



# policy advice note: inland waterways

**Unlocking the Potential and Securing the Future of Inland Waterways  
through the Planning System**



## Policy Advice Note: Inland Waterways Unlocking the Potential and Securing the Future of Inland Waterways through the Planning System



Produced by the  
Town and Country Planning Association,  
with the support of British Waterways

### Acknowledgements

This Policy Advice Note was produced by the Town and Country Planning Association with the generous support of British Waterways. The TCPA is grateful to all those local authorities and organisations who participated in the workshops held to inform the production of this document, gave advice, and made themselves available for interview. Details of these organisations can be found on page 33.

Photographs courtesy of British Waterways

Published by the  
Town and Country Planning Association  
17 Carlton House Terrace  
London SW1Y 5AS  
020 7930 8903  
[www.tcpa.org.uk](http://www.tcpa.org.uk)

July 2009

Printed by Redlin Print Limited, 33 Hanbury Road,  
Chelmsford CM1 3AE

## Contents

Preface	1
<b>1</b> Introduction	2
<b>2</b> The Unique Characteristics of Inland Waterways	5
<b>3</b> The Value of Inland Waterways	6
<b>4</b> Key Planning Policy Challenges to Unlocking the Potential and Benefits of Inland Waterways	13
<b>5</b> How the Planning System Can Support Inland Waterways	17
<b>6</b> Planning Tools and Mechanisms	22
<b>7</b> Conclusions and Recommendations	24
<b>Appendix 1</b> Waterway Proofing of Planning Policy at All the Different Spatial Levels	26
<b>Appendix 2</b> Development Management and Control Checklist for Waterside Developments	28
<b>Appendix 3</b> Signposts and Contacts	31
<b>Appendix 4</b> Methodology and Workshops	32
<b>Appendix 5</b> Participants and Contributors	33



The inland waterways of England and Wales are national, regional and local cultural and natural assets. They link urban and rural communities, as well as linking historic buildings and structures with the wider landscape and forming key strategic wildlife corridors.

Inland waterways are helping to stimulate regional, sub-regional and local economies and are being used successfully as tools in improving community well-being and urban and rural housing offers; in attracting and generating investment; in place-making and place-shaping; and in delivering wider public benefit. Inland waterways are making an increasingly important contribution to the visitor economy, and there is a growing national awareness of the added value and commercial betterment deriving from the presence of waterways in developments.

The health and performance of the inland waterway network is directly linked to the quality of the neighbourhood and environment through which the waterway passes. The public benefit delivered by the inland waterway network is in turn substantially dependent upon its health and performance. An underperforming waterway<sup>a</sup> is usually a symptom of the economic and social failure of the neighbourhood through which it passes.

This Policy Advice Note (PAN) has been produced by the Town and Country Planning Association with the support of British Waterways, the largest navigation authority in the country.<sup>b</sup> Although this PAN applies to the waterways owned and managed by British Waterways, the information and policy advice within this document could be applied to the majority of inland waterways in England and Wales. For the purposes of this PAN, the waterways owned and managed by British Waterways have been used to illustrate key issues and demonstrate potential opportunities.

British Waterways examples have been differentiated within the text, setting them against a pale blue background, to make it clear that they are not taken from the wider UK network.

The purpose of this PAN is to:

- highlight the different types of waterways that form the inland waterway network, including their different characteristics, roles, uses and functions;
- promote the contribution that inland waterways make to economic, social and environmental agendas;
- demonstrate how inland waterways contribute to the Government's key policy objectives;
- highlight the public benefits generated by waterways so that they are fully appreciated by policy-makers and influencers, and by planners at all the different spatial levels;
- identify the key planning policy challenges and issues that need to be tackled in order to fully unlock the economic, social and environmental benefits of inland waterways and secure their long-term sustainability as a national asset;
- promote the need for a supportive planning policy framework for inland waterways at all the different spatial levels; and
- make recommendations to policy-makers and planners at the different spatial levels on how the planning system can help to secure the long-term future, and support the development, regeneration and improvement, of the inland waterways network.

This PAN also aims to signpost guidance for planners and policy-makers on inland waterways and to highlight best practice case studies.

The findings and recommendations contained within this PAN have been informed by a series of workshops and discussions with planning and policy personnel from local authorities, Regional Development Agencies and other public bodies, the principal navigation authorities, and the Government-sponsored Inland Waterways Advisory Council (IWAC). Details on the series of workshops held and a full list of organisations that participated are included within Appendices 4 and 5, respectively. The Town and Country Planning Association has also liaised with the Department for Environment, Food and Rural Affairs (Defra), which is currently refreshing *Waterways for Tomorrow*, the national policy document on inland waterways published in 2000.

a Underperforming waterway corridors are characterised by: the presence of inappropriate uses that despoil assets; limited or no public access to, from and along the waterway; poor-quality waterside development; an absence of destinations and attractions; a shortage of water-related facilities; poor perception and image of the waterway; anti-social behaviour; 'dead' water spaces; and low boat movement and footfall.

b British Waterways (BW) is a public corporation, responsible for approximately 3,218 kilometres of inland waterways (which equates to 51% of all navigable inland waterways), and is sponsored by Defra in England and Wales and by the Scottish Government in Scotland. British Waterways' estate includes canals, navigable rivers, docks, mooring basins and reservoirs.

# 1

## introduction

### 2

## Definition of 'Inland Waterways'

The inland waterways network includes canals, tidal and non-tidal navigable rivers, and other inland waters used for navigation. For the purposes of this publication the term 'inland waterways' also includes related bodies of water such as non-operational docks, inland marinas, mooring basins and reservoirs. However, the term 'inland waterways' used within this Policy Advice Note (PAN) excludes non-navigable rivers and lakes.

This PAN is primarily concerned with navigable or potentially navigable canals and rivers in England and Wales that are regulated by lock and weir systems (together with associated infrastructure) and which are managed by British Waterways. This equates to over half of the inland waterway network. However, much of the content of this PAN applies to navigable or potentially navigable canals and rivers that are regulated by lock and weir systems and are managed by other statutory navigation authorities. In addition, some of the content of this PAN may be applicable to tidal rivers and estuaries, which tend to come under the jurisdiction of port authorities. Man-made canals, docks and reservoirs have different characteristics and principal functions to those of natural rivers and reservoirs, tributaries and lakes.

## Management of the Inland Waterway Network

There are over 5,000 kilometres of fully navigable inland waterways in Great Britain and further 3,000 kilometres of non-navigable waterways. The majority of the network is the responsibility of three principal navigation authorities, namely:

- British Waterways (BW);
- the Environment Agency;<sup>1</sup> and
- the Broads Authority.<sup>2</sup>

The remaining 29% of Britain's navigable inland waterways is managed by 18 other navigation authorities, who include national park authorities, local government authorities, internal drainage boards, private canal companies, and a variety of public and charitable trusts.

## Policy Context for the Inland Waterway Network

*Waterways for Tomorrow*, which was published in June 2000, sets out the national planning policy framework for inland waterways in England and Wales. This publication is currently being refreshed by Defra (the Department for Environment, Food and Rural Affairs). *Waterways for Tomorrow* confirms that the Government wishes to increase the economic, environmental and social benefits offered by the waterways by:

- encouraging their improvement, development and restoration, wherever possible in partnership between the public, private and voluntary sectors;
- promoting the waterways as a catalyst for urban and rural regeneration;
- encouraging the use of the waterways for tourism, leisure, recreation and sporting activities;
- supporting the protection, conservation and enhancement of the waterways' heritage and their built and natural environment, and the use of the waterways as a water and educational resource;
- supporting the provision of passenger boat services on inland waterways, wherever practicable and economic;
- encouraging the transfer of freight from roads to waterborne transport where practical, economic and environmentally desirable; and
- supporting the development, regeneration and improvement of the inland waterways through the planning system.

Inland waterways cut across policy themes and support a range of Government agendas, including:

- sustainable communities;
- housing growth and renewal;
- urban renaissance;
- place-making and place-shaping;
- rural development and diversification;
- visitor economy and sustainable tourism;
- sustainable transport;
- health and well-being;
- climate change, carbon reduction and environmental sustainability; and
- social inclusion and cohesion.

1 The Environment Agency is the environmental regulator for England and Wales and is accountable to Defra and the Welsh Assembly Government. It is the navigation authority for about 1,000 kilometres of rivers which have a public right of navigation, including Broad rivers in East Anglia and the non-tidal River Thames, equating to approximately 17% of all navigable waterways.

2 The Broads Authority is responsible for 200 miles of navigable waterways, which equates to approximately 3% of all navigable inland waterways, taking in the flood plains and the lower reaches of the three main rivers – Bure, Yare and Waveney.





Explicit references to inland waterways and towing paths can be found within:

- PPS9: *Biodiversity and Geological Conservation*;
- PPS11: *Regional Spatial Strategies*;
- PPS25: *Development and Flood Risk* and the associated *Practice Guide*;
- PPG13: *Transport*;
- PPG15: *Planning and the Historic Environment*;
- PPG17: *Planning for Open Space, Sport and Recreation*; and
- the *Good Practice Guide on Planning for Tourism*.

Increasing awareness of the value and public benefits derived from waterways is being reflected in numerous Government strategies, for example on health and well-being and improving quality of place. With respect to health and well-being, the role of waterways and towing paths are referred to within NICE Public Health Guidance 8, *Promoting and Creating Built or Natural Environments that Encourage and Support Physical Activity* (January 2008) and the Department of Health publication *Be Active, Be Healthy: A Plan for Getting the Nation Moving* (February 2009).

The cross-government strategy for improving quality of place, entitled *World Class Places*, which was launched in May 2009 refers to waterways as a form of green infrastructure and makes a commitment to new planning policy on heritage and green infrastructure. It stresses the importance of continuing to maintain the built heritage and invest in green spaces and green infrastructure, even during periods of economic challenge.

At the regional spatial level, the value of waterways as a form of strategic infrastructure and the public benefits derived from them are being reflected in some Regional Economic Strategies, regional health and well-being strategies and regional visitor economy strategies.



**Figure 1** The inland waterway network

At the sub-regional and local spatial levels, the value of waterways as a form of local infrastructure and the public benefits derived from them are being reflected in some green infrastructure strategies, Local Transport Plans, Sustainable Community Strategies, local regeneration strategies and local flood management strategies.

All of the aforementioned strategies at the different spatial levels have spatial and land use implications which need to be translated into the statutory development plan.

The overarching purpose of this Policy Advice Note is to highlight the areas of opportunity to strengthen existing planning policy at all the different spatial levels, in order to provide robust planning policy frameworks that:

- support the inland waterways as a cross-cutting policy theme;
- support the inland waterways' ability to contribute fully in the delivery of Government agendas; and
- secure the long-term sustainability of the inland waterway network, their corridors and adjoining communities.



# 2

## the unique characteristics of inland waterways

### Multi-Functional Nature of Waterways

The inland waterways are a multi-functional resource. Apart from their traditional role as a system of travel or transport they serve in a variety of roles, including:

- an agent of or catalyst for regeneration;
- a contributor to water supply and transfer, drainage and flood management;
- a tourism, cultural, sport, leisure and recreation resource;
- a heritage landscape, open space and ecological resource;
- sustainable modes of transport; and
- routes for telecommunication.

A comprehensive schedule of the principal functions of waterways is included in Section 3 of this PAN.

### Non-Footloose Nature of Waterways

This 200-year-old network of inland canals, rivers and docks is a working heritage, and these waterways are all 'non-footloose' assets; i.e. the location and alignment of waterways are fixed. These types of assets have particular land use implications and locational requirements arising from this inherent constraint which need to be acknowledged and treated flexibly within planning policy.

For example, the British Waterways estate is the third largest in Britain, after those of the Church of England and the National Trust. It includes: four World Heritage Sites (WHSs); 51 scheduled ancient monuments; over 2,800 listed buildings and structures; 14 historic battlefields; and 33 registered historic parks. Although the waterway infrastructure and buildings within British Waterways ownership are significant components of the waterway heritage, the character of the inland waterway extends beyond the immediate British Waterways ownership boundary to create a distinctive visual envelope. It is the action of other landowners adjacent to the waterway as much as the actions of British Waterways that will damage or sustain the quality of the historic waterway fabric and environment.

