

Research Paper no. 1

**Changes to the planning system that impact on
the management of coastal risk**

*A Research Paper for the Local Government Association's Special
Interest Group on Coastal Issues
2004*

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Abbreviations

AAP	Area action plan
CFMP	Catchment flood management plan
CPA	County planning authority
Defra	Department for Environment, Food and Rural Affairs
DETR	Department of the Environment, Transport and the Regions
DPD	Development plan document
EA	Environment Agency
EU	European Union
EiP	Examination in public
GDPO	General Development Procedure Order
GIS	Geographic information system
ICZM	Integrated coastal zone management
LDD	Local development document
LDF	Local development framework
LDS	Local development scheme
LGA	Local Government Association
LPA	Local planning authority
ODPM	Office of the Deputy Prime Minister
MoU	Memorandum of understanding
MDSF	Modelling and Decision Support Framework
PCPA	Planning and Compulsory Purchase Act, 2004
PCPB	Planning and Compulsory Purchase Bill, 2002
PPG	Planning policy guidance
PPS	Planning policy statement
RBMP	River basin management plan
RPB	Regional planning body
RSS	Regional spatial strategy
SA	Sustainability appraisal
SCI	Statement of community involvement
SDS	Sustainable development strategy
SEA	Strategic environmental assessment
SoS	Secretary of State
SMP	Shoreline management plan
SPD	Supplementary planning document
SoS	Secretary of State
UDP	Unitary development plan

Executive Summary

This paper examines the implications of changes of the town and country planning system for the management of coastal risk set out in: The Planning and Compulsory Purchase Act, 2004 (PCPA); amendments to the General Development Order, 2003 (GDPO, 2003); and proposed changes to the General Development Procedure Order (GDPO). It also considers the opportunities for improved collaboration between planners and engineers associated with developing ideas in shoreline management planning. It suggests that the combined effect of these changes is to increase opportunities for planners and engineers from the various organisations involved to work together. Detailed guidance on how/when this should occur between planners and shoreline management is provided. A number of other changes which impinge on planning-shoreline management (preparation of community strategies, development of integrated coastal zone management, possibilities of marine spatial planning, requirements for catchment flood and river basin management plans and for strategic environmental assessment) should raise the profile of managing coastal risk and provide opportunities for a debate which will extend the integrated, collaborative approach to managing coastal risk.

The paper emphasises that planners and engineers share an agenda to ensure that human activity in the coastal zone is managed in ways that maximise the safety of people and property from erosion, flooding or instability and that do not compromise the long term sustainability of the physical processes, habitats and appearance of the coast but allow important community needs to be met. It suggests that planning's objective (to contribute to the achievement of sustainable development), its task of spatial planning, its requirement for community involvement and the new style of plans offer opportunities to engage with shoreline managers. The enhancement of the regional level seems particularly important given the scale for which shoreline management plans are prepared. New thinking on shoreline management plans seeks enhanced interaction between planners and engineers. The paper identifies various controversial coastal development issues requiring discussion and clarification. These include: the future of large brown land areas, suitable for development apart from coastal hazard risks, given the current 'once developed, always developed' philosophy and the increased frequency and intensity of hazard events; conflict between local communities and environmental trends; and how to move from current coastal defence solutions to deliver long term, sustainable shorelines given the scale of development potentially at risk.

The paper draws attention to recent changes in development control procedures. It appears likely that the Environment Agency will become a statutory consultee on planning applications subject to flood risk. Requirements on such consultees have been tightened. Enacted changes allow for statutory consultees to prepare standing advice. EA is already responding on flood risk. The requirement for all planning consents to include reasons will enable EA to monitor when/where permission is granted contrary to their advice. The proposed changes to, and forthcoming discussion on, obligations/planning contributions provides an opportunity for shoreline managers to ensure that appropriate infrastructure is considered within the wider context of the social costs of development.

1. Introduction

This paper examines the implications of the reform of the town and country planning system for the management of shoreline risk. It explains the importance of a shared agenda between planners and coastal managers in managing coastal risk. It outlines the current system and then examines:

- Changes to the objectives of the planning system
- Changes to the forward planning system and the opportunities to raise the profile of coastal risk management
- Interaction of planning and community strategies
- Opportunities to raise the planning input to shoreline management plans (SMPs)
- Changes to the development control system and the opportunities to manage coastal risk
- Implications of other changes on planning's contribution to coastal risk management
- Opportunities for establishing collaborative arrangements between authorities and organisations managing coastal risk

Amendments to the town and country planning system stem from: the Planning and Compulsory Purchase Act, 2004; amendments to the General Development Procedure Order, 2003; and proposed changes to the General Development Procedure Order.

The paper concludes that this is a time of opportunity for shoreline managers to ensure that coastal issues receive appropriate attention in the new brand of statutory plans and for planning input into SMPs to be improved.

It is not intended that this paper provides a critical review of the proposed changes. More detailed comment on the interaction of planning and shoreline management is provided in Sheet 5, '*Maximising town and country planning input to shoreline management planning*' and Sheet 3, '*Forward planning policy for managing coastal risk effectively*' in the Local Government Association's (LGA) Coastal Risk Management Pack. Sheet 4 deals with '*Consulting on planning applications*'.

The terms 'planner' and 'planning' in this paper refer to those involved in, and the process of, town and country planning as established by Town and Country Planning Acts in England. The term 'shoreline manager' is used as an all-encompassing term to include those working in local authorities and with the Environment Agency (EA) in coast protection and sea defence.

Methodology

The content of this paper is based on:

- Review of recent enactments and proposed changes to the planning and shoreline management regimes
- Review of recent literature concerned with planning and shoreline management
- A facilitated workshop of local authority planners and engineers, Environment Agency staff and regional planners, with representation from the Planning Inspectorate, hosted by the Hampshire and Isle of Wight local office of the Environment Agency. (The full report of this

workshop is available as: Taussik, 2004. '*LGA3: Workshop Report on Sharing Responsibility for Coastal Risk*')

- Telephone conversations with key representatives of the Department for Environment, Food and Rural Affairs (Defra), the Office of the Deputy Prime Minister (ODPM) and the EA

2. A shared agenda for managing coastal risk

2.1 Limitations of coastal defence powers and the role of planning as the gatekeeper of development

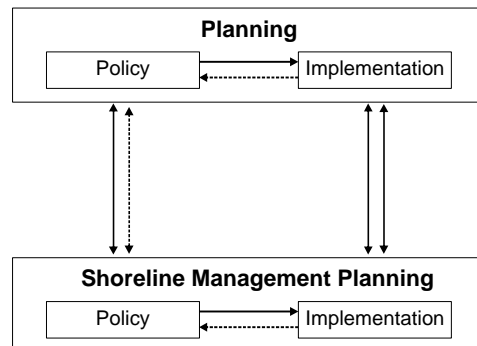
It is worth reiterating why town and country planning is so important to coastal risk management when it is not directly concerned with defending the coast other than through granting/refusing planning permission for works. To minimise future risk requires ensuring that there is little new development in those areas identified as being at risk. Shoreline managers define such areas. They cannot, however, control the amount of new development that might be permitted in those areas. That is the responsibility of local planning authorities (LPAs) through their development control function. Development control is, therefore, an important tool in shoreline management policy implementation and planners and shoreline managers, therefore, share responsibility for safeguarding people and property from risk.

