

Broads Authority Delegation Decision Report – Approval

Application Number	BA/2025/0317/FUL
Proposal Description	Proposed construction of wetland habitat scrapes for ecological benefit, and construction of boardwalk through Rough Marsh Plantation, together with associated works.

The Site and its Location

The application site forms part of the Whitlingham Country Park near Trowse, Norwich, which is leased by the landowners, Crown Point Estate to the Whitlingham Charitable Trust (WCT). The WCT is a registered charity which aims to develop the Park for wide-ranging recreational and social opportunities for local communities and all its visitors.

The subject site is located on the north side of Whitlingham Great Broad in an area of the Country Park which is already identified as a nature reserve. The site area is currently managed to provide a mix of neutral grassland and mixed scrub.

The site is within the wider Crown Point historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II.

The site is also in Flood Zone 2.

The Proposal

The application is seeking planning permission for the proposed construction of wetland habitat scrapes for ecological benefit, and the construction of boardwalks through Rough Marsh Plantation, together with associated works.

Consultations Responses Received

Broads Authority Ecology (summary - full comments available on the BA website)

No objections, provided due consideration is given to protected species before works commence, particularly bats in the wet woodland.

Broads Authority Landscape Officer (summary - full comments available on the BA website)

No objection regarding landscape.

Heritage and Design Manager (summary full comments available on the BA website)

No objection to the proposals. The materials and design of the proposed boardwalk mean it should sit sympathetically within the landscape and create another accessible area for members of the public to enjoy.

BNG Consultant (summary – full comments available on the BA website)

The project involves the construction of a boardwalk and elements of habitat restoration.

The draft Norfolk LNRS has been accessible online for a while and was formally approved on 13 October 2025. Rough marsh plantation is within a strategic area and some of the habitats present within the site (woodland and ONG) are identified within the layer for potential habitat measures.

Now the LNRS has been approved, metric guidance prohibits the use of medium strategic significance. Review levels of strategic significance applied to the parcels of habitat recorded in the metric.

The application boundary is located adjacent to a river, however, the watercourse module has not been completed - Include watercourse module or provide justification as to why this has not been provided.

BNG Consultant – additional comments following further clarification from the agent regarding watercourse module and Landscape Nature Recovery Strategy (LNRS) (summary)

The BA can approve the draft Biodiversity Gain Plan.

BA will need to secure the BNG via condition of planning - Biodiversity Gain Plan. Following determination the applicant will need to submit a formal Biodiversity Gain Plan c/w HMMP.

Onsite BNG habitats secured via condition for a minimum of 30 years from creation of last habitat – separate condition likely most practical approach.

Broads Authority Tree Consultant (summary – full comments available on the BA website)

No objection to the proposed habitat restoration works and associated loss/removal of trees (willow).

An assessment of the potential impact of the positioning of the spoil, creating the bund at the rear of the wetland on the trees to be retained, together with the necessary tree protection should be undertaken by a suitable experienced arboriculturalist prior to commencement of any permitted works.

Further comments from the Tree Consultant following additional information regarding the proposed bund:

Confirm that the proposals are acceptable having reviewed the additional details regarding the bund positioning - it is clear it will have a negligible effect on the trees to be retained. No further details required.

Representations Received = 1

Broads Society

The Broads Society fully supports this application which will enhance biodiversity and improve access to this part of Whitlingham Country Park.

Development Plan Policy

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.

