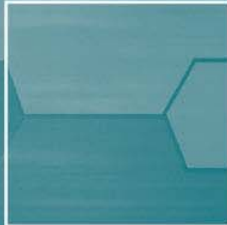


Environment Agency, Natural England, Countryside Council for Wales and the National Trust

Planning at the Coast

Final Report

June 2009



Entec

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Final Report

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Executive Summary

Purpose of the Study

This study examines the current and future practice of planning at the coast in England and Wales in the context of marine planning proposals introduced in the Marine and Coastal Access Bill. The integration of marine planning with the well-established system of land-use planning presents a unique opportunity to develop a holistic approach to managing coastal environments. The study identifies these opportunities and also the key obstacles to integration and sets out a series of recommendations which seek to maximise benefits in relation to the remits of the four project partners - the Environment Agency, the Countryside Council for Wales, Natural England and the National Trust. This report has been prepared by Entec UK Ltd.

What is Marine Planning?

The Marine and Coastal Access Bill makes provision for the preparation of a Marine Policy Statement by the UK Government. This will set out high level objectives for the marine environment to be translated into more localised policies through marine plans. Marine plans will be implemented through decisions of marine planning bodies, namely the Marine Management Organisation (MMO) and Welsh Assembly Government (WAG), on licences/consents for development, as well as through decisions of other public bodies in relation to their planning / regulatory roles.

How Does Marine Planning Relate to Land-use Planning?

Marine planning overlaps with land-use planning at the coast. There already exists a plethora of management plans in coastal areas and it is therefore important that both systems integrate effectively to ensure that a holistic approach to management of coastal areas is achieved.

Findings

The study focused on identifying the key opportunities and challenges associated with marine planning and its interaction with land-use planning in relation to the key objectives of the project partners namely, flood and coast erosion risk management, conservation of the natural environment, landscape and seascape and access and recreation.



Flood and Coastal Erosion Risk Management

Under the existing land-use planning system, the coverage of flood and coastal erosion risk management varies despite there being a requirement for development plans to take into account coastal management plans such as Shoreline Management Plans (SMPs). This raises questions in relation to how well these documents will inform marine plans and what can be done to ensure that marine plans and land-use plans are fully integrated both with each other and SMPs in order to develop a holistic and strategic approach to flood and coastal erosion risk management.

Conservation of the Natural Environment

Marine planning represents an opportunity to strengthen protection of the marine environment at the coast especially if marine plans are fully integrated with land-use plans. The extent to which the opportunity is realised will depend on a number of factors including:

- defining appropriate marine plan boundaries that relate to ecosystem functioning, local planning authority boundaries and Water Framework Directive water body boundaries;
- ensuring that valuation of ecological interest features and management prescriptions are consistent across the two planning systems; and
- the extent to which marine plans integrate with land-use plans and other key management plans, particularly River Basin Management Plans (RBMPs).

Landscape and Seascape

In contrast to how landscape is considered as an issue in current planning decisions, seascape is considered to be outside the jurisdiction of local planning authorities although they are often consulted on offshore wind farms, which has resulted in a reappraisal of the linkages between seascape and landscape. Through marine planning, it may be possible to define better the relationship between sea and land and ensure that spatial planning in the sea takes account of the views from, and the setting of, protected landscapes such as National Parks and Areas of Outstanding Natural Beauty. However, there are challenges to be overcome, specifically in relation to the need to define seascape character in the same way as landscapes currently are.

Access and Recreation

The coastal zone is the focus of much recreational activity. Marine plans will not be able to institute general controls on recreational navigation but they can include provision of shore facilities, moorings or dredging of associated channels and, with land-use plans, there is an opportunity to achieve a coordinated approach to the siting of recreational, educational and social facilities and managing access to the coast.



Recommendations

Building on the key findings of the study, a series of recommendations has been identified to address the challenges and opportunities presented by the implementation of marine planning and its integration with land-use planning. These recommendations cover development planning / plan preparation, development control management, operation of marine planning bodies and partner resources. Based on discussions with stakeholders, five recommendations are considered to be a priority and these are summarised below.

Plan Making

Whilst there will be a requirement for marine plan authorities to ensure that marine plans are in general conformity with corresponding development plans (Regional Spatial Strategies and Local Development Frameworks in England and the Wales Spatial Plan and Local Development Plans in Wales), there is currently no reciprocal requirement. This may have implications for the holistic planning of coastal areas and, therefore, delivery of the partners' objectives.

Recommendation: Legislation

CLG and WAG should seek to amend the Planning Acts to include an explicit requirement that land-use plans must be compatible with marine plans.

In support of the legislative changes described above, it is also necessary to look to national policy to steer integration. The emerging Planning Policy Statement 20 (PPS20), which will set out national planning policy in relation to the coast, in particular provides an immediate opportunity for partners to not only ensure that conformity between land-use and marine plans is required but to also seek amendments to national policy to better address marine issues and deliver their objectives. In Wales, Technical Advice Note 14: Coastal Planning should be reviewed at the earliest opportunity to be consistent with PPS20.

Recommendation: Planning Policy

The forthcoming PPS20 and any future review of TAN14 in Wales should stipulate that development plans are required to be compatible with marine plans covering the plan area. National coastal planning policy should also strengthen the role of SMPs and RBMPs by raising their profile as a key constituent of the evidence base of terrestrial plans and provide guidance in relation to the preparation of coastal planning policy through partnership.

To ensure that reviews of national policy fully take into account marine planning, it will be necessary for both CLG and WAG's planning division to have a thorough understanding of the marine planning process. However, it was noted from stakeholders during the course of the study that there is a need for CLG in particular to be more actively engaged in coastal matters and interface with marine planning.



Recommendation: CLG and WAG

CLG should become more actively involved in coastal issues and marine planning and seek to be represented on the MMO board. WAG should explore options for integrating its marine planning and land-use planning functions.

Guidance

Guidance prepared jointly by CLG, WAG and Defra is required to support both the legislative and policy amendments outlined previously and provide clarity in relation to the functioning and relationships between both planning systems. This would also have several significant benefits in relation to facilitating the integration of both marine and land-use planning systems including:

- raising awareness of land-use planning issues within the MMO/WAG and of marine planning within local planning authorities;
- encouraging the integration of marine and land-use plans; and
- setting out guidance for the development of joint marine and land-use policy documents (for example, coastal Supplementary Planning Documents).

Recommendation: Integrated Guidance

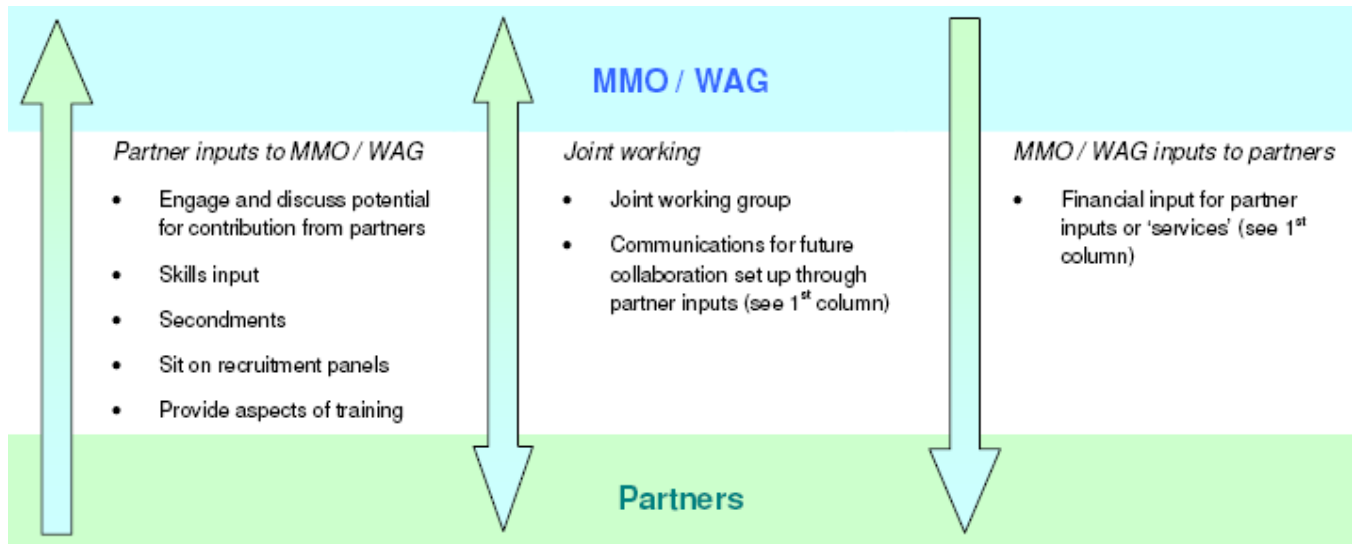
Defra, CLG and WAG should prepare a guidance manual on coastal planning, targeted at both marine planning authorities and local planning authorities.

MMO and WAG

The marine planning authorities are expected initially to lack sufficient expertise, local knowledge and resources to deliver their functions in the first instance. This may present a resource issue for the partners as, firstly, their staff may be recruited by the MMO/WAG and, secondly, staff remaining may be relied on heavily by the marine planning bodies and this could cause financial strain to the partners if funds are not sufficiently allocated from MMO / WAG to the partners for these services. However, it also presents an opportunity for partners to improve communication routes with MMO / WAG and trade services in their skills, recruitment and training. This would take place through three mechanisms: input to MMO / WAG, joint initiatives between WAG / MMO and partners and input from MMO / WAG to partners.



Figure S1: Mechanisms of How Partners May Work with MMO and WAG



Recommendation: Working with the MMO and WAG

The partners should approach MMO / WAG to discuss the potential contribution they may usefully input to the marine planning process, which could initially take the form of a joint liaison group. Once this is established, partners should put forward proposals for the types of input from the partners that may benefit MMO / WAG and invite further ideas from MMO / WAG.

The input of skills may take the form of secondments to MMO / WAG and less formal formats for particular tasks, as well as and skills development of MMO/WAG staff through partners' provision of (aspects of) training in marine planning and their position on recruitment panels.



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Contents

1.	Introduction	1
1.1	Purpose of the Study	1
1.2	Assumptions	2
1.3	Structure of this Report	2
2.	Evidence Gathering	3
2.1	Introduction	3
2.2	Literature Review	3
2.3	Case Studies and Consultation	3
2.4	Workshops	5
2.5	Synthesis and Recommendations	6
3.	Coastal and Marine Planning Context	7
3.1	Current Planning Context	7
3.1.1	The Current Land-use Planning System	7
3.1.2	Coastal Planning Policy	7
3.1.3	Existing Marine Designations / Marine 'Plans' and Development Control	8
3.1.4	Requirements for Integration	8
3.2	Future Planning Context	9
3.2.1	Proposals for a New Marine Planning System	9
3.2.2	Land-use and Marine Planning Integration	9
4.	Current and Future Planning Integration at the Coast	11
4.1	Flood and Coastal Erosion Risk Management	11
4.1.1	Experience in Planning at the Coast	11
4.1.2	Evidence: Case Studies and Consultation	12
4.1.3	Future Opportunities and Challenges	13
4.1.4	Recommendations	14



4.2	Conservation of the Natural Environment	16
4.2.1	Experience in Planning at the Coast	16
4.2.2	Evidence: Case Studies and Consultation	18
4.2.3	Future Opportunities and Challenges	19
4.2.4	Recommendations	20
4.3	Landscape and Seascape	22
4.3.1	Experience in Planning at the Coast	22
4.3.2	Evidence: Case Studies and Consultation	22
4.3.3	Future Opportunities and Challenges	23
4.3.4	Recommendations	24
4.4	Access and Recreation	25
4.4.1	Experience in Planning at the Coast	25
4.4.2	Evidence: Case Studies and Consultation	26
4.4.3	Future Opportunities and Challenges	26
4.4.4	Recommendations	27
5.	Recommendations	29
5.1	Plan Preparation	29
5.1.1	Land-use Plans	29
5.1.2	Marine Plans	32
5.1.3	Integrated Policy and Guidance	35
5.2	Development Management	36
5.2.1	Development Authorised at LPA Level	36
5.2.2	National Policy Statements	37
5.3	Operation of Marine Planning Bodies	38
5.4	Organisational Changes for Partners to Address	41
5.4.1	External Changes to Partners' Operations	41
5.4.2	Internal Changes to Partners' Organisations	44
6.	Summary and Priority Recommendations	49



Table 2.1	Case Studies Reviewed and Descriptions	3
Table 3.1	Key Existing National Policy in England and Wales Covering Coastal Planning Issues	8
Table 3.2	Similarities and Differences between the Land and Marine Planning Systems	10
Table 4.1	Recommendations Relating to Flood and Coastal Erosion Risk Management	15
Table 4.2	Recommendations Relating to Conservation of the Natural Environment	21
Table 4.3	Recommendations Relating to Seascape and Landscape	25
Table 4.4	Recommendations Relating to Recreation and Access	27
Table 5.1	National Planning Policy with Strong Links to the Marine Environment	30
Table 5.2	Resource Management Options	46
Figure 2.1	Case Study Locations	4
Figure 5.1	Planning Professionals and Marine Specialists' Competencies	39
Figure 5.2	Proposed Mechanisms of How Partners May Work with MMO / WAG	42
Figure 5.3	Business Model with Reference to Partner Changes Needed	45
Appendix A	References	
Appendix B	Planning Context	
Appendix C	Marine Planning Proposals in the Marine and Coastal Access Bill	
Appendix D	Remits of the Project Partners Relating to Marine Planning	
Appendix E	Glossary	



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1. Introduction

1.1 Purpose of the Study

Entec was commissioned by the Environment Agency (EA), the Countryside Council for Wales (CCW), Natural England (NE) and the National Trust (NT) to examine the interaction between the well-established system of land-use planning at the coast in England and Wales and the integration of the system of marine planning proposed in the Marine and Coastal Access Bill. The purpose of this study was to assess and provide recommendations on how marine planning should integrate with land-use planning to deliver the remits of the partner organisations and to assist them in preparing for the new system.

The specific objectives of this study were to:

- Objective (a) assess the opportunities and threats posed by interaction between the two planning systems against specific interests of the partner organisations;
 - Objective (b) provide recommendations and supporting material to inform the guidance being developed for planning and marine planning bodies;
 - Objective (c) provide recommendations and supporting material to inform other guidance and material (in relation to both land-use and marine planning), such as Planning Policy Statements (PPSs), Technical Advisory Notes (TANs), Planning Policy Wales (PPW), Supplementary Planning Guidance and National Policy Statements (implemented by the Infrastructure Planning Commission (IPC));
 - Objective (d) provide recommendations on any issues or changes that each or all of the partners need to address in the way they operate;
 - Objective (e) highlight options for the partners in preparing for this aspect of marine planning including implications for structures, skills and resources.
- The outcomes of the project are intended to enable the partner organisations to:
 - ensure that integration between the planning processes helps to deliver rather than hinder the objectives/remits of the partner organisations;
 - ensure that the interaction between the planning processes enables effective engagement of stakeholders such as the partners;
 - provide more informed input into development of marine and land-use planning guidance for the Marine Management Organisation (MMO)/Welsh Assembly Government (WAG);
 - better prepare to engage with the MMO/WAG and relevant aspects of any revised arrangements for land-use planning; and



- inform relevant site-based projects.

1.2 Assumptions

The study relates specifically to planning at the coast. This has been taken to mean the coastal zone where the land-use planning system and the proposed marine planning system may interact directly. For certain aspects, for example flood risk management, only a relatively narrow zone has been considered, whereas for landscape and visual aspects, a wider perspective is needed as marine developments may have visual impacts extending many kilometres inland and vice versa.

All recommendations are based on the assumption that the Marine and Coastal Access Bill will pass into law largely unchanged from the current draft.

1.3 Structure of this Report

The remainder of this report is set out as follows:

- Section 2** Covers evidence gathering and the approach adopted to address the project objectives, including a literature review, case study development and consultation, workshops and development of the recommendations.
- Section 3** Summarises coastal planning practice to-date, providing brief contextual information on the study topics. More detailed background is found within Appendix B and Appendix C.
- Section 4** Contains an assessment of current and future planning integration, provided through analysis of key themes relating to the partners' remits: flood and coastal erosion risk management; conservation and biodiversity; seascape/landscape; and access/recreation. Analysis of each theme generates specific recommendations together with a series of more generic recommendations that are considered within Section 5. This section addresses Objective (a) of the brief.
- Section 5** Draws together the generic recommendations identified in Section 4. These recommendations relate to plan preparation, development management, operation of marine planning bodies and the resources of the partners themselves. This section addresses Objectives (b, c, d, and e).
- Section 6** Sets out those recommendations considered to be a priority to ensure the integration of marine and land-use planning and maximise the benefits to the remits of the project partners.



2. Evidence Gathering

2.1 Introduction

This section sets out the approach adopted to address the project objectives. Entec's methodology involved four key phases: a literature review, examination of case studies through data collection and consultation, workshops involving the project partners and others and the development of recommendations. Each phase is discussed in-turn below.

2.2 Literature Review

A review of relevant literature was undertaken in order to develop and refine Entec's understanding of the key planning issues associated with the interaction of marine and land-use planning. This review focused on planning policy and guidance in both England and Wales, relevant publications and the partners' and other organisations' responses to consultations, including the draft Marine and Coastal Access Bill. The outputs of this review were used to inform the selection of case studies, to provide a basis for the workshops and develop the recommendations.

2.3 Case Studies and Consultation

Building on the literature review, a series of case studies in England and Wales was selected to enable analysis of a suitable range of technical and management issues, reflecting the various partner interests and a mix of development planning (i.e. production of plans) and development management (i.e. use of plans in decision making) processes.

A total of seven case studies were selected, which are highlighted in Table 2.1 together with the range of issues covered by each. Their geographical locations are shown in Figure 2.1.

