

Planning Committee

11 September 2020

Agenda item number 8.2

BA/2020/0146/FUL Petos Marsh, Burnt Hill Lane Calton Colville

Report by Planning Officer

Proposal

Installation of 25m floating mooring pontoon to be used as short stay 24 hour moorings

Applicant

Mr Lewis Treloar on behalf of the Broads Authority

Recommendation

Approval subject to conditions

Reason for referral to committee

Broads Authority Application

Application target date

16th September 2020

Contents

1.	Description of site and proposals	2
2.	Site history	2
3.	Consultations received	2
4.	Representations	3
5.	Policies	3
6.	Assessment	3
7.	Conclusion	5
8.	Recommendation	6
9.	Reason for recommendation	6
	Appendix 1 – Location map	7

1. Description of site and proposals

- 1.1. The site is located to the north west of the Suffolk Wildlife Trust's (SWT) Carlton Colville visitor centre along the water's edge of Peto's Marsh on Oulton Dyke. Members may be aware that SWT purchased Peto's Marsh as part of a wider land purchase scheme to extend the nature reserve at Carlton Marshes. Peto's Marsh is an area of former arable land which was farmed for many years and resulted in an area of low habitat value. Previous applications including flood defence remodelling related to SWT's vision for the site to be restored to an area of wetland habitat.
- 1.2. Oulton Dyke links the River Waveney (and the rest of the Broads network) with Oulton Broad and then the North Sea via Mutford Lock and Lake Lothing. Oulton Dyke is popular for accessing the Broads network by all sizes and types of motorised, sail and paddled craft. On the opposite bank of Oulton Dyke to the application site, at the Dutch Tea Gardens, is a length of 24hr mooring which is run by the Broads Authority. The Broads Authority in conjunction with SWT have agreed to provide additional 24 hr visitor moorings in this location which links to Carlton Marshes Nature Reserve.
- 1.3. The specific area covered by this application is a 25m stretch of bank along Oulton Dyke, located at an 80 degree turn in the dyke. The location of the mooring has been amended to bring it closer into the corner of dyke, in close proximity to the mouth of Sluttons Dyke. This amendment in position followed consultation with the NSBA and operators of a pleasure tour boat from Oulton Broad who felt that this would be a safer location.
- 1.4. Permission is sought for the installation of a 25m long x 2.5m wide floating mooring pontoon fixed to a concrete base with an articulated walkway ramp, all to be sited parallel with the west bank of Oulton Dyke. SWT propose to link this mooring by way of a riverbank permissive footpath to the existing extensive network of footpaths on Carlton Marshes.
- 1.5. The floating pontoon structure would be retained in place by 2.no tubular steel piles. The walkway and rear side of the pontoon would be enclosed with galvanised steel handrails.

2. Site history

- 2.1. Peto's Marsh has been subject to planning permissions for flood defences (BA/2014/0039/FUL) and habitat creation (BA/2019/0002/FUL). SWT have also had permission for a visitor centre for Carlton Marshes, which is nearing completion, and which is located to the south-east of the application site and would be accessible by footpath.

3. Consultations received

Parish Council

- 3.1. No objection

Environment Agency

- 3.2. No objection following details of water vole survey

BA Ecology

- 3.3. No objection

BA Landscape

- 3.4. No objection following confirmation of detailing

BA Navigation Committee Chairperson

- 3.5. Previously considered by Navigation Committee and no objections raised, subject to comments of NSBA

NSBA

- 3.6. No objection following the amendment of the position of the mooring

4. Representations

- 4.1. Broads Society – No objection

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
 - DM13 - Natural Environment
 - DM31 - Access to the Water
 - DM33 – Mooring provision
 - DM46 - Safety by the Water
 - DM43 – Design
- 5.3. The National Planning Policy Framework (NPPF) is a material consideration in the determination of this application.

6. Assessment

- 6.1. The key considerations in dealing with this application are the principle of development, impact upon the landscape and impact upon the adjoining habitat. Other issues of flood risk and access will also be considered.

Principle of development

- 6.2. In principle, the provision of short stay moorings is supported by Policies DM31 (Access to the water) and DM33 (Moorings, mooring basins & marinas) and in this instance it is

considered that the provision of 25m of mooring on the same basis as for other BA moorings – that is, as free 24hr short stay moorings - would help to provide for the identified requirement in the plan of visitor moorings throughout the Broads network. Policy DM31 sets out site specific criteria which this type of development needs to meet and some of these criteria are reiterated within Policy DM33.

