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# PLANNING

## Planning Policy Consultation

Consultation paper on a new planning policy on Development and coastal change





**Consultation paper**  
on a new planning policy on  
Development and coastal change

July 2009

Department for Communities and Local Government

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July 2009

Product Code: 09 COMM 05995

ISBN: 978-1-4098-1581-5

# Summary Form

## SCOPE OF THE CONSULTATION

<b>Topic of this consultation:</b>	New draft policy that sets out a planning framework for the continuing economic and social viability of coastal communities. The policy aims to strike the right balance between economic prosperity and reducing the consequences of coastal change on communities.
<b>Scope of this consultation:</b>	The purpose of the consultation is to get stakeholder views and comments on the new draft planning policy on managing the impacts of physical changes to the coast on development.
<b>Geographical scope:</b>	England.
<b>Impact assessment:</b>	See Part 4 of the consultation paper.

## BASIC INFORMATION

<b>To:</b>	Local planning authorities, regional planning bodies, key stakeholders and the general public.
<b>Body/bodies responsible for the consultation:</b>	Planning Resources and Environmental Policy Division, Planning Directorate, Communities and Local Government.
<b>Duration:</b>	12 week public consultation.
<b>Enquiries:</b>	Matthew Bigault, Communities and Local Government, Planning Resources and Environment Policy A, Zone 1/A1, Eland House, Bressenden Place, LONDON, SW1E 5DU.  Telephone: 020 7944 8709 Fax: 020 7944 3859  Or by e-mail: <a href="mailto:Matthew.Bigault@communities.gsi.gov.uk">Matthew.Bigault@communities.gsi.gov.uk</a>
<b>How to respond:</b>	To either of the above addresses.

<b>Additional ways to become involved:</b>	In order to engage with our key stakeholders, we will be holding events during the consultation period to discuss the draft PPS and the accompanying guidance.
<b>After the consultation:</b>	<p>We shall take into account the responses to this consultation in implementing our proposals and these will inform any final policy revisions later in 2009.</p> <p>We anticipate there will be a widespread 'roll-out' of any revised policy, with a wide range of stakeholders, to promote the robust implementation of the policy and accompanying guidance.</p>
<b>Compliance with the code of practice on consultation:</b>	The consultation complies with the code.

## BACKGROUND

<b>Getting to this stage:</b>	<p>Coastal change, as exacerbated by climate change, has implications for development on the coast and is therefore a major consideration for spatial planning in shaping places that are resilient to climate change. Coasts have changed continuously through history but climate change is speeding up change, increasing risks from coastal erosion and flooding.</p> <p>Strong planning policy to manage coastal flooding is already in place (Planning Policy Statement 25). However, currently planning decisions in relation to coastal erosion risks are made with reference to Planning Policy Guidance note 20 (PPG20). PPG20, published in 1992, adopts a strongly precautionary approach, restricting any development in areas at risk of coastal erosion. This means that even appropriate development that would support the economic and social viability of the community is unable to go ahead.</p> <p>The consultation forms part of a wider package of actions to deliver sustainable coastal risk management. It is linked to the <i>Consultation on Coastal Change Policy</i>, issued by Defra for consultation on Monday 15 June 2009, which sets out ideas for how coastal communities can successfully adapt to the impacts of coastal change, and Government's role in supporting this.</p>
<b>Previous engagement:</b>	We have engaged with stakeholders including the Environment Agency, Natural England, the National Trust and English Heritage, as well as local authorities in coastal areas, to develop the draft planning policy.

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# PART 1: Introduction

## 1. PURPOSE OF THE CONSULTATION

This consultation seeks views and comments on a draft planning policy on *Development and coastal change*<sup>1</sup>.

The draft planning policy on *Development and coastal change* reflects the new draft style for presenting national planning policy. In developing the policy, the aim has been to focus on national policy to provide clarity on what is required at regional and local levels, to ensure that decisions are made at the most appropriate level and in a timely fashion to deliver sustainable development for areas affected by physical changes to the coastline. The consultation text reflects extensive discussions with stakeholders on the effectiveness of current policy and possible changes. A companion guide is being prepared to provide practice guidance and support for the implementation of the policy. An outline of the envisaged content of the practice guide is provided at Part 3.

