



**Canal &  
River Trust**

# **The Application of Permitted Development Rights for Inland Waterway Undertakings**

An explanatory guide to Schedule 2, Part 8, Class B of  
The Town and Country Planning (General Permitted  
Development) (England) Order 2015



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All information correct at the time of publication, November 2022

## Introduction

This guidance document has been produced by the Canal & River Trust to explain how the Trust as a **statutory undertaker** utilises Schedule 2, Part 8, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2015) to deliver development required in connection with the operation of the waterways through the automatic grant of planning permission. The document includes examples of the types of development that have been agreed with Local Planning Authorities as constituting Permitted Development under Schedule 2, Part 8, Class B. This guide is aimed primarily at Local Planning Authorities in England.

Whilst this document focuses entirely on the scope of Schedule 2, Part 8, Class B of the GPDO 2015, other Permitted Development Rights are available and will be utilised by the Canal & River Trust where applicable. These include but are not limited to, Schedule 2, Part 8, Class C (works to inland waterways) and Schedule 2, Part 8, Class D (dredging by transport undertakings), which both specifically relate to waterways and are provided in **Appendix B** for completeness.

## About Canal & River Trust

The Canal & River Trust, (the Trust), is the charity that looks after and brings to life 2,000 miles of canals and rivers in England and Wales. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use, we believe that we can improve the wellbeing of our nation.

More information about the Trust and a map of the canal and river network can be found at <https://canalrivertrust.org.uk/enjoy-the-waterways/canal-and-river-network>.

The Trust was launched in 2012, taking over the guardianship of British Waterways' canals, rivers, reservoirs and docks in England and Wales - and heralding the next chapter in the renaissance of the waterways.

Under Section 105 of the Transport Act 1968, the Trust (as the successor to British Waterways) has a statutory duty to maintain waterways in its care (those classified as either commercial or cruising waterways under the provisions of the Act) to a suitable condition for use. This responsibility was transferred to the Trust by Section 2 of the British Waterways Board (Transfer of Functions) Order 2012.



## The Legislation

The GPDO 2015 is a statutory instrument that applies in England. Under this Order, the Secretary of State grants planning permission for different types of development in specified circumstances. The permissions granted by this Order are commonly known as Permitted Development Rights.

Permitted Development does not apply to anything that does not meet the definition of 'development' as set out in Section 55 of The Town and Country Planning Act 1990 (as amended). This includes the use of the waterspace for any purposes which does not change the primary use of the land, which for the purposes of this definition includes the canal and river bed as established in the case of Thames Heliport Plc v Tower Hamlets LBC, (1997) 74 P. & C.R. 164 (1996). The use of Trust land for the purpose of leisure or visitor moorings, for example, is incidental to the primary use of the canal network and these uses would not therefore require planning permission. A full list of mooring types and their definitions are provided in **Appendix C**.

Certain types of development that would usually benefit from Permitted Development rights may be subject to the requirements of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 if the development is deemed to be Schedule 1 or Schedule 2 development. In the case of 'Schedule 1' development, Permitted Development Rights would not apply and a planning application (along with an Environmental Statement) would be submitted to the Local Planning Authority for determination. For 'Schedule 2' development, certain types of development may be considered Permitted Development providing the Local Planning Authority has adopted a 'Screening Opinion' to the effect that an Environmental Impact Assessment is not required.

The scope of Permitted Development Rights may also be restricted if there is an Article 4 direction made by the Local Planning Authority in relation to a particular area, site, or type of development in the authority's area. Where an Article 4 direction is in effect, a planning application may be required for development that would otherwise have been Permitted Development.

### Schedule 2, Part 8, Class B

An extract from Schedule 2, Part 8, Class B is provided below. The Trust has **emphasised** key definitions which are subsequently defined within this document.

*Class B – dock, pier, harbour, water transport, canal or inland navigation undertakings*

#### Permitted development

- B. *Development on **operational land** by **statutory undertakers** or their **lessees** or agents of development (including the erection or alteration of an operational building) in respect of dock, pier, harbour, water transport, or canal or inland navigation undertakings, required -*
- (a) *for the purposes of shipping,*
  - (b) *in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the **movement of traffic** by canal or inland navigation or by any railway forming part of the undertaking, or*
  - (c) *in connection with the provision of **services and facilities***

#### Development not permitted

- B.1 Development is not permitted by Class B if it consists of or includes -
- (a) the construction or erection of a hotel, or of a bridge or other building not required in connection with the handling of traffic; or
  - (b) the construction or erection otherwise than wholly within the limits of a dock, pier or harbour of -
    - (i) an educational building,
    - (ii) a car park, shop, restaurant, garage, petrol filling station or other building provided under transport legislation,
  - (c) where the development falls within paragraph B(c)—
    - (i) the erection of a building other than an **operational building**; or
    - (ii) the alteration or reconstruction of a building other than an operational building, where its design or external appearance would be materially affected.

#### Condition

- B.1A.—(1) Development is permitted by Class B subject to the condition that the relevant statutory undertaker consults the local planning authority before carrying out any development, unless that development falls within the description in paragraph B.3.

#### Interpretation of Class B

- B.2 For the purposes of Class B—
- (a) references to the construction or erection of any building or structure include references to the reconstruction or alteration of a building or structure where its design or external appearance would be materially affected, and
  - (b) the reference to operational land includes land designated by an order made under section 14 or 16 of the Harbours Act 1964 (orders for securing harbour efficiency etc., and orders conferring powers for improvement, construction etc., of harbours), and which has come into force, whether or not the order was subject to the provisions of the Statutory Orders (Special Procedure) Act 1945.
- B.3. Development falls within this paragraph if—
- (a) it is urgently required for the efficient running of the dock, pier, harbour, water transport, canal or inland navigation undertaking, and
  - (b) it consists of the carrying out of works, or the erection or construction of a structure or of an ancillary building, or the placing on land of equipment, and the works, structure, building, or equipment do not exceed 4 metres in height or 200 cubic metres in capacity.

Source: <https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/8/crossheading/class-b-dock-pier-harbour-water-transport-canal-or-inland-navigation-undertakings>

## Definitions

To fully understand the scope of Part 8, Class B, it is important to explain the terminology used. The following section covers these important definitions.

### Statutory Undertaker

**Statutory undertakers** are companies and/or agencies that have the legal rights to carry out certain development and highway works in connection with their undertaking. The Trust is defined as a statutory undertaker under Section 262 of The Town and Country Planning Act 1990 (as amended) and is responsible for 2,000 miles of canals, waterways and associated infrastructure in England and Wales, a result of having had the powers transferred to it from the British Waterways Board by Section 2 of the British Waterways Board (Transfer of Functions) Order 2012. Thus, Schedule 2, Part 8, Class B is directly relevant to the Trust as a statutory undertaker.

### Lessee

Schedule 2, Part 8, Class B relates to not only statutory undertakers but also their **lessees**. A lessee is a person and/or organisation who has to use something such as land, buildings or equipment according to a formal agreement. Should a third party approach a Local Planning Authority with a view to using Permitted Development rights as set out in Schedule 2, Part 8, Class B of the GPDO 2015 in relation to the Trust's waterways, the Local Planning Authority is advised to contact the Trust. The Trust would then confirm that the third party is a lessee of the Trust and has sought permission to undertake works on land owned or controlled by the Trust. Examples of the most common lessees of the Trust include mooring, marina and boat yard operators, cafés and other water-related businesses.

### Operational Land

Section 263 of The Town and Country Planning Act 1990 (as amended) provides a clear definition of what constitutes **operational land** in relation to statutory undertakers. The Act defines it as –

- (a) *land which is used for the purpose of carrying on their undertaking; and*
- (b) *land in which an interest is held for that purpose.*

Whether or not land is used for the purposes of carrying out the Trust's undertaking is a question of fact having regard to the nature of the use of the land in question, but it is notable that the above definition includes the majority of the land in which the Trust holds an interest.

However, the definition of operational land is subject to certain conditions. Section 264 of The Town and Country Planning Act 1990 (as amended) defines cases in which land is to be treated as not being operational land:

- (1) *This section applies where an interest in land is held by statutory undertakers for the purpose of carrying on their undertaking and—*
  - (a) *the interest was acquired by them on or after 6th December 1968; or*
  - (b) *it was held by them immediately before that date but the circumstances were then such that the land did not fall to be treated as operational land for the purposes of the 1962 Act.*

- (2) *Where this section applies in respect of any land then, notwithstanding the provisions of section 263, the land shall not be treated as operational land for the purposes of this Act unless it falls within subsection (3) or (4).*
- (3) *Land falls within this subsection if—*
  - (a) *there is, or at some time has been, in force with respect to it a specific planning permission for its development; and*
  - (b) *that development, if carried out, would involve or have involved its use for the purpose of the carrying on of the statutory undertakers' undertaking.*
- (4) *Land falls within this subsection if—*
  - (a) *the undertakers' interest in the land was acquired by them as the result of a transfer under the provisions of the Transport Act 1968, the Transport (London) Act 1969, the Gas Act 1986, the Airports Act 1986, the Water Act 1989 or the Water Industry Act 1991 or, in the case of land held by Canal & River Trust, the Public Bodies Act 2011 from other statutory undertakers; and*
  - (b) *immediately before transfer the land was operational land of those other undertakers.*

Accordingly, it is the Trust's view that any land acquired by the Trust (or its predecessor, British Waterways) prior to 6 December 1968 and held for operational purposes is 'operational land' as per subsection (1) of Section 264 of The Town and Country Planning Act 1990 (as amended). Furthermore, under subsection (3) of Section 264, any land acquired after 6 December 1968 will be considered as 'operational land' if it benefits (or has at some time benefited from) a specific grant of planning permission for the purpose of carrying on the Trust's undertaking. Operational land held by the Trust includes but is not limited to the waterspace, operational yards and facilities, waterway infrastructure and associated land, boatyards, docks, harbours, quays, wharves, canals and towpaths.

### Movement of Traffic

Taking the definition provided by the Oxford English Dictionary, **traffic** is defined as 'the passing to and fro of persons, or of vehicles or vessels, along a road, railway, canal, or other route of transport'. Any canal and towpath users such as boats, canoes, walkers, cyclists etc. may therefore be viewed as 'traffic' on the canal network. The movement of traffic can therefore be facilitated by development undertaken under Schedule 2, Part 8, Class B of the GPDO 2015.

### Services

The term **services** is not defined under Schedule 2, Part 8, Class B of the GPDO 2015 but is defined by the Oxford English Dictionary as to 'meet, supply, or cater for (a need, requirement, etc.)'.

### Facilities

The term **facility** is not defined under Schedule 2, Part 8, Class B of the GPDO 2015 but is defined by the Oxford English Dictionary as a 'service or feature of a specified kind; (also) a building or establishment that provides such a service'. **Facilities** is defined as 'the physical means or equipment required for doing something, or the service provided by this; frequently [used in conjunction] with modifying word, as educational facilities, postal facilities, retail facilities, etc.'.



## Operational Building

The term **operational building** is not defined under Schedule 2, Part 8, Class B of the GPDO 2015.

The Trust considers it reasonable to take the view that any building located on operational land and used for the purpose of carrying on the Trust's undertaking, is an operational building. This could include but is not limited to, offices, workshops, customer service facilities, welfare facilities, waste disposal and Elsan facilities, and storage facilities.

