

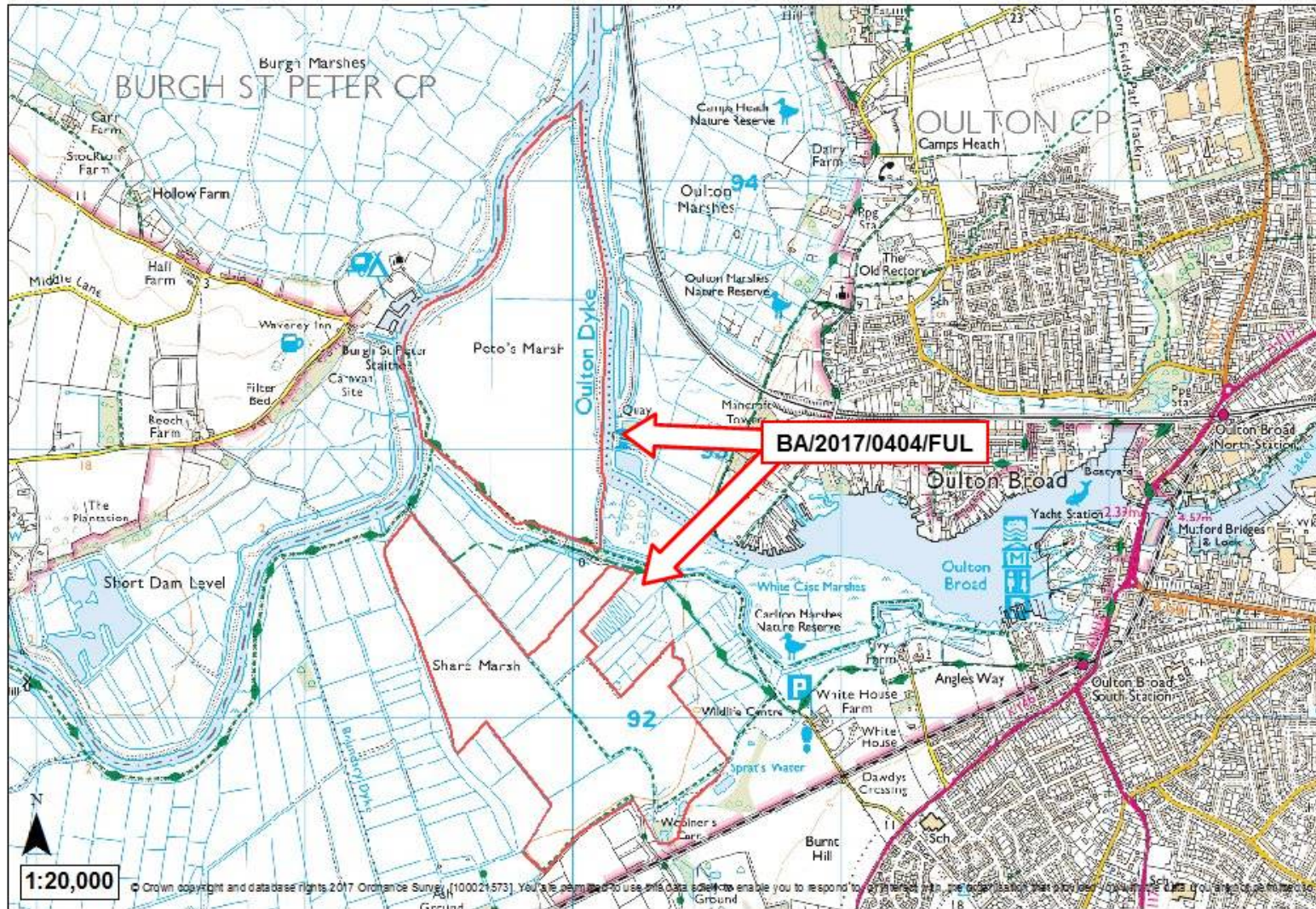
**Reference:**

BA/2017/0404/FUL

**Location**

Carlton Marshes Nature Reserve, Carlton Colville

BA/2017/0404/FUL - Carlton Marshes Nature Reserve Lowestoft



**Application for Determination**  
Report by Planning Officer

<b>Target Date</b>	13 February 2018
<b>Parish:</b>	Carlton Colville
<b>Reference:</b>	BA/2017/0404/FUL
<b>Location:</b>	Carlton Marshes Nature Reserve, Carlton Colville
<b>Proposal:</b>	Habitat creation within two blocks of arable marsh. To include earthworks, low-level bunds and water level management structures, including a windpump. Floodbank strengthening, improvements to access routes used by visitors and the construction of six hides and viewing platforms. New boardwalk and widen an existing path.
<b>Applicant:</b>	Suffolk Wildlife Trust
<b>Recommendation:</b>	Approve subject to conditions
<b>Reason for referral to Committee:</b>	Major Application