Strong planning policy to manage coastal flooding is already in place. The policy, contained in Planning Policy Statement 25 (PPS25), *Development and Flood Risk*, ensures that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk from all sources of flooding, and to direct development away from areas at highest risk. Where new development is necessary in such areas, the policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

Currently, planning decisions in relation to coastal erosion risks are made with reference to Planning Policy Guidance 20 (PPG20) *Coastal Planning*. PPG20 adopts a strongly precautionary approach, restricting any development in areas at risk of coastal erosion. Stakeholders have told us that this has resulted in a sub-optimal position whereby even appropriate development that would be beneficial to the sustainability of a community is unable to go ahead.

The *Development and coastal change* policy focuses on managing the impacts of physical changes to the coast on development. It does not repeat national planning policy relevant or applicable to coastal areas that is contained in other national planning policy documents and should be read alongside the national PPS/G series. The policy complements PPS25.

The intention is that, following consultation, the finalised policy will be published as a supplement to PPS25. This will replace the policy on managing the impacts of coastal erosion to development set out in PPG20. Since all other relevant policies set out in PPG20 are now within the PPS series, PPG20 will then be cancelled. The new policy on managing the impacts of coastal erosion to development will be supported by a practice guide, which will be finalised and published at the same time. The new policy on managing the impacts of coastal erosion to development will then be combined with the policy in PPS25 as a consolidated, streamlined PPS on development and flooding and coastal change.

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<sup>1</sup> For the purposes of this policy, coastal change means physical changes to the shoreline, i.e. erosion, coastal landslip, permanent inundation and coastal accretion.

The consultation forms part of a wider package of actions being taken forward by the Department for Environment, Food and Rural Affairs (Defra) to deliver the Government's sustainable flood and coastal risk management approach set out in the *Making Space for Water* strategy. The *Consultation on Coastal Change Policy*, issued for consultation on Monday 15 June 2009, sets out ideas for how coastal communities can successfully adapt to the impacts of coastal change, and Government's role in supporting this. In doing so it underlines the importance of community adaptation planning and engagement, and the important connection between this and spatial planning.

## 2. THE POLICY CONTEXT: THE NATURE OF THE PROBLEM

England's coastline and coastal communities sustain important local economies, are places of relaxation and enjoyment and contain a rich variety of landscapes and habitats. Coastal environments have changed continuously through human history due to natural processes and as a result of human activity, which have led to coastal erosion, land instability and tidal flooding. The impacts of these processes vary considerably from one part of the coastline to another, and have been essential in shaping our coast and its communities.

The coast continues to play a vital role in society from a social, economic and environmental perspective. The coast also provides a natural environment that is vital to supporting protected species and habitats, as well as providing the setting for many historical features. The combination of these benefits attracts people to visit, live and take holidays on the coast.

Coastal communities have historically adapted to the changing coastline as sea levels have risen steadily since the end of the last ice-age. However, climate change is likely to exacerbate erosion and coastal flooding through projected sea level rise, together with the potential increase in the intensity, severity and frequency of coastal storms over the next 100 years (on the basis of the latest climate projections provided by UKCP09<sup>2</sup>). The Government is committed to managing the impact of coastal erosion and flooding in a sustainable manner, and this includes ensuring that our spatial planning policies shape sustainable communities that are resilient to the risks presented by climate change. Coastal change, as exacerbated by climate change, has implications for development on the coast and is, therefore, a major consideration for spatial planning in shaping places that are resilient to climate change. Positive planning has an important role in helping communities to manage risk and adapt to an ever changing coastline.

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<sup>2</sup> The UK Climate Projections 2009, published 18 June 2009.

### 3. THE POLICY APPROACH

The proposed development and coastal change policy sets out a planning framework for the continuing economic and social viability of coastal communities in areas of coastal change. The policy aims to strike the right balance between economic prosperity and reducing the consequences of coastal change on communities.

The draft development and coastal change policy promotes a strategic risk-based approach to managing future physical changes to the coastline, so that long-term adaptation of communities can be planned, whilst allowing necessary development that is appropriate and safe. It will also introduce a more coordinated approach to planning and investment at the coast, ensuring that spatial strategies to deliver regeneration and sustainable economic development take proper account of the impact of physical processes affecting the coastline and decisions regarding the planning and management of coastal defences.

