

Planning Committee

22 July 2022

Agenda item number 7.1

BA/2022/0184/FUL: Catfield: Snipe Marsh, Ludham NR29 5PQ

Report by Planning Officer

Proposal

Proposal to eradicate *Crassula helmsii* at Snipe Marsh, works include infilling and reprofiling dykes at Snipe Marsh and the creation of a scrape.

Applicant

The Broads Authority

Recommendation

Approve subject to conditions

Reason for referral to committee

The applicant is the Broads Authority

Application target date

15 July 2022

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1. Description of site and proposals

- 1.1. The application site is Snipe Marsh, a fen marshland to the north east of How Hill, Ludham in the parish of Catfield. Snipe Marsh is approximately 3.75 hectares in area and is situated between How Hill Road, which runs south to north from School Road in the village of Ludham, and Sharp Street, which runs east to west from Ludham Road to the edge of Crome's Broad. Access to the site is via a timber gate approximately in the middle north of the site on Sharp Street.
- 1.2. The Broads Authority manages Snipe Marsh and it is home to the Authority's wild ponies. Snipe Marsh is bounded by isolated dyke channels.
- 1.3. Snipe Marsh is a RAMSAR site and is part of the Ant Broads and Marshes Site of Special Scientific Interest (SSSI), Broadland Special Protection Area (SPA), and The Broads Special Area of Conservation (SAC). The soil type on the site is peat.
- 1.4. Snipe Marsh is within Flood Zone 3.
- 1.5. One of the dyke channels in Snipe Marsh has become infested with the non-native species *Crassula helmsii*. This non-native species poses a threat to the site's integrity as if it spreads it could clog the dyke system; it has the potential to spread into the wider Ant system. The proliferation of *Crassula helmsii* has the potential to cause degradation to the habitats where the non-native species is present.
- 1.6. The infested dyke channel is an 'L' shaped dyke in the middle of Snipe Marsh and measures approximately 220m in length, 3.83m wide, and a maximum depth of 1.5m.
- 1.7. This application seeks consent for works aimed at eradicating *Crassula helmsii* from the site. The proposed method to eradicate the invasive species is through burying. The first phase of the development would include the installation of piling at either ends of the infested dyke, to contain the *Crassula helmsii*. The edges of the boundary dyke on the eastern part of the site would be reprofiled; this dyke has steep edges into the site and it would be reprofiled to a more gradual decline to the water. The spoil generated from the proposed reprofiling works would be used to infill the infested 'L' shaped dyke. It is anticipated that the spoil arising from the reprofiling works would be sufficient to bury the *Crassula helmsii* thus eradicating the species from the site and halting its proliferation.
- 1.8. Should the spoil generated by the reprofiling works to the outer dyke not be enough to infill the infested dyke, consent is also being sought for the creation of a small scrape on the site measuring 0.5m deep and 100m². The spoil generated from the scrape would be used to complete the infilling of the dyke. Planning permission is required because much of this work constitutes an engineering operation and is therefore development.

- 1.9. The banks of the dykes surrounding the site, which are proposed to be reprofiled, are unnaturally high for a fen land habitat. The raised banks keep the soil above the water line thus drying it out; the bank has become dominated by tall ruderal vegetation, predominately nettle, thistle and bramble. The lowering of the dyke edges would restore the soil depth thus making it more susceptible to fen land flora, including Yellow Water Iris, reeds, rushes and sedges.
- 1.10. The volume of the area which needs to be filled is 1263.9m³ and this amounts to 1243.7 tonnes of material.

2. Site history

- 2.1. No planning history

3. Consultations received

Broads Authority – Ecology Team

- 3.1. No objection - The HRA screening assessment concluded there would be no likely significant effect on the interest features of the designated site. We support this conclusion. The works to eradicate a particularly invasive non-native plant species are necessary, and will improve the site floristic condition, ensuring that native flora is not out-competed.

