

Application for Determination

Parish	Haddiscoe Parish Council	
Reference:	BA/2014/0205/FUL	Target: 26/08/2014
Location:	St Olaves Marina, Beccles Road, St Olaves	
Proposal:	Proposed Mooring Pontoons along River Waveney frontage to St. Olaves Marina Ltd.	
Applicant:	Mr David Bromley	
Reason for referral:	Objections received	
Recommendation:	Approve with conditions.	

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 and, whilst 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 The site is not subject of any site specific policies within the Broads Site Specifics DPD and lies entirely within Flood Zone 3b (functional flood plain).
- 1.5 This application seeks consent for the installation of 164m of floating pontoons along the River Waveney (eastern) frontage of the marina site and for the installation of three fishing platforms over a further 99m length of this frontage. The application has been revised following initial comment from Broads Authority officers and objections received, with the revisions reducing the proposed length of pontoons from 264m to 164m.
- 1.6 The pontoons would be standard units, similar to those used elsewhere in the marina. Each unit would measure 14.5m long and 2.6m wide and would be secured by a set of vertical steel poles driven into the river bed; these poles would ensure the pontoons remained in one location but, at the same time, can rise and fall with the tide. The decking of the pontoons can incorporate a number of finishes (galvanised mesh, timber planks, plastic planks etc) and no detail has been provided as to the proposed finish.
- 1.7 The pontoons would be set 1m off the existing bank edge and would be accessed via a ramp. The ramp would be articulated to allow for the ramp to respond to the height of the pontoon, which will vary according to the tide conditions. This ramp would be located at the southern end of the length of pontoons and on the land side would be mounted on a timber frame set at the foot of the river bank and extending upwards to provide a level access from the land to the inclined ramp. This is a similar approach to that used on the Broads Authority Dutch Tea Gardens Moorings which are located further up the River Waveney.
- 1.8 The application also proposes the installation of two timber deflectors to be installed at either end of the new run of pontoons. These deflectors will be set at an angle from the river bank and deflect any debris, crafts and (to some extent) water flow, away from the bank and moorings and into the main river channel. The applicant has indicated that these deflectors, together with the proposed pontoons, would aid natural reed bed regeneration on the bank behind the pontoons by protecting the bank from the worst effects of the strong tide in this part of the Waveney.
- 1.9 Other than indicative locations (showing three platforms set out at 33m intervals along the southern part of the River Waveney site frontage), no information has been submitted regarding the precise design or siting of the proposed fishing platforms.
- 1.10 The applicant has not provided any detail of the number of new moorings to be created by the proposal, however based on an industry average of allowing 10m per mooring, it is considered that the proposal will create at

least 16 new moorings, with the actual number being dependant on boat size. The moorings would be private moorings, as defined by policy DP16.

2 Site History

1992/1147 - Raise level of land up to existing flood wall – withdrawn.

1995/1004 - New pitched roof and fill in corner to provide storage space.

1996/0953 - Change of use of land adjoining marina to yacht sales with ancillary office use of former public house/restaurant building | St Olaves Marina Beccles Road St Olaves Great Yarmouth Norfolk Nr - Approved.

1997/0242 – Replacement of ten holiday chalets and conversion of two existing buildings to holiday units – approved.

1997/1032 – Modification of condition 4 of E97/0242/O to allow occupation of replacement chalets all year round – Approved.

1997/0241 - Extend mooring basin, access to New Cut, close existing access to R. Waveney, relocate yacht sales (96/0953), new flood walls, car park and building (office/showroom/manager's flat), retain gates – Approved.

2005/02638 – Erection of temporary workshop for a period of one year – approved (expired Jan 2007).

BA/2007/0072/FUL – Erection of 4 holiday units – refused.

BA/2007/0073/FUL – Erection of a manager's house – withdrawn.

BA/2008/0015/FUL – Erection of manager's house and garage – refused.

BA/2008/0016/FUL – Erection of 4 holiday units – refused.

