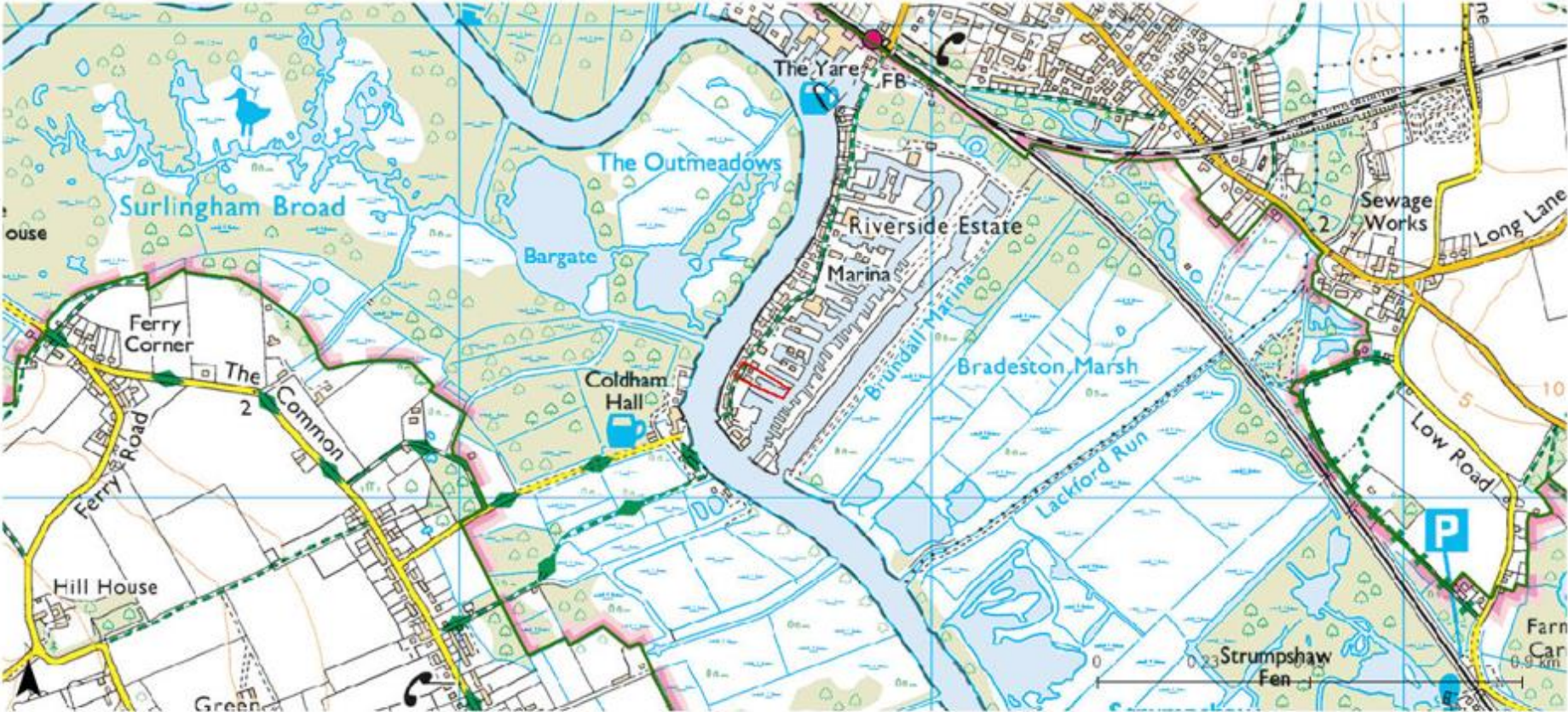
Date of report: 11 June 2024

Background papers: BA/2024/0128/FUL

Appendix 1 – [Location map](#)

Appendix 1 – Location map

BA/2024/0128/FUL - Willow Marina, Riverside Estate, Brundall, NR13 5PL



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