Environment Agency

- 3.2. No objection - We have reviewed the documents as submitted and can confirm we have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility.

Natural England

- 3.3. No objection - As outlined in section 8 of the Habitat Regulations Assessment Screening document, we acknowledge and support the measures that will be implemented to minimise the risk to the interest features of the site. This includes following strict biosecurity measures.

Water Management Alliance

- 3.4. No objection - The site is within the Internal Drainage District (IDD) of the Broads Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991, including the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required consents. As such I strongly recommend that any required consent, as set out below, is sought prior to determination of the planning application.

4. Representations

- 4.1. No representations have been 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
 - DM10 - Peat soils
 - SP6 - Biodiversity
 - DM13 - Natural Environment
 - SP7 - Landscape
 - DM16 - Development and Landscape
 - DM18 - Excavated Material
 - DM21 - Amenity

6. Assessment

- 6.1. The main reason this development has been proposed is to eradicate a non-native invasive species (*Crassula helmsii*) from the site thus preventing its potential proliferation further into the Broads network. In terms of the assessment of this application, the main issues for consideration relate to the principle of the development and whether the proposed development would have an acceptable impact on the natural environment. The impact the development would have on peat soils will be also considered. Due to the type of work and scale of the site an additional key consideration is the landscape impact of this proposal. The impact upon flood risk and neighbouring amenity will also be considered.

Principle of development

- 6.2. The scheme includes installing a small section of piling, extracting material from boundary dykes and potentially an additional scrape and using this to infill the infested dyke, thereby burying the invasive species. Habitat protection and restoration is supported in principle by Local Plan Policy DM13, the development is assessed against the relevant criteria below.
- 6.3. Policy DM13 criteria (a) requires that development will protect biodiversity and minimise the fragmentation of habitats. In this case, the proposal would not result in the fragmentation of habitat, the reprofiling of the dyke edges would result in a more suitable ground level for fen land habitats. The eradication of the *Crassula helmsii* would allow for continued growth of fen land native species.

- 6.4. Criteria (b) of Policy DM13 requires that development maximises the opportunities for restoration and enhancement of habitats. The reprofiling works would restore the dyke edges to typical ground levels for fen land; the removal of *Crassula helmsii* allow for further enhancement of the fen land species.
- 6.5. Criteria (c) requires the scheme to incorporate biodiversity and geological conservation features. Given the overarching objective of the works is one of biodiversity conservation then it is considered that this criteria has been met. The site will be monitored on a regular basis to ensure the complete eradication of *Crassula helmsii*.
- 6.6. Criteria (d) requires the inclusion of green infrastructure where appropriate. The proposal does not include additional green infrastructure as this is not considered appropriate in this sensitive location. This is acceptable in relation to criteria (d) of Policy DM13.
- 6.7. Where a development could affect the integrity of a SPA, SAC, or Ramsar site, in line Policy DM13 a Habitats Regulation Assessment (HRA) has been undertaken. The HRA assesses the impact on the integrity of the site and its qualifying features. Based on a matrix of 'low', 'medium' and 'high' risk, the impacts arising from the development are assessed against a particular species or site feature. The HRA concludes the development would have low risk to no impact on all of the site interests.
- 6.8. The proposed development is not considered to have an adverse impact on the designated site, Snipe Marsh. Strict biodiversity measures have been included within the HRA and it is considered these should be included within the planning permission as the implementation of such measures would minimise the risk to the interest features of the site and beyond.
- 6.9. The principle of the development to eradicate an invasive species from the protected site has been assessed against Local Plan Policy DM13. The works proposed to carry out the removal of *Crassula helmsii* is not considered to have a detrimental impact on the site itself or the wider natural environment and the principle of the development is therefore considered acceptable.