Local Plan for the Broads (2019)

SP2 – Strategic Flood Risk Policy

DM5 – Development and Flood Risk

DM11 – Heritage Assets

SP6 – Biodiversity

DM13 – Natural Environment

SP7 – Landscape Character

DM16 – Development and Landscape

SP9 – Recreation Access around the Broads

DM31- Access to the water

DM43 – Design

Material Considerations

National Planning Policy Framework
Planning Practice Guidance

Reason for Delegated Decision

This application meets the criteria set out in Section 2 (e) of the Broads Authority scheme of delegation (July 2023).

site History – (DC Cases Only)

Application Number	Proposal Details	Application Status
BA/2022/0284/FUL	Repair the wheelchair accessible path with a tar and chip bound surface.	APCON
BA/2023/0479/FUL	Replace storage container and toilet (removed in approx. 2019) with a portacabin (Retrospective)	APCON
BA/2024/0187/FUL	Solar array and associated inverter shed	APCON
BA/2024/0188/FUL	Change of use of storage container to accommodate teaching microbrewery	APCON
BA/2025/0160/APPCON	Details of Conditions 3: landscaping, and 4: Biodiversity Gain plan of permission BA/2024/0187/FUL	AP
BA/2025/0177/LBC	Repair of ruins including capping of walls using hot lime mortar	APCON
BA/2025/0317/FUL	Proposed construction of wetland habitat scrapes for ecological benefit, and construction of boardwalk through Rough Marsh Plantation, together with associated works.	PDE

Assessment

The main considerations in determination the application are:

- Principle of development
- Impact on landscape character and appearance of the area including heritage assets
- Trees
- Ecology
- Biodiversity Net Gain
- Flood Risk

Principle of development

The application site is an established Country Park that offers access to the water and other recreational opportunities for the public to enjoy. The proposal is seeking to enhance both the ecological and biodiversity value of the site together with providing additional access and enjoyment of Whitlingham Great Broad and the wider Park.

Policies SP9 (Recreational Access around the Broads) and DM31 (Access to the Water) support and encourage the use of the waterways including the provision of supporting infrastructure such as moorings, jetties and walkways where they are consistent with the objectives of protecting and conserving the Broads

landscape and ecology. Based on the information submitted and assessed with the application, it is considered that the proposal accords with the principles of these policies and therefore is acceptable.

Impact on landscape character and appearance of the area including heritage assets

The proposal has been assessed by both the Heritage and Design Manager and the Broads Authority's landscape consultant.

It is acknowledged the site is relatively close to several designated heritage assets including the grade II listed Trowse Hall remains, the Crown Point Registered Park and Garden and the Thorpe St Andrew Conservation Area. However, the low-lying nature of the site and low level of the proposed works, as well as the distance between the heritage assets and the site means that any impact on their setting will be negligible. The materials and design of the proposed boardwalk mean it will sit sympathetically within the landscape providing another accessible area for members of the public to enjoy.

In terms of landscape impacts, while the proposal would result in some visual and physical changes to the existing landscape condition and character, the receiving landscape is already, by its nature, a man-made creation of habitats and 'naturalistic' landscape features. The proposal includes measures which would ensure that the boardwalks are integrated into the landscape well, by utilising natural materials and organic shapes for the layout. It is therefore considered the proposed changes would be beneficial in terms of biodiversity and improving visitors understanding and engagement with the landscape.

It is concluded that the proposal meets the requirements of Policy DM11 (Heritage Assets) and DM16 (Development and Landscape) and DM43 (Design) of the Broads Local Plan 2019.

Trees

The submitted details have been assessed by the Broads Authority's tree consultant who has no objection to the proposed habitat restoration works and associated loss/removal of trees (willow). While ordinarily, there would be an objection to the loss of the larger willow, the proposed methodology and associated creation of the new wetland habitat will provide a positive impact on the biodiversity and visual amenity of the site which outweighs the loss and is considered acceptable in this instance.

Additional information provided by the agent has also been assessed by the consultant in relation to potential impact of the positioning of spoil to create the bund at the rear of the wetland where the trees are to be retained. On reviewing the additional details, the consultant has confirmed that the bund positioning will have a negligible effect on the trees to be retained and therefore no further information is required. The proposal therefore accords with Policy DM16 of the Broads Local Plan 2019.

Ecology

The proposed development lies approximately 5.3 kilometres downstream from a National Nature Reserve (NNR), the Mid-Yare, which is part of the wider designated Broadland Special Protection Area (SPA), Broads Special Area of Conservation (SAC) and Yare Broads & Marshes (SSSI).