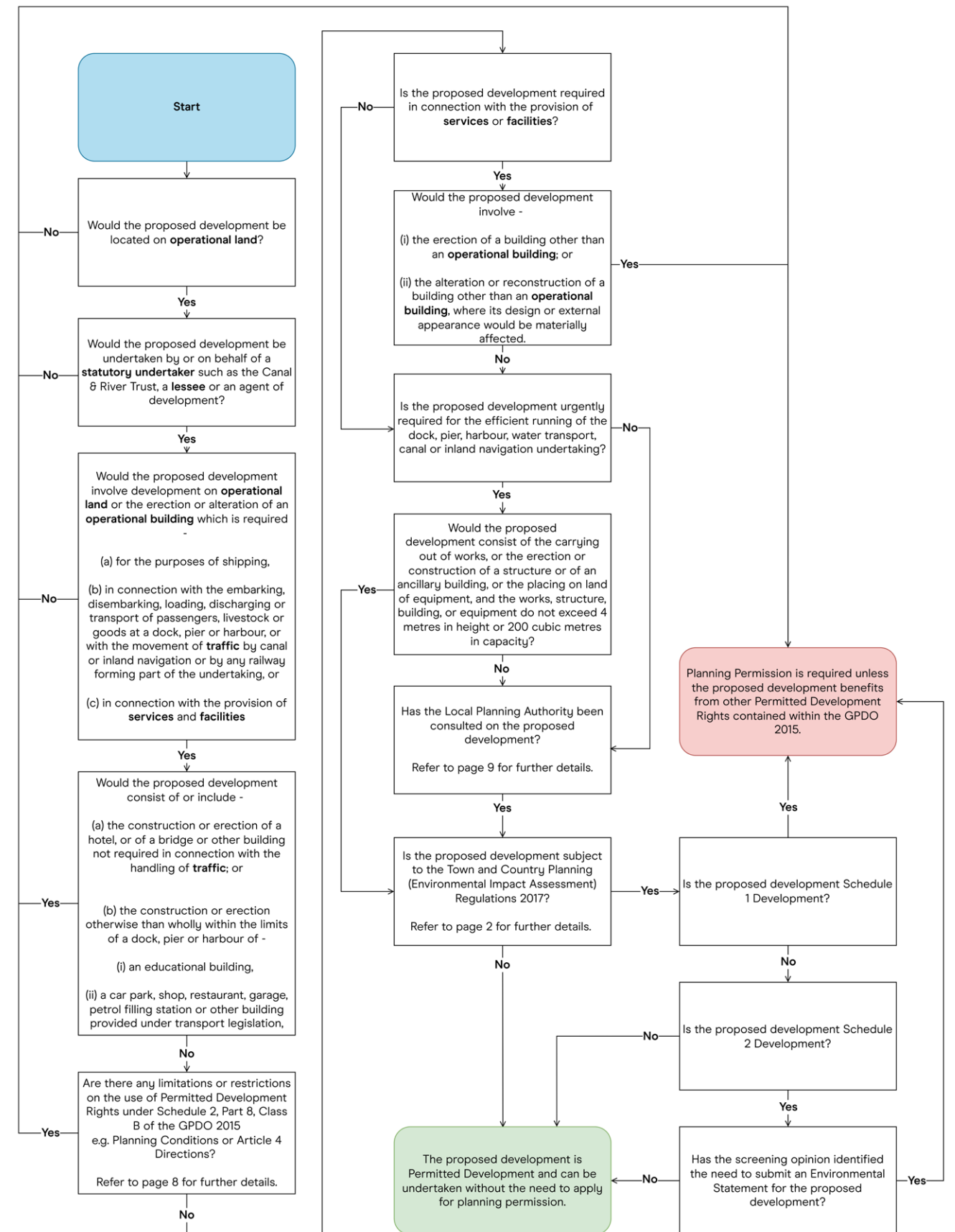
## Application and Practice

Schedule 2, Part 8, Class B of the GPDO 2015 is important to the Trust as it affords the Trust the rights to deliver development required in connection with the operation of waterways through the automatic grant of planning permission.

Case studies relating to examples of projects which have benefited from Schedule 2, Part 8, Class B can be found in **Appendix A**.

The flowchart on page 7 outlines the process used by the Trust to determine whether a proposed development would benefit from Permitted Development Rights outlined in Schedule 2, Part 8, Class B.

## Process Flowchart



## Use of Article 4 Directions and Planning Conditions

### Article 4 Directions

Article 4 of the GPDO 2015 enables the Secretary of State or the Local Planning Authority to make a direction that Permitted Development Rights should not apply, if they are satisfied that it is expedient that development described in Schedule 2, Part 8 should not be carried out unless permission is granted for it on an application.

Directions made or having effect as if made under Article 4 do not, unless the direction so provides, affect the carrying out by a statutory undertaker of the following descriptions of development, relating to activities undertaken by the Trust:

- the maintenance of bridges and buildings;
- the maintenance of docks, harbours, quays, wharves, canals and towing paths;
- the provision and maintenance of mechanical apparatus or appliances (including signalling equipment) required for the purposes of shipping or in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, quay, harbour, bank, wharf or basin;
- any development required in connection with the improvement, maintenance or repair of watercourses or drainage works;

Prior to the use of any Permitted Development Rights, the Trust will seek to identify whether the land for development proposed under Schedule 2, Part 8, Class B is subject to an Article 4 direction by referring to the Local Planning Authority's website.

If the Local Planning Authority believes it is expedient to make a direction under Article 4, it must serve notice on the Trust as owner, occupier or statutory undertaker (as applicable) if the direction relates to land owned or occupied by the Trust. The Trust is likely to oppose any Article 4 directions which restrict the use of Permitted Development Rights under Schedule 2, Part 8, Class B. The primary reason for this is to ensure that the Trust retains the ability to effectively manage and maintain waterways and associated infrastructure.

Furthermore, under Paragraph 53 of the National Planning Policy Framework, the indiscriminate use of Article 4 directions to remove Permitted Development Rights is discouraged and such directions should only be deployed where there is a clear justification to protect local amenity or the well-being of the area. It should also be noted that where an Article 4 direction is issued, the Trust will be entitled to compensation for any expenditure reasonably incurred if planning permission for development is refused or granted subject to conditions.

### Planning Conditions

In the event the Trust needs to apply for Planning Permission for development, the Trust is likely to oppose any planning conditions which restrict the use of Permitted Development Rights under Schedule 2, Part 8, Class B. The primary reason for this is to ensure that the Trust retains the ability to effectively manage and maintain waterways and associated infrastructure.

In certain cases, a Local Planning Authority may wish to use planning conditions to restrict the future use of Permitted Development Rights under Schedule 2, Part 8, Class B.

National Planning Policy Guidance advises that the use of such conditions may not pass the test of reasonableness or necessity and the scope of such conditions needs to be precisely defined so that it is clear exactly which rights have been limited or withdrawn.

The Trust will seek to identify whether land for development proposed under Schedule 2, Part 8, Class B is subject to restrictive planning conditions by referring to the Local Planning Authority's website and recent planning history.

## Consultation Requirements

The Trust is required by Condition B.1.A. to consult the Local Planning Authority before carrying out any development under Schedule 2, Part 8, Class B unless the development proposed falls under Paragraph B.3.

The requirement to consult the Local Planning Authority was introduced by Article 10 of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 which came into force on 21 April 2021.

B.1A.—(1) Development is permitted by Class B subject to the condition that the relevant statutory undertaker consults the local planning authority before carrying out any development, unless that development falls within the description in paragraph B.3.

- B.3. Development falls within this paragraph if—
- (a) it is urgently required for the efficient running of the dock, pier, harbour, water transport, canal or inland navigation undertaking, and
  - (b) it consists of the carrying out of works, or the erection or construction of a structure or of an ancillary building, or the placing on land of equipment, and the works, structure, building, or equipment do not exceed 4 metres in height or 200 cubic metres in capacity.

The purpose of the consultation required by Condition B.1.A. is to consult the Local Planning Authority to ascertain whether the Local Planning Authority agrees that the Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 apply.

When consulting the Local Planning Authority, the Trust will ensure that the consultation is accompanied by sufficient information to enable the Local Planning Authority to determine whether Permitted Development Rights apply.

The Local Planning Authority will be offered a period of **21 days** (or as otherwise agreed with the Trust) in which to respond to the consultation.

This timescale is considered to provide sufficient time for the Local Planning Authority to review and respond to the consultation and is in accordance with the timescales for other provisions within the GPDO 2015.

If the Local Planning Authority does not respond to the consultation within this timescale, then the Trust will proceed with the development proposed on the basis of it being Permitted Development.

In certain circumstances, the Trust will seek to agree, by means of a Consultation Protocol, the use of Permitted Development Rights for specified types of development within a given Local Planning Authority area. This would enable the Trust to carry out development which accords with the Consultation Protocol without consulting the Local Planning Authority on a per project basis. This approach is intended to improve efficiency and will avoid the requirement for the Local Planning Authority to provide a consultation response for each project undertaken by the Trust. It is anticipated that this approach will be used for common types of development which clearly fall under Schedule 2, Part 8, Class B, including the types of development specified in Appendix A.



## Updates

This guidance was last updated in November 2022 and will be reviewed periodically to ensure compliance with current planning legislation.

The latest version of The Town and Country Planning (General Permitted Development) (England) Order 2015 can be found at <https://www.legislation.gov.uk/ukxi/2015/596/contents>

The latest version of The Town and Country Planning Act 1990 can be found at <https://www.legislation.gov.uk/ukpga/1990/8/contents>

## Appendix A: Case Studies

This section, Appendix A, contains examples of some common forms of development undertaken and agreed with Local Planning Authorities in England as Permitted Development under Schedule 2, Part 8, Class B. It is not a comprehensive list, but will assist in illustrating some examples of what has been agreed and why.

The examples are structured under the following categories:

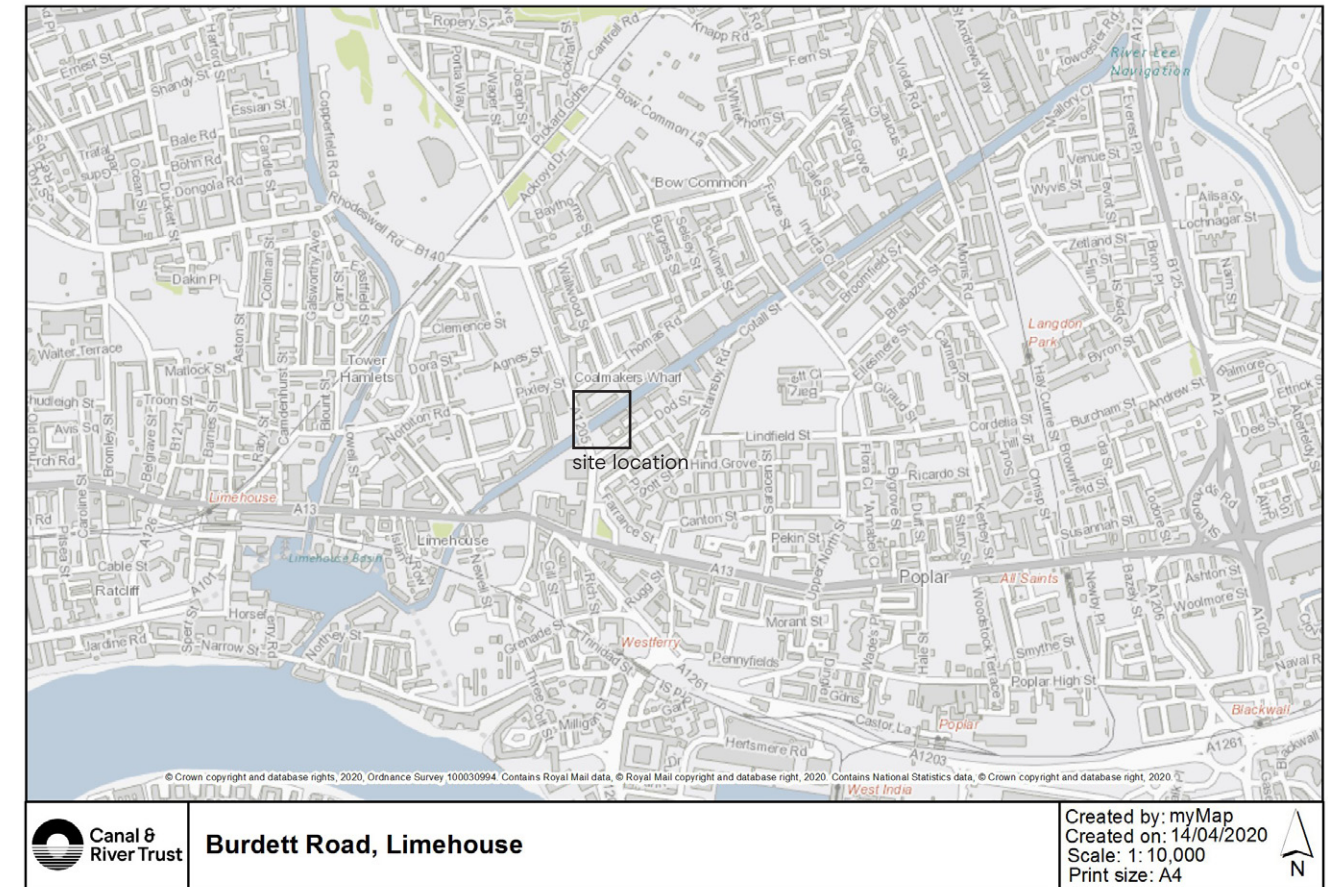
- Infrastructure for Leisure and Visitor Moorings
- Operational Buildings
- Towpath Improvements
- Bridge Engineering Works
- Staff and Volunteer Welfare Facilities
- Customer Facilities
- Boat Repair Yards
- Canoe Facilities

Works which would involve development required to keep waterways open such as canal walls, locks, sluices, weirs, reservoirs etc. have not been included as examples but these types of development would also benefit from Permitted Development under Schedule 2, Part 8, Class B.

