

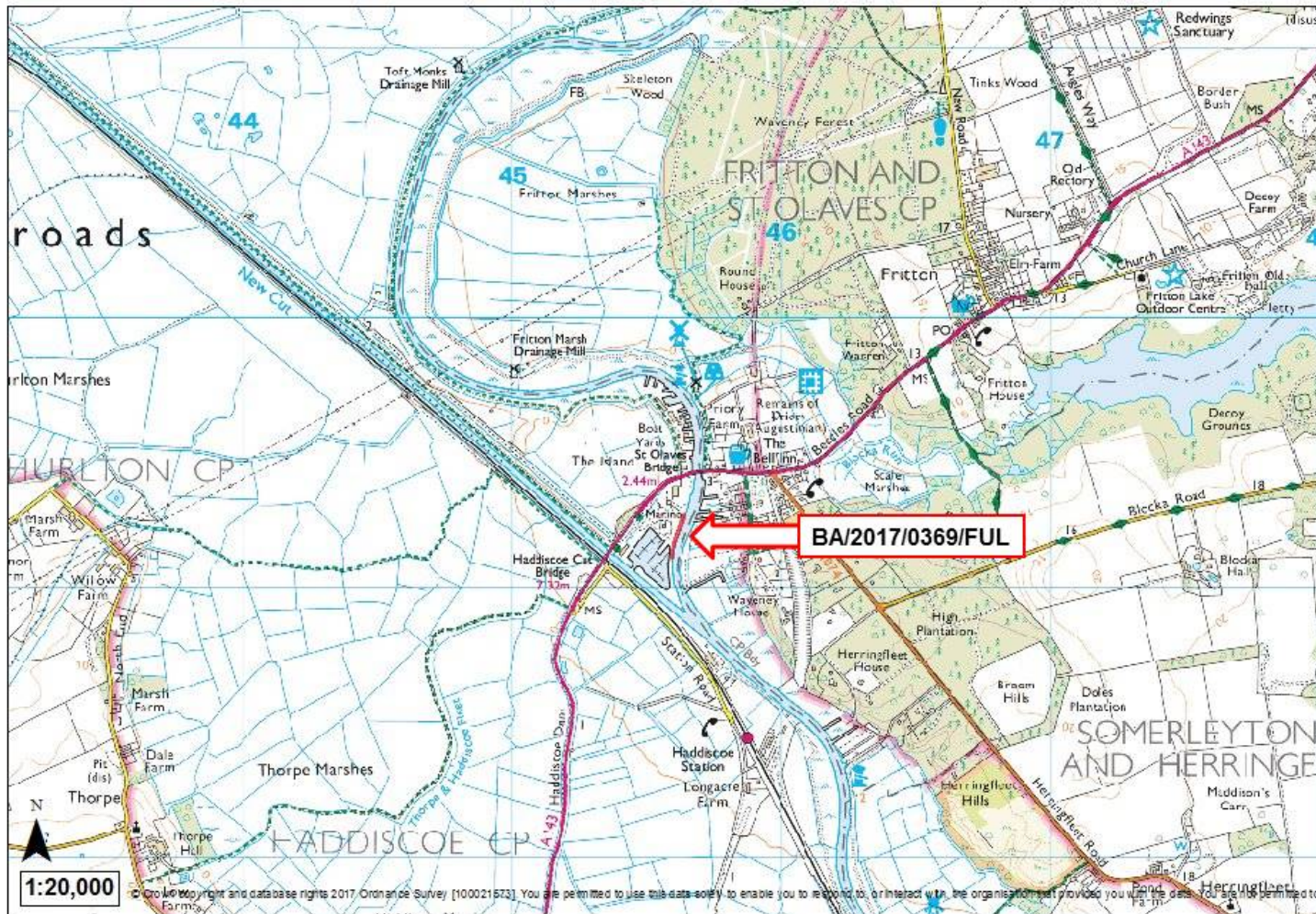
Reference:

BA/2017/0369/FUL

Location

St Olaves Marina, Beccles Road, St Olaves

BA/2017/0369/FUL - St Olaves Marina



Application for Determination
Report by Planning Officer

Parish	Haddiscoe and Toft Monks
Reference	BA/2017/0369/FUL Target date 05 December 2017
Location	St Olaves Marina, Beccles Road, St Olaves
Proposal	Mooring pontoons with bank cutback on the River Waveney frontage together with, demasting, visitor and service moorings.
Applicant	Mr Chris Bromley
Recommendation	Approve subject to conditions
Reason for referral to Committee	Objections which raise material considerations of significant weight received