Table 2.1 Case Studies Reviewed and Descriptions

Case Study	Description
1. Northumberland AONB / EMS joint management plan	An example of where a coastal Area of Outstanding Natural Beauty (AONB) and European Marine Site (EMS) Management Scheme are being integrated. This will be the first of its kind in the UK covering both land and marine adjoining / overlapping areas.
2. Offshore wind farms	The development of Teesside and Liverpool Bay windfarms highlights key issues in relation to landscape/seascape impacts and cable links crossing the coastal boundary.



Case Study	Description
3a. Hull Riverside Container Terminal	The development of the Hull Riverside Container Terminal provides an example of development permitted principally via a Harbour Revision Order (HRO) which would now potentially be authorised by the IPC.
3b. Alkborough Flats Project	The Alkborough Flats Project was identified within the Humber Estuary Shoreline Management Plan and managed by the Environment Agency. It constitutes one of the few completed managed retreat schemes for coastal flood risk management.
4. Lymington ferries	This case study raises the issue of the regulation of ship operation in relation to the marine environment and other marine users and whether the partners' inputs to such proposals will be changed by introduction of marine planning.
5. Tamar Estuaries Plan	This is mainly a planning policy example showing how an estuary management plan drawn up by the Tamar Estuary Consultative Forum (TECF) comprising several local authorities, harbour authorities and organisations such as Natural England and the Environment Agency ties in with planning policy. It illustrates how marine issues are being translated into a (Local Development Framework) Supplementary Planning Document which is specifically designed to consider planning issues in a coastal environment (estuary).
6. Cardiff Bay Barrage	The Cardiff Bay Barrage is an example of a major infrastructure project permitted by an Act of Parliament. It is of a similar size in terms of effect on the marine environment to port projects that would now be authorised by the IPC, although the barrage itself does not fall within the categories of development regulated by the IPC.

Figure 2.1 Case Study Locations



The case studies were developed using information from a range of sources including relevant planning policy and coastal management documents, land-use plans, Shoreline Management Plans (SMPs), coastal or estuary management plans and permit applications. This was supplemented by interviews with key members of staff from the partner organisations and other key organisations involved with the case studies.

The review was intended to explore further the key issues in respect of the interaction of marine and land-use planning and the roles of the project partners in planning at the coast (but not to provide a comprehensive examination of each case study). The review focused on how marine issues are currently being addressed within the terrestrial planning system, the project partners' role and any lessons learnt, the potential implications of the marine planning system under the Marine and Coastal Access Bill and the effect the marine planning system may have on the way partners get involved, their effectiveness in the process and staff resources required.

Several key areas of concern and opportunities regarding the introduction of marine planning were identified from this review, including the potential for stronger backing for partners in delivering their remits, the opportunity for inclusion of issues that currently fall outside formal planning systems, the way in which existing non-statutory coastal zone plans could feed into the new marine plans and the potential for greater demands on partners' resources in implementing the new system.

The results of each case study review were recorded in a pro forma used to inform the development of recommendations and copies are available from the project partners on request (see opening cover pages).

2.4 Workshops

The third phase of the research involved consulting relevant stakeholders, primarily via two regional workshops held in February 2009 attended predominantly by project partner staff but also by representatives from organisations with expertise in either planning or marine regulation/conservation. The first workshop, held in Cardiff, examined issues identified and lessons learnt from selected case studies, specific aspects of integration of marine and land-use plans and what the introduction of marine planning will mean to the project partners. The second workshop in Peterborough reduced time spent on the former (case studies) and had greater emphasis on the implications for partners. These slight differences allowed experience from the first workshop to be carried forward into the second. Both, however, were designed ultimately to draw out implications of marine planning on partners' remits in planning at the coast.

Supporting material sent prior to the workshop included a briefing paper which set the context of the project and planning background, partner remits and implications of the new marine planning system. If the reader would like to see these handouts of presentations given at the workshops or lists of notes from breakout sessions, please contact one of the project partners (see opening cover pages).

Summaries from each workshop and overviews of partner implications / recommendations have been incorporated into this project final report.



2.5 Synthesis and Recommendations

A series of recommendations was developed based on the findings of the case study review, outputs of the workshops, existing research, experience and views of the partners and Entec's own experience. These recommendations are both specific to the key themes relating to the partners' remits (flood and coastal erosion risk management, conservation and biodiversity, seascape/landscape and access/recreation) (see Section 4) and of a more generic nature (see Section 5).



3. Coastal and Marine Planning Context

3.1 Current Planning Context

3.1.1 The Current Land-use Planning System

The existing land-use planning system in England is structured around a hierarchy comprising three main tiers: central Government, regional planning bodies and local government. At the national level, the Secretary of State is responsible for issuing planning policy guidance in the form of Planning Policy Guidance Notes (PPGs), which are gradually being replaced by Planning Policy Statements (PPSs), to explain statutory provisions and provide guidance to local authorities and others on planning policy and the operation of the planning system. National policy is then interpreted at the regional level within Regional Spatial Strategies (RSS) prepared by regional planning bodies and at the local level within Local Development Frameworks (LDF) which comprise Development Plan Documents (DPD), Supplementary Planning Documents (SDP) and Area Action Plans (AAP).

In Wales, a two-tier planning policy hierarchy exists whereby the Welsh Assembly Government (WAG) prepares planning policy guidance at the national level which is primarily set out in Planning Policy Wales (PPW) with a partial review of PPW resulting in the publication of Ministerial Interim Planning Policy Statements (MIPPS). WAG also prepares Technical Advice Notes (TANs) which provide more detailed planning guidance in relation to specific themes. This guidance, together with the Wales Spatial Plan (WSP), informs production of local planning policies by each local planning authority (LPA) which are contained within Local Development Plans (LDP).

3.1.2 Coastal Planning Policy

National planning policy guidance relating specifically to coastal planning in England is set out in PPG20: Coastal Planning, which discusses types of coasts, policies for their conservation and development and policies covering risks of flooding, erosion and land instability, as well as coastal protection and defence. However, the guidance was published in 1992 and will be replaced by PPS20 which is currently being prepared. PPW, alongside TAN14, sets out the WAG's objectives for the coast.

Aspects of other national policy guidance in England and Wales are also relevant to coastal planning issues for example, in relation to nature conservation. However, it is not the purpose of this report to discuss each in detail. The policy documents considered to be most relevant to coastal issues are highlighted in Table 3.1 in relation to each of four themes reflecting the main functions of the project partners.



Table 3.1 Key Existing National Policy in England and Wales Covering Coastal Planning Issues

Project Theme	Key National Policy (England)	Key National Policy (Wales)
Flood and coastal erosion risk management	PPG20: Coastal Planning PPS25: Development and Flood Risk	Planning Policy Wales TAN14: Coastal Planning TAN15: Development and Flood Risk
Conservation of the natural environment	PPG20: Coastal Planning PPS9: Biodiversity and Geological Conservation PPS23: Planning and Pollution Control	Planning Policy Wales TAN5: Nature Conservation and Planning TAN14: Coastal Planning
Landscape and seascape	PPS1: Delivering Sustainable Development PPG20: Coastal Planning	Planning Policy Wales TAN14: Coastal Planning
Access and recreation	PPG17: Planning for Open Space, Sport and Recreation PPG20: Coastal Planning	Planning Policy Wales TAN14: Coastal Planning TAN16: Sport, Recreation and Open Space

The 2008 Planning Act introduced also National Policy Statements (NPS) which, when issued, will provide guidance relating to specific types of major infrastructure to inform decisions by the IPC on major development proposals. NPSs will cover specified types of nationally significant infrastructure projects in the coastal area, including port developments designed to handle more than 1Mt/y and energy generation projects with a capacity of more than 100MW (offshore) or 50MW (onshore).

3.1.3 Existing Marine Designations / Marine ‘Plans’ and Development Control

Although there is no formal marine plan system at present, spatial planning associated with particular industries or functions of the marine environment already exists to some extent, at widely varying scales and in an uncoordinated way. Examples include: allocation of development areas for oil and gas exploration/production; ongoing development of a similar approach for offshore windfarms; Shoreline Management Plans (SMPs); protected areas (e.g. Natura 2000 and Ramsar sites, bathing waters, shellfish waters); byelaw controls on fishing in certain areas; Coastal Habitat Management Plans (CHaMPs); estuary plans; controls on navigation (e.g. traffic separation schemes, restricted navigation zones, anchorages etc) and spatial definition of water bodies each with ecological targets and defined measures to achieve them under the Water Framework Directive (WFD).

3.1.4 Requirements for Integration

National policy in both England and Wales also stipulates that, in preparing land-use, regional planning bodies and local authorities should take into account a range of existing coastal and marine-related management plans and legislation. With regard to flood risk for example, PPS25 and TAN15 stipulate that spatial plans should be consistent with, and be informed by, SMP, River Basin Management Plans (RBMP) and Catchment Flood



Management Plans (CFMP), in order to ensure that flood risk and shoreline management are considered holistically alongside other planning issues such as transport, housing and economic growth. In relation to biodiversity and conservation meanwhile, PPW, PPS9 and PPS23 reflect the requirements of the WFD.

3.2 Future Planning Context

3.2.1 Proposals for a New Marine Planning System

The Marine and Coastal Access Bill makes provision for the preparation by the UK Government of a Marine Policy Statement (MPS) which will set out high level objectives for the marine environment to be translated into more localised policies within marine plans prepared by relevant planning authorities (WAG and the MMO). It is not currently known how many plans are to be prepared or what their geographical coverage will be, although there is a general expectancy that the system will be similar to that of the terrestrial system with a higher level MPS setting out the broad policy objectives for the marine environment, informing marine plans for a region or other broad area, with smaller ‘nested plans’ dealing with sub-regional areas or specific developments/uses such as harbours. Marine plans will be implemented at the coast both through decisions of regulatory bodies (MMO, WAG, IPC, and LPA) on licensing/consents for development, as well as through decisions of other public bodies in relation to their planning roles. Appendix C provides further background information on the marine planning proposals under the Marine and Coastal Access Bill.

3.2.2 Land-use and Marine Planning Integration

Defra’s (2009) A strategy for promoting an integrated approach to the management of coastal areas in England sets out the Government’s vision for integrated coastal management which is underpinned by the following objectives:

- to integrate coastal policies and provide a clear, strategic direction to coastal managers;
- to ensure a consistent, joined-up approach to regional and local planning and decision-making;
- to promote the benefits of local coastal initiatives which bring together coastal stakeholders;
- to promote awareness and understanding of the value of the coast and the issues facing it;
- to improve the quality and co-ordination of information about the coast to improve management practices; and
- to monitor progress towards improving integration at the coast.



Within the strategy, Defra makes a commitment to “ensure that the new system of marine planning, proposed in the Marine and Coastal Access Bill, integrates effectively with existing mechanisms on land, in particular planning and development control, river basin management planning and shoreline management planning. [They also commit to] ensure that any new system incorporates involvement of local stakeholders and relevant competent bodies throughout”. The Strategy details a number of changes to land-use and marine planning which will act as mechanisms for the integration of planning in coastal areas including the preparation of new Regional Strategies by Regional Development Agencies, Local Strategic Partnerships (LSPs), Local and Multi Area Agreements and marine plans.

With specific regard to the latter, for inshore regions in England and Wales, a marine plan authority must take all reasonable steps to secure that the marine plan is compatible with any development plans (see Schedule 6, para 3 of the Marine and Coastal Access Bill) although there is no current requirement for development plans to be in conformity with marine plans. In addition, the authority must also have regard to any other plan prepared by a public or local authority in connection with the management or use of the sea or the coast, or of marine or coastal resources (Schedule 6, para 9(2)). This could include, for example, SMP and River Basin Management Plans (RBMP).

However, uncertainty remains regarding how integration will be achieved in practice and there are a number of key issues which may hinder the integration of both planning systems and these are discussed in more detail in the proceeding sections of this report. A comparison of the similarities and differences between the two planning system is provided in Table 3.2 which provides an initial indication of the conformity issues where may impact on integration.

Table 3.2 Similarities and Differences between the Land and Marine Planning Systems

	Land-use	Marine (Future Law M&CA Bill)	Conformity
National policy	PPS, PPG, NPS	MPS, NPS	✓
Statutory requirement	plans required for all areas	plans optional	(x)
Spatial definition	regional, local	national inshore and offshore (further subdivision optional)	(x)
Review period	not defined	not defined ¹	(x)
Area covered	All land	UK territorial waters (to 12nm), EEZ and UK Continental Shelf	x
Tidal boundary at the coast	normally LWM, may be seaward of LWM	MHWS	x
Planning authority	individual LPA, IPC	SoS (MMO) / WAG, IPC	x
Objective	sustainable development	sustainable development	✓

¹ But will be monitored at least every 3 years



4. Current and Future Planning Integration at the Coast

4.1 Flood and Coastal Erosion Risk Management

4.1.1 Experience in Planning at the Coast

Current Practice

*Making Space for Water*² contains the Government's vision for a holistic approach to flood and coastal erosion risk management which reduces the threat to people and their property and maximises the socio-economic and environmental benefits, consistent with the principles of sustainable development. This vision sets out that SMP and CFMP in particular should assess a range of management solutions required to 'make space for water', including the realignment of coasts to create new habitats that provide wildlife (and recreational) resources and reduce coastal squeeze on habitats like saltmarsh. Consequently, although the EA has a key role in the management of flooding and erosion risk at the coast, this range of management options means that the remits of all partners (see Appendix D) are driven in part by a responsibility towards coastal management.

Building on Making Space for Water, PPS25 in England and TAN15 in Wales stipulate that spatial plans should be consistent with, and be informed by, other coastal management plans in order to ensure that flood risk management is considered holistically alongside other spatial planning issues such as transport, housing and economic growth. SMP, alongside CFMP, are therefore expected to be a key consideration in the development of land-use plans (LDF and LDP).

Planning Issues

Despite a national steer, evidence from existing local plans and emerging LDF documents and LDP suggests that there is currently a lack of integration with SMP and other coastal management strategies. The reason for this is perhaps due in part to the fact that LPA involvement in the preparation of SMP is mostly through their engineers not their planners and there is often little direct involvement and engagement with forward planning sections. Forward planning sections in local authorities may also lack proper understanding of their role in the SMP process and how SMP and land-use processes are supposed to integrate.

² Defra (2005) *Making space for water: Taking forward a new Government strategy for flood and coastal erosion risk management in England*



To help address this issue, guidance prepared by Defra³ sets out the role of SMP in supporting the planning system, which includes identifying areas at risk from flooding and coastal erosion and supporting land-use plan policies including those related to necessary defence works to support future development. It is also expected that PPS20, which will replace PPG20 once adopted, will provide a greater emphasis on SMP in relation to land-use plans.

In order to support the EA's remit to provide a strategic overview of the management of all sea flooding and coastal erosion risk on the coast in England, Coastal (Defence) Groups are currently being consolidated into regional groups. This aims to provide a more strategic and integrated management approach to coastal management. It is also expected that future legislation will extend the remit of the Regional Flood Defence Committee to include coastal erosion, meetings of which will be attended by Coastal Groups.

Defra⁴ has also made a commitment to ensure that the new system of marine planning integrates with SMP and it can be assumed that, like land-use plans, marine plans will need to be informed by flood risk-related information including data provided by the EA and coastal management plans, including SMP (as per Schedule 6 (paragraph 9) of the Marine and Coastal Access Bill.

Nevertheless, the lack of integration in the land-use planning context raises the question of how effectively SMP, as well as other coastal management strategies, will inform and interact with marine plans and suggests that proactive steps may be needed to ensure that integration occurs and that benefits are realised. This is especially pertinent given that the coverage of marine plans will not extend inland of MHWS meaning that landside processes such as cliff erosion that are affected by both land-side and marine activities may not be fully considered in the development of marine and terrestrial planning policies.

4.1.2 Evidence: Case Studies and Consultation

Case Studies and Interviews

The case studies reviewed as part of this study, as well as interviews with stakeholders, have highlighted the variation in the degree to which SMP and other coastal management plans are integrated within land-use plans. In the Humber, for example, a plethora of management plans exists and, although a strong ethos of partnership working has developed in the region with plans brought together within the Humber Management Scheme, planning management of the Estuary has remained fragmented. This is not to say that co-ordinated coastal management is not taking place. The Alkborough Flats Project, which involved the managed realignment and construction of new tidal defences to provide flood storage and provision of 170ha of new intertidal habitat, was identified within the Humber Estuary Shoreline Management Plan (HESMP) and delivered in partnership with the Countryside Agency, English Nature and North Lincolnshire Council. However, although the North Lincolnshire

³ DEFRA (2006) *Shoreline management plan guidance Volume 1: Aims and requirements*

⁴ DEFRA (2009) *A strategy for promoting an integrated approach to the management of coastal areas in England*



Council Local Plan (adopted 2003) acknowledges its role as a key delivery mechanism of the HESMP, there is little evidence to suggest that the HESMP was fully integrated with planning policy. This is reflected by the fact that the Local Plan does not identify the Alkborough Flats as an area for potential managed realignment despite the scheme being identified within the HESMP which pre-dates the Local Plan.

Stakeholder Workshops

Echoing the findings of the case study review, a number of challenges were highlighted during the workshops relating to the integration of existing SMP and other management plans with marine plans and land-use plans. In this respect, concern was also raised in relation to the plethora of plans that will exist at the coast which may lead to a lack of clarity and a failure to deliver outcomes.

Another issue raised by stakeholders, which could affect the degree to which coastal erosion and flood risk is managed through marine plans, related to the uncertainty surrounding the data required to inform policy decisions. This was highlighted as being particularly important in relation to the EA's remits and it was suggested that early identification of data requirements was needed.