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

- 1.1 The subject comprises two substantial areas of arable marsh which are adjacent to the existing Suffolk Wildlife Trust Carlton & Oulton Marshes Nature Reserve site, and which the Trust is in the process of purchasing. The overall site is located to the west of Lowestoft, predominantly either side of Oulton Dyke and as far south as the railway line from Beccles to Oulton Broad South.
- 1.2 The existing site comprises Oulton Marshes which is sited to the east and north of Oulton Dyke, White Cast Marshes which is sited to south of Oulton Dyke and east of Slutton's Dyke, and Castle Marshes which is sited approximately 1km to the west and on the southern bank of the River Waveney. The existing site is mostly grazing marsh, but also includes some areas of reedbed, fen meadow, scrub, open water and alder carr within the floodplain.
- 1.3 The subject site is made up of Peto's Marsh comprising approximately 76 hectares in effectively an inverted 'V' shape defined by the River Waveney

and Oulton Dyke, and Share Marsh comprising approximately 68 hectares which is of an irregular shape and is sited to the south of Peto's Marsh and west of White Cast Marsh. The site is a flat area of marshland that was previously under arable cultivation but has now been allowed to revert to rough grassland with not insignificant areas of reed growth. There are a number of foot drains running across each site, and a well established track runs diagonally across Share Marsh.

- 1.4 A small part of the subject site at its south-eastern point is within an area designated as the Sprat's Water and Marshes Site of Special Scientific Interest (SSSI), Broadland Special Protection (SPA) Broads Special Area of Conservation (SAC), and a Ramsar site. The majority of the designated area is sited to the east/south east of the subject site area, this being within White Cast Marsh. Although not currently designated as a Biodiversity Action Plan (BAP) Habitat the site has been identified as having high potential for future designation.
- 1.5 The nature reserve can be accessed by private vehicle via Burnt Oak Lane to the south which leads to the existing education centre or via Church Lane which is sited to the east of Oulton Marshes. The Angles Way footpath runs across the site on a section that runs from Lowestoft to Beccles. A pedestrian/cycle ferry runs from the Waveney River Centre which is located across the River Waveney from Peto's Marsh. There are also moorings available at the Dutch Tea Gardens which is located on Oulton Dyke adjacent to Oulton Marsh.
- 1.6 The site is located within Flood Zone 3.
- 1.7 The primary objective of the scheme is to increase the amount of good quality wetland habitat in this part of the Broads through habitat creation. The existing reserve will almost double in size, and the proposals will significantly improve the overall biodiversity value, as well as making the site more adaptable and resilient to future changes as a consequence of climate change impacts. Planning permission is required for much of the work required to achieve this as these works constitute an engineering operation, whilst other aspects of the scheme are operational development.
- 1.8 A secondary objective, linked to a separate planning application (ref BA/2017/0405/FUL) for a new visitor centre and car park, is to improve access and viewing opportunities for people within the new reserve, without compromising the biodiversity interest. This will be achieved through the extension of existing trails, use of public rights of way, creation of new permissive paths, and the installation of new hides and viewpoints. A report on this separate application is also on the Planning Committee agenda.
- 1.9 A summary of the proposed works is as follows:
  - Major earthworks
  - Low-level bunds and water level management structures comprising a windpump, a penstock weir, and a number of sluices.
  - Floodbank strengthening along the River Waveney and Slutton's Dyke

- Improvements to access routes used by visitors including new and extended hard surfaced paths, new boardwalk and widening of an existing path
  - Construction of six viewpoint structures
- 1.10 Peto's Marsh is proposed as a large reedbed through a combination of reedswamp, dykes and open water pools. The area will be subdivided into four separate management compartments through the installation of a perimeter bund, located just inside the existing soke dyke, and internal bunds. One compartment will have scrapes and low intensity grazing to create wet, tussocky grassland with a reeded fringe. The other three compartments will have deeper pools and wet reed that would be managed by rotational cutting. Part of the historic dyke pattern will also be reinstated, shadows of which can be seen on aerial photographs. Water control structures are proposed, the installation of a wind pump to help with circulation of water, and a penstock sluice on the River Waveney to supply additional water if required, along with weirs and a sluice.
- 1.11 Share Marsh is proposed as the re-instating of wet grassland and fen meadow. This will be established through the addition of 1.6km of new dykes, the widening/re-profiling of existing dykes and foot drains, the excavation of shallow scrapes and turf ponds, and installation of water control structures within dykes. This will replicate the habitats already present on the adjoining part of the existing reserve including the part designated as a SSSI. A raised earth track running parallel to the Share Marsh track and public footpath that runs down to the IDB pump will be provided, this will be used for machinery access in order to minimise tracking on the footpath which could cause damage and conflict with visitor access.
- 1.12 The floodbank strengthening and crest raising involves two areas, one on the River Waveney side of Peto's Marsh (850m), and the other adjacent to Slutton's Dyke (215m).
- 1.13 The new access routes would comprise 650m of hard-surfaced path from the proposed visitor centre, past Sprat's Water and linking to the existing hard-surfaced path adjacent to the Landspring. An 80m long wooden boardwalk through the fen part of Sprat's Water to link two sections of surfaced path and allow a circular walk from the proposed visitor centre. Widening 380m of existing path by 300mm. All other existing and proposed new lengths of path to be maintained as natural vegetation. A new permissive path is proposed across Share Marsh to create a circular walk linked to the main hide.
- 1.14 The proposed six viewpoint structures would comprise two viewing platforms, a tower hide, a main hide, and two open aspect hides.
- 1.15 The applicant has stated that the proposal is Environmental Impact Assessment (EIA) development (as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017). The applicant has stated the following: *A formal screening opinion was not requested from the Broads Authority because Suffolk Wildlife Trust considered that some of the*

