

Local Plan

**Somersetshire Coal Canal and Wansdyke Policy Approach and Option
– Parish and Ward Councillor Meeting**

November 27th 2025

**Bath & North East
Somerset Council**

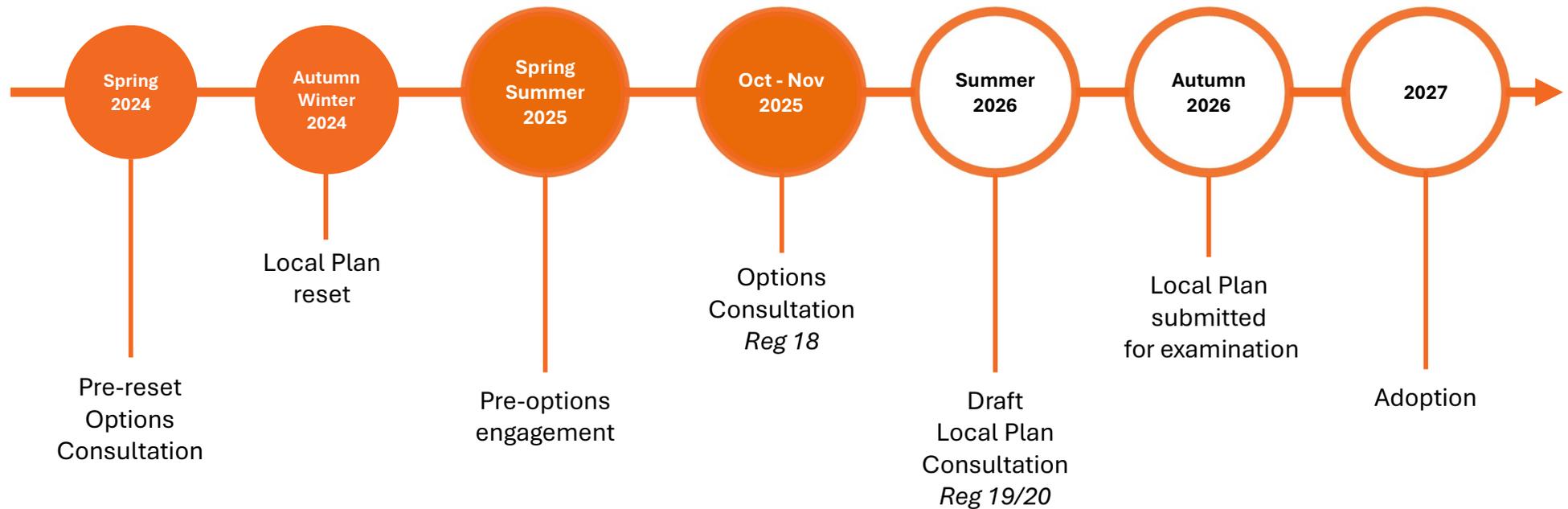
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Agenda

No.	Item
1	Welcome / Purpose of Meeting Local Plan Preparation Process update
2	Somersetshire Coal Canal and Wansdyke Scheduled Ancient Monument Policy Approach and Options <ul style="list-style-type: none">• Requirements of the NPPF• Review of existing Policy Context
3	Option 1 – Retain existing adopted policy HE2
4	Option 2 – Restoration / Diversion <ul style="list-style-type: none">• Purpose• How would it operate?• Draft policy wording• What development would be prevented?• What development would be permitted?• Issues and the council's response
5	Next steps in progressing toward Reg 19 Draft Local Plan

Local Plan Preparation Process

Local Plan Programme



Somersetshire Coal Canal and Wansdyke Policy Approach and Option

Requirements of the National Planning Policy Framework (NPPF)

The NPPF sets out the approach Local Planning Authorities should adhere to for conserving and enhancing the historic environment. Including setting out positive strategies for the conservation and enjoyment of the historic environment and considering impacts to designated heritage assets.

Paragraph	Text
203	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.
212	When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...
213	Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
219	Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.

