

## GUIDANCE FOR DEVELOPMENT OF NEW RESIDENTIAL MOORING SITES (ENGLAND & WALES)

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### RELATED DOCUMENTS

1. British Waterways [Moorings Policies](#)
2. [British Waterways and RBOA research into customer demand and preferences](#) – Thor Research 2009
3. Association of Inland Navigation Authorities, [Advisory Document on the Residential Use of Waterways](#)

#### **British Waterways** [www.britishwaterways.co.uk](http://www.britishwaterways.co.uk)

British Waterways (BW) is a public corporation, responsible for 3,540 km of navigable inland waterways (63% of the total) and is sponsored by Defra in England & Wales and by the Scottish Government in Scotland. It is funded by revenue from its own activities (trading income from boating and associated commercial activities, together with revenue from a portfolio of endowment property) but also receives government grant in aid

BW's operational estate includes canals, navigable rivers, docks, mooring basins and reservoirs. The organisation has statutory duties to maintain the safety and structural integrity of its (largely man-made) waterway network, water supply, discharges and drainage, waterway management and maintenance operations, including maintaining water levels for navigation purposes.

BW also has statutory duties under the British Waterways Act 1995 to protect and safeguard the

natural environment, landscape character and built heritage of waterways and to encourage public access to and recreation use of the inland waterways.

BW directly<sup>1</sup> manages 4600 mooring berths at 400 sites across its network of which some 40 have residential status. Most long term mooring sites are provided by private operators.

#### **Residential Boat Owners Association**

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

BW is indebted to RBOA for its assistance in developing this guidance and the draft residential moorings policy. RBOA is a membership organisation providing information and support to residential boaters throughout the UK.

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<sup>1</sup> i.e. excluding those of the BW subsidiary, BWML

## 1. INTRODUCTION AND PURPOSE OF THIS DOCUMENT

BW has developed its Residential Mooring Policy in response to the significant demand for residential moorings and the complexities of living afloat. In addition, the Association of Inland Navigation Authorities<sup>2</sup> (AINA) published an advisory document on the residential use of waterways in 2010 (revised Feb 2011)

<http://www.aina.org.uk/docs/AINA%20Residential%20Use%20of%20Waterways%20Advisory%20Doc%20Feb%202011.pdf>. This was part funded by Defra to provide advice regarding residential boating on inland waterways and to act as a tool to help inform local planning authorities, navigation authorities, mooring providers and residential boaters on relevant matters relating to residential use on water. The AINA document contains background information on the different types of residential use on water, the regulatory framework, and Government policy as well as position statements on residential use on water from the different key navigation authorities' perspectives. It is intended to guide local planning authorities in formulating policy and in decision making and seeks to inform residential boaters and providers of moorings on the regulatory framework, consents required and the policy issues.

Readers will benefit from being familiar with these documents before using this guidance document: it complements the above publications by setting out the practical issues that need to be considered when planning the establishment of residential moorings. The guidance is aimed at:

- mooring operators who wish to set up a site on a BW waterway;
- local planning authorities when they consider planning applications for residential mooring sites; and when they prepare local development frameworks, including potential site allocations;
- residential boaters and other parties who may have an interest in residential moorings on BW waterways.

It includes useful information on:

- matters that local planning authorities may consider in determining a planning application for a new residential mooring site;
- facilities required on site to support residential mooring use of land;
- case studies of existing residential mooring sites
- research into customer preferences;
- BW's policy and useful references.

The guidance applies to waterways in England and Wales owned and managed by BW, although much of the content may also be relevant to Scotland.

Readers may also wish to refer to the Yacht Harbour Association's code of practice for construction and operation of marinas and yacht harbours:

<http://www.yachtharbourassociation.com/CodePractice.asp>

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<sup>2</sup> AINA was formed in 1996 with strong encouragement from Government (as referred to within DETR publication "Waterways for Tomorrow" (June 2000), a national policy document on waterways) and is the industry body in the UK that represents those organisations which operate and manage navigable inland waterways. AINA's key strategic objectives are to develop, share and promote good practice for waterway management and operation as well as represent the collective views of navigation authorities to Government, regulators and other policy makers and opinion formers.