### Boundary-Crossing Nature of Waterways

Inland waterways, by their nature, tend to cross local and regional boundaries and other administrative areas, such as:

- local planning authority administrative areas;
- metropolitan areas, urban areas, coalfield areas, market towns, and accessible and remoter rural areas;
- landscape character areas;
- economic and housing markets; and
- key intervention areas for regeneration, renewal and growth, including Housing Market Renewal Pathfinders (HMRPs), Growth Points and Areas, etc.



# 3

## the value of inland waterways

6

### Community Asset

Inland waterways are public assets and are generally easily accessible. The majority of people using the waterways and towing paths do so free of charge as a 'means to an end' or for informal recreation purposes. New waterside development and regeneration schemes are the primary generators for the growth of users.

For example, 47% of the population lives within 8 kilometres (5 miles) of a waterway owned and managed by British Waterways, with nearly 1 million people living within 100 metres. This network attracts approximately 270 million visits per year, with over 93% of visitors being 'everyday explorers' – using the canal towing path to take a short cut; to walk the dog or cycle to school, home or work; as lunchtime amenity space; or for recreational walking and cycling. The different types of waterway users found on the waterways owned and managed by British Waterways are illustrated in the Figure 2.

The inland waterways (and the towing paths) have a number of roles:

- **Cultural:** They are an important part of the cultural and built heritage in England and Wales.
- **Educational:** They are among the most active and inventive providers of open-air learning activities in Britain.
- **Health and well-being:** They are part of the 'natural health service', encouraging and supporting physical and healthy outdoor activity.

### Form of Strategic and Local Infrastructure

#### Inland Waterways as a Form of Sustainable Transport

Waterways and towing paths play an important role in widening travel choices for cycling, walking, freight and public transport. The towing path network provides a motor-vehicle-free environment in which to travel to work, school or home, and 100 tonnes of carbon

policy advice note: inland waterways

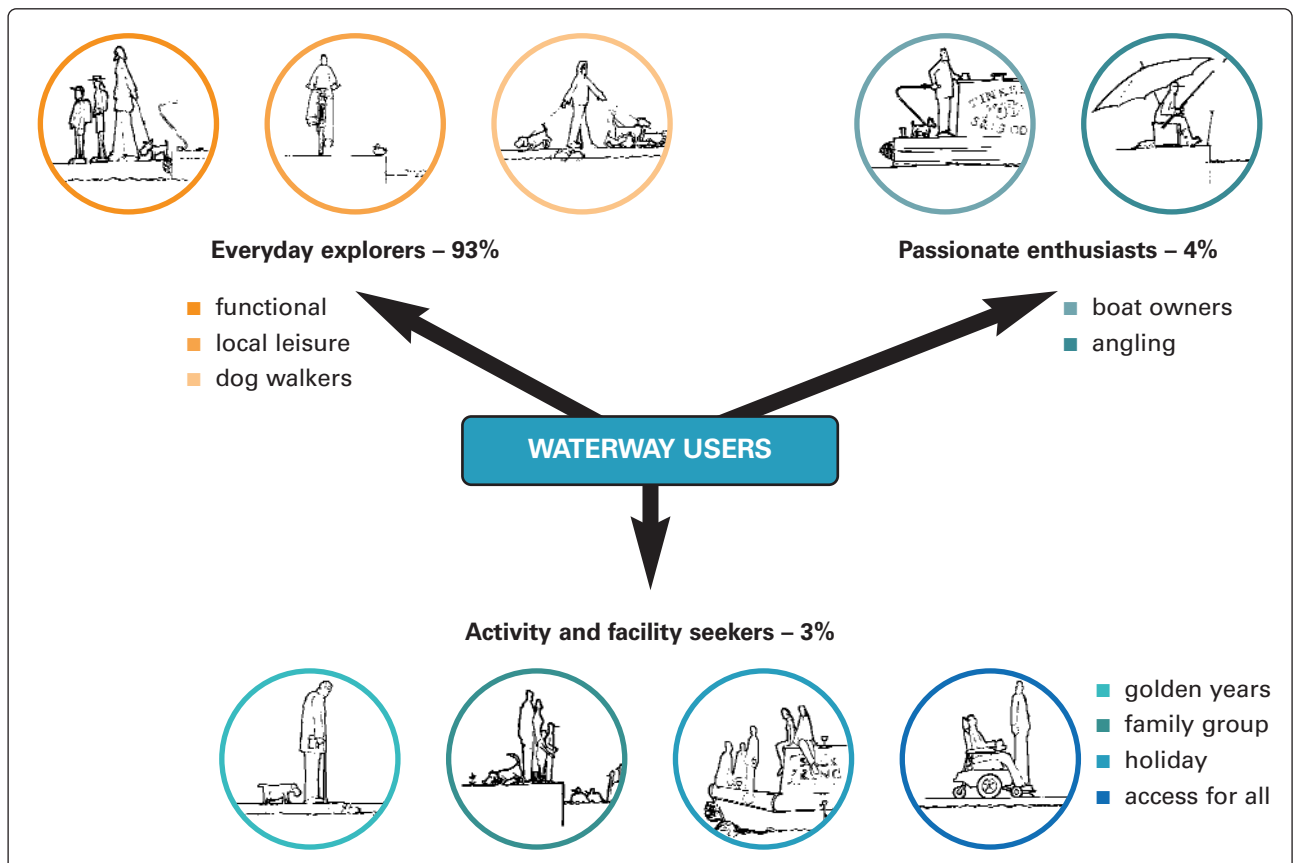


Figure 2 Waterway users on the British Waterways network



# 3

dioxide (CO<sub>2</sub>) are saved per 1 kilometre of towing path upgraded.

Tidal rivers or commercial waterways are particularly suitable for short-hauls, for the movement of high-volume, low-value products which are not unduly time-sensitive, and for addressing niche market goods where water carriage can provide a cost-effective alternative to the local road network, as outlined in PPG13: *Transport*. There are also opportunities for waterside developments to use waterborne freight in the construction cycle, in the delivery of supplies and the removal of waste wherever practical, economic and environmentally desirable.

Only 0.04% of UK freight is transported on waterways owned or managed by British Waterways. However, for every 22 kilometres of upgraded towing path, increased use by pedestrians and cyclists for local journeys equates to same level of CO<sub>2</sub> savings generated by all waterborne freight traffic on the network.

Examples of waterway freight transport include:

- construction material delivered by water for developments such as the Olympic Park in East London and the new Guardian Media Group HQ at King's Cross; and
- the 'Waste by Water' waste transfer scheme for Edmonton on the Lee Navigation in East London, which will remove 45,000 lorry movements per year.

## Inland Waterways as a Form of Open Space

As well as being a transport artery, waterways are a form of open space, performing a variety of functions. As part of the open space network (as recognised in PPG17), inland waterways and towing paths perform multiple functions, such as:

- strategic links between areas;
- important wildlife corridors;
- a recreation and sport resource;
- accessible amenity in urban areas;
- access to the countryside;
- visual amenity; and
- a community resource.

## Inland Waterways as a Form of Green Infrastructure

Green infrastructure is the network of multi-functional open spaces and natural assets. The definition of green infrastructure encompasses 'blue infrastructure and blue spaces' such as waterways, towing paths and their environs. Inland waterways form part of strategic and local green infrastructure networks.

### Case Study

#### Waterways Forming Part of a Strategic Green Infrastructure Network

The 6Cs is a Growth Point formed between the three cities of Nottingham, Leicester and Derby and their surrounding counties. Over the period 2001-26 the area is planned to accommodate around 177,550 new homes. The Green Infrastructure Strategy in the 6Cs Growth Point seeks to protect, enhance and extend networks of green spaces. Inland waterways (navigable and non-navigable) form important framework elements in the delivery of the Growth Point's green infrastructure provision by providing opportunities for transport, biodiversity, leisure and healthy living, as well as attractive settings for new residential development.

## Inland Waterways as Part of Land Drainage and Water Supply Systems

Inland waterways are often used to assist in mitigating flood risk, acting as an important channel for flood alleviation and the disposal of surface water run-off from land and from new and existing development.

For example, the Gloucester and Sharpness Canal is used to supply half of the city of Bristol's water.

## Inland Waterways as a Form of Tourism Infrastructure and Attraction

Inland waterways are making a significant contribution to the visitor economy.

For example, the waterway network owned and managed by British Waterways contributes £1.2 billion per annum to the visitor economy, with potential for growth to £2 billion by 2012. Attracting overseas visitors, together with overseas visits foregone, generates £30 million per annum.

Inland waterways are:

- important tourism visitor destinations and attractions in their own right (attracting day-trippers, overnight stays, domestic and foreign visitors, and weekend and short breaks), as well as providing links to key markets, other visitor destinations and attractions (such as waterside parks, pubs, galleries and museums);

# 3

8

- the essential infrastructure upon which a wide range of leisure marine businesses are dependent; and
- a supporting factor in rural regeneration and diversification through tourism and recreation.

The principal factors affecting the growth of the leisure-based marine industry include:

- the condition of the waterway infrastructure itself;
- accessibility by foot, road and water;
- the availability of facilities, services and attractions; and
- the perception and image of the waterway in terms of cruising, walking and cycling conditions.

The waterway tourism industry is dependent on the waterway infrastructure, as illustrated in Figure 3.

## Case Study

### Midlands Marine Alliance

Launched in 2007 and sponsored by the RDAs for East and West Midlands (EMDA and AWM), the Midlands Marine Alliance (MMA) brings together all the wide range of leisure marine businesses in the Midlands based upon the Midlands Aerospace Alliance.

MMA is identifying major opportunities for developing the waterway infrastructure to increase capacity to support waterway-based tourism within the Midlands.

## Role of Waterways in Improving Physical Environment (through Physical Regeneration)

A significant proportion of the waterways network lies within one or more of the Government's intervention areas for regeneration, housing renewal, and growth. There is a strong correlation between underperforming waterways and these key intervention areas and the most deprived districts.

Inland waterways are successfully being used as tools in place-making and place-shaping; in re-branding; in confidence-building; in attracting and generating investment; and in improving the quality of life in areas

undergoing transformational change through regeneration, renewal and growth.

## Case Study

### Waterway Study Commissioned by EMDA

East Midlands Development Agency (EMDA) commissioned the *East Midlands Inland Waterways Study (2007)*, which concluded that:

- Waterway projects deliver significant economic benefits to their locality, through increased employment and increases in land and property values, as well as improvement of the economic competitiveness and well-being of an area.
- Waterside area-based regeneration schemes also deliver softer impacts in relation to image-changing for an area, improving the quality of life for local communities, and supporting sustainable transport and connectivity.
- Key regional strategies in East Midlands refer to waterway regeneration.

## Role of Waterways in Improving Opportunities for People (through Community Regeneration)

Waterways can be used by communities for:

- **Education:** Waterways can help bring the National Curriculum alive at Key Stage 2 and act as an outdoor classroom facility.
- **Skills and training:** Waterways provide an opportunity for volunteering.
- **Health and well-being:** Regional health and well-being partnerships and NICE are promoting waterways as a local and community resource.

For example, Sandwell has a British Trust for Conservation Volunteers Green Gym and a physical activity referral scheme, including independent and guided walks along their waterways.

Waterways are increasingly being used as tools in tackling deprivation through both community and physical regeneration. Waterways transect many of the 'most deprived' districts and wards within England and Wales.





For example, waterways owned and managed by British Waterways pass through 68% of the 50 most deprived districts in England.

It is important that local communities are fully engaged in the future planning of their local waterways so as to secure community ownership and use. The long-term sustainability of the waterways will be dependent upon a shared vision developed through community involvement and participation.

## Role of Waterways in Improving the Wider Economy (through Economic Development)

Waterways contribute to regional and local economies in the following ways:

- Waterways are tourist and visitor attractions.
- Waterway infrastructure supports SMEs (small and medium-sized enterprises) and jobs within the marine sector in manufacturing, tourism and services.

For example, the British Marine Federation has reported that there are over 475 firms and 4,729 full-time equivalent (FTE) jobs within the marine sector in the West and East Midlands, generating revenue of £407.8 million per annum.