1 Description of Site and Proposals

- 1.1 St Olaves Marina is a large marina situated at the confluence of the River Waveney and the Haddiscoe New Cut, in the southern half of the Broads system. The marina comprises two basins extending to approximately 1.8ha, a boat sales area, washrooms building, reception and office building and extensive areas of hardstanding for car parking, boat storage and marine maintenance activities. In total the site covers an area of approximately 5ha. It does not appear that the total number of moorings offered by the site is restricted by planning, it is believed that the marina can accommodate in excess of 150 boats in the water, and has space for a considerable number more in dry storage on the land. There are currently no moorings along the River Waveney frontage of the site.
- 1.2 The marina site, broadly triangular in shape, is bounded on two sides by water and on the third by the A143, a busy 'A' class road which crosses the Haddiscoe New Cut via a substantial modern road bridge. The landscape to the north, south and west of the marina is characterised by expanses of flat grazing marsh, with small fields separated by drainage dykes in the traditional pattern of the Broads. The large road bridge (with a height above mean high water of just over 7m) is a very prominent feature in the landscape surrounding the marina.

- 1.3 To the east of the application site, across the River Waveney, the landscape is more developed and domestic in nature. A row of gardens, moorings and leisure plots face the marina across the river and to the east of these the land rises up to meet a linear development of houses running on a north/south axis. These houses are largely orientated to take advantage of views of the river situated some 200m to the west.
- 1.4 There are moorings on the opposite side of the river which, in addition to some mooring cuts primarily opposite the proposed 60m of piled riverbank, these allow for vessels to be moored along the piled riverbank.
- 1.5 In 2015 planning permission was refused (ref BA/2014/0205/FUL) for 116m of floating pontoon and 48m of piled frontage to the south of the proposed pontoon, including 22m of visitor/demasting moorings at the southern end of the piled frontage. The application was refused for the following reasons:
- Through the introduction of an engineered edge in the form of quay heading and the resulting loss of natural reeded river bank habitat, the application would have an adverse impact on protected species and protected habitats. As such the development is contrary to criterion 'b' of policy DP16 of the adopted Broads DM DPD in respect of ecological impacts.
 - Through the introduction of an engineered edge in the form of quay heading and the resulting loss of natural reeded river bank habitat, the application would have an adverse impact on the landscape character of the protected landscape of the Broads. As such the development is contrary to criterion 'b' of policy DP16 of the adopted Broads DM DPD in respect of landscape impacts.
 - The application does not provide new visitor moorings or, in lieu of visitor moorings, demasting moorings, as required by criterion 'h' of policy DPI 6. As such the development cannot be considered to accord with criterion 'h' of Policy DP16.
 - The proposal would result in the reduction of the width of the river as a result of the pontoon and the use thereof and would consequently have a negative impact on navigation. As such, the development is contrary to criterion 'a' of Policy DP16 of the adopted Broads DM DPD In respect of navigation impacts.
- 1.6 This application is for the installation of 115m of floating pontoons along the River Waveney (eastern) frontage of the marina site, with a cut back of the existing riverbank by 2.5m for the entire length of floating pontoons. The submitted plans show an existing reeded bank at an angle of 45 degrees with a flood wall behind to a height of 0.6m, this would be replicated 2.5m behind its existing position, and the bank allowed to regenerate with reeds. The newly created bank would be piled at the water line, vertical guide poles for the pontoons would be driven into the riverbank to the front of the piled bank, and pontoons would be sited adjacent to the guide poles. The pontoons would be accessed via a ramp which is designed to rise and fall along with the pontoons. The moorings would be private moorings, as defined by policy DP16.

- 1.7 Immediately south of the mooring pontoons would be a section of riverbank that would be piled along the existing bank line for a length of 60m to provide visitor mooring for a length of 20m, servicing berths for a length of 20m, and demasting berth for a length of 20m.
- 1.8 Whilst it is noted that the mooring pontoons and piled riverbank would not reduce the existing width of the river, the navigable width would be reduced by virtue of boats utilising the proposed moorings.
- 1.9 In summary the current application differs from the proposal which was refused in the following respects:
- The existing riverbank on the River Waveney frontage would be cut back by 2.5m for a length of 115m, with mooring pontoons at a width of 2.5m to the front of the new bank line, therefore the reduction in the width of the river would be limited to the width of any vessel mooring at the pontoons.
 - The newly created riverbank would be planted with reed.
 - Visitor berths would be provided for a length of 20m, with servicing berths for a length of 20m, and demasting berth for a length of 20m.