Historically, there has been a pattern of limited relationship between planning and coastal defence; if planning permission was granted for development in areas of risk, then those bodies (Maritime District Councils, Coast Protection Authorities, the EA) responsible for evaluating and responding to risk might undertake protection works. Sometimes, a landowner or developer might do this. The result has been an ad hoc pattern of coast defence works, the long term and extended effects of which sometimes undermine the safety of both the area defended and areas along the coast. The more recent strategic approach seeks to overcome this deficiency by adopting a plan led approach based on coastal cells or coastal process units. It is based both on considering the best option for managing risk to existing coastal resources and on minimising the amount of new development that will be subject to risk. It is in the latter that the contribution of development control is vital; unless LPAs, supported by inspectors and the Secretary of State (SoS), refuse planning permission for development subject to inappropriate levels of risk, the more strategic approach to managing coastal risk will not work and expensive coastal defence works, the efficacy of which cannot be guaranteed in the context of climate change, may have to be undertaken at public cost.

2.2 The importance of forward planning in managing coastal risk

Development control is, therefore, a key element in successful coastal risk management. Development control decisions rest heavily on the planning policy context pertaining to the development site. This is established in central, regional and local government planning documents (see below), particularly in development plans, making it vital that they provide appropriate policy for dealing with proposed development in risk affected locations. Figure 1 indicates that, if planning decisions implement planning policy, and, if planning policy is integrated with shoreline management policy, then planning decisions will contribute to the implementation of shoreline risk management.

Figure 1 **The interaction between town and country planning and shoreline management plans**



There is, therefore, a shared policy agenda – which might equally well be called the ‘shared objective’ or the ‘shared burden’ - to be developed by those concerned with shoreline management and planners.

2.3 The shared agenda

A workshop examining the interface between shoreline management and planning (Taussik, 2004. ‘LGA3: Workshop Report on Sharing Responsibility for Coastal Risk’) identified the following themes associated with the shared agenda:

- The difference between hazard and risk
- Making decisions now that affect the future (very long term in the case of coastal processes)
- The policy process of identifying risk, sharing information and developing policies to identify where risk means there should be no development, especially where managed realignment landwards is proposed, and where it means there could be some development (including how that development could be protected)
- That it relates to safety of people and property
- That there are a number of sources of risk (erosion, instability, flooding)
- To work within current thinking of what constitutes sustainability
- To think about the benefit to the community
- That different bodies have different responsibilities.

Sharing this agenda requires clarity between all parties about ‘hazard’ and ‘risk’.

- The hazards which exist at the coast are erosion, tidal flooding (which could be combined with fluvial flooding in estuarine contexts) and instability. Their existence reflects the physical context.
- Risk is a human concept related to the impact of a hazard on human life and activity – the receptors. It combines assessment of the probability of an event occurring with its impact.
- It was noted that there are areas of coast with high probability of hazards occurring but where few people live. In such areas, the impact/risk of a hazard event is limited.

The focus of the agenda was seen to be coastal risk and its management. While hazard management will continue to be undertaken, its potential negative consequences and likely future cost suggest that human activities should be managed so as to minimise the consequences of any occurrence of floods or cliff falls.

The agenda shared by those managing coastal risk is suggested to be:

to ensure that human activity in the coastal zone is managed in ways that maximise the safety of people and property from erosion, flooding or instability and that do not compromise the long term sustainability of the physical processes, habitats and appearance of the coast but allow important community needs to be met.

This will involve all authorities and agencies recognising that this agenda is shared and to demonstrate this by:

- Ensuring clarity in the roles and duties of each organisation involved
- Developing shared understanding of the issues, disseminating and sharing knowledge and information, including on the identification and assessment of risk, and sharing the review and implementation of shoreline management and planning policies
- Considering all uses and activities of the coastal area
- Further integrating awareness of coastal hazard and the concept of coastal risk into development policies and control mechanisms

Shared policies will indicate areas where human activity or nature conservation requirements are, or will be, such that defence and protection should be continued, areas where only limited activity should be permitted but where it must be designed with safety in mind and areas that should be protected from any form of permitted built development because defence/protection could be realigned. Implementing such policies requires shared actions particularly involving participation and consultation in decision making processes.

An analogy can be made with the approaches to risk management being developed for major industrial installations, like oil refineries. Here, consultation zones, with varying levels of risk for various types of land use, are identified.

Although development control might be described as ‘the cutting edge’ of minimising new development exposed to risk, its dependence on policy is such that forward planning aspects of planning and shoreline management will be examined in this paper before the development control aspects.

3. Arrangements for forward planning

3.1 Development plans and supplementary planning guidance

Table 1 summarises arrangements for forward planning established under the Town and Country Planning Act, 1990, now replaced by changes established by the Planning and Compulsory Purchase Act, 2004. It involves a cascade of national-regional-local policy, including both statutory (indicated in *italics*) and non-statutory documents.

Table 1 Forward planning system under 1990 Town and Country Planning Act

Central government planning policy	Planning Policy Guidance Notes
Regional planning policy	Regional Policy Guidance Notes
For London	<i>Spatial development strategy</i>
<i>Development plan</i>	
In areas with two tier local government	
County level	<i>Structure plan</i>
	Mineral and waste local plans
District level	<i>Local plan</i>
In areas with unitary local government	<i>Unitary development plans (UDPs)</i>
In all local government areas	Supplementary planning guidance/non-statutory plans and policies
The main Government policy documents are:	
<ul style="list-style-type: none"> • PPG25: Development and Flood Risk • PPG14: Development on Unstable Land (including annexes) • PPG20: Coastal Planning 	

These documents make it clear that planning must contribute to minimising coastal risk through policies and decisions which minimise the level of development in risk areas. Structure plans and Part 1s of unitary development plans (UDP) provide a policy link between national and local policy while local plans and UDP Part 2s provide the detailed development control policy, including the extent of areas at risk and of policy application. Where risk is a major issue, LPAs have the opportunity of producing supplementary planning guidance advising developers about risk, the likelihood of gaining permission and mitigation measures. In preparing their policies, they must undertake a sequential test to ensure that development is proposed for the areas of lowest, rather than highest, risk.

3.2 Shoreline management plans and strategy plans

The strategic approach being adopted for the management of the shoreline requires the preparation of SMPs for coastal cell (natural process units) lengths of shoreline. Their preparation is overseen by coastal groups of operating authorities and others with major interests. The plans involve assessing the risks associated with coastal processes and providing a policy framework to reduce these risks to people and property. They identify for each policy unit (previously called

'management units' – i.e. a length of shoreline with coherent characteristics in terms of coastal processes and assets) the most appropriate future shoreline position. This requires understanding economic and social objectives and being aware of where development is expected to take place, assuming that most of the development expected to exist in 50 years time already exists. Developing this understanding is best led by planners. Strategy plans develop the detail of SMP policy implementation for policy units. Again, planning input is also helpful in the preparation of these plans.

3.3 Limitations of current interaction

Although, increasingly, development plans incorporate policies to minimise new development in areas of risk, they can still be criticised for the level, extent and clarity of their policies related to risk. The fact that the coast is the edge of land seems to be responsible for the marginality of coastal risk policy. On the other hand, although information on future development is best provided by planners, the first round of SMPs are widely criticised for the limited contribution made by planners. This may reflect early views of SMPs as limited technical documents, rather than the public policy documents that they really are.

4. Changes to the forward planning system

4.1 Criticisms of the existing system

In addition to the criticisms just summarised, the planning system has been criticised in recent years for:

- The time taken to establish development plan policy
- The perceived negative impact of development control on levels of development
- A lack of clarity about planning's role in delivering sustainable development

Additionally, thinking about planning is being influenced by international discussion of spatial planning while, internally, it is suffering from major, and well-recognised, resource limitations.