## 2. GENERAL CONSIDERATIONS FOR RESIDENTIAL MOORING SITES

Research<sup>3</sup> undertaken in 2009 into the demand for residential moorings and into the preferences of prospective customers showed that different levels of on-site facilities appeal to different customers for economic and lifestyle reasons. Our aim is for boaters to have a broad choice of sites throughout our network, from simple, minimal impact sites to fully serviced moorings.

Most boats used for residential purposes have the ability to access water and sewage disposal facilities by means of a short boat cruise. It should not be assumed that all facilities must be provided at the mooring site itself.

The decision about which facilities to provide will largely depend on:

- an assessment of the preferences of prospective customers;
- the availability of suitable facilities within a reasonable distance of the site (either by cruising or by path or road), whether these are provided by BW or by arrangement with another operator e.g. marina or boatyard);
- the site's location, setting and viability.

Through its licence and mooring contract terms and conditions,<sup>4</sup> or its lease with other mooring operators, BW has the ability to control activity at, and appearance of residential mooring sites. It has limited ability to regulate the appearance of individual boats at a site.

## 4 SITE-SPECIFIC CONSIDERATIONS FOR DEVELOPING NEW RESIDENTIAL MOORING SITES

When bringing forward a proposal or determining a planning application for a new residential mooring site the following site specific matters may need to be considered. For each of these we provide a commentary including some or all of the following as relevant:

- Reference to BW's standards, policies, procedures and current operational practice
- Reference to other statutory regulations and advice
- Information about preferences among current and prospective residential boaters
- Information about existing BW residential mooring sites

### 1. Location

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 in 2005. There are significant differences between moored boats used for residential purposes and built dwelling houses. Moored boats constitute an inherent part of the waterway scene and are far less intrusive than built housing development.

There are examples<sup>5</sup> of BW owned and managed residential mooring sites which are located in open countryside or rural settings, and Green Belts. These examples illustrate that residential moorings do not necessarily adversely affect the openness of a Green Belt or the open countryside. BW acknowledges that it is important to assess each potential new residential mooring site on a case by case basis and to apply relevant "sequential" planning policies where appropriate.

In areas of highest demand and boating concentration, BW has identified that **local mooring strategies** would be an appropriate planning management tool to identify areas where there is scope for expansion (or need for reduction) in boat numbers and for different types of mooring provision which would include residential mooring sites. In these areas, BW would welcome the opportunity to prepare these local mooring strategies in conjunction with LPA to ensure that the most sustainable locations are identified.

<sup>3</sup> BW and RBOA Residential Moorings Demand and Preferences Survey January 2009, Thor Research

<sup>4</sup> See [www.britishwaterways.co.uk/licensing](http://www.britishwaterways.co.uk/licensing) (licences) [www.waterscape.com/downloads](http://www.waterscape.com/downloads) (long term moorings)

<sup>5</sup> See case studies

## 2. Access

### Road access to the site

Some locations may have road access directly to the site, whilst others may be accessed by a path from the nearest road. Road access along the full length of a linear mooring site is uncommon and often impractical to achieve. The [research report](#) shows how respondents rated the importance of road access to the site and to their allocated mooring berth; their normal mode of transport is shown below.

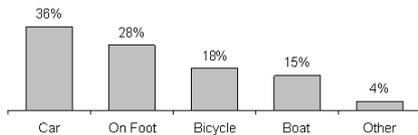
### Parking and traffic impact

Where parking provision is considered necessary, it may be possible to make use of existing canal-side public car parks or other sites. Any new parking should ideally be located within a reasonable distance of the moorings and consideration given to security. It should be sensitively located and unobtrusive where possible. The [research report](#) ([http://www.britishwaterways.co.uk/media/documents/Residential\\_Moorings\\_Survey\\_Report\\_2009.pdf](http://www.britishwaterways.co.uk/media/documents/Residential_Moorings_Survey_Report_2009.pdf)) shows how important prospective and current residential boaters rate parking on site or the acceptable distance to it.

Parking provision is not generally a feature of BW's designated residential mooring sites, particularly in urban areas. Many residential boats can cruise to convenient locations such as canal-side shops and supermarkets or boaters often make use of the good traffic-free and sustainable cycle routes along the towpath which connect to road bridges, amenities and settlements. In research<sup>6</sup> of current and prospective residential boaters, the responses to the form of transport normally used are below.