Peat Soils

- 6.10. The underlying soil type is fen peat soil and consequently Local Plan Policy DM10 will be considered. This Policy maintains a presumption in favour of preservation in-situ for peat; this means the favourable state is to leave the peat where it is. By the nature of the proposed development, soil, including peat, will be shifted around the site; mainly by moving it from raised dyke edges and using it to fill in the infested dyke. Four criteria need to be considered where development would have an impact on peat.
- 6.11. Criterion (i) of Policy DM10 requires the applicant to consider a less harmful viable option. The development seeks to only source material/sediment from the site to fill in the infested dyke; there is no less harmful viable option.

- 6.12. Criterion (ii) requires the amount of harm to be reduced to the minimum possible. The construction process would involve a digger extracting the soil and moving it to the receptor site almost immediately. The digger would track along the firm ditch margins and track mats would be used to reduce impact damage on the peat below. The applicant has confirmed that the soil would be transported to the receptor site immediately, but a condition to ensure the peat is not left on ground to dry would be appropriate in this instance.
- 6.13. Criterion (iii) requires satisfactory provision to be made for the evaluation, recording and interpretation of the peat soil. Peat cores have been taken at Snipe Marsh as part of the Discovery Project so the Broads Authority (as applicant) already holds data on peat in this location. Details of the methodology for the recording of the peat on this particular site have been requested and will be covered by planning condition.
- 6.14. Criterion (iv) requires the peat to be disposed of in a way that limits carbon loss to the atmosphere. The peat would be retained on site and will be moved to the receptor site before allowing it to dry out (and lose the carbon stored). The peat would be placed in a dyke where it would be kept wet. It is not considered that the development would result in a significant loss of carbon from the peat, because when extracted it would be sent to the receptor site to be kept wet.
- 6.15. The favourable presumption of Policy DM10 is for peat to remain in-situ. The proposal involves the excavation of peat and there will inevitably therefore be an impact, however the methods proposed to transfer it promptly to the receptor site and the intrinsic nature of that receptor site (as a wet feature) means that there will be minimal change to the character and properties of the peat and it is not considered that the development would have a significant or detrimental impact on the peat soil. The proposed protection measures and the short time in which the peat will be out of the ground mean that the impact on peat would be kept to a minimum. It is therefore considered that the proposal is not unacceptable in terms of DM10 of the Local Plan for the Broads (2019).

Flood Risk

- 6.16. According to the Environment Agency's flood maps, the application site lies in fluvial Flood Zone 3b, functional floodplain. Under Table 2 of the Environment Agency's Flood risk vulnerability classification the proposed development is water-compatible as it relates to nature conservation and biodiversity. Water-compatible development is acceptable in Flood Zone 3 subject to the development meeting the Sequential Test and being supported by a site-specific Flood Risk Assessment (FRA).
- 6.17. The FRA submitted with the application indicates that the water flow around the boundary of the site is unlikely to be adversely affected by isolating and infilling the dyke in the middle (infested dyke). The Environment Agency has raised no objection from the proposed development at Snipe Marsh and do not consider that infilling the infested dyke will reduce the flood storage capacity available on the site.

- 6.18. In terms of the Sequential Test, which requires the taking of a sequential approach in considering other sites, in this instance the test is not warranted because only the 'L' shaped dyke is infested with *Crassula hemslsii* and the proposed development is required to eradicate the invasive species. There is no other site where the proposed development could take place that would achieve the objective of the application and be at a lower risk of flooding.
- 6.19. The proposed development is compatible with national policy on flood risk and the site-specific FRA demonstrates the development would not have a detrimental impact on flood risk. The proposed development is considered acceptable in terms of DM5 of the Local Plan for the Broads (2019).