A small area of neutral grassland will be replaced by seasonally wet ponds/scrapes. While this habitat provides food and shelter for small mammals and invertebrates, the creation of ponds/muddy scrapes will improve biodiversity by providing opportunities for a wider range of species.

The work in the wet woodland (Rough Marsh Plantation) involves winching down up to 7 hazardous mature white willow to mimic storm damage. These will be left in-situ to provide dead wood habitat and create clearings. It is noted in the Preliminary Ecological Assessment that bats, including Barbastelle, may use the woodland for roosting, plus breeding birds. It also notes that the habitat may be suitable for foraging otter and water vole, but the works should only cause temporary disturbance and concludes there are no signs of badgers.

It is recommended that before works within the woodland commence a Ground Level Tree Assessment (GLTA) is undertaken to identify potential roosting sites for bats. Further surveys may need to be undertaken following the GLTA.

In terms of breeding birds, the Construction Environment Management Plan (CEMP) submitted indicates the works will take place in the winter. If timescales change, and the works take place during March-Sept, a breeding bird check will need to be undertaken in all suitable habitats prior to works commencing.

To minimise pollution to nearby watercourses and impacts on protected species/habitats, all mitigation measures in the CEMP must be implemented.

The BA ecologist mentions the need to secure management of the newly created areas; however this will be covered by BNG and a suitably worded pre-commencement condition requiring a final Biodiversity Gain Plan and associated Habitat Management and Monitoring Plan to be submitted which will need to include details of the ongoing management of the newly created areas.

It is concluded that the proposed scrapes together with the construction of boardwalks will deliver landscape and biodiversity benefits together with continued enjoyment of the Park that outweighs the temporary disturbance on the existing habitats subject to suitably worded conditions to ensure the CEMP is implemented and adhered to throughout the construction phase of the development and where necessary bats and breeding birds are also suitably considered prior to works commencing on site. Based on this the proposal accords with Policy DM13 of the Broads Local Plan 2019.

Biodiversity Net Gain (BNG)

The Broads Authority BNG consultant has reviewed the information provided and noted that the *'quality of survey, reporting, presentation and level of information provided is excellent'* and that *'the proposed works and descriptions of how and where gains will be made is clear to follow.'*

The consultant also refers to the draft Norfolk Landscape Nature Recovery Strategy (LNRS) which has been accessible online for a while and was formally approved on 13 October 2025 and as such the metric guidance prohibits the use of medium strategic significance. The consultant therefore noted that a review of the metric in respect of this was necessary.

The consultant also noted that the application boundary is located adjacent to a river, however, the watercourse module has not been completed. Excluding habitat works, further clarification was required as to whether the proposed boardwalk to be constructed will be within the 10m Riparian zone and suggested that either the watercourse module is provided or justification as to why it has not been provided should be submitted.

The agent submitted revised details on 1 December 2025 which have subsequently been reviewed by the BNG consultant who has confirmed that the presented files and calculation tool represent an accurate account of the site's baseline and that there is sufficient information to describe how the applicant plans to deliver the predicted gain. The revised details record the strategic significance of the site correctly and the reasoning for not including the watercourse module is considered acceptable.

The consultant has confirmed the Broads Authority can determine the application subject to imposing the required BNG pre-commencement planning condition on the granting of planning permission to address the mandatory submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP).

The proposal therefore meets the requirements of Biodiversity Net Gain as detailed in the Environment Act 2021.

Flood Risk

The application site is in an area prone to flooding given its proximity to a main river Yare and Whittingham Great Broad. Information submitted with the application states that the area where the proposed scrapes will be, while prone to flooding, is at low risk and given the proposal is seeking to introduce a managed wetland this is not considered incompatible development. The proposed spoil that will be removed to create the scrapes will be used to provide a small bund to the northern side of the new wetland. As such, neither the proposed scrapes nor the low bund is likely to result in any significant offsite impacts regarding flood risk.

