

# **Draft Thames Waterway Plan Strategic Sustainability Assessment Report**

## **Appendix 2: Review of Relevant Policies, Plans and Programmes**

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**Prepared for the Environment Agency  
by  
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## Appendix 2: Review of Relevant Policies, Plans and Programmes

### National Legislation

Title	Summary of contents / relevance to TWP
Environment Act 1995	Section 4 outlines the specific aim of the Environment Agency, section 5 the general function with respect to pollution control, section 6 the general provisions with respect to water and section 7 the general environmental and recreation duties
Water Resources Act 1991	Partially superseded by the Environment Act 1995, this act will be relevant if proposals seek to abstract or discharge substances to the water environment. Section 109 requires consent for development within rivers
Land Drainage Act 1991 (as amended 1994)	Section 61B sets out local authority and Environment Agency environmental duties. Proposals will be affected by this legislation if they include development in, on, under or over any watercourse
Town and Country Planning Act 1990	This could be relevant if proposals impact upon tree preservation orders and conservation areas
Planning (Listed Buildings and Conservation Areas) Act 1990	This could be relevant if a proposal affects Conservation Area of listed building
Planning and Compensation Act 1991	The primacy of the development plan process is established under this Act. This means that proposals should comply with policies established within the local plan
Town and Country Planning (General Permitted Development) Order 1995 – Statutory Instrument No. 418 and Town and Country Planning (General Development Procedures) Order 1995 – Statutory Instrument No. 419	The GPDO defines the developments which require planning approval and those which are permitted development. Schedule 2 Part 15 explains the Environment Agency permitted development rights of the. The need for planning permission will be an important factor to consider for proposals in the Strategy.
Land Drainage The Environmental Impact Assessment (Land Drainage Improvement) Regulations 1999 – Statutory Instrument No. 1783	Sets out the EIA requirements for land drainage improvements
The Town and Country Planning (Environmental Impact Assessment (England and Wales) Regulations 1999 – Statutory Instrument No. 293	Sets out the EIA requirements for planning projects
The Environmental Assessment of Plans and Programmes Regulations 2004	Sets out SEA requirements for certain plans and programmes
Thames Navigation Licensing and General Byelaws 1993	Identifies regulations for users of the navigation in respect of signalling, locks, weirs, moorings rights and licensing
Thames Conservancy Act 1972 (as amended 1932, 1950, 1966)	Sets the legislative framework for users of the Thames Navigation
National Parks and Access to the Countryside Act 1949	This piece of legislation introduced the concept of National Parks, National Nature Reserves and SSSIs. Local authorities were also empowered to create local nature reserves
Countryside Act 1968	Having due regard to conserving natural beauty and amenity of the countryside was established by this Act. Any proposals would have to demonstrate their regard of these aspects of the environment
Countryside and Rights of Way Act (2000)	This act is creating new rights for people to walk on areas of open country and registered common land. The Government is introducing the new access rights on a regional basis in England. The first rights came into force in the south east and lower north west on the 19 September 2004. Section 74 sets out requirements relating to conserving biological
Ancient Monuments and Archaeological Areas Act 1979	This Act provides for the compilation and maintenance of a scheduled Ancient Monuments. Special consent is required from DETR before any potentially damaging works are carried out
Wildlife and Countryside Act 1981 (as	This Act provides the cornerstone for nature conservation legislation. In addition to

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
amended)	providing guidance relating to SSSI, it also gives protection to certain species
Conservation (Natural Habitats, &c.) Regulations 1994 (as amended 2000)	Transpose Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law . The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites. Under the Regulations, competent authorities have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive.
National Heritage Act 1983	Led to the establishment of the Historic Buildings and Monuments commission
Environmental Protection Act 1990	Established three conservation councils to cover the works of the various National bodies

### National Circulars<sup>1</sup>

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
02/99 Environmental Impact Assessment	Accompanies the Town and Country Planning (Environmental Impact Regulations) (England and Wales) Regulations 1999 No. 293. Establishes the framework for Environment Impact Assessment for specific types of development.
14/97 Planning and the Historic Environment	Amends Appendix E of PPG 15 and replaces the directions in Circular DoE 8/87. Sets out heritage notifications.
02/93 Public Rights of Way	Advises on public rights of way
30/92 Development and Flood Risk	Advises on arrangements for ensuring that planning decisions take account of any risk of flooding, whether inland or from the sea.
23/83 Caravan Sites and Control of Development Act 1960	Introduces model standards for touring caravans. Advises on the use of licensing controls in preference to enforcement powers and gives further advice on the provision of winter quarters from travelling showman