The Government has responded to the perceived problems in the planning system by:

- Undertaking a number of reviews of the planning system
- Producing a Green Paper on planning (Department of the Environment, Transport and the Regions (DETR), 2001. *Planning Green Paper. Planning: Delivering a Fundamental Change*)
- Introducing the Planning and Compulsory Purchase Bill to Parliament in December 2002. This was subject to considerable amendment, particularly in the House of Lords.
- Passing the Planning and Compulsory Purchase Act in May 2004
- Amending supplementary planning legislation in 2003: Planning General Development Procedure Order
- Publishing draft changes to supplementary planning legislation in 2003: Planning General Development Procedure Order
- Establishing the Planning Delivery Grant to enhance the resource level of planning, though this has not been ring fenced for planning
- Establishing nearly 150 planning bursaries to encourage the take up of places in planning schools

4.2 Planning and Compulsory Purchase Act, 2004

In addition to the changes enacted for forward planning and development control, the Planning and Compulsory Purchase Act (PCPA) establishes some overarching principles for the planning system which are pertinent in relation to shoreline management.

- ***Increased efficiency***

The intention of the amendments to forward planning and development control is that both will be much faster. Whether this happens remains to be seen and much depends on the resources available. However, it has implications for those, like shoreline managers, who interface with it through consultation on planning applications and on planning policy. The implications for both are discussed below under separate headings.

- **Sustainable development**

Section 39(1) makes sustainable development the explicit objective of the planning system. Regional spatial strategies (RSSs) and local development documents (LDDs) must be prepared ‘with the objective of contributing to the achievement of sustainable development’. By implication, as determination of planning applications is made on the basis of development plan policy and other material considerations, this extends to development control. The consultation document, Planning Policy Statement 1, Creating Sustainable Communities, identifies 4 aims which have to be integrated to deliver sustainable development: economic development; social inclusion; effective environmental protection; and prudent use of resources. Of particular relevance is the need to address, through sound science, causes and impacts of climate change. This objective is shared by planners and shoreline managers.

- **Spatial planning**

PCPA indicates the Government’s objective that town and country (land use-development) planning should be incorporated in the wider activity of spatial planning. This reflects trends in Europe through, e.g., the European Spatial Development Perspective. Currently planning is concerned with land use planning, the scope of which is limited by the definition of development in town and country planning legislation¹. Spatial planning is not so limited. It includes the locational and geographic elements of all public policy. While its emphasis appears to be to reduce regional disparity, to suggest that planning should interface with all public policy with a spatial dimension gives enormous scope for planners to balance competing demands for space. For example, SMPs provide spatial policy. This could be incorporated in other policies relating to the development potential, or otherwise, of a particular area or the SMP, or parts of it, could be included in local development documents. It could also be related to other areas of forward planning with a spatial dimension, e.g. recreation management. The Wales Spatial Plan appears to provide an exemplar with its statements on coast protection and other spatial material. It should be noted that the policies for development control remain those related to land use and development.

- **Community involvement**

PCPA stresses public input into the spatial planning process. It seeks wider involvement in the early stages of plan preparation, reducing the scope for amendment after documents are submitted for Examination (both regional spatial strategies and development plan documents). The preparation of the second round of SMPs is intended to be a much more open process than was the first round. As planning documents and SMPs are seen as the result of inclusive processes, there may be opportunities to integrate participation and consultation mechanisms for both if timing is appropriate. While care will be needed in how this is done, it might be that on-going mechanisms for public involvement, like focus groups and forums, particularly successful at the local level, can be established through which a wide range of spatial planning matters (including shoreline management) can be subjected to participation, discussion or consultation on an ongoing basis, fitting in at particular times with whatever public policy document is currently under scrutiny. Additionally, as planning documents are one of the few public policy statements subject to statutory regulation on public involvement, scrutiny of SMP policy in planning documents could improve its legitimacy.

“...”development” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.” Town and Country Planning Act 1990: S.55.

4.3 The new forward planning system

Table 2 summarises the changes to the forward planning system established by PCPA 2004.

Table 2 Forward planning system under 2004 Planning & Compulsory Purchase Act

Central government planning policy	Planning policy statements
Regional planning policy	<i>Regional spatial strategies* (RSSs)</i>
For London	<i>Spatial development strategy (SDS)</i>
For areas outside London	
Local development frameworks (LDFs) of local development documents (LDDs) comprising:	<i>Development plan documents (DPDs)**</i> <i>Supplementary planning documents (SPDs)**</i>

Italic script denotes elements of development plans.

* Initially regional planning guidance will provide regional spatial strategies. RPG will then be reviewed by Regional Planning Bodies (RPBs) when they prepare their regional spatial strategy

** Local development frameworks will be ‘portfolios’ of local development documents within local development schemes (LDSs). They will deliver local spatial planning strategies. LDSs will list the local development documents and identify which are to be development plan documents. Other local planning documents will be supplementary planning documents (SPDs).

The scheme will list which local development documents are prepared jointly for areas crossing local authority boundaries. All district councils, whether in unitary or two tiered systems, London boroughs and national park and The Broads authorities will prepare local development schemes. In two tier local government areas, county councils will do this for mineral and waste plans.

Note: structure plans disappear after a transition period.

Forward planning – national level

In addition to the provisions of PCPA, the Government is committed to reviewing all planning policy guidance and to separate out policy from guidance and to issue it as planning policy statements (PPSs). Draft PPS exist on various topics, e.g. regional planning, forward planning, sustainable communities. Draft PPS1, *Creating Sustainable Communities*, establishes overarching Government policy for achieving sustainable development and, although safe communities (from crime) and protection of the environment are cited, there is little mention of risk and, although climate change is cited, it is in relation to biodiversity rather than risk. The possibility of reviewing PPG25 is under review.

Forward planning - regional level

Regional spatial strategies (RSSs)

- London’s strategic planning is provided through its Spatial Development Strategy
- At commencement of Act, current regional planning guidance becomes regional spatial strategy (RSS) but only that that is so prescribed by Secretary of State
- RSS to be statutory. To be strategic part of development plan (N.B. consequent role in development control)
- RPBs to review RSS

- Secretary of State to recognise RPBs. At least 60% of such bodies must be members of county councils or LPAs
- RPBs must seek assistance of county councils and other authorities with strategic planning experience to review RSS. These must provide assistance and may be reimbursed
- Review of RSS to be accompanied by sustainability appraisal
- RSS to include spatial elements of policies wider than just land use/planning (development). E.g.: transport; infrastructure; energy; soil use; climate change.
- Preparation of RSS to be inclusive process with an emphasis on sub regions. RPB must publish its strategy for community involvement in RSS review. Pre-submission consultation statement required. LAs and the EA to be consulted. No mention of coastal groups being consulted
- To provide strategy on regional matters over a period of at least 15 years
- To: have regard to national and EU policy; articulate regional vision; provide spatial strategy for achieving vision with non-site specific key diagram; address issues which cross LA boundaries; be consistent with other regional spatial, and other, strategies (including regional sustainable development framework); be regionally specific; consider the needs of sub-regional areas; focus on delivery methods; include sustainability appraisal (being updated to conform with European Union (EU) requirement for strategic environmental assessment)
- Not to; repeat national policy; be full of detail, put important material in annexes
- Sub-regional policies to be prepared where strategic policy deficit exists. Detailed proposals must be made by a strategic planning authority.
- RPBs to provide opinion that development plan documents conform to regional spatial strategies
- Supporting material to be published separately and cross referenced
- Testing of strategy through examination in public (EiP). New material not to be introduced pre-EiP. Panel to report in 2 months of end of EiP. Secretary of State can publish or amend proposed RSS.
- Structure plans to be saved for 3 years from commencement of Act or adoption of plan (whichever is later) unless RSS is published or SoS directs
- Annual monitoring report on RSS implementation
- Proposed national core output indicators to include (1) area of undeveloped flood plain, and (2) loss of developed and undeveloped coast, lost to inappropriate development by LA area
- Structure plans and Part 1s of UDPs are replaced by RSS

Opportunities for coastal risk management presented by regional spatial strategies

RSS look like being more substantial and meaningful documents than existing RPG, particularly as they become part of the statutory development plan. The coast represents the edge of many regions and has, historically, been overlooked. Nonetheless, the planning Green Paper identified the coast as a planning issue requiring a regional approach. The preparation of a new style of document with a wider emphasis on spatial planning provides opportunities for coastal managers to ensure that issues either at the coast or impacting on the coast at a regional scale are incorporated into RSS. Two examples are cited here: shoreline management; and regeneration of the spoilt coast.