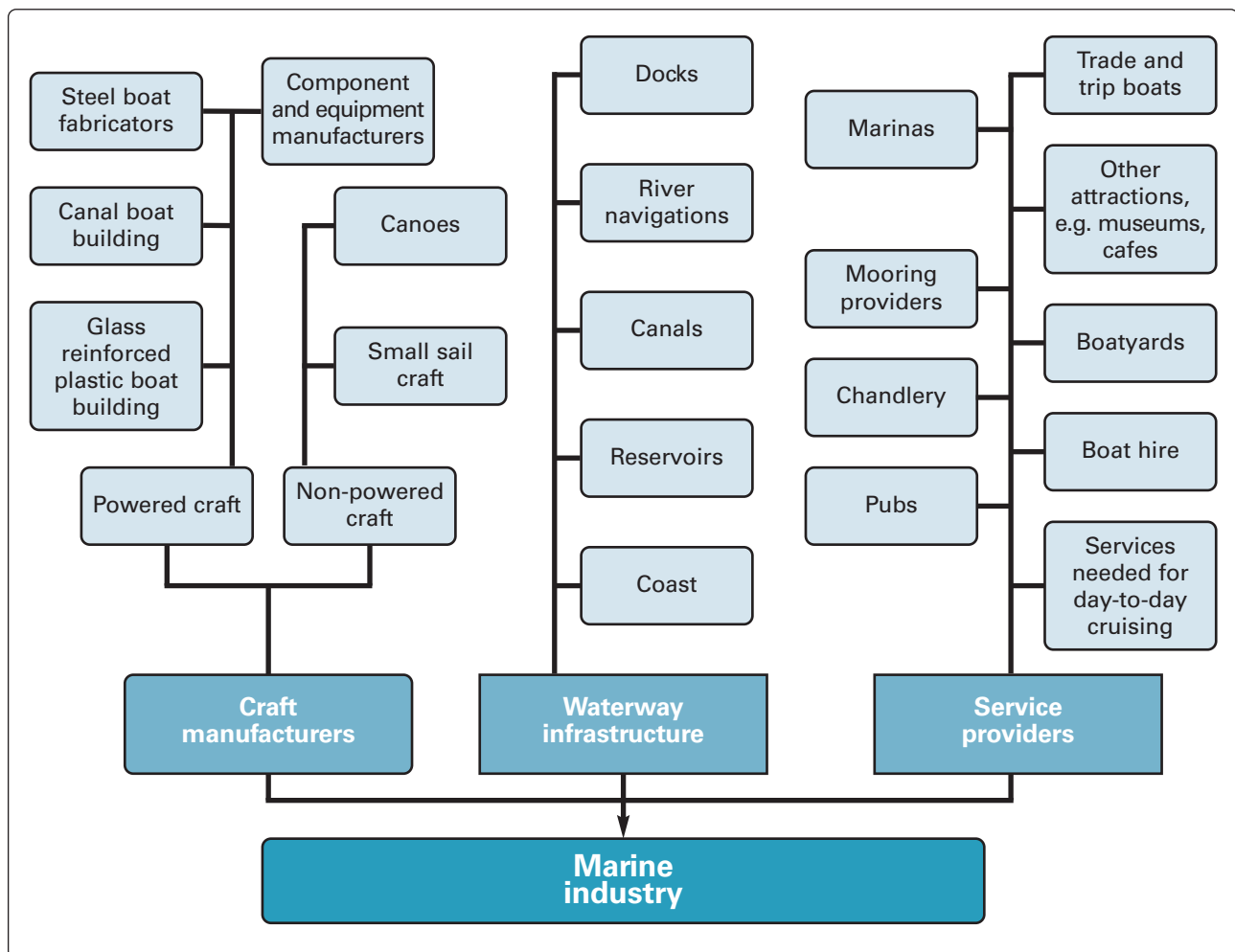


Figure 3 Marine industry structure

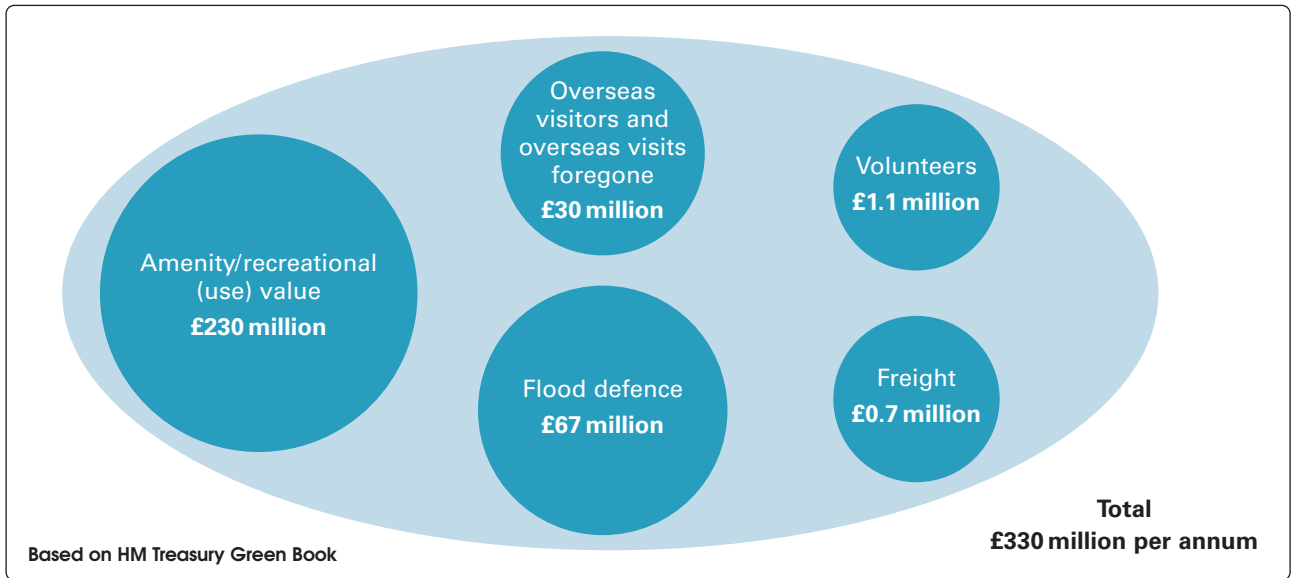


Figure 4 Generating public benefit from inland waterways owned and managed by British Waterways

**Case Study**

**The Monmouthshire and Brecon Canals Regeneration Partnership Scheme, Newport**

The scheme was established in 1996, in recognition that waterways in the area crossed local authority boundaries and needed a joined-up corridor-wide approach. The partnership brings together local authorities and organisations such as the Monmouthshire, Brecon and Abergavenny Canals Trust (MBACT), sharing the common aims of protecting, restoring and enhancing the historic canal system and associated waterway structures, and promoting recreational use of the canal. The partnership also recognises the significant economic contribution that the local waterways network offers, particularly through examples such as the Fourteen Locks visitor centre.

The partnership has demonstrated initiative and drive in using a variety of sources to fund its objectives such as the Heritage Lottery Fund and European funding streams.

For further details, see [http://www.newport.gov.uk/\\_dc/index.cfm?fuseaction=regeneration.canalsandcontentid=CONT105334](http://www.newport.gov.uk/_dc/index.cfm?fuseaction=regeneration.canalsandcontentid=CONT105334)

- Waterway infrastructure supports SMEs and jobs in rural areas – for example through utilising the towing path as a telecommunication route.

For example, 900 kilometres of fibre optic cables (BSkyB cable) and 900 kilometres of BT cables have been laid under canal towing paths owned by British Waterways, supporting rural business development and the ‘Digital Britain’ strategy.

- Waterways act as a focus for urban renaissance, rural regeneration and diversification, supporting the recommendations in the *Taylor Review of Rural Economy and Affordable Housing* (2008), as well as improving urban and housing offers.
- Waterways can contribute to the development of the green economy (briefly outlined in the next section).

**Waterway Contributions to Supporting Climate Change, Carbon Reduction and Environmental Sustainability**

Waterways are supporting climate change, carbon reduction and environmental sustainability initiatives by:

- assisting in the mitigation of flood risk;
- playing a role in urban cooling;



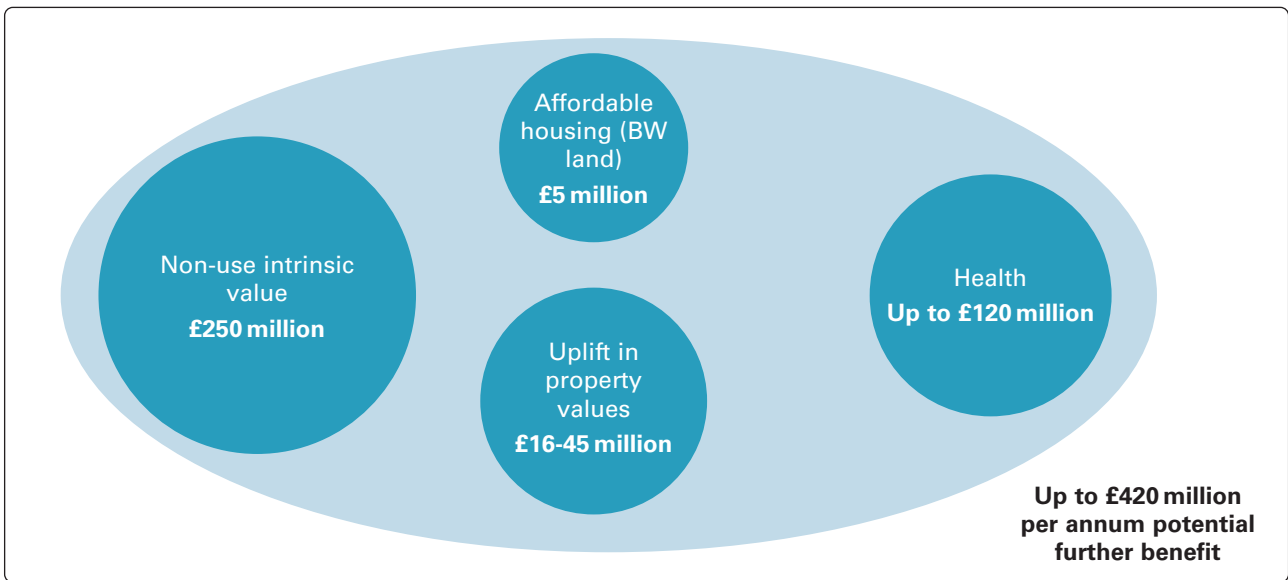


Figure 5 Potential further benefit to be generated from inland waterways owned and managed by British Waterways

- providing sustainable transport;
- supporting biodiversity and forming ecological corridors; and
- contributing to regional and local renewable energy targets through onshore hydro-electric power and the use of canal and dock water for heating and cooling buildings.

- affordable homes delivered;
- supply of ready-to-develop sites;
- access to services and facilities by walking and cycling, including children travelling to school;
- small businesses showing growth; and
- reductions in congestion.

## Waterway Contributions to Public Service Agreements (PSAs) and National Indicators

Waterways contribute to a significant number of Public Service Agreements and the set of national indicators. Waterways can help local authorities in achieving their ‘local ambitions’ and in meeting their national targets.

Examples of targets from among the national indicators where waterways can contribute include:

- regular volunteering;
- an environment for a thriving third sector;
- overall/general satisfaction with the local area;
- adult participation in sport and recreation;
- reductions in obesity;
- academic achievement at Key Stage 2;
- young people’s participation in positive activities;
- health, and reductions in mortality;
- life expectancy;
- additional homes provided;

## Public Benefits Generated by Inland Waterways

Every year the inland waterway network delivers public benefit to the nation. The Inland Waterways Advisory Council is currently working to quantify the economic and public benefits of waterways. In so doing it is seeking to delve deeper into the public benefits mentioned in this PAN and will greatly strengthen the evidence base for future planning policy.

For example, information from the HM Treasury Green Book shows that the waterways owned and managed by British Waterways are delivering public benefits to the nation potentially in excess of **£500 million per annum**, as shown in Figures 4 and 5.

The principal functions and contributions of the waterways owned and managed by British Waterways are summarised in the diagram on the following page (see Figure 6). Most of these functions and contributions can be applied to the wider UK network.