# Burdett Road, London

## Infrastructure for leisure and visitor moorings

<b>Project Description</b>	Installation of mooring infrastructure associated with leisure moorings, including a pontoon and bridging deck.
<b>Location</b>	Burdett Road, London
<b>Waterway</b>	Limehouse Cut
<b>Local Planning Authority</b>	London Borough of Tower Hamlets
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b>  <b>(a) for the purposes of shipping,</b>  <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking,</b>  <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The pontoon and bridging deck were required to provide safe access to moorings to facilitate the movement of traffic by canal.  The use of the waterspace for leisure and visitor moorings is incidental to the primary use of the canal. Planning permission is therefore only required for the mooring infrastructure and not the use of the moorings for visitor or leisure purposes. Further information about the types of moorings can be found at Appendix C.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development. As part of this consultation, the Trust was asked to provide additional information on the use of the moorings and was able to provide confirmation that the moorings would be restricted to leisure use only and would be managed by the Trust.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes



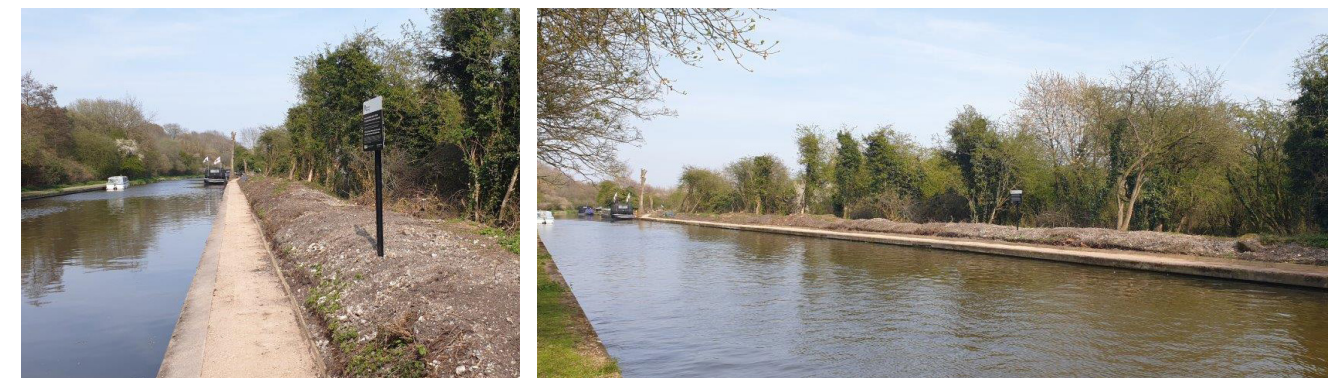
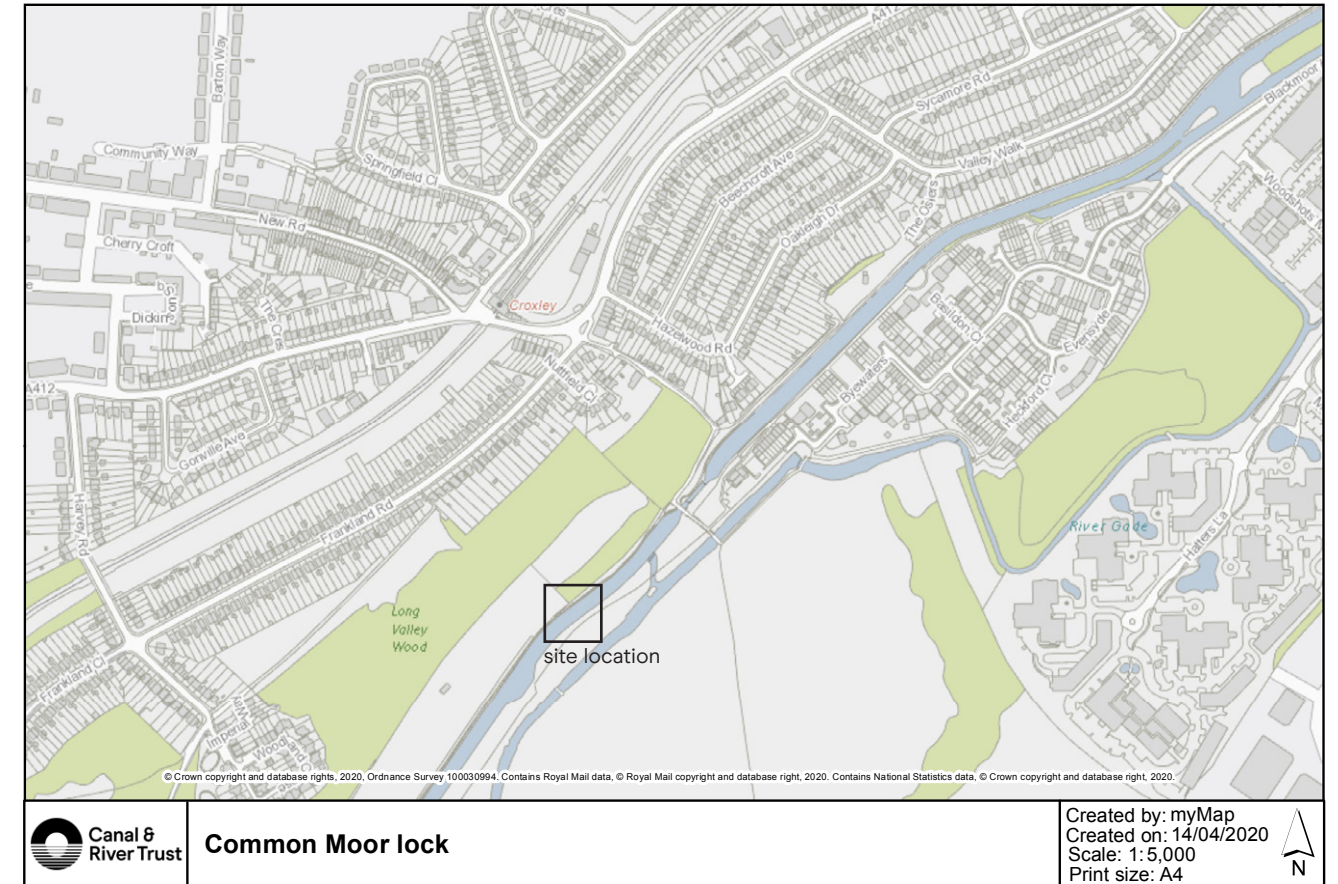
Photos of the mooring pontoon and bridging deck installed at Burdett Road.



# Common Moor Lock, Hertfordshire

## Infrastructure for leisure and visitor moorings

<b>Project Description</b>	Works to improve existing access to provide safe access to existing leisure moorings.
<b>Location</b>	Common Moor Lock, Croxley Green, Hertfordshire
<b>Waterway</b>	Grand Union Canal
<b>Local Planning Authority</b>	Three Rivers District Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b> <b>(a) for the purposes of shipping,</b> <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking, or</b> <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The improvements to the existing access were required to provide safe access to moorings to facilitate the movement of traffic by canal.  The use of the waterspace for leisure and visitor moorings is incidental to the primary use of the canal. Planning permission is therefore only required for the mooring infrastructure and not the use of the moorings for visitor or leisure purposes. Further information about the types of moorings can be found at Appendix C.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes

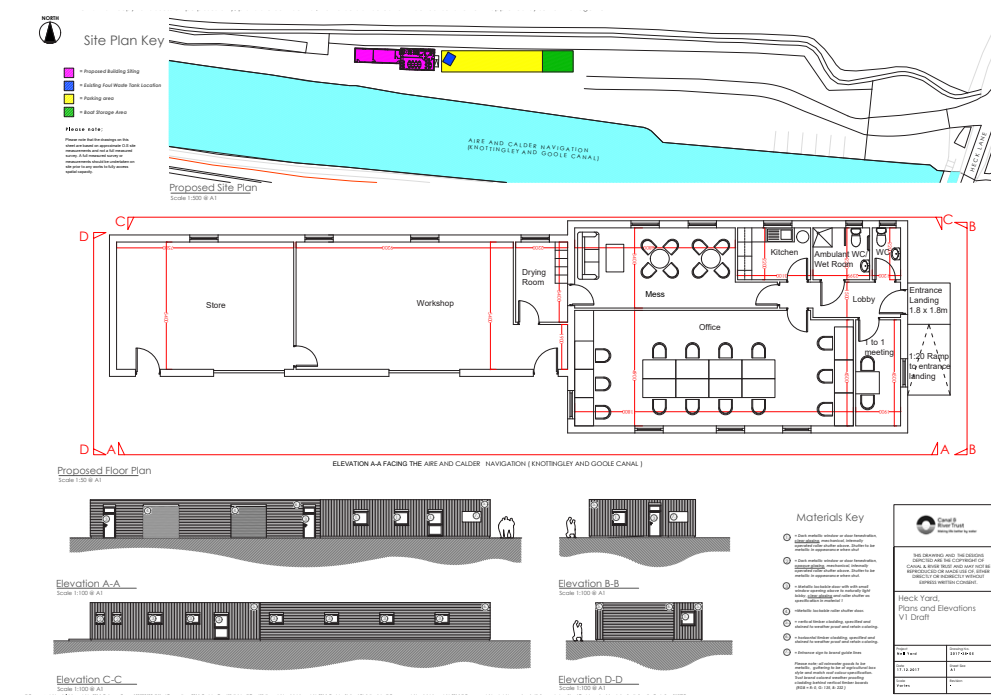
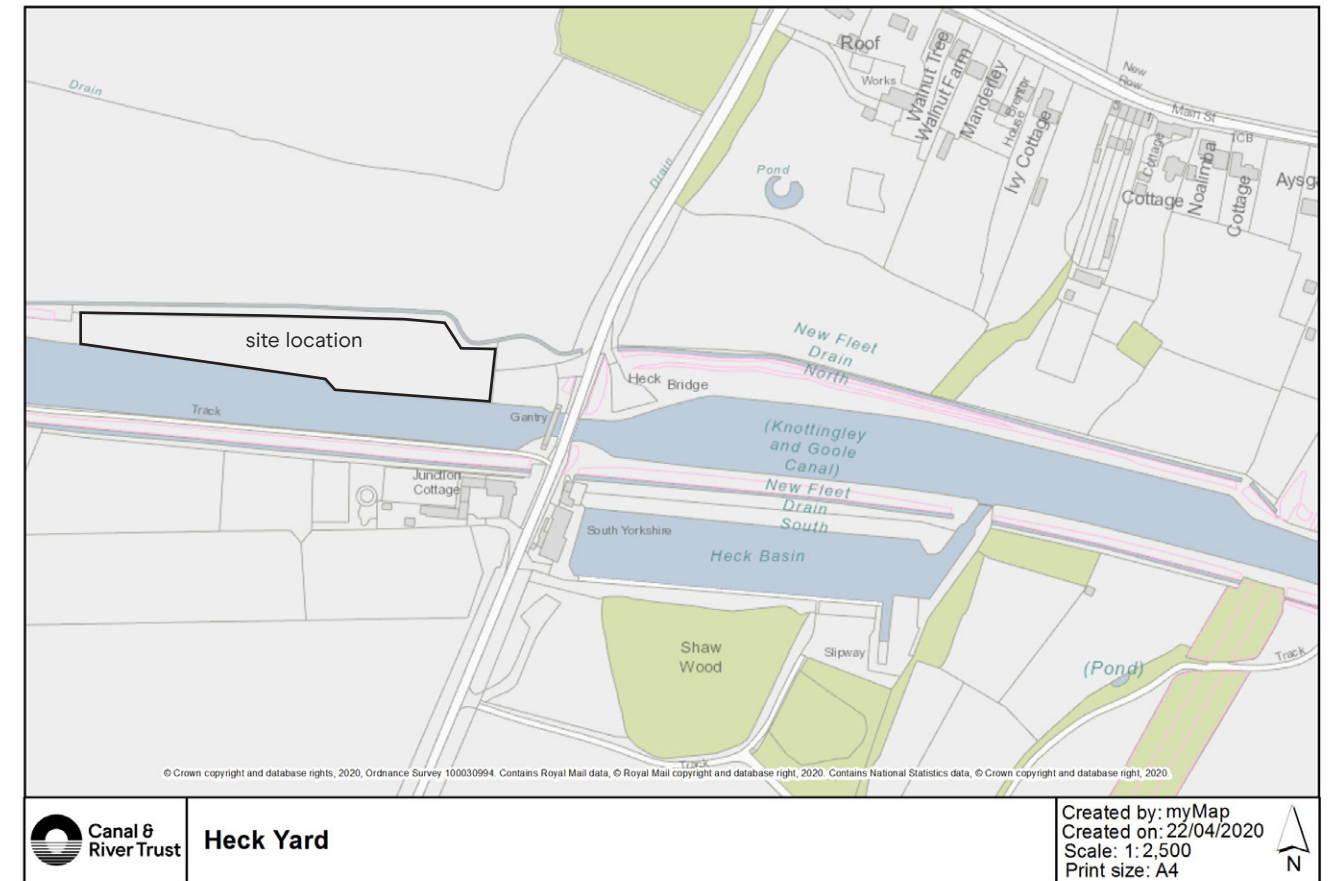