3 Consultation

District Member – No response received.

Haddiscoe Parish Council – No response received.

Fritton and St Olaves Parish Council – Comments awaited.

Broads Society – No objections.

Norfolk and Suffolk Boating Association – Provided that there are appropriate conditions as to the width of the pontoons and the distance from the bank of their outer edges, the NSBA supports the proposed development.

River Waveney Trust – On behalf of the River Waveney Trust and as their Chair, I would support this application. Particularly interested and concerned to ensure the reed bed enhancement is both sustainable and effective.

Environment Agency – No response received.

4 Representations

- 4.1 22 letters of objection were received to the originally proposed scheme raising concerns regarding landscape impacts, amenity impacts, ecological impacts and impact on navigation.

25 letters of objection were received following re-consultation on the amended scheme. Concerns raised were the same as those expressed against the original application, with impact on the navigation being the principle concern of most objectors.

5 Policy

- 5.1 The following policies have been assessed for consistency with the NPPF and have found to be mostly consistent with the direction of the NPPF; any divergence from the NPPF is due to the content of the policy being largely Broads-specific and therefore not being reflected in the document. The policy below is not considered to conflict with the NPPF:

Adopted Broads Development Management DPD (2011)
[DEVELOPMENTPLANDOCUMENT](#)

DP16 – Moorings

- 5.2 Material Considerations
[NPPF](#)

6 Assessment

- 6.1 This application seeks consent for the installation of 164m of pontoons along the river frontage of an existing marina site, to be used for the provision of private moorings. It is estimated that this run would create approximately 16 new mooring berths.
- 6.2 Policy DP16 permits new moorings where the proposal would contribute to the network of facilities around the Broads system in terms of their location and quality, and subject to the satisfaction of certain defined criteria.
- 6.3 In this instance the application site is an existing marina which is readily accessible by river, road and rail (Haddiscoe Station lies across the road bridge, some 1.6km from the marina) and, having regards to this, it is considered that the proposed moorings would contribute to the network of existing moorings within the Broads. In addition, there are no

objections to the quality of the moorings proposed and, consequently, it is considered that the development is acceptable in principle and should be approved if the circumstances of the application satisfy the defined criteria 'a' to 'k' set out in policy DP16.

- 6.4 With reference to these criteria, in terms of the ability for the proposed new moorings to take advantage of existing infrastructure and the capability of this infrastructure to serve the proposed additional moorings, the marina is located a short walk from local services at St Olaves (criterion 'c'); has adequate provision for car parking, waste and sewage disposal (criterion 'i'); provides pump out facilities and gives access to an appropriate range of services and ancillary features, including toilet and shower block, lift out and marine repairs (criterion 'j').
- 6.5 Given the existing use of the site as a marina and associated marine services it is not considered that the proposal would prejudice the current or future use of adjoining land or buildings (criterion 'd') and, having regards to the distance to the nearest neighbouring residential properties (circa 60m) and mindful of the limited noise impacts associated with private moorings, it is not considered that the proposal would adversely affect the amenity of adjoining residents (criterion 'e').
- 6.6 Having regards to the above, the principle considerations in this application are considered to relate to impact on the navigation (criteria 'a' and 'f'), impact on the ecology of the Broads (criterion 'b') and impact on the protected landscape of the Broads (criterion 'b').
- 6.7 Considering first navigation impacts, this is an issue which features prominently in the letters of objection received to both the original and the revised application proposals, with concerns raised regarding the restriction of river width caused by the proposed pontoons, the potential for conflict between anglers using the proposed new platforms and river users and possible difficulties caused by river flow being deflected further into the main channel.
- 6.8 The principle concern raised relates to the navigation impacts associated with restricting the width of the river. There is a general principle (based on guidance within Broads Bylaw 60) within the navigation that intrusions into the river should not occupy in excess of one quarter of the channel, and concerns have been raised that the introduction of pontoons (plus the width of the boats moored alongside) would offend this principle, resulting in hazardous boat movements.
- 6.9 At present the river channel past the application site ranges from approximately 32m wide at its narrowest point to approximately 40m wide. The channel is narrowest at the southern end of the application site and widens as it heads north (upstream). The average width along the length of the proposed pontoons is 36m. The proposed pontoons would measure 2.6m wide and would be set at 1m from the bank. With regards to vessel size, set of byelaws (Broads Authority Vessel Dimension Byelaws 1995)