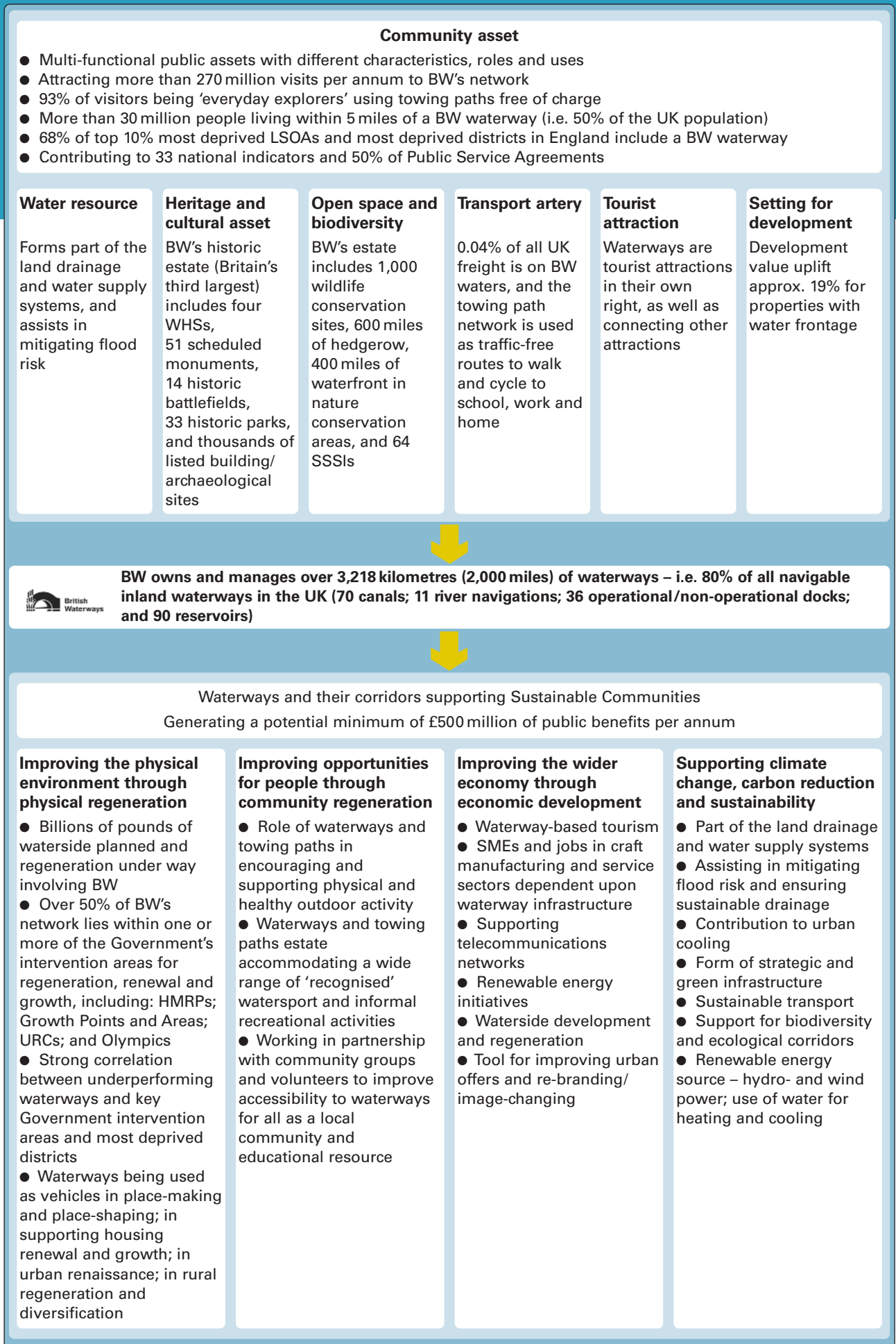


Figure 6 The function and contribution of BW waterways



# 4

## key planning policy challenges to unlocking the potential and benefits of inland waterways

The principal policy challenges in unlocking the potential and benefits of inland waterways generally relate to their unique characteristics and to being viewed as 'attractive' settings for development.

### Planning Policy Challenges Arising from the Diversity of Waterways

The fact that there are various different types of inland waterways which have different characteristics, roles and functions presents a number of policy challenges. For example, man-made and artificial waterways such as canals and docks can differ significantly from main rivers with respect to flood risk, alleviation, mitigation and adaptation.

It is therefore important that planning policies at the different spatial levels differentiate between the various types of waterways, rather than adopting a blanket policy approach.

### Planning Policy Challenges Arising from the Multi-Functional Nature of Waterways

Similarly, the multi-functional nature of waterways presents planning policy challenges. Some local authorities appear to view waterways as purely environmental assets. This was reflected in the initial response to the invitations to local authorities to participate in the workshops held as part of the evidence base work to inform this PAN.

In order to successfully generate the public benefits offered by the inland waterways, optimise their contribution to wider Government policy objectives, and secure the long-term sustainability of the network, it is crucial that the nature of inland waterways as multi-functional spaces and arteries is fully recognised and supported within planning policy.

The benefits of green infrastructure such as waterways (see Figure 7) should *not* be viewed in purely environmental terms. There is a real risk that this could lead to the development of restrictive planning policies which would affect the sustainability of the waterway network and waterways' ability to deliver economic and social benefits, as well as environmental benefits.

#### Case Study

#### Economic Value and Benefits of Green Infrastructure

The Natural Economy Northwest (NENW) programme's report on *The Economic Benefits of Green Infrastructure* has investigated the economic value of green infrastructure and estimated the attributing economic value of green infrastructure investments. NENW has identified 11 economic benefits of green infrastructure. The *North West Green Infrastructure Guide* defines green infrastructure as 'the region's life support system – the network of natural environmental components and green and blue spaces that lies within and between the North West's cities, towns and villages which provides multiple social, economic and environmental benefits'.

### Planning Policy Challenges Arising from the Non-Footloose Nature of Waterways

Planning policy challenges arise from the inherent constraint of historic waterways being non-footloose assets. Certain types of development and uses are dependent upon the location of waterway infrastructure itself and the movement of boats along the waterway.

It is important that planning policies acknowledge that it is not always possible to find suitable sites adjacent to the waterways for some waterway-dependent uses, in or around existing settlements – for example:

- provision of facilities to support waterway-related visitor attractions, such as flights of locks; and
- essential facilities to support boating-related tourism and leisure activity, such as marinas, boatyards and boat-hire companies, and moorings, which are informed by reasonable cruising distances.

A degree of flexibility within locational policies and in the assessment of suitable sites is crucial for the long-term sustainability of waterways. This is supported by national planning policy in the form of the *Good Practice Guide on Planning for Tourism* (2006), which replaced PPG21: *Tourism* and provides the most up-to-date

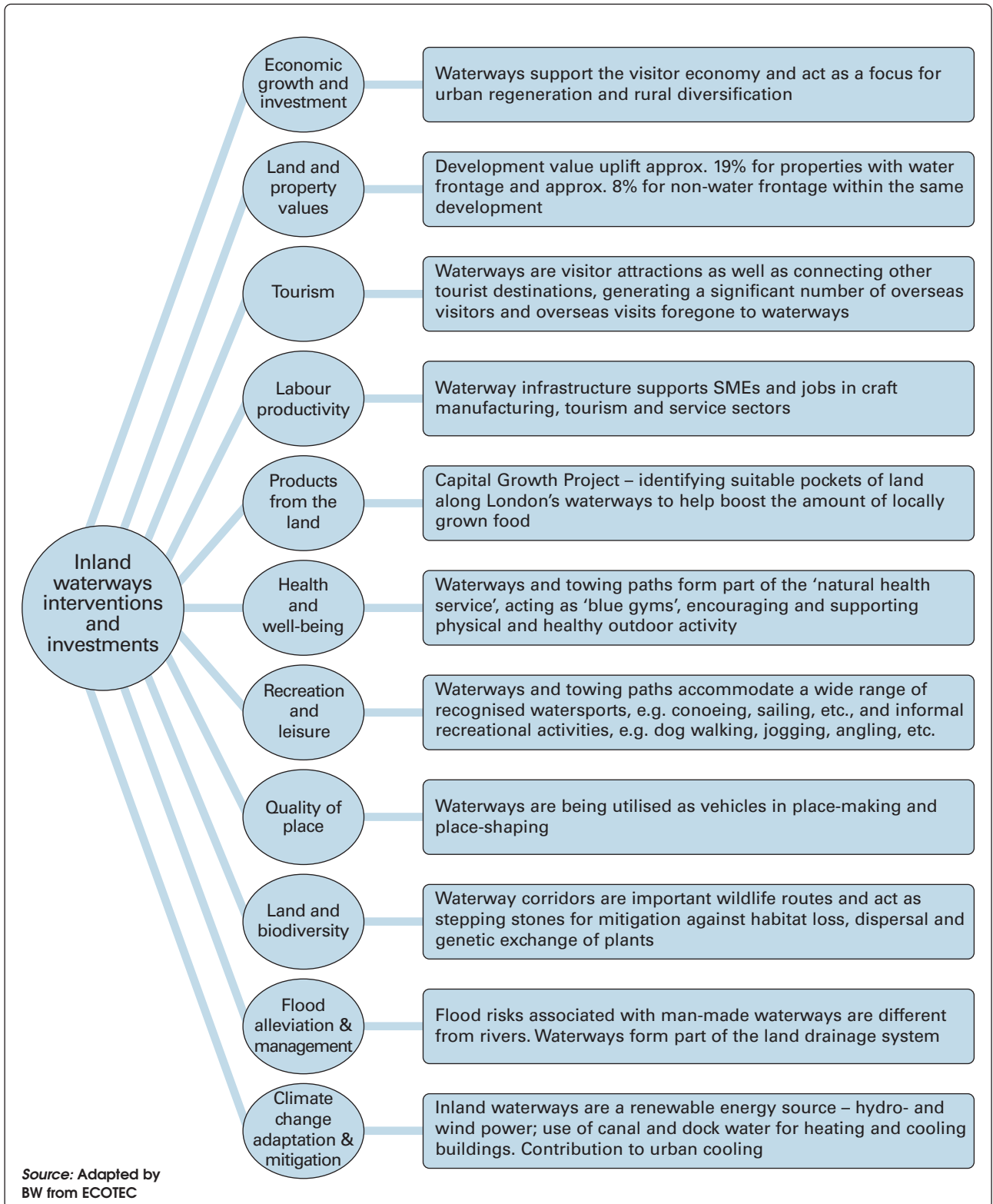


Figure 7 Inland waterways as a form of multi-functional green infrastructure





national guidance on the subject of tourism. It is also consistent with PPS7.<sup>3</sup> The *Good Practice Guide on Planning for Tourism* raises the issue of the 'spatial characteristics' of tourism and includes waterways within the definition of 'particular tourism resources', in recognition of their unique characteristics.

## Planning Policy Challenges Arising from the Boundary-Crossing Nature of Waterways

There are policy challenges arising from the fact that waterways transcend administrative boundaries. Waterway-related planning policies and decisions within one local authority administrative area can impact upon the waterway and its corridor in adjoining local authority administrative areas. Collaborative working between local authorities in developing planning policies for waterway corridors is important. There are good examples of collaborative working in the Black Country, Tees Valley and Weaver Valley.

## Planning Policy Challenges Arising from Waterways Being Attractive Settings for Development

The policy challenges arising from waterways being attractive settings for development and the focus for regeneration relate to the extra liabilities and burdens placed upon the waterway infrastructure – for example the use of waterways as channels for flood alleviation, the disposal of surface water run-off from new and existing development, and the ongoing maintenance costs for maintaining attractive 'waterway settings' for development.

### Case Study

#### The Weaver Valley development project

This project seeks to create a Regional Park that will provide a focal point for regeneration activities in central Cheshire, with the potential to deliver enormous economic, social and environmental benefits to the region. The major assets of the Weaver Valley are grouped under the following themes: waterways, accessibility, towns, natural and historic environment, and enterprise, culture and connectivity to market place. The project vision sees the region's waterways network as an 'essential ingredient in the Weaver Valley and its most attractive asset'.