Photos of the completed access works at the existing moorings at Common Moor Lock



# Heck Maintenance Yard, Goole Operational buildings

<b>Project Description</b>	The erection of a building incorporating a storeroom, workshop, drying room, mess room, office, kitchen, toilets and meeting room for operational staff to replace existing pre-fabricated buildings.
<b>Location</b>	Heck Maintenance Yard, Goole
<b>Waterway</b>	Aire & Calder Navigation
<b>Local Planning Authority</b>	Selby District Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b> <b>(a) for the purposes of shipping,</b> <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking,</b> <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The proposed building provided an essential operational depot and welfare facilities for Trust employees who manage, maintain and repair the waterway to facilitate the movement of traffic by canal.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes

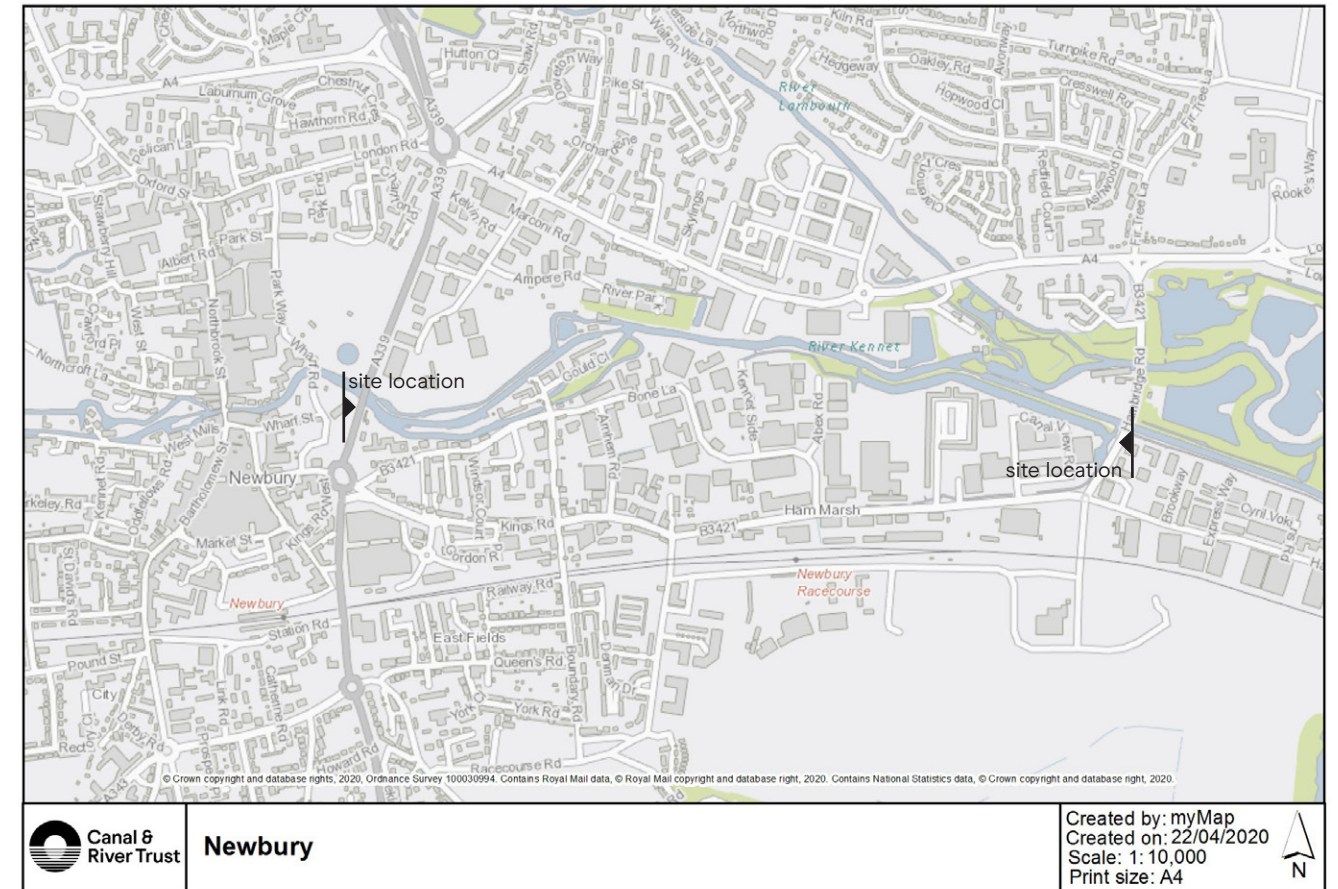


Plan showing the proposed works at Heck Maintenance Yard



# River Kennet and Kennet & Avon Canal, Newbury Towpath improvements

<b>Project Description</b>	The Canal & River Trust received Section 106 funding, secured by the Trust in connection with the redevelopment of Newbury Racecourse, to undertake towpath improvements and bank protection works on the River Kennet and Kennet & Avon Canal. The proposed works sought to resurface 1.7 km of towpath and increase the width to 1.8m to improve conditions for pedestrians and cyclists. An additional 28m of bank protection works were also required in connection with the towpath improvement works.
<b>Location</b>	Newbury
<b>Waterway</b>	River Kennet and Kennet & Avon Canal
<b>Local Planning Authority</b>	West Berkshire Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b> <b>(a) for the purposes of shipping,</b> <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking,</b> <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The development was required in connection with the movement of traffic by canal, specifically the movement of boats, pedestrians and cyclists by inland navigation.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes

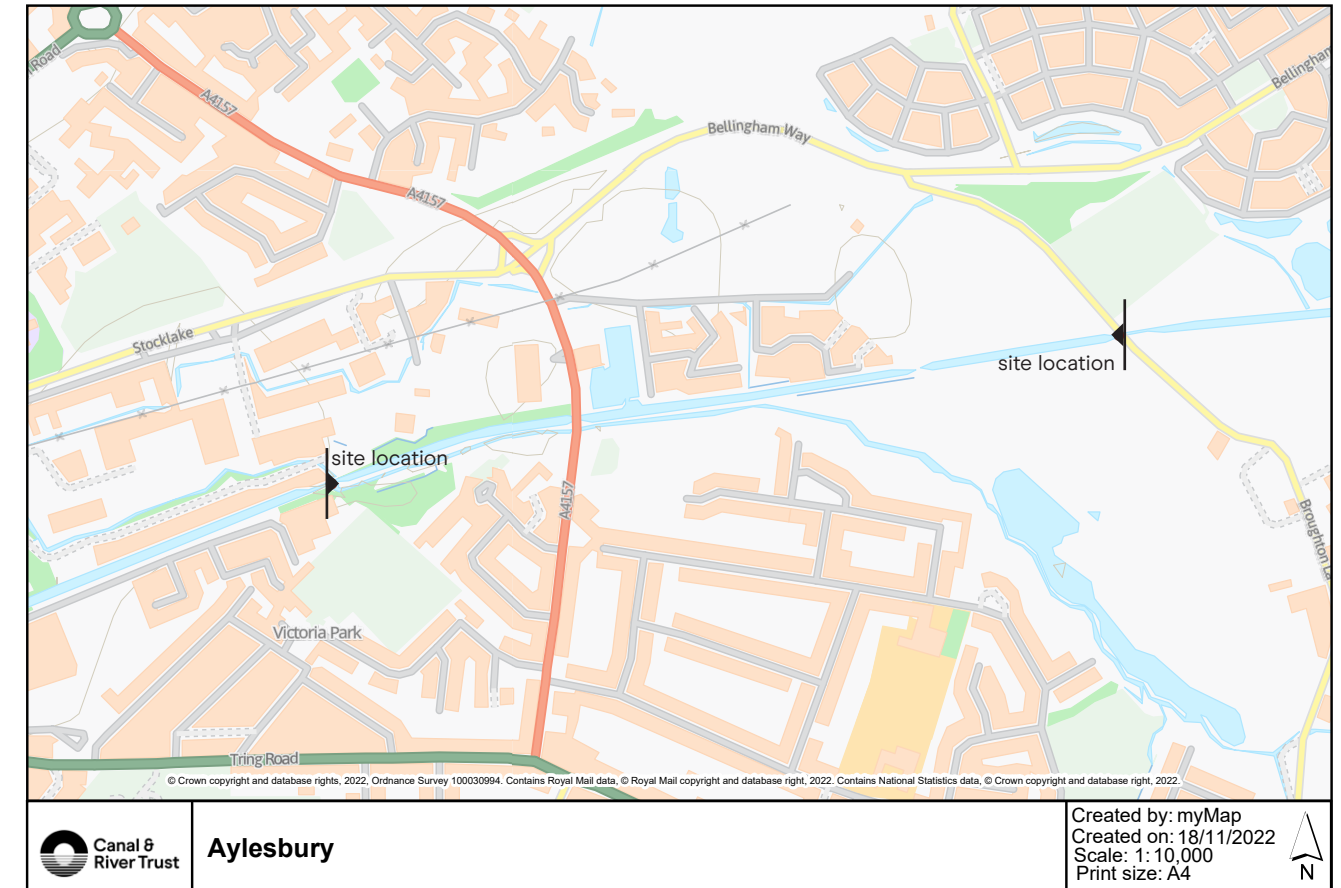


Photos of the existing towpath at Newbury prior to improvement works



# Grand Union Canal, Aylesbury Towpath and Bank Stabilisation Works

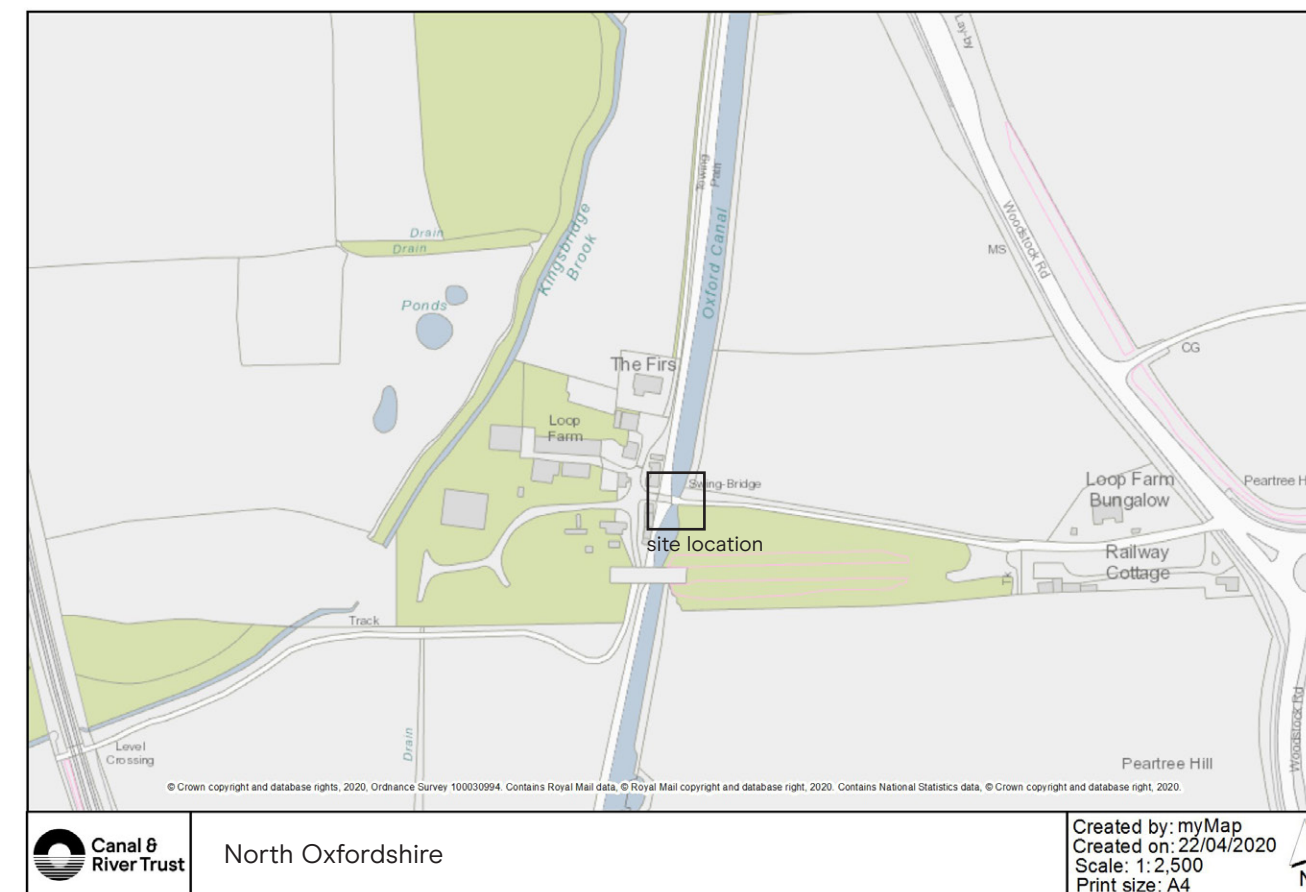
<b>Project Description</b>	Towpath and access improvement works including the widening and resurfacing of the existing towpath and bank stabilisation works.
<b>Location</b>	Aylesbury
<b>Waterway</b>	Aylesbury Arm of the Grand Union Canal in Aylesbury
<b>Local Planning Authority</b>	Buckinghamshire Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b> <b>(a) for the purposes of shipping,</b> <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking, or</b> <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The access and towpath improvements were required to improve accessibility for towpath users including pedestrians, cyclists, and boaters. The improvements were considered to facilitate and improve the efficiency of the movement of traffic by canal.  The bank stabilisation works were required to ensure the canal remained navigable and the towpath remained accessible following extensive bank erosion.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	Yes
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	The Trust was required to consult the Local Planning Authority prior to carrying out the development as the works did not fall within the exemptions specified in Paragraph B.3.  The Local Planning Authority responded to the Trust within 21 days of receiving the consultation and confirmed that the proposed works constituted Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes



Photos of the canal bank before and after the bank stabilisation works



<b>Project Description</b>	The upgrade of an existing Grade II listed lift bridge on the Oxford Canal to a hydraulic lift bridge to facilitate remote operation, including the construction of a ram pit, installation of hydraulic equipment and reinforcement and refurbishment of the existing bridge deck and counter balance beams.
<b>Location</b>	North Oxfordshire
<b>Waterway</b>	Oxford Canal
<b>Local Planning Authority</b>	Cherwell District Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b>  <b>(a) for the purposes of shipping,</b>  <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking,</b>  <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The works to the bridge were required in connection with the movement of traffic by canal, including persons, vehicles and vessels. The remote operation of the lift bridge will enable canal users to operate the bridge more efficiently and reduce congestion on the Oxford Canal caused by the manual opening and closing of the bridge.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development. Although no planning application was required, the Trust was required to submit a Listed Building Application as the bridge was Grade II listed.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes

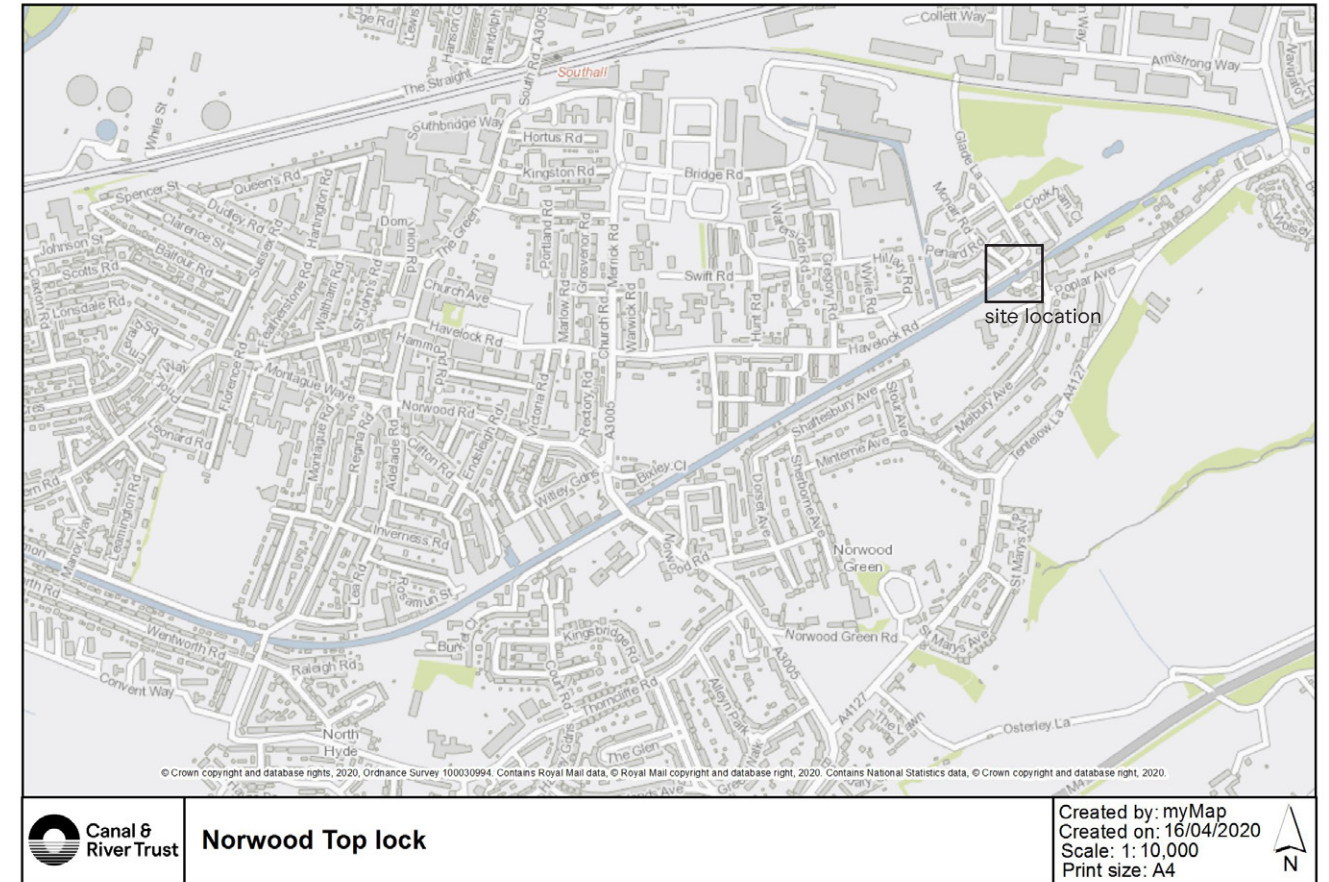


Photos of the Grade II listed bridge before the proposed upgrade



# Norwood Top Lock, Southall Staff and volunteer welfare facilities

<b>Project Description</b>	The erection of a toilet block for use by volunteer lock keepers.
<b>Location</b>	Norwood Top Lock, Southall
<b>Waterway</b>	Grand Union Canal
<b>Local Planning Authority</b>	London Borough of Ealing Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b>  <b>(a) for the purposes of shipping,</b>  <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking,</b>  <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  Volunteer lock keepers play a vital role in ensuring the safe and efficient movement of traffic by canal. In order to support the volunteer lock keepers in their role, the Trust considered it necessary to provide appropriate welfare facilities.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes



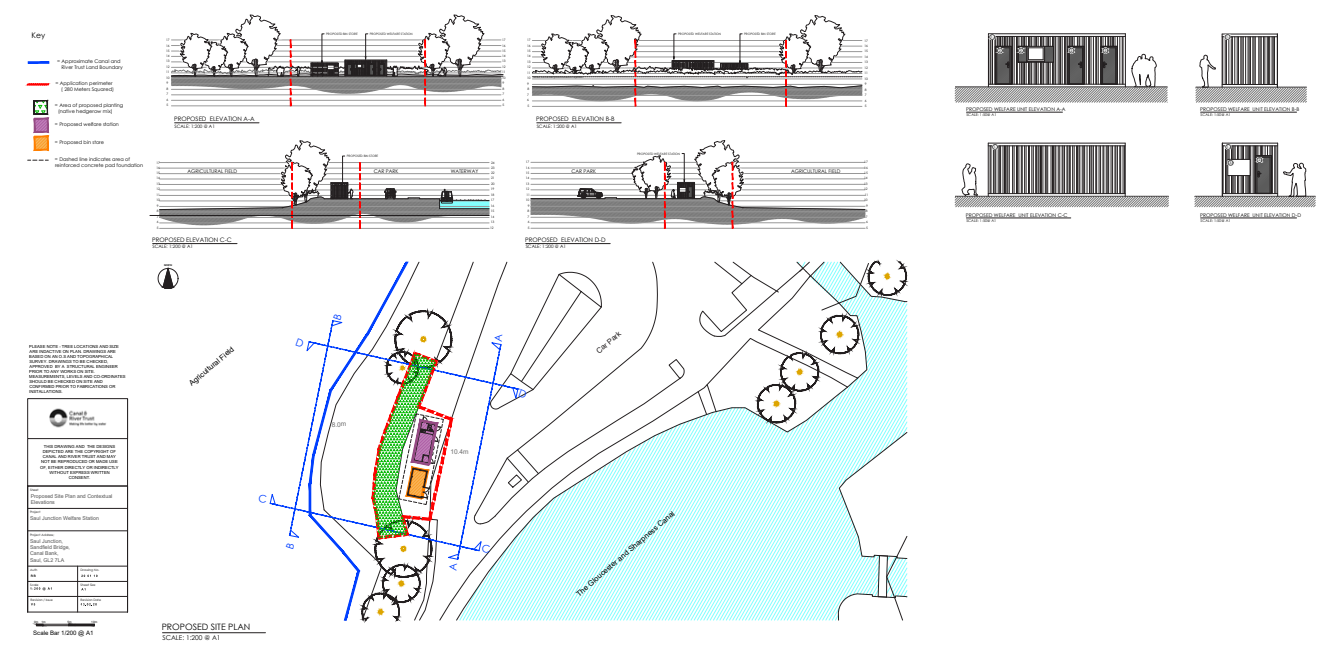
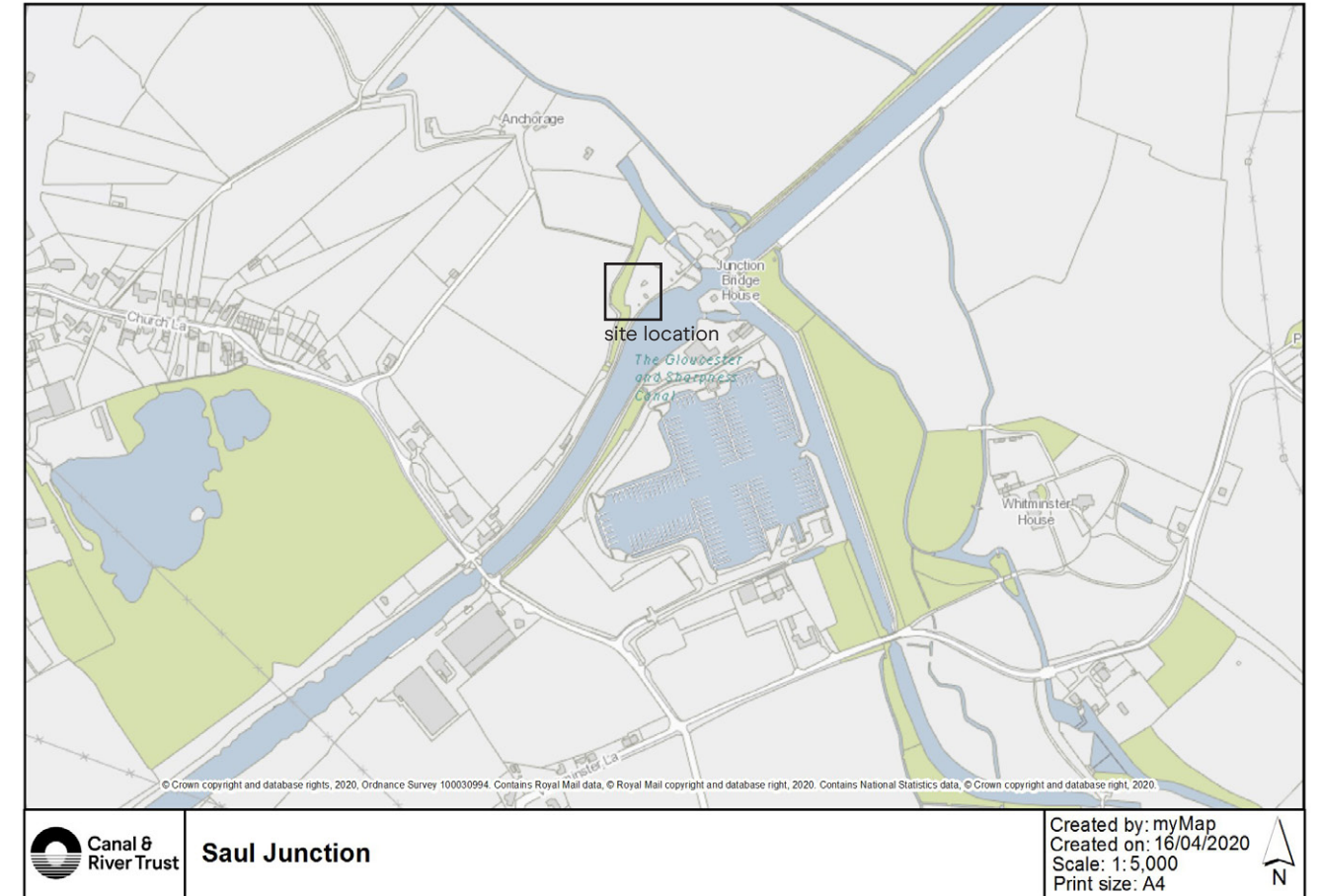
Photos of Norwood Top Lock, showing the proposed location of the toilet block adjacent to the lock house