*proposals represented EIA development because of their nature and the fact that they are within a 'sensitive' area (Broads National Park and designated nature conservation sites). However, a scoping opinion was sought on the 5th May 2017, to ensure that the EIA focusses on those topics and issues where there is likely to be significant environmental effects. This is not a mandatory requirement but is considered to be good practice as part of the wider pre-application consultation with stakeholders.*

- 1.16 The scoping opinion stated that the Environmental Statement should pay particular attention to the following matters:
- The impact of the proposals upon the landscape character and landscape fabric of the surrounding area, particularly the impact from the surrounding marshes;
  - The impact of the proposals on the visual amenity of the surrounding area;
  - The impact of the proposal on the biodiversity value of the area, particularly through the creation of pathways and public access.
- 1.17 An assessment of the Environmental Statement and environmental effects is made below in the Assessment section of this report.
- 1.18 This application runs parallel to an application for a new Visitor Centre under planning ref BA/2017/0405/FUL.
- 1.19 Planning Committee Members undertook a site visit to the application site on 19 January 2018 and the notes of that visit are attached as Appendix 1.

## **2 Site history**

- 2.1 In 2017 a scoping request was submitted regarding habitat creation and visitor infrastructure. (BA/2017/0158/SCOPE).
- 2.2 In 2017 planning permission was granted for excavation of a series of ponds to provide material for adjacent flood defence improvements (BA/2017/0147/FUL).
- 2.3 In 2014 planning permission was granted for the construction of a cross wall at the southern end of Peto's Marsh (BA/2014/0039/FUL). This followed an application in 2010 which was subject to a Judicial Review and the planning decision quashed (BA/2010/0048/FUL).
- 2.4 In 2016 pre-application advice was given in relation to a new visitor building, car park and possible residential uses of the existing building (BA/2016/0063/PREAPP).

## **3 Consultation**

- 3.1 Consultations received

Carlton Colville Town Council - Response in support of the application.

District Members - We have no issues with this application and would fully support.

BA Operations Directorate - we have no comments to make on this application.

BA Landscape Officer - The visual effects of the development overall would be minor and are acceptable in the context of the benefits which the development would offer; restoration of lost landscape characteristics of the coastal levels grazing marshes and sinuous drainage ditches, and extending existing wildlife habitats. New structures and interventions are of limited landscape impact and perform important functions, in particular flood prevention and managing water levels to optimise habitat. They would also improve access and viewing opportunities for people visiting the new reserve, without compromising the biodiversity interest.

BA Ecologist - The HRA and ecology report is clear and comprehensive and provides a firm basis for approval of this application. I am satisfied that with the mitigations in place, the increased visitor use will have negligible impact on the site features, and will therefore not lead to any significant 'in combination' impacts on the reported features.

BA Waterways and Recreation - Fully supports the proposed access enhancements, hide and viewpoint locations and surfacing proposals as set out in the documentation and plans. Disappointment that cycling enhancements and further route creation not included.

SCC Highways - The proposal will not impact upon the highway.

SCC Archaeological Service - There is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist. Any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. Two planning conditions and an informative proposed.

Natural England - We welcome and support this exciting project by Suffolk Wildlife Trust to create new habitat and visitor facilities. Your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects, concluding that the proposal can be screened out from further stages of assessment, Natural England concurs with this view.

RSPB - We support the proposal. The proposed habitat creation would significantly enhance the habitat for many species associated with the Broads protected areas. It would make a valuable contribution to work being undertaken as part of the Suffolk Wader Strategy<sup>1</sup> to restore and enhance breeding waders, which have suffered substantial declines in the Broads since the 1990s. The proposed reedbed on Peto's Marsh would also realise

long held aspirations for wetland creation on this site, as set out in the 'Opportunities for Wetland Enhancement in Broadland' leaflet (2006). We are pleased that impacts to the skylark population on Peto's Marsh will be mitigated through the inclusion of skylark plots on appropriate land elsewhere.

Environment Agency - We have no objections to the proposed development as it will not have an adverse impact on flood risk. The proposed habitat creation is classed as 'water compatible' development. Table 3 of the NPPF Technical Guidance shows that water compatible development can be considered an appropriate development type in Flood Zone 3b. The impact on flood water levels is considered to be insignificant. The FRA has concluded that no compensatory storage is proposed under the current wetland creation scheme, and we agree with this assessment. The ecologist's surveys identify the species of most concern, and provide supporting evidence with appropriate mitigation strategies outlined.

