

Development management checklist for waterside developments

Our waterways can potentially be affected by all scales and types of development located adjacent to or in close proximity to them.

Under the Town and Country Planning (Development Management Procedure) Order 2015 local planning authorities (LPA's) are required to consult us before granting planning permission for development likely to affect:

- any inland waterway (whether natural or artificial) or reservoir owned or managed by the Canal & River Trust; or
- any canal feeder channel, watercourse, let off or culvert, which is within an [area which has been notified](#) for the purposes of this provision to the local planning authority by the Canal & River Trust.

We encourage [pre-application consultation](#) with us.

The following suggested checklist is recommended for use by LPA development management teams as an initial tool to help assess the appropriateness and potential impacts of new development upon the waterway infrastructure, facilities and environs and identify those matters which require careful analysis informed by us. It's also relevant to anyone proposing, assessing or commenting on applications for waterside developments adjacent to our network.

This tool however is not a substitute for consulting us.

Key Considerations on Safeguarding Inland Waterways from Inappropriate Development

1 Safeguarding the safety and structural integrity of waterway infrastructure and the safety of users and neighbours

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

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

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

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

- discharging water directly or indirectly into a river, canal, reservoir, canal feeder channel, watercourse, let off or culvert;
- abstracting water from any of the above;

- requiring a water connection to the main waterway network;
- the introduction and long-term maintenance of SUDS (a sustainable urban drainage system);
- an impact on the waterway infrastructure's ability to handle flood water;
- flood risk – has the relevant navigation authority or canal owner reviewed the site-specific flood risk assessment;
- an impact upon the required water levels for navigation purposes; or
- an effect on the water quality of the waterway?

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

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

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

4 Encouraging public access to and recreation use of inland waterways and along towpaths

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

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

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

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

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

- loss of a former or existing wharf site which is identified as a 'strategically important wharf', as assessed by the relevant navigation authority; or
- loss of a boatyard (either boat building or boat repair), servicing or maintenance yard, slipway, dry dock, crane or other services needed for day-to-day cruising used in connection with water-based transport, tourism, leisure and recreation?

6 Protecting the operational waterway infrastructure

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

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

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

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

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

Potential Contribution of Inland Waterways to Sustainable Development and Climate Change

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

- utilise the waterway and its environs for urban cooling;
- utilise the waterway as a renewable energy source – for example generating onshore hydro-electric power and using canal and dock water to heat and cool buildings;
- utilise towpaths as telecommunication routes;
- utilise the waterway and towpath as a sustainable route for walking, cycling and water passenger transport;
- utilise waterborne freight in the construction cycle, for the delivery of supplies and removal of waste; or
- utilise the waterway for discharging surface water from developments?

Guiding Design Principles

- Individual waterways and water spaces need to be viewed as an integral part of a wider network, and not in isolation.
- Water should not be treated as just a setting or backdrop for development but as a space and leisure and commercial resource in its own right. The 'added value' of the water space needs to be fully explored.
- Waterways themselves should be the starting point for consideration of the development and use of the water and waterside land – look from the water outwards, as well as from the land to the water.
- A waterways towing path and its environs should form an integral part of the public realm in terms of both design and management.
- It is important that the siting, configuration and orientation of buildings optimise views of the water, generate natural surveillance of water space, and encourage and improve access to, along and from the water.

- New waterside development needs to be considered holistically with the opportunities for water-based development, use and enhancement.
- Improve the appearance of the site from the towpath and from the water at boat level, and enhance the environmental quality of the waterway corridor.
- It should be recognised that appropriate boundary treatment and access issues are often different for the towing path side and the offside.

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

Use of Planning Conditions, Obligations and Informatives

Planning conditions and obligations may, where appropriate, be used to address the matters outlined above and to address the extra liabilities and burdens placed upon waterway infrastructure by new developments – for example:

- use of the waterway for drainage and flood alleviation purposes – for example discharging surface water into the waterway network;
- ongoing maintenance costs for maintaining attractive ‘waterway settings’ – for example the removal of litter from the water, and maintenance/upgrading/resurfacing of the towpath;
- use of the waterway and towpath as a form of open space, and the use of towpath as a sustainable transport route; and
- new developments close to reservoirs which would result in mandatory safety works to the reservoir.

Requests for obligations will be made where they meet the necessary statutory tests, namely:

- to be necessary to make development acceptable in planning terms,
- directly related to the development and
- fairly and reasonably related in scale and kind to the development.

For those LPA’s charging a Community Infrastructure Levy (CIL) it is important that the burden new development can have on waterway infrastructure is reflected within the projects identified within Infrastructure Delivery Plans (IDP).

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