# Saul Junction, Gloucester

## Staff and volunteer welfare facilities

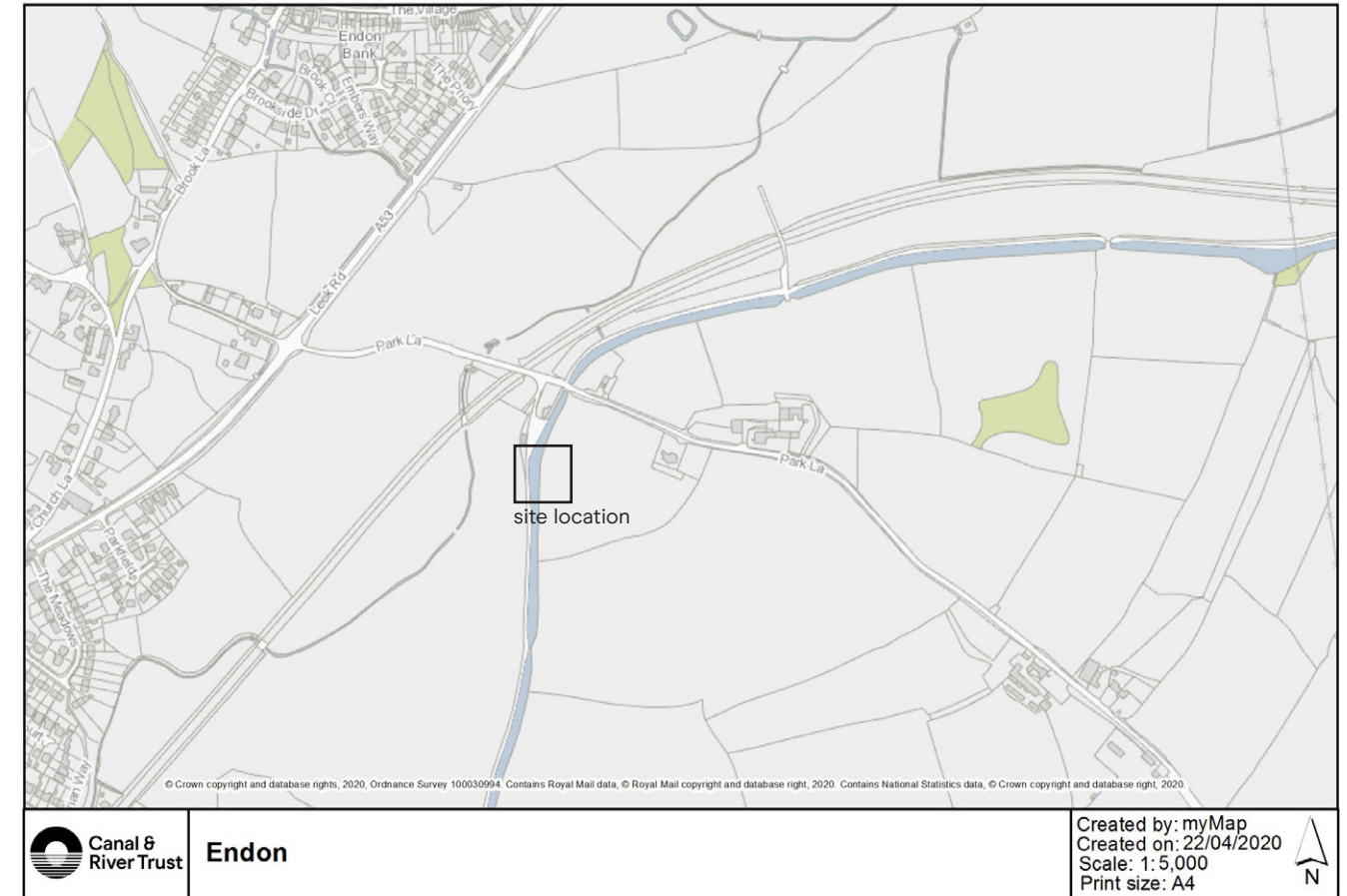
<b>Project Description</b>	The erection of a welfare facility for use by staff and volunteers.
<b>Location</b>	Saul Junction, Gloucester
<b>Waterway</b>	The Gloucester and Sharpness Canal
<b>Local Planning Authority</b>	Stroud District Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b> <b>(a) for the purposes of shipping,</b> <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking, or</b> <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The development was required in connection with the movement of traffic (including persons, vehicles and vessels) by canal as without a dedicated facility in this location, it would not be possible for staff and volunteers to efficiently manage the waterway, the maintenance of which is paramount to ensuring the safe movement and navigation of canal traffic.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes



Plans showing the proposed works at Saul Junction



<b>Project Description</b>	The erection of a sanitary station for customers including a toilet and Elsan for waste disposal.
<b>Location</b>	Park Lane, Endon
<b>Waterway</b>	Caldon Canal
<b>Local Planning Authority</b>	Staffordshire Moorlands District Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b>  <b>(a) for the purposes of shipping,</b>  <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking, or</b>  <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The sanitary station facilitated the movement of traffic by canal by providing a facility for passing traffic.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes

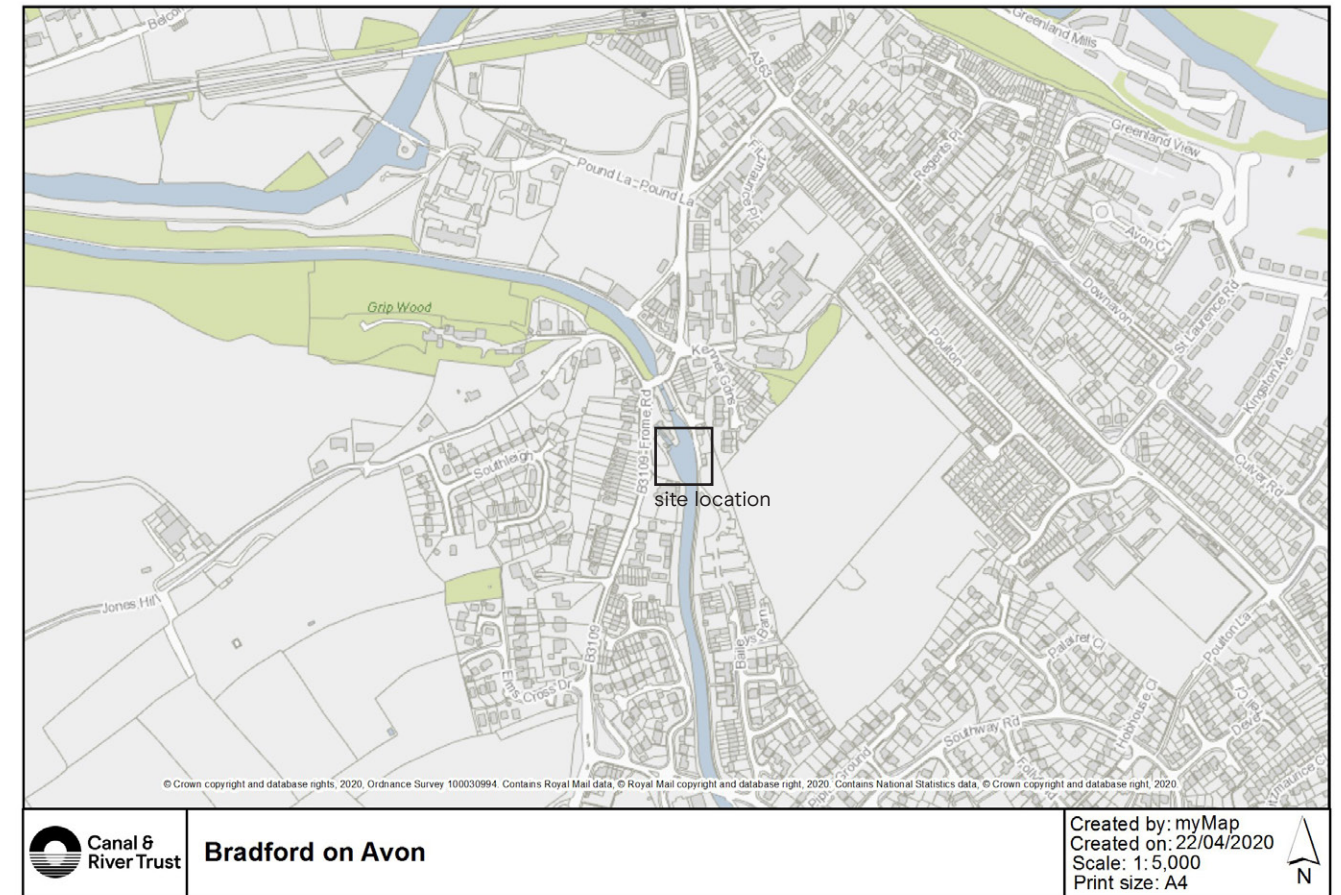


Photos of the sanitary station at Park Lane, Endon.

