

**PORTFOLIO HOLDER DECISION: JANUARY 2017**

**PLANNING & TRANSPORTATION PORTFOLIO HOLDER  
AND ENVIRONMENT PORTFOLIO HOLDER**

**RESPONSE TO SOUTH MARINE PLAN DRAFT FOR  
CONSULTATION (NOVEMBER 2016)**

**1. PURPOSE OF REPORT**

- 1.1 To agree the Council's response to the South Marine Plan Draft for Consultation closing 27 January 2017.

**2. BACKGROUND**

- 2.1 The Marine Management Organisation (MMO) is consulting on a draft South Marine Plan that will introduce statutory marine planning to this part of the English coast for the first time. The Marine and Coastal Access Act requires a marine plan each marine plan area, including for the south inshore and offshore areas (see Appendix 1 for a map of the South Marine Plan area). Marine plans are prepared under the policy framework provided by the Marine Policy Statement.

- 2.2 The plan preparation process for the south marine plan started in 2013. Planning Officers from this council have attended a number of MMO workshops since then to provide feedback on the vision, objectives, and issues & options for the South Marine plan area. In addition MMO officers have visited officers here at the council on two occasions to brief NFDC specifically on emerging issues around implementation and process, and the timetable for producing the Marine Plan.

- 2.3 The South Marine Plan aims to enable sustainable economic growth, whilst respecting local communities and protecting the marine environment. Policies are presented within a set of high level objectives (running order not a reflection of priorities):

- 2.4 **Objective 1:** To promote effective use of space to support existing, and facilitate future sustainable economic activity through the encouragement of co-existence, mitigation of conflicts and minimisation of development footprints.

**Objective 2:** To manage existing, and facilitate the provision of new, infrastructure supporting marine and terrestrial activity.

**Objective 3:** To support diversification of activities which improve socio-economic conditions in coastal communities.

**Objective 4:** To support marine activities that increase or enhance employment opportunities at all skills levels among the workforce of coastal communities, particularly where they support existing or developing industries within the south marine plan areas.

**Objective 5:** To avoid, minimise, mitigate displacement of marine activities, particularly where of importance to adjacent coastal communities, and where this is not practical to ensure significant adverse impacts on social benefits are avoided.

**Objective 6:** To maintain and enhance public access to, and within, the south marine plan areas appropriate to its setting and in a way that is equitable to users.

**Objective 7:** To support the reduction of the environmental, social and economic impacts of climate change, through encouraging the implementation of mitigation and adaptation measures that:

- avoid proposals' indirect contributions to climate change
- reduce vulnerability
- improve resilience to climate and coastal change
- consider habitats that provide related ecosystem services.

**Objective 8:** To identify and conserve heritage assets that are significant to the historic environment of the south marine plan areas.

**Objective 9:** To consider the seascape and its constituent marine character and visual resource and the landscape of the south marine plan areas.

**Objective 10:** To support the objectives of marine protected areas and the delivery of a well managed ecologically coherent network by ensuring enhanced resilience and the capability to adapt to change.

**Objective 11:** Activities within and adjacent to the south marine plan areas must contribute to the achievement or maintenance of Good Environmental Status under the Marine Strategy Framework Directive (and Good Ecological Status under Water Framework Directive) with respect to descriptors on marine litter, non-indigenous species and underwater noise, particularly where current measures need to be reconsidered or enhanced and where new measures are under development.

**Objective 12:** To safeguard space for, and improve the quality of, the natural marine environment, including to enable continued provision of ecosystem goods and services, particularly in relation to coastal and seabed habitats, fisheries, estuarine and coastal water quality and cumulative impacts on highly mobile species.

### **3. PROPOSED RESPONSE**

3.1 The draft South Marine Plan identifies the key issues, and given the large geographical spread of the plan area provides a reasonable framework to follow. The policies as currently worded are very short (many are just one sentence) and in order to understand and apply each policy, further reading is required in a Technical Annex. Furthermore, the MMO system for deciphering which policies apply is based on an online Geographical Information System (GIS). The online maps work reasonably well and there is clear merit in displaying policies graphically on a map, but the combination of policy document, technical annex and online mapping makes navigating the plan a time consuming process. NFDC recommends that the short plan document and its accompanying technical annex are combined together into a single document to improve the legibility of the plan.