### National Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs)

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
PPS1 Creating Sustainable Communities (2004)	Replaces PPG1 General policy and principles (1997). Includes: Sustainable Development; Design – encouraging good quality design; Transport; Rural Areas – rural development associated with the countryside; and Historic Environment – protection of the historic environment.
PPG3 Housing (2000)	Housing choice & opportunity; Creating sustainable residential environments; Linking development to public transport; Designing for quality; Making the best use of land; and Rural housing
PPS7 Sustainable development in rural communities (2004)	This Statement replaces Planning Policy Guidance note (PPG)7 The Countryside (1997). It sets out the Government's planning policies for rural areas, which local authorities should have regard to when preparing local development documents, and when taking planning decisions. It covers sustainable rural communities, economic development and services, the countryside, the countryside around urban areas, agriculture, farm diversification, equine-related activities and forestry and tourism and leisure
PPG9 Nature Conservation (1994)	This PPG gives guidance on how the Government's policies for the conservation of natural heritage are to be reflected in land use planning. It emphasises commitment to sustainable development and to conserving the diversity of wildlife. Will be replaced in due course by PPS9: Biodiversity and Geological Conservation
PPS11 Regional Spatial Strategies (2004)	This policy statement sets out the procedural policy on the nature of RSSs and focuses on what should happen in preparing revisions to them and explains how this relates to the Act and associated regulations
PPS12 Local Development Frameworks	This planning policy statement sets out the Government's policy on the preparation of local development documents, which will comprise the local

<sup>1</sup> Up until comparatively recently Circulars were to all intents and purposes, the sole source of DETR planning policy. Over 100 Circulars exist providing a compilation, derived from many sources, of information that local planning authorities should bear in mind when imposing planning conditions.

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(2004)	development framework.
PPG13 Transport (1994)	Utilisation of inland waterways for the transportation of freight. Identify and protect sites that may facilitate this above aim; Redevelop disused docks and retain boatyards and other services used in connection with water based recreation; Enable carrying of minerals and spoil by rail or water where ever possible.
PPG15 Planning and the Historic Environment (1994)	Planning permission for listed buildings or conservation areas; Integration of new buildings with old; Importance of assessing archaeological importance prior to proposals being assessed.
PPG16 Archaeology (1990)	Identifies how archaeological remains should be preserved and recorded.
PPG17 Sport and Recreation (1991)	Identifies boating facilities as an issue that requires specific policies and proposals within local plans.
PPG21 Tourism (1992)	Outlines the economic significance of tourism and its environmental impact, and therefore its importance to land use planning.
PPS22: Renewable Energy (2004)	PPS22 replaces Planning Policy Guidance note (PPG)22. It sets out the Government's planning policies for renewable energy, which planning authorities should have regard to when preparing local development documents and when taking planning decisions
PPS 23: Planning and Pollution Control (2004)	PPS23 replaces PPG23: Planning and pollution control (1994). It will apply in England. It is intended to complement the new pollution control framework under the Pollution Prevention and Control Act 1999 and the PPC Regulations 2000.
PPG25 Development and Flood Risk (2001)	PPG updates and strengthens the approach taken by Circular 30/92.

### **Regional Planning Policy Guidance (RPGs) and Regional Spatial Strategies (RSS)**

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
RPG9 London 2001	The Thames includes parts of the South East, South West and London.  Regional Spatial Strategies (RSSs) have been introduced as part of changes under the Planning and Compulsory Purchase Act, 2004 and will replace RPGs. The key one for TWP is the South East Plan and it will be important to highlight synergies between these two.
RPG3B/9B Strategic Planning Guidance for the River Thames/London	
RPG10 South West 2001	
Draft South East Plan (South East Regional Spatial Strategy) 2004	
The London Plan 2004 (London Spatial Strategy)	
Draft South West Regional Spatial Strategy 2004	

### **Government Guidance and Strategies**

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
<b>Sustainable development</b>	
DETR (1999) <i>A Better Quality of Life, A Strategy for Sustainable Development in the UK</i>	UK's original UK SD strategy, now updated by a new strategy – see below. d.
DEFRA (2005) <i>Securing the Future - UK Government sustainable development strategy</i>	The UK Government's new strategy for sustainable development, which takes account of developments since the 1999 Strategy, both domestically and internationally; the changed structure of government in the UK with devolution to Scotland, Wales and Northern Ireland; greater emphasis on delivery at regional level and the new relationship between government and local authorities. It sets out the framework of SD in which the TWP should be develop
DEFRA (2002) <i>The Environment Agency's Objectives and Contributions to Sustainable Development: Statutory Guidance</i>	This statutory guidance: sets out the principles which the Environment Agency should follow in deciding its priorities; states the objectives the Government has set for the Agency to pursue over the next few years; and identifies its roles in contributing to the achievement of sustainable development.