Existing adopted policy

POLICY HE2: SOMERSETSHIRE COAL CANAL AND THE WANSDYKE

Development adversely affecting the physical remains and/or historic routes of the Wansdyke or Somersetshire Coal Canal, as defined on the Policies Map, and/or their setting, will not be permitted unless it can demonstrate appropriate mitigation and/or enhancement consistent with Policy HE1.

For the section of the Wansdyke lying within the Land adjoining Odd Down, Bath Strategic Site Allocation, Policy B3a will also apply.

Placemaking Plan Policy

Review of existing policy

As part of the new local plan, a review of existing planning policy HE2 is being undertaken.

We previously consulted on a policy option to retain Policy HE2 with amendments to the policy wording to encourage restoration of the canal on the existing route and at proposed diversions.

Diversions were proposed as development has taken place on the historic route which presents significant challenges to the successful restoration of the Somersetshire Coal Canal.

Following Local Plan Reset, we have undertaken further assessment and evidence work. As a result, we are now proposing splitting the policy approach into **two separate policies** in relation to the SCCW.

One policy will relate to the **protection of the heritage** asset conserving its significance, and another optional policy would relate to its **restoration/improvement**.

**Policy Approach 1 – Retain the
existing adopted policy HE2**

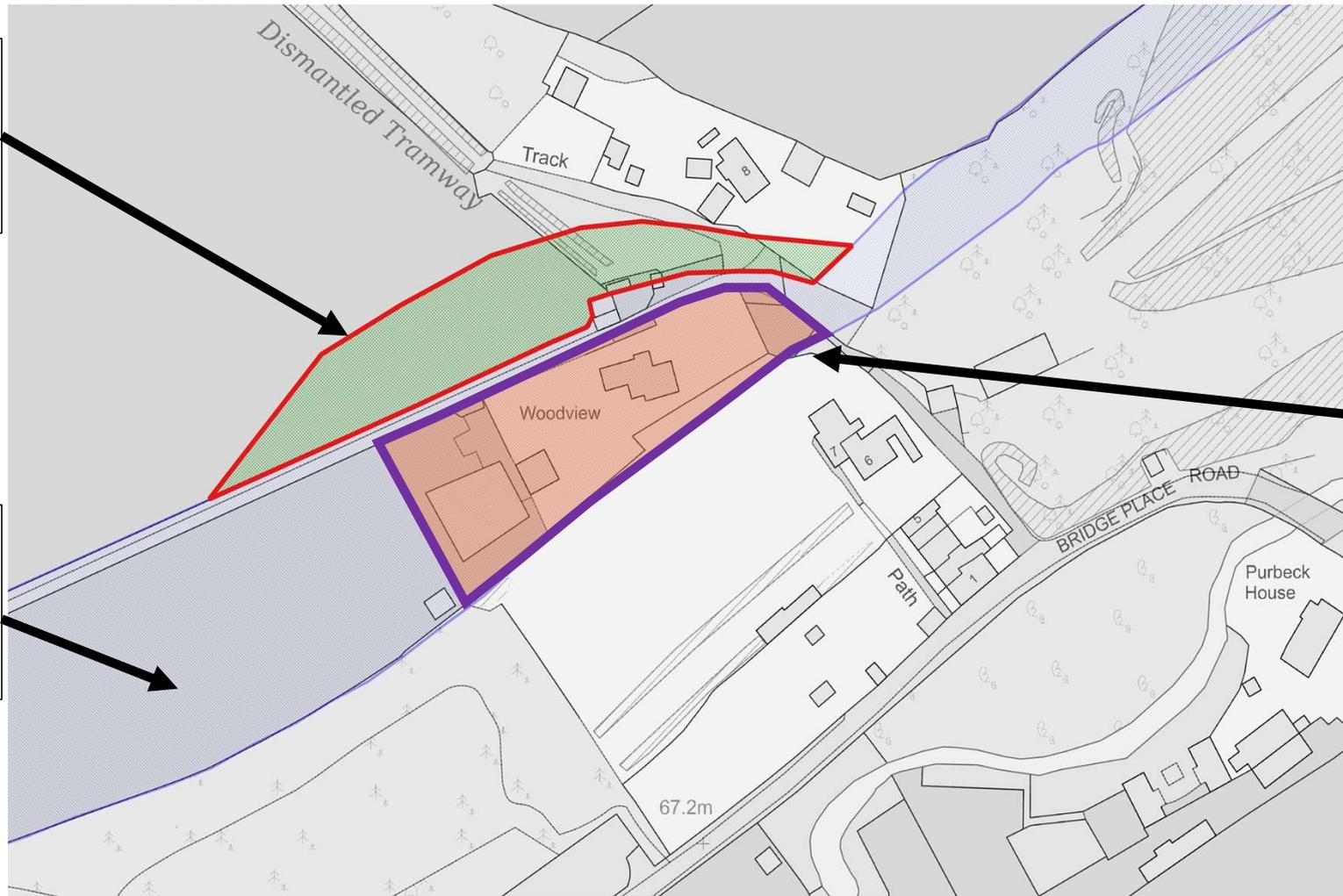
Policy Option 2 – Restoration / Diversion