- 6.3. The most relevant criteria of Policy DM31 in regards to this proposal are (a), (b), and (d) and these correspond to criteria (a) – (c), (f)- (h) of Policy DM33 and relate to the impact on navigation, hazardous boat movements and the impact on the Broads landscape. The proposal has been amended during the assessment process to move the mooring pontoon further to the south. This has had the effect of bringing the mooring into a wider section of Oulton Dyke, moves it away from the existing mooring at the Dutch Tea Gardens on the opposite bank and ensures that the mooring is tucked closer to the bank. Whilst closer to the entrance of Sluttons Dyke, this would not be obstructed. The amendments have ensured that the moorings would not adversely impact on navigation or result in hazardous boat movements and therefore the proposal complies with criteria (a) and (b) of Policy DM31 and criteria (h) of Policy DM33.
- 6.4. In regards to the remaining most relevant criteria of DM31 and DM33 (respectively criteria (d), and criteria (a) - (c), (f) & (g)), this will be covered by the following sections of the report regarding landscape and ecology.
- 6.5. Other criteria of Policy DM31 and DM33 (respectively criteria (c), (e) & (f) and criteria (d), (i) - (k)) relate to not prejudicing future use of adjoining land or compromising access to the waterside and facilities, and it is clear that the provision of a floating pontoon would meet these requirements. The remainder of the policy criteria in DM31 and DM33 are not relevant.

Impact upon the landscape

- 6.6. Policy DM31, DM16, DM33 and DM43 are relevant in the consideration of this application as the proposed pontoon would have an impact upon the landscape as it constitutes a hard engineered intervention in what is a rural setting, albeit made up of significant areas of flood defence engineering in the form of flood banks etc. The scale of the moorings is relatively limited at 25m. As a floating pontoon, the moorings would have a lesser visual impact than a hard engineered piled bank and quay heading, especially as the pontoon would float at varying heights as the water level in the dyke fluctuates.
- 6.7. The relocation of the pontoon further to the south from the originally proposed position has not only been proposed on the basis of benefitting navigational safety, but also to reduce the visual impact of the proposed moorings. The new site would be somewhat tucked in behind the bank to the east and would not be as visible from the direction of either Oulton Broad or the River Waveney.

- 6.8. Confirmation from the applicant has been received that detailing of the pontoon, piling and finishing equipment would be of a nature similar to other BA moorings and is of an acceptable standard in terms of visual impact and design and in accordance with Policies DM31 (d) , DM16, DM33 (a), (b), (c) & (g) and DM43 of the Local Plan for the Broads (2019).

Impact upon habitat

- 6.9. The application site has been subject to a habitat survey and no evidence of water voles or other protected species has been found. On this basis, the holding objection of the Environment Agency and BA Ecologists has been removed. Dependant on the timing of works, EA permitting may be required due to piling within the fish spawning season, however as the works are likely to be completed outside of this period the Environment Agency do not object on this basis. An informative can be added to the decision notice to remind the applicant of the obligation.
- 6.10. The position of the mooring, to the south end of Peto's Marsh, closest to existing footpaths is considered by SWT to have the lowest impact in terms of potential disturbance of birds that will use Peto's Marsh as habitat, and therefore the amended position is supported in ecological terms. The proposed development is therefore considered to accord with Policy DM13, Policy DM31 (d) and Policy DM33 (f) of the Local Plan for the Broads (2019).

Other issues

- 6.11. The proposal is a flood compatible use and there would be no alternative sites to which a lower level of flood risk would be appropriate for this proposed development. The proposal is therefore considered to accord with Policy DM5 of the Local Plan for the Broads (2019).
- 6.12. The proposed development includes safety measures in line with other BA operated moorings and is considered to accord with Policy DM46 of the Local Plan for the Broads (2019). The provision of a mooring in and of itself is policy compliant. However, as part of the applicant's agreement with the SWT, a permissive path would be provided to link the mooring to footpaths within Carlton Marshes and ultimately to the amenities at the visitor centre and other tourist facilities. This is considered to accord with Policy SP9 of the Local Plan for the Broads (2019).

7. Conclusion

- 7.1. The proposed development will provide a modest increase in short term visitor moorings within the southern Broads which is supported by Policy SP14 and Policy DM31 of the Local Plan for the Broads. Following consultation with the EA, BA Ecologist and Landscape Officers and the NSBA, an amendment has been received which has resulted in all holding objections being removed. The proposal is considered to be in accordance with Policies DM5, DM13, DM16, DM43 and DM46 of the Local Plan for the Broads (2019).