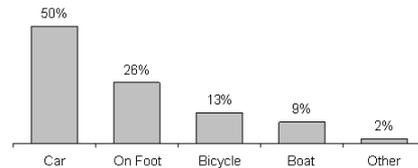
#### Total sample, over a third of whom selected

**more than one form of transport** (645 respondents)



#### Those who mentioned just one form of

**transport** (406 respondents)



Cycle Parking - provision may be considered although boaters may prefer to keep their cycle on or beside their boat, particularly on long sites for reasons of security and convenience.

Initial discussions with the local highway authority should provide an early indication of any road access issues such as the impact (if any) of the residential boaters' cars on local roads.

### Access to public transport

The [research report](#) shows the preferred travel times of current and prospective residential boaters to public transport.

A significant number of BW's residential mooring sites are within 1km of public transport and 2km of amenities. The most remote sites are within 3km of local shops and facilities.

### Emergency access

Whilst it is desirable to provide some form of access for emergency vehicles, it may not always be practical to provide vehicular access directly to a site, or along its full length. The nearest access point should be identified and assessed for its suitability.

A significant number of BW residential moorings have emergency access at least to part of the site; others

<sup>6</sup> Residential Moorings [Demand and Preferences Survey](#) January 2009, Thor Research

only have access as far as the nearest road.

BW has a 24 hour contact service where local knowledgeable staff are on-call to deal or assist with a range of issues, problems and emergencies. As a navigation authority with public safety responsibilities, BW regularly liaises with the emergency services.

The research report shows how respondents rated the importance of emergency access to the site.

The frequency of emergency calls from boaters is extremely low and we have no evidence of serious difficulty in fire or ambulance services attending call outs to moored boats.

### **Pathways and access to boats**

It is desirable for any access path to be reasonably level, free of tripping hazards and of sufficient width for foot traffic. The surface should preferably be in keeping with the local environment.

The research report shows how respondents rated the importance of the path surface and access to the full length of the boat.

For its own sites, BW has minimum safety standards in relation to moorings – Customer Services Standards 2008-2009 safety standard 2c6 states that landings and moorings should have even surfaces and defined edges.

### **Access for All**

In new mooring developments, or where improvements are proposed to existing moorings, the feasibility of providing reasonable access to facilities and boats for people with disabilities should be considered. However, living on a boat may be unsuitable for people with certain disabilities, or there may be locations or environments where it is simply impractical. Where it is feasible, the desirable standards to which BW works for its own sites are:

a) Access from arrival/depart point to individual mooring along the towpath or through mooring site

Path slope      No steeper than 1 in 10

Path width        No less than one metre

Barriers          No steps or barriers

Surface            Intact compact surface with only slight irregularities, neat edges, drains immediately.

b) Access to and from the boat itself

Bank condition    see '*Pathways and access to boats*' above

Freeboard <sup>7</sup>      No more than 0.5 metres of freeboard

### **Access to open space and community facilities**

Waterways and towpaths are defined as open space in PPG 17<sup>8</sup>, acting as green infrastructure and often providing a green link to other open spaces and amenities. In turn they promote healthy and active lifestyles.

Local authorities may have their own policies or requirements relating to access to open space and amenities for residents. The research report shows the acceptable distances given by respondents to local shops and services, and reference should also be made to their normal mode of transport.

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<sup>7</sup> Freeboard is the height between the water's surface and the top of the adjacent canal/river-bank.

<sup>8</sup> Insert link

### 3. Water resources for Navigational Purposes

The potential for residential mooring developments to contain boats that will cruise on the BW network (even if only on an infrequent basis) will mean that each development should be assessed for its impact on BW's water resource position. This will be undertaken by BW's Water Management team via a two stage approach, comprising an initial screening assessment, followed if necessary by a detailed water resource study. This approach is identical to that used for considering the water resources impact of new marina proposals<sup>9</sup>.

### 4. Residential Moorings & Flood risk

The Government published PPS 25 on Development and Flood Risk (December 2006) and the "Planning Policy Statement 25: Development and Flood Risk Practice Guide, Updated December 2009" (published on 07 December 2009) which provides guidance and good practice case studies on how to implement PPS25 in England. The National Assembly for Wales published a Technical Advice Note (TAN) 15 on Development and Flood Risk in June 2005. All this planning guidance has implications for navigation authorities and mooring providers in terms of promoting and securing planning permission for marina developments and residential uses on water.