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
<b>Conservation</b>	
DETR/MAFF (2000) <i>Code of Practice on Conservation, Access and Recreation</i>	Guidance for the Environment Agency and Water and Sewerage Undertakers
<b>Flood defence</b>	
MAFF (2000) <i>Flood Defence and Coastal Defence Project Appraisal Guidance 5</i>	Guidance on assessment of environmental issues used in developing flood defence projects
<b>Navigation</b>	
DETR (2000) <i>Waterways for Tomorrow</i>	This set out proposals for the future of inland waterways - the canals and navigable rivers of England and Wales and has direct relevance to TWP.
<b>Navigation, sport and recreation</b>	
Department for Media, Culture and Sport (2000) <i>A Sporting Future for All</i>	These documents are the UK Government's strategy and implementation plan for sport.
Department for Media, Culture and Sport (2001) <i>The Government's Plan for Sport</i>	
Prime Minister's Strategy Unit, (2002) <i>Game Plan</i>	
This is a strategy for delivering Government's sport and physical activity objectives.	

### **Environment Agency – National Plans, Programmes, Strategies and Guidance**

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
<b>General</b>	
Environment Agency (2000) <i>Environment Agency Vision</i> Environment Agency, Bristol.	This sets out the Agency's vision against a number of themes. TWP sits beneath this and takes on those values.
<b>Navigation</b>	
Environment Agency – annual navigation capital programme	Sets out the navigation capital works for the year.
Environment Agency (1998) <i>An Action Plan for Navigation</i> . Environment Agency, Bristol	Sets out an action plan for the Agency's navigation function
Environment Agency (2003) <i>The True Value of Navigations</i> . Environment Agency, Bristol	The aim of this strategy is to promote the essential role navigation plays in the healthy development of the river environment and to show members of the public and organisations with an interest in inland waterways the value navigation can bring to their work.
Environment Agency (2003) <i>Your Rivers for Life: The Navigation Strategy of the Environment Agency</i> . Environment Agency, Bristol	This strategy sets out for the first time an integrated plan for the development of the Agency's navigation business.
<b>Pollution</b>	
Environment Agency (undated) <i>Pollution Prevention Guidance 14 (PPG) Marinas and craft</i> . Environment Agency, Bristol.	This document sets out guidance to prevent pollution for Marinas and craft
Environment Agency (undated) <i>PPG5 Works in near or liable to affect watercourse</i> . Environment Agency, Bristol	This document sets out guidance to prevent pollution from works near a watercourse and so will be important when the plan is implemented.

### **Environment Agency – Regional and Local Plans, Programmes and Strategies**

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
<b>General / multi functional</b>	
Various Environment Agency Local Contributions documents	Local Contributions, whilst now getting old, provide Agency priorities across its areas of work. There are four relevant Local Contributions: West Thames Area's Local Contribution to Environmental Improvement (June 2002), Thames Waterway Local Contribution (June 2002), Making a Difference our contribution to improving the

