

CABINET 3 MARCH 2004

**FORMER ROYAL NAVAL ARMAMENTS DEPOT MARCHWOOD  
– COMPLETION OF FLOOD DEFENCES AND PUBLIC  
FOOTPATH****1 INTRODUCTION**

- 1.1 A section of sea wall remains to be constructed and other parts of the sea wall raised to complete the flood defences around the former Royal Naval Armaments Depot (RNAD) site. Similarly the public footpath network around the site also requires completion.
- 1.2 The District Council has secured specific funding for these works through developers contributions.
- 1.3 The purpose of this report is:
  - to inform members of progress to date;
  - to seek approval to progress with project implementation.

**2 BACKGROUND**

- 2.1 The former RNAD is an important historic site. It was developed between 1812 and the 1890s for the storage and management of gunpowder. Many of the original walls and buildings survive and are listed. Designation as a conservation area also recognises the special interest of the site and has focussed attention on the scope for the environment of the area to be improved and on opportunities for the waterfront.
- 2.2 In recent years much of the site has been developed for residential use. The construction of sea defences in an environmentally acceptable form has been a requirement of development and the Council has also been working towards the provision of a more continuous and attractive waterside pedestrian route.
- 2.3 Through a Section 106 Planning Agreement with the District Council, flood defences around much of the site were completed in 2002 by the developer Crest Nicholson Residential (South) Limited in conjunction with the residential development of their land. This essentially involved the raising of the primary sea defence wall and the installation of flood gates in this and the existing secondary defence wall together with the construction of some new walls and raised bunds. The location of the sea defences completed by Crest is shown schematically in Appendix 1.
- 2.4 Crest also:
  - constructed a promenade footpath adjacent to the sea wall;
  - defined a path to the west of the site;

- constructed a path through the centre of the site up to land of another developer, who subsequently completed it to access the promenade footpath.

The footpath network constructed is shown in Appendix 2. Also shown is existing public access along Magazine Lane (a by-way open to all traffic) which terminates at the County Council public car park and public slipway.

- 2.5 Through the same Section 106 agreement funding has been provided by Crest for the completion of the sea defences and the construction of a public footpath on land not within their ownership.

### **3 PLANNING POLICY**

- 3.1 Policy DWT14.14a of the New Forest District Local Plan Deposit 1<sup>st</sup> Alteration makes provision for the completion of the footpath. Policy MA1 identifies that with the restoration of the sea wall and the integration of new pedestrian areas (as DWT14.14a) there is the opportunity to create a high quality public waterfront.

### **4 CURRENT POSITION**

- 4.1 There remains to be completed the section of flood defences shown schematically in Appendix 1.
- 4.2 There is obviously the opportunity to complete the public footpath network around this area of the site, shown in Appendix 2. The link is already used by the public but involves walking over shingle foreshore and uneven terrain, part of which is below mean high water.
- 4.3 The link is not a recorded public right of way. It crosses land owned by Marchwood Yacht Club, the Crown and Associated British Ports (ABP). Although a waterfront path has been used by local residents for many years it is very unlikely that they have established a right of way for two reasons. First, the public cannot acquire prescriptive rights over land owned by the Crown and ABP. Second, it would be difficult to demonstrate that public use has been confined to a specific route over the shingle foreshore. The construction of a path therefore requires the express agreement of the landowners. This is considered further in Section 5 of this report, Consultations.
- 4.4 A reduced sized copy of the proposed scheme for the completion of the flood defences and the public footpath is attached as Appendix 3 and a larger scale plan will be available at Cabinet. The drawings show the main elements of the proposed scheme, comprising:
- 4.4.1 Construction of a new section of sea wall where none of the original survives.
  - 4.4.2 Raising in height of the existing sea wall.
  - 4.4.3 Installation of two sets of floodgates in the sea wall to access the public car park and Marchwood Yacht Club's (MYC) slipway.
  - 4.4.4 A board walk to provide pedestrian access seaward of the seawall, in two sections; from Magazine Lane to a pedestrian gate (for safety) adjacent to the MYC slipway; and from a short distance beyond the

slipway through another pedestrian gate, terminating in a ramp over the sea wall to access the existing promenade.

- 4.4.5 Removal of municipal railings adjacent to MYC land and erection of more appropriate railings on top of the sea wall in this area.
  - 4.4.6. Provision of lighting to footway.
- 4.5 As well as completing the flood defences and footpath, these elements are all considered to enhance this part of the Conservation Area and maintain the setting of the listed buildings. They will enable people of all ages and mobilities, through the provision of ramped access and appropriate surfacing, to enjoy access to the waterfront and part of this historic site. The structures will be designed to resist, as far as possible, normal wear and tear and also the risk of intentional vandalism.

