



Appeal Decision

Site visit made on 17 November 2025

by **J Pearce MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 November 2025

Appeal Ref: APP/E9505/D/25/3370099

Plot K, Bureside Estate, Crabbetts Marsh, Horning, Norfolk NR12 8JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Rod Powney against the decision of Broads Authority.
 - The application Ref is BA/2025/0045/HOUSEH.
 - The development is described as replacement of 25 linear metres of timber quay heading using multi lock plastic piling as per the Western Spur installation also on Crabbetts Marsh; Removal and replacement of existing walkway decking (as indicated on aerial plan) using redwood treated timber; Installation of 10no. 89r screw piles to a depth of approx. 15m to be used as supports for timbers to stabilise poor ground conditions in driveway entrance to property.
-

Decision

1. The appeal is allowed and planning permission is granted for the replacement of 25 linear metres of timber quay heading using multi lock plastic piling as per the Western Spur installation also on Crabbetts Marsh, removal and replacement of existing walkway decking (as indicated on aerial plan) using redwood treated timber, installation of 10no. 89r screw piles to a depth of approx. 15m to be used as supports for timbers to stabilise poor ground conditions in driveway entrance to property at Plot K, Bureside Estate, Crabbetts Marsh, Horning, Norfolk NR12 8JP in accordance with the terms of the application, Ref BA/2025/0045/HOUSEH, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers: Location Plan, Site Plan, Untitled Map and Sheet 1 of 1 (Typical Cross Section).
 - 3) Prior to the installation of the piling hereby permitted, details of the materials, including the type, profile and colour finish, to be used in the construction of the piling shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Preliminary Matters

2. The application form states that the site address is 'Bureside Estate, Crabbetts Marsh', whereas the decision notice refers to the site as 'Plot K, Bureside Estate' and the appeal form states that the site address is 'The Boat House, Plot K, Crabbetts Marsh'. I have taken the address from the decision notice as this is more precise. I do not consider that this has prejudiced any of the parties.

3. The description of development in the heading above and my formal decision has been taken from the application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the description given on the application form. I do not consider that this has prejudiced any of the parties and I have proceeded with the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site comprises a residential plot accessed from South Quays Lane. The site is part of Crabbetts Marsh, which consists of several plots arranged around dykes served by the River Bure. The area is primarily wooded marshland with the residential properties largely set within the woodland adjacent to the dykes and the River Bure. The site consists of an existing building with timber decking along the water's edge and a small area of lawn. While the area has a verdant character, the existing moorings in the area, including on the opposite bank, provide a more formal, engineered edge to the waterway.
6. The site is within the Broads. The Broads has the same status as a National Park, the duties of which are described by the Broads Authority as being to seek to further the purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broad, promoting opportunities for the understanding and enjoyment of the special qualities of the Broads, and protecting the interests of navigation.
7. The proposal includes the replacement of the existing timber quay heading using multi lock plastic piling. Timber waling boards would be attached to the multi lock piling and would be topped with timber coping. The cross-section drawing indicates that there would be double height timber waling boards affixed to the plastic piling. The timber finish would obscure the piling and retain the predominantly timber appearance of quay heading in the area, including at the site. Visibility of the piling would be restricted, and the piling would mainly be exposed beneath the waterline. While the waterline may fluctuate, the double timber waling boards would not leave the piling unduly visible above the waterline.
8. The use of plastic piling is uncommon on either side of the dyke and an extensive and conspicuous use would harmfully erode the natural, verdant character of the area. However, given that the piling would be largely obscured by the timber waling, coping and decking, which the Council considers to be an acceptable material finish, the discreet use of plastic piling would not harm the prevailing character and appearance of the area. The use of a dark colour finish, which could be secured by a condition if I were minded to allow the appeal, would ensure that the piling would blend with its surroundings, particularly if the timber coping and waling eroded over time.
9. The Council has not raised concerns in respect of the proposed timber decking and screw piles, whilst the proposal would not affect navigation within the dyke and the River Bure. Based on the substantive evidence before me, I see no reason to reach a different conclusion.

10. I conclude that the proposal would not harm the character and appearance of the area. The development therefore complies with Policies SP7, DM16, DM43 and HOR3 of the Local Plan for the Broads 2019, which collectively seek to ensure that development proposals are appropriate to the character and appearance of the Broads paying particular attention to the defining and distinctive qualities of each site and its setting, conserve and enhance the key landscape characteristics of the Broads, use detailing and materials of high quality and appropriate to its context and that the maintenance or upgrading of existing buildings will be encouraged, and their replacement permitted, where this is consistent with the openness and the low key and lightweight forms of building.

Other Matter

11. Schedule 7A of the Town and Country Planning Act 1990 (as amended) introduced a statutory framework for biodiversity net gain (BNG), and it applies to all planning applications for non-major development submitted on or after 2 April 2024. Under the statutory framework, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the Biodiversity Gain Condition (BGC), which requires that at least a 10% increase in biodiversity value is met. However, the Planning Practice Guidance states that the BGC does not apply to householder development, such as the appeal proposal. Accordingly, the BGC does not apply.

Conditions

12. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty. To safeguard the character and appearance of the area, a condition is included requiring details of the type, profile and colour finish of the plastic piling to be provided.
13. The Council's Ecology Team has suggested conditions in respect of biodiversity and ecology. Given the limited scale and the nature of the proposed development, particularly with regard to BNG, and the availability of other legislation if harm occurs to protected species and/or their habitats, I consider the suggested conditions are not reasonable or necessary in this instance.

Conclusion

14. For the reasons given above the appeal should be allowed.

J Pearce

INSPECTOR