Title	Summary of contents / relevance to TWP
	environment by the staff of South East Area, Thames Region (June 2002) and Thames Regional Office Local Contribution (June 2002)
Various Local Environment Agency Plans (LEAPs)	LEAPs, whilst now out of date, provide background and an action plan for catchments throughout England and Wales. The Thames is covered by five LEAPs: Lower Thames; Thames, Benson to Hurley; Thames, Eynsham to Benson, Thames, Buscot to Eynsham and Upper Thames.
River Basin Management Plans (RBMPs)	These will have to be prepared for every catchment under the Water Framework Directive, but not yet available.
<b>Navigation, sport and recreation</b>	
Environment Agency (1995) <i>Space to live, space to play: A recreation strategy for the River Thames</i>	This was the main recreation strategy to date and TWP builds on it.
Environment Agency (Dec 2000) <i>Interim Regional Recreation Action Plan 2000-2004 (Version 4)</i> , Thames Region	This will be relevant to the TWP recreation policies.
<b>Water resources</b>	
Environment Agency (Nov, 2003) <i>Thames Corridor Catchment Abstraction Management Strategy (CAMS) Technical Document</i>	This shows where water is to be extracted and what approach the Environment Agency is taking to it on the Thames
Environment Agency (2001) <i>Water resources for the Future A Summary of The Strategy for Thames Region</i>	Water resources strategy for Thames Region.
<b>Conservation and fisheries</b>	
Thames Salmon Action Plans	Action plan for salmon on the Thames
Environment Agency (2000) <i>Biodiversity Strategy and Action Plan for the Environment Agency (Thames Region) Version 1.</i>	This will be relevant to the TWP Biodiversity policies
<b>River management</b>	
Environment Agency (2000) <i>River Thames Management Practices</i> . South East Area	
Oxford waterways strategy/study	
Environment Agency, (2003) <i>Investigating the application and long-term performance of "soft" riverbank protection techniques – 30 case studies from the Thames Region.</i>	This will be relevant to implementation of policies on facilities
<b>Landscape and design</b>	
NRA (1992) <i>Thames Environment Design Handbook</i> .	Currently being updated by the Agency
Upper and Lower Thames Landscape Assessments	River landscape characterisations and strategies for conservation, enhancement etc. Note that the middle Thames has not been assessed.
<b>Flood risk management</b>	
Thames Catchment Flood Management Plan	Sets out how flooding will be managed in the Thames catchment.
Thames Weir Strategy, Environment Agency	
Flood defence capital programmes - Environment Agency	Annual programmes for South East and West Area capital programme

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
Flood defence revenue/maintenance programmes - Environment Agency	Annual programmes for South East and West Area revenue and maintenance programmes

### Other Organisations - National Plans, Programmes and Strategies

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
<b>Navigation and waterways</b>	
Association of Inland Navigation Authorities (AINA) (1999) <i>Steering a Fresh Course</i>	AINA strategies and plans. They represent owners and operators of the UK's inland waterways, and the Environment Agency and British Waterways are members. It provides their vision and strategy for the inland waterways which TWP will have regard to.
AINA (2001) <i>A Vision for the strategic enhancement of Britain's Inland Navigation Network</i>	
AINA (2001) <i>A strategy for freight on Britain's Inland Waterways</i>	
British Waterways (2003) <i>Waterways and Development Plans</i>	These are plans developed by British Waterways which is the organisation which owns about 2,000 miles of inland waterways (canals and rivers) which is about half of the waterways in the country. There will be synergies between TWP and BW strategies and plans
Inland Waterways Amenity Advisory Council (IWAAC) (1996) <i>Britain's Inland Waterways An Undervalued Asset</i>	The Inland Waterways Amenity Advisory Council (IWAAC) is a statutory body set up under the 1968 Transport Act to advise DEFRA, the Scottish Executive and British Waterways (BW) on strategic policy for the use and development of the 2000 miles of inland waterways managed by BW.
IWAAC (2001) <i>Planning a future for the inland waterways: A good practice guide</i>	
IWAAC (2001) <i>The Inland Waterways: Towards greater social inclusion</i>	
<b>Sport and recreation</b>	
British Canoe Union (2003) <i>Access Strategy for England</i>	The BCU is the lead body in the UK for canoeing and kayaking.
British Canoe Union (1999) <i>Facilities Strategy</i>	
Amateur Rowing Association <i>Facilities Strategy</i>	The ARA is the main organisation for amateur rowing in the UK.
Amateur Rowing Association <i>Forward Plan</i>	
<b>Conservation and heritage</b>	
British Waterways (2000) <i>British Waterways and Biodiversity – A framework for waterway wildlife strategies</i>	
English Nature <i>Position Statement and Policies</i>	This sets out EN position on a number of issues and will be important when considering the biodiversity aspects of TWP.
English Heritage South East 2003 – 2005 Regional Plan	English Heritage's strategic plan for the next 3 years.