Pivotal to the success of the project is the partnership of 18 organisations, including five local authorities, the Northwest Regional Development Agency, navigation authorities, NGOs and government agencies. Within the overall Weaver Valley Regional Park there are a number of key, strategic smaller projects which also involve additional stakeholders, such as Sustrans and Rural Enterprise, so as to share knowledge, funding and skills. The Weaver Valley team is also currently preparing a waterways strategy in partnership with British Waterways, informed by a study on the economic, social and environmental benefits of the waterways network and addressing the whole waterway corridor.

For further details, see <http://www.weavervalley.org.uk>

<sup>3</sup> In PPS7, para. 35 ii) provides for 'appropriate facilities needed to enhance visitors' enjoyment, and/or improve the financial viability, of a particular countryside feature or attraction, providing they will not detract from the attractiveness or importance of the feature, or the surrounding countryside'.



These liabilities and burdens are often placed on waterways by local authorities and developers without the involvement of the owner of the waterway infrastructure. Pre-application discussions with the owner of the waterway infrastructure provider are essential.

Often, the planning obligations secured from the development or regeneration of sites on the waterside, or that otherwise benefit from waterways, are not directed towards reinvestment or framed positively to benefit the waterways system, or to mitigate against matters such as increased risk of flooding. Planning obligations should acknowledge the development value uplift generated by waterside settings.

**Case Study**

**Bedford and Milton Keynes Waterway Trust**

The Bedford and Milton Keynes Waterway Trust was established in 1995 to promote the development of a broad waterway which will link the Grand Union Canal in Milton Keynes to the Great Ouse in Bedford through a series of Waterway Parks. The Trust works with some 26 partners drawn from national and regional authorities and voluntary organisations.

The Trust and its partners explore different ways to raise capital funding and reduce design and build costs, including working with developers to add value to new development areas through uplift in the value of waterside property. They are currently considering the possibilities of using planning obligations for developers to construct lengths of the canal link as part of their development.

At the Milton Keynes Canal Basins, developer interest was stimulated using the value added by a waterside location to attract housing developers and provide creative sites on which to build high-quality housing. The result was properties selling at a 20-35% premium. The scheme has utilised the development potential and environmental benefits from waterside regeneration, used a design competition to attract proposals, and ensured that well considered development realises value and delivers high-quality design in the public realm. This uplift has also provided resources for associated infrastructure works.

For further details, see <http://www.b-mkwaterway.org.uk/>

# 5

## how the planning system can support inland waterways

Planning policy-makers at all the different spatial levels have the opportunity to address the planning policy challenges outlined in Section 4.

### National Spatial Level

There are opportunities for new – or revisions to existing – national planning guidance to raise the awareness of the uniqueness, value and contribution of inland waterways. This PAN endorses the policy measure contained within *Waterways for Tomorrow* to protect and unlock the potential of the inland waterway network through the planning system.

The following national planning policy areas would provide appropriate policy tools to further help facilitate and deliver public benefits generated from waterways.

#### **Consultation Draft PPS4: *Planning for Prosperous Economies***

This new PPS provides a great opportunity to draw attention to the economic contribution made and the benefits generated by certain forms of green infrastructure, such as waterways and other natural and cultural heritage assets – for example the contribution of waterways to the visitor economy, the marine industry, urban regeneration, rural development and diversification, and place-making and place-shaping, as well as to the green economy.

This PPS also provides the opportunity to strengthen national planning policy guidance on the visitor economy (which has been weakened since the removal of PPG21: *Tourism*) and to raise awareness of the *Good Practice Guide on Planning for Tourism*.

#### **Review of PPS11: *Regional Spatial Strategies***

This current PPS makes reference to the strategic role of inland waterways within the context of water resourcing, biodiversity and waterborne transport. However, as illustrated within this PAN, inland waterways provide other important strategic functions in addition to those cited in PPS11.

Any future review of this PPS to take account of the introduction of new Integrated Regional Strategies would provide an ideal opportunity to re-address this policy imbalance – for example taking into account the contribution of inland waterways to the regional visitor economy, regional renewable energy targets, etc.

#### **Review of PPS12: *Local Spatial Planning***

Any future review of – or publication of any good practice guidance to supplement or support – PPS12 would provide the opportunity to acknowledge the value and importance of green infrastructure and encourage local authorities to involve green infrastructure providers such as navigation authorities in the early consultation stages of the Local Development Framework (LDF) preparation process.

#### **Review of PPG15: *Planning and the Historic Environment***

Any future review of PPG15 would provide an opportunity to acknowledge the built and cultural heritage value of waterways as an important national asset. The built environment of the waterways represents a unique working heritage of industrial architecture, archaeology and engineering structures, and is a valuable part of the national heritage, as well as an integral part of regional and sub-regional cultural heritage and local distinctiveness. Inland waterways possess all the 'heritage values' as defined by English Heritage.

The key issues relate to appraising and sustaining waterway character and distinctiveness, protecting future waterway restoration projects, and the potential impact of major infrastructure projects upon the structural integrity, environment and character of inland waterways. Waterways have a distinctive character which extends beyond local authority administrative boundaries. Inconsistent development plan and development control decisions taken by the various local authorities within a particular waterway corridor can erode the quality of the historic waterway fabric and environment. The 200-year-old network of inland canals, rivers and docks are non-footloose assets and would benefit from national planning policy encouraging local planning authorities to introduce flexibility within locational policies to accommodate this inherent constraint.

#### **Review of PPG 17: *Planning for Open Space, Sport and Recreation***

The recently announced review of PPG17 is welcome. It provides an opportunity to explain that there are different types of green infrastructure, each with unique characteristics and specific planning policy challenges. The particular functions, any inherent constraints, and the range of economic, social and environmental





benefits generated from the different forms of green infrastructure should be defined.

#### **Review of PPG22: Renewable Energy**

Any future review of the PPS provides a great opportunity to promote the contribution that waterways can make as a renewable energy resource. Waterways can contribute to meeting renewable energy targets through the generation of onshore hydro-electric power and the use of canal and dock water to heat and cool buildings.

#### **Review of PPS25: Development and Flood Risk**

This current PPS places emphasis on assessing the flood risk associated with man-made waterways such as canals. However, it makes no reference to the role of canals as carriers of flood water and their role in potential flood alleviation schemes.

Any future review of the PPS or the *Practice Guide Companion to PPS25* should emphasise this further role of canals, and should promote the introduction of a consistent approach for the evaluation of flood risk from canals throughout the UK. In any such risk assessment there is a need to consider both the likelihood and consequences of flooding to and from the canal network. Practitioners following PPS25 and undertaking strategic or site-specific flood risk assessments should be encouraged to consult with canal owners such as British Waterways to obtain advice on the methods for considering the hydraulics of inland waterways and their associated infrastructure.

#### **Future National Policy Statements for Nationally Significant Infrastructure**

The issue of mitigating the impact of nationally significant infrastructure projects or improvements to such infrastructure on the environment and character of inland waterways (including disused waterways

earmarked for restoration) is important. The siting and location of this infrastructure can have:

- visual, landscape and environmental impacts on the setting of historic structures and on potential towing path users;
- economic impacts upon the existing water-based tourism and leisure industry; and
- impacts upon future restoration schemes.

It is also important that policies in National Policy Statements are flexible enough to respond to the unique characteristics of waterways, including their inherent constraint of being non-footloose assets.

#### **Potential of the Community Infrastructure Levy**

The new Community Infrastructure Levy (CIL) may in the future provide an opportunity to support waterways through the planning system. Any proposed new CIL regulations and Government guidance on CIL should emphasise that there are multi-functional forms of infrastructure such as waterways which need to be considered under a number of different categories of infrastructure. For example, waterways should be considered under the following forms of infrastructure as currently defined in the provisions for CIL:

- green infrastructure and open space;
- sustainable transport infrastructure; and
- part of the infrastructure supporting flood alleviation, drainage, and water supply.

## **Regional Spatial Level**

The future, new Integrated Regional Strategies (IRs) provide an opportunity both to recognise inland waterways as a form of strategic infrastructure (for example green, tourism, sustainable transport, etc.) contributing to the economy, health and well-being of the region, and to provide a strategic framework for Local Development Frameworks. It is important that

**Case Study****The London Plan's 'Blue Ribbon Network'**

The London Plan introduces the concept of the 'Blue Ribbon Network'. It adopts a visionary approach to London's waterways which takes the water system as the starting point for decision-making. The Blue Ribbon Network includes the Thames, the canal network, the other tributaries, rivers and streams within London, and London's open water spaces, such as docks, reservoirs and lakes. It includes culverted (or covered over) parts of rivers, canals or streams.

The BRB recognises the different types of waterways in London, their different characteristics, their roles, and their multi-functional nature. It states that the Mayor and the London boroughs should recognise the strategic importance of the Blue Ribbon Network when making strategies and plans, when considering planning applications, and when carrying out their other responsibilities. Other agencies involved in the management of the Blue Ribbon Network should also recognise its strategic importance through their policies, decisions and other activities.

For further details, see

<http://www.london.gov.uk/thelondonplan/blue-ribbon/>

future IRSs differentiate between the various types of waterways and their different characteristics, roles, functions, and contributions.

An innovative approach has been the introduction of a specific policy designation for waterways, the 'Blue Ribbon Network', within the London Plan, which provides a strong strategic policy framework for the London boroughs. The adoption of a similar approach in the other regions within England where there is a significant presence of inland waterways would be an effective way of providing a strategic framework for waterways. The absence of a strategic framework for waterways at the regional level was identified as a key challenge by many local planning authorities participating in the various workshops held as part of the evidence base work informing this PAN.

**Case Study****EMDA Waterway Study**

One of the key points made within the *East Midlands Inland Waterways Study (2007)* commissioned by the East Midlands Development Agency was the absence of a regional waterways strategy and a regional waterways partnership. As a result, there is neither a strategic framework for waterway investment and projects nor an overall partnership of key bodies focusing on optimising the value of investment in waterways projects.

The report highlights a number of issues and lost opportunities to deliver greater economic benefits from waterways to the regional economy that arise from this lack of regional strategy or regional waterways partnership.

The Lincolnshire Waterways Partnership is cited as a successful sub-regional partnership.

For further details, see

<http://www.aina.org.uk/news/documents/EastMidlandswaterwaysStudy-FinalVersion.pdf>

There are further opportunities for Regional Development Agencies (RDAs) to recognise the value and contribution of inland waterways within RDA thematic strategies and action plans.

## Sub-Regional and Local Spatial Levels

There is a wide range of both policy and delivery tools to promote the value and contribution of waterways as a form of local infrastructure which will help to support the delivery of local ambitions and sustainable communities, as illustrated in Figure 8.