4.1.3 Future Opportunities and Challenges

The preparation of marine plans and their integration with land-use plans presents an opportunity to develop a more holistic, spatial planning approach to flood and coastal erosion risk management. In adopting such a spatial planning approach, opportunities exist to:

- manage competing socio-economic and environmental interests in relation to flood and coastal erosion risk management;
- raise the profile of SMP and encourage their integration within land-use and marine plans;
- develop a long term, strategic approach to addressing flood and erosion risk, including through managed realignment; and
- maximise the benefits of flood and erosion risk management measures such as managed realignment to the enhancement and creation of natural habitats.



However, based on the findings of the case study review, stakeholder interviews and workshops, as well as Entec's experience, a number of challenges have been identified which could act as a barrier to realising these opportunities. These challenges are summarised as:

- providing information and data that are of sufficient quality to support the development of marine plan policies;
- ensuring that there is sufficient local expertise within the MMO/WAG to address localised flood and coastal erosion risk management issues;
- ensuring that marine plans are sufficiently detailed to address localised flood and coastal erosion risk management issues;
- developing a holistic approach to flood and coastal erosion risk management across both marine and land-use plans;
- maximising the habitat creation potential of flood and coastal erosion risk management measures; and
- integrating SMPs with both land-use and marine plans.

4.1.4 Recommendations

The majority of the challenges outlined above have been taken into account in developing the more generic recommendations that are highlighted in Table 4.1 and are discussed in more detail within Section 5 (in these instances, the related recommendation is highlighted in bold). However, it has been recognised that the successful integration of SMP with marine plans is key to the management of erosion and flood risk in coastal areas. Two potential options to facilitate this have been identified and are set out below.

Option 1 – SMP Subsumed Within Marine Plans

The approach would see SMP directly form the coastal process component of marine plans and would have the benefit of ensuring full integration of flood and coastal erosion risk management within marine plans. However, a number of difficulties would have to be overcome, including alignment of timing of the SMP vis-a-vis marine plans, the potential variation in geographical scale between the two plans and the necessity to integrate existing coastal groups within the MMO/WAG. On balance, we have assumed that this approach would not be realistically practicable.

Option 2 – SMP as Key Evidence Base Documents

Our preferred approach would be for SMP to form a key part of the evidence base in the preparation of marine plans. This would help to ensure consistency between marine plans, SMP and land-use plans (assuming that PPS20



strengthens the role of SMP in this respect), encouraging a more strategic and holistic approach to planning for flood and coastal erosion risk management. To facilitate this, the MPS and/or additional guidance would need to identify clearly the linkages between marine plans and SMP. It would also be necessary for the MMO/WAG, like local authorities, to have a role in the development of SMP, for example as a member of a steering group. We recommend this option.

Table 4.1 Recommendations Relating to Flood and Coastal Erosion Risk Management

Recommendations Specifically Related to this Functional Theme
<ul style="list-style-type: none"> • As a priority, partners should seek to influence the preparation of the forthcoming PPS20 in England and any future review of TAN14/preparation of Ministerial Interim Planning Policy Statements in Wales through dialogue with Communities and Local Government (CLG)/WAG to ensure that the role of SMP is strengthened in relation to terrestrial planning (see Recommendation 2). • Partners should hold discussions with Defra to clarify the role of SMP in the preparation of marine plans (see Recommendation 6). It is recommended that partners should look to ensure that SMP form a key part of the evidence base by: <ul style="list-style-type: none"> ➤ requesting that Defra highlight the role of SMP as a key source of evidence in the preparation of marine plans within the MPS; ➤ seeking guidance from Defra/CLG which clearly identifies the role and purpose of SMP in the development of marine plans; ➤ highlighting best practice from the preparation of existing SMP; ➤ ensuring that the MMO/WAG are actively involved in the preparation of SMP.
Generic Recommendations Common to Other Themes
<ul style="list-style-type: none"> • It is recommended that all reasonable steps should be taken to ensure compatibility of land-use and marine plans. This may be achieved by seeking to amend the Planning Acts to make an explicit requirement that land-use plans be compatible with relevant marine plans or by enforcing a requirement through the forthcoming PPS20 in England and within any future review of TAN14 in Wales (see Recommendation 1). • It is recommended that the marine planning bodies commit to having nested (smaller / local / site based) plans that sit within regional ecosystem-based plans covering wider areas (see Recommendation 5). • It is recommended that local marine plans or local sections of wider plans, as a general (but flexible) rule, align to land-use plan boundaries (i.e. LDF, LDP) as far as practicable, recognising that some may need to border several local planning authorities (e.g. in the case of estuaries) (see Recommendation 5). • It is recommended that a review of data requirements and compatibility of systems (e.g. databases, GIS) is carried out in order to identify potential gaps and solutions (see Recommendation 19). • It is recommended that MMO/WAG have a local focus. This may be carried out through any or all of the following options: <ul style="list-style-type: none"> ➤ posting (or seconding) MMO/WAG local/regional marine plan team staff to local/regional partners' offices or LPA offices; ➤ <i>vice versa</i> (i.e. partner or LPA officers seconded into MMO); ➤ raising awareness/expertise of local/wider planning issues among MMO staff, through training potentially carried out by partner or LPA officers (see Recommendations 12 and 13). • It is recommended that there is inclusion of relevant marine issues in RSS/LDF and similarly that MMO/WAG consistently does the reverse (recognises land-use issues in the marine plan). This would require guidance to MMO/WAG as to issues to be included and weight given (see Recommendation 7).



4.2 Conservation of the Natural Environment

4.2.1 Experience in Planning at the Coast

Current Practice

Partners are all in some respects responsible for ensuring the conservation of habitats and wildlife in the natural environment, as detailed by partners⁵ and summarised in Appendix D. This is achieved both through protection of individual species, wherever they are, as well as through designation of sites as habitat for particular species or biological communities of interest. It is the designation of protected areas that is probably most directly relevant to both land-use and marine plans. Sites for wildlife protection include Ramsar sites designated under the provisions of an international convention, Special Protection Areas (SPA) and Special Areas of Conservation (SAC) arising from EC Directives (collectively known as Natura 2000 sites) and sites protected under national legislation, such as Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR), Marine Nature Reserves (MNR) and Local Nature Reserves (LNR). Many of these sites include the littoral 'overlap zone' between land-use planning and regulation and marine regulatory regimes. Equally, some species that use the littoral zone and open water, e.g. seals, may also require consideration within both planning regimes.

A further spatial planning element has recently been introduced with definition of surface water bodies (inland and coastal) under the WFD. RBMPs must be introduced under the WFD with the aim of ensuring no deterioration in chemical or ecological status of these water bodies and working towards the achievement of good chemical and ecological status (or good ecological potential in heavily modified water bodies). Under the WFD, ecological status includes consideration of the physical nature of the habitat (the hydromorphology) and developments which may affect this will need to be assessed in the light of the WFD, thus there is a clear link between RBMP and land-use and (in future) marine plans.

Certain spatially defined areas also receive protection of water quality to support specific biota, including designated Shellfish Waters (SFW), where water quality is protected to support shellfish growth. Many inland rivers are designated as salmonid or cyprinid waters, where water quality is protected specifically to support freshwater fish. In the case of SFW, if migratory fish are involved, estuarine waters also require protection to ensure that both adult and juvenile fish are able to migrate successfully.

As well as the spatially related designations described above, water quality and migratory fisheries issues in estuaries and coastal waters are generally managed by the EA. In inland areas this aspect operates largely

⁵ <http://www.naturalengland.org.uk/ourwork/marine/protectandmanage/default.aspx>
<http://www.environment-agency.gov.uk/research/planning/33102.aspx>
<http://www.ccw.gov.uk/landscape--wildlife/protecting-our-landscape/special-landscapes--sites.aspx>
http://www.nationaltrust.org.uk/main/w-chl/w-countryside_environment.htm



independently of the land-use planning system, with the EA's role mainly being as a regulator of abstractions and discharges and a consultee on development applications. A similar situation prevails in coastal waters and is likely to continue after introduction of marine plans. Commercial fisheries are regulated by Sea Fisheries Committees or, for generally larger vessels operating further offshore, through the European Common Fisheries Policy. Sea Fisheries Committees are to become Inshore Fisheries and Conservation Authorities (IFCAs) in England, under the Marine and Coastal Access Bill, and are to be abolished in Wales, with functions transferred to WAG. Activities of IFCAs will be guided by marine plans.

Planning Issues

Designation of Natura 2000 and Ramsar sites on land or in the sea provides a high degree of protection against adverse effects of plans or programmes (i.e. development), through the procedures laid down under the Habitats Regulations and related legislation. However, there are issues about the scope of the definition of a 'plan or programme', in relation to some marine activities, particularly navigation and commercial fisheries. Assessment under the Habitats Regulations also applies to land-use plans, thus the presence of designated sites can have a significant influence on such plans. The same procedure should be applied to marine plans.

Considering designations at a national level, SSSI and NNR are confined to parts of the coastal zone falling within LPA areas (generally down to LWM along open coast) and only two Marine Nature Reserves (MNR) have been designated in England and Wales since powers were introduced in 1981, largely due to the need to obtain voluntary agreements from fishery and other users. No equivalent of second-tier designations (county wildlife sites) exists offshore of LWM. Protection of the natural marine environment at a national level is therefore limited in spatial planning terms. The Marine and Coastal Access Bill proposes a system for designating (by Order) a series of Marine Conservation Zones (MCZ), which will be areas protected for conservation of marine wildlife or geological or geomorphological features. Although the criteria for designation of MCZ and their legal protection are outside the scope of this study, MCZs will need to be taken into account in producing marine plans.

Marine plans should have some bearing on where commercial fisheries take place, but this will also be covered by arrangements in accordance with the EU Common Fisheries Policy. The lack of ability to regulate fisheries through marine plans is seen by many as a weakness in the proposals.

A key issue is the relationship between RBMP and land-use or marine plans. While some aspects of RBMP can be implemented separately from the planning systems, some measures proposed in the RBMP will involve activities that properly fall within the planning sphere. Both land-use and marine plans may be important in planning for delivery of the targets and aspirations of the RBMP, however, there is no established mechanism or guidance for interaction between the two. A further difficulty is that marine waters (particularly in estuaries) may be affected by activities far upstream and thus inland, often beyond the area of the coastal LPA. However, the provisions of the Habitats Regulations mean that activities outside of a Natura 2000 site, whether landward (e.g. discharges originating from land) or seaward, can be considered where they may be affecting the site, as addressed by the 'Review of Consents' initiative by NE and EA.



4.2.2 Evidence: Case Studies and Consultation

Case Studies and Interviews

All seven case studies involved areas containing Natura 2000 sites. The ‘development control’ case studies involved developments that warranted Appropriate Assessments (in the case of the wind farms for intertidal cable routes) and, in the case of the Humber port development and Cardiff Bay Barrage, extension of designated land and provision of compensatory habitat. In all these cases, partners were key consultees providing input across the coastal zone, in many cases in relation to designated sites extending through the littoral zone where land-use and marine plans will overlap. In principle, partner inputs to development proposals will remain the same following the introduction of marine plans although additional partner resources will be required to assess the proposals against the policies on protection of the natural environment contained in the relevant marine plan.

In the development planning case studies (principally the Northumberland EMS/AONB Joint Management Plan and the Tamar Estuaries Plan), Natura 2000 sites were a main driver behind preparation of the plan. The principles and methods adopted in these plans provide examples of approaches that are relevant to marine planning in relation to designated sites generally. Development of these plans has involved marine scientists and land-use planners working together within the LPA offices, resulting in plans following ICZM principles. In the case of the Tamar Estuaries, the plan is being adopted as a SPD in Plymouth and has set the framework for a more coordinated approach to the future of the waterfront and wider coastal zone. In the Northumberland case, the project partners (particularly NE) formerly consulted separately with the LPA’s AONB and EMS officers but now benefit from consulting in relation to a single plan. The Joint Action Plan details organisations’ (NE, EA, NT and others) whose input is required and signed up to. Both of these plans potentially provide a basis on which to develop local elements of a marine plan in future years.

Stakeholder Workshops

At the workshops, stakeholders considered that marine planning would benefit integration at the coast by bringing conservation and biodiversity to the forefront of the marine planning objectives, leading to a more proactive approach. This would be further strengthened by adding an extra body (MMO) with duties to promote the conservation agenda in England and by extending WAG’s planning powers to cover the marine environment. In addition, marine planning has the potential to help fill the gaps by providing better protection for areas outside designated sites, such as Biodiversity Action Plan (BAP) priority habitats. Assessment of in-combination effects under the Habitats Regulations would also be assisted by better integration at the coast.

On the scale of marine plans, the ecosystem approach to setting marine plan spatial boundaries was thought to be important, however, it was recognised that this would not necessarily lead to good integration at the coast and that there were other factors to consider, e.g. matching regional planning boundaries (RSS, Wales Spatial Plan). A local



component in marine plans was also important. In order to proceed, it was thought that there was a need for more information to be available to the partners on environmental assets.

Guidance such as PPS20/TAN14, as well as PPS9/TAN5 and the Defra/WAG guidance documents on implementing the biodiversity duty imposed by the Natural Environment and Rural Communities Act 2006, should be expanded better to cover marine issues, taking account of the Marine Strategy Framework Directive in PPS20/TAN14. There was support for the principle of moving towards common guidance to be used in preparation of both land-use and marine plans where practicable.

One potential threat revealed was concern that the marine planning bodies (MMO/WAG) would be heavily dependent on the conservation agencies (NE and CCW) for advice on incorporation of marine conservation into marine plans. Bearing in mind that recruitment will be needed for the MMO and WAG, project partners felt that a contribution to bridging the gaps could be made by partners advising or sitting on recruitment panels or through secondments from partner organisations to MMO/WAG.

4.2.3 Future Opportunities and Challenges

The preparation of marine plans and their integration with land-use plans presents an opportunity to strengthen protection of the marine environment at the coast, while allowing development to proceed in a more planned way according to a marine plan that has been drawn up taking account of both ecosystem-wide and local environmental constraints and opportunities. In introducing and developing marine plans, opportunities exist:

- to address remits of project partners in relation to marine conservation through inputs to marine plans;
- to use marine plans to improve protection of the natural marine environment at the coast;
- to make full use of existing EMS management plans (where they exist) to feed into marine plans;
- to include policies in marine plans for development and use of ports not covered by the NPS on ports;
- to assist in the delivery of measures included in RBMP by incorporating these into marine plans where appropriate;
- to ensure the appropriate evidence base is in place to ensure conservation/biodiversity interests are integrated into marine plans;
- for planning bodies (particularly MMO but also LPA) to consider integration across the land-sea interface where a conservation issue arises rather than it being left to the conservation agencies/partners only to make the links; and
- to optimise the value of existing voluntary coastal/estuary management plans and partnerships, which have proved successful tools for integration, and to extend coverage of such partnerships - by helping them become the types of organisations which the partners could depend on.



However, based on the findings of the case study review, stakeholder interviews and workshops as well as Entec's experience, a number of challenges have been identified which could act as a barrier to realising these benefits. These challenges are summarised as:

- defining appropriate marine plan boundaries that relate to ecosystem functioning, LPA boundaries and WFD water body boundaries;
- developing marine plans that include policies to protect wider ecosystem functioning while also providing sufficient detail at a local level to address local issues;
- the potential for greatly differing timescales of different plans (e.g. RSS/WSP, LDF/LDP, RBMP and marine plans), hindering integration at the coast;
- ensuring that valuation of ecological interest features and management prescriptions are consistent across the two planning systems;
- ensuring enough resource is available to partners at the marine plan development stage;
- ensuring sufficient attention and resource is provided within the MMO and LPA to consider integration as it applies to issues in general and conservation/biodiversity specifically
- achieving full engagement of project partners with the marine planning body (MMO/WAG) and with LPA over the policies embodied in and the content of the marine plan;
- achieving understanding with IFCA/WAG Fisheries Inspectorate and with fishing interests; and
- the dependence of some estuarine ecosystems on river flows and river water quality affected by activities well inland of the possible extent of the marine plan and often inland of the planning remit of the coastal LPA; thus some measures included in RBMP for the benefit of estuaries may be outside the influence of coastal LPA land-use plans or marine plans.

4.2.4 Recommendations

The majority of the opportunities and challenges outlined above have been taken into account in developing the recommendations given in Table 4.2, which includes those of a more generic nature that are discussed in more detail within Section 5 (in these instances, the related recommendation is highlighted in bold).



Table 4.2 Recommendations Relating to Conservation of the Natural Environment

Recommendations Specifically Related to this Functional Theme
<ul style="list-style-type: none"> As a priority, partners should seek to influence the preparation of the forthcoming PPS20 in England and any future reviews of TAN14/PPS9/TAN5/preparation of Ministerial Interim Planning Policy Statements in Wales, through dialogue with CLG/WAG, to ensure that the guidance is extended fully to cover marine plans and conservation in the marine environment and that, over time, planning guidance is fully aligned across the coastal zone. The Marine Strategy Directive should be covered in PPS20/TAN14 (see Recommendation 2). Partners should press Defra/WAG to provide guidance on NERC biodiversity duty for MMO matching that already in place for LPA and other public authorities⁶. Defra should be encouraged to provide integrated guidance on how RBMP should integrate with LDF/LDP and with marine plans in respect of the RBMP programme of measures and in relation to developments at the coast that may affect water body status. Partners should seek to engage with MMO/WAG through River Basin District Liaison Panels and specially arranged events (e.g. workshops) to ensure consistency between RBMP and marine plans (see Recommendation 13). The EA should meet MMO/WAG at the earliest opportunity to press for coordination of timescales of RBMP (6 year cycle) and marine plans (three year minimum monitoring frequency) (see also Recommendation 14). Partners should arrange discussions as early as practicable (possibly through workshops) with MMO/WAG, LPA and RBMP managers to discuss marine plan boundaries in relation to the ecosystem approach (see Recommendation 5). Partners should seek to establish close working relationships with IFCA/WAG Fisheries Inspectorate as soon as they are established.
Generic Recommendations Common to Other Themes (in addition to those in Table 4.1)
<ul style="list-style-type: none"> It is recommended that partners engage with the marine planning bodies to discuss the contribution they can make to development of the MMO/WAG marine planning teams, through advising or sitting on recruitment panels or providing secondees (see Recommendations 12 and 13). It is recommended that marine planning bodies be encouraged to use existing local coastal/estuary management plans as the basis for local elements of marine plans where coastal partnerships have been successful (see Recommendation 6). It is recommended that (to assist with the former) land-use and marine planning bodies <i>jointly</i> carry out a review of coastal partnerships and suitability of management plans/objectives to carry forward into local marine plans. This would help inform the partnerships on how they may improve their operations to the partners' benefits to between assist them in integrated coastal zone management (see Recommendation 14). It is recommended that land-use and marine planning bodies form a coastal planning working group which the partners either sit on or contribute to. Therefore it is recommended that partners source additional funds to allow time to progress this joint working group (see Recommendation 15). Partners should review the staff resources required for consultation on development proposals and assess the extra resource (if any) that will be required to ensure that marine plan policies are fully reflected in consultation responses (see Recommendation 16).