Strategic documents for shoreline management, SMPs, are prepared for coastal cells, natural areas not limited to local administrative areas. A regional planning document that can recognise that strategic scale, without having to disaggregate policy to its constituent area, seems of considerable value in 1) ensuring that the principles on which the SMP policy/options is based are taken forward into strategic planning policy (this would include responding to relevant areas of

consideration of climate change as identified in draft PPS ‘*Regional Planning*’) and 2) giving increased status to SMPs through its contribution to regional spatial strategy.

Attention to isostatic readjustment (the relative change in sea level due to continuing adjustment of land to post-glacial conditions) and climate change is particularly important in the context of coastal regeneration as many areas for regeneration at the coast are low lying, often related to early port development and associated uses. While there appears to be a philosophy of ‘once developed, always developable/developed’ in the planning system, sea level rise, strongly exacerbated by the expected impacts of climate change, suggest that this may become increasingly inappropriate. Stakeholder involvement in the preparation of RSS must ensure that this is given the attention that it deserves and that problems are not built up for future generations to solve. Discussion should include specific consideration of the problems associated with the lifetime of buildings compared to the lifetime of coastal defences. Regional spatial policies drawing attention to these problems would be helpful both to local planners and other coastal managers.

RSS are to relate to England’s standard regions. These are very large for dealing with many spatial planning issues and a great distance removed in scale, detail and representation from the local planning level – a problem that particularly vexed the House of Lords. To overcome this, the PCPA allows for different provisions to be made for different parts of the region, thereby providing a framework for the preparation of sub-regional plans, a spatial approach used to good effect in the 1970s. Detailed proposals must be made by a strategic planning authority in the region although the lead in sub regional planning currently appears to be coming from the RPBs. Sub-regional planning would allow consideration of various issues that operate at natural, rather than administrative scales, e.g.: shoreline management; landscape; coastal recreation; coastal transport.

Forward planning - local level

Local development schemes (LDSs) set out the documents, including the statement of community involvement, which relate to the LPA’s policies for the use and development of their area.

Community involvement in local plan documents

PCPA raises the profile of community involvement in planning and proposes much earlier public involvement. Each LPA must prepare a statement of community involvement (SCI). These:

- Must be prepared to show how the local planning authority (LPA) proposes to involve the community in the debate about spatial development
- Become part of local development documents and subject to examination
- Establish how community views are to be ascertained early on in the process of plan preparation

Local development frameworks (LDFs)

LDFs had a high profile in the planning Green Paper but are not mentioned in the PCPA. They are followed up in draft PPS12, ‘*Local Development Frameworks*’. They are portfolios of local development documents (LDDs). These:

- Become such by LPA adoption or SoS approval
- Set out the authority’s policies (however expressed) relating to the development and use of land in their area (PCPA: S17(3)). Note that this is achieved by the documents taken as a whole.

- Note: Other development plan documents (by implication, all local development documents) must conform to adopted core strategies

Area action plans (AAPs)

- For areas of significant change
- To assist in delivering growth by stimulating regeneration and protecting sensitive areas, to assist in the resolution of conflict and to be a focus for delivery of regeneration initiatives
- To show distribution of land uses and their interrelationships
- To set timetables for implementation
- Relevance for coastal risk management arises from propensity of coastal regeneration sites to be subject to flood risk

Supplementary planning documents (SPD)

- Local development documents (LDDs) not selected for development plan document status become SPDs
- SPD can be adopted by LPAs but there must have been public involvement
- May be thematic or site related (e.g. design guidance, development brief, issue document)
- Cannot be used to allocate land
- Must be: Consistent with national, regional and development plan document policy
Cross-referenced with relevant development plan document
Reviewed regularly
- Must have: Preparation process set out
Statement of conformity with statement of community involvement published at same time.

Monitoring and conflict

- Each LPA to make an annual report to SoS indicating progress on implementing the development plan scheme and on implementation of local development document policies
- In cases of conflict, most recently adopted/approved policy takes precedence

Opportunities for shoreline management presented by local delivery of the PCPA

There will be many people looking at the proposed changes at the local level with an anxious eye, wondering whether non-planners will ever learn the subtleties of the different terms and inevitable abbreviations and whether such a flexible, but complex, system can be made to work. There is likely to be considerable concern about the time that it will take to adjust to the new system and to develop spatial planning from the existing land use-development planning system. It may be that the PCPA gets things no more right than did the Town and Country Planning Act 1968 when it introduced structure and local plans or the Town and Country Planning Act 1990 when it made local plans mandatory for all district planning authorities. Nonetheless, such a time of change represents an opportunity, particularly for those involved with shoreline management. This is because, since the last major change to planning law, there is much greater awareness of shoreline issues, of the increasing physical threat that natural processes present at the coast, of the short-sightedness of some past coastal defence and development decisions and because SMPs introduce a strategic approach to coastal defence. While the first round of SMPs did not indicate substantial change to the status quo in terms of coastal defence, this is likely to change in the second, and subsequent, rounds of plan preparation, especially because a longer time frame (to 100 years) is to be adopted. SMPs, therefore, will provide important long-term information for

local development document policy, particularly on where development will not be safe in the short, medium and longer term. Relevant parts of SMPs could be incorporated into local development documents, either into development plan documents (where they would attain statutory status) or as SPDs. The change from land use-development planning to spatial planning could also be very significant in providing a framework in which there can be additional public debate about shoreline policy and by which enhanced status would be granted to SMPs.

Shoreline managers should, therefore, seize this opportunity to ensure that the spatial elements of their policies are incorporated in local development documents, that their plans are referenced and that parts of their plans are incorporated in local development documents. The core strategy must take account of other plans and strategies so, clearly, SMPs should be considered. Where planners are included in management groups associated with SMP preparation (as proposed in '*SMPs. A guide for coastal defence authorities*' 2001), they are in a good position to influence the material included in the SMP and to ensure that material appropriate to their needs in development plan document preparation is made available.

Additionally, the PCPA allows planning bodies to work together to prepare joint plans. This means that local planning documents can respond to natural, social or economic areas rather than, necessarily, to administrative areas. Allowing statutory plans to relate to issue areas represents a major step forward from authorities working jointly but, then, having to integrate these policies into documents prepared at different times, subject to different adoption timetables and, possibly, affected by changing political context. Coastal issues, including shoreline management, could appropriately be developed at a sub regional level particularly for natural areas, like estuaries, or lengths of coast with similar tourism-recreation or physical process pressures. This would enhance the incorporation of shoreline management policy with other spatial policy associated with the coast.

The enhanced priority given to community involvement and the need for it to relate to all elements of spatial policy provides further opportunities for shoreline managers. Planning has a long history of public consultation/participation in both statutory and non-statutory planning documents. Shoreline managers, who will be expected to increase stakeholder involvement in SMP preparation, can learn much on this subject from planners. Further, the Government envisages that local authorities will find opportunities and mechanisms to integrate the participation requirements of a number of plans, including community strategies, which also require extensive participation. Consultation/participation on shoreline management policy could be part of that integrated community interaction and discussion, especially if, as seems likely, forms of continuous interaction with the community need to be developed in contrast with the ad hoc, reactive approaches currently applied.