Within the suite of documents contained within Local Development Frameworks in England and Local Development Plans in Wales, Area Action Plans (in England only) and Supplementary Planning Documents/Guidance are seen as having important roles in providing a detailed planning policy framework for waterways and their corridors which translates the

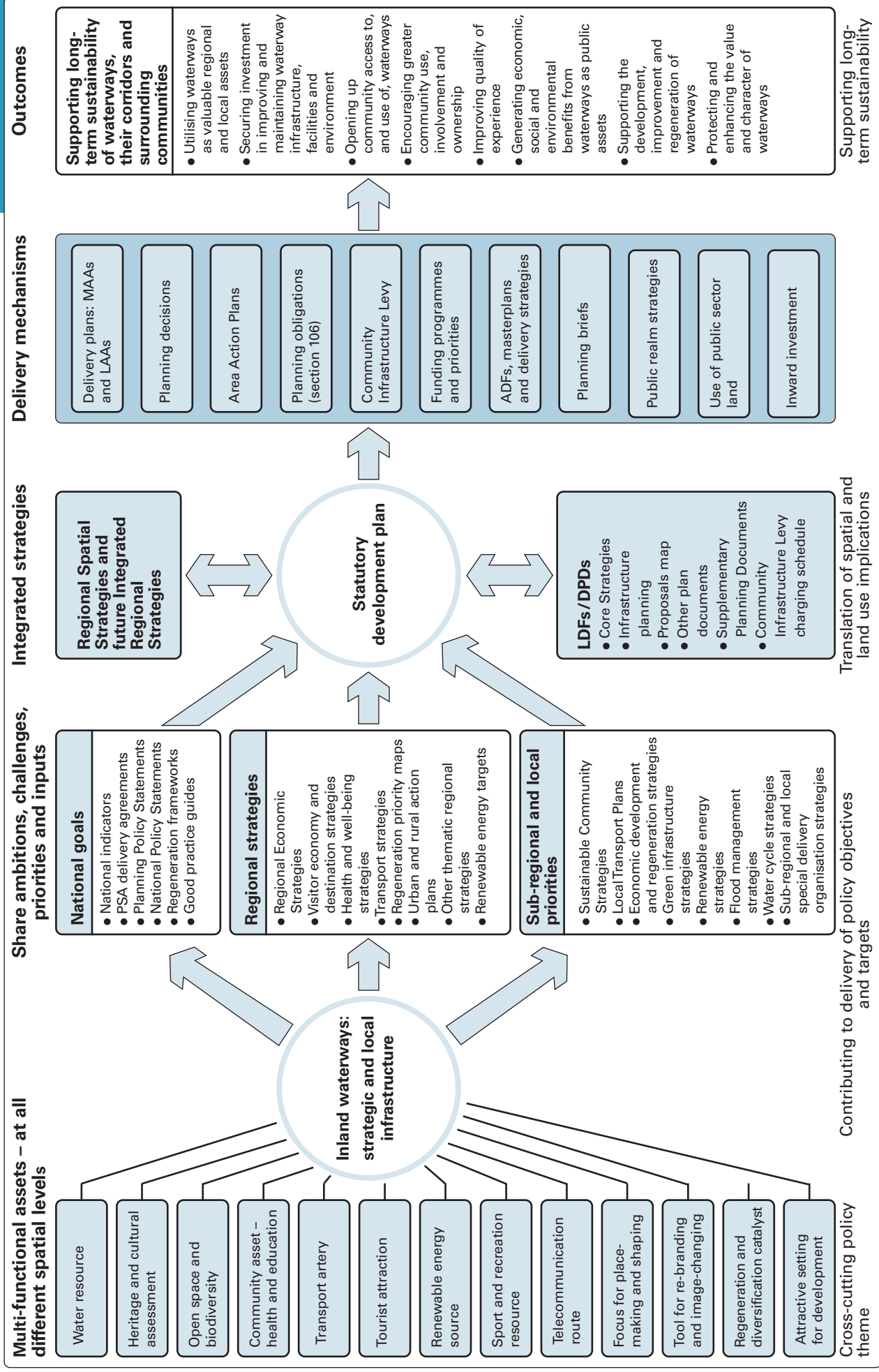


Figure 8 Integrating inland waterways into the planning system



# 5

## Case Study

### Examples of Waterway-Related Area Action Plans and Supplementary Planning Documents

- Central Wakefield Area Action Plan, Wakefield Council
- SPD for Coffee House Bridge, Bootle, Sefton Metropolitan Borough Council
- Infirmary Waterside Supplementary Planning Document, Blackburn with Darwen Borough Council
- Middlewich Canal Corridor Area Action Plan, Cheshire East Council

spatial planning and land use implications raised in the suite of plans and strategies illustrated in Figure 8.

Opportunities exist under the current planning system to support waterways as a form of strategic and local infrastructure, through infrastructure planning and the planning obligations system. It is important that local authorities involve navigation authorities, canal owners, and others responsible for waterway infrastructure which is likely to be affected by development when they are:

- preparing sub-regional and local infrastructure plans and developing future CIL charging schedules; and
- setting planning obligations policies and, where appropriate, formulating site-specific planning obligations requirements.

## Case Study

### Planning Obligations Paper by the Lancashire Planning Officers' Society (LPOS)

LPOS wanted to streamline planning obligations policy across the county and thus developed a policy document which put forward principles, methods and good practice, with the aim of developing a consistent and robust approach to planning obligations across the county, including on inland waterways.

It was based upon extensive research undertaken by a working group from the LPOS. The group consisted of representatives from Lancashire County Council, Blackburn with Darwen Borough Council, Blackpool Borough Council, Chorley Borough Council, Hyndburn Borough Council and Preston City Council.

The work identified the waterways network as being a key part of the county's green infrastructure, with a valuable role to play in:

- flood prevention and drainage;
- wildlife links;
- providing safe towing paths for walking and cycling;
- promoting tourism; and
- acting as focal point for regeneration and generating commercial value uplift.

For further details, see

<http://www.lancashire.gov.uk/environment/planningobligations/>

# 6

## planning tools and mechanisms

22

This Section outlines planning tools and mechanisms that are currently available to local authorities to support waterways through the planning system. It includes several new tools and suggests mechanisms that could be devised to further help deliver the public benefits offered by waterways and secure their long-term sustainability.

### Waterway Proofing of Planning Policy at All Spatial Levels

To assist planning policy-makers in developing robust planning policies for waterways at all the different spatial levels, a 'waterway proofing' tool has been developed, and is included within Appendix 1. This tool first sets out the strategic policy objectives for waterways and the overarching guiding principles for policy formulation which are applicable to all spatial planning levels. Secondly it provides a checklist of key waterway-related questions to consider when proofing policies at the different spatial levels:

- Planning Policy Statements and National Policy Statements;
- Integrated Regional Strategies; and
- Local Development Framework policies.

The tool is not designed to be a substitute for consulting the relevant navigation authorities or canal owners, and consulting with them at the early stages of the plan-making and review process is encouraged.

### Development Management and Control Checklist for Waterside Developments

To assist local planning authorities in assessing the appropriateness and impacts of new development upon the waterway infrastructure, facilities and environs, a development control checklist of issues to be considered has been developed, and is included within Appendix 2. This tool is not designed to be a substitute for consulting the relevant statutory consultees and engaging them in pre-application discussions.

### Dissemination of Information

Although there is a significant amount of information and guidance on the value and contribution of waterways to different policy objectives and

regeneration delivery, it is not readily available in a central place from which planners or developers can easily access it. A number of ideas of new tools to support policy-makers have been identified:

- *signposting for information on the Planning Portal*, with links to websites of Defra, the Inland Waterways Advisory Council (IWAC), navigation authorities, etc., and signposting to useful guidance documents, best practice guidance, case studies, and lessons learnt, together with a plan showing the inland waterway network with local authority boundaries and named navigation authorities and canal owners – this could function as a one-stop shop;
- *regional waterway fact sheets*, setting out the key facts and figures, such as the contribution of the region's waterways to the visitor economy (visitor numbers and spend) and regional renewable energy targets, etc.; and
- *a suite of position statements on key planning policy areas or issues* produced by the respective navigation authorities (the functions, statutory powers and duties significantly vary between the different navigation authorities, which has policy implications) – these position statements for policy-makers need to be succinct and easy-to-use documents.

### Raising the Profile of Waterways Among Policy-Makers and Decision-Makers

The use of roadshows for local planning authorities and regional planning bodies would raise awareness of both the challenges and opportunities, as well as increase the visibility of navigation authorities' planning teams. It is crucial that dialogue and engagement between local authorities, RDAs and navigation authorities is strengthened.

### Establishing a Credible and Robust Evidence Base

If inland waterways are to remain open and accessible for navigation, there is a need to ensure that essential boat services and facilities continue to be available throughout the network.

There is a need for planning policies which recognise the value of existing – and the need for the development of new – facilities (such as boatyards for

# 6

boat building and repair, servicing and maintenance yards, slipways, dry docks, cranes and other services needed for day-to-day cruising) used in connection with water-based transport, tourism, leisure and recreation. A blanket approach to safeguarding all existing facilities will not, in itself, generate activity. A corridor-wide approach to safeguarding these facilities is advocated. The frequency of provision will vary across England and Wales, but will be dependent upon:

- the type of waterway;
- the characteristics of local markets;
- the levels and types of traffic, boat movement and activity; and
- cruising conditions.

The lack of credible and robust evidence relating to demand and supply of these facilities was identified by local authorities in the workshops held to inform this PAN as an area to be addressed. Local planning authorities, in consultation with the relevant navigation authority(ies), should undertake an audit and assess the provision of facilities. This will establish at a waterway corridor level whether there is adequate provision, gaps in facility provision, or overprovision of the different types of facility.

A similar approach may be appropriate when assessing the supply of moorings for residential use. Living afloat contributes to increasing choice in housing types and lifestyle. Barges used for residential purposes are identified by the Government as a specific household group to be considered by local authorities within Housing Needs Assessments. This should be done in consultation with navigation authorities. Where the supply of residential moorings is identified as an issue within a particular Housing Needs Assessment, it is important that the associated land use implications are addressed within the statutory development plan as part of the plan preparation and/or review process.

Planning policies need to recognise that living afloat is a household type in its own right, and that the planning issues associated with this household type are different from those associated with living in land-based dwellings.

The Association of Inland Navigation Authorities (AINA) is currently finalising an advisory document on *Residential Use of Waterways* which is due for publication later this year.

## Use of Planning Conditions

Applicants should be encouraged to include any waterway, towing path and environs lying within the application site edged in red on the location plan in order to ensure that:

- the extra liabilities and burdens placed upon the infrastructure are properly addressed;
- the waterway is not just treated as a setting or backdrop for development, and that instead the land and water are integrated and the waterway is treated as a useable space;
- the waterway, towing path and environs form an integral part of the public realm in terms of both design and management; and
- access to, along and from the waterway is improved, along with the environmental quality of the waterway corridor.

## Use of Planning Obligations

It is important to recognise that new waterside developments place extra liabilities and burdens upon the waterway infrastructure, in terms of ongoing management and maintenance, which cannot always be addressed by planning conditions. Engagement with the navigation authorities and canal owners at the pre-application stage can therefore be crucial in order to identify the potential scale and form of these extra liabilities and burdens and to develop site-specific planning obligations requirements, where appropriate.

As a priority, local authorities should consider investing planning obligations secured from the development or regeneration of sites on the waterside, or otherwise benefiting from it, to enhance the waterways infrastructure or to mitigate against matters such as increased risk of flooding.

## Potential of the Community Infrastructure Levy (CIL)

As mentioned earlier, it is important that navigation authorities are seen by local authorities as infrastructure providers, and that local authorities ask the relevant navigation authorities for information on the current infrastructure capacity and on specific requirements for new or improved infrastructure over the LDF plan period.



# 7

## conclusions and recommendations



### Main Conclusions

Waterways need to be addressed and supported at all the different spatial planning policy levels in order to help unlock the diverse range of public benefits they offer and secure the long-term sustainability and use of waterways as publicly owned community assets.

Planning policy gaps and imbalances do exist at all the different spatial levels. This is partly attributable to a lack of awareness in the planning arena of:

- the different roles that waterways perform;
- the types of economic, social and environmental benefits that can be generated by waterways for communities;
- how waterways can contribute to the delivery of regional targets and local ambitions; and
- how the planning system can remove obstacles to the delivery of the public benefits offered by waterways.

Waterways need to be recognised as a form of strategic and local infrastructure performing multiple functions and supporting the visitor economy as well as regeneration, renewal and growth agendas.

The principal policy challenges in unlocking the potential and benefits of inland waterways generally relate to their unique characteristics and to being viewed as 'attractive' settings for development and the focus for regeneration. This PAN concludes that the planning policy challenges arise from the following factors:

- There are a diverse range of types of inland waterways, which have different characteristics, roles and functions.
- Waterways perform a range of functions which generate economic, social as well as environmental benefits.
- Waterways possess inherent constraints as they are non-footloose assets that transcend administrative and market boundaries.

- Waterside development and regeneration schemes benefit from their waterside location and place extra liabilities and burdens upon the waterway infrastructure.

There are spatial and land use implications arising from these unique characteristics and the inherent constraints of waterways.

This PAN concludes that both flexibility within planning policies at the different spatial levels and collaborative working between local authorities in developing planning policy frameworks are required.

Policy and development management challenges also arise from waterside development and regeneration activities placing extra liabilities and burdens upon the waterway infrastructure.

Pre-application discussions with the relevant navigation authority and the use of planning conditions and planning obligations can help to ensure that:

- the waterway, towing path and environs are an integral part of the public realm of new waterside development in both design and management terms; and
- the extra liabilities and burdens placed upon the waterway infrastructure can be mitigated.

Local planning policies have a role to play in safeguarding waterways against being viewed solely as a setting or backdrop to new developments or an edge to policy designations.

This PAN has also highlighted the lack of a credible and robust evidence base to support the soundness of regional, sub-regional and local planning policies to protect and promote water-based transport, tourism, leisure and recreation.