#### 3.1 Planning principles

It is proposed that the policy, in promoting the approach set out above, will be based on the following planning principles<sup>3</sup>:

- ensuring a broad consideration of the impacts of coastal change in preparing spatial plans at regional and local level and in considering planning applications, recognising their long-term nature and the inherent uncertainty in our understanding of coastal processes
- encouraging the use of an agreed evidence base on coastal change, including coastal erosion and projected sea level rise, together with the potential increase in the intensity, severity and frequency of coastal storms, to inform the decision-making process at all stages of the planning process, primarily drawing on the evidence provided by shoreline management plans (SMPs<sup>4</sup>)
- avoiding inappropriate development in areas vulnerable to coastal change, but recognising that activities that require a coastal location, such as recreation and tourism, may provide economic benefit to communities. Where such wider sustainability benefits exist, these types of development may be permitted where the lifetime of the development can be managed within the time-frame of the expected coastal change impact
- expecting planning authorities to define a 'coastal change management area' (CCMA) in which the policy applies, related to the area likely to be affected by coastal change based on the best information available

<sup>3</sup> The planning principles promoted through the policy set out in this section reflect and take forward the integrated coastal zone management (ICZM) principles for enabling coastal areas to be managed in an integrated, holistic and strategic way.

<sup>4</sup> SMPs provide detailed information on the extent of coastal erosion, as well as consideration of the range of feasible coastal management scenarios for each coastal area, and their impact in shaping the coastline.

- regional spatial strategies (RSSs) (and the forthcoming integrated strategies<sup>5</sup>) and local development frameworks (LDFs) promote policies to assist the relocation of development affected by coastal change away from areas at risk
- coastal change impacts to be considered alongside wider social, economic and environmental spatial policy objectives, and be integrated effectively with other strategies and plans of significance to the coast (such as regional economic strategies) to secure a positive contribution towards managing the impacts from coastal change in a coherent and sustainable way. Spatial policies to support the delivery of regeneration and sustainable economic growth for coastal areas should take account of the physical processes affecting the coast and decisions regarding the planning and management of coastal defences (largely made by the Environment Agency under its strategic overview responsibility)
- requiring joint working between neighbouring planning authorities and the Environment Agency
- encouraging a partnership approach with other relevant agencies and bodies with an interest on the coast, such as the Environment Agency, Natural England, the National Trust and Coastal Groups and the proposed Marine Management Organisation and
- planning authorities preparing policies for the management of development on the coast and considering applications for development within the CCMA(s) should have regard to the contents of the marine policy statement, related marine plans and the requirement to enable the creation of a continuous signed and managed route around the coast, as proposed by the Marine and Coastal Access Bill

### 3.2 How the policy manages risk

The broad aim of the proposed policy on development and coastal change is to ensure that the impact of coastal change is taken into account at all stages of the planning process. The policy approach will enable local authorities to take advantage of opportunities that may exist to support existing communities by allowing certain development in these locations, time limited as necessary, whilst also preventing inappropriate development in vulnerable coastal locations. It also aims to help improve coastal communities' resilience to changes in the coastline in a sustainable way, including by facilitating relocation of development.

<sup>5</sup> We are currently in the process of reforming regional arrangements. References made to regional spatial strategies (RSSs) and regional economic strategies (RES) and regional planning bodies (RPBs) will be subject to change in light of the provisions in Part 5 of the LDEDC (Local Democracy, Economic Development and Construction) Bill currently before Parliament. Namely, references to RSS/RES will be replaced by 'regional strategy' and RPB will be replaced by 'responsible regional authorities'.

To manage the impacts of coastal change to development, a similar hierarchical approach to that in PPS25 on flooding is proposed, i.e.