PPS 25 introduces the concept of vulnerability to flooding of different land uses and classifies land uses according to flood risk sensitivity. Certain types of land uses are only permitted within certain flood zone categories. The water-compatible uses of land are permitted in all the different flood zone categories. All water compatible development needs to be designed and constructed to remain operational and safe for users in times of flood.

Although houseboats and residential moorings are not explicitly listed in PPS25, in the preparation of the [AINA advisory document](#), AINA consulted CLG on the compatibility of residential moorings in the flood plain. Following discussion with the EA, CLG have confirmed that residential moorings should be viewed as water compatible development in respect to Table D.2 in PPS25. This would allow residential moorings to be situated in any flood zone. It is important to adopt a sequential approach to flood risk in identifying appropriate locations for residential moorings. Although some of the residential mooring sites owned and managed by BW are located within flood zone 1, many of the other residential mooring sites are located in both flood zones 2 and 3.

The key consideration for any type of residential mooring would be for the developer to demonstrate through a flood risk assessment (where required) that both the occupants and the craft were safe in the event of a flood. A site specific flood risk assessment, to be undertaken by the applicant (where required), would need to demonstrate that the boat and occupants would be safe in the event of a flood and that a dry access and egress route would be possible from each boat to an area outside the floodplain, in a 1:100 year event.

### 5. Refuse and recycling

As local residents, residential boaters should receive or have access to refuse and recycling services from the local authority and arrangements on site should be considered.

Alternatively boaters can travel (not necessarily by boat) to dispose of their refuse and recycling at a designated location or local arrangements could be made to link into the local authority's collection arrangements nearby, particularly where bin storage and/or access for collection vehicles may not be practical.

Where refuse disposal is provided on-site or nearby, it should be suitably located and ideally screened from public view. Access to the facility will probably need to be restricted to the boaters (to avoid potential misuse by others).

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<sup>9</sup> <http://www.britishwaterways.co.uk/marinadevelopment>

Refuse disposal points, which service passing boats, are located at intervals across the BW network. The nearest refuse disposal point to the proposed mooring site should be identified to establish whether it could also service the mooring site. If operated by a marina / other mooring operator then a service agreement and charge may be appropriate.

A composting facility may be considered at the site, subject to demand from site occupants. Any composting unit must be enclosed to fully contain the compost and liquid produced, so that there is no contact between the contents and the ground, which could pose a pollution risk to the water-course. BW must approve the type of container and clear advice must be given to the residents about acceptable items for compost and how best to manage and use the facility.

A significant number of BW's residential sites have refuse disposal on site, otherwise it's typically five minutes away.

The research report shows respondents' preferences for refuse disposal and recycling on site or the acceptable distance away, and how they rated the importance of composting.

## 6. Utilities infrastructure

**Sewage:** The disposal of waste water from toilets into water courses is prohibited under BW's boat licence conditions. Waste from toilets must be stored in tanks or containers onboard and periodically emptied at a sewage disposal point.

Holding tank options, dependent on the boat design, include:

- Elsan: a portable container that needs manual emptying at a disposal point.
- Pump-out: sewage is pumped-out of the boat's holding tank via a hose into a disposal unit; (some moorings offer a direct connection at the berth which can be disconnected to allow cruising).

Sewage disposal points (Elsan and pump-out) are located at intervals across the BW network that service passing boats. The nearest sewage disposal point to the proposed mooring site should be identified to establish whether it could also service the mooring site. If operated by a marina / other mooring operator then a service agreement and charge may be appropriate.

If either or both are provided on-site they should be suitably located and ideally screened from public view. An alternative option may be to provide the facility on a purpose-fitted boat, i.e. a floating service vessel that may also accommodate some other facilities.

Provision must be in accordance with current legislation, regulations and British standards.

A significant number of BW's residential sites have Elsan on site or these facilities are located within five minutes cruising distance. A significant number of BW's residential sites have pump-out on site or these facilities are located within two hours cruising distance. In some instances, both facilities are found on the same site..

The research report shows respondents' preferences for sewage disposal on site or the acceptable distance away.