Like many other coastal plans, SMPs are non-statutory (though they have considerable status from their role in policy implementation). As suggested, the move to a more flexible forward planning system, where a number of local development documents can be prepared and where the emphasis is on spatial planning, offers the opportunity for incorporation of documents, or parts of documents, in the local development framework as a local development document, as/within development plan documents or as/within SPDs. While there is no public examination associated with the latter, both development plan documents and SPDs have to be subject to public participation and debate. This provides a mechanism for extended stakeholder participation in shoreline management policy, increasing the accountability and raising the status of the plans.

Finally, integrating SMP policy into spatial elements of local development documents, which have also integrated spatial policy from other coastal policy sources, should secure the integration

of all those plans. The process of achieving this should help to resolve conflicts existing between plans.

Other changes which affect shoreline management.

Preparation of planning policy has always been subject to public consultation and debate. Over the decades, this has become more formalised and increasing numbers of organisations and individuals have become involved, resulting in considerable change to the plan in the period up to the local public enquiry and in protracted inquiries. Two changes are expected to reduce the resulting confusion and delay. Firstly, once a development plan document has been submitted for examination, only very exceptionally can any change be made to the content. This means that shoreline managers must be involved in the plan making process early on and that they should use the statutory process to ensure the inclusion of the most appropriate policies in development plan documents. Secondly, any changes to a development plan document proposed in an Inspector's report must be incorporated into the document; they are binding and there is no opportunity for further consultation and amendment. This means that there must be effective shoreline management input early on in the plan preparation process and that shoreline managers must be persuasive in their arguments over policy concerning risk.

Transitional arrangements

- Adopted structure, local and UDPs retain development plan status for 3 years as 'saved' plans
- Development plans in preparation which have not reached first deposit stage will cease
- Development plans in preparation which have reached first deposit stage are likely to fall under current arrangements but the rule that Inspector's modifications are binding will apply.

The proposed changes to the forward planning system will not happen overnight, particularly in the resource constrained context of many LPAs. The view has been expressed that it may take some 10 years for the proposed system to be fully established.

The role of county planning authorities

The role of county planning authorities (CPAs) was the subject of much debate in the passage of the Planning and Compulsory Purchase Bill, 2002 (PCPB). Structure plans will disappear after their period of being 'saved'. CPAs retain their role as waste and mineral planning authorities and are required to assist regional planning bodies in the preparation of regional spatial strategy. They are likely to have an important role in sub-regional planning. The details for proposals which suggest different treatments for different parts of regions must come from a strategic planning authority. Draft guidance suggests CPAs will also continue to provide information to LPAs. It seems likely, therefore, that CPAs will continue to bridge the gap between regional and local levels both in information gathering and dissemination and in policy preparation.

5. Changes to shoreline management plan (SMP) preparation

The first round of SMPs represented major progress in developing a strategic approach to coastal defence/shoreline management. However, they were also subject to considerable criticism, not least because of the poor collaboration with LPAs, key players in managing coastal risk through their development control powers. Revised guidance, '*SMPs. A guide for coastal defence authorities*', was published in 2001. It recognises the 'mutual objectives' of coastal defence and planning, seeks an enhanced role for local planning authorities and planning information and sees liaison as essential. It recommends planning representation on coastal groups overseeing SMP preparation. This is to be supported by Supplementary Procedural Guidance, to be published in 2004 (see: <http://www.defra.gov.uk/environ/fcd/> for the consultation document).

The relevant changes proposed for SMP preparation include:

- In line with Treasury Guidance, SMP options are to be extended from the current 50-year time frame to 100 years. This will involve consideration of three epochs: 0-20 years; 20-50 years; and 50-100 years. This will have enormous value to LPAs, increasing their awareness about long term proposals for coastal defence which will assist LPAs to avoid permitting development in areas that appear safe only in the short term. It will contribute to the discussions related to life of building-life of defence and to the permanency of development and, therefore, of planning permissions. It should open the discussion on time limited permissions.
- The options for management unit policy have been reduced to: hold the existing defence line; advance the existing defence line; managed realignment; or no active intervention. Limited intervention is no longer considered a feasible option. This will increase clarity to LPAs and others interpreting SMP policy.
- To move towards sustainable shorelines. As longer term priorities emerge and the implications of climate change become more apparent, no active intervention and managed realignment are likely to be more widely adopted as the preferred option. This will signal to LPAs the importance of avoiding new development in such areas. To permit new development would restrict shoreline managers' ability to move towards more sustainable shorelines.
- Planning information to be supplied to the SMP process directly by LPAs. This would include information on: the spatial distribution of land uses, particularly for built development, and their likely future retention, redevelopment, increased density of building or occupation; areas allocated for development, especially for built development, in local development documents and local development orders; areas and features designated for nature, historic, archaeological or landscape conservation. Much of this information is held by LPAs in geographic information systems (GIS). LPAs can also assist on identifying the economic value of the coast and the contexts where this may constrain SMP policy and the value of the coast and coastal features to the local community and their aspirations for it.
- A higher profile for stakeholder involvement and its extension to a more extended 'public'. This provides opportunities for planners and shoreline managers to try to integrate programmes for public participation. This could, ultimately, generate increased public

discussion on SMP policy and enhance its acceptability and accountability. Also, the experience of planners in open and transparent policy making, including through public participation exercises and conflict resolution, can be shared with shoreline managers so that they do not 'reinvent the wheel'.

- SMPs are to be placed on a website (probably Defra's Flood Management web site: <http://www.defra.gov.uk/environ/fcd/>). Outputs are to include maps illustrating land use, the historic environment, landscape and nature conservation as well as the preferred policy option. These are to use the Modelling and Decision Support Framework (MDSF) system which provides a tailored GIS. These changes should make it easy for LPAs to access information for both forward planning and development control purposes.
- Outputs are to include a non-technical summary document, which could include a briefing note for decision-makers. Planning inclusion on the coastal group managing SMP preparation could ensure that the needs of planners are met in the nature and form of this output. The involvement of planners might, also, secure the adoption of more accessible language in SMPs or, at least, in parts of them.

Information on providing planning information to the SMP process is provided in Sheet 5, '*Maximising Town and Country Planning Input to Shoreline Management Planning*', in the LGA Coastal Risk Management Pack. Success in improving planning input into SMPs is likely to create a positive feedback loop creating opportunities for enhanced coastal risk management policies in regional development strategies and local development documents. However, a number of controversial issues will require discussion:

- How large brown land areas, suitable for development but at risk from coastal hazard, should be dealt with given the current 'once developed-always developed' philosophy that appears to apply in England
- Whether, and how, existing assets likely to experience increased levels of risk can/should be abandoned over time
- Whether it is realistic to try to secure the long-term replacement of defences to support hold this line policies when this is what local communities want but environmental evidence suggests otherwise. Such situations raise the further issue of who should pay
- How to move from an incremental approach to dealing with coastal risk, operating over relatively short term futures and emphasising 'business as usual', to a much longer term and more strategic approach able to deliver sustainable shorelines. This is particularly important to consider for any settlements where vulnerability to coastal risk is increasing but raises important implementation issues in the context that time horizons are far beyond those of political calendars but those making the decisions face insecure political futures.