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

Option for route diversion as consulted on in the spring (with red outline)

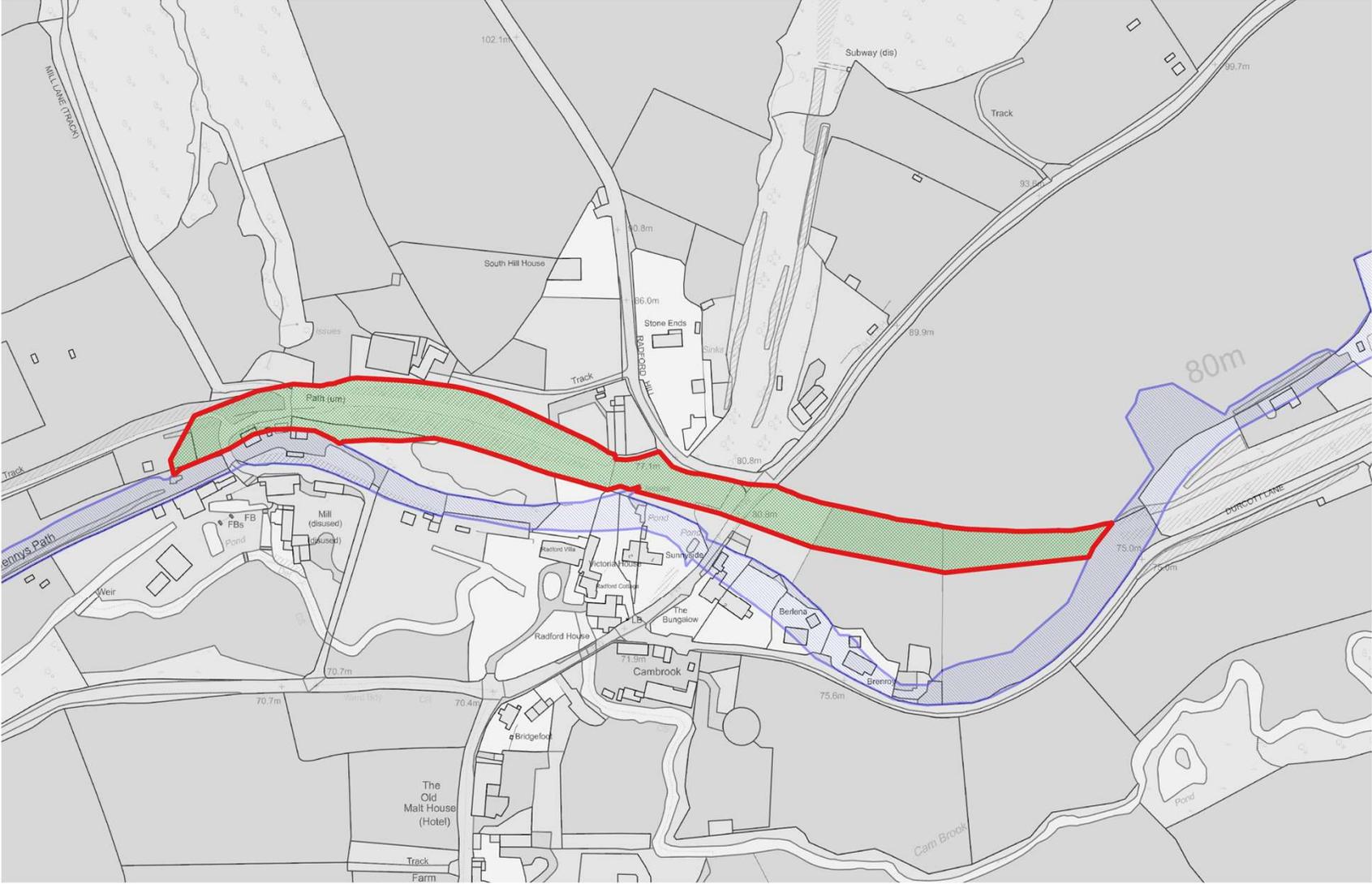
Existing Somersetshire Coal Canal designation (with blue outline)

