

Report for Resolution

Report to Planning Applications Committee
Date 21 December 2010

Item
Urgent Item

Report of Head of Planning Services

Subject 10/01614/F Marston Marshes Marston Lane Norwich

SUMMARY

Description:	Creation of easy access path, formation of 'scrapes' and fry refuges.	
Reason for consideration at Committee:	This is a quasi - City Council Application. The Norwich Fringe Project is partly funded and is managed by the Council. It is consequently considered prudent to consider the proposal at Committee.	
Recommendation:	Approve	
Ward:	Eaton	
Contact Officer:	Ms Anne Napier	Planning Development Team Leader 01603 212502
Date of receipt:	27th August 2010	
Applicant:	Norwich Fringe Project	
Agent:	Mr Matthew Davies, Norwich Fringe Project Officer	

INTRODUCTION

The Site

Location and Content

1. The site is located to the south of the city and the southern boundary of the site forms the city council administrative boundary. It is a large area of open marshland which, at the time of the site visit, included some grazing cattle. There are drainage dykes bisecting the marshes with some fencing and tree growth along these ditches. Otherwise the land is open with long views possible to the south and also to the east and west. A series of footpaths cross the site.
2. It is adjacent to Eaton golf course to the west and the Norwich-Cambridge railway line and riverside walk to the south. There is a substantial dwelling set in its own grounds, together with allotment gardens, to the east of the site. To the north, is the footpath/ cycle path green link along Marston Lane (which is no longer open to vehicular traffic at this point) with more of Eaton golf course beyond that and another area of publicly accessible recreational open space at Danby Woods to the north-east of the site.
3. There is evidence of positive management - a recent notice posted advising users about grazing cattle, information for walkers and also an interpretation board.
4. The site, at the time of the site visit, was very wet and boggy in places and not easy to use

the footpaths, even in boots. It was certainly not accessible for those with more limited mobility in its present form. The current pathways are encroaching on the marshland as people walk off the main route to get to drier ground.

5. The area for the proposed compound is close to the main access point from the east and located in relatively close proximity to the site boundary. However, the nearest building to the site is separated from it by its own extensive grounds and garden area.

Constraints

6. The Proposals Map of the City of Norwich Replacement Local Plan 2004 identifies the following constraints in respect of the site: urban greenspace/ publicly accessible recreational open space; riverside walk; green links network; river valley; site with nature conservation value; functional floodplain.

Topography

7. The site is relatively flat, forming part of the functional floodplain.

Planning History

8. No recent relevant planning history.

Equality and Diversity Issues

There are significant equality or diversity issues (see paras 10-13 and 25).

The Proposal

9. Creation of easy access path, formation of two 'scrapes' to create additional habitat for wading birds and the construction of two fry refuges.
10. It is proposed to upgrade the existing footpath across the marshes to install an accessible path, for use by people including those with more limited mobility.
11. The existing path, which covers 1,000 metres, is in a poor state of repair. Its condition varies throughout its length, being a grassland path at the start, before becoming a built up path through the poplar plantation and along the riverside bank. The built up section along the riverbank has begun to erode away and a short section where the concrete drain joints have been exposed. It is proposed to cover over these with the path material. The works required and the methods proposed have been agreed with Anglian Water.
12. Although a short length of plastic board walk has been constructed over the wettest part of the path, it is currently only accessible to those in suitable footwear during autumn, winter and early spring.
13. The aim of the project is to repair the existing path without disturbing the important marsh land habitat, which is actively managed with grazing cattle. The path would be 1,000 metres long and 1.2 metres wide with two passing/ viewing places. The specification of the path is based on a good practice guide for access to the countryside for people with disabilities.

14. Two options have been identified in relation to the sub-base material for the path, one involving the use of material on site and the second involving the greater use of imported material. The Type 1 sub-base material (either from on site or imported) would then be topped with imported hoggins to provide a dressing for the path. Hoggins is the term given to a mixture of clays, sands and gravels to form a material that compacts well and provides a usable, stable surface.
15. In addition, as the site is part of the functional flood plain, it is proposed to install a series of pipes under the path to allow water to drain freely between the river and the marsh when the river is in flood. This approach was agreed with the EA prior to the submission of the application.
16. Vehicular access to the cattle corral will also be improved through the use of a suitable surface material. This is considered likely to involve the scraping of the existing vegetation to expose the existing hard surface material underneath, with some consequent upgrading.

Representations Received

17. Advertised on site and in the press. One letter of representation has been received in support of the application, indicating that the proposed construction of a hard core path around the marshes would enable many more people to access and enjoy the area, including those with babies and small children and others with limited mobility, including wheelchair users.