6 Changes to the development control system

6.1 Changes established by the General Development Procedure Order amendments of 2003

It is worth noting some recent changes to development control that have repercussions for coastal risk management. The General Development Procedure Order was amended in 2003 so that:

- Consultees on planning applications could prepare and make arrangements for the operation of standing advice on planning issues. In response, the EA is delegating responsibility for managing flood risk aspects of planning applications to LPAs where there is no flood risk or where the risk is low. To ensure that LPAs are in a sound position to consider flood risk issues in these contexts, the EA is preparing standing advice. The EA requires LPAs to continue to consult on higher risk applications. It will make bespoke responses to these. To ascertain whether an application is high or low risk, LPA officers will be required to check 1) the level of risk associated with the location of the application and 2) the nature of the proposed development. Locations are classified as: within Main River bye-law distance (note that the EA is en-maining critical water courses through England 2004-2006); within the indicative flood plain, i.e. falling into Planning Policy Guidance (PPG) 25's zone 3, high flood risk; and outside the high flood risk area as represented by PPG25's zones 1 and 2, no/low risk and low/medium risk. An EA matrix indicates how LPAs should proceed, with consultation or using the standing advice, to evaluate whether any flood risk has been mitigated. The material, maps, the flood risk response matrix and four technical guidance notes on flood risk assessment for different types of development in different types of location, are currently (April 2004) being piloted by a number of LPAs and will be available on the web when it is made generally available later in 2004. Provisions to ensure that LPAs are in a sound position to consider flood risk issues are set out in protocols and memoranda of understanding/service agreements (see: LGA Coastal Pack Sheet 7, '*Protocols and Memoranda of Understanding for Sharing Responsibility for Coastal Risk Management*'). While this will not apply to all types of coastal risk, it will provide a framework for dealing with planning applications affected by estuarine and tidal flood risk.
- Reasons must be stated for all decisions on planning applications. This means that, for the first time, LPAs must state their reasons for permitting development. In all cases, unconditional and conditional permission and refusal, and in support of conditions, LPAs must indicate what development plan policy was relevant to the decision. This will assist shoreline managers to monitor the effectiveness of standing and bespoke advice and will raise the importance of ensuring that appropriate coastal risk policies exist in development plans (regional spatial strategies and development plan documents).

The PCPA includes further amendments to the development control system which, when combined with changes proposed to supplementary legislation, may offer opportunities to third parties involved in managing coastal risk but who depend on the planning system to regulate development to protect resources or to minimise risk. This relates, particularly, to consultations and obligations.

6.2 Consultation

The EA remains a statutory consultee in a number of contexts not including coastal risk. However, Government policy that the EA should be consulted where development is proposed in areas of flood risk is very clear in PPG25, *'Development and Flood Risk'*. Delivery is monitored through Defra's High Level Targets. Collaboration between planners and shoreline managers to restrict development in areas of coastal risk has been the subject of considerable criticism but has been improving recently in many areas, though it still suffers from critical resource problems in both LPAs and the EA. The use of standing advice, referred to above, should make the EA's contribution more effective and ensure that its resources are targeted at major development issues.

Following consultation on the Government's proposed amendments to the General Development Procedure Order, there is pressure for the EA to become a statutory consultee on planning applications subject on flood risk, in addition to other contexts. This will upgrade the requirements for the EA to respond to consultation following provisions established in the PCPA. Section 54 requires that statutory consultations on planning applications are undertaken and that consultees provide timely and substantive responses. Its provisions may be detailed in development orders; the consultation draft of the General Development Procedure Order proposes a number of amendments to consultation processes.

- It emphasises the importance of 1) consultation on planning applications and 2) LPA response to it and proposes a number of means to make the interaction more effective.
- Consultees are to make substantive comments in all required circumstances and are to do so within the statutory time period (21 days from the receipt of the application by the consultee).
- Consultees are to provide SoS with an annual report on compliance stating: the number of LPA consultations; the number of substantive responses made to LPAs within the prescribed period; and where substantive responses have not been made, and why.
- Prospective developers are advised to undertake pre-application discussion with statutory consultees. It may be that fees are chargeable.

Implementation of these changes will increase the level of consultation (though standing advice should ensure that the EA concentrates on major issues) and should ensure a higher priority is given to coastal flood risk issues in determining planning applications. It does not apply to other coastal risk issues.

6.3 Obligations – planning contributions

The principles of planning obligations under S106 of the Town and Country Planning Act 1990 are well established. The Planning Green Paper proposed to replace them with tariffs to speed up the system, provide more certainty to developers and to ensure that all developments makes some contribution to the publicly provided assets and services for which they generate demand. Following considerable debate, the PCPA retains the idea but uses the term 'planning contribution' to cover various methods by which payments for these assets and services can be provided. Developers are given a choice over whether to make their contribution by 'prescribed means' or by 'compliance with the relevant requirements'. 'Prescribed means' applies when developers choose to contribute via criteria established (and published) by the LPA. 'Compliance with the relevant requirements' applies when developers and LPAs negotiate over the level and type of contribution to be made. Contribution can be by payment of a sum of money or by providing benefits in kind or a combination of these. LPA policy related to planning contributions, the choice, the contexts where it applies, whether contributions include commuted

sums for maintenance and how contributions are to be allocated must be set out in development plan documents.

Where planning permission is granted in an area at risk, obligations may be used to secure mitigating works though there remain problems in securing funding for long-term maintenance and eventual replacement. Obligations may also be used to ensure that no future demand will be made on public bodies for coastal defence works. The requirement for openness and transparency about obligations/planning contributions means that shoreline managers must be involved in the wider policy discussion over context, application and mechanisms. This may prove particularly important for those contexts where implementing works through planning contributions moves money out of the local authority purse and where long term maintenance and eventual replacement must be secured.

6.4 Information with planning applications

It is likely that a common planning application form will be prepared for all planning applications throughout England. However, LPAs are likely to be able to require that any application for planning permission must include particulars or evidence that they think necessary to support matters in an application. This may be important to organisations concerned with coastal risk management particularly as a fully complete planning application, with all the necessary supporting information (e.g.: flood risk assessment; stability assessment), can be processed immediately without additional material being sought. Shoreline management organisations may need to inform LPAs accordingly.

6.5 Local development orders

The PCPA introduces the concept of local development orders which will give unconditional or conditional permission for any development or class of development for all, or part of, its land or for a site. This can, however, be adopted only to implement a development plan document. Local development orders may be considered to be local equivalents of the General Permitted Development Order and to be similar to simplified planning zone schemes. It will be important for risk issues to be thoroughly considered for any area on which planning control is to be so reduced. The EA will be a statutory consultee on such orders but maritime district councils and coast protection authorities need to be involved as well.

7 Activities impinging on the town and country planning system and shoreline management

This section concerns changes external to the planning and shoreline management systems that impinge on them and that may offer opportunities to raise the profile of coastal risk management.

7.1 Community strategies

Local Government legislation requires local authorities to prepare community strategies. The key characteristics of these in relation to coastal risk management are outlined in Research Paper 3 of this series, '*Local government reform and the role of local government in coastal risk management*' prepared for the LGA. Spatial matters should be drawn into local development documents and there is an intention that community conflicts should be reduced and resources be used more efficiently through joint consultation mechanisms. While community strategies so far prepared appear to be general, over-arching, vision documents, they could provide an opportunity for coastal risk management issues to be explored in a participatory framework. Great care will be required to develop the debate on the short, medium and long term futures of any stretch of coastal land where hold the line is not the preferred option and any policies for the abandonment of coastal land or the managed realignment of the shoreline are likely to be extremely controversial.

7.2 Integrated coastal zone management

The EU's Recommendation on Integrated Coastal Zone Management (ICZM) has generated a higher profile for that activity throughout Europe. Defra is leading on its implementation for the UK and has recently published the first stage of its response, '*ICZM in the UK: A Stocktake*' (Atkins, 2004). While overviewing the UK's approach to ICZM, the Stocktake highlights the progress in ICZM development and assesses the existing implementation of the EC Principles of ICZM (Table 3) as well as outlining some of the future drivers for ICZM development (*op.cit.*).