## Recommendations

It is hoped that the policy issues, challenges and opportunities raised within this PAN and the following recommendations will be of value to Defra in refreshing *Waterways for Tomorrow*, the national policy document on inland waterways. This PAN recommends that the policy measures contained within *Waterways for Tomorrow* which sought to develop the potential of the inland waterway network through the planning system should be retained and promoted within the refresh of that is currently under way.

**Recommendation 1:** During the preparation and review of new national planning policy and the preparation and review of the statutory development plan, policy-makers should be mindful of:

- planning policy challenges arising from the unique characteristics of waterways; and
- planning policy and development management challenges arising from waterways being attractive settings for development and the focus for regeneration.

**Recommendation 2:** There is an opportunity to address the policy issues, challenges and opportunities outlined in this PAN in national planning policy areas where new planning policy guidance is currently being prepared – such as the consultation draft of PPS4: *Planning for Prosperous Economies* – or where existing planning policy guidance is being or is planned to be reviewed – such as PPG15: *Planning and the Historic Environment*; PPS11: *Regional Spatial Strategies*, and PPG17: *Planning for Open Space, Sport and Recreation*.

**Recommendation 3:** The new, future Integrated Regional Strategies offer an opportunity to recognise inland waterways as a form of strategic infrastructure and to provide a strategic framework for LDFs.

**Recommendation 4:** Local authorities whose area includes waterways as a form of key strategic and local infrastructure should engage navigation authorities as infrastructure providers when preparing sub-regional and local infrastructure plans and in developing any future CIL charging schedules.

**Recommendation 5:** Local authorities should consider undertaking an audit and assessment of the provision of facilities required to support water-based transport, tourism, leisure and recreation activities and people living afloat, in consultation with the relevant navigation

authority(ies), in order to provide a robust and credible evidence base to support policy development.

**Recommendation 6:** Planning policy-makers should consider using the new tool included within this PAN designed to help waterway proofing of planning policy at national, regional and local spatial levels.

**Recommendation 7:** Local authorities and navigation authorities should seek to engage local communities in the future planning of their local waterways, so as to secure community ownership and use.

**Recommendation 8:** Planning decision-makers should consider using the new tool included within this PAN designed to assist local authorities in the initial assessment of any proposed development located within zones of consultation relating to waterways.

**Recommendation 9:** Individual navigation authorities should consider producing a suite of position statements on key planning policy issues written from their perspective to assist planning policy-makers and decision-makers.

**Recommendation 10:** Defra, IWAC, AINA and the navigation authorities should discuss with the CLG Planning Portal team the potential for signposting information on waterway-related matters to assist local authorities.

**Recommendation 11:** Navigation authorities should consider producing regional waterway fact sheets to inform RDAs and local authorities.

**Recommendation 12:** Navigation authorities should increase the level of engagement with local authorities where required, and should consider developing further tools and mechanisms to raise the profile of waterways among policy-makers and decision-makers.

**Recommendation 13:** Local authorities should engage with any navigation authorities, canal owners and others responsible for waterway infrastructure likely to be affected by development. They should be involved at an appropriate level and in a focused way in setting planning obligations policies and, where appropriate, in formulating site-specific planning obligations requirements.

**Recommendation 14:** Local authorities should encourage applicants both to undertake pre-application discussions with navigation authorities and to include any waterway, towing path and environs lying within the application site edged in red on the location plan.

# appendix 1

## waterway proofing of planning policy at all the different spatial levels

26

There is a need for waterway proofing of planning policy at all the different spatial levels in order to help unlock the economic, environmental and social benefits offered by the waterways and to secure the long-term sustainability and use of waterways as publicly owned and community assets.

### Strategic Policy Objectives at All Spatial Planning Levels

The Government wishes to increase the economic, environmental and social benefits offered by the waterways and to support their development, regeneration and improvement through the planning system, as set out in *Waterways for Tomorrow* (Defra, 2000). It aims to unlock and secure the benefits of waterways by:

- encouraging the improvement, development and restoration of waterways, including new waterway links;
- supporting the protection, conservation and enhancement of waterways' heritage and their built environment;
- supporting the protection, conservation and enhancement of the waterway landscape and the character, features and quality of its biodiversity, including waterway-related habitats and protected species, both fauna and flora;
- supporting the protection, conservation and enhancement of waterways as a water resource, including improving water quality, managing land drainage, and avoiding, reducing and managing flood risk;
- promoting waterways and towing paths as an integral part of the green infrastructure and open space network, performing a range of functions;
- encouraging the use of waterways as tourism attractions in their own right, as well as to connect other attractions, and so protect the provision of boat services and facilities where required;
- encouraging the development and improvement of waterway infrastructure in support of small and medium-sized enterprises and jobs in the craft manufacturing and service sectors;
- promoting waterways as catalysts for urban renaissance and as tools for improving urban and housing offers, boosting the competitiveness and quality of life of areas with waterways, and delivering transformational change;
- promoting waterways as catalysts for rural development, regeneration and diversification;
- encouraging the use of waterways and towing paths for leisure, recreation and sporting activities as part of the 'natural health service', acting as 'blue gyms' and supporting physical and healthy outdoor activity;

- promoting the use of waterways, towing paths and their environs as sustainable transport and recreational routes for walking and cycling, linking communities facilities, and providing passenger boat services on the inland waterways wherever practicable and economic;
- encouraging the transfer of freight from roads to waterborne transport where practical, economic and environmentally desirable – including use of waterborne freight in the construction cycle, for the delivery of supplies and the removal of waste;
- promoting the use of waterways as a renewable energy resource – for example generating onshore hydro-electric power, using canal and dock water for heating and cooling buildings, and the use of waterways and their environs for urban cooling;
- supporting the use of waterways as an educational resource and recognising waterways as active and inventive providers of open-air learning activities;
- promoting innovative uses of the waterway infrastructure – for example the use of towing paths as telecommunication routes; and
- recognising both that people living on a boat as their main place of residence are a specific household group, and that living afloat contributes towards increasing choice in housing types and lifestyle, and contributes to the life, vitality and natural surveillance of the waterway.

### Overarching Guiding Principles for Policy Formulation

Planning policies at all the different spatial levels should take account of the following factors:

- There are different types of waterways, which have different characteristics and principal functions.
- Waterways are multi-functional by nature.
- Waterways are public assets accessible to local communities free of charge.
- Individual waterways, towing paths and water spaces are a part of a wider network that crosses administrative boundaries and cannot be viewed in isolation.
- There are particular land use implications and locational requirements arising from the inherent constraint of inland waterways being 'non-footloose' assets.
- Development and regeneration can impose burdens and liabilities upon the waterway infrastructure, facilities and environs.
- There is a need to provide essential boat services and facilities to support the use of waterways for navigational purposes.





- There is a need to address the characteristics of underperforming waterways.
- Waterways and towing paths are spaces in their own right, and not just settings or backdrops to development or edges to policy designations.

## Waterway Proofing for Planning Policy Statements and National Policy Statements

In waterway proofing Planning Policy Statements and National Policy Statements, the following questions need to be addressed:

- Are waterways included in the definition of infrastructure within national planning policy areas and planning delivery mechanisms?
- Are all the functions of waterways being fully recognised under different national planning policy areas, and are their contributions to national policy objectives being acknowledged?
- Is there flexibility within national planning policy and guidance to accommodate the inherent constraint of waterways being 'non-footloose' assets?

## Waterway Proofing for Integrated Regional Strategies

In waterway proofing the new Integrated Regional Strategies, the following questions need to be addressed:

- Are waterways recognised as a form of strategic infrastructure within the regional planning framework?
- Are the different types of waterways and their different characteristics and roles acknowledged?
- Are all the functions of waterways being fully recognised under different regional planning policy areas, and are their contributions to regional policy objectives, outcomes and targets being acknowledged?
- Is there a strategic policy framework for the regional waterway network which provides an overarching vision and framework for the waterway corridor(s) as a whole? This is crucial to ensure that the different Development Plan Documents (DPDs)/LDFs covering a particular waterway corridor are holistic and consistent in approach.
- Is there flexibility within regional planning policy and other strategies to accommodate the inherent constraint of waterways being 'non-footloose' assets?
- Do regional planning policies and strategies encourage the unlocking of the economic, environmental and social benefits offered by the waterways?

## Waterway Proofing for Local Development Framework Policies in England and Local Development Plan Policies in Wales

In waterway proofing LDF and Local Development Plan policies, the following questions need to be addressed:

- Are waterways recognised as a form of local infrastructure within the LDF/DPD?
- Are the different types of waterways and their different characteristics and roles acknowledged?
- Have the spatial and land use implications of waterway-related issues, opportunities and proposals identified within the Sustainable Community Strategy, Local Transport Plan, local infrastructure plan, local green infrastructure strategy, and so on, been fully translated into the LDF/DPD?
- Are all the functions of waterways being fully protected and promoted within the LDF/DPD?
- Are cross-boundary waterway-related issues and opportunities being fully considered with the adjoining local authority(ies)?
- Is there flexibility within the local planning policy framework to accommodate the inherent constraint of waterways being 'non-footloose' assets?
- Do LDF/DPD policies encourage the unlocking of the economic, environmental and social benefits offered by the waterways?
- Does the proposals map indicate waterways and their corridors?
- Do LDF/DPD policies encourage new developments to: integrate land and water; open up access to, from and along the waterway; explore the added value and use of water space; and view the waterway, towing path and environs as part of the public realm?
- Do LDF/DPD policies seek to encourage proposals for waterside development to enhance the use, enjoyment and setting of the adjacent waterway?
- Does the planning obligations policy within the Core Strategy and/or any planning obligations SPDs allow for planning obligations to be secured from the development of sites on the waterside, or otherwise benefiting from the waterside?
- Does the definition of infrastructure for the purposes of local infrastructure planning and distribution of CIL revenue include waterways and the related waterway assets necessary for their operation and maintenance?



# appendix 2

## development management and control checklist for waterside developments

28

Inland waterways<sup>i</sup> are an important form of infrastructure that can potentially be affected by all scales and types of development located adjacent to or in close proximity to this infrastructure.

Local planning authorities are required to consult navigation authorities before granting planning permission for development likely to affect specified rivers, canals, reservoirs, canal feeder channels, watercourses, let offs and culverts.<sup>ii</sup>

The following suggested checklist is recommended for use by local authority development control teams as an initial tool to help assess the appropriateness and potential impacts of new development upon the waterway infrastructure, facilities and environs. It is recommended that this tool be used in assessing any proposed development which is located within zones of consultation relating to waterways.

This tool is not a substitute for consulting the relevant statutory consultees, such as British Waterways, the Environment Agency and the Port of London Authority. Engaging in pre-application discussions with the relevant statutory consultees is encouraged.

The aim of the checklist is to assist local planning authorities in assessing how a proposed development may affect an inland waterway, thereby helping to identify those matters which require careful analysis<sup>iii</sup> informed by the views of the relevant navigation authority.

### Key Considerations on Safeguarding Inland Waterways from Inappropriate Development

#### 1 Safeguarding the safety and structural integrity of waterway infrastructure and the safety of users and neighbours<sup>iii</sup>

**Checklist:** Does the development located adjacent to or in close proximity to a waterway (which includes canals, river navigations, reservoirs, canal feeder channels, watercourses, let offs and culverts) involve any of the following:

- digging foundations;
- imposing a loading on the side of a waterway;
- the potential to cause a breach; or
- residential use within a reservoir breach flood plain?