⁶ Defra (2007) Guidance for Public Authorities on Implementing the Biodiversity Duty and Defra (2007) Guidance for Local Authorities on Implementing the Biodiversity Duty



4.3 Landscape and Seascape

4.3.1 Experience in Planning at the Coast

Current Practice

The current practice in land-use planning with regard to consideration of both landscape and seascape is that the potential impact of a development upon a landscape e.g. a National Park or even a typical townscape is an important consideration when a planning application is being determined by a LPA. In the land-use planning system there are a number of protective designations that a landscape can be given, including the nationally important National Parks and AONB. In the case of the national parks in the UK that have coastlines, seascape is recognised as adding to the intrinsic value of their landscapes. Both Natural England and CCW have statutory powers to designate landscapes as National Parks and AONB. Both organisations are also involved in the characterisation of landscapes which is recorded on the Landmap (GIS data base) and used by LPA to help them make decisions on planning applications.

Planning Issues

In contrast to how landscape is considered as an issue in current planning practice, seascape is considered to be outside the jurisdiction of LPA and is not considered when planning applications are being determined. LPA are, however, consulted on off-shore wind farm proposals that would be situated off their coastlines and they do often object on the grounds relating to adverse visual impact, particularly when their areas are National Parks and AONB. It is considered the proliferation of off-shore wind farm developments has caused local authorities in particular to re-consider their understanding of the sea, to take into account more strongly the connection between the sea and land and to call for a re-interpretation of the coastal zone.

4.3.2 Evidence: Case Studies and Consultation

Case Studies and Interviews

The case studies that have been reviewed as part of this study include off-shore wind farm developments at Burbo Bank, Liverpool Bay and on Teesside. The issue of potential impact on the seascape generated no objections at Burbo Bank but the LPA did object on visual impact grounds to the Teesside proposal. NE's primary concern in relation to this wind farm was that of the potential impact of the cable crossing of a coastal SPA and not the visual



impact on the landscape nor the seascape, although they did request a photographic survey at the Wirral landfall to show the recovery of the shoreline after the cable had been laid.

The case study relating to Berwickshire and North Northumberland Coast EMS/ Northumberland Coast AONB joint plan is based on the latest AONB management plan, with new policies that will apply to both the EMS and AONB areas. This will be the first joint statutory plan in the UK covering both land and marine adjoining/overlapping areas. Although an AONB is designated primarily on its aesthetic qualities and an EMS on its ecological value (and therefore not related to seascape in a visual sense) this joint plan could signal the way forward for the joint planning of land and marine environments in the future under marine plans. The EMS covers the Berwickshire and North Northumberland Coast SAC and the Northumbria Coast SPA (also listed as a Ramsar site). The Plan has a 20 year vision (to 2029) that aims to ensure all planning development is sustainable and fits within land-use and marine planning frameworks. The plan has been compiled to provide guidance, advice and support to land and marine authorities to promote sustainable management policies and actions in the area.

Coverage of marine issues in land-use plans varies greatly amongst LPA but some are ensuring their plans do consider the adjoining marine environment. Plymouth City Council is regarded as being at the forefront in planning for its marine environment (Tamar estuaries) by producing a SPD for its estuary areas as part of its LDF. It is expected that this SPD will support the Council's vision to conserve and enhance Plymouth's coastal and waterfront setting, as well as promoting an integrated management approach to its sustainable development.

Stakeholder Workshops

The issue of seascape/ landscape was considered at the Peterborough workshop with the majority of the discussion focusing on how seascape needs to be defined and characterised in the same way landscape is. It was pointed out that seascape and landscape are inextricably linked and that a seascape can complement and add to the attractiveness of the adjacent landscape and vice versa. It was also considered that seascape needed to be defined and characterised perhaps in marine plans not only above the water surface but also below. It was considered that, as there would be an overlap between marine and terrestrial plans at the coast, and as visual effects of marine developments could be experienced for a considerable distance inland in some places and vice versa, there would be a need for an integrated approach for dealing with development proposals in either the marine or land environment to ensure the potential impacts are considered in both.

4.3.3 Future Opportunities and Challenges

In introducing and developing marine plans, opportunities exist to:

- define better the relationship between sea and land. A sense of land-sea interaction has been apparent in the development of off-shore wind farms and the consequences of them on local/seascapes. The



terms of coastal planning are themselves being re-evaluated as the horizon of perceived land sea interaction is extended seawards by the sheer scale of marine developments taking place;

- ensure that spatial planning in the sea takes account of the views from, and the setting of, protected landscapes (e.g. AONB and National Parks), as well as the landscape character of land in the coastal zone; and
- in general take account of the underwater seascape as well as the surface.

However, based on the findings of the case study review, stakeholder interviews and workshops as well as Entec's experience, a number of challenges have been identified, including:

- landscape character is experienced by anyone who can see the landscape in question; similarly, the extent of visual impacts of a change in the coastline or some other development depends on topography. In some areas, visual impacts of marine features may extend many kilometres inland, effectively extending the coastal zone within which integration of land-use and marine plans is important as far as the zone of visual influence (ZVI) extends;
- the UK's coastal seas are intensively used by vessels engaged in fisheries, navigation and recreation, as well as providing sites for infrastructure of extractive and energy industries; large sections of the coastline in England and, to a lesser extent, Wales are heavily modified by human activity. Against this baseline, opinions often differ as to whether a specific development provides an adverse or beneficial impact, for example, it has been interpreted in a number of off-shore wind farm developments that valued landscapes/seascapes would be adversely affected by the wind farms, while in other cases wind farms were considered as giving greater visual interest to the sea; and
- there is a requirement for seascapes (below and above the water surface) to be defined and characterised in the same way landscapes currently are. There are current proposals, connected to the SEA for renewable energy, for 'above water' characterisation around England. CCW are also currently undertaking work to better define and characterise seascapes to build on past work they have undertaken e.g. Guide to Best Practice in Seascape Assessment (2001).

4.3.4 Recommendations

The majority of the opportunities and challenges outlined above have been taken into account in developing the recommendations given in Table 4.3 and which includes those of a more generic nature that are discussed in more detail within Section 5 (in these instances, the related recommendation is highlighted in bold).



Table 4.3 Recommendations Relating to Seascape and Landscape

Recommendations Specifically Related to Theme
<ul style="list-style-type: none"> As a priority, partners should seek to influence the preparation of guidance on addressing landscape and seascape issues at the coast, including recognition that policies in marine plans should take account of visual impacts extending as far inland as the ZVI of the area or activity in question and that when local planning authorities are considering planning applications for significant developments the impact on seascape is considered. NE and CCW should press MMO/WAG to ensure that marine plans integrate with land-use plans and <i>vice versa</i> in relation to seascape and landscape, e.g. marine plans should contain policies taking into account areas such as AONBs or National Parks and <i>vice versa</i>. NE and CCW should ensure information, data and criteria are available in order for seascape to be characterised and defined in marine plans in a similar way to that of landscapes, potentially through developing a seascape unit within the LANDMAP GIS database used by NE and CCW to help inform local planning authorities in decision making on planning applications (see Recommendation 6). Partners should arrange discussions as early as practicable (possibly through workshops) with MMO/WAG, LPA and RBMP managers to discuss marine plan boundaries in relation to landscape and visual issues (see Recommendation 5). NE and CCW should work together with the MMO/WAG, to define seascape and understand and consider the relationship between seascape and landscape; CLG and the Department of Energy and Climate Change (DECC) should ensure that the IPC has the necessary expertise with regard to the seascape/landscape interface when it is considering proposals for off shore wind farms and other major developments in the sea.
Generic Recommendations Common to Other Themes (in addition o those included in Tables 4.1 and 4.2)
<ul style="list-style-type: none"> It is recommended that marine planning bodies be encouraged to use existing local coastal/estuary management plans as the basis for local elements of marine plans where coastal partnerships have been successful in management of coastal National Parks, AONB or Heritage Coasts (see Recommendation 6).

4.4 Access and Recreation

4.4.1 Experience in Planning at the Coast

Current Practice

The coastal zone is the focus for much recreational activity, including access to coastal and beach areas for general recreation, bathing, surfing and other beach-based water-contact activities, visits to nature reserves, bird watching, sea angling and recreational boating. Educational use of the coast through field centres and social benefits from community boats and activity centres are other aspects of coastal access provision. Such uses are often recognised in land-use plans and supporting infrastructure (e.g. retail premises, toilets, piers, slipways and marinas) is subject to planning control (and marine licensing where below MHWS). LPA often manage beaches and coastal links, while their management duties in relation to designated bathing waters have increased recently with the implementation of the new EC Bathing Water Directive. The Marine and Coastal Access Bill includes a duty on NE to establish a new public access route around the coast of England, including access to a margin of land along the coast. A coastal access improvement programme is already underway in Wales with a view to creating an all-Wales coastal path by 2012.



Planning and regulation of navigation beyond the beach area, including recreational navigation, is generally a matter for the Maritime and Coastguard Agency and the local harbour authority. The EA, NE and CCW all have duties towards recreation and access to the countryside.

Planning Issues

While recreational activity landward of MHWS and beach based recreation are in general effectively planned and regulated by the LPA under the land-use planning system, navigation and sea angling are not covered. However, except where a local harbour authority or byelaw making powers exist, recreational navigators enjoy rights of free and innocent passage which can only be interfered with in specific circumstances (for example, exclusion from offshore energy installation areas by Order or exclusion by byelaw from an MCZ in England). Thus marine plans will not be able to institute general controls on recreational navigation but will be able to include provision of shore facilities, moorings or dredging of associated channels.

4.4.2 Evidence: Case Studies and Consultation

Case Studies and Interviews

The case studies demonstrated how provision of new access to the coast can be incorporated into coastal developments such as managed retreat schemes (e.g. as at Alkborough). In some cases, control of access is necessary for wildlife conservation or safety reasons.

Stakeholder Workshops

Recreation and access were not raised as points of specific importance during the workshops, although the socio-economic role of marine plans was highlighted.

4.4.3 Future Opportunities and Challenges

In introducing and developing marine plans, opportunities exist to:

- achieve a coordinated approach between land-use and marine plans regarding provision and siting of recreational, educational and social facilities and managing access to the coast;
- take account of marine navigation control zones established under other powers in preparation of the marine plan; and



- incorporate planning of navigation related recreational facilities, including marinas, boat moorings and dredged channels into marine plans.

However, based on the findings of the case study review, stakeholder interviews and workshops as well as Entec's experience, the following challenge has been identified:

- the limited control exercisable through marine plans on navigation generally.

4.4.4 Recommendations

The majority of the opportunities and challenges outlined above have been taken into account in developing the recommendations given in Table 4.4 which includes those of a more generic nature that are discussed in more detail within Section 5 (in these instances, the related recommendation is highlighted in bold).

Table 4.4 Recommendations Relating to Recreation and Access

Recommendations Specifically Related to Recreation and Access
<ul style="list-style-type: none"> • Project partners should press MMO/WAG to ensure that marine plans integrate with land-use plans and <i>vice versa</i> in relation to locations of recreational areas and support infrastructure, as well as identification of areas suitable for educational field study. • Project partners should press CLG and Department for Transport (DfT) to produce guidance on incorporation of coastal recreation and access policies into marine plans. • Project partners should establish liaison groups at a local level with harbour authorities, LPA, user groups and the MMO/WAG to identify any relevant existing strategies and to develop local coastal recreation and access strategies to feed into marine and land-use plans (see Recommendation 13).
Generic Recommendations Common to Other Themes (in addition to those included in Tables 4.1, 4.2 and 4.3)
<ul style="list-style-type: none"> • It is recommended that marine planning bodies be encouraged to use existing local coastal/estuary management plans as the basis for local elements of marine plans where coastal partnerships have covered recreation and access (see Recommendation 6).



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Creating the environment for business



5. Recommendations

This section of the report brings forward and synthesises the generic recommendations from the preceding Chapter. It sets out a series of recommendations to address the challenges and opportunities presented by the implementation of marine planning and its integration with land-use planning, in relation to the remits of the partners. These detail actions recommended to marine planning bodies, government departments and the partners and have been developed around several key areas that emerged during the course of the study:

- development planning / plan preparation – achieving integration of land-use and marine plans and ensuring that the objectives of the partners are fully reflected in both;
- development control management – developing an effective protocol for managing applications for development within the intertidal zone;
- operation of marine planning bodies – identifying the ways in which capacity of the marine planning authorities can be enhanced to best deliver the objectives of the partners; and
- partner resources – suggesting measures to be considered principally by the partners in relation to both their internal resources and operations and external relationships / resources.

5.1 Plan Preparation

5.1.1 Land-use Plans

Legislation

As noted elsewhere in this report, whilst there will be a requirement for marine plan authorities to ensure that marine plans are in general conformity with corresponding land-use plans (RSS, LDF, LDP), there is currently no reciprocal requirement. This may have implications for the holistic planning of coastal areas and, therefore, delivery of the partners' objectives, as reflected in views expressed by stakeholders at the workshops. The case study review suggests that, should there be a lack of national steer, then the incorporation of marine issues into land-use is likely to be ad-hoc. It is considered that successful integration of both land-use and marine plans requires both to have equal weight. However, given the relative infrequency in amendments to planning legislation this should be regarded as a long-term objective.



> Recommendation 1 Planning Legislation
<i>CLG/WAG:</i> It is recommended that Planning Acts be amended to include an explicit requirement that land-use plans must be in compatible with marine plans.
<i>Partners:</i> In the longer-term, partners should seek to influence any revision to planning legislation to ensure that land-use plans are compatible with marine plans.

Planning Policy and Guidance

In the short to medium-term, it is necessary to look to national policy and guidance to provide the appropriate steer to land-use plans. There are several policy documents in both England and Wales that are considered to be particularly relevant to the marine environment and which may need to be prioritised for early review to take into account marine planning (these are listed in Table 5.1). However, it should be noted that the on-going replacement of PPG with PPS in England means that in the majority of cases in England, review should be in the short-term. Similarly, in Wales, a number of TAN, including TAN8: Renewable Energy, are also being reviewed however, this is an on-going process over a number of years

Table 5.1 National Planning Policy with Strong Links to the Marine Environment

England	Wales
PPS1: Delivering Sustainable Development	Planning Policy Wales
PPS9: Biodiversity and Nature Conservation	TAN5: Nature Conservation and Planning
PPS22: Renewable Energy	TAN8: Renewable Energy
PPS23: Planning and Pollution Control	TAN14: Coastal Planning
PPS25: Development and Flood Risk	TAN16: Sport, Recreation and Open Space
PPG17: Planning for Open Space, Sport and Recreation	
PPG20: Coastal Planning (currently under review)	

PPS20, which will replace PPG20, provides an immediate opportunity for partners to not only ensure that conformity between land-use and marine plans is required but to also seek amendments to national policy better to address marine issues and deliver their objectives. In Wales, TAN14, which covers coastal planning, should be reviewed at the earliest opportunity to be consistent with PPS20. In the interim, and in support of a revised TAN14, WAG could consider preparing a Ministerial Interim Planning Policy Statement (MIPPS) to effectively replace Chapter 5 of Planning Policy Wales (Conserving and Improving Natural Heritage and the Coast).

Looking to the longer-term, we envisage that early review of PPS20 (and potentially TAN14 depending when first review takes place) will be required to take into account experiences from the preparation of the first round of



marine plans. Such a review may also present an opportunity to prepare joint land-use/marine plan national planning policy. This is explored in more detail within Section 5.1.3.

To ensure that reviews of national policy fully take into account marine planning, it will be necessary for both CLG and WAG's planning division to have a thorough understanding of the marine planning process. In this respect, it was made apparent from discussions with stakeholders that there is a need for CLG in particular to be more actively engaged in coastal matters and interface with marine planning. Whilst it is noted that CLG have recently formed the Coastal Towns Working Group in 2008 which will progress this in relation to economic development and regeneration, this is clearly an important relationship to develop if marine plans and associated issues are to be considered as part of national planning legislation and policy. One solution to this issue that arose from the workshops was for CLG to be integrally involved in marine planning and be represented on the MMO board. Similarly, it will be necessary for WAG to consider how their planning division is to be linked to the marine planning team.

> Recommendation 2 National Planning Policy

- *CLG/WAG:* It is recommended that the forthcoming PPS20 and any future review of TAN14/coastal MIPPS in Wales stipulate that development plans are required to be compatible with marine plans covering the plan area and that:
- the role of SMP and RBMP is strengthened by raising their profile as a key constituent of the evidence base of terrestrial plans;
- the preparation of coastal SPD is encouraged through partnership (see also **Recommendation 7**); and

Marine planning issues should be taken into account as part of on-going reviews of existing national policy and consideration should be given to prioritising reviews of those policy documents listed in **Table 5.1** in addition to an early review of PPS20 and, potentially, TAN14.