**Grey Water:** Discharge from boats of grey water from sinks, washing machines and showers directly into the water course is permitted. Boaters are encouraged to minimise the amount of chemicals, food waste and other matter flushed down the sink waste and to use phosphate-free detergents.

Residential boats are generally equipped with washing facilities and some have on-board washing machines. The research report shows how respondents' rated the importance of separate showers and laundry on site (usually in a small facility building) or the acceptable distance away.

In particularly environmentally sensitive areas or where the concentration of numbers of residential boats is an issue then measures to manage grey water may be required. This may include, for example, all resident moorers signing up to an agreement to use only phosphate-free detergents. In exceptional circumstances, depending on the site, it may be necessary to restrict the discharge of grey water into the water-course and instead provide the means to discharge instead into a land-based

facility.

**Water:** Residential boats normally have holding tanks and can travel to take on potable water. Water points are located at intervals across BW's network which service passing boats. The nearest water point to the proposed mooring site should be identified to establish whether it could also service the mooring site. If operated by a marina / other mooring operator then a service agreement and charge may be appropriate. The facility will need to be accessed at evenings and weekends, not just in the daytime.

If water is provided on-site, the supply could be via shared service bollards (whereby boats temporarily move to the water point to fill up) or a direct supply to each berth provided through a service bollard. All supplies should meet the relevant water supply regulations.

A significant number of BW's residential sites have water on site, or water points are available within 10 minutes cruising time.

The research report shows how respondents' rated the importance of a water supply on site or within the acceptable cruising distance.

**Electricity:** Residential boats usually require some means of power to provide a level of comfort for the occupant's daily activities. Consideration should be given to providing connection to mains electricity through a service bollard to each berth, ideally with separate meterage. Provision must be in accordance with current legislation, regulations and British standards.

Solar or wind power devices are to be encouraged at residential mooring sites. This is particularly important to minimise dependence on running boat engines or generators at sites where mains electricity supply may not be feasible. Refer to 'Amenity' below for information about noise emissions from engines / generators and visual impact of alternative sources of power.

A significant number of BW's residential mooring sites have electricity on site.

The research report shows how respondents' rated the importance of an electricity supply to their berth.

## 7 Amenity

### Visual Impact

Moored boats are an inherent feature of the waterway. Any mooring scheme (residential, leisure or visitor) should bring life and colour to an area and positively contribute to the character and setting of the waterway. The value of residential boaters (with their frequent and regular presence on site) in adding a greater sense of security to the area is generally appreciated by local communities.

Where a residential mooring site is directly managed by BW, the appearance and environmental quality the site can be controlled through the boat licence, the terms and conditions of the mooring permit and, where necessary, supplementary rules specific to a particular mooring site. The LPA might feel in appropriate to specify particular site rules as a condition of planning permission or as a planning obligation.

Emerging alternative energy sources such as wind and solar power are to be encouraged and should be appropriately sited or screened so that they do not have an intrusive visual impact.

### Landscaping

The character of the waterway corridor and the relationship of the proposed mooring site with its wider environment must be considered. Only species of British seed source (native provenance) should be used in landscaping to match those occurring naturally in the area and should be agreed by BW's ecologists. The proposals should take account of existing valuable habitats and other issues identified in British Waterways' environmental appraisal. The exception to this is gardens (see below)

Any invasive plant species such as giant hogweed, Himalayan balsam or Japanese knotweed must be

removed prior to development and requires specialist knowledge and disposal.

Views to and from the waterway may need to be mitigated through landscape and screening work, which may also provide security to boat owners and privacy to both boaters and any neighbouring houses.

It is also advisable to determine which items may be kept by the moorers at a mooring site, by taking into consideration the site's setting and whether it is in public view. Guidance on this is provided below.

**Gardens.** There is a general presumption against garden areas for individual boats. Communal gardens with landscaping appropriate to the local character, subject to available space, are acceptable.

If boaters' gardens are considered acceptable at the site, planting should be modest, tidy and well-maintained. They should be in keeping with the character and appearance of the area (it may be helpful to make reference to neighbouring residential developments).

The research report shows how respondents' rated the importance of individual and communal gardens.

**Sheds/storage.** The provision of storage on adjacent land may be desirable for bulky items such as bags of fuel, thereby reducing the need for storing items on boat roofs. However, there is a general presumption against sheds except in exceptional cases where they can be well screened, or are out of public view.