### 3.2 Representations received

One response was received from a local business stating the following: It is hard to overstate the importance of these proposals to the Southern Broads. The opportunity to create a single large 1,000 acre nature reserve will provide a welcome and needed boost both for Broads Tourism as well as the local economy around Oulton Broad. This ambitious project will not only offer an additional attraction for existing visitors to the Broads, but will also attract wildlife enthusiasts who may be drawn to the Broads for the first time.

The wide diversity of new habitat creation is applauded, and the circular walks and viewing structures which form part of the proposals will encourage visitors to explore the reserve and learn about the wildlife on our doorstep; such education will be to the long-term benefit of the Broads.

This is a very exciting project for the Broads and we wholeheartedly support it.

One response was received from residential neighbours who expressed strong support of the habitat development.

A response was received from Lord Somerleyton who commented that the restoration of this damaged landscape will be hugely positive for the landscape and biodiversity. In addition it also presents an opportunity to create a new nature tourism destination for the southern Broads.

## 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 September 2007 pdf](#)  
CS1 - Landscape Protection and Enhancement



CS2 - Nature Conservation  
CS4 - Creation of New Resources  
CS5 - Historic and Cultural Environments  
CS6 - Archaeology  
CS9 - Sustainable Tourism  
CS11 - Tourism Development  
CS16 - Access to Facilities  
CS17 - Recreational Access  
CS22 - Sites in Employment Use  
CS24 - Location of residential development

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

DP1 - Natural Environment  
DP2 - Landscape and Trees  
DP3 - Water Quality and Resources  
DP4 - Design  
DP11 - Access on Land  
DP27 - Visitor and Community Facilities  
DP29 - Development on Sites with a High Probability of Flooding

- 4.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

[Core Strategy Adopted September 2007 pdf](#)

CS19 - Location of Visitor and Tourism Services  
CS20 - Development within Flood Risk Zones

- 4.3 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

- 4.4 Other Material Considerations

[National Planning Policy Framework \(NPPF\)](#)

Landscape Character Assessment Area 6. Waveney Valley – Boundary Dyke Barnby to the Fleet, Oulton.

**Neighbourhood plans**

- 4.5 There is no neighbourhood plan in force in this area.

**5 Assessment**

- 5.1 The proposal is for a major habitat creation and restoration scheme as part of a large scale expansion of the existing Suffolk Wildlife Trust site at Carlton Marshes. The habitat creation would be within two blocks of marsh previously managed for arable. Peto's Marsh is proposed as a large reedbed, Share Marsh is proposed as wet grassland, scrapes and fen. The scheme will involve major earthworks to create the proposed habitats, along with the construction of low-level bunds and the installation of water level management structures, including a windpump. The proposal includes some strengthening of the floodbank along the River Waveney and Slutton's Dyke, improvements to access routes used by visitors (including new and extended hard-surfaced paths) and the construction of six hides and viewing platforms. A new wooden boardwalk is proposed along with the widening of an existing path within the Sprat's Water and Marshes SSSI part of the nature reserve. These various elements will be considered individually.
- 5.2 The main issues in the determination of this application are the principle of the development, impact on the character and appearance of the area, the effect on biodiversity and designated sites, and the impact on the local hydrology. As identified in the adopted Scoping Opinion, this includes the impact of the proposals upon the landscape character and landscape fabric of the surrounding area, particularly the impact from the surrounding marshes; the impact of the proposals on the visual amenity of the surrounding area; and the impact of the proposal on the biodiversity value of the area, particularly through the creation of pathways and public access.

#### Principle of Development

- 5.3 The proposed works are part of a major scheme which would allow the Carlton Marshes site to almost double in size. In terms of the principle of development, Suffolk Wildlife Trust (SWT) currently manages substantial areas of land in this location for the benefit of providing natural landscapes with significant biodiversity value, the proposal will provide a much larger, more resilient and diverse nature reserve, supporting a greater variety and larger populations of priority wetland species. It would also contribute to creating a more appealing and accessible visitor destination through the extension of existing trails, use of public rights of way, creation of new permissive paths and the installation of new hides and viewpoints.
- 5.4 Although SWT has for some time managed Oulton Marshes, White Cast Marshes, Castle Marshes, and a small area known as Burnt Hill which begins immediately south of Share Marsh, adjacent parcels of land which include the two proposed habitat creation areas have been utilised as arable marshes, some parts of which have been uncultivated for many years. The provision of extensive wetland habitats would complement the adjacent land use, allowing for a return to a more natural landscape, although one which would be managed to allow the habitats to fulfil their potential to provide maximum biodiversity value. By ensuring maximum biodiversity value and enabling visitors to access and appreciate this asset, the proposed scheme would be in accordance with the first and second statutory purposes for the Broads National Park, and in having no impact on interests of navigation, would be in

accordance with the third, so it is therefore considered that the principle of this development is acceptable.

- 5.5 Whilst it is noted that the retention of land in agricultural use is in most cases supported by policy, the use here is generally not one suited to the conditions of the land, hence one of the reasons why some areas have been abandoned in recent years. There will be some loss of grazing land, however the biodiversity benefits and increase and improvement of wetland habitat within a designated nature reserve are considered to outweigh any justification for the retention of the land for agricultural purposes, and such restoration and enhancement of natural habitats are explicitly supported by Policy DP2 of the Development Management Policies DPD and accords with the statutory purpose of the Broads Authority.