8. Recommendation

8.1. Approve subject to conditions:

- Time Limit
- In accordance with amended plans.
- Water vole checks during construction.
- Restricting the use of the mooring to 24hr short stays.

8.2. An Informative note should also be provided advising of the need for Environment Agency permitting should the works take place within the fish spawning season and the requirement for a Works Licence.

9. Reason for recommendation

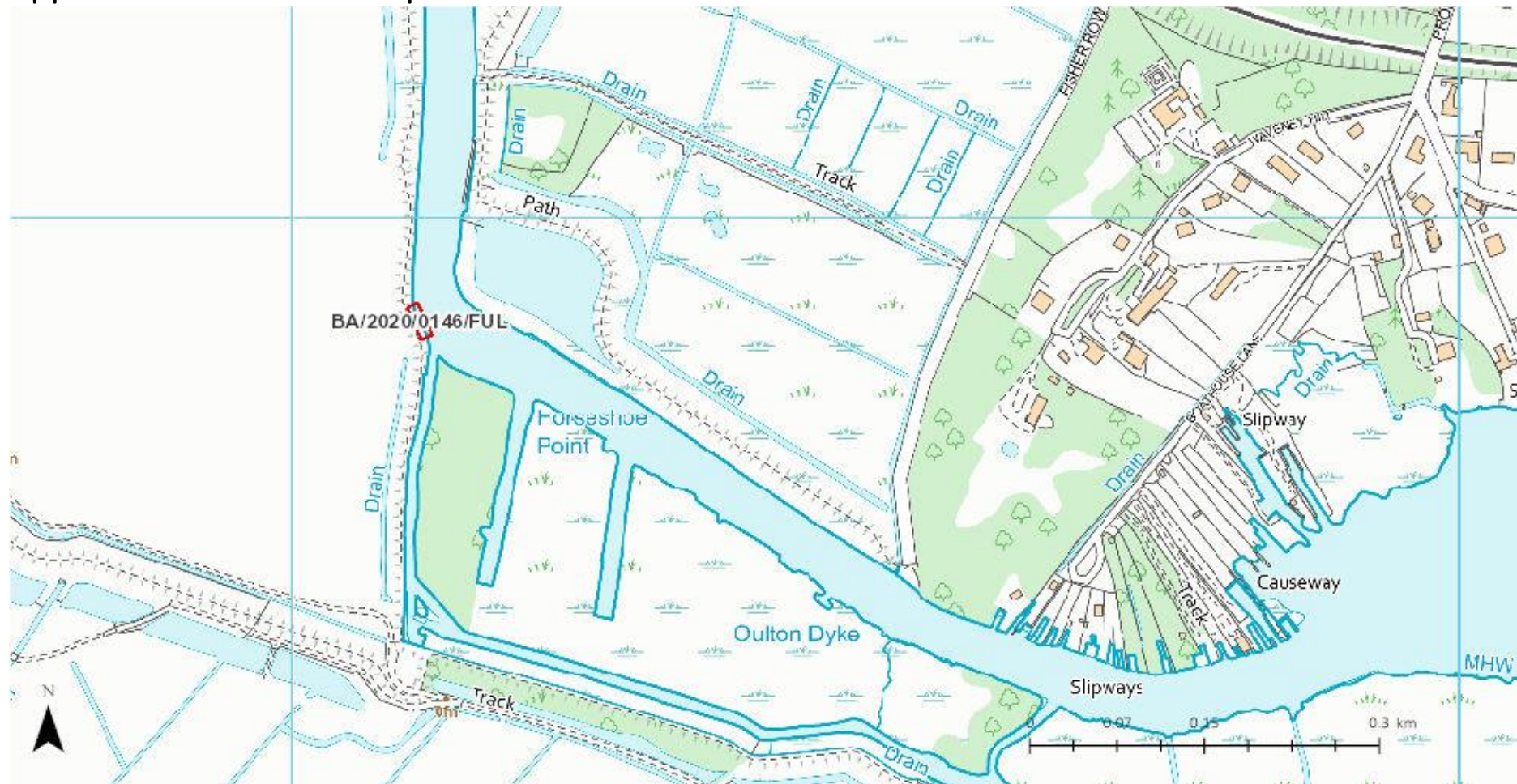
9.1. Following amendment the proposal is considered to accord with all relevant Planning Policy.

Author: Jack Ibbotson

Date of report: 26 August 2020

Appendix 1 – Location map

Appendix 1 – Location map



© Crown copyright and database rights 2019 Ordnance Survey 100021573. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.