Some of the residential mooring sites owned and managed by BW have on site storage facilities. The research report shows how respondents' rated the importance of storage on site.

**Noise.** Although engines or generators could cause some level of emission and noise disturbance, it may be possible to mitigate by (for example) regulating the type and size of generator, emission testing of generator or engine, and/or further restriction on hours of engine operation. The level of disturbance and hence necessary controls will depend on the specific location, and environment, proximity of neighbouring residents etc. British Waterways licence conditions preclude the running of generators between 8pm and 8am and indeed "anything which will cause damage or nuisance to any other person or their property". Noise and emission control will also be subject to environmental health regulations.

It should be remembered that some use of boat engines is a typical feature in the navigation environment, although more commonly it is only for relatively short periods if the boat is stationary.

Consideration should also be given to potential use of emerging alternative sources such as wind and solar power. These may have a visual impact and should be appropriately sited or screened if necessary (see above).

When considering possible new residential mooring sites adjacent to existing noise sources, reference should be made to guidance contained within PPG 24: Planning and Noise. The location will need to be acceptable for residential occupancy in relation to the proximity of noise sources. It may be necessary to stipulate that boats have suitable protection/insulation from noise sources.

**Lighting.** Light spillage over the canal should be minimised and ecologically sensitive lighting should be used wherever possible. Lighting should be considered in the context of the site's setting. It may be desirable in some locations, but is not essential and may be undesirable or inappropriate in others. There are different options such as lighting just the entrance, or the service bollards to each boat, or alternatively improving surrounding street lighting, for example. Where necessary, it may be possible to limit the impact of lighting such as using motion sensors, turning it off for late overnight periods, and requiring occupants to screen windows at night to minimise diffusion of artificial light from the boat. The assessment will consider the impact on bats, in particular areas used for roosting, foraging and commuting, and the necessity of sympathetic lighting design.

The research report shows how respondents' rated the importance of lighting.

**Neighbours / overlooking / privacy.** This will depend on the setting of each site. Waterways are

public places and boats are normally clearly visible to the public. The research report shows how respondents' rated the importance of privacy.

## 8. Nature Conservation

Both boating and wildlife are much valued and intrinsic features of the waterway network; British Waterways' policies<sup>10</sup> and waterway management seek to balance the interests of nature conservation and boating.

All proposals will be subject to an Environmental Code of Practice appraisal by BW, which will consider any potential environmental impact, the presence of statutory protected sites or species and impacts on water quality that would affect habitats, etc. The appraisal will determine that a site is either environmentally acceptable; acceptable subject to certain mandatory restrictions or mitigation to address environmental sensitivities; or unacceptable.

Sensitive environmental sites are identified through local authority planning designations. In addition to consulting BW and the Local Planning Authority, Natural England or Countryside Commission for Wales (CCW) must also be consulted from the outset if a new residential mooring site or changing the use of an existing leisure mooring site to residential are proposed in or within close proximity to a SSSI (Site of Special Scientific Interest). For moorings within SSSIs BW has a legal obligation to notify Natural England or CCW before giving permission for any change. Other public bodies must give notice to Natural England before carrying out or authorising any works that may damage the SSSI.

Where proposals will impact upon protected species present, consultation will be required with Natural England or CCW as appropriate. For European Protected Sites the competent authority (the Local Planning Authority) will be required to assess the likely significant impact of the proposal and will only be able to permit it in the absence of any unacceptable adverse affects upon the integrity of the site.

It may be possible to minimise the potential impact through the site design and to control it through planning consent conditions and site rules in the mooring contract.

The research report shows that "*the waterway environment (e.g. wildlife, boats, tranquillity)*" was the prime reason for respondents wanting to live afloat.

There are examples of residential mooring sites owned and managed by BW that are located within a SINC (Site of Importance for Nature Conservation); none are located within SSSI's.

## 9. Heritage

BW's network is rich in heritage and BW's approach to its protection and management is set out in its heritage policy. Boats and moorings are an intrinsic part of our waterway heritage and people have lived afloat in different ways since the canals were built.

The local authority planning designations and a heritage impact assessment by BW will consider the appropriateness, flag any issues or sensitivities and make recommendations about a proposed site.