#### Character and Appearance

- 5.6 The change of use from arable marshes to reedbed, wet grassland, scrapes and fen, along with the re-establishment of the drainage network and consequent reduction in the size of the parcels of land within Peto's and Share Marsh will have a significant effect on the appearance of the landscape. These proposals have been considered by the BA Landscape Architect who considers that they represent landscape enhancements, commenting that 'The creation of new dykes, open water pools, islands, scrapes would not only have benefits for biodiversity but would improve and restore local landscape character'.
- 5.7 As noted in the submitted Landscape and Visual Impact Assessment, the proposed habitat creation would enhance and restore fragmented and degraded habitats through the reinstatement of the sinuous drainage networks and small grazing marsh field patterns. This will restore lost landscape characteristics of the coastal levels grazing marshes and sinuous drainage ditches, whilst also extending the existing wildlife habitats and securing the management of the landscape features of the site in perpetuity. In extending the existing nature reserve fragmented landscapes are able to endure as a single component formed of complementary constituent parts and managed under a unified landscape and habitat management plan.
- 5.8 Floodbank strengthening is proposed at two sections on the perimeter of Peto's Marsh. A section of 850m on the western side of the marsh adjacent to the River Waveney is proposed, this would predominantly involve the widening of the existing floodbank at its highest point, and a reduction in the gradient of the floodbank slope on the marsh side. Any increase in height would be minimal at a maximum of 0.05m. A section of 215m of floodbank at the south-eastern edge of Peto's Marsh adjacent to Slutton's Dyke would also be improved, again predominantly by widening of the existing floodbank at its highest point, and a reduction in the gradient of the floodbank slope on the marsh side. The floodbank at its highest point would be increased in height by 0.1m. The proposed widening would have negligible impact on landscape character and the appearance of the site taking into account the existing floodbank and the relatively limited scope of the works. The increase in

height would allow for the floodbank to maintain the same height as adjacent elements and as a result would have a negligible impact on landscape character and the appearance of the site.

- 5.9 A soke dyke runs parallel to the existing floodbank around the perimeter Peto's Marsh (aside from two short sections on the River Waveney side) and it is proposed to provide soke dykes to these two sections to link up with the perimeter soak dyke. The proposed works would complement the existing soke dyke and are considered acceptable.
- 5.10 A simple network of bunds is proposed within Peto's Marsh with dykes running parallel to the bunds, this would provide a perimeter bund parallel to the floodbank and soke dykes and establish the three compartments proposed for the reedbed areas, in addition to providing access for physical habitat management when required. A further series of dykes is proposed which link up the numerous open water pools and areas of raised ground. The bunds will be constructed from material sourced from excavations on site and would vary in height to a maximum of 1.2m. The maximum height of the bunds would be lower than the floodbank, and the nature of the marsh as reedbed would ensure that there would be no negative impact on landscape character. The reinstatement of parts of the historic dyke pattern are considered to be of particular benefit to the landscape character of this section of the site.
- 5.11 The southern section of Peto's Marsh would feature a proposed perimeter dyke, along with smaller portions of dyke within this parcel of land. In addition there would be sizeable open water pools and a number of foot drains linked to each of the pools. This section of Peto's would be maintained as wet grassland, aside from a small area in the south-east which is proposed as fen meadow due to the soil type in this location. As noted above, the reinstatement of parts of the historic dyke pattern are considered beneficial. The open water pools would enhance the wetland landscape and overall would be positive additions to the landscape character. The adjacent areas, both within the existing reserve and within the proposed Share Marsh portion of the site are, or will be, a mix of wet grassland and fen meadow, this ensures that fragmented landscapes are linked together and provide well proportioned and consistent approach to landscape type and management.
- 5.12 The provision of footpaths across and around the existing reserve is reasonably extensive and offers good access to the various parts of the site. There are numerous public footpaths/bridleways, along with permissive paths that serve both the existing reserve and the proposed expanded reserve. It is proposed to add four new sections of permissive path, one at the southern edge and one at the midpoint of Share Marsh, and two along the perimeter of Peto's Marsh. The path at the midpoint of Share Marsh allows for a longer circular walk to be provided which greatly increases access and leisure opportunities it would comprise close mown grass and run between an existing close mown grass path and a surfaced track. The two paths within Peto's are both relatively short extensions of existing paths and would be close mown grass, both paths lead nowhere and exist to allow further

incursion into the site than would otherwise exist. These three paths extend existing paths with the same surface treatment and are considered acceptable.