- *'appraise risk'* – assessing likely impacts of physical changes to the coast and identifying proposed management strategies through shoreline management plans; using this evidence to develop a strategic approach through RSSs (and the forthcoming integrated regional strategies) and LDFs in identifying land for development which avoids adding to the risk
- *'avoid risk'* – avoiding and reducing the consequences of coastal change on people, property, infrastructure, businesses, habitats and the historic environment by avoiding inappropriate development in areas assessed as likely to be affected, whilst at the same time recognising that risk may be managed so that certain development may be permitted in particular circumstances to meet the needs of existing coastal communities
- *'manage risk'* – developing strategies for local development which manage any impact from coastal change on necessary development so it remains safe through its lifetime
- *'mitigating impact'* – developing strategies to facilitate the adaptation of coastal communities to future physical changes to the coast and improve their resilience in a sustainable way, and safeguarding land in more sustainable locations for communities to move to

### 3.3 Proposed policy approach

To support the principles and deliver the aim of the policy, the following approach is proposed:

- consideration of the impact of coastal change should form an integral part of planning strategies and plan making at national, regional and local levels and of decision-making on all types of application for consent required for development in areas that might be vulnerable to coastal change
  - the proposed approach depends on consistent information about where and how fast coastal change is likely to happen. Shoreline management plans (SMPs) will be an integral part of this approach. SMPs will fulfil a similar role to that of a strategic flood risk assessment (SFRA), in that they will provide the means of identifying the risks for a local area and proposals on how to manage them. They would provide the evidence for designating in the LDF the area likely to be affected by physical changes to the coast, namely the 'coastal change management area' (CCMA), upon which future development policies should be based

- inappropriate development should be avoided in areas that are vulnerable to coastal change
  - new development should not normally be permitted in areas vulnerable to coastal change (namely the CCMA(s)) where it would increase the risk to people's safety, increase the number of properties vulnerable to coastal change or result in an increased demand for future coast defence, or reduce options for providing compensatory habitat or natural enhancement
  - certain types of time limited developments and minor temporary uses may be permitted within the CCMA(s), having regard to the need to maintain the social and economic viability of the community and the vulnerability of the proposed development to coastal change. Such temporary development may be permitted where it can be demonstrated that it will be safe through its planned lifetime, with no additional risk to life, and it will not bring additional demands for new coastal defences or have adverse effects on the environment. The time-limit conditions should reflect the expected life of the intended use taking account of the predicted rate of coastal change
- regional planning bodies (RPBs) and local planning authorities (LPAs) should prepare and implement planning strategies that facilitate the sustainable management of areas of coast assessed to be subject to physical change. The aim should be to facilitate the adaptation of coastal communities to future physical changes to the coast and improve their resilience in a sustainable way
  - whilst physical changes to the coastline may restrict opportunities for development in affected areas in the long-term, it is important that coastal communities are able to adapt to future coastal changes through adjustments to the location of development over time and facilitating relocation of development to safer low risk areas inland
- a partnership approach between neighbouring planning authorities and other relevant agencies and bodies with an interest on the coast, such as the Environment Agency, Natural England, the National Trust, English Heritage and Coastal Groups, should be promoted in order to secure an integrated approach towards sustainable planning and management in coastal areas. This is an essential part of the proposed approach because coastal processes (and SMPs) cross local authority boundaries
  - cooperation between the LPA, the Environment Agency and other stakeholders should promote a common understanding of coastal processes and their impacts; define key issues for coastal planning; and coordinate policies for development and growth, regeneration, cultural heritage and natural environment conservation and enhancement, and flood and coastal erosion risk management and defence. This will enable positive strategic planning to deliver wider sustainability objectives

To make the impact-based approach work in practice, we are proposing that a vulnerability assessment should be carried out on any development proposed in a CCMA. This should describe the impact from and to coastal change of the proposed development.

#### **4. EXTENDING THE ENVIRONMENT AGENCY'S STATUTORY CONSLTEE ROLE**

This consultation is also seeking views on whether there is need to extend the Environment Agency's statutory consultee role in relation to planning applications in areas that are vulnerable to coastal change (i.e. CCMAs).

The proposal is that the practice guide that supports the policy advises that the Environment Agency is consulted on planning applications in areas that are vulnerable to coastal change (i.e. CCMAs). We think that this will give the Agency the opportunity to make any necessary representations, while focusing their resources on the most problematic areas. We think that the need to make the requirement to consult the Environment Agency statutory would need to be demonstrated. We propose to monitor whether appropriate consultation is happening. If the Environment Agency is not being adequately consulted we will consider extending their statutory consultee role.