3.2 The proposed response regarding the draft plan can be found in Appendix 2.

### **5. ENVIRONMENTAL IMPLICATIONS**

5.1 The potential environmental impact of the South Marine Plan (and in the case of this council the New Forest coastal habitats) has been subject to a Habitat Regulations Assessment (HRA). This has assessed if the plan will have any likely significant

adverse effects on European designated sites of nature conservation importance such as the New Forest Special Areas of Conservation (SAC) / Special Protection Areas (SPA) / Ramsar sites, Solent and Southampton Water SPA / Ramsar, and Solent Maritime SAC. It was found that there is no likely significant effect on these habitats from the South Marine Plan policies.

## **6. FINANCIAL, EQUALITY & DIVERSITY and CRIME & DISORDER IMPLICATIONS**

6.1 None

## **7. RECOMMENDATIONS**

7.1 To agree the consultation response attached as Appendix 2.

## **8. PLANNING & TRANSPORTATION PORTFOLIO HOLDER**

**I have agreed to the recommendations of this report.**

**Signed:** E J Heron

**Date:** 20 January 2017

### **ENVIRONMENT PORTFOLIO HOLDER**

**I have agreed to the recommendations of this report.**

**Signed:** S Beeton

**Date:** 20 January 2017

### **For further information contact:**

**Name:** Andrew Herring  
**Title:** Planning Policy Officer  
**E-mail:** [andrew.herring@nfdc.gov.uk](mailto:andrew.herring@nfdc.gov.uk)  
**Tel:** 023 8028 5588

**Name:** Peter Ferguson  
**Title:** Coastal Engineer  
**E-mail:** [peter.ferguson@nfdc.gov.uk](mailto:peter.ferguson@nfdc.gov.uk)  
**Tel:** 023 8023 5588

### **Background Papers:**

**Published documents<sup>1</sup>**

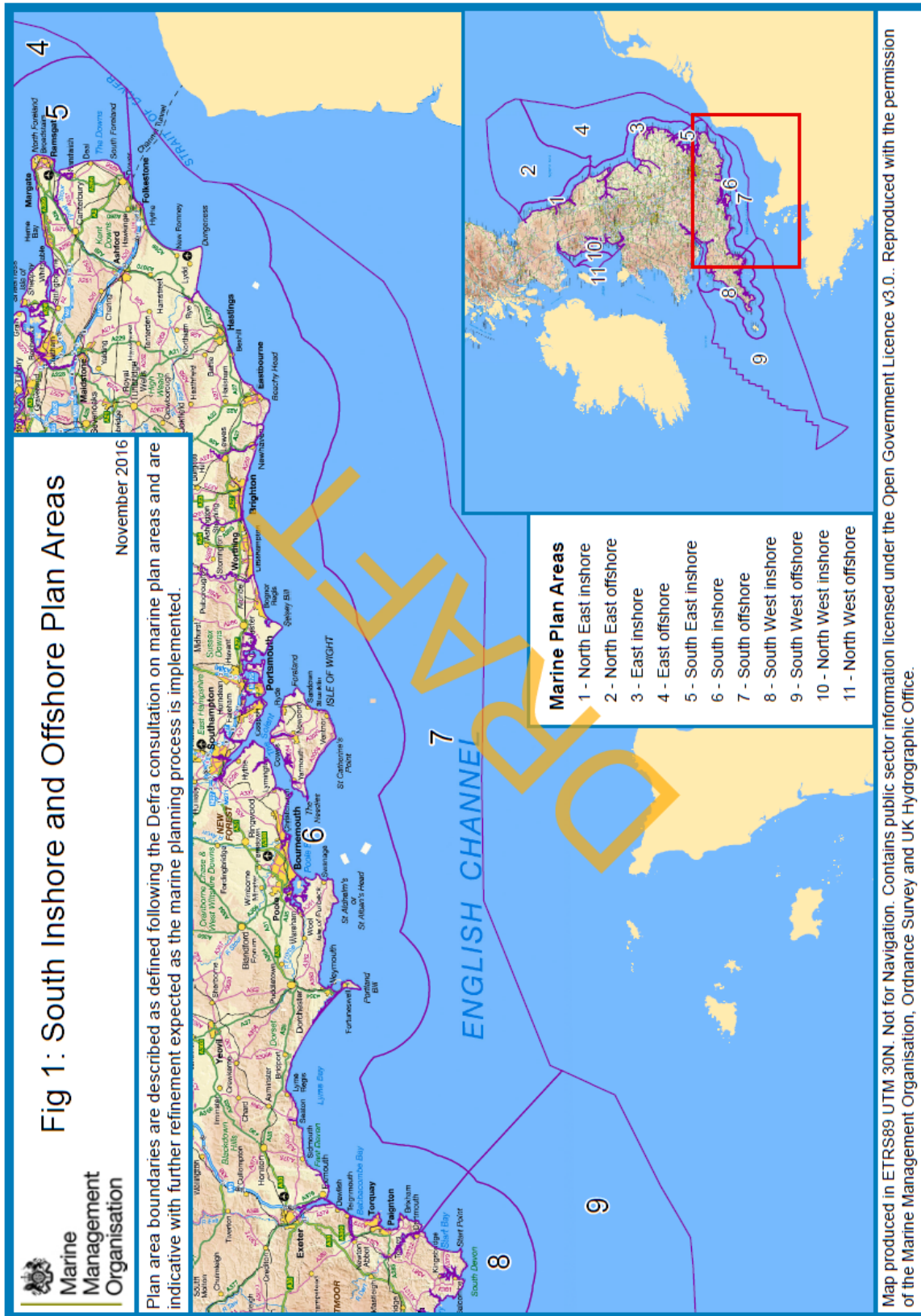
Date on which notice given of this Decision – 20 January 2017