CLG/WAG: It is recommended that CLG become more actively involved in coastal issues and marine planning and seek to be represented on the MMO board. WAG should explore options for integrating its marine planning and land-use planning functions.

Partners: As a priority, partners should seek to raise awareness and encourage development of coastal issues and marine planning with CLG and WAG's planning team with a view to encouraging integration. Partners should also influence the preparation of the forthcoming PPS20 in England and any future review of TAN14/Coastal MIPPS and PPW in Wales.

The findings of the case study review show the varying degrees to which existing coastal management plans are integrated with land-use plans. This is often attributed to the awareness and understanding of marine issues among LPA planning staff, suggesting that a range of complementary measures are necessary to supplement the 'top-down' approach to facilitating marine-land-use planning integration via planning legislation and national policy. Those measures which could be considered include guidance (which is addressed in Recommendation 7), publicity and training.

There is a range of existing avenues available to both publicise marine planning and deliver training to land-use planning professionals including CLG and WAG. The Royal Town Planning Institute (RTPI) for example, which



already has a well-established marine planning task group, delivers a range of planning events throughout England and Wales. The Planning Advisory Service⁷ (PAS), meanwhile, works with LPA, infrastructure providers and developers in England to provide advice and support, tailored planning tools and promote best practice and culture change. These existing information and training resources would provide a useful forum to publicise marine planning, promote best practice and deliver training.

A strong message received from the stakeholder workshops was the need to build on existing expertise and in this respect there would be merit in exploring the option of using staff from LPA that have experience of coastal planning, as well as partner staff, to inform and, potentially, deliver training with a view in the long term to developing a pool of experts which could provide a mentoring or critical friend role to assist planning authorities in addressing marine issues.

> Recommendation 3 Raising Awareness of Marine Planning Among Land-use Planning Professionals

CLG/WAG: It is recommended that CLG/WAG hold discussions with the RTPI, PAS and any other relevant body to explore options for promoting marine planning among land-use planning professionals.

Partners: Partners should consider how they can support the training of land-use planning professionals in marine issues.

5.1.2 Marine Plans

Defra intends to develop guidance over the next two years that will set out in more detail the principles and processes that should be adopted through the marine plan preparation process in relation to, for example, spatial information (evidence base), involvement and consultation and procedures for examination (although this will not be required for every plan). It is therefore a priority for the partners to take immediate actions to ensure that their interests are fully reflected in such guidance.

The analysis of the key characteristics of marine plans presented in Appendix C has identified three key facets of marine plans that are of particular relevance to the objectives of the partners and that they should seek to influence: scope and objectives; spatial scale and plan boundaries; and plan preparation timescales. Each is discussed in-turn below.

Timescales

The Marine and Coastal Access Bill includes a requirement for marine planning bodies to prepare a Statement of Public Participation (SPP) which should set out the scope and scale of the plan, consultation arrangements, a timetable for preparation in advance of a marine plan. This provides a degree of certainty with respect to marine plan preparation, enabling the partners to plan resource requirements as appropriate. More broadly, these measures

⁷ See <http://www.pas.gov.uk/pas> [Accessed April 2009]



may also enable the alignment of marine plan preparation both at the regional and local scale and, over time, with other coastal plans thereby facilitating integration and the development of a holistic approach to management of the marine environment.

Experience from the land-use planning system in England and Wales, however, suggests that alignment of timescales is rarely achieved, often resulting in delay and issues of non-conformity (see Appendix B). In the marine planning context, enforcing alignment of marine plan preparation will also not be easily achievable given the fact that their initial implementation is to be phased and that necessity for review will vary. Aligning marine plan preparation with other coastal strategies and land-use plans will also be problematic given that the drivers for their review are likely to be inherently different. For example, review of RSS is often driven by economic development concerns and, more specifically, housing growth.

Our recommendations have been developed with these issues in mind and as such do not recommend that alignment of marine and land-use plan timescales be sought but that a series of triggers to review are identified in both the marine and land-use planning contexts. This reflects existing requirements for RSS and LDF to assess as part of Annual Monitoring Reports (AMR) whether policies require revision as a result of changes in national policy or because circumstances have changed since their adoption⁸.

> Recommendation 4 Marine Plan Timescales

Defra: It is recommended that Defra guidance clearly sets out the triggers for review of marine plans which should be addressed as part of the monitoring requirement. These triggers should include reference to whether the respective RSS/Wales Spatial Plan have undergone revision since adoption and whether this necessitates review.

CLG/WAG: In the land-use planning context, CLG/WAG should include in future guidance a specific requirement to consider, where appropriate, whether adoption of a marine plan necessitates partial/complete review of RSS / WSP or LDF / LDP

Spatial Scale and Plan Boundaries

Under the current terrestrial system, the scale and boundaries of land-use accord with administrative boundaries at the regional and local level, raising challenges in relation to trans-boundary planning issues. In the context of marine plans, there remains a degree of uncertainty in relation to their hierarchy and how boundaries will be defined although it is likely that plans will be initially developed at the regional scale (it is documented that 10 have been budgeted for). This issue was discussed with stakeholders who attended the workshops where the broad consensus was to define marine plan boundaries by marine use and ecosystem functioning in order to ensure that the objectives of the partners are met. Nested marine plans were also considered necessary in appropriate circumstances to address more local issues such as flood and coastal erosion and provide a basis for decision making on development proposals, reflecting the structure of the terrestrial planning system in England.

⁸ See for example CLG (2005) Regional Spatial Strategy Monitoring: A Good Practice Guide



Inclusion of an estuary system in a single marine plan means that the marine plan may interface with several regions (in England) and will inevitably interface with a number of LPA. In some cases (e.g. Severn and Dee estuaries) both Welsh and English LPA will be involved thus increasing complexity in relation to the issue of conformity. At a local scale, the intertidal area (and some marine areas) will be the subject of overlapping plans, so issues of consistency of marine and land-use plans may be important.

With regard to the role of partners in the development of marine plans, an early indication of the likely division of the inshore area would assist in delegating responsibilities to their regional offices to use staff with the most relevant local knowledge and skills.

> Recommendation 5 Marine Plan Scale and Boundaries

Marine planning bodies: It is recommended that the marine planning bodies commit to prepare ecosystem based plans for all inshore seas and, where value would be added, nested (smaller, local, site based) plans. Where practicable in marine functioning terms, the boundaries of regional marine plans should align with regional planning areas and LPA boundaries.

Partners: Partners should arrange discussions as early as practicable (possibly through workshops) with MMO/WAG to discuss marine plan boundaries in relation to the ecosystem approach.

Scope and Objectives

The principal objectives of marine plans will be set by the MPS. The themed-based discussion contained in Section 4 of this study has highlighted several areas that should be addressed by marine plans in order to ensure that the partner's objectives are fully reflected within the MPS.

It is likely there will be two key areas where partners can influence policy development: first, through the provision of evidence and second, through consultation. With regard to the former, it was suggested by stakeholders that the profile of existing marine and coastal-based plans and strategies should be raised as part of the marine planning process and that they should form a key part of the evidence base. The theme-based recommendations have highlighted several key management documents in this respect, namely SMP, RBMP, AONB Management Plan and MCZ. Whilst Schedule 6 of the Marine and Coastal Access Bill stipulates that marine plan authorities must have regard to other plans prepared by public or local authorities, additional guidance will be required to ensure that these plans comprise the evidence base.

A strong theme that emerged from the stakeholder workshops related to the provision of data by partners to inform the preparation of marine plans. The theme-based recommendations contained within this report have identified specific areas where input may be required from the partners, for example, in relation to flood risk and landscape and seascape. A key challenge for partners will be to provide information and data that are of sufficient quality to support the development of marine plan policies to fully support their remits and it is therefore necessary that MMO/WAG provide a clear indication now as to what these data requirements will be in order for the partners to undertake an analysis of the compatibility of their systems to begin to implement any required modifications. An



assessment of data and tools for marine spatial planning is already being undertaken in other studies⁹, however, whatever tools are used, data need to be available in a compatible form from different sources.

In terms of consultation, partners need to understand now their roles in relation to consultation on marine plans in order to put in place the necessary internal arrangements.

In summary, initial guidance, prepared with input from the project partners, is needed early to assist project partners and the MMO in preparing for the introduction of marine plans. This guidance should be in the form of a 'living document' to enable early experiences and best practice to be reflected.

> Recommendation 6 Evidence and Consultation

Defra: It is recommended that guidance be issued clarifying the requirements for consultation in relation to the partners and evidence base including data requirements. The evidence base required to support the preparation of marine plans should include in particular SMP, RBMP, AONB Management Plan

Partners: As a priority, partners should seek to influence the content of Defra guidance to ensure that the evidence base requirements include these. It is also recommended that a review of data requirements and compatibility of partners' systems (e.g. databases, GIS) is carried out in order to identify potential gaps and solutions using relevant and existing organisations, e.g. MEDIN.

5.1.3 Integrated Policy and Guidance

The recommendations set out in the preceding sections have focused on the preparation of land-use and marine plans in isolation and have highlighted the importance of respective legislation, policy and guidance to encourage the integration of both plans. In the medium term, there is scope to take these measures further through the preparation of joint guidance by both CLG/WAG and Defra. This would have several significant benefits in relation to facilitating the integration of both marine and land-use planning systems including:

- raising awareness of land-use planning issues within the MMO/WAG and of marine planning within the LPA;
- encouraging the integration of marine and land-use plans; and
- setting out guidance for the development of joint marine and land-use policy documents (for example, coastal SPD).

Looking to the longer term, it should be an aspiration to work towards the preparation of joint national planning policy to cover the coastal area. An early review of PPS20/TAN14, as suggested as part of **Recommendation 2**, could provide an opportunity to develop what would effectively be a joint policy statement that would act as the linkage between both planning systems.

⁹ Tools for marine spatial planning, CEFAS 2008 onwards; Marine GIS layers, Defra 2008 onwards



> Recommendation 7 Integrated Guidance and Policy

Defra/CLG/WAG: It is recommended that a detailed guidance manual is prepared on coastal planning. This should be produced jointly by Defra, CLG and WAG and should be targeted at both marine planning authorities (MMO/WAG) and LPA. This document should:

- explain how marine plans should take account of land-use plans and vice-versa;
- detail how conflicting objectives should be resolved;
- set out how realignment of the coast should be managed (this will affect land-use and marine plan boundaries);
- set out the procedures for preparing joint coastal planning policy; and
- signpost users to information resources.

In the longer term, Defra/CLG/WAG should consider the preparation of a joint policy statement on marine planning.

Partners: Partners should provide examples of best practice in coastal planning to inform the preparation of joint guidance.

5.2 Development Management

5.2.1 Development Authorised at LPA Level

There is already an overlap in consenting systems in the intertidal zone. Currently, planning permission must take account of the development plan but marine consenting operates somewhat independently, taking account of, for example, marine nature conservation, fisheries or navigation interests but not, for example, visual impact. LPA can express views as consultees but there are examples of where developments obtain planning permission without any consultation with marine consenting bodies, who later refuse the necessary marine licence/consents. In other cases, e.g. offshore wind farms, the LPA can effectively hold up projects which have marine consents by refusing planning permission for the cable landfall and substation. However, this may be in a different LPA area from that affected by, for example, visual impact. The permitted development rights of ports add to the complexity.

For some forms of permitting, e.g. Transport & Works Act Orders, integration with land-use planning is generally effective. In contrast, changes in shipping use of an area generally falls outside 'development control' consenting regimes, as in the case of the Lymington to Isle of Wight ferries which was examined as part of this study.

LPA are currently decision makers for planning applications for development proposals within the inter-tidal zone but marine consents are usually also required. The majority of planning applications submitted to LPA are dealt with by their Planning Committees, where decisions are made by democratically elected members. Decisions can often be contrary to a planning officer's professional advice. When applications are refused, the applicant can appeal against the decision which leads to the Secretary of State / Welsh Minister appointing an inspector to hold a



hearing/inquiry. This decisions making process of the LPA also operates within the inter-tidal zone (normally to LWM), while the marine consenting regime applies up to MHWS. The Marine and Coastal Access Bill as drafted will not affect this overlap, thus, with regard to the inter-tidal zone, decision making on development proposals will remain with both the LPA and MMO/WAG. Any change to the LPA decision making role within its area including the intertidal zone would not only add another element into the current planning process (which CLG and WAG are currently reviewing in order to simplify, i.e. review of permitted development rights etc.) but it would also require changes to other legislation in addition to that relating to planning e.g. the Local Government Act 1992 which deals with the way LPA's operate in their areas.

> Recommendation 8 Planning in the Intertidal Zone

Defra/CLG/WAG: It is recommended that Defra/CLG and WAG agree a protocol for handling applications for developments within the intertidal zone. The LPA should notify MMO/WAG IMMEDIATELY of any planning application affecting areas below MHWS and MMO/WAG should notify the LPA IMMEDIATELY of any application affecting marine areas within LPA boundaries.

MMO/WAG/LPA: LPA and MMO/WAG should agree on a common consultee list for proposals within the inter-tidal zone and a single consultation process. If appropriate, the bodies could agree that one would take primacy in terms of dealing with EIA screening and scoping and undertake the Habitats Regulations assessment process, if required. Decisions would be agreed between the permitting bodies before being communicated to the applicant. A procedure for appeals would be explained. Exemptions from marine licensing defined under the Marine and Coastal Access Bill should be compatible with Permitted Development Rights (through the General Permitted Development Order) operating in the terrestrial context.

Partners: Partners should seek to influence that development proposals in the intertidal zone are dealt with through a single decision making process agreed between the two decision making bodies, in order to avoid over-complication and duplication and the partners being consulted separately by two planning bodies on the same proposal.

5.2.2 National Policy Statements

The Planning Act 2008 introduced NPS in England and Wales to set out, in relation to nationally significant development, the amount, type, size and location of development which is appropriate nationally or for a specified area. NPS for certain types of development will cross the coastal boundary. The IPC (not the LPA nor MMO/WAG) will take decisions on applications for such development, having regard to the relevant NPS (where in-place), local impact reports and any other matters which the Panel think are both important and relevant to its decision which may include development plans although this is not a specific requirement of the Act.

In the marine environment, such nationally significant infrastructure could include electricity generating stations (with capacity of over 100MW) and harbour facilities handling over 1Mt/y and as such, some projects to be authorised by the IPC will cross the coastal boundary. The IPC will have to make decisions in accordance with the relevant NPS (with limited exceptions) and must have regard to any marine plan.



According to the draft regulations, the MFA (and presumably once in place the MMO) and WAG are included as a statutory consultees on NPS¹⁰ and on applications¹¹. However, in order to avoid problems that could arise if the MPS and marine plans were incompatible with the NPS and to ensure that decisions taken on major infrastructure projects do not have an adverse affect on the marine environment, it will be necessary for the MMO to have a central role in the preparation of NPS and an influence on IPC decisions.

> Recommendation 9 National Policy Statements

CLG/WAG/Defra/MMO: In the short-term, CLG/WAG/Defra/MMO should establish a technical interdepartmental working group, supported by relevant advisors, to agree policy and planning principles for offshore and coastal energy developments and port developments with the aim of ensuring a compatible approach through NPS, the MPS, marine plans and land-use plans to these types of development. In the medium-term, there should be a representative from the MMO/WAG on IPC Panels when development proposals in the marine environment are being examined in order to provide the necessary expertise and consistency.

5.3 Operation of Marine Planning Bodies

Discussion with stakeholders identified a number of concerns with respect to the operation of marine planning bodies, principally surrounding the capacity of MMO/WAG staff to deliver marine planning functions in relation to their skills, expertise and local knowledge. A range of solutions to these challenges was also highlighted and these are discussed in-turn below.

Skills

Whilst aspects of marine planning have been in existence in coastal management, formal marine planning is a new discipline which raises uncertainty in relation to the availability of professionals that have the necessary suite of skills to plan for marine areas. This issue has been acknowledged within Defra's strategy for promoting integrated coastal management which states that "as we implement the Marine and Coastal Access Bill and the actions in this strategy, we will need to ensure that there are enough people with the right skills to deliver them" (2009:39). A commitment has been made within this strategy to identify how Defra will work with universities to best develop holistic vocational training with practical benefits for the future management of our coastal areas. Courses now run at Plymouth and Liverpool Universities provide the most integrated approach to date.