Approach outlined for removal of residential curtilage draft example (outlined purple)



Proposed Extension to Local Plan Policy HE2 Buffer

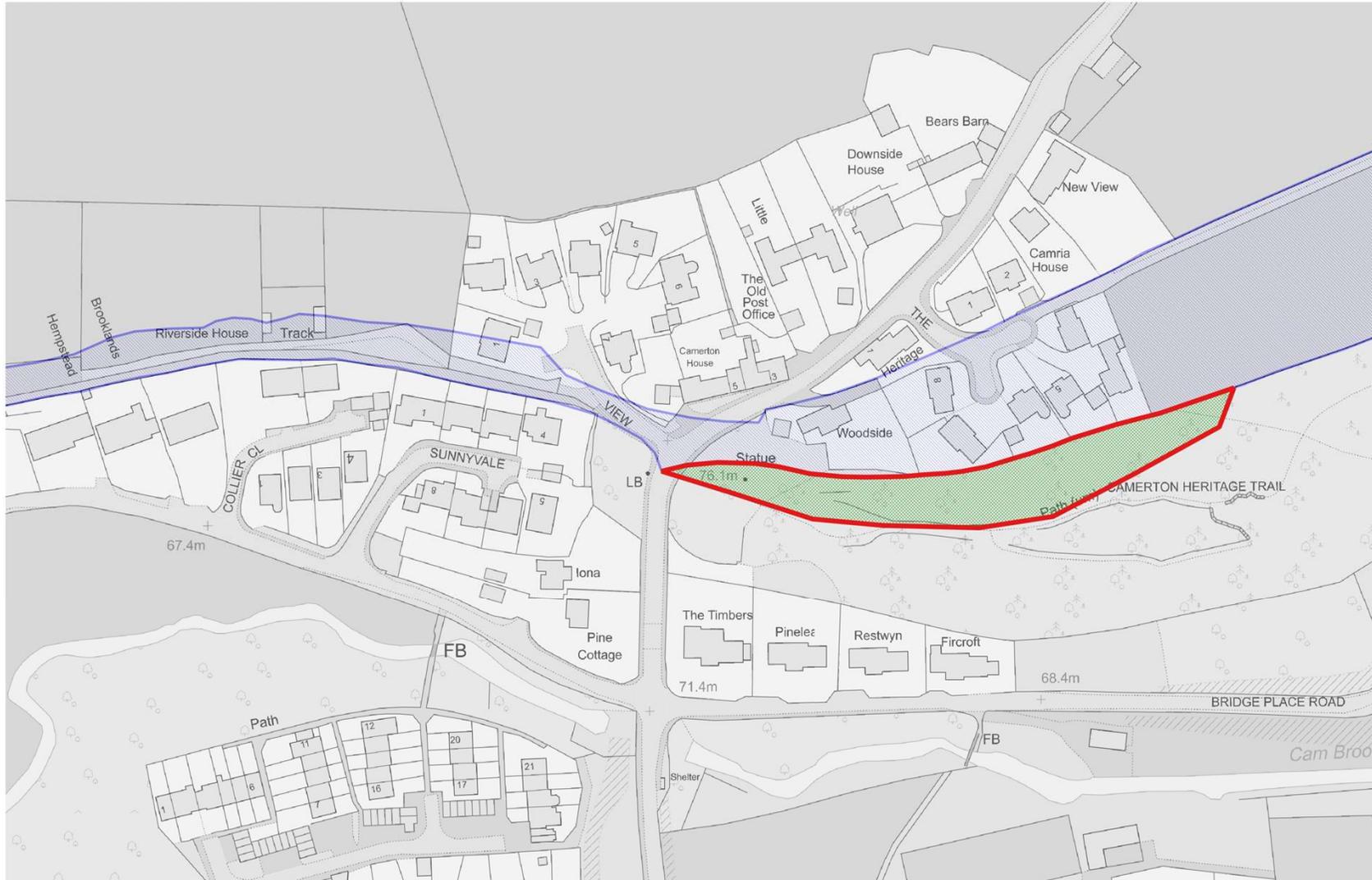
Radford Proposed Extension



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

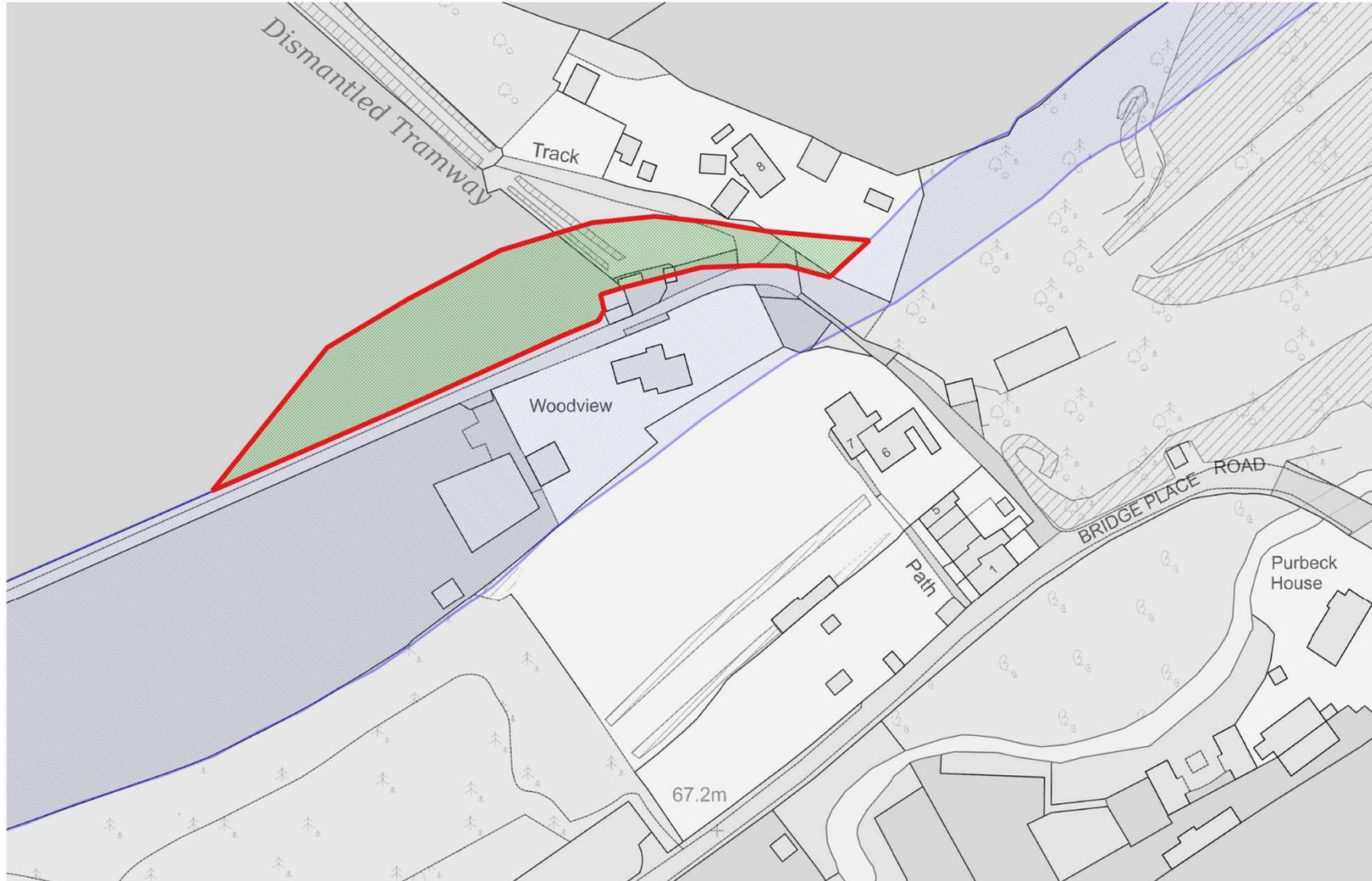


Proposed Extension to Local Plan Policy HE2 Buffer

Camerton Proposed Extension at New Pit



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Proposed Extension to Local Plan Policy HE2 Buffer

Combe Hay Proposed Extension



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Purpose

The optional policy seeks to set out a **positive strategy** for the conservation and enjoyment of the historic environment, including heritage assets, as per guidance set out in Chapter 16 of the NPPF.

Restoration of the route to water could bring with it benefits in **tourism, public wellbeing and leisure opportunities**. Restoration of the canal can also prove an important asset as a **biodiversity and green infrastructure corridor**.

How would it operate?

The policy approach would seek to protect diversion areas from development that requires planning permission which would prejudice restoration of the canal. The approach would enable restoration works requiring planning permission to be pursued, but **only where the amenity of residents and/or landowners is fully addressed and considered**.