#### 2 Protecting and safeguarding inland waterways for water resourcing purposes, including the need for water management, improving water quality, managing land drainage, and avoiding, reducing and managing flood risk

**Checklist:** Does the development located adjacent to or in close proximity to a waterway involve any of the following:

- discharging grey water directly or indirectly into a river, canal, reservoir, canal feeder channel, watercourse, let off or culvert;
- abstracting water from any of the above;
- requiring a water connection to the main waterway network;
- the introduction and long-term maintenance of SUDS (a sustainable urban drainage system);
- an impact on the waterway infrastructure's ability to handle flood water;
- flood risk – has the relevant navigation authority or canal owner reviewed the site-specific flood risk assessment;
- an impact upon the required water levels for navigation purposes; or
- an effect on the water quality of the waterway?

i Inland waterways include rivers, canals, commercial and non-operational docks, reservoirs, canal feeder channels, watercourses, let offs and culverts.

ii The Town and Country Planning (General Development Procedure) (Amendment) Order 1997 (SI 1997 858), amending Article 10(1) of the Town and Country Planning (General Development Procedure) Order 1995 – para. (za).

iii Development adjacent to inland waterway infrastructure can potentially affect the safety and structural integrity of any waterway, reservoir, canal feeder channel, watercourse, let off or culvert, and can potentially affect the safety of users and neighbours by: undermining the waterway bank through excavation; placing undue loading on the waterway bank; and interfering with vulnerable slip planes on embankments or cuttings. Waterway embankments and other structures can also serve as flood defences; removing part of the infrastructure, or changes to its character that could affect the wider infrastructure (for example culverting a feeder channel); removing contaminated corrosive substances that could leach into the canal or river downstream and affect structures over the long term; increasing the surface water discharges beneath or into the waterways – any of the above could potentially cause a breach of the canal bank or downstream flooding and inundation.



### 3 Protecting and enhancing the heritage, natural environment and landscape character of inland waterways

**Checklist:** Does the development located adjacent to or in close proximity to a waterway involve any of the following:

- an impact upon any listed, scheduled or locally significant waterway building, structure or furniture;
- an effect on the views of and from the waterway;
- an impact upon the waterway as an important feature of the conservation area;
- an impact upon the waterway landscape or the character, features and quality of its biodiversity; or
- an impact on waterway-related habitats and protected species, both fauna and flora?

### 4 Encouraging public access to and recreation use of inland waterways

**Checklist:** Does the development located adjacent to or in close proximity to a waterway involve any of the following:

- opening up of access to, from and along the waterway, where appropriate;
- improvement of access to, from and along the waterway;
- provision and/or improvement of water-based facilities;
- proposed end uses that encourage the use of the waterway and towing path; or
- proposed siting of buildings and end uses that generates natural surveillance and policing?

### 5 Protecting and supporting the navigation of inland waterways and waterway-related tourism

If inland waterways are to remain open and accessible for navigation for cruising and commercial purposes, there is a need to ensure that essential boat services and facilities continue to be available throughout the network. The introduction of a blanket approach to safeguarding all existing boating facility sites is not necessary or sustainable.

**Checklist:** Does the development located adjacent to or in close proximity to a waterway involve any of the following:

- loss of a former or existing wharf site which is identified as a 'strategically important wharf', as assessed by the relevant navigation authority; or
- loss of a boatyard (either boat building or boat repair), servicing or maintenance yard, slipway, dry dock, crane or other services needed for day-to-day

cruising used in connection with water-based transport, tourism, leisure and recreation?

### 6 Protecting the operational waterway infrastructure

**Checklist:** Does the development located adjacent to or in close proximity to a waterway involve any of the following:

- prohibition of or impact on access to waterway track, structures and other assets for maintenance and operational purposes – for example towing paths, locks, bridges, aqueducts, sluices, weirs, backing pumping stations, tunnels, sanitary stations, other water control structures, waterway walls, boundary and retaining walls, embankments and cuttings, etc.;
- temporary or permanent encroachment of land/water and over land/water, such as sailing;
- new, alterations to, or the use of existing crossings, including bridges, pipes, underground services, etc.;
- discharges and abstractions; or
- reservoirs?

### 7 Protecting future restoration of redundant and derelict waterways and new waterway links where identified in the LDF

**Checklist:** Does the development located adjacent to or in close proximity to a waterway involve any of the following:

- building over, under or adjacent to a redundant, infilled or derelict waterway earmarked for restoration for navigational purposes or for a new waterway link?

## Potential Contribution of Inland Waterways to Sustainable Development and Climate Change

**Checklist:** Does the development located adjacent or in close proximity to a waterway provide opportunities (wherever practical, economic and environmentally desirable) to:

- utilise the waterway and its environs for urban cooling;
- utilise the waterway as a renewable energy source – for example generating onshore hydro-electric power and using canal and dock water to heat and cool buildings;
- utilise towing paths as telecommunication routes;



- utilise the waterway and towing path as a sustainable route for walking, cycling and water passenger transport; or
- utilise waterborne freight in the construction cycle, for the delivery of supplies and removal of waste?

## Guiding Principles

- Individual waterways and water spaces need to be viewed as an integral part of a wider network, and not in isolation.
- Water should not be treated as just a setting or backdrop for development but as a space and leisure and commercial resource in its own right. The 'added value' of the water space needs to be fully explored.
- Waterways themselves should be the starting point for consideration of the development and use of the water and waterside land – look from the water outwards, as well as from the land to the water.
- A waterways towing path and its environs should form an integral part of the public realm in terms of both design and management.
- It is important that the siting, configuration and orientation of buildings optimise views of the water, generate natural surveillance of water space, and encourage and improve access to, along and from the water.
- New waterside development needs to be considered holistically with the opportunities for water-based development, use and enhancement.
- Improve the appearance of the site from the towing path and from the water at boat level, and enhance the environmental quality of the waterway corridor.
- It should be recognised that appropriate boundary treatment and access issues are often different for the towing path side and the offside.

**To ensure that all the principles above are addressed, applicants should be encouraged to include the waterway, towing path and environs within the application site edged in red on the location plan.**

## Use of Planning Conditions, Obligations and Informatives

Where appropriate, planning obligations secured from the development or regeneration of sites on the waterside or otherwise benefiting from it should be reinvested and framed positively to benefit the waterways infrastructure and for mitigation against matters such as increased risk of flooding as the first priority. It is important to recognise that new waterside developments place extra liabilities and burdens upon the infrastructure – for example:

- use of the waterway for drainage and flood alleviation purposes – for example discharging surface water into the waterway network;
- ongoing maintenance costs for maintaining attractive 'waterway settings' – for example the removal of litter from the water, and maintenance of the towing path;
- use of the waterway and towing path as a form of open space, and the use of towing path as a sustainable transport route; and
- new residential use close to reservoirs which results in mandatory works to upgrade flood capacity.

The navigation authority or canal owner may request that informative(s) are added to the decision notice in order to alert the applicant to other consents and/or agreements required.





# appendix 3

## signposts and contacts

### Department for Environment, Food and Rural Affairs

[www.defra.gov.uk](http://www.defra.gov.uk)

Defra is a UK Government Department with the overarching role of securing a healthy environment so that present and future generations can prosper. It has overall responsibility for Britain's waterways network and is the sponsoring body for the main navigation authorities and waterway organisations. It is the publisher of *Waterways for Tomorrow* (2000) – see <http://www.defra.gov.uk/environment/water/iw/pdf/waterways-for-tomorrow.pdf>

### British Waterways

[www.britishwaterways.co.uk](http://www.britishwaterways.co.uk)

British Waterways is the public corporation that cares for the 2,200-mile network of canals and rivers in England, Scotland and Wales. Its role is to ensure that the waterways can be used for all to enjoy, now and for years to come.

### Environment Agency

[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

The Environment Agency is an executive non-departmental public body responsible to the Secretary of State for Environment, Food and Rural Affairs and an Assembly-sponsored public body responsible to the National Assembly for Wales. Its principal aims are to protect and improve the environment, and to promote sustainable development. It also has a central role in delivering the environmental priorities of central government and the Welsh Assembly Government.

### The Broads Authority

[www.broads-authority.gov.uk](http://www.broads-authority.gov.uk)

The Norfolk and Suffolk Broads are Britain's largest protected wetland and third largest inland waterway, with the status of a National Park. It is also home to some of the rarest plants and animals in the UK. The Broads Authority was set up in 1989, with responsibility for conservation, planning, recreation and waterways.

### Association of Inland Navigation Authorities

[www.aina.org.uk](http://www.aina.org.uk)

AINA was formed in 1996 with encouragement from government to provide, for the first time ever, a single voice on waterway management issues. The broad purpose of AINA is to facilitate the management and development of inland waterways as an economic, environmental, recreational and social resource.

### Inland Waterways Advisory Council

[www.iwac.org.uk](http://www.iwac.org.uk)

IWAC advises government, navigation authorities and others about the use and development of the inland waterways of England, Scotland and Wales.

# appendix 4

## methodology and workshops

32

The process of producing this Policy Advice Note involved three key stages:

- desk-based research on the benefits of inland waterways, relevant planning policy, and Government agendas;
- workshops and meetings with local and regional government bodies as well as navigation authorities and water-related bodies; and
- one-to-one meetings with identified stakeholders such as local authorities with waterways policies and water-related organisations.

**Desk-based research** was carried out on the social, economic and environmental benefits of the inland waterways network and on current planning policy at each spatial level to identify gaps and opportunities. The Defra national policy statement, *Waterways for Tomorrow*, published in 2000, was a key document in this research, and in turn it is hoped the findings of this Policy Advice Note will influence the planning section of its refresh, due to be published in the next year.

Much of the data and many of the illustrations used in this document have been provided by British Waterways, who sponsored the project and provided ease of access to pertinent information. However, the issues highlighted in this Policy Advice Note have wider implications for the whole of Britain's inland waterways network, although this document restricts its focus to waterways in England and Wales.

A series of **regional workshops** with local planning authorities were held across England and Wales, as well as a workshop with Regional Assembly and Regional Development Agency representatives, followed by a meeting with the navigation authorities, AINA and IWAC.

The workshops provided an opportunity to disseminate information on the types, characteristics, uses and functions of waterways, as well as on the diversity of Government agendas they are able to support. More importantly, they were also used to gather feedback and recommendations on the planning system and how it could be better utilised to promote the integration of waterways into development plans for wider benefit.

The findings from these workshops have informed the conclusions and recommendations of this Policy Advice Note. It is worth noting here that one of the issues that emerged from the workshops, particularly in the initial stages, was the propensity of local authorities to pass the invitation to the workshops to those working in areas such as biodiversity, landscape architecture or other environmental departments, rather than to the planning or economic development department it was aimed at. This reflected some planning departments' views on where waterways policy 'belonged', or where there was already a policy recognition for waterways, rather than the necessary acknowledgement of the multi-functional nature of waterways and the direct role of the planning system in utilising the network.

# appendix 5

## participants and contributors

The following organisations participated in the workshops held to inform this work and contributed to the discussions leading to the production of this Policy Advice Note:

Advantage West Midlands	Manchester City Council
Association of Inland Navigation Authorities	Milton Keynes Council
Aylesbury District Council	Monmouthshire, Brecon and Abergavenny Canals Trust
Bedford and Milton Keynes Waterway Trust	Natural England
Birmingham City Council	New East Manchester Ltd
Brecon Beacons National Park Authority	Newport City Council
Buckinghamshire County Council	Newport Unlimited
Caerphilly County Borough Council	North East Derbyshire District Council
Carmarthenshire County Council	Northampton Borough Council
Chesterfield Borough Council	Nottingham Regeneration Limited
City of London	Oldham Council
Doncaster Council	One North East
Dudley Metropolitan Borough Council	Oxford City Council
East Midlands Tourism	River Nene Regional Park, Northamptonshire County Council
Environment Agency	Rochdale Metropolitan Borough Council
Greater London Authority	Sandwell Metropolitan Borough Council
Homes and Communities Agency	Sheffield City Council
High Peak Borough Council	South Kesteven District Council
Inland Waterways Advisory Council	South Northamptonshire Council
Kirklees Council	Stafford Borough Council
London Borough of Brent	Stockton Borough Council
London Borough of Haringey	The Broads Authority
London Borough of Hillingdon	The Mersey Forest
London Borough of Newham	The Port of London Authority
London Borough of Tower Hamlets	Torfaen County Borough Council
London Borough of Waltham Forest	Vale of White Horse District Council
London Borough of Wandsworth	Wigan Council
Leicester City Council	York City Council
Leicestershire County Council	
Leicestershire Promotions Ltd	

**Policy Advice Note: Inland Waterways  
Unlocking the Potential and Securing the Future of Inland Waterways  
through the Planning System**



**tcpa**



**Produced by the Town and Country Planning Association,  
with the support of British Waterways**

**July 2009**

**Published by the Town and Country Planning Association  
17 Carlton House Terrace  
London SW1Y 5AS  
020 7930 8903  
[www.tcpa.org.uk](http://www.tcpa.org.uk)**