apply a series of beam (width) restrictions throughout the Broads system, and the maximum permitted vessel width on this part of the Waveney (excluding certain exceptional circumstances, for which provision is made on the Byelaw) is 5.5m.

- 6.9 Considering the above, if the widest possible boat (5.5m) was moored against the pontoons (3.6m) at the narrowest section of the river then the total width (9.1m) would exceed one quarter of the river's width and, as such would be considered unacceptable in terms of impact on the navigation. If the widest possible boat was moored on the widest part of the river (40m) it would still occupy less than one quarter of the channel.
- 6.10 Consequently, to ensure the proposal accords with the established custom and practice of moorings not exceeding one quarter of the channel width, it is considered necessary to restrict the maximum beam width along approximately 90m of the proposed 164m of new pontoons to 4.4m. This being the case, if the largest possible boat (4.4m) was moored against the pontoon (3.6m) in the narrowest part of the river (total width 32m) it would still be in accordance with the navigation bylaws. For the same reason, it is considered necessary to restrict the maximum beam to 5.5m for the remainder of the proposed new moorings. These restrictions can be secured by planning conditions and it is considered that the conditions would satisfy the six tests laid out at paragraph 206 of the NPPF. The applicant has been asked to submit a revised plan which illustrates the extent of these restrictions and which would form the basis of the conditions restricting beam widths along various lengths of the proposed pontoons.
- 6.11 It is noted that several of the objections to the application raise concerns regarding the impacts reducing the navigable channel width would have on accessing the mooring plots which front on to the river. Whilst it is recognised that a reduction in width would reduce the area of river available to manoeuvre within, it is considered that the remaining navigable width – some 26.9m based on an average river width of 36m, a maximum beam of 5.5m and the pontoons sitting 3.6m out from the bank – is sufficient to enable boats to access and egress the plots safely. It is also noted that the revised, much shorter, proposal would result in only a maximum of 5 mooring cuts being located immediately opposite the proposed new pontoons; this is significantly fewer than the original proposal which would have created some 264m of new moorings and potentially directly impacted on at least 12 mooring plots.
- 6.12 Mindful of the reduction in river width which would occur as a result of the proposed new moorings, and notwithstanding the beam width restriction on this part of the Waveney and the proposed restriction on beam width for the southern half of the proposed moorings, it is also considered necessary to prohibit by way of planning condition stern-on and double mooring along the entire length of the proposed moorings.
- 6.13 It is not considered that the introduction of three fishing platforms would

have any significant impact on the safe navigation of the river. Whilst the concerns of the objectors regarding the potential for conflict between anglers and river users is noted, it is considered that the river in this location is sufficiently wide to accommodate these two sets of users without impeding the safety or functionality of the navigation. It is also noted that angling makes an important contribution to the Broads economy and is a potentially low cost way to enjoy the Broads. There are a large number of these angling platforms around the Broads system, often in locations where the river is significantly narrower than the Waveney as it passes the application site.