Impact upon the Landscape

- 6.20. The proposed development would change the physical landscape of the site. The profile of the dyke edges of the eastern dyke would be reduced in height by approximately 0.5m and the spoil extracted transported to fill in the 'L' shaped dyke. It is not considered that a minor reduction in the height of the boundary dykes would have a detrimental impact on the landscape character. The creation of the scrape would be a new landscape feature; a scrape is a typical landscape feature within a wetland environment and it is not considered to be an adverse feature.
- 6.21. Potential visual receptors are limited and looking into the site from Sharpe Street, it is difficult to see the dykes throughout the site as yellow water iris is the dominant fen type in Snipe Marsh and the views into the site make the site appear as a flower meadow. It is difficult to see into the site from How Hill Road as the southern part of the site is well screened with dense foliage.
- 6.22. In terms of the excavated material, Policy DM18 sets out a hierarchy for managing excavated material. Firstly, schemes are required to reduce to a minimum the volume of material that needs to be disposed of. In this instance, the material would be gathered from the surrounding dykes within the site and from a scrape. The minimum amount of materials would be used fill in the dyke and eradicate the invasive species.
- 6.23. Secondly, DM18 states, left over material is required to be put to a productive use with the preference being used on site. There would be no left-over material as all of the material needed would be used to fill in the infested dyke. Finally, DM18 requires any remaining material to be disposed of in a considerate and acceptable manner, there would be no remaining material and all material would be kept on site.
- 6.24. The impacts on landscape character are not considered to be adverse from the proposed development and the works are characteristic of fen land management works. The excavation of the material is in line with the objectives of Policy DM18. The proposed development is considered to be in accordance with Policies DM16 and DM18 of the Local Plan for the Broads (2019).

Amenity of residential properties

- 6.25. There are two residential properties on Sharp Street overlooking Snipe Marsh, these are Snipe Marsh Cottage and Summerhouse Farm. Cobb Cottage is at the far western end of Snipe Marsh, with Swallowtail Cottage and Grove Farm House across the road from Snipe Marsh to the east.
- 6.26. It is not considered that the proposed development would have a detrimental impact on the existing levels of amenity currently enjoyed by the nearby residential dwellings. This is because the dyke reprofiling, dyke infill and creation of a scrape, would not increase overshadowing or result in an overbearing development. The proposed development is in accordance with Policy DM21 of the Local Plan for the Broads (2019).

7. Conclusion

- 7.1. The development has been proposed as a means to eradicate the non-native invasive species *Crassula helmsii* from the infested dyke within Snipe Marsh. The development would protect the fen habitat at Snipe Marsh by alleviating the invasive species from choking the dykes and allowing native fen species to flourish. The potential for adverse impacts on the site's protected features, habitat and species has been identified and assessed in the form of a Habitats Regulation Assessment; these are all low-risk impacts. Natural England have raised no objection to the proposed development. The development is supported in principle by Policy DM13 and the NPPF.
- 7.2. The works do involve the excavation of peat soils and the peat extracted would be used to fill in the dyke thus keeping the peat wet and it would not be left out to dry. The proposal would have an impact on peat soil, although it is not considered to be significantly detrimental to the condition of the soil. The proposal is not considered to be unacceptable in terms of the impact on peat.
- 7.3. The proposed development is water compatible development and is not considered to increase flood risk at the site or elsewhere.
- 7.4. The works involve the creation of a new landscape feature. The landscape feature would not have an adverse impact on the landscape character. The proposed development is not considered to result in adverse impacts on residential amenity.

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. Recording of peat
 - iv. No spoil shall be removed from land within the blue line as shown on the site location plan (as filed with the application)
 - v. Peat buried within 7 days

9. Reason for recommendation

- 9.1. The proposed development has been assessed against the Local Plan for the Broads (2019) and the NPPF. The development is found to be in accordance with Policies DM5, DM13, DM16, DM18, DM21 and in partial accordance with DM10 of the Local Plan for the Broads (2019) and the development is in accordance with the NPPF.

Author: Calum Pollock

Date of report: 11 July 2022

Appendix 1 – Location map

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BA/2022/0184/FUL - Snipe Marsh, Ludham, NR29 5PQ



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