The proposed length of boardwalk through Rough Plantation will pass through an area identified as within Flood Zone 2 (land considered to be at 'medium' risk of flooding). In the event of a flood, the design of the boardwalks is such that water can flow underneath the structures and, in extremes, overtop the deck with no harm caused.

It is noted that Annex 3 of the NPPF confirms that '*Amenity open space, nature conservation and biodiversity, outdoor sports and recreation*' can be classified as 'water compatible development', while Table 25 confirms water compatible uses are appropriate within Flood Zone 2. It is therefore concluded that the development accords with Policy DM5 (Flood Risk) of the Broads Local Plan 2019.

Recommendation: Approve Subject to Conditions

Reasons for Decision

Condition

1. The development hereby permitted must be begun before the expiry of THREE YEARS from the date of this decision.

Reason

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition

2. The development hereby permitted shall be carried out in strict accordance with the application form, plans and drawings and other documents and details received as listed below:

- AMENDED Location Plan with Measured Area submitted 01 December 2025
- Constructed Wetland - Proposed site plan, sections and images submitted 21 October 2025
- Boardwalk - Proposed site plan and sections submitted 21 October 2025
- Proposed aerial plan with precedent images submitted 21 October 2025

Reason

For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans.

Condition

- * 3. Prior to the commencement of development, a Biodiversity Net Gain Plan (BNG Plan) and associated Habitat Management and Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority. The BNG Plan shall be based on the submitted Biodiversity Net Gain Assessment and Metric (received 01 December 2025) and shall include:

- a) Details of the habitats and features to be provided, enhanced and/or maintained to achieve the stated biodiversity net gain;
- b) A timetable for implementation in relation to the development;
- c) A management and monitoring strategy for a minimum period of 30 years, to include responsibilities for delivery; and
- d) A mechanism to secure the long-term management of habitats.

The development shall thereafter be carried out in accordance with the approved BNG Plan and Habitat Management and Monitoring Plan.

Reason

To secure a measurable biodiversity net gain in accordance with Policy DM13 of the Local Plan for the Broads, and the Environment Act 2021.

Condition

4. To minimise potential pollution to nearby watercourses and impacts on protected species and habitats, all mitigation measures detailed in the Construction Environment Management Plan submitted 21 October 2025 must be implemented and adhered to throughout the construction phase of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interest of protected species and habitats in accordance with Policy DM13 of the Local Plan for the Broads 2019.

Condition

5. Prior to disturbance to the woodland, a Ground Level Tree Assessment (GLTA) should be undertaken to identify potential roosting sites (hibernation and maternity) for bats. The whole roosting resource should be considered, not just individual trees planned for removal (i.e. ensure any trees removed do not negatively impact any roost features on adjacent trees or the installed bat boxes.) Further surveys may be required following the GLTA.

Reason

In the interest of protected species in accordance with Policy DM13 of the Local Plan for the Broads 2019.

Condition

6. The Construction Environment Management Plan (CEMP) submitted 21 October 2025 indicates the works will take place during the winter months. If timescales change, and the works are to take place during March-Sept, a breeding bird check will need to be undertaken in all suitable habitats prior to works commencing.

Reason

In the interest of ecology in accordance with Policy DM13 of the Local Plan for the Broads 2019.

Human Rights Act

It is considered that the proposed development may raise issues relevant to Article 8: The right to respect for private and family life, and Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

It is considered that approval of this application as recommended may have an impact on the individual Human Rights of the applicant. However, having considered the likely impact and the general interest of the public, approval of the application is considered to be justified and in accordance with planning law.

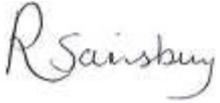
Planning Officer	Jane Fox
Date of Report	16 January 2026

Fee Confirmed? Yes Date Fee Confirmed: 11/11/2025

Extension of Time Information on Uniform Checked? Yes Date Agreed: 20/01/26

RAMS Paid? Not Applicable

Nutrient Neutrality Applicable? No



Ruth Sainsbury
Head of Planning

16 January 2026