Consultation Responses

18. South Norfolk DC – no objections.
19. Environment Agency - no objections in principle but conditions suggested with respect to a number of matters.
20. Tree Officer - no significant arboricultural implications.
21. Environmental Health Officer – no comment.
22. Norfolk Wildlife Trust, Natural England, Norfolk County Council Planning and Transportation, Yare Valley Society, City & Asset Management, Natural Areas Officer, Parks & Open Spaces Manager - no response received.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 Sustainable Development
PPS9 Biodiversity and Geological Conservation
PPG17 Planning for Open Space, Sport & Recreation
PPS25 Development and Flood Risk

Relevant Saved Policies of the Adopted City of Norwich Replacement Local Plan (November 2004)

NE1 - protection of river valleys
NE7 - protection of sites with nature conservation value
NE8 - protection of biodiversity
SR3 - development resulting in the loss of open space
SR12 - creation and enhancement of green links
SR14 - design and amenity considerations for open space
EP12 - development in areas at risk of flooding
EP16 - water resource conservation

Supplementary Planning Documents and Guidance

Open Space and Play Provision SPD - adopted June 2006

Principle of Development

Policy Considerations

23. The principle of the proposal is considered acceptable. Although the proposal involves development within an area of urban greenspace and publicly accessible recreational open space, the development only seeks to upgrade and improve an existing path, which appears to have had various improvement works undertaken to it in the past and is now in need of repair and upgrading. In terms of the amount of operational development proposed, the extent of works proposed is not major and can be considered as relatively minor in relation to the site as a whole and taking into consideration the nature and condition of the existing path. The proposal can therefore be considered to be a relatively minor upgrade of an existing facility.

Environmental Issues

Flood Risk & Biodiversity

24. In terms of the impact of the proposed works, the scheme has been designed to minimise the impact on the wildlife and biodiversity importance of the site, as well the function of the site as part of the flood plain and in relation to land drainage. No objections have been raised to the proposal from any consultees. The Environment Agency has made a number of detailed comments which are able to be addressed by conditions.

Equality and Diversity Issues

Age, Disability

25. The impact of the proposal will also be beneficial in terms of enabling a much wider use of this important recreational space on the urban fringe of the city. This would be of particular benefit to those with more limited mobility and can be considered to be a very positive impact in terms of equality and diversity.

Conclusions

26. The works proposed to upgrade the existing footpath on site to provide a more accessible surface are considered to have been carefully designed to ensure that the use of materials and the construction of the path would have a relatively limited impact on the wildlife and biodiversity importance of the marshes, whilst also enabling the creation of additional habitat for wading birds and fish, without compromising the land drainage and flood plain function of the marshes. The improvements proposed to the path would also enable greater use of the marshes as a recreational resource to be made by a much wider cross section of the local community so resulting in a significant improvement to the accessibility of this site. Subject to conditions, the proposal is considered acceptable and would meet the national guidance and City of Norwich Replacement Local Plan saved policies and all

other material considerations.

RECOMMENDATIONS

To approve Application No 10/01641/F at Marston Marshes, Marston Lane, Norwich and grant planning permission, subject to the following conditions:-

1. Standard time limit (3 years)
2. Contractors compound temporary permission only for duration of the works on site
3. Any external lighting and security measures details to be agreed
4. Scrub clearance timing
5. Work to be carried out in full accordance with the Extended Phase One Ecological Assessment (Kepwick Ecological Services, 2010) and particular attention is drawn to sections 6.2 (route of footpath), 6.3 (restriction of works area), 6.4 (mitigation works for species rich grassland and reptile mitigation)
6. Pollution control during construction operations
7. Route and maximum height of path, with installation of pipes underneath
8. All surplus material to be removed from site upon completion of works
9. In accordance with submitted drawings and details

(Reasons for approval: The works proposed to upgrade the existing footpath on site to provide a more accessible surface are considered to have been carefully designed to ensure that the use of materials and the construction of the path would have a relatively limited impact on the wildlife and biodiversity importance of the marshes, whilst also enabling the creation of additional habitat for wading birds and fish, without compromising the land drainage and flood plain function of the marshes. The improvements proposed to the path would also enable greater use of the marshes as a recreational resource to be made by a much wider cross section of the local community so resulting in a significant improvement to the accessibility of this site. Subject to conditions, the proposal is considered acceptable and would meet the guidance in PPS1, PPS9, PPG17 and PPS25 and City of Norwich Replacement Local Plan saved policies NE1, NE7, NE8, SR3, SR12, SR14, EP12 and EP16 and all other material considerations)