- 5.13 The path at the southern edge of Share Marsh includes elements within the designated area (SSSI, SAC, SPA, and Ramsar site). There is an existing surfaced path which is sited north of Landspring Drain and which also runs along a boundary of the designated area and also partly through it. The proposed path would provide the opportunity to create a circular walk utilising these two surface paths, but to link the two paths would require the installation of 80m length of timber boardwalk across an area of wet woodland which is within the designated area. The submitted documents state that the installation of the boardwalk will require the removal of a small number of semi mature alder trees plus the crossing of a shaded ditch and the south-west corner of Round Water. From Round Water it will continue along the route of the existing nature trail, which comprises short mown grass, before crossing through an area of tall reed and sallow scrub to link with the existing public footpath to the north of the Landspring. To cross Landspring an earth bund with culverted pipe would be installed with the boardwalk atop. The proposed works and potential impacts on the designated sites have been assessed and no objections were raised from relevant consultees. The boardwalk would utilise natural materials, its design and route selection has minimised the overall length as well as the amount of vegetation clearance that is required, and taking into account the improvement in terms of access and understanding of this section of the site, is considered to be acceptable with regard to the site designations, subject to appropriate mitigation.
- 5.14 Six viewpoint structures are proposed. There would be a viewing platform overlooking Round Water comprising a timber platform 300mm above water level with balustrades to each side, and another platform looking east across Share Marsh 1 metre above water level with larch boarding to each side. The proposed tower hide located just north of Landspring would have an overall height of 5 metres and would have a larch cladding board finish with a roof of cedar shingles. The proposed main hide, located towards the south of Share Marsh would allow views across the majority of the reserve, this would have a height of 3.5 metres and would have a larch cladding board finish. Finally, two open aspect hides are proposed both on the north-eastern edge of Peto's Marsh, one opposite the Waveney River Centre crossing, the other at the end of the permissive path a further 300m away, both would have a maximum height of 2.9 metres with a mono-pitched roof and would have a larch cladding board finish. The BA Landscape Architect raised no objection stating that as the structures are predominantly located to the south-east closer to the visitor centre and valley edge, landform and woodland blocks would provide a backdrop to reduce visual impact. All hides would be of predominantly timber construction which would be visually low-key and appropriate. The hides on the edge of Peto's Marsh will be on the River Waveney bank which will make them reasonably prominent, however the location opposite the Waveney River Centre, the modest size of the structures, and the use of natural materials will limit potential impacts on the landscape. The proposed viewpoint structures are therefore considered acceptable.

- 5.15 The water management structures would comprise a wind pump, a penstock weir, sluices and a weir. The most noticeable vertical structure would be the wind pump on the banks of Oulton Dyke which would have a height of 6.5 metres to the top of the blades and 4.95 metres to the top of the tower. The wind pump is required to help with circulation of water, with the penstock sluice on the River Waveney to supply additional water if required. The BA Landscape Architect commented that although it would be clearly visible from both within the reserve and from surrounding areas, given that it would have a simple functional appearance its visual impact is considered to be acceptable. Such structures are characteristic of the general Broads landscape. The penstock weir, sluices, and weir sit predominantly below the adjacent ground level and would not be readily visible from the surrounding landscape. It is noted that the wind pump and penstock sluice are located away from the footpath network and the sluices and weir are located within the proposed dyke system.
- 5.16 Having regard to the above it is considered that overall the proposed development will improve the landscape character of this site, and would provide notable improvements to the access and enjoyment of the site befitting its nature reserve operation. The proposal is therefore considered acceptable with regard to Policies DP2 and DP4 of the Development Management Policies DPD, Policies CS1, CS4, CS11, and C16 of the Core Strategy, and the NPPF.

#### Visitors to the site

- 5.17 As outlined above, there are a number of improvements proposed for access around the site and enjoyment of the site. The development of this nature reserve infrastructure will enable visitors to explore and enjoy the landscape and its wildlife, and will provide improved access for less able individuals, and in these respects represents a notable improvement on the existing situation without compromising the biodiversity interest.
- 5.18 Research submitted as part of this proposal indicates that visitor numbers are expected to significantly increase from 50,000 per year to 120,000 per year, although it is noted that this projection includes the proposed visitor centre which is the subject of a separate application (ref BA/2017/0405/FUL). Increased recreational pressure has the potential to result in a number of different impacts on various ecological receptors including increased trampling of fen vegetation and disturbance of breeding birds. Potential impacts have been catalogued and addressed, and a suite of mitigation measures proposed which will limit potential impacts to a level which is considered appropriate to the status and operation of the site. The proposed mitigation measures are considered appropriate and their implementation will be subject to a planning condition.
- 5.19 Having regard to the above it is considered that the proposed scheme and consequent projected increase in visitors will not have an unacceptable impact on biodiversity and the protected status of the site, the proposal is

therefore, subject to mitigation, considered to be in accordance with Policy DP1 and DP11 of the Development Management Policies, and CS11 of the Core Strategy.