Late date for call-in – 27 January 2017

---

<sup>1</sup> South Marine Plan Draft for Consultation November 2016  
<https://consult.defra.gov.uk/mmo/draft-south-marine-plan-consultation/consultation/>

# Appendix 1 - South Marine Plan area



## **RESPONSE TO SOUTH MARINE PLAN DRAFT FOR CONSULTATION (NOVEMBER 2016)**

The Marine Management Organisation (MMO) is consulting on a draft South Marine Plan that will introduce statutory marine planning to this part of the English coast for the first time. Planning Officers from this council have attended a number of MMO workshops to provide feedback on the vision, objectives, and issues & options for the South Marine plan area. In addition MMO officers have visited officers here at the council on two occasions to brief NFDC specifically on emerging issues around implementation and process, and the timetable for producing the Marine Plan.

### **General Comments**

The draft South Marine Plan appears to identify the key issues, and given the large geographical spread of the plan area provides a reasonable framework to follow. However, the documents lack clarity and the standardised set of policies could be about any marine area.

As currently worded the policies are very short (many are just one sentence) and in order to comprehend and apply each policy, further reading is required in a Technical Annex. Furthermore, the MMO system for deciphering which policies apply is based on an online Geographical Information System (GIS). The online maps work reasonably well and there is clear merit in displaying policies graphically on a map, but the combination of policy document, technical annex and online mapping makes navigating the plan a time consuming process. The problems associated with splitting the documents in this way are detailed in the comments we make on policy content (below). NFDC recommends that the short South Marine Plan document and its accompanying Technical Annex are combined together into a single document to improve the legibility of the plan.

Many of the policies are confusing as to the geographical area they cover – some imply coverage of land based proposals and it is unclear how this relates to the land use plans.

Policies make no attempt to resolve competing interests in areas. Others lack any acknowledgement of environmental impacts (e.g. S-TR-1 and S-TR-2). Little guidance is provided on how Local Planning Authorities are to weigh up any conflicts between the purposes of marine planning and terrestrial development plans, or conflicts between the policies.

Finally, it would be helpful if each policy was given an appropriate title - as currently drafted the policy content is unclear.