Sites where sensitivities may incur include, for example, those immediately adjacent to the waterways' highest value Scheduled Monuments, Listed Buildings or within certain Conservation Areas or 'iconic views'. There may be other locations such as a World Heritage Site, Historic Battlefield, Registered Park or Garden, old canal walls or other archaeological site, which will need special consideration. Suitability will be determined by reference to the heritage impact assessment.

It should be expected that development of residential moorings in heritage sensitive places may require Scheduled Monument, Listed Building or other similar consents (all dependent on what kind of development is proposed and the precise location etc.)

For sites in less sensitive locations, much of the potential impact (if any) on waterways heritage can be

<sup>10</sup> British Waterways' Environmental policy ([http://www.britishwaterways.co.uk/media/documents/Environmental\\_Policy.pdf](http://www.britishwaterways.co.uk/media/documents/Environmental_Policy.pdf)) and Statement of Commitment to Sustainable Development? ([http://www.britishwaterways.co.uk/media/documents/BW\\_Sustainable\\_Development.pdf](http://www.britishwaterways.co.uk/media/documents/BW_Sustainable_Development.pdf))

controlled through planning consent conditions and site rules in the mooring contract.

Some residential mooring sites owned and managed by BW are located within Conservation Areas.

## 10. Site layout

Clearly the layout will depend on the water space available (e.g. a linear online mooring, an offline basin etc.) and the number and length of the boats. Reference should be made to other existing schemes.

Where possible, it may be beneficial to provide a 'service mooring' where boaters can temporarily moor their boat to use facilities such as a water point, sewage and refuse disposal (if they are provided on site). This is particularly important if facilities are provided in a building or on a purpose-fitted boat. Ideally the service mooring should also be available to passing boats on the waterway to use the facilities, but preferably without allowing them access to the rest of the residents' mooring.

The provision of visitor moorings should also be considered, since the presence of residential boats offers a welcome presence, level of security and local knowledge to the visitor.

The lay-out should also take account of a range of other factors, such as spacing between boats, length of pontoons, turning circles ('winding holes') on site or within a reasonable cruising distance if turning is restricted, prevailing wind etc. Consideration should be given to the navigational safety of boats leaving and arriving at the mooring, as well as those boats on the mainline canal, particularly for offline sites. BW will assess the navigational safety of the proposals.

The waterway bank should be assessed for its structure, stability and suitability for mooring, in consultation with BW.

Water depth alongside the bank should also be assessed along with changes in water levels in the locality, the canal bed profile and related factors to ensure there is sufficient depth for moored boats. The maximum scour occurs when boats start to move from their mooring and therefore, to reduce impact, the depth should ideally be 1.5 metres as a minimum.

Dredging may be required for the scheme to be installed, or in the future to ensure the boats have access alongside the bank and also into the main navigation channel. Depth and dredging should be discussed with BW at an early stage.

## 11. Safety, security and environmental health considerations

A risk assessment of the site should be undertaken to identify any safety issues and measures that need to be included in the design or operation of the site, with particular attention to water safety measures and to avoidance of potential hazards likely to cause slips, trips and falls.

The licence-holder of every boat on BW's waters must demonstrate that it meets BW's safety standards covering gas, electricity and fuel installations. See [www.britishwaterways.co.uk/licensing](http://www.britishwaterways.co.uk/licensing) and [www.boatsafetyscheme.com](http://www.boatsafetyscheme.com) for further information.

There are no specific standards or regulations requiring a boat to be 'fit' for residential accommodation such as sanitation, washing and cooking facilities.

Installation of land-based facilities e.g. electricity and potable water supply are subject to the relevant safety regulations.

Storage of any hazardous materials (e.g. petrol, diesel, gas cylinders, cleaning substances) are subject to health and safety regulations.

Specific legal duties may apply under the Construction Design and Management (CDM) Regulations 2007, depending on the scale and nature of the mooring scheme. The Health and Safety Executive has further information – see [www.hse.gov.uk](http://www.hse.gov.uk)

## **Security**

Security is particularly important to customers. Good design can limit the potential for crime, vandalism and enhance personal safety. It may be advisable to contact the local Crime Prevention Officer at an early stage in the design process if safety is a concern, for example in some urban areas.

## **Post**

There should ideally be arrangements for post to be delivered separately for each residential berth where possible, for example a single post-box with individual lockable portals for each berth.