Discussion at the stakeholder workshops focused on the skills of both land-use planners and marine specialists as a basis for determining the competences of marine planners. Planning professionals operating in the public sector can be generally categorised as undertaking either development control (processing planning applications) or development planning (producing policy documents – RSSs/Wales Spatial Plan and LDFs/LDPs) functions with a third category of terrestrial planners involved in regeneration schemes. The skills and knowledge of planners who

¹⁰CLG (2009) *Consultation on list of statutory consultees for National Policy Statements*

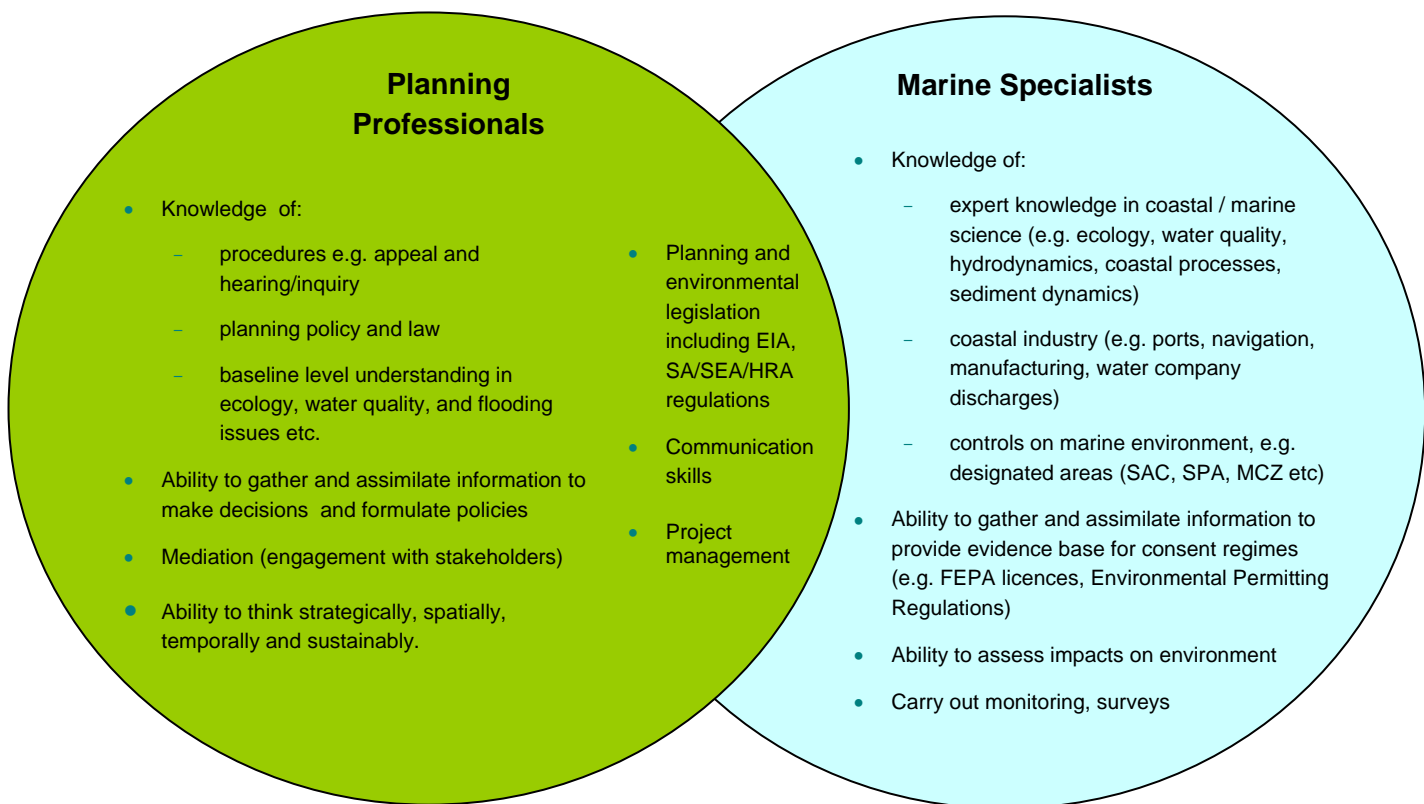
¹¹CLG (2009) *Consultation on the Pre-Application Consultation and Application Procedures for Nationally Significant Infrastructure Projects*



operate in these different areas of the planning profession are similar to one another although there are recognisable differences in the emphasis of their knowledge and skills. This suggests marine planning may evolve to have the same distinct planning processes, therefore requiring different types of marine planners with their knowledge and skills geared towards either spatial planning or development control.

The key skills sets of each profession have been set out in Figure 5.1. As can be seen, there are already a number of overlaps between planning professionals and marine specialists however, it will be necessary for the core competencies of marine planners to be more reflective of all the core skills identified.

Figure 5.1 Planning Professionals and Marine Specialists' Competencies



> Recommendation 10 Marine Planning Core Competencies

MMO/WAG: It is recommended that MMW/WAG focus recruitment/training activities to develop current and future staff skills based on the core competences identified in Figure 5.1.

Partners: It is recommended that partners explore the extent to which they are able to support training activities undertaken by WAG/MMO.



In the longer-term, there may be grounds to support the formation of a professional marine planning body. This would provide a number of benefits in relation to the promotion of marine planning as a discipline, shaping future policy, ensuring consistency of, and improving, professional standards, providing education and training. The formation of a professional body could take one of two guises i.e. either as an extension of the RTPI or TCPA or as a separate professional body. This needs further consideration, although it would seem sensible for membership of the RTPI or TCPA to be extended, perhaps through a subsidiary membership, to marine planning professionals to encourage integration of land-use and marine planning disciplines.

> Recommendation 11 Formation of a Professional Marine Body

Defra/WAG/RTPI: It is recommended that Defra/WAG and the RTPI encourage the formation of a new professional marine body or use existing bodies to provide a professional body for marine planners, e.g. by extension of the remit of existing planning bodies or a body such as the Institute of Marine Engineering, Science and Technology (IMarEST).

Local Knowledge

Each marine planning body is to be based in a single location which raised concern among stakeholders in relation to the extent to which staff will have the local knowledge and ability to deal with regional and local scale issues. There is a range of potential measures that could be adopted to build capacity in this respect in the short-medium term and longer term including secondments, partnership working and training. Many, if not all of these measures could involve the partners given their knowledge of local marine issues (however, this may have implications for partner resources).

> Recommendation 12 MMO/WAG Local Knowledge

Marine planning bodies: It is recommended that MMO/WAG seek to build local knowledge/expertise. To achieve this, consideration should be given to the following:

- posting (or seconding) MMO/WAG local / regional marine plan team staff to local/regional partners' offices or LPA offices and vice versa (i.e. partner or LPA offices seconded into MMO/WAG);
- recruitment of staff from relevant geographical areas;
- raising awareness/expertise of local/wider planning issues among MMO staff through training potentially carried out by partner or LPA officers; and
- working with existing coastal partnerships.

Partners: As a priority, partners should discuss secondment opportunities with the marine planning bodies.



5.4 Organisational Changes for Partners to Address

The introduction of marine planning and its interaction with land-use planning presents a number of opportunities that are expected to benefit partners' interests. In particular, marine planning will:

- enable some issues to be dealt with by a single phase of discussion at the plan-making stage, rather than needing to be visited in relation to every development proposal;
- encourage a more holistic approach to planning at the coast;
- allow additional factors, such as seascape, to be better considered at the planning stage; and
- provide a mechanism for ensuring a considered standard (enforceable) view, incorporating partners' interests, to all applications for development.

However, there remain a number of issues that could hinder delivery of the partners' remits, not least the threat that these interests are not fully incorporated into marine plans. This section of the report sets out those recommendations that relate directly to how the partners should prepare for the introduction of marine planning to ensure delivery of their remits.

5.4.1 External Changes to Partners' Operations

Working with the MMO and WAG

The marine planning authorities are expected to lack sufficient expertise and resources to deliver their functions in the first instance. This may present a short-term resource issue for the partners as their staff may be recruited by the MMO/WAG. It is expected, for example that around 45 new posts will be created within the MMO¹² in addition to relocated MFA staff and that this will happen in two stages in 2009/10 and 2010/2011¹³. These two stages will not be phased, so run the risk of reducing partner capacities in short timescales. Secondly, staff remaining may be relied on heavily by the marine planning bodies and this could cause financial strain to the partners if funds are not sufficiently allocated from MMO / WAG to the partners for these services.

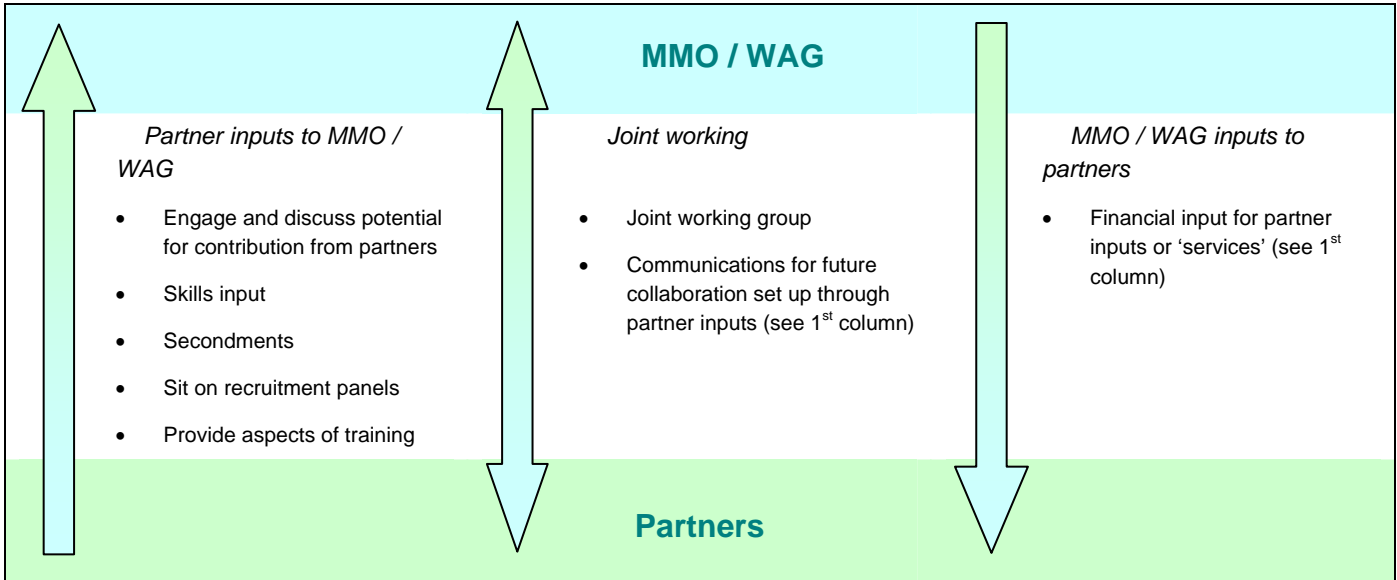
However, it also presents an opportunity for partners to improve communication routes with MMO / WAG and trade services in their skills, recruitment and training. This would take place through three mechanisms: input to MMO / WAG, joint initiatives between WAG / MMO and partners and input from MMO / WAG to partners. These are shown in Figure 5.2 below and outlined in the following recommendation.

¹² Defra, (2009), *Managing our marine resources: the Marine Management Organisation*.

¹³ Ashley Holt and Alastair Duncan, Defra, presentation at the Coastal Partnership Working Group forum April 2009



Figure 5.2 Proposed Mechanisms of How Partners May Work with MMO / WAG



> Recommendation 13 Working with WAG / MMO

Partners: It is recommended that in the first instance, the partners approach MFA / WAG to discuss the potential contribution they may usefully make to the marine planning process. This could initially take the form of a joint liaison group with the MFA / WAG which would form the basis for a joint working group (with the MMO in the case of England following establishment of the MMO). Therefore, it is recommended that partners source additional funds to allow staff time to progress this joint working group. Once this is set up, partners should put forward proposals for ways in which MMO / WAG may benefit from the partners and *vice-versa*.

The input of skills may take the form of secondments to MMO / WAG and less formal formats for particular tasks, as well as skills development of MMO / WAG staff through partners' provision of (aspects of) training in marine planning and their position on recruitment panels. The latter would ensure that the planning bodies develop and form those skills that the partners might otherwise be expected to provide and ensure that the communication routes set up between the partners and MMO / WAG will be robust through the use of the most relevant people in MMO / WAG.

These steps will set up a series of communication routes between the organisations which could usefully be relied on in future stages of marine planning (e.g. development applications) and so it is in the interest of all parties that these communication routes are robust. Project partners should also establish liaison groups at a local level with MMO/WAG to join with harbour authorities, LPA and user groups to identify any relevant existing strategies, to develop local coastal recreation and access strategies and to feed into marine and land-use plans. Finally, partners should seek to engage with MMO/WAG through River Basin District Liaison Panels and specially arranged events (e.g. workshops) to seek consistency between RBMP and marine plans.

Marine planning bodies: In providing for these inputs or services to MMO / WAG, the partners will require financial support from MMO/WAG.

Working with Partnerships

The case study review highlighted that a large number of partnerships already exist in many coastal areas and it is expected that the project partners will have an important role to play in developing these existing partnerships and creating new ones so that they are well positioned to provide an input into the marine planning process. For these partnerships to function effectively, it has been recommended that they move towards regional working in order to



better link with marine plans. To facilitate this process, it would be beneficial for marine planning bodies to identify and liaise with relevant coastal partnerships, with a view ultimately to assisting them and others to form coastal planning working groups. This would have the benefit of:

- raising the profile of existing partnerships with the MMO/WAG;
- developing working relationships between the marine planning bodies, the partners and coastal partnerships;
- highlighting key evidence base documents (see also Recommendation 6) and ensuring that marine plans are informed by local knowledge;
- assisting the transfer of expertise between partnerships; and
- informing the partnerships on how they may improve their operations to contribute to marine planning and integrated coastal zone management.

> Recommendation 14 Coastal Partnerships

MMO/WAG: It is recommended that MMO/WAG seek to identify relevant coastal partnerships and seek to engage with them at an early stage in the plan making process. The creation of coastal planning working groups should be considered.

Partners: It is recommended that partners fund and assist coastal partnerships to operate on a regional basis and prepare joint plans, where possible/appropriate, to provide a basis for broader scale elements of marine plans. This would require some initial work to establish a stronger national approach to coastal partnerships as led by the Coastal Partnership Working Group and assisted through central / regional government, to ensure they are delivering the required aspects of marine planning and ICZM.

Formal Agreement Mechanisms

It may be beneficial for partners to utilise formal agreement mechanisms including Service Level Agreements and Multiple Area Management Agreements such as the TECF, especially in delivering the nested estuary components of a marine plan by bringing the key agencies and local authorities together to deliver against agreed targets whilst contributing to the local Sustainable Communities Strategy(ies). Such agreements can also be the clear path through which stakeholder engagement can be managed, thereby putting the estuary partnerships onto a more stable foundation whilst also delivering for the Local Strategic Partnerships.

> Recommendation 15 Formalised Agreements

Partners: It is recommended that the partners explore using formalised agreements with other organisations and the MMO/WAG



5.4.2 Internal Changes to Partners' Organisations

With the introduction of marine planning, partners will be challenged with meeting their objectives at the coast through their current internal organisational structure. This includes aspects of resources, training, communication management and resulting financial needs, as shown in Figure 5.3. These aspects will principally need to be understood by their governing bodies and funding organisations in order for the necessary strategy to be put in place ultimately to meet the needs of their customers, i.e. the public's enjoyment and safe use of the environment and protection of habitats, species and landscapes.

Partner Resources

The main issue for the partners operationally relates to the need to allocate additional resources to input to and participate in the development of marine plans. Additional resources may also be required to ensure that marine plan policies are fully reflected in their consultation responses on development proposals or within applications for development where they act as developer. It is expected that the preparation of marine plans will be phased which affords, to an extent, time in which to build capacity. However, it is necessary for the partners to consider now the resource implications presented by marine planning in order to ensure that they are able to maximise their involvement in the preparation of plans and, therefore, fulfil their remits.

> Recommendation 16 Partner Resources

Partners: Partners should review the staff resources required for consultation on the development of marine plans and subsequently development proposals. These resources should be checked against the skills list in Figure 5.1 to assess the extra resource (if any) that will be required to ensure that marine plan policies are fully reflected in consultation responses and any other required inputs. This assessment should take into consideration what external inputs are available to support partner obligations, for example professional institutions (e.g. RTPI), and other organisations' commitment to them (e.g. other public sector Memorandum of Understandings, partnerships).

National Trust: The National Trust will need to focus efforts in those areas where it is, or will be, a land owner. Existing system of gateway testing should be used to assess relevance of involvement in the development of individual Marine plans.

Marine Planning Bodies: A full list of tasks required from partners should be issued by March 2010 to enable them to participate appropriately in the mobilisation (2010/2011) and subsequent planning phases (2011/2012) of marine plans.

In the long term, it may be appropriate for the partners to explore how best to 'fit' their marine planning functions within their organisational structures in order to maximise efficiency and ensure that their objectives are realised. Three distinct options could be considered in this regard:

- expanding the remit of existing marine advisers to include marine planning;
- introducing dedicated marine planning staff in regional offices; and
- establishing local and regional teams responsible for both marine and land-use planning functions.