### Other Organisations - Regional and Local Plans, Programmes and Strategies

<b>Title</b>	<b>Summary of contents / relevance to TWP</b>
<b>General / multi-functional</b>	
Oxford Brookes University (2002) <i>River Thames Strategy</i> evaluation of options and recommendations for strategic action	
<b>Tourism</b>	

Title	Summary of contents / relevance to TWP
Tourism ExSEllence: The strategy for Tourism in the South East. Headline Strategy Interim Draft (Feb 2004)	
<b>Sport</b>	
Mission: Possible, The South East Plan for Sport 2004 - 2008 Making the South East an Active and Successful Sporting Region (Sport England, May, 2004)	
<b>Thames Path</b>	
The Thames Path National Trail Management Strategy 2001 - 2006 (Countryside Agency)	
Thames Path National Trail Cycling Policy (February, 2000)	
The Thames Path. A study of possible access improvements for walkers, cyclists and people with limited mobility (Sustrans, November 2000)	
<b>Landscape</b>	
Thames Landscape Strategy (2002) Thames Landscape Strategy: Hampton to Kew	
<b>Biodiversity</b>	
<p>Various Biodiversity Action Plans:</p> <ul style="list-style-type: none"> <li>• Oxfordshire Local Biodiversity Action Plan, Habitat Action Plan For Rivers and Ditches</li> <li>• Berkshire County - A Framework for Biodiversity Action in Berkshire</li> <li>• Richmond Local Biodiversity Action Plan</li> <li>• Biodiversity Action Plan for the Royal Borough of Windsor and Maidenhead</li> <li>• Buckinghamshire and Milton Keynes Biodiversity Action Plan 2000 – 2010</li> <li>• Wiltshire Biodiversity Action Plan</li> <li>• Habitat Action Plan for Rivers and Associated Floodplain Habitats in Berkshire (2001), Berkshire Nature Conservation Forum</li> <li>• Waterways and Wetlands Biodiversity Action Plan</li> </ul>	<p>These Biodiversity Action Plans (BAPs) provide a very useful source of data about the biodiversity of the Thames and its environs as well as setting out the priorities for each action plan area.</p>

### Local authority development plans

Title	Summary of contents / relevance to TWP
<p>Various development plans within the Thames corridor include:</p> <ul style="list-style-type: none"> <li>• Cotswold District Council Local Plan 2001 – 2011 2nd Deposit</li> <li>• Oxford Local Plan 2011 – 2016 2nd Draft Deposit Feb, 2003</li> <li>• Reading Borough Council Local plan 1996 – 2006 Adopted, Oct 1998</li> <li>• South Oxfordshire Local Plan 2001 2Nd Deposit</li> <li>• Vale of White Horse Local Plan 2011 1st Draft Deposit Nov 2002</li> <li>• West Berkshire District Council Local Plan 1991 - 2006 Adopted 2002</li> <li>• West Oxfordshire Local Plan 2011 Revised Deposit Draft Feb 2003</li> <li>• Wycombe District Local plan to 2011 Deposit Dec 1998</li> <li>• Swindon Borough Council Local Plan 2011 Deposit Draft Sept 2002</li> <li>• North Wiltshire District Council Local Plan 2011 First Deposit Draft</li> </ul>	<p>County structure plans, Unitary Development Plans (UDPs) and local plans provide the local planning policy context for the Thames and its environs. They will include development control policies which will affect the type, scale, design etc of development that will allowed in different locations. They also tend to include sections on recreation, open space, sport, biodiversity, landscape etc which will be of relevance to the TWP.</p> <p>Note that under the Planning and Compulsory Purchase Act, 2004, these plans will be replaced by Local Development Frameworks (LDFs).</p>

Title	Summary of contents / relevance to TWP
<ul style="list-style-type: none"> <li>• Cherwell Local Plan 2011 Revised Deposit Draft Sept 2002</li> <li>• Wokingham District Plan Deposit Draft August 2003</li> <li>• Spelthorne Borough Council Local Plan</li> <li>• South Buckinghamshire Local Plan</li> <li>• Runnymede Borough Council Local Plan 1996</li> <li>• Elmbridge Borough Council Replacement Local Plan 2002</li> <li>• Royal Borough of Windsor and Maidenhead Local Plan 1999</li> <li>• Gloucestershire County Council Deposit Draft Structure Plan 2016</li> <li>• Wiltshire Structure Plan 2011 adopted</li> <li>• Oxfordshire Structure Plan 2011, 1998</li> <li>• Buckinghamshire Structure Plan 2001 - 2011, 1996</li> <li>• Surrey Structure Plan Adopted, 2004</li> <li>• Kingston Unitary Development Plan, 1998</li> <li>• Richmond UDP, 1996</li> </ul>	