Table 3 The EU Principles of ICZM

<ul style="list-style-type: none">• a broad overall perspective• a long-term perspective• adaptive management• local specificity• working with natural processes and respecting the carrying capacity of ecosystems• involving all the parties concerned• support and involvement of relevant administrative bodies at national, regional and local level• using a combination of instruments
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In the context of coastal risk management, it is noteworthy that the Stocktake has uncovered a rather patchy implementation of the EU principles in the UK (Section 5, *op. cit.*). Whilst

highlighting the considerable efforts being put into ‘facilitating and encouraging the involvement of all parties’ in coastal planning and management, it has also drawn attention to some deficiencies in levels of collaboration. It has also drawn particular attention to a general lack of long-term planning, essential for coastal risk management.

While we do not know the effects that the Recommendation will have in terms of policy and funding, there is no doubt that it has contributed to the raising of coastal awareness so that there should be an enhanced receptiveness for integration. Additionally, its principles have been applied to the Government’s first Marine Stewardship Report, ‘*Safeguarding Our Seas*’ (May 2002). All parties (including RPBs) involved in coastal risk management must ensure that they contribute to emerging ICZM initiatives and projects, particularly as the UK government and devolved administrations prepare the UK National ICZM Strategy over the forthcoming months. Given that the European principles of ICZM will be integral to the development of the National ICZM strategy, all sub-national measures, including regional and local initiatives relating to coastal risk management, must also conform to these principles.

7.3 Marine spatial planning

Marine areas are currently managed through a series of sectoral arrangements, the flaws of which are well recognised and subject to review². In the light of the ever-increasing exploitation of marine-based resources, proposals put forward for the spatial planning of marine areas have gathered momentum. Defra appears to support this by suggesting that pilot studies on a voluntary basis would be useful. The Irish Sea Pilot Project has just completed the piloting of a regional sea, ecosystem-based approach. However, there is not yet a favoured single model for marine spatial planning although elements of a marine and coastal planning framework have been suggested by the report to the Joint Nature Conservation Committee by David Tyldesley and Associates (2004). In addition to calls from the non-government sector, particularly the Wildlife and Countryside Link and WWF (UK), for consideration of regional marine planning, the Stocktake report (Atkins, 2004), the report from the Irish Sea Pilot and the recent Government’s response ‘*Seas of Change: Consultation to help deliver our vision for the marine environment*’ (Defra, 2004) indicate that such an approach may have value. The last recognises the potential of marine spatial planning in helping to reduce marine conflicts and enabling a longer-term perspective for offshore management. It also notes the Government’s commitment to further investigations of planning the marine environment, with ‘a presumption in favour of developing a marine spatial plan, if practicable’ (op. cit.) and refers to the current review of regulatory mechanisms for the marine environment, the results of which are expected shortly.

Spatial planning for land at the coast is highly interconnected to the planning and management of water areas and there needs to be collaboration between spatial planning for land and for water areas. This is particularly pertinent for shoreline management at the interface between the two environments. Planners and shoreline managers at both regional and local levels need to monitor progress in this direction and contribute to discussion to ensure that proper interaction and collaboration occur.

² Current reviews include: Review of Marine Nature Conservation; The Review of Development in Marine and Coastal Waters; Review of Marine Fisheries and Environmental Enforcement in England and Wales; and consultation on Seas of Change following up the Government’s first Marine Stewardship Report, *Safeguarding our Seas*.

7.4 Catchment flood management plans

The EA has recognised the value of strategic approaches to risk management in fluvial contexts and is to progress its proposals for catchment flood management plans (CFMPs) shortly. These have implications for both planning and shoreline management in the coastal zone. The interrelationship between the boundaries and policies for CFMPs and SMPs requires urgent discussion while the CFMPs require considerable collaboration with the planning system in the way that is required for the preparation of SMPs. This will involve both regional and local authorities and organisations.

7.5 River basin management plans

The impact of the EU Water Framework Directive and The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 is to require the preparation of river basin management plans (RBMPs) for England (see: Research Paper 5 in this series, *Implications of the Water Framework Directive*, prepared for the LGA). These will be strategic plans covering all aspects of the water environment and will have implications for a wide range of other activities: agriculture; the water industry; town and country planning; and estuary and coastal management. They will provide a framework in which catchment flood management policy operates. There is yet no clarity in how river basin management plans will interface with other plans, particularly with SMPs, but it is clear that they will have repercussions for the planning system and with coastal risk management which require investigation and analysis at both regional and local levels.

7.6 Strategic environmental assessment (SEA)

Currently, development plans and other public policy documents are subject to strategic appraisal to ensure that the long-term implications of public policy have been well thought out. It is now necessary for England to conform to the EU Directive on strategic environmental assessment (SEA). This will apply to any plan prepared by a public authority begun after 21.7.04. RSSs, local development documents, SMPs, CFMPs and RBMPs will, therefore, be subject to scrutiny.

The objectives of SEA are stated to be: to assist in achieving sustainable development; to aid consideration of alternative policies and plans including do nothing; to assess cumulative, indirect and secondary impacts; to anticipate adverse environmental impact and encourage avoidance or mitigation; to provide publicly accessible and accountable decision making frameworks; to ensure that environmental principles are integrated into strategy along with economic and social factors; and to provide a context for environmental impact assessment of individual projects. It will require the evaluation of significant impacts and of alternatives. A full environmental report must be prepared plus a document suitable for consultation purposes. The SEA process will involve consultation with all relevant environmental agencies/authorities and with the public.

As strategic environmental assessment appears narrower than sustainability appraisal, and there is concern that environmental impacts may be traded off against economic and social interests, guidance suggests that both strategic environmental assessment and strategic appraisal will be required but that they should be integrated.

8 Opportunities for establishing collaborative arrangements between authorities and organisations managing coastal risk

This topic is dealt with on Sheet 2, '*Working together*' in the LGA Coastal Risk Management Pack. The section is included here to highlight the increasing importance of collaboration between different parties dealing with coastal risk in the light of continuing physical and social trends and to suggest that recent and proposed changes to the town and country planning and shoreline management systems provide opportunities for enhanced collaboration, to the mutual benefit of all parties and all those affected, and potentially affected, by coastal risk.

New opportunities for improving collaboration between planners and shoreline managers include responding to:

- The proposal for planning representation on coastal groups responsible for SMP preparation. This should be followed up by collaboration by technical officers from all sides in information gathering and collation and in policy formulation
- Government suggestions for integrated community involvement in the preparation of various public policy documents
- The proposal for early discussion and consultation on coastal risk issues in the preparation of regional spatial strategies at regional level and local development documents at local level
- The increased priority given to timely and substantive responses to consultation on planning applications in areas of flood risk
- Discussion related to the development and application of standing advice to deal with proposed development in flood risk areas
- Training requirements associated with implementing arrangements to operate the EA standing advice on development in flood risk areas

The interactive links between shoreline management and the new planning system are summarised in Figure 2.