2 Site history

- 2.1 There is extensive planning history in the 1980s and 1990s, concerning the excavation of the basin and other works. The only recent works relevant to this relate to the provision of demasting moorings on the Reedham side of the New Cut pursuant to a s106 Agreement.
- 2.2 In 2015 planning permission was refused for 116m of floating pontoon and 48m of piled frontage to the south of the pontoon, including 22m of visitor/demasting moorings at the southern end of the piled frontage (ref BA/2014/0205/FUL).
- 2.3 In 2017 pre-application advice was given in relation to proposed mooring pontoons (BA/2017/0015/PREAPP).

3 Consultation

- 3.1 Consultations received

Fritton and St Olaves Parish Council - No objection, although there was a comment in regard to timber piling instead of steel piling should be preferred for wildlife protection in national park area.

River Waveney Trust - We do not wish to make representations on this occasion.

NSBA - We do not object to this application provided that there is adequate width in the river, and indeed strongly support the provision of floating pontoons available to the public and pontoons for mast lowering, there being a serious deficiency in mast lowering facilities at St Olaves Bridge. We recommend that the relevant senior officers carry out checks to determine that

the cutting back of the river bank to the new line is adequate. Construction of the piled edge should be checked to ensure that the revised line of the river edge is suitably engineered to prevent scour.

Navigation Committee - At their on 15 December 2017 Members welcomed the mooring and the provision for demasting moorings, it was noted that the concerns with the previous application had been met and Members were encouraged by the benefits of the new development. The committee supported the development.

BA Landscape Officer - Given the scale and nature of the proposals, existing moorings and backdrop of the large marina and boatyard, I don't consider that the proposals would have significant visual or other landscape impacts. Existing reeds along a flood wall would be allowed to regenerate which is beneficial.

BA Ecologist - The reed fringe on this particular stretch of river is currently in poor condition. In principle I have no objection to the berth area being setback as long as mitigation is provided in the form of a replacement reed fringe habitat. The reed fringe must be reinstated to provide a continuous margin. Further details on the width of the reed rond should be provided. If this scheme were to be approved we would condition replanting of the reed fringe if this was unsuccessful, and any associated management of the area.

BA Waterways and Recreation - The revised proposal does not present us with any concerns regarding the width of the navigation. The new pontoons will be set back into the bank beyond those at Johnson's Yacht Station so that any vessels moored there will still be closer in to the bank than those at Johnson's. Also we don't see this effecting the moorings opposite adversely. We welcome the proposal to provide the pump out and fuel services as this will provide services that are currently not available in the area and this is considered to be a positive benefit of the proposal. Additionally the proposed visitor moorings and demasting moorings will be a benefit for navigation. In summary we support this amended proposal in principle but would wish to agree specifications for any bank reprofiling, piling and the pontoons particularly safety features.

3.2 Representations received

Two responses were received from residential neighbours which are summarised as follows:

- The only difference between this application and the previous one is the pontoons will be cut back into the bank a matter of 2.5 metres this still leaves another 4 to 5 metres in the river depending on the boat size.
- People using the new proposed moorings will also have to turn around to moor up against the tide alongside the new moorings.
- Boats using old marina entrance had to turn to enter the marina against the tide, this resulted in countless boats crashing into quay heading on the opposite bank.

- We would not like to see the previous situation return on an exaggerated scale.
- Width of navigation may have increased but still issues of impact on wildlife.
- How will access to moorings be provided out of hours.
- Demasting mooring is so far away from the bridge that it is unworkable in practice.
- The protected species habitat is currently being destroyed by the Marina's vegetation stripping activities prior to any decision being made.
- There are compliance issues with earlier planning conditions, the landscaping, planting of trees, land levels, the temporary permission for the plastic sheeted workshop, etc.