- 6.14 In considering impacts on navigation regard has been given to both the remaining available navigable width and the responses of the Authority's Senior Waterways and Recreation Officer and the Norfolk and Suffolk Boating Association, both of whom raised no objection to the proposal.
- 6.15 Finally, in determining the impacts of this proposal on navigation, it must be noted that under criterion 'h' of policy DP16 10% (with a minimum provision of two) of the new moorings created must be made available as short stay/visitor moorings. In this instance the applicant has indicated that these moorings – a length of 20m - can be situated at the northern end of the proposed new pontoons and, rather than act as a visitor mooring, can be used as demasting moorings. These demasting moorings, situated just upstream of the St Olaves road bridge, would provide valuable navigation infrastructure in a location which is well used and currently is without demasting moorings. The provision of demasting moorings in this strategically important location is considered to be of more benefit to navigation than the provision of short stay visitor moorings, particularly given that there are Broads Authority 24 hour visitor moorings situated downstream of the old road bridge at St Olaves. It is proposed that the provision of these demasting mooring be secured by planning condition.
- 6.16 Subject to the conditions detailed above, it is not considered that the proposal would have a negative impact on navigation and, consequently, accords with criterion 'a' of policy DP16.
- 6.17 With regards to impacts on the ecology of the Broads, the proposed pontoons would be set away from the existing, natural bank and as such, barring some limited disturbance during the period of construction, would have no adverse impacts on the ecology of the area. Whilst the mooring of boats and associated increase in activity on the river frontage would increase disturbance of the natural banks, by providing a physical barrier between the natural bank and the river channel the pontoons would provide a degree of protection to the bank edge from the scouring effects of the tide, which in this location is particularly strong. This protection would help in protecting the bank and retaining and improving the existing natural reeded bank.
- 6.18 In response to requests from officers the applicant has provided a methodology for the installation of the pontoons and has confirmed that,

with the exception of the installation of the walkway from the bank to the pontoon, the existing reed bed habitat would remain undisturbed. The authority's Ecologist has considered this methodology and has confirmed that, subject to a condition requiring works are carried out in accordance with this method statement and another condition which requires vegetation management prior to the limited bank works (to ensure no protected species are present at the time of the works), there are no objections to the proposal.

- 6.19 Considering these impacts, the net effect of the proposal on the ecology of the area is considered to be neutral. Consequently, there are no objections to the application on the grounds of impact on the ecology of the Broads and the application is considered to satisfy the requirements of criteria 'b' of policy DP16 in respect of protected species.
- 6.20 The final area to consider is the impact of the proposal on the landscape of the Broads. When considering applications for development in the protected landscape of the Broads consideration must be given to landscape impacts as perceived from both the land and the water, as well as recognising the intrinsic landscape value of the area.
- 6.21 The St Olaves Marina site marks the start of a cluster of boatyards and marine related development on the western bank of the River Waveney which extends up to and beyond the old road bridge crossing – a length of just over 1km. This linear group of development represents a noticeable departure from the wide and open expanses of flat grazing marsh and reed bed which surrounds the group to the north, south and west, and is also distinct from the heavily wooded, rising land to the east.
- 6.22 Historically, this group of development started with a cluster of boatyard buildings around the old road bridge and, over time, these boatyards extended to the north, with the St Olaves Marina/boatyard and a few smaller buildings to the south. Over time the marina/boatyard has extended further north, with substantial areas of hardstanding (including gravelled areas) and a sizeable basin extension resulting in a development which now occupies all the space between the River Waveney and the A143 road.
- 6.23 This expansion of the boatyard/marina site, and its gradual shift towards marina rather than boatyard use, has resulted in an almost total erosion of the natural environment. Set against the backdrop of the elevated new road bridge, whether viewed from the road or the water the marina site appears as a significant intrusion on the character of this part of the Broads.
- 6.24 In this context, it is accepted that the application site is a location where on river moorings would not appear incongruous and a site where the creation of some new on-river moorings through the installation of pontoons is considered to be acceptable in landscape terms.