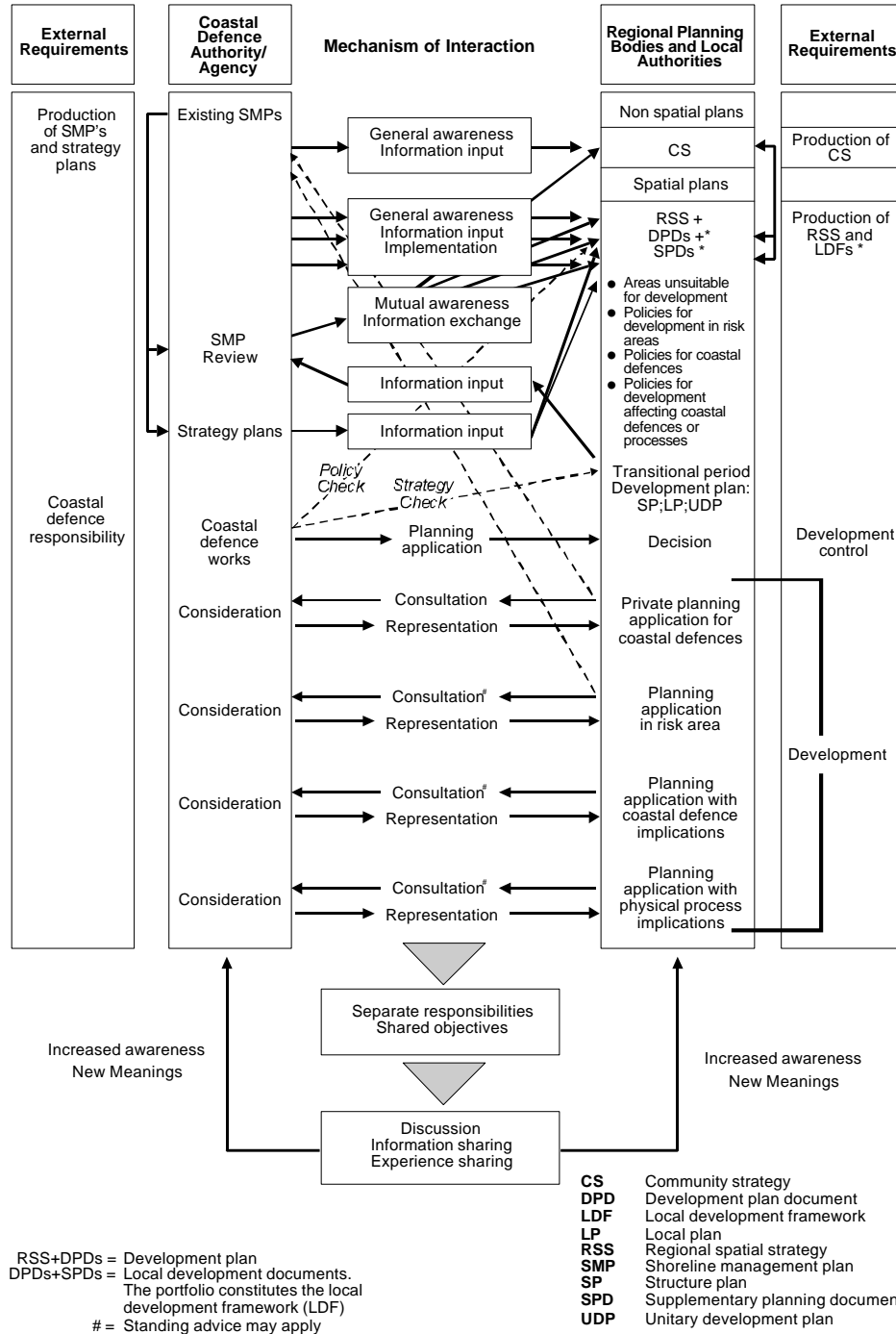
There are now a number of mechanisms to ensure that such collaboration takes place. This includes:

- Defra's high level targets which require the recording of consultation on both planning policy and on development control decision making
- The annual monitoring reports to SoS of statutory consultees in the determination of planning applications (assuming that the EA does, indeed, become a statutory consultee on planning applications affected by flood risk)

These collaborative arrangements are best expressed in local protocols and memoranda of understanding (MoU) between the different players (LPA, the EA, maritime district councils and coast protection authorities). These can take forward at local level, and in response to local circumstance, the current protocols and MoU established nationally between the EA and LGA.

Sheet 7 in the LGA Coastal Risk Management Pack deals with ‘Protocols and MoU for Sharing Responsibility for Coastal Risk Management’.

Figure 2 The interaction between coastal defence authorities / agencies and the planning system



9 Conclusions

It is clear that this is a time of considerable change to the planning system, recognised as a key player in coastal risk management. While planners may be wondering about the increased complexity of the proposed system and about the relationship between land use planning policy and spatial policy, it seems to provide a considerably enhanced opportunity for those involved in coastal risk management to ensure that planning makes the best possible contribution it can to keeping people and property safe and to ensuring that short term decisions do not restrict longer term choices for sustainable shorelines. This will require continued, long-term collaboration between the planners and shoreline managers. It may also be that lessons learnt in this context will be valuable to emerging forward planning contexts away from the coast with the preparation of CFMPs and RBMPs and to resolving the 'joins' between the plans for land areas and for the coast.

It is, similarly, a time of change for shoreline managers who are about to embark on the second round of SMPs. Revised guidance, including the consultation procedural guidance, suggests that these will be more sophisticated than the first round of plans in terms of the technical approach, their level of inclusivity and the time frames considered. The information, skills and expertise of planners should be helpful in their preparation, with planning involvement, in turn, improving the potential for inclusion of appropriate coastal risk management policies in local development documents.

With so much change and so little certainty on how new plans and new systems will operate, this is a great time for those concerned to minimise coastal risk to people and property to ensure that the emerging plans and systems do properly reflect the issues. Little is yet cast in tablets of stone but good practice, once established, will gradually filter through the planning and shoreline management systems. To do this effectively requires all parties to recognise their shared agenda to ensure that human activity in the coastal zone is managed in ways that maximise the safety of people and property from coastal hazards and that do not compromise the long term sustainability of physical processes, habitats and coastal landscape while allowing important community needs to be met. Changes external to the planning and shoreline management systems offer further opportunities to pursue this shared agenda over a wider scope and to ensure that appropriate consistency is achieved with other, emerging, plans.

There are, however, a number of issues that require examination and discussion in the near future. These include:

- Consideration of the generally accepted idea that land, once used for built development, should continue to be used (albeit with different buildings and uses) in perpetuity. This is not appropriate in areas of increasing coastal risk and approaches that link life of buildings to life of defences need to be developed
- How best the opportunities for regional and sub-regional planning may be harnessed to secure appropriate coastal risk policy frameworks at that level. This will provide the context in which local policy is developed
- How best the links between SMP policy and local development documents may be secured. As well as providing the framework for development control decision making, this may

provide opportunities for rigorous consideration, or examination, of coastal risk management policy through local development documents, thereby increasing its status and legitimacy. Development plan documents offer particular opportunities for this.

- How to move from an incremental approach to dealing with coastal risk, operating over relatively short term futures and emphasising ‘business as usual’, to a much longer term and more strategic approach. This is particularly important to consider for any settlements where vulnerability to coastal risk is increasing but raises important implementation issues.
- Ensuring that planning contributions make the best possible provision for paying for both the immediate and long term costs associated with development in areas of coastal risk
- Evaluation of EA standing advice on flood risk, especially in the context that it does not deal with long term time frames, is not site specific and is prepared without site specific knowledge. There is also the problem that the incremental granting of small-scale planning permissions may, cumulatively, create a substantial risk problem in the longer term in an area where the shoreline or its defences cannot be sustained.

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Appendix 1

Getting to grips with the new forward planning initials

EXISTING SYSTEM		NEW SYSTEM
DP Development plan		AAP Area action plan
LP Local plan		CS Community strategy
PPG Planning policy guidance	? ? ?	DPD Development plan document
RPG Regional planning guidance		JDD Joint development document
SDS Sustainable development strategy		LDD Local development document
SP Structure plan		LDF Local development framework
SPG Supplementary planning guidance		LDO Local development order
UDP Unitary development plan		LDS Local development scheme
		PPS Planning policy statement
		RPB Regional planning body
		RSS Regional spatial strategy
		SA Sustainability appraisal
		SCI Statement of community involvement
		SDS Sustainable development strategy
		SEA Strategic environmental assessment
		SPD Supplementary planning document