4 Policies

- 4.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[Core Strategy \(adopted 2007\)](#)

CS1 - Landscape Protection and Enhancement
 CS3 - The Navigation
 CS4 - Creation of New Resources
 CS9 - Sustainable Tourism
 CS14 - Visitor moorings
 CS23 - Network of waterside sites

[Development Management Policies DPD \(adopted 2011\)](#)

DP1 - Natural Environment
 DP2 - Landscape and Trees
 DP11 - Access on Land

- 4.2 The following Policies have been assessed for consistency with the NPPF which has been found to be silent on these matters. Paragraph 14 of the NPPF requires that planning permission be granted unless the adverse effects would outweigh the benefits.

[Development Management Policies DPD \(adopted 2011\)](#)

DP12 - Access to the Water
 DP13 - Bank Protection
 DP16 - Moorings

- 4.3 Other Material Considerations

[NPPF](#)

Landscape Character Assessment Area 9: Waveney Valley - St Olaves to Burgh Castle

4.4 Neighbourhood plans

There is no neighbourhood plan in force in this area.

5 Assessment

- 5.1 The proposal is for the cut back of the existing riverbank along the River Waveney by 2.5m for a length of 115m and the installation of floating pontoons for private mooring. The existing reeded bank and flood wall would be replicated 2.5m behind its existing position. Immediately south of the mooring pontoons would be a section of riverbank that would be piled along the existing bank line for a length of 60m to provide visitor mooring for a length of 20m, servicing berths for a length of 20m, and demasting berth for a length of 20m.
- 5.2 The main issues in the determination of this application are the impact on recreation and navigation, habitat and ecology, landscape and river scene, and highways access.
- 5.3 The proposed works would result in the provision of new moorings which would contribute to the network of facilities around the Broads system and in principle are considered acceptable. Proposals for new moorings are assessed against Policy DP16 of the Development Management Policies DPD which stipulates criteria (a) to (k) and these measures will be considered in turn.
- 5.4 Criterion (a) requires that new moorings would be located where they would not have a negative impact on navigation. This was a significant issue in the previous application (BA/2014/0205/FUL) cited by numerous objectors and consultees, and Navigation Committee unanimously recommended that the planning application should be refused as it would have a negative impact on navigation. The previous application was for pontoons to be sited adjacent to the existing riverbank, meaning the reduction in river width when considering both the pontoon and moored boat would be a maximum of 9.1m. The current proposal is for the riverbank to be set back by 2.5m with the submitted plan showing a bank profile whereby the front edge of the floating pontoon would broadly sit at the point where the existing riverbank at river level is sited. The result would be that the reduction in river width would be, as existing, on the basis of a moored boats' beam (width), with Broads Authority Vessel Dimension Byelaws 1995 restricting maximum permitted vessel width on this part of the Waveney to 5.5m. Taking into account the varied river width which at its narrowest is 31.5m and at its widest is 40.77m, a reduction in navigable width by a maximum of 5.5m is considered acceptable and would not have a negative impact on navigation. This is considered sufficient to overcome reason 4 of the previous refusal as concerns regarding negative impact on navigation have been adequately addressed.
- 5.5 It is acknowledged that an objection was received which cited issues with people using the new proposed moorings will also having to turn around to moor up against the tide. The proposal would result in a reduction of the

navigable width of the river by virtue of the width of the moored boats, however there would still be sufficient width within which to manoeuvre boats, as such it is considered that the reduced width of the river would not present a hazard to river users or the owners of plots opposite the application site. It is therefore considered that the proposal has overcome the previous reason for refusal (reason 4 under ref BA/2014/0205/FUL) and as such is acceptable with regard to criterion (a) of Policy DP16.