Figure 5.3 Business Model with Reference to Partner Changes Needed

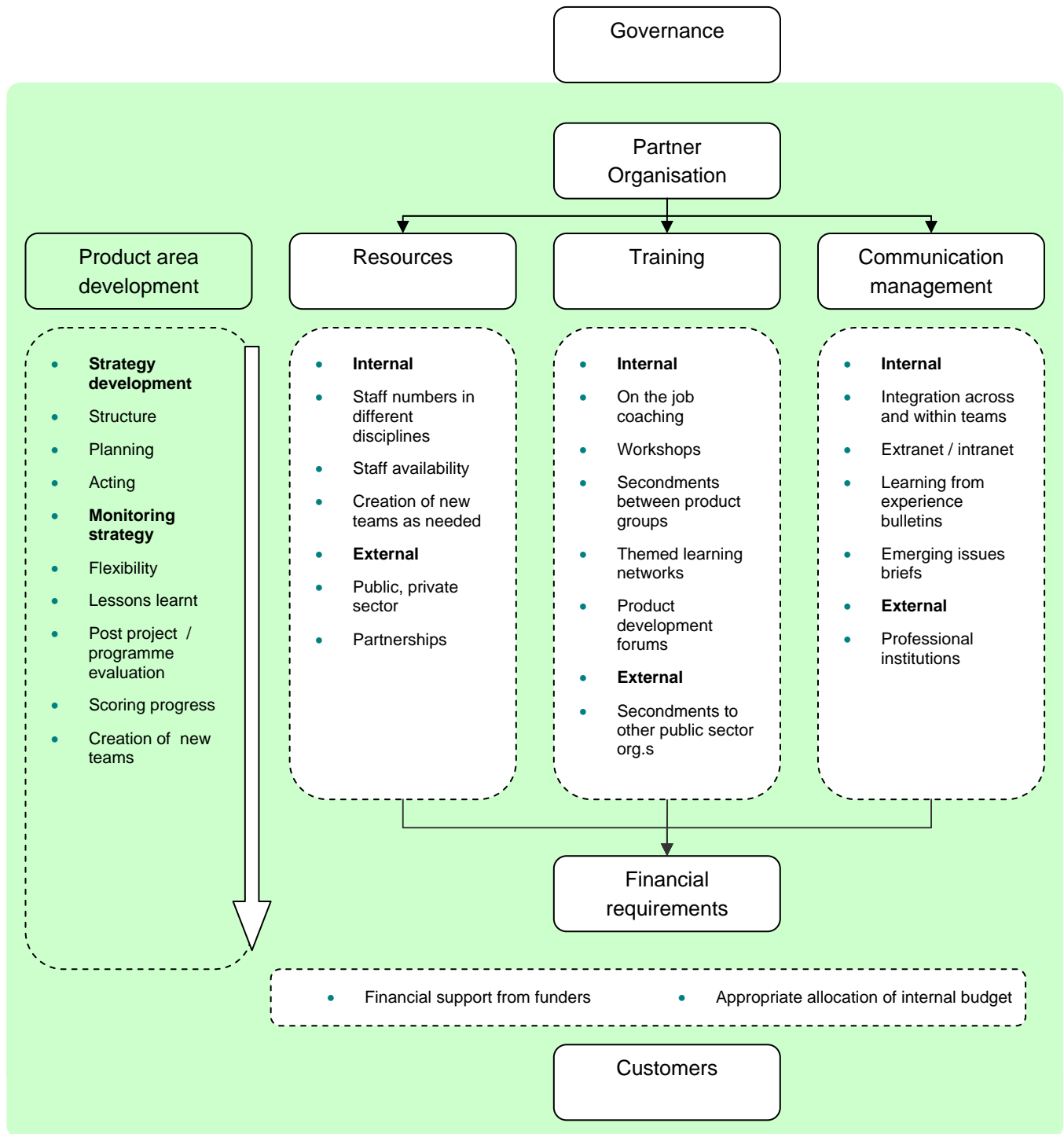


Figure developed by Entec with reference to the European Foundation for Quality Management (EFQM) excellence model and Quinn and Rohrbaugh competing values framework model.



Although the partners have indicated that creating dedicated marine planning resources is not currently possible and the benefits of each of the above options will have to be considered by each individually, a high-level overview of the potential benefits and limitations of each has been presented in Table 5.2.

Table 5.2 Resource Management Options

Option	Benefits	Potential Limitations
Expanding the remit of existing marine advisers to include marine planning	<ul style="list-style-type: none"> Staff will have a sound knowledge of marine issues Staff will have a good understanding of local issues 	<ul style="list-style-type: none"> Additional responsibility may overburden staff, restricting input to the marine planning process Staff may suffer from a lack of expertise and understanding of land-use planning There may be a lack of co-ordinated and consistent responses to consultations on planning applications and plans
Introducing dedicated marine planning staff in regional offices	<ul style="list-style-type: none"> Staff will have a sound knowledge of marine issues Will ensure a consistent approach to engagement in the development of marine plans Could provide a useful information resource for other staff and external organisations 	<ul style="list-style-type: none"> Staff may suffer from a lack of expertise and understanding of land-use planning There may be a lack of co-ordinated and consistent responses to consultations on planning applications and plans
Establishing local and regional teams responsible for both marine and land-use planning functions	<ul style="list-style-type: none"> Will facilitate the sharing of knowledge Will ensure a consistent approach to engagement in the development of land-use and marine plans Will assist in maximising compatibility between land-use and marine plans Will provide a 'one-stop-shop' for marine planning advice for LPA and developers Fully co-ordinated response to planning applications 	<ul style="list-style-type: none"> Difficulty in recruiting suitably qualified staff

This brief appraisal suggests that partners should ultimately look to integrate both their marine and land-use planning functions. However, we recognise that such an organisational approach would require detailed consideration by the partners and may not be suitable/viable in all cases; for example, EA planning and flood risk teams already work across the land/marine boundary calling in technical advice as required. Moreover, it is likely that any transition to integrated teams would be gradual to allow sufficient time to develop resources, in particular staff skills.



Partner Training

No matter which resource management option is adopted by the partners, there will be a need to bridge the gap between planners and marine scientists through skills training and internal guidance. The following recommendations seek to address these potential resource issues.

> Recommendation 17 Partner Training

Partners: As a priority, all partners should undertake a gap analysis exercise against, for example Figure 5.1, to identify where there is a lack of integrated marine and planning expertise. The results of this exercise should be shared between partners and discussed, possibly at a workshop, to determine resource needs. Building on the outcomes of the gap analysis exercise, partners should develop a training and resource strategy for completion by March 2010 to fit with the mobilisation phase of marine planning. This should consider the use of secondments internally across product groups, between partners and to the MMO / WAG. Training should be implemented in a mixture of on the job training, workshops with either internal or external leadership, mentoring, and themed learning networks or product development forums. Finally partners should build linkages with academic institutions and recruitment including the joint funding of posts. These actions could best be progressed through a joint partner training working group as they will predominantly all be following a similar path.

Partner Communication Management

It was noted at the stakeholder workshops that the partners should seek to promote marine planning issues to professionals (for example, terrestrial planners) and the wider public in order to ensure that their interests are fully reflected in the development of plans, strategies and development proposals in coastal areas.

> Recommendation 18 Partner Communication Management

Partners: It is recommended that the partners discuss further the options for promoting both marine and land-use planning issues with their communication teams and develop a communication strategy. An option to consider includes appointing a land / marine spokesperson to provide a single, coherent voice in relation to planning matters. This communication strategy should aim to develop integration across different teams, within teams and externally. This could use existing information mediums such as newsletters (e.g. containing lessons learnt, emerging issues briefs, new projects, training courses), informal networks and web portals (intranet / extranet) to disseminate knowledge and facilitate the sharing of expertise among staff. Partners should explore options for developing new information resources and knowledge sharing for all partners.

Environment Agency: The EA should explore the potential role of the Planning Liaison Officer in decision making/providing a knowledge base.

Marine Planning Bodies: The marine planning bodies should keep partners fully informed on the latest developments in implementation of marine planning, such as implementation programmes, recruitment programmes.

Partner Finances

In order to carry out the above recommendations, the partners will first require financial input to accommodate strategic planning, meetings between relevant staff to brainstorm the approach, and potential external input to assess internal organisational structure and requirements. Secondly, financial support will be required to fund resourcing, training and communication management as discussed above.



> Recommendation 19 Partner Finances

Partners: The internal funding arrangements should be assessed to ensure they are fit for purpose in response to the establishment of marine planning and requirements for additional funding should be identified.

Central government: The additional funding required by partners should be assessed budgets of against marine planning bodies and their requirement for partner inputs.



6. Summary and Priority Recommendations

The introduction of marine planning will establish a strategic approach to the management of the coast and provides an opportunity to better deliver the remits of the partner organisations. The effectiveness of marine planning at the coast and, therefore, the ability of the partners to deliver their remits, will depend to a large extent on its integration with the well-established land-use planning system since both influence activities in the coastal zone. This has been recognised by Defra who has set out a vision for integrated coastal management, making a commitment to ensure that marine planning integrates effectively with existing mechanisms on land.

There are a number of key challenges to be addressed for integration of both planning systems to be realised relating to development planning, development management, operation of marine planning bodies and the resources of the partners themselves. This study has identified a series of short, medium and long term recommendations to address these challenges and maximise the opportunities presented by the implementation of marine planning and its integration with land-use planning. It is evident from discussions with stakeholders that, for reasons discussed in Section 5, several of the recommendations presented in this report should be considered a priority. These are listed below:

- Recommendation 1: Planning legislation;
- Recommendation 2: National planning policy;
- Recommendation 7: Integrated guidance and policy;
- Recommendation 12: MMO/WAG local knowledge;
- Recommendation 13: Working with WAG/MMO.

We recommend that the project partners take steps now to begin to implement these recommendations.



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Appendix A References

- Communities and Local Government (1992) Planning Policy Guidance Note 20: Coastal planning
- Communities and Local Government (2003) Planning Policy Statement 22: Renewable energy
- Communities and Local Government (2004) Planning Policy Statement 23: Planning and pollution control
- Communities and Local Government (2005) Planning Policy Statement 9: Biodiversity and geological conservation
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- Department for Food, Environment and Rural Affairs (2009:14) A strategy for promoting an integrated approach to the management of coastal areas in England
- Department for Food, Environment and Rural Affairs (2005) Making space for water: Taking forward a new Government strategy for flood and coastal erosion risk management in England
- Department for Food, Environment and Rural Affairs (2006) Shoreline management plan guidance Volume 1: Aims and requirements
- Department for Transport (2005) Hull harbour revision order decision letter
- Environment Agency (2000) Planning for the Rising Tides: Humber Estuary Shoreline Management Plan
- Environment Agency (2008) Planning for the Rising Tides: Humber Flood Risk Management Strategy
- Humber Estuary Relevant Authorities Group (2006) Humber Management Scheme
- North Lincolnshire Council (2003) North Lincolnshire Local Plan – Adopted March 2003
- Planning Act 2008 (c.29)



Appendix A

United Kingdom Parliament (2008) Marine and Coastal Access Bill

Welsh Assembly Government (1996) Technical Advice Note 5: Nature and conservation planning

Welsh Assembly Government (1998) Technical Advice Note 14: Coastal planning

Welsh Assembly Government (1998) Technical Advice Note 16: Sport and recreation

Welsh Assembly Government (2002) Planning Policy Wales

Welsh Assembly Government (2004) Technical Advice Note 15: Development and flood risk



Appendix A

Appendix B Planning Context

Terrestrial Spatial Planning (Land-use Planning)

Objectives

The land-use planning system concerns ‘place making’, through developing long term, sustainable and inclusive strategies for the future development of land, in order to deliver socio-economic and environmental objectives set at the national, regional and local scales. In addition to complying with statutory planning policy documents, land-use plans may consider a range of plans with more specific objectives relating to the marine environment, for example shoreline management plans (SMPs), estuary plans (see the Tamar case study) and river basin management plans.

However, integration of these functional plans into the land-use plan is not always achieved, for example SMPs, which are intended to help implement the Government’s flood and coastal defence strategy, often do not effectively influence land-use plans, possibly because they have been seen as engineering-led rather than planning-led. One change being considered for SMPs is that they become part of the evidence base for LDFs/LDPs in much the same way as Strategic Flood Risk Assessments (SFRAs) are.

Scales, Hierarchy and Boundaries

The existing land-use planning system in England and Wales involves a hierarchy of spatial planning based on national policies. Regional Spatial Strategies (RSSs) set out the broad spatial strategy in England, while the Wales Spatial Plan (WSP) performs a similar function in Wales. Local scale policy is set out within Local Development Frameworks (LDF) which comprise Development Plan Documents (DPDs), Supplementary Planning Documents (SPD) and Area Action Plans (AAPs) (in England) and by Local Development Plans (LDPs) (in Wales). Local plans must be in general conformity with national/regional plans and this is tested by Examination in Public (EiP). Note that the size of plan areas in England is tending to increase with a move to more unitary authorities.

Plan boundaries are aligned with national boundaries, Government Regions (for RSS) and local planning authority (LPA) boundaries for LDFs/LDPs. Trans-boundary planning issues, such as large-scale housing developments, major transport infrastructure or coastal flood risk management, can also be a key consideration in the development of land-use plans. Solutions developed by LPAs include preparing joint development plans, joint commissioning of shoreline management plans, evidence-base sharing, joint working groups to share knowledge and sharing of staff.

Land-use plans extend at least as far seaward as low water mark (LWM), thus including the intertidal area, but some also include estuarine and marine areas beyond LWM.



Appendix B

Larger estuaries usually form administrative boundaries, which often poses a challenge for achievement of integrated planning of maritime aspects, although in some cases (for example the Humber) regional boundaries have been altered to include the major part of the estuary within a single RSS (see Humber case studies).

Timescales

Plan preparation is a continual process involving both monitoring and revision. The programmes for the preparation of individual LDFs are set out in Local Development Schemes (LDSs) and for LDPs in Wales, Delivery Agreements. As a result, the timescales for preparation vary, sometimes significantly, between LPA. The variation in timing of plan preparation can also cause problems in relation to their conformity with regional planning documents (in England) and national policy.

Infrastructure Planning Commission

Under the Planning Act 2008, National Policy Statements (NPS) are also being introduced to deal with nationally significant infrastructure projects, which in the coastal area include port developments designed to handle more than 1Mt/y and energy generation projects with a capacity of more than 100MW (offshore) or 50MW (onshore). Decisions on applications to carry out such developments will be made by the Infrastructure Planning Commission (IPC), not by LPA or the marine regulatory authority. The IPC will have to make decisions in accordance with the relevant NPS (with limited exceptions) and must have regard to any marine plan.

Existing Marine Planning System

There is no marine plan system at present, although spatial planning associated with particular industries or functions of the marine environment already exists to some extent, at widely varying scales and in an uncoordinated way. Examples include: allocation of development areas for oil and gas exploration/production, ongoing development of a similar approach for offshore windfarms, shoreline management plans, networks of protected areas (e.g. Natura 2000 and Ramsar sites, bathing waters, shellfish waters), byelaw controls on fishing in certain areas, CHaMPs, estuary plans, controls on navigation (e.g. traffic separation schemes, restricted navigation zones, anchorages etc) and spatial definition of water bodies each with ecological targets and defined measures to achieve them under the Water Framework Directive. Many of these will need to be taken into account in the marine plans proposed by the Bill. Relationships between marine plans and other systems are shown in the diagram above. Appendix C provides further background information on the marine planning proposals under the Marine and Coastal Access Bill.

Those spatial ‘plans’ existing now in the marine environment which are of relevance to this project and themes (Conservation and Biodiversity, Shoreline Management, Landscape / Seascape) and outline below.



Appendix B

SSSI

Interaction between the land-use planning system and marine controls began with the first coastal/marine SSSI (of national importance) designation in 1981¹⁴, which enables conservation interests to be taken account of during the development planning process. SSSIs extend generally to Mean Low Water (MLW) in England; and in Wales, MLW for SSSIs notified before 2002, and, since to Lowest Astronomical Tides. Boundaries normally extend to the jurisdiction of Local Authorities but sometimes extend more widely within estuaries and other enclosed waters, e.g. to meet other LA boundaries.

MNR

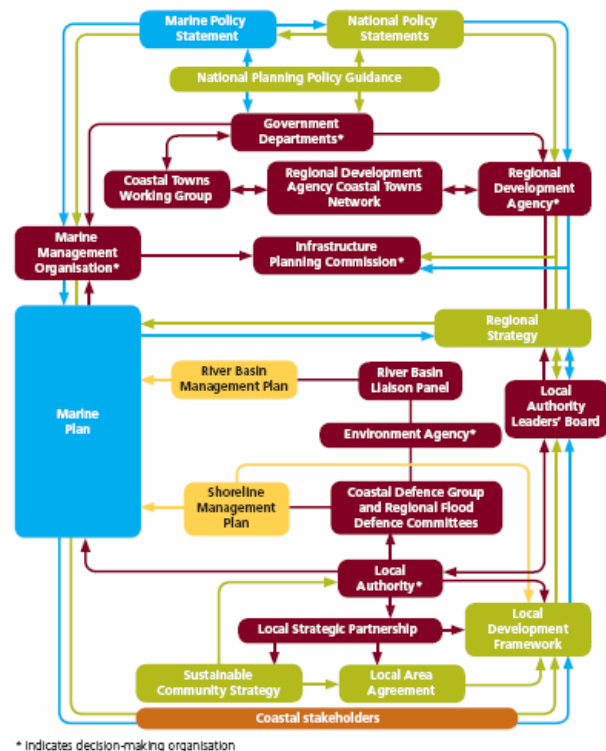
Following SSSIs, the Marine Nature Reserves (also national importance) were introduced under the Wildlife and Countryside Act 1981 but only two exist today in England and Wales (Lundy Island, first designated in 1986 and Skomer Island) plus other informal ones. MNRs are limited in effectiveness and applicability and not discussed in the context of this project.

Natura 2000

More recently Natura 2000 sites (international importance) have been designated over the last decade as a result of the EC Habitats and Birds Directives to accommodate broad conservation interests (habitats and species) and specifically bird populations. These include Special Areas of Conservation and Special Protection Areas.

RBMP

River Basin Management Plans, lead by the Environment Agency (and due for completion in December 2009), provide strategic planning for river basins to ensure the protection of any further deterioration and ultimately increased of all water bodies including estuarine and coastal (ecology, water quality and hydromorphology)¹⁵. They



Source: A strategy for promoting an integrated approach to the management of coastal areas in England, Defra, © Crown Copyright 2008

¹⁴ Botany Bay and White Ness, Kent, National Parks and Access to the Countryside Act 1949

¹⁵ Botany Bay and White Ness, Kent, National Parks and Access to the Countryside Act 1949



aim to achieve good status of all water bodies by 2015. RBMPs extend the area of impact for the estuarine and coastal environments to all terrestrial areas of land in England, i.e. the whole of the river basin catchment.

Development Control

There is already an overlap in consenting systems in the intertidal zone. Currently planning permission must take account of the development plan but marine consenting operates somewhat independently, taking account of, for example, marine nature conservation, fisheries or navigation interests but not, for example, visual impact. LPA can express views as consultees but there are examples of where developments obtain planning permission without any consultation with marine consenting bodies, who later refuse the necessary marine licence/consents. In other cases, e.g. offshore wind farms, the LPA can effectively hold up projects which have marine consents by refusing planning permission for the cable landfall and substation. However, this may be in a different LPA area from that affected by, for example, visual impact. The permitted development rights of ports add to the complexity.