## **12. Boat suitability**

Vessels at new residential moorings should possess the recognisable attributes of a boat and be capable of navigation – static structures will not be acceptable. As an exception, well-designed and constructed static structures may be suitable in large scale, urban, modern, offline settings. BW will consider the suitability on a case-by-case basis, and may request a phased salvage bond where it is reasonable to do so. Boats must also have a sewage holding facility.

Where necessary, for example in settings with important or special character, BW can stipulate more specific conditions relating to boat suitability.

## **13. Planning Obligations**

As a public corporation (a not-for-dividend organisation owned by the nation), all revenue received from mooring sites (directly-managed by BW or leased to others) is reinvested in maintaining waterway infrastructure, facilities and environment, thus reducing the cost to the public purse and supporting long term sustainability of the waterway network as a public asset.

## **14. Consultation and communications**

If a site is intended for use by an identified group of boaters, then clearly it is essential to consult them at an early stage to understand their needs and preferences for the site and facility provision.

When designing a site it is important to consult closely with local waterway interest groups, for example local angling, rowing and boating clubs, tourism operators etc. Many local groups feel a strong sense of ownership of their local patch and it is advisable to ensure that all interested groups are aware of the proposals and can contribute their views from the outset. This may identify improvements to the design or operation of the proposed residential moorings.

The same is also true for local residents and neighbouring premises, particularly those who are close to, or overlook, the proposed site. It is important that everyone understands the issues relating to living afloat and how it is intended to develop and manage the site.

It is advisable to develop a clear communications plan to identify all interested parties and to present and discuss proposals with everyone. This provides an opportunity to explain the benefits of residential moorings and help others understand that, for example, the residential boaters will usually pay Council Tax, and that conditions and rules apply to the use of the mooring etc.

A planning application for a residential mooring will, of course, be subject to normal local authority consultation procedures. Statutory consultees are likely to include the Environment Agency and possibly Natural England or CCW and/or English Heritage. It is good practice to have early discussions with these organisations, well before the planning application is submitted. BW is also a statutory consultee and will be asked by the LPA to comment on applications.

## **15. Site maintenance and safety**

### **Site maintenance**

Consideration should be given to maintaining any structures and facilities on site e.g. cleansing of pontoons, steps and slipways of algae and weed, painting etc. The maintenance of structures over water generates a range of pollutants, including metal particulates, paint, polluted water, detergents

and cement. Suitable risk assessments, method statements and pollution prevention measures must be applied. Refer to Planning Policy Guidance 23 (PPG 23) for full details at [www.communities.gov.uk](http://www.communities.gov.uk).

Use of herbicides in or near water is restricted, even on paving away from the water's edge. The only herbicides that may be used are those specifically permitted for use in or near water and must be used by suitably qualified individuals, for example those registered with the British Agrochemical Standards Inspection Scheme [www.basis-reg.com](http://www.basis-reg.com). Herbicide label requirements must be followed and where used on BW's land agreement from BW obtained prior to use.

Dredging may also be required and BW must be consulted. Submerged vegetation can pose a problem to boats, but it forms a vital component in the aquatic ecosystem and may be legally protected. Treatment of a mooring area can impact on the waterway and therefore should only be carried out after consultation with BW.

"The Green Blue" [www.thegreenblue.org.uk](http://www.thegreenblue.org.uk) is a joint initiative by the British Marine Federation and the Royal Yachting Association which promotes the sustainable operation and development of the recreational marine industry.

The British Marine Federation [www.britishmarine.co.uk](http://www.britishmarine.co.uk) has also published 'Environmental Code of Practice' which is a comprehensive guide and useful reference.

### **Safety**

The mooring operator is responsible for the safety of everyone on the site including boating customers, casual visitors, maintenance people etc. Regular risk assessments are a legal requirement - see <http://www.hse.gov.uk/contact/faqs/riskassess.htm>

## **16. Use of Land at the Mooring Site**

Conditions are generally applied through the mooring agreement. Use of the towpath for storage of any items is not permitted. At BW mooring sites on the offside of the waterway, staff guidance exists for the determination of site rules which are appropriate to the location relating to storage (boat tenders, rowing boats, fuel, sheds etc), development of gardens, use of washing lines etc.