- 5.6 Criteria (b) and (g) require that there would be no adverse effect on landscape character, or protected habitats or species, and would meet the requirements of the Water Framework Directive. In terms of landscape, the appearance of the site (and consequent character) varies depending on the point from which it is viewed. The difference is broadly marked by the former River Waveney entrance to the mooring basin. In general, south of this point is more related to a softer more natural landscape and the north of this point is more related to the harder edged and engineered appearance. The location of the proposed moorings is predominantly alongside the land based element of the boatyard where structures, machinery and boats give the landscape a particular appearance and character. On the opposite bank there are numerous mooring cuts and the bank is piled giving a harder engineered edge. Whilst the proposal would result in the loss of the existing reeded bank, the area of reeds in question is very narrow and visibly eroded in places, with the BA ecologist commenting that the reed fringe on this particular stretch of river is currently in poor condition. The proposal includes the planting of reeds on the newly created riverbank alongside to the floating pontoons, which given the protection of the pontoons would be less susceptible to erosion.
- 5.7 The previous application for moorings at this location was refused due to adverse impacts on landscape character and on protected species and protected habitats (reasons 1 and 2 under ref BA/2014/0205/FUL). The assessment of that application highlighted the point that an engineered river edge such as the piling proposed as part of that scheme along the visitor/servicing/demasting moorings would result in the total loss of existing reed bed without compensatory habitat or mitigation. The current application differs as a large area of landscape improvement (130 metres by 10 metres) in the form of new reed bed is proposed immediately south of the section to be piled, this would be reasonably significant in terms of mitigation as the improved area is more than twice the length of the proposed piling. As noted in paragraph 5.6 above, the area of reeds is currently in poor condition, there are two sections where the riverbank is bare, one of which is alongside the proposed piled section, the other of which is alongside the proposed area of new reed bed.
- 5.8 The other point to note in paragraph 5.6 above is the landscape character at this section of the river. On the opposite bank the piled riverbank extends approximately 110 metres south of the southernmost point of the proposed piling. This gives the landscape a particular character in this section, so that as a boat travelling along the River Waveney passes the opening to the New Cut, a manmade and managed environment comes into view, with the subject site being a less obvious immediate presence. It is in this area that the

proposed mitigation planting would be most effective as the influence of the applicant's boatyard is less, but beyond that area, as the river gently curves to head northwards, the backdrop of the boatyard, the road bridges along the A143, the treatment of the opposite riverbank, and the absence of reeds or planting at the adjacent boatyard to the north of the subject site, give the landscape at this juncture a particular character that a 60 metre section of piling would not undermine or adversely influence. It is therefore considered that changes to landscape would be acceptable in their specific context and where a more engineered appearance is proposed it is in keeping with the immediate surroundings, and any impact would be offset by improvements to the adjacent area and the planting of a replacement reed fringe to the newly formed riverbank. As such the proposal has overcome the previous reason for refusal (reason 2 under ref BA/2014/0205/FUL) and is acceptable with regard to criterion (b) of Policy DP16 and Policy DP2.

- 5.9 In terms of protected species and habitats, the BA ecologist viewed the application, acknowledged that the reed fringe is currently in poor condition, and raised no objection to the riverbank setback subject to mitigation being provided in the form of a replacement reed fringe habitat. The applicant has provided details of the reed fringe planting and this has been accepted. There would be an interruption in the reed fringe by virtue of the proposed piled section of riverbank, but taking into account the existing reed fringe which is of poor quality and includes two gaps, one of 17 metres and one of 38 metres, the overall resulting scheme would be an improvement on the existing situation. Key to this is the proposed biodiversity enhancements in the form of the reed habitat south of the development area which would help offset any impact on priority habitat within the site. The application as submitted lacked a protected species survey for water voles, this was raised with applicant and an Ecological Mitigation Strategy was submitted, this has been reviewed by the BA ecologist and considered satisfactory subject to conditions, particularly the mitigation strategy for water voles. The proposed measures for mitigation, taking into account the existing condition of the reeds at this location, would result in an improved area of natural habitat. It is therefore considered that the proposal has overcome the previous reason for refusal (reason 1 under ref BA/2014/0205/FUL) and is acceptable with regard to criterion (b) of Policy DP16 and Policy DP2.
- 5.10 It is acknowledged that in a consultation response from a neighbouring plot owner it was stated that the protected species habitat is currently being destroyed by the Marina's vegetation stripping activities prior to any decision being made. Having viewed aerial photographs taken since 1999 it is clear that the reed fringe in this location has been eroding fairly consistently, and recent observations on site demonstrate a situation which accords with the pattern of attrition in general. There are patches where reed has been cut along with grasses, but these are limited and have been taken into consideration when assessing this element of the proposal. It is also noted that allegations of unauthorised development have previously been made and investigated and there are currently no outstanding issues on the site.