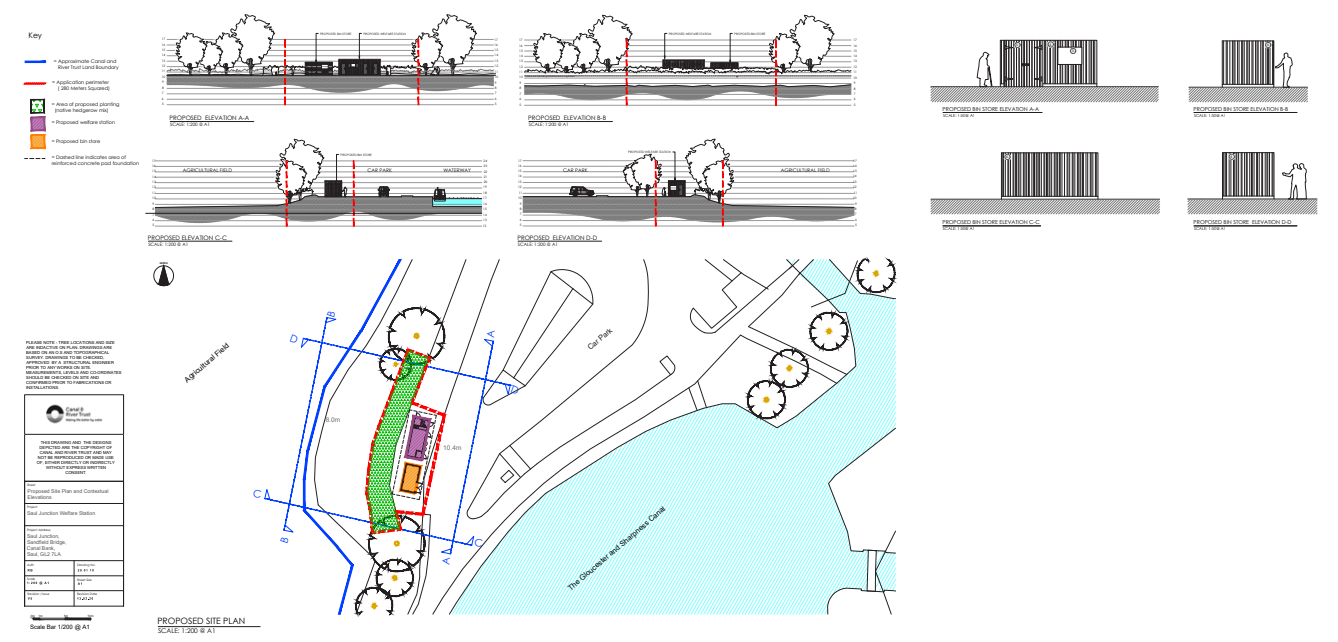
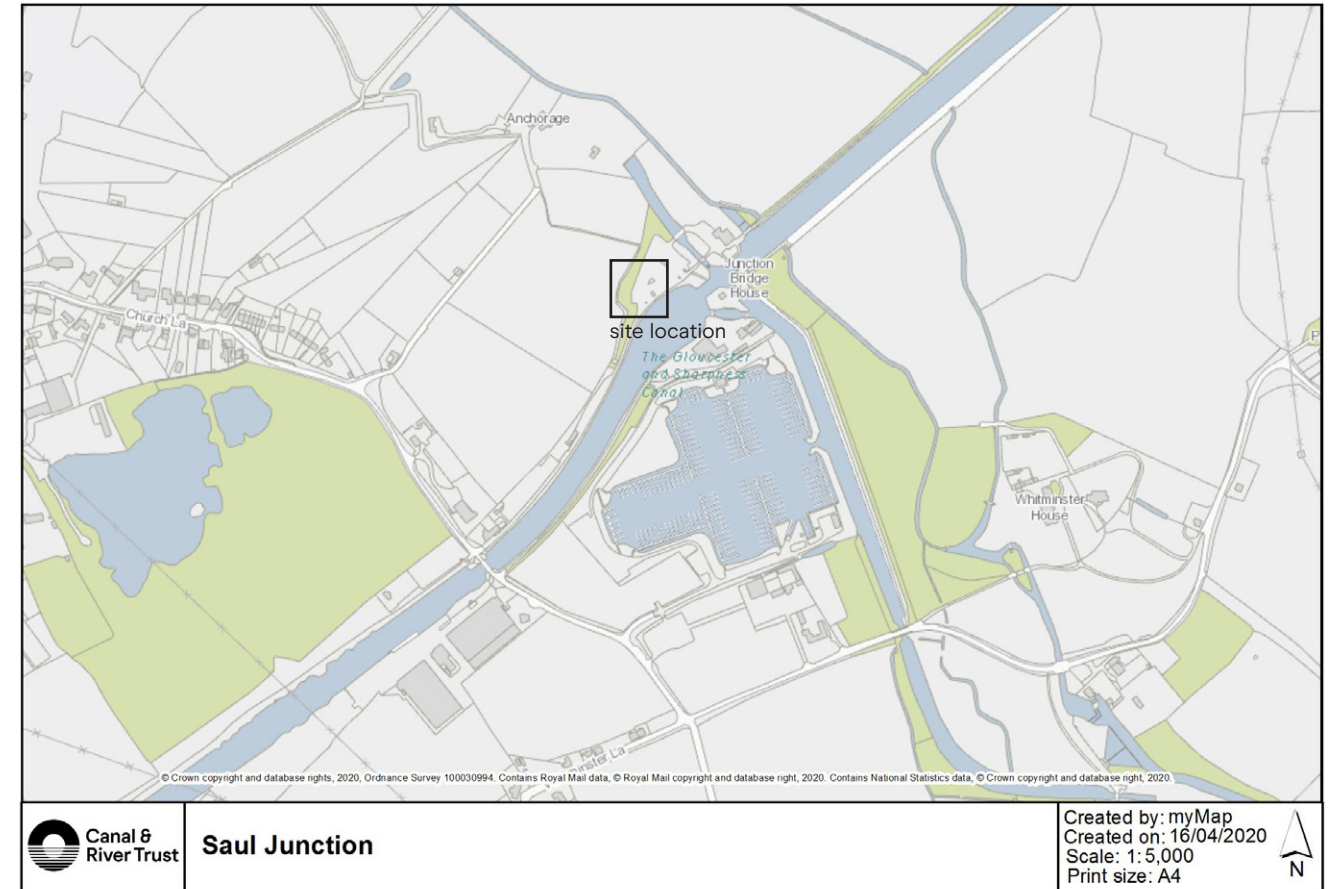


# Bradford on Avon Lock, Bradford on Avon Customer facilities

<b>Project Description</b>	The installation of a water point for use by customers.
<b>Location</b>	Bradford on Avon Lock
<b>Waterway</b>	Kennet and Avon Canal
<b>Local Planning Authority</b>	Wiltshire Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b>  <b>(a) for the purposes of shipping,</b>  <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking,</b>  <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The water point facilitated the movement of traffic by canal by providing a facility for passing traffic.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes



<b>Project Description</b>	The erection of a waste storage enclosure containing bins for use by customers.
<b>Location</b>	Saul Junction, Gloucester
<b>Waterway</b>	The Gloucester and Sharpness Canal
<b>Local Planning Authority</b>	Stroud District Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b> <b>(a) for the purposes of shipping,</b> <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking, or</b> <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The development was required in connection with the movement of traffic (including persons, vehicles and vessels) by canal. The waste storage enclosure was considered to be analogous to a service station on a highway, with both required to serve the needs of users and provide the necessary facilities to assist with the journeys of canal users.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes

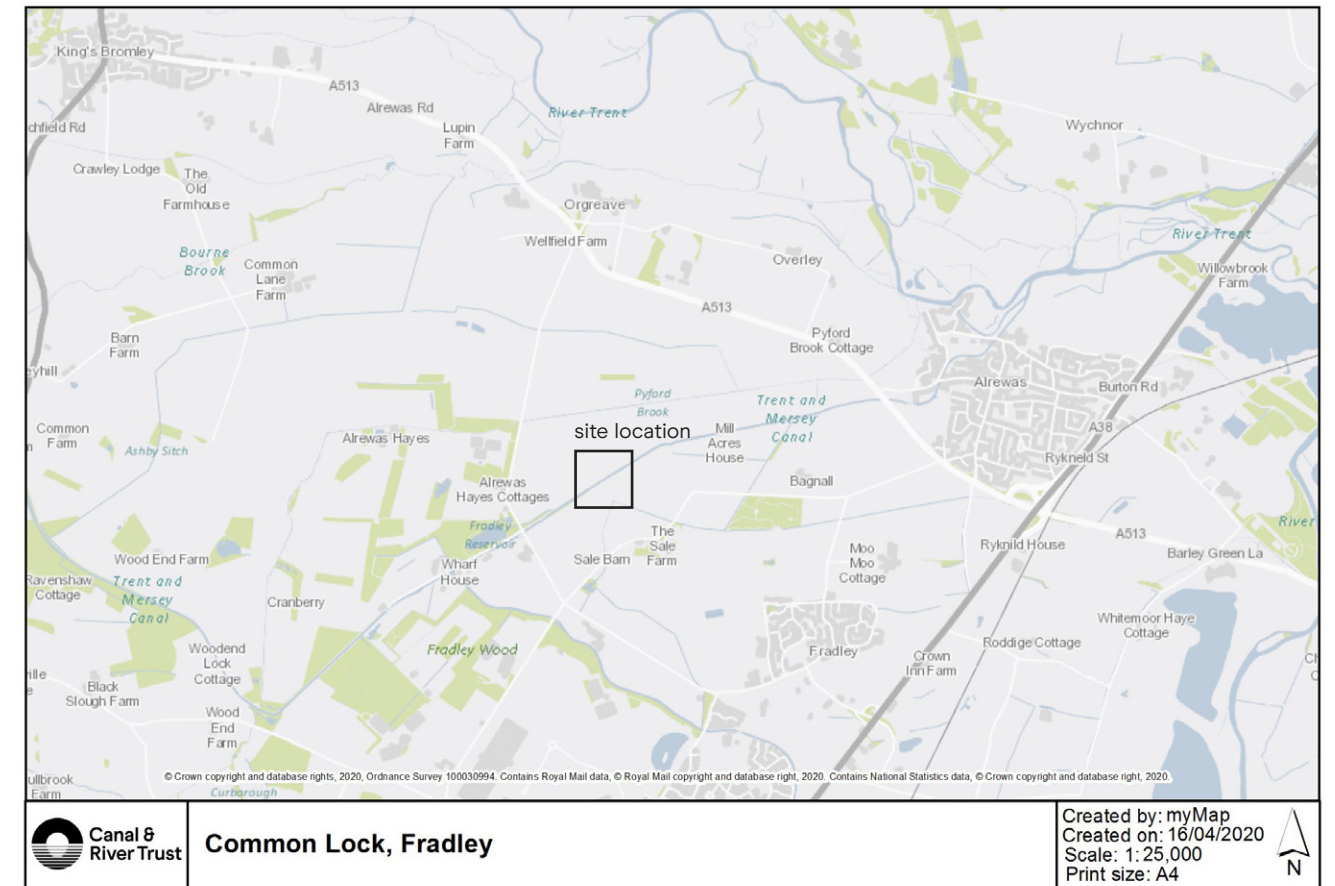


Plans showing the proposed works at Saul Junction



# Common Lock, Fradley Boat repair yards

<b>Project Description</b>	<b>Moorings used for the repair and fitting out of canal boats.</b>
<b>Location</b>	Common Lock, Fradley
<b>Waterway</b>	Trent and Mersey Canal
<b>Local Planning Authority</b>	Lichfield District Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. A lessee of the Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b> <b>(a) for the purposes of shipping,</b> <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking, or</b> <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The fitting out of canal boats was required in connection with the movement of traffic by canal.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes



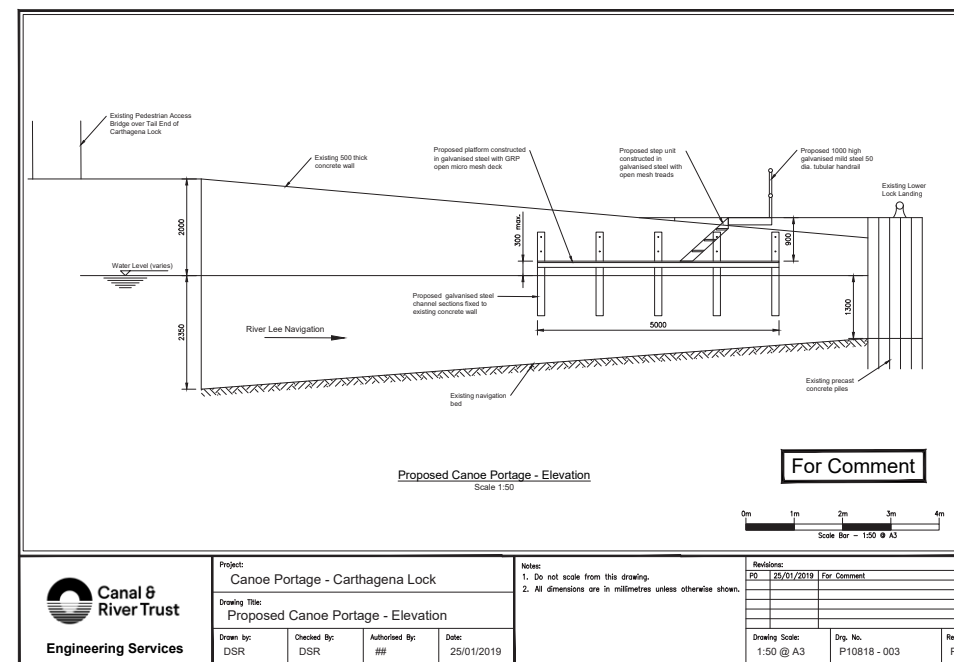
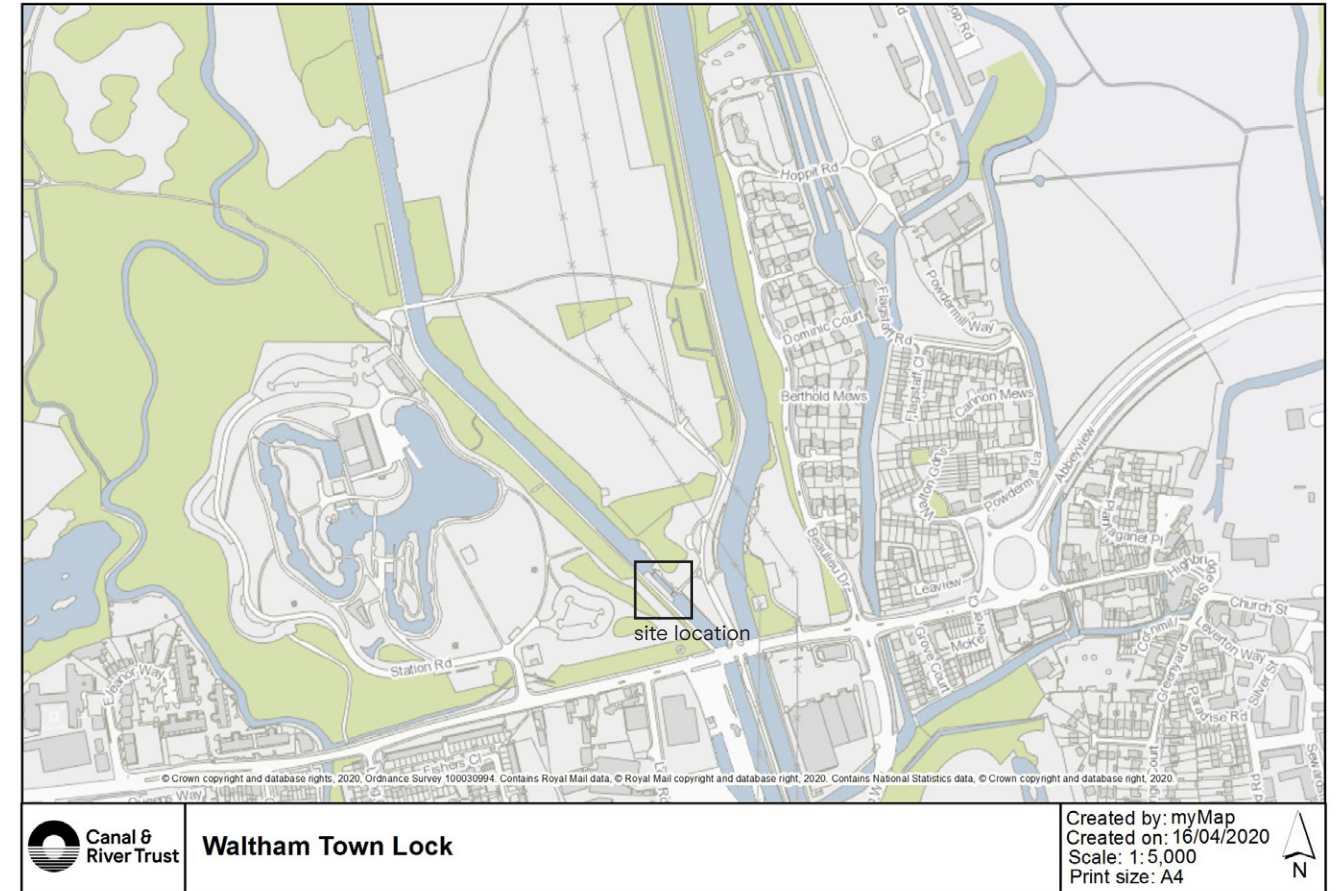
Photos of the moorings used for boat repair and fitting out.



# Waltham Town Lock, Waltham Abbey

## Canoe facilities

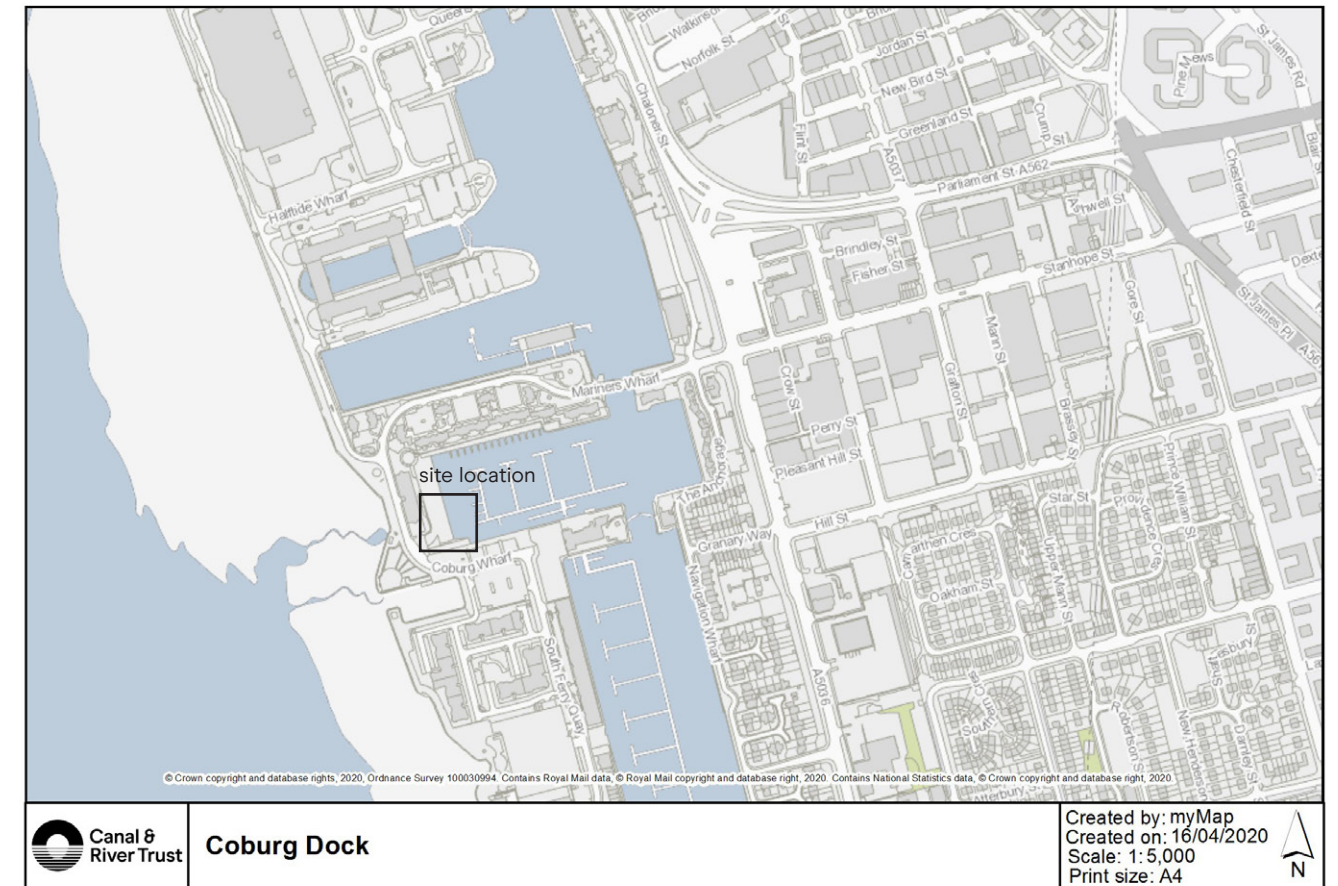
<b>Project Description</b>	Installation of canoe portage consisting of a fixed platform secured to the canal wall, constructed from galvanised steel and glass reinforced plastic decking used for the purpose of lifting canoes in and out of the water.
<b>Location</b>	Waltham Town Lock, Waltham Abbey, Essex
<b>Waterway</b>	River Lee Navigation
<b>Local Planning Authority</b>	Epping Forest District Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b> <b>(a) for the purposes of shipping,</b> <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking,</b> <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The canoe portage was required in connection with the movement of traffic by canal.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes



Plan showing the proposed canoe portage at Waltham Town Lock



<b>Project Description</b>	Erection of canoe store for the storage of canoes.
<b>Location</b>	Coburg Dock, Liverpool
<b>Waterway</b>	Coburg Dock
<b>Local Planning Authority</b>	Liverpool City Council
<b>Was the development located on operational land?</b>	Yes
<b>Was the development undertaken by or on behalf of a statutory undertaker such as the Canal &amp; River Trust, a lessee or an agent of development?</b>	Yes. The Canal & River Trust.
<b>Did the development involve development on operational land or the erection or alteration of an operational building required -</b>  <b>(a) for the purposes of shipping,</b>  <b>(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking,</b>  <b>(c) in connection with the provision of services and facilities</b>	Yes (b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.  The canoe store was required in connection with the movement of traffic by canal which includes canoes in the waterspace.
<b>Were there any limitations or restrictions on the use of Permitted Development Rights under Schedule 2, Part 8, Class B of the GPDO 2015 e.g. Planning Conditions or Article 4 Directions?</b>	No
<b>Was there a requirement to consult the Local Planning Authority?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021.
<b>Did the Trust consult the Local Planning Authority about the proposed development?</b>	There was no requirement to consult the Local Planning Authority as the development occurred prior to 21 April 2021 but in the interests of collaborative working, the Trust consulted the Local Planning Authority on the proposal and the Local Planning Authority agreed that the proposed scheme met the necessary criteria to be considered Permitted Development.
<b>Was the development subject to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017?</b>	No
<b>Was the development considered Permitted Development?</b>	Yes



Photos of the completed canoe store at Coburg Dock

## Appendix B: Additional Legislation

Schedule 2, Part 8, Classes C and D may apply to certain works undertaken by the Trust and have been included here for reference.

### *Class C – works to inland waterways*

#### **Permitted development**

*C. The improvement, maintenance or repair of an inland waterway (other than a commercial waterway or cruising waterway) to which section 104 of the Transport Act 1968 (classification of waterways) applies, and the repair or maintenance of a culvert, weir, lock, aqueduct, sluice, reservoir, let-off valve or other work used in connection with the control and operation of such a waterway.*

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Source: <http://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/8/crossheading/class-c-works-to-inland-waterways/made>

### *Class D – dredging by transport undertakings*

#### **Permitted development**

*D. The use of any land by statutory undertakers in respect of dock, pier, harbour, water transport, canal or inland navigation undertakings for the spreading of any dredged material.*

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Source: <http://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/8/crossheading/class-d-dredging-by-transport-undertakings/made>

## Appendix C: Mooring Definitions

There are many different types of mooring on the canal and river network. This guide aims to clarify the main differences between these moorings.

**Long-term:** Long term moorings (sometimes called permanent moorings or 'home moorings') are where boats can stay for the duration of any mooring permit granted by the Trust. These may be leisure, residential, or trade moorings.

**Residential:** Residential moorings are long term moorings which provide a primary or sole place of residence. Any permanent residential mooring, specifically where a mooring is the occupant's primary residence, will require planning permission. It should be noted that in planning terms, a residential mooring is considered to be sui generis use rather than a 'dwelling house' under Class C3 of Town and Country Planning (Use Classes) Order 1987 (as amended).

**Leisure:** Leisure moorings are a type of long-term mooring used for leisure use where occupiers can stay on their boat for a short period of time, but it's not their primary or sole place of residence. The use of the waterspace for leisure moorings is incidental to the primary use of the waterway and as such, does not involve a change of use of the waterspace.

**Trade:** Trade moorings are allocated to specially licenced operators of commercial boats. They may be used for short periods of time or be long term moorings. Their purpose is to provide a service to waterway visitors, adding life and value to the local waterway environment.

**Short-stay:** Short-stay moorings, also known as visitor moorings, along the towpath are available to all boaters for a period of 14 days (for example 24 hour or 48 hours). The use of the waterspace for short-stay or visitor moorings is incidental to the primary use of the waterway and as such, does not involve a change of use of the waterspace.

**General towpath moorings:** Any other side mooring on the towpath side that is not a signed as a permanent mooring or a short stay mooring that is available to all boaters for a period of time of up to 14 days. The use of the waterspace for such moorings is incidental to the primary use of the waterway and as such, does not involve a change of use of the waterspace.



## Canal & River Trust

National Waterways Museum Ellesmere Port  
South Pier Road  
Ellesmere Port  
Cheshire  
CH65 4FW



0303 040 4040



[planning@canalrivertrust.org.uk](mailto:planning@canalrivertrust.org.uk)



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