It should be noted that the Local Plan does not grant planning permission to engage in restoration itself, the SCCS will need to obtain planning permissions for any engineering works prior to the start of any restoration works. **Restoration works would also require the agreement of landowners before any works take place.**

Draft optional 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 fully 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.

What is prevented?

Policy HE2 protects the existing route/heritage asset from other development that would require planning permission (unless appropriate mitigation/enhancement is demonstrated). The policy option would seek to protect diversions from forms of development that require planning permission and would prejudice restoration of the canal.

What forms of development could take place anyway?

Planning permission is only needed if the work being carried out meets the statutory definition of 'development' which is set out in section 55 of the Town and Country Planning Act 1990. 'Development' includes amongst other things:

- building operations (e.g. structural alterations, construction, rebuilding, most demolition);
- material changes of use of land and buildings;
- engineering operations (e.g. groundworks);

What if there are restrictions through deeds or covenants that prevent development?

- Land ownership, including any restrictions that may be associated with land, is not a planning matter. An appropriate legal professional will be able to provide further advice on this if necessary. (Source Planning Practice Guidance Paragraph: 005 Reference ID: 13-005-20140306)

Permitted Development

- Development does not in all instances require a planning application to be made for permission to carry out the development. In some cases, development will be permitted under national permitted development rights.
- **Permitted development rights** allow householders to improve and extend their homes without the need to apply for planning permission which, are subject to assessment against local and national planning policy.
- To receive a formal confirmation of whether certain forms of development fall under national permitted development rights an application for a **certificate of lawful development (LDC)** can be submitted to the local planning authority.
- **Note:** Most permitted development rights do not apply to flats or maisonettes. Nor do they apply to houses that have been converted from agricultural buildings, storage, light industrial, shops or casinos. Any external developments to these properties would require full planning.
- There are also restrictions to PD rights if the building is **listed**, in a **conservation area**, **National Landscape**, or **World Heritage Site**.