## **5 CONSULTATION**

- 5.1 The proposals have been developed in consultation with MYC given their interest as landowners. The Club's key concerns with any scheme relate to the security of their site and the effectiveness of the sea defences.
- 5.2 In respect of these concerns a number of additional works have been identified by MYC as desirable. They would be funded by MYC but could be included in a contract for the completion of the sea defences and footpath in order to ensure continuity of design and detailing and the quality of the overall scheme. These works can be seen highlighted in Appendix 4 and are explained more fully below.
- 5.3 Security between the club and the County Council public car park is a particular area of concern. The District Council has resisted suggestions for the boundary to the side and rear of the car park as it exists to be made more substantial because of its impact on the historic layout of the site and the setting of the listed buildings adjacent. A flood or security defence along this line would not be appropriate. The floodgate in the wall to the public car park is obviously critical to the effectiveness of the defences and MYC are concerned as its operation would not be fully within their control. The solution, which has been agreed in principle with County Council officers and would require executive County Member approval, is for the area of land immediately in front of one of the listed buildings to be transferred to MYC ownership allowing a boundary of brick wall and railings/gates along the side of the car park to be constructed without detriment to the setting of the listed buildings. In return MYC would finance the clearing of the area of vegetation and resurfacing to provide some car parking and a small area of public space at the opposite end of the car park, overlooking the water. To deal with the concerns about the floodgate and security to the rear of the car park, an earth covered concrete bag bund and adjacent a thorn hedge, with a wire mesh fence at its centre, would be constructed. Whilst the bund would not provide the full level of flood defence required here, it would provide some initial protection.
- 5.4 Other additional works identified by MYC comprise:
- 5.4.1 Railings built into the top of the raised sea wall adjacent Magazine Lane and the public car park.
  - 5.4.2 Security gates adjacent to the slipway floodgates.
  - 5.4.3 Removal of existing unsympathetic fencing and gates.

- 5.5 MYC have confirmed their support for the scheme.
- 5.6 The Crown's agents have been consulted as representatives of landowners. They have confirmed their agreement in principle subject to detail. They would be prepared to lease the land in question to MYC who would then be allowed to sublease to the District Council. This would be for a term of 25 years.
- 5.7 ABP have been consulted. They have no objection to the scheme as proposed. The necessary licensing and other arrangements are being discussed.
- 5.8 Hampshire County Council Rights of Way have also been working closely with the District Council and are keen to see the footpath network completed. Unfortunately as explained at paragraph 4.3 it is not possible for the link to be the subject of Definitive Map Modification Order to record the path as a Public Right of Way.
- 5.9 Marchwood Parish Council's comments will be reported at the Cabinet meeting.

## **6 CRIME AND DISORDER IMPLICATIONS**

- 6.1 The existing promenade and Magazine Lane are effectively 'dead ends' with limited access between the two. The County Council car park is subject to fly tipping from time to time. MYC have experienced problems with unauthorised access to their site and theft.
- 6.2 One of the main objectives of the scheme is to complete public access from Magazine Lane to the promenade which will encourage use by many more people. It is believed that this will provide greater surveillance which is an effective way of encouraging responsible behaviour.

## **7 FINANCIAL IMPLICATIONS**

- 7.1 A sum of £215 978 is available through developers contributions for the works. This will cover the cost of the scheme. A contingency sum can be sought from the developer up to 10% of this total sum in respect of items of work and circumstances that could not be foreseen by a reasonably experienced contractor.
- 7.2 Marchwood Yacht Club would sublease to the District Council the areas of land they lease from the Crown at no cost to the Council.

## **8 MAINTENANCE IMPLICATIONS**

- 8.1 The District Council will be responsible for maintenance. The sea wall is to be constructed to a high specification as required for such a structure. The board walk is to comprise a timber substructure surmounted by timber boards and steel handrails, which under normal wear and tear would be expected to have a

life of around 30 years with little or no annual maintenance. The board walk will be designed to limit the opportunity for vandalism.

- 8.2 The structure would be included in the Council's Coastal Warden's inspection regime.

## **9 ENVIRONMENTAL IMPLICATIONS**

- 9.1 The restoration of the sea wall will complete the flood defences to the RNAD site and will create a high quality public access to the waterfront.
- 9.2 Specific environmental approvals will be sought from the appropriate bodies for the works.

## **10 CONCLUSIONS**

- 10.1 The construction of the flood defences and footpath as proposed would be in accordance with the Council's policy for this site and would also achieve significant and long sought after environmental improvements and public access.

## **11 PORTFOLIO HOLDERS COMMENTS**

Both the Environment and Economy and Planning Portfolio Holders support the recommendations made in this report.

## **12 RECOMMENDATIONS**

- 12.1 That the scheme design be approved, leasing of the land be agreed with the parties involved and the scheme be implemented using developers contributions.

### **Further Information**

Paula Freeland  
Conservation and Urban Design Team Leader  
Telephone 023 8028 5326  
E-mail [paula.freeland@nfdc.gov.uk](mailto:paula.freeland@nfdc.gov.uk)

### **Background Papers**

PDI file 552.22.001-7