For some forms of permitting, e.g. Transport & Works Act Orders, integration with land-use planning is generally effective. In contrast, changes in shipping use of an area generally falls outside 'development control' consenting regimes (see Lymington case study).



Appendix B

Appendix C

Marine Planning Proposals in the Marine and Coastal Access Bill

Requirement for a Marine Policy Statement and Marine plans

Marine Policy Statement

Marine policy authorities are defined by clause 42 as the Secretary of State, the Scottish Ministers, the Welsh Ministers and DoENI. The Bill allows (but does not require) all the policy authorities acting jointly, or the Secretary of State and one or more other policy authorities, or the Secretary of State acting alone to prepare a Marine Policy Statement (clause 43). These can be reviewed when appropriate but there is no timescale stated (clause 44). A consultation process is required before adoption (Schedule 5). An adopted MPS governs marine planning (clause 49(6)).

Marine Plans

The Bill allows, but does not compel, marine plan authorities to prepare marine plans (clause 49). Marine planning regions are defined as the inshore and offshore (i.e. >12nm offshore) regions for England and for each of the devolved administration. Marine plan authorities (clause 48) are:

- for England (inshore and offshore) the Secretary of State (to be devolved to the Marine Management Organisation –the MMO);
- for Wales (inshore and offshore) the Welsh Ministers;
- for Scotland (offshore only) the Scottish Ministers;
- for NI (offshore only) the Department of the Environment in Northern Ireland.
- Inshore Scottish and inshore NI waters are not covered by this Bill but are expected to introduce marine planning under devolved legislation.
- A marine plan may cover all or part of a marine planning region.



Characteristics of Marine Plans

Purpose of Marine Plans

Under the Bill, Marine plans are defined as documents which state the ‘authority’s policies for and in connection with the sustainable development of the area’ (clause 49(2)(b)), and define the area through maps or otherwise. They must conform with the Marine Policy Statement (MPS) unless ‘relevant considerations indicate otherwise’ (clause 49(5)). Marine plans are designed to ‘set out how policies and objectives outlined in the MPS apply at a local level, based on information about specific activities and processes taking place in that area’¹⁶.

Scale of Marine Plans

Marine plans will be split into a) inshore and b) offshore regions for each of England and Wales (as well as covering offshore waters of Scotland and N. Ireland). The marine plan authority may ‘prepare a marine plan for an area consisting of whole or any part of its marine planning region (clause 49) ‘.

No hierarchy of marine plans is currently given formally in the Bill. However recent research¹⁷ and general expectancy is that they may result in a similar system to that of the terrestrial system with a higher level MPS setting out the broad policy objectives for the marine environment, informing marine plans for a marine plan region or other broad area, with smaller ‘nested plans’ dealing with sub-regional areas or specific developments/uses such as harbours.

Amendment and Timescales of a Marine Plan

Matters affecting marine plans must be kept under review in relation to identification of marine plan areas and preparation, adoption, review, amendment or withdrawal of marine plans (clause 52). Such matters include (a) the physical, environmental, social, cultural and economic characteristics of the authority’s region and of the living resources which the region supports; (b) the purposes for which any part of the region is used; (c) the communications, energy and transport systems of the region; (d) any other considerations which may be expected to affect those matters, as well as any changes which could reasonably be expected to occur in relation to any such matter and the effect that any such changes may have in relation to the sustainable development of the region, its natural resources, or the living resources dependent on the region. However the explanatory notes to the Marine and Coastal Access Bill note this is not an exhaustive list.

Within three years after a marine plan is adopted the first monitoring report must be published (clause 58), after which a maximum of three years can pass before each successive report. After each report the marine authority must decide whether to amend, revise or replace a marine plan.

Marine plans may also be withdrawn by the marine authority, for its own reasons or if the Secretary of State decides to withdraw agreement.

¹⁶ Explanatory Notes, Marine and Coastal Access Bill, 2008-9

¹⁷ Irish Sea Pilot Study; various responses to Marine Bill and ICZM consultations; discussions with Defra.



Appendix C

Related Marine Plans

It is stated that ‘where a marine plan authority decides to prepare a marine plan for a marine plan area which adjoins or is adjacent to the marine planning region of a different marine plan or authority, or which affects, or is affected by, the whole or any part of such region, the marine plan authority must, before beginning to prepare the plan, notify that other marine plan authority of its intention to do so’ (Schedule 6, para. 3). Also ‘in preparing marine plans for related marine plan areas (whether or not within the same marine planning region), the marine plan authorities preparing the plans must take all reasonable steps to secure that the plans are compatible.’

Related Planning Act Plans

Similarly, for inshore regions in England and Wales, a marine plan authority must take all reasonable steps to secure that the marine plan is compatible with any Planning Act plans for any area that is related to the marine plan area (where ‘Planning Act plans’ means the development plan in England or the Wales Spatial Plan in Wales) (Schedule 6, para 3).

Other Plans

A marine plan authority must also have regard to any other plan prepared by a public or local authority in connection with the management or use of the sea or the coast, or of marine or coastal resources (Schedule 6, para 9(2)). This could include, for example, SMPs and RBMPs.

Marine Conservation Zones

Marine Conservation Zones (national importance) will be designated to allow for the protection of nationally important habitats and species, forming a network with Natura 2000 sites. Public bodies will need to exercise their functions to further the conservation objectives for MCZs and ensure they do not authorise any development or operation where there is a significant risk of it hindering the conservation objectives for a site. Regulation of the MCZs (where not already being carried out by other drivers) will be carried out by byelaws (in England) or conservation orders (in Wales).

Implementation of Marine Plans

Marine Plans and Decision Making

Marine plans will be implemented both through decisions of regulatory bodies (MMO, WAG, IPC, LPA) on marine licensing/consents, as well as through decisions of other public bodies in relation to their planning roles. Clause 56 requires that authorisation (e.g. for development) or enforcement decisions made by any public authority (e.g. local planning authorities, the MMO etc) must be made in accordance with the appropriate marine policy documents (i.e. in accordance with the MPS and the marine plan), unless ‘relevant considerations’ indicate otherwise. In the latter case, the public body must explain its actions. Note that public authorities include statutory undertakers, such as harbour authorities (clause 312), although note that ‘relevant considerations’ may include their statutory duties under their own enabling legislation.



Appendix C

In the case of the IPC, in making decisions on applications for an order granting development consent under the Planning Act 2008 they must have regard to the marine policy documents (clause 56).

For decisions on functions relating to the marine area other than those relating to authorisation and enforcement, public bodies must 'have regard to' the marine plan (clause 56).

Authorities Responsible for Marine Plans

The designated marine planning authority (Secretary of State, England / Welsh Ministers, Wales) may delegate functions of the marine plan and exercising of functions by or in relation to a public body (clauses 53-55). These may include the preparation of marine plans themselves or implementation measures, e.g. review, decision making. The directions may include terms or conditions, obligations or requirements and financial provisions. It is recognised that the approach may vary from case to case as to the types of public bodies or areas this applies to. Certain excepted functions must remain within the marine plan authority's remit, including decisions to agree to a (revised) statement of public participation or consultation draft and decisions to publish / amend / withdraw a marine plan.

Marine Management Organisation and WAG

The Marine Management Organisation (MMO) and the Welsh Assembly Government (WAG) in Wales will be the strategic delivery bodies in delivery of marine plans and will need to ensure that sustainable development becomes a reality. Each will act as the Government's marine planning body in the waters off England and Wales and as the regulator of most activities in the marine environment. The MMO/WAG are expected to work closely with local authorities, coastal stakeholders, Natural England, The Countryside Council for Wales, the Environment Agency and the Infrastructure Planning Commission (IPC).



Appendix C

Appendix D

Remits of the Project Partners Relating to Marine Planning

Environment Agency

Current Remit at the Coast

Spatial Extent

The Environment Agency's remit covering England and Wales includes approximately 5,000km of coastline and 2 million hectares of coastal waters (as well as, inshore, 15 million hectares of land and 36,000 km of river). Its functions cross the national borders between England and Wales.

Functions in Relation to the Coast

The Environment Agency has an active role in flood risk management, environmental protection (pollution control), water resources management, waste regulation, fisheries management, inland navigation, recreation and wildlife protection.

Specific roles in coastal areas include licensing and management of migratory fisheries to six nautical miles, Harbour Authority for Rye Harbour, Conservancy Authority for the Dee Estuary and parts of the tidal Nene and Great Ouse rivers; regulation of inland and controlled waters up to three nautical miles offshore, including control of pollution and consents/permits discharges from shore-based structures impacting these, licensing of abstractions, setting and enforcing environmental standards, compliance monitoring and reporting on the state of the environment, as well as responsibility for the strategic overview of flood risk and coastal erosion in England, working with local authorities and coastal flooding groups to prioritise and manage all flood related works at the coast.

The Environment Agency is the competent authority for the Water Framework Directive, Bathing Waters Directive, Shellfish Waters Directive, Nitrates Directive, Urban Waste Water Treatment Directive, Environmental Liability Directive and the Habitats Regulations (in relation to permissions under its control). Like all public bodies it has a duty to conserve biodiversity (which includes restoration or enhancement of a population or habitat) and has an explicit duty to further wildlife conservation in its duties other than pollution control. It is a lead body for a number of species and habitat biodiversity action plans.



Appendix D

Consultee Role

The Environment Agency comments on planning policy, spatial plans and development applications across a wide range of topics, including climate change, flood risk, water related biodiversity, surface and ground water quality, contaminated land, water resources, waste regulation and air quality management plans.

The Agency is a statutory consultee under the T&CP (General Development Procedure) Order for development associated with/impacting on mining operations; river beds and river banks, refining or storing mineral oils, deposit of refuse or waste, retention, treatment or disposal of sewage, trade waste, cemeteries, any development within 250 metres of waste landfills, fish farming, hazardous development, flood risk and any development greater than 1 hectare in area.

Future Remit at the Coast

Following the introduction of the Marine and Coastal Access Bill the Agency will be involved in and consulted on development of marine plans. It will continue its licensing, permitting, authorising and consenting functions in line with marine plans, although the Agency will be able to transfer some responsibilities for flood defence/land drainage consents (s.109 consents and Schedule 25 byelaw consents) to the MMO/WAG.

The Bill will give new powers to the Agency to conserve and manage migratory fish, extending licensing to a wider range of species, including lamprey, shad and smelt, and provide for making of emergency byelaws to respond to unforeseen threats to fish stocks.

As a public authority, the Agency will have additional duties in the exercise of its functions arising from the designation of MCZs. However, its duties as the Sea Fisheries Committee in estuaries in England will be taken over by the new Inshore Fisheries and Conservation Authorities (IFCAs) and in Wales by WAG.

Natural England

Current Remit at the Coast

Spatial Extent

Natural England's duties are bound to the terrestrial area of England and up to 12 nautical miles offshore of England's coastline, concerned with natural environments.

Functions in Relation to the Coast

The overarching remit of Natural England is to act as statutory advisor to the UK Government on conservation of the natural environment in England.



Appendix D

Natural England works for people, places and nature, to enhance biodiversity, landscapes and wildlife in rural, urban, coastal and marine areas; promoting access, recreation and public well-being and contributing to the way natural resources are managed so that they can be enjoyed now and in the future. These objectives are carried out through enforcing regulations (such as wildlife licensing), notifying SSSIs and consenting/assenting to activities affecting them, designating and managing national nature reserves and marine nature reserves and designating AONBs and national parks.

Consultee Role

Natural England advises competent authorities on conservation objectives for European marine sites and on the potential for disturbance / deterioration of species / habitats resulting from operations, plans and projects.

Natural England provides consultation responses on land-use plans (including shoreline management plans, river basin management plans, flood risk plans), national policy statements and specific development proposals. Lastly, Natural England advises and provides information to other organisations and individuals concerning their remit in conservation areas.

Future Remit at the Coast

With the introduction of marine planning, it is expected that Natural England will be involved in and consulted on the development of marine plans. It will take a lead role in establishing and protection of MCZs in English inshore waters,. It will also have responsibilities for implementing the coastal access provisions under Bill, will be a consultee on development applications and will maintain its advisory role in relation to the Habitats Directive.

Cyngor Cefn Gwlad Cymru/Countryside Council for Wales (CCW)

Current Remit at the Coast

Spatial Extent

CCW has a remit to carry out its duties in terrestrial Wales including in Welsh inshore marine areas.

Functions in Relation to the Coast

The Countryside Council for Wales is the Government's statutory advisor on sustaining natural beauty, wildlife and the opportunity for outdoor enjoyment in Wales and its inshore waters.

In doing this it is responsible for designation, conservation and monitoring of protected sites, for example AONBs, national parks and national nature reserves, notifying SSSIs and consenting to activities therein and enforcing regulations regarding protected species. Approximately 70% of the Welsh coastline is protected).



Appendix D

In addition CCW has responsibilities in relation to landscape, recreation and coastal access, including advising on maps and access trails.

Consultee Role

CCW are a statutory consultee for licensed activities within or impacting on protected areas; and for consents / permissions affecting species and habitats protected under the Habitats Regulations

Future Remit at the Coast

Marine and Coastal Access Bill

CCW is expected to continue to work closely with WAG and Defra to ensure that the Bill is fit for purpose from a Welsh perspective. As with Natural England, it is expected to contribute to and be consulted on the development of marine plans. CCW expects to keep its powers to bring about prosecutions for damage to coastal/marine sites; and may receive greater responsibility for management of designated coastal/marine sites in Wales and have an active role in development of MCZs. It will be a consultee on development applications and will maintain its advisory role in relation to the Habitats Directive.

National Trust

Current Remit at the Coast

Spatial Extent

National Trust's property covers 9% of the UK terrestrial land at the coast, equivalent to 1,138km of coastline, with additional areas allocated to sites/buildings/ports in the coastal zone, and have interests in the marine environment, including Marine Nature Reserves (e.g. Lundy and Strangford Lough).

Functions in Relation to the Coast

National Trust owns and manages land in the UK with associated business interests in the coastal zone (tourism, harbours etc) worth £295M/year. They have a duty of care to conserve and protect their assets according to legislation and best-practice. In doing this they take forward their own schemes requiring marine and terrestrial consents, e.g. ferry landing stages and have significant interests in existing MNRs, e.g. Lundy, where they are a founding and funding partner, and the Finding Sanctuary MCZ project, where they are a board member.

Currently, the National Trust promotes marine planning initiatives, through for example being project board member of the Plymouth University group developing MSc modules on Marine Planning and in support of the Dorset C-scope project which aims to look at how marine and land planning will interact at a local (Weymouth Bay) level.



Appendix D

Consultee Role

Due to these activities, the National Trust is a non-statutory consultee on land-use plans, as well as some marine licences, e.g. for aggregates dredging. This tends to be somewhat random, given the democratic deficit in some of the marine licence regimes. The National Trust has also been invited by the Government to contribute to a review of, for example, PPG/S20. Through site specific land holdings, the Trust is drawn into specific development proposals in much more detail, e.g. the Severn Barrage. Finally, they have carried forward a campaign on the Bill, particularly concerned with land and seascapes alongside Europarcs and AONBs given that Wildlife and Countryside Link have biodiversity issues covered so effectively.

Future Remit at the Coast

As a significant coastal landowner, the Trust will need to contribute to and be consulted on the development of marine plans that overlap their assets and to contribute resources for this purpose.

It is expected that National Trust will need periodically to revise and adapt its strategies and plans according to the principles within the Bill; consider the new planning regime in future acquisitions, development proposals and the provision of access, as well as potentially contributing sites, staff and resources for testing and piloting of proposals.



Appendix D

Entec

Creating the environment for business



Appendix D

Appendix E

Glossary

AAP	Area Action Plan
AONB	Area of Outstanding Natural Beauty
AMR	Annual Monitoring Report
BAP	Biodiversity Action Plan
CCW	Countryside Council For Wales
CFMP	Catchment Flood Management Plans
CHaMP	Coastal Habitat Management Plan
CLG	Department for Communities and Local Government
Defra	Department for the Environment, Farming and Rural Affairs
DPD	Development Plan Documents
EA	Environment Agency
EEZ	European Economic Zone
EMS	European Marine Site
EU	European Union
HESMP	Humber Estuary Shoreline Management Plan
HRO	Harbour Revision Order
ICZM	Integrated Coastal Zone Management
IFCA	Inshore Fisheries and Conservation Authority
IMarEST	Institute of Marine Engineering, Science and Technology
IPC	Infrastructure Planning Commission
LAA	Local Area Agreement
LDF	Local Development Framework
LDP	Local Development Plan
LNR	Local Nature Reserve
LPA	Local Planning Authority
LSP	Local Strategic Partnership
LWM	Low Water Mark
M&CA	Marine and Coastal Access [Bill]
MAA	Multi Area Agreement
MCZ	Marine Conservation Zone
MHWS	Mean High Water Spring tides
MIPPS	Ministerial Interim Planning Policy Statements
MLW	Mean Low Water
MMO	Marine Management Organisation
MNR	Marine Nature Reserve



Appendix E

MPS	Marine Policy Statement
MW	Mega Watt
NE	Natural England
NNR	National Nature Reserve
NPS	National Policy Statements
NT	National Trust
PPS	Planning Policy Statement
PPG	Planning Policy Guidance
PPW	Planning Policy Wales
Ramsar	Ramsar Convention
RBMP	River Basin Management Plan
RSS	Regional Spatial Strategy
RTPI	Royal Town Planning Institute
SAC	Special Area of Conservation
SDP	Supplementary Planning Documents
SFW	Shellfish Waters
SMP	Shoreline Management Plan
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
TAN	Technical Advice Note
TECF	Tamar Estuary Consultative Forum
WAG	Welsh Assembly Government
WFD	Water Framework Directive
WSP	Wales Spatial Plan



Appendix E