### Biodiversity

- 5.20 The main thrust of this proposal is to create a mosaic of wetland habitats to exist alongside and complement the existing nature reserve.
- 5.21 The size and location of Peto's Marsh combined with the underlying clay soils, lends itself to the creation of reedbed with associated deep-water pools, grazed fringes and scrapes. The aim is to create an extensive area that will attract and support a range of key wetland species. Although these habitats are present on other parts of the reserve, they are either relatively small and/or located where they are subject to a level of disturbance. This means that the more sensitive species such as bittern and crane do not currently breed - the habitat creation on Peto's Marsh should enable them to do so.
- 5.22 On Share Marsh, the former arable fields will mostly be re-instated as wet grassland and fen meadow through the addition of new lengths of dyke, foot drains, shallow scrapes and turf ponds. There will also be the need to install a number of water control structures. This approach will replicate similar work completed on Guymer's Marsh in 2013. This has proved extremely successful with the area attracting a large variety and large numbers of birds including several 'firsts' for the reserve. It is particularly important as a temporary stopover for migrant waders such as black-tailed godwits as well as a suitable nesting location for the resident lapwings and redshanks.
- 5.23 Although utilised as arable fields and not part of the reserve, surveys demonstrated that a number of notable plant species and aquatic plants were found, including 26 breeding and 15 wintering bird species. 919 signs of water vole presence were recorded throughout the marsh dykes on both Peto's and Share Marshes, along with 160 species of aquatic invertebrates, and a number of protected aquatic molluscs.
- 5.24 Consideration must be had for potential negative impacts associated with the construction period, however part of the purpose of carrying out the extensive surveys is to provide an assessment of construction impacts on biodiversity, and then to consider how to successfully avoid or minimise any impact so that the effects are not significant. This informs a mitigation scheme which would ensure that no significant of residual impacts during construction occur. The BA Ecologist commented that the Habitat Regulations Assessment (HRA) and ecology report is clear and comprehensive and provides a firm basis for approval of this application.
- 5.25 The project will deliver significant biodiversity benefits, creating a larger and more resilient reserve that will support a greater variety of wetland wildlife including large populations of many notable species. For example, the design of the reedbed area within Peto's Marsh has focussed on the need to provide the right habitat conditions for two of the target bird species, bittern and

common crane. Subject to the prescribed mitigation measures, it is considered that Protected Species will not be significantly affected the proposal represents a significant improvement in biodiversity potential of the site and is therefore considered acceptable.

- 5.26 There is the potential for harm to exist in the form of visitors to the site and it is important that this aspect is managed alongside the management of the reserve habitats. Mitigation measures are proposed to address potential impacts, such as restricting access to the most sensitive areas of the site. The BA Ecologist commented that 'I am satisfied that with the mitigations in place, the increased visitor use will have negligible impact on the site features, and will therefore not lead to any significant 'in combination' impacts on the reported features'.
- 5.27 Having regard to the above it is considered that the proposed scheme will deliver significant biodiversity benefits and, subject to mitigation during construction phase, is considered to be in accordance with Policy DP1 of the Development Management Policies DPD, Policy CS2 of the Core Strategy, and the NPPF.

#### Designated sites

- 5.28 In terms of potential impact on the designated areas of the site (SSSI, SAC, SPA, and Ramsar site), these are informed by an HRA the purpose of which is to ensure that the proposals will not have an adverse effect on internationally designated wildlife sites. This assessment has been compiled for Suffolk Wildlife Trust as there is a likely significant effect to an internationally designated wildlife sites as a result of this proposal.
- 5.29 The appropriate assessment has been provided for the Broads Authority and Natural England to consider and it identified a range of impacts that could occur during the construction period and/or the subsequent management of the reserve. Mitigation measures to either avoid or minimise any significant effects as identified have been incorporated into the design and management proposals and it has been concluded that none of the impacts will result in any adverse effects on the integrity of any of the designated sites and their qualifying features (habitats and species).
- 5.30 The BA Ecologist commented that the HRA is clear and comprehensive and provides a firm basis for approval of this application, whilst Natural England, as a statutory consultee, are satisfied that the mitigation measure proposed are acceptable.
- 5.31 Having regard to the above it is considered that the proposal, subject to appropriate mitigation, is unlikely to adversely affect any of the designated sites, namely Broadland Special Protection Area (SPA), Ramsar Site, Broads Special Area of Conservation (SAC) and the Sprat's Water and Marshes, Carlton Colville SSSI. The proposal is therefore considered to be in accordance with the relevant sections of Policy DP1 of the Development Management Policies DPD, Policy CS2 of the Core Strategy.