- 5.11 Criteria (c) and (k) require that there is provision for an adequate and appropriate range of services and ancillary facilities, or adequate access to local facilities in the vicinity. The proposed mooring pontoons are located at an existing boatyard which has a limited range of facilities, and is in walking distance to St Olaves which provides a small range of services and facilities. The ancillary features at the boatyard include toilet and shower block, lift out and marine repairs. It is acknowledged that local provision is limited, but given the existing function of the boatyard and the adjacent provision of moorings, a refusal on this basis would not be reasonable or justifiable. In addition it should be noted that the proposal includes 20m of demasting mooring, as well as 20m of servicing moorings. The BA Senior Waterways and Recreation Officer commented that demasting moorings will be a benefit for navigation, it is worth noting that the Navigation Committee has advised that St Olaves Bridge is one of the three priority sites for the provision of demasting moorings in the Broads.
- 5.12 Criterion (d) requires that development would not prejudice the current or future use of adjoining land or buildings. The proposed moorings are complementary to the existing use at the site and at the neighbouring site which also provides moorings on the river in the form of floating pontoons, and is sited an acceptable distance from moorings on the opposite bank. It is therefore considered the proposed moorings would not prejudice surrounding uses.
- 5.13 Criterion (e) requires that development would not adversely affect the amenity of adjoining residents. The distance from the proposed moorings to the nearest residential property is over 60m, and taking into account the limited noise impacts associated with private moorings, it is considered that the proposal would not adversely impact on the amenity enjoyed by neighbouring residents.
- 5.14 Criteria (f) and (h) relate to visitor (short stay) moorings with criterion (f) requiring that the proposed moorings would not result in the loss of moorings available for visitor use, and criterion (h) requiring new visitor moorings at not less than 10% of total new moorings provided with a minimum provision of two. The riverbank where the floating pontoons would be sited currently provides no mooring facility. As part of the proposal a length of 20m of the proposed moorings would be provided for visitor (short stay) use, this provision is in accordance with the required minimum and is therefore acceptable. It is noted that the visitor moorings would be part of the boatyard site which is secured at night, the applicant has confirmed that that cards to allow access through the secure gates out of office hours will be made available to those using the visitor moorings. This is considered sufficient to overcome the previous reason for refusal (reason 4 under ref BA/2014/0205/FUL) and is acceptable with regard to criteria (f) and (h) of Policy DP16.
- 5.15 Criteria (i) and (j) require that there is adequate provision for car parking, waste and sewage disposal, the prevention of pollution, and pump-out facilities. The proposed moorings are part of the well established St Olaves

Marina and would utilise existing infrastructure which includes adequate provision for car parking, waste and sewage disposal.

- 5.16 Alongside the 20 metres of visitor moorings there would be 20 metres of servicing moorings, and 20 metres of demasting moorings. The servicing moorings would allow boat owners to utilise the facilities already on offer at this well established boatyard. The demasting moorings are welcomed, and the Navigation Committee has advised that St Olaves Bridge is one of the three priority sites for the provision of demasting moorings in the Broads, so the current proposal would contribute to that and in that respect are considered beneficial.

6 Conclusion

- 7.1 The proposed works to the riverbank to provide floating pontoons for private mooring, and piling for visitor, servicing, and demasting moorings as part of the St Olaves Marina site is considered to be appropriately located, would not result in an unacceptable reduction in navigable river width, and would not have an unacceptable impact on landscape character, or protected species and habitats, subject to proposed mitigation. Consequently the application is considered to be acceptable with regard to Policies DP2 and DP16 of the Development Plan Document.

7 Recommendation

Approve subject to conditions

- i. Standard time limit;
- ii. In accordance with submitted plans;
- iii. Details of bank reprofiling, piling and the pontoons particularly safety features.
- iv. In accordance with method statement;
- v. Mitigation measures and monitoring plan;
- vi. Breeding birds - timing of works;
- vii. Limit on artificial light;
- viii. Reedbed width;
- ix. Methodology for reedbed regeneration
- x. Habitat enhancement;
- xi. Spoil disposal
- xii. Moorings use as prescribed;
- xiii. Details of signage for demasting, visitor, and servicing moorings; and
- xiv. No double mooring and no stern on mooring.

Informatives

- i. Environmental Permit;
- ii. Works Licence;
- iii. Natural England Protected Species Licence;
- iv. Excavations covered at night;
- v. Lighting at night;
- vi. Construction materials stored off the ground;

8 Reason for Recommendation

The proposal is considered to be in accordance with Policies CS1, CS3, CS4, and CS14 of the Core Strategy (2007), Policies DP2, DP12, DP13, and DP16, of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

Background papers: Application File BA/2017/0369/FUL

Author: Nigel Catherall

Date of Report: 15 February 2018

List of Appendices: Appendix A - Location Plan

BA/2017/0369/FUL - St Olaves Marina