Rear Extensions

Single Storey Extensions PD Requirements

- up to 3m depth, 4m of height (no higher than ridge-line) for a terrace or semi-detached house
- up to 4m depth, 4m of height (no higher than ridge-line) for a detached house
- max eaves height of 3m if within 2m of a boundary and not higher than the eaves of the house
- up to 50% of the original space around the house including any existing outbuildings or sheds etc.

Double Storey Extensions PD Requirements

- up to 3m depth on a detached, terrace or semi-detached house
- max eaves height of 3m if within 2m of a boundary and not higher than the eaves of the house
- not higher than the ridge line of the house
- not higher than the eaves of the house
- must be more than 7m to the rear boundary
- up to 50% of the original space around the house including any existing outbuildings or sheds etc.

PD Requirements on all extensions

- no cladding on article 2(3) land – conservation area, AONB, Broads etc,
- materials of a similar appearance to existing house
- must not extend beyond a side elevation that fronts a highway or the principal elevation of the original dwelling house
- no verandah, balcony or raised platform – [see here for more information](#)



Side Extensions

Single Storey Extensions

- max of 50% width of original house
- max height of 4m and not higher than the ridge-line of the house
- max eaves height of 3m if within 2m of a boundary and not higher than the eaves of the house
- up to 50% of the original space around the house including any existing outbuildings or sheds etc.
- not on article 2(3) land – conservation area, AONB, Broads etc.
- materials of a similar appearance to existing house
- not on a side elevation that fronts a highway
- no verandah, balcony or raised platform – [see here for more information](#)

Double Storey Extensions

- Not allowed – requires planning permission



Dormers and hip to gable expansion to a roof

- A volume allowance of 40 cubic metres additional roof space for terraced houses (measured externally)
- A volume allowance of 50 cubic metres additional roof space for detached and semi-detached houses (measured externally)
- No extension beyond the plane of the existing roof slope of the principal elevation that fronts the highway
- No extension to be higher than the highest part of the roof
- Materials to be similar in appearance to the existing house
- No verandas, balconies or raised platforms
- Side-facing windows to be obscure-glazed; any opening to be 1.7m above the floor
- Roof extensions not on article 2(3) land – conservation area, National Landscapes (AONB), Broads
- Roof extensions, apart from hip to gable ones, to be set back, as far as practicable, at least 20 cm from the original eaves
- The roof enlargement cannot overhang the outer face of the wall of the original house.



Porches

- the ground floor area (measured externally) would not exceed three square metres.
- no part would be more than three metres above ground level (height needs to be measured in the same way as for a house extension).
- no part of the porch would be within two metres of any boundary of the dwellinghouse and the highway.



Shed, garages, outbuildings

- No outbuilding on land forward of a wall forming the principal elevation
Outbuildings and garages to be single storey
- Maximum eaves height of 2.5 metres
- Maximum overall height of 4 metres with a dual pitched roof or 3 metres for any other roof
- Within 2 metres of any boundary of the curtilage, maximum height of 2.5 metres in the case of a building, enclosure or container
- No verandas, balconies or raised platforms on outbuildings or sheds
- No more than half the area of land around the “original house” would be covered by additions or other buildings
- In National Parks, the Broads, National Landscapes (Areas of Outstanding Natural Beauty) and World Heritage Sites the maximum area to be covered by buildings, enclosures, containers and pools more than 20 metres from house to be limited to 10 square metres
- In National Parks, the Broads, National Landscapes (Areas of Outstanding Natural Beauty), conservation areas and World Heritage Sites, enclosures, containers and pools at the side of properties will require planning permission
- Within the curtilage of listed buildings any outbuilding will require planning permission



Driveways and other hard surfaces

- Where the hard surface or driveway is greater than 5 square meters and is forward of the front elevation then either the hard surface must be made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the house.
- That is the only requirement. There is no requirement on size.