- 6.25 However, it is also the case that the St Olaves Marina site is a location which already represents a significant – and largely detrimental – impact on the Broads landscape and in locations such as this within the protected landscape of the Broads, Policy DP2 makes it clear that new development should seek to retain any existing features of landscape significance, rather than further intensify those elements of the site which represent a landscape intrusion.
- 6.26 In this instance the undeveloped south-eastern and east facing banks of the site present a softer, natural edge to the river and help to balance the rather stark appearance of the marina. Despite significant land raising in this area, parts of this undeveloped portion of the site retain narrow pockets of Norfolk reed which help to assimilate this part of the marina site with the surrounding natural landscape, particularly when approaching the site from the south (i.e. travelling downstream). This natural and undeveloped ‘buffer’ at the southern tip and the natural bank along the east-facing frontage is, given the important landscape role it has in relating the marina site to the wider, natural landscape within which it sits, considered to be a feature of landscape importance.
- 6.27 It is because of the landscape impacts on this undeveloped, southern portion of the site that the original scheme was considered unacceptable in landscape terms and it is considered that the significantly reduced length now proposed (164m as opposed to 264m) satisfactorily addresses these concerns. The revised proposal retains the natural and largely undeveloped southern portion of the site and it is accepted that the protection the proposed pontoons would offer the reed bed along the north section of the site would, through promoting a healthy reed fringe to this part of the boat yard site, confers certain landscape benefits.
- 6.28 Consequently, the development is not considered to have an adverse impact on landscape character and to satisfy the requirements of criterion ‘b’ of policy DP16 in respect of landscape.
- 6.29 As an addendum to the above considerations of landscape impacts, it is noted that a number of representations made highlight the lack of landscaping on the wider St Olaves Marina site and express concern regarding the general appearance and landscape impacts of the marina and boatyard on the landscape. Whilst it is the case that boatyards (including moorings and areas for the standing of boats) form part of the riverside landscape of the Broads, it is also noted that many of the negative landscape impacts associated with such sites can be diminished through provision of an appropriate landscaping scheme. In the case of St Olaves Marina significant landscaping has been required in association with previous, historic, consents and it would appear that this landscaping has either failed or has not been carried out. This matter is not material to the determination of this application for new moorings, but is something which is being investigated further.

7 Conclusion

- 7.1 This application seeks consent for the installation of a length of 164m of pontoons along the River Waveney frontage of the St Olaves Marina site for the provision of private moorings.
- 7.2 The St Olaves Marina site is a large commercial marina and boatyard site which provides a number of facilities to boaters including, toilets, showers, pump out and marina repairs. It is considered an appropriate location for new moorings.
- 7.3 The proposal would reduce the navigable width of the river but, having regards to the remaining unobstructed channel width and the navigation benefits associated with the proposal (i.e. the provision of demasting moorings), it is not considered that the proposal would have a negative impact on navigation. Due to the location, extent and nature of the development it is not considered that the development would have any adverse impact on the landscape or ecology of the Broads.
- 7.4 Consequently, subject to conditions, it is considered that the development proposed accords with the requirements of policy DP16 and that there are no material considerations which would justify the refusal of this consent.

8 Recommendation

- 8.1 Approve subject to conditions:
1. Time limit
 2. In accordance with approved plans
 3. Works carried out in accordance with approved method statement
 4. All works must be carried out in accordance with the agreed Vegetation management plan
 5. Moorings identified on approved plan as 'demasting moorings' shall be retained as free to use demasting moorings and shall not be used as private moorings.
 6. Prior to commencement of any works hereby permitted precise details of design a location of fishing platforms shall be submitted to an approved in writing by the local planning authority
 7. Prior to commencement of works hereby permitted details of the materials to be used to finish the pontoons shall be submitted to an approved in writing by the local planning authority
 8. No vessel shall be moored stern on or double moored on the pontoons hereby permitted
 9. In accordance with the approved plan. no vessel with a beam width in excess of 4.4m shall be moored alongside the pontoons hereby permitted along the length marked X to XX on the

approved plan number XXXX, and no vessel with a beam width in excess of 5.5m shall be moored along the remaining length on pontoon subject of this consent.

8.2 Reason for Recommendation

The application is considered to be in accordance with Adopted Broads Development Management DPD (2011) and consistent with the National Planning Policy Framework

Background Papers: Planning File BA/2014/0205/FUL

Author: Fergus Bootman
Date: 24/09/2014

Appendices: APPENDIX 1 – Location Plan

APPENDIX 1

