

# Policy HE2 Approach and Option March 2025

## Policy HD/SCCW: Somersetshire Coal Canal and the Wansdyke

In Spring 2024 we consulted on a wide range of Development Management policy options, and have carefully reviewed the responses received on each of the options.

In particular policy approaches relating to the Somersetshire Coal Canal had been consulted on. The issues and comments had been primarily raised during the Spring 2024 Bath and North East Somerset Local Plan Options Consultation.

Questions asked during the consultation:

### **Question 1: Encouraging enhancements for heritage assets**

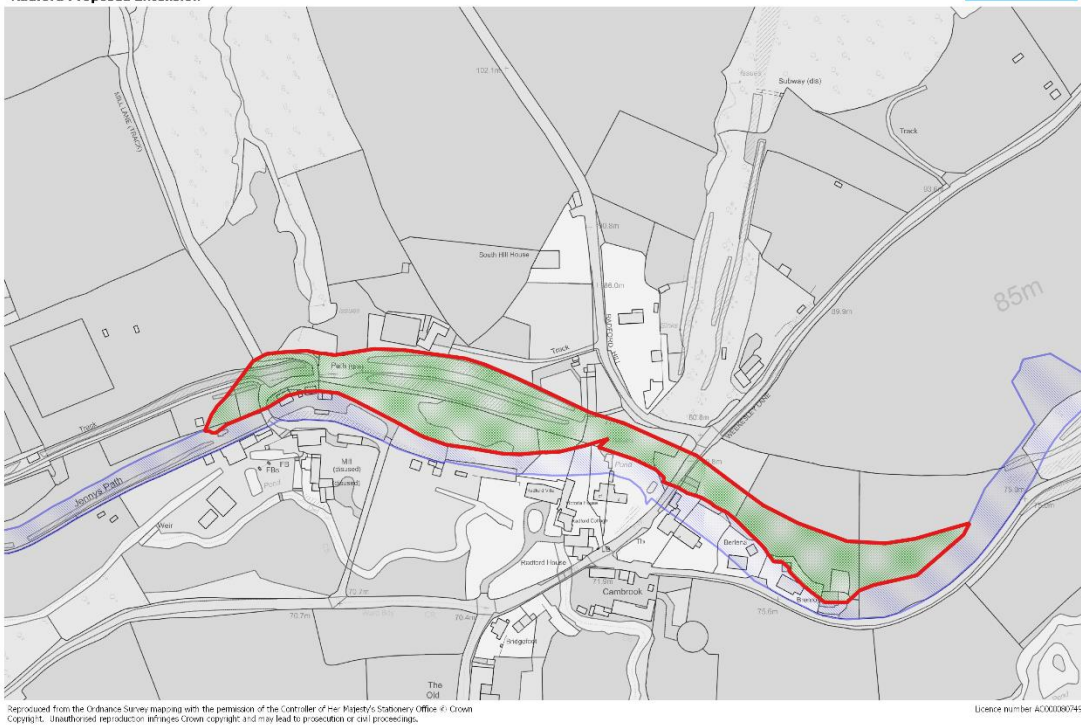
*Should we re-word Policy HE2 to also encourage development or improvements which would sustain or enhance, or better reveal, the significance of the Wansdyke or Somersetshire Coal Canal?*

### **Question 2: Proposed expansions to support restoration of the Somersetshire Coal Canal**

*Do you agree with our proposed expansions to the Somersetshire Coal Canal route? Are the proposals indicated in the maps (Figures 66 to 70) effective and justified, in your opinion? Please give reasons for your answers.*

*Proposed expansions consulted on during the spring highlighted as follows:*

**Proposed Extension to Local Plan Policy HE2 Buffer**  
**Radford Proposed Extension**



(Figure 66 – Radford)

**Proposed Extension to Local Plan Policy HE2 Buffer**  
**Camerton Proposed Route Expansion**



(Figure 67 – Camerton)

**Proposed Extension to Local Plan Policy HE2 Buffer**  
**Camerton Proposed Extension at New Pit**



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Licence number AC0000807198

(Figure 68 – Camerton New Pit)

**Proposed Extension to Local Plan Policy HE2 Buffer**  
**Dunkerton Proposed Route Expansion**



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Licence number AC0000807198

(Figure 69 – Dunkerton)



(Figure 70 – Combe Hay)

Following the close of the consultation a total of 61 comments had been received on the above questions and proposed expansions. Comments were divided in support and objection for the amendments. Noted that comments in support cited protection of the heritage asset and benefits of maintaining or restoring the route. Comments in objection primarily cited residential amenity concerns and any restoration impacts which may cause harm to biodiversity. Although not specifically a planning policy matter objections with regards to property value had also been raised.

A summary of the comments received based on frequent topic areas are as follows:

- **Policy HD/SCCW Revitalisation Support vs. Opposition:** Divided opinions on policy amendments for canal restoration, with support for public benefit and opposition citing negative impacts on land and livelihood.
- **Potential for Canal as Community Asset vs. Risk to Personal Enjoyment and Property:** Balance sought between the canal as a community asset for leisure and connectivity, and the protection of individuals' property enjoyment.

- **Preservation of Heritage vs. Modern Development Concerns:**  
Preservation of the canal's historical significance is valued, yet concerns exist over potential loss of land and negative impacts on local heritage from modern developments.
- **Economic and Community Benefits vs. Property and Environmental Concerns :** Restoration seen as bringing economic and social benefits, with concerns about adverse environmental effects and property values.
- **Recreational Use and Access vs. Loss of Privacy and Tranquillity:**  
Advocacy for recreational paths contrasts with concerns over privacy and tranquillity for residents near the canal.
- **Nature Conservation and Biodiversity vs. Construction and Expansion Drawbacks:** Project seen as an opportunity for wildlife and biodiversity, though there are reservations about the impacts of construction.
- **Public Engagement and Communication vs. Perceived Exclusivity:** Need for inclusive decision-making emphasized, with concerns over lack of proper community consultation and notification of plans.