Concerns which have been raised to the council

Issue: A policy that encourages restoration works to take place is very concerning, what is the council's intention here and what powers do SCCS have?

The council intend to provide a policy which would encourage development or improvements which would sustain/enhance or better reveal the significance of the Somersetshire Coal Canal in line with the NPPF, by protecting diverted routes from development which will prejudice restoration.

Diversions are proposed to account for elements of the existing historic route where development has taken place. Where development has occurred and where restoration is not a practical possibility, the SCCS would need to fund and purchase the properties along the historic route as they come onto the market to enable restoration on the diverted route.

The SCCS can only obtain property for restoration through a normal commercial purchase, or by prior agreement with the landowner. The SCCS have no compulsory purchase powers, and the Council currently has no intentions to use its compulsory purchase powers to acquire properties for restoration of the historic route.

Additionally, the new policy option would seek that any planning applications for restoration works would need to ensure residential amenity is not harmed and require the agreement of landowners before any works take place.

Canal Restoration: Policies in other authorities Local Plans

Examples of other authorities adopted Local Plans which include policies supporting/encouraging canal restoration

Stroud Local Plan:

Policy seeks to encourage the restoration of and other necessary functional improvements to the District's canals. Development on the route of, or adjacent to, the canals must not prevent improvement, reconstruction, restoration or continued use of canals.

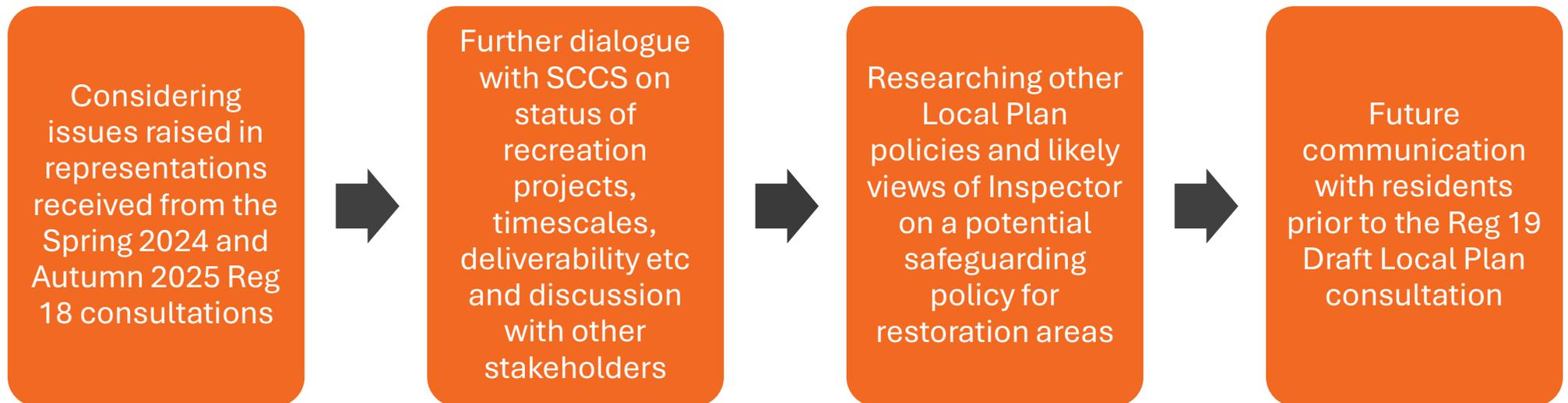
Herefordshire Local Plan:

Historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features is safeguarded. Where the original alignment cannot be re-established, a corridor allowing for deviations is also safeguarded and development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.

Forest of Dean Local Plan:

Reinstatement of the Herefordshire and Gloucestershire Canal is supported and land as specified (shown on the Policies Map) is protected from other development. This relates to the original route, diversions agreed with the landowner and land for essential ancillary structures. Reinstatement of the canal may also use alternative areas to those shown where there is agreement with the landowner.

Next steps in progressing toward Reg 19 Draft Local Plan



**Any other business –
Questions?**

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