## Specific comments – Planning Policy Team

<b>Policy / Paragraph</b>	<b>Policy Wording</b>	<b>NFDC Response</b>
<b>Draft Policy S-CO-1</b>	Proposals will minimise their use of space and consider opportunities for co-existence with other activities.	As worded this is considered too vague. It requires further detail, some of which is included in the Technical Annex (e.g. paragraph 44) and could be usefully included as part of Policy S-CO-1.
<b>Draft Policy S-PS-1</b>	Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	The wording of the policy in the main document and the Technical Annex are disjointed. The main policy seeks to avoid <i>significant adverse impacts</i> but it is the Technical Annex that adds ' <i>...on current and future opportunities for port and harbour growth</i> ' in the commentary. This fails to provide clarity about what elements should be considered for avoidance, minimising or mitigating those impacts. Furthermore, it is unclear whether the adverse impacts envisaged are purely economic or if they include environmental considerations as well? As drafted it is difficult to see how a coastal Local Planning Authority would apply this policy in a robust manner - e.g. significant expansion of port activity would require in some cases a Nationally Significant Infrastructure Project application (the Technical Annex makes no mention of this in the section regarding ports and harbours).
<b>Draft Policy S-INF-1</b>	Land based infrastructure which facilitates marine activity (and vice versa) should be supported.	The policy in effect sets out a presumption in favour of land based infrastructure, without any criteria for judging what a sustainable development looks like in marine planning terms.
<b>Draft Policy S-SOC-1</b>	Proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts which result in the displacement of other existing or authorised (but yet to be implemented) activities that generate social benefits.	This policy is too vague and requires significant revisions to make it legible. A number of the points which seek to clarify the policy are placed in the Technical Annex under ' <i>How the policy will be implemented</i> ' which, like other draft policies, could usefully be incorporated into the policy or supporting text of S-SOC-1. The Technical Annex description of social benefits is especially vague and the implementation of this policy would be difficult to monitor as it is currently drafted.
<b>Paragraph 8 (Main Document):</b>	The south marine plan areas contain rich and diverse coastlines with over 60 marine protected areas and iconic landscapes such as the chalk cliffs at Beachy Head, grey cliffs of Portland stone and the fossil rich cliffs of the Dorset.	Suggest that there is a missing word (bold underlined) "... fossil rich cliffs and the Dorset <b><u>coast</u></b> ..."

## Specific Comments – Coastal Protection Group

Policy / Paragraph	Policy Wording	NFDC Response
<p>S-AGG-1 to 4 &amp; Figure 2 (pg28)</p>	<p>-</p>	<p>As identified in Figure 2 (pg28) Main Document: Definitive Policies, Reference S-AGG-1, aggregate application areas are identified along the Christchurch Bay frontage. Specifically, the Shingles Bank which lies between 0.5km and 3km from the shoreline extending along Milford-on-Sea &amp; Hurst Spit and the western facing shoreline of the Isle of Wight. Although mobile, long sections of the Shingles Bank are regularly situated in shallow water depths at or above MWL. Consequently, this feature provides a degree of shelter to the adjacent lengths of coastline, due to the effect the shingle bank has on wave hydrodynamics and the subsequent dissipation of wave energy. Should the Shingles Bank be identified for future large-scale commercial aggregate dredging, then consideration must be given to the possible effect that a reduction of the offshore material will have on wave hydrodynamics and the possible increase in the exposure to waves (and subsequent increase in erosion) along the adjacent coastlines (Isle of Wight and Milford-on-Sea &amp; Hurst Spit). The volumes associated with such commercial aggregate extraction operations may need to be moderated to also maintain the effectiveness of the offshore bank in terms of shelter it provides to the coastline. Conversely, in addition to dredging offshore banks (such as the Shingles Bank) for the production of commercial aggregates; it is likely that offshore banks will also be considered highly desirable for beach recharge due to the favourable quality of the material. In terms of the quality of aggregate (for use as beach recharge), offshore banks, located adjacent to coastlines requiring beach recharge, may provide very suitable in terms of size &amp; grading as this may be similar to the native beach and therefore favourable in terms of likely performance. A small-scale dredging operation at the</p>

		Shingles Bank was successfully undertaken in 1996 to provide material for the Hurst Spit beach recharge scheme. NFDC is now intending to investigate the possibility of obtaining a new dredging licence to be able to repeat this operation.
<b>Sustainability Appraisal Report (Part 2) 350.</b>	Where coastal defences have been constructed, those coastal features which were formerly erosional and therefore providing littoral sediment inputs may have partly (e.g. in the case of groynes) or entirely (in the case of sea walls) been removed from the coastal system, reducing net littoral sediment input	It is likely that along coastlines where there is a significant reduction in the supply of sediment into the system that in order to protect existing coastal protection works / reduce erosion, there may be a requirement for future input of shingle material for the purpose of beach re-nourishment and subsequent management of the beaches in terms of beach recycling etc. It may be desirable to source material from local aggregate dredging areas.
<b>Sustainability Appraisal Report (Part 2) 337.</b>	... are exclusively covered by either the South iinshore (such as coastal processes) or South offshore areas, in certain...	Correct spelling of iinshore
<b>Sustainability Appraisal Report (Part 2) 337.</b>	... but that the connection may become detectable as extreme water levels are raised <b>Error! Bookmark not defined..</b> They place a high confidence in the issue of coastal squeeze increasing	Error! Bookmark not defined..