Following a review of the consultation responses, we have collated this information to support our approach and option for this Development Management policy.

The overall approach to the policy seeks amendment to wording and the associated policies map buffer. As such we are now proposing separate policies i.e. one policy relating to the protection of the heritage asset conserving its significance, and another optional policy relating to its restoration/improvement. The approach and option are in order to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets. Noted that several comments received highlighted/ questioned why the policy should be retained. Section 16 paragraph 203 of the National Planning Policy Framework (NPPF) sets out amongst other things that Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

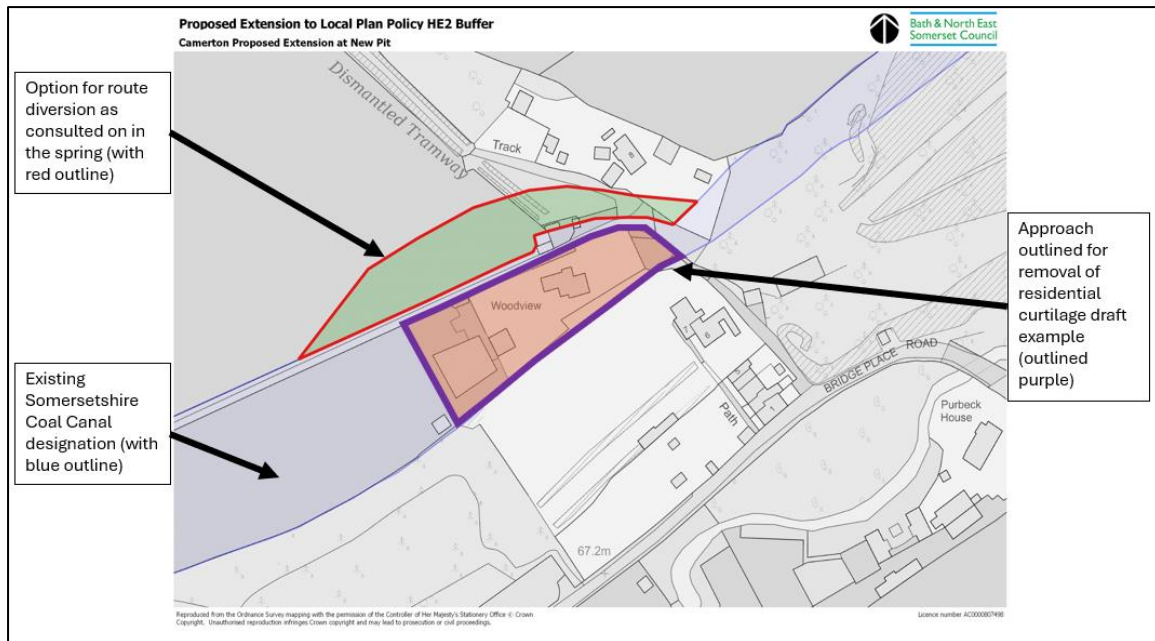
In line with the NPPF, policy HE2 is required to ensure there is a positive strategy to ensure the Somersetshire Coal Canal which is a heritage asset can be conserved and enjoyed.

**Proposed Policy Approach (Protection of the route)** - Retain the existing policy, and the protected route shown on the policies map.

**Explanation** - The proposed approach is effectively retaining the existing Placemaking Plan policy that protects the existing route/heritage asset from other development that would require planning permission. Important to note that the Council is of the view that we should continue to protect the heritage asset. This is because such an approach is in line with the NPPF.

**Option for consultation (Restoration/ Creation)** - Development of a separate policy option which seeks restoration/ creation of a diverted route. This is to take account of elements of the existing route which has been lost to development, and consider the deletion of said elements. This option would require the exploration of areas of the route which has been lost to development, and removing said elements of the route displayed on the policies map. For example, built form and some areas of residential/ building curtilage. It will need to be ensured elements of the route not considered built form or immediate curtilage remain within the buffer. Any deleted element of the existing route would be replaced by a diverted route.

An example of the proposed amendment to sections of the policies map is set out below.



*Example of the proposed amendment to sections of the policies map*

The option will require a caveat to the policy and supporting text to ensure any restoration considers the amenity of residents and or landowners. In particular restoration works requiring agreement of landowners before any works take place. Any developments to ensure they do not increase current or future flood risk (in line with Environmental Agency Comments). Ensuring restoration does not harm the heritage asset.

**Explanation –** Regarding the proposed option to remove residential development that has occurred on the protected route shown on the Policies Map we are still exploring/ reviewing where development has occurred. Exploration/ review is ongoing in order to find links to the areas where restoration/creation diversion areas are proposed.

**Explanation -** Optional policy on restoration only applies to activities that require planning permission. It should be noted that this element is proposed to be consulted on as an option.

## **DRAFT POLICY WORDING**

*Development seeking to amend/ restore elements of the Somersetshire Coal Canal must consider and seek to achieve, in line with the provisions set out under policy HE1:*

- the desirability of sustaining and enhancing the significance of the Somersetshire Coal Canal, and ensuring its viable use is consistent with its conservation;*
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- the desirability of new development making a positive contribution to local character and distinctiveness;*

*Any projects/works associated with the Somersetshire Coal Canal are required to consider the amenity of residents and or landowners. In particular restoration works must secure and demonstrate the agreement of landowners before any works take place. Any developments must ensure they do not increase current or future flood risk.*