## Hydrology and Flood Risk

- 5.32 A hydrological survey was carried out which considered all elements of the hydrological functioning of Peto's and Share Marshes, including understanding the water balance, water movement and water quality across the study area. The topography of the site allows for water to move naturally from north to south due to a gentle grading down. Soils within Peto's Marsh are more suitable for creating areas of reedbed, whilst water retention in Share Marsh is lower and therefore more suited to wet grassland, and areas within the south of Share Marsh will need to tolerate a lack of water during summer in some years and are more suited to fen meadow. Water sources for the marshes are considered to supply an acceptable quality of water with some recommendations for sources specific to these areas which have formed part of this proposal.
- 5.33 In terms of the Water Framework Directive (WFD), which requires that waters are managed sustainably and to meet environmental objectives, there are four objectives which must be met, these being the status of surface waters and groundwaters, achieving standards for protected areas, to achieve good ecological potential, and to prevent discharges of priority hazardous substances into surface waters and groundwater. The proposed scheme has been assessed against each of these objectives and is considered to contribute to the delivery of the WFD objectives and generally will deliver improvements in all areas and will not impact on other systems in the area. Mitigation is required during the construction phase, and measures to address this have been set out in the submitted environmental statement.
- 5.34 In terms of flood risk, the submitted Flood Risk Assessment (FRA) states that floodwater will drain through Peto's and Share Marshes in a similar way to that which currently operates. Peto's Marsh would have a greater capacity for tolerating inundation than the current arable use, although during late winter and spring water management strategy would mean reduced capacity for storing additional water. During minor flood events floodwater could still be accommodated, whilst during a large flood event some discharge may be required. During a 1 in 100 year plus 20% climate change event, within EA Compartment 28, which includes Peto's and Share Marshes, there would be a rise in water levels across the Compartment of 41mm, which is compared with an overall rise of 5.3mm within the Waveney Valley. The submitted FRA concludes that the proportion of lost storage due to the proposed works would be extremely small, and it should be noted that the purpose of the flood defence works in Compartment 28 was to reduce flood risk across the Waveney valley. Share Marsh under the same event would result in a 3mm rise within Compartment 28, and a 0.35mm rise in the Waveney Valley. Within the EA consultation response this impact is described as insignificant, concluding that there are no objections to the proposed development as it will not have an adverse impact on flood risk.

- 5.35 Considering safety during flood events, internal tracks allow reasonable access and egress during flood conditions, and during any significant flood events SWT will close the reserve to the public.
- 5.36 Having regard to the above it is considered that the proposal is acceptable and in accordance with Policy CS20 of the Core Strategy, Policy DP29 of the Development Management Policies DPD, and the NPPF.

### Other Matters

- 5.37 Having assessed the submitted Environmental Statement, it is considered that the proposed works, in isolation or in combination with the proposed visitor centre, would not result in any significant environmental effects.
- 5.38 In terms of landscape the site is representative of the landscape character types locally. It offers a good opportunity to restore lost landscape characteristics of the coastal levels grazing marshes and sinuous drainage ditches, whilst also extending the existing wildlife habitats and securing the management of the landscape features of the site in perpetuity. This in itself will arrest further landscape character attrition from lack of management.
- 5.39 In terms of visual impact, for those immediately adjacent to the site the development will result in a negative effect of minor to negligible significance. In other wider views (including those within the site on both informal and formal public rights of way) while the development will be visible, it is appropriate in its context, ensuring a moderate effect overall.
- 5.40 In terms of impact on the biodiversity value of the area, all aspects of the scheme have been considered and assessed, where a significant effect has been identified appropriate mitigation has been proposed and the significance of effects has been re-assessed. This has resulted in no significant effect either during construction or operation. Monitoring is proposed in addition to the mitigation measures.

## **6 Conclusion**

- 6.1 The proposal would be significant in creating a much larger, more resilient and diverse nature reserve, supporting a greater variety and larger populations of priority wetland species. The loss of agricultural land is considered to be acceptable taking into account the benefits of the scheme. The proposal would enhance the landscape character of the site and surrounding area, restore lost landscape features, and create significant biodiversity by significantly improving the provision of wetland habitat and linking these to the existing nature reserve and designated site. The proposal would improve access and visitor experience at the site and related infrastructure is considered acceptable. It is not considered that there would be a significant adverse impact on the SSSI and flood risk, and no objection has been raised in terms of highway safety. Overall the proposals represent a significant advance for the nature reserve and tellingly contribute to the

Suffolk Wildlife Trust in realising its long term plans and aspirations for this site.

## **7 Recommendation**

Approve subject to conditions

- i. Standard time limit;
- ii. In accordance with submitted plans;
- iii. Management prescriptions and Mitigation measures
- iv. Report on monitoring and repeat surveys over a period of 10 years to determine the results indicators are met and mitigation measures are in place to ensure success criteria;
- v. A long-term (min. 10 year) combined landscape/ arboriculture/ ecological and hydrological management plan;
- vi. Details of additional skylark nesting 'plots' to be created on the grassy fields above the floodplain in the south-east corner of the reserve as outlined in the Environmental Statement;
- vii. Archaeological Written Scheme of Investigation;
- viii. Completion of archaeological site investigation and post investigation assessment;
- ix. Details of proposed signage;
- x. Restoration of any areas of marsh damaged during construction;

Informatives:

- i. Environmental Permit
- ii. Archaeological investigation brief
- iii. Eel Regulations Specialist will provide support with making sure that eel passage requirements are met.

## **8 Reason for Recommendation**

The proposal is considered to be in accordance with Policies CS1, CS4, CS 11, CS16, and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP11, and DP29 of the Development Plan Document (2011), and the National Planning Policy Framework (2012), and it is not considered the proposal would result in any significant environmental effects.

Background papers: Application File BA/2017/0404/FUL

Author: Nigel Catherall

Date of Report: 18 January 2018

List of Appendices: Appendix 1 - Location Plan  
Appendix 2 - Notes of site visit on 19 January 2018 see previous report for BA/2017/0405/FUL

BA/2017/0404/FUL - Carlton Marshes Nature Reserve Lowestoft