This consultation is seeking views on this proposal. The outcome of this consultation will be reflected in the practice guide to support the new policy, and if necessary in corresponding changes to the Town and Country Planning (General Development Procedure) Order 1995.

#### **5. USING CALL-IN POWERS**

Under Section 77 of the Town and Country Planning Act 1990, the Secretary of State can call-in any particular application for his own decision, without it first having to be automatically referred to him under the terms of a direction requiring referral of a particular category of cases. Under current arrangements, the Environment Agency is able to ask the Secretary of State to consider whether to call in any specific case about which they have concerns. We believe that this is adequate to provide the final check on inappropriate development proceeding in areas at risk of coastal change.

However we propose to monitor planning permissions in areas that are vulnerable to coastal change (i.e. CCMAs) to ensure that this will provide a sufficient check on inappropriate development. Should current arrangements not prove adequate we could widen the scope of the flooding Direction (now part of the Consultation Direction annexed to CLG Circular 02/2009) to include developments where the LPA proposes to grant permission, despite there being a sustained objection from the Environment Agency on coastal change risk grounds. This would mean that major developments covered by the

Direction, which the local planning authority was minded to approve against a sustained Environment Agency objection on coastal change risk grounds, would first need to be notified to the regional government office to consider whether the application should be called-in.

This consultation is seeking views as to whether current arrangements are adequate.

## **6. REMOVAL OF PERMITTED DEVELOPMENT RIGHTS**

This consultation is seeking views on the appropriateness of advising planning authorities to consider removing some permitted development rights for developments in areas in the CCMA that are identified as at risk from coastal change within a short-term period (i.e. the next 20 years). This would be areas where either no coastal defences exist or existing defences will not be maintained and are expected to fail in the near future.

Extensions and alterations in CCMA's that are permitted development are likely to result in an increase in the scale of property and number of occupants at risk from coastal change in the next 20 years. To address this we propose that the practice guide to accompany the policy should advise planning authorities to consider whether to make greater use of an Article 4 Direction under the Town and Country Planning (General Permitted Development) Order 1995 to require planning permission to be sought. This does not mean that development will not be permitted. It means that it will be for the local planning authority to decide, taking into account the circumstances of any particular case, whether planning permission should be granted. The requirement for planning permission to be sought would help ensure that proper consideration is given to the possible impacts of coastal change on the development.

CLG is also consulting on proposals to extend certain permitted development rights to non-domestic development.

## **7. THE CONSULTATION STAGE IMPACT ASSESSMENT**

The consultation stage Impact Assessment (IA) in Part 4 of this document makes a provisional assessment of the impact of the proposed policy in terms of the costs, benefits and risks. Your views are welcomed on any aspect of the IA and in particular the costs and benefits of the proposed policies.



## 8. WORKING WITH DEVOLVED ADMINISTRATIONS

While many of the policies in this paper are specific to England, the challenges are common across the four countries of the United Kingdom.

It is the benefit of devolution that the Devolved Administrations can tailor their policies to meet the specific needs of their countries. We will work closely with the Devolved Administrations in Northern Ireland, Scotland and Wales, recognising their particular and varying responsibilities. Each will consider the most appropriate arrangements in those areas for which they have devolved responsibility, to address the issues in ways that meet their own circumstances and needs.

## 9. THE CONSULTATION PROCESS

We look forward to receiving comments and views on the draft planning policy on development and coastal change, and on the other elements of the consultation package by 12 October 2009. You may wish to refer to Part 5 in making your response. This sets out the questions on which we would like your views.

Responses and any questions about the consultation should be directed to:

Matthew Bigault  
Communities and Local Government  
Planning Resources and Environment Policy A  
Zone 1/A1, Eland House  
Bressenden Place  
LONDON, SW1E 5DU

Telephone: 020 7944 8709

Fax: 020 7944 3859

Or by e-mail: [Matthew.Bigault@communities.gsi.gov.uk](mailto:Matthew.Bigault@communities.gsi.gov.uk)

It would be helpful if responses from representative groups could give a summary of the people and organisation they represent.

We intend to publish a summary of responses to this consultation by winter 2009 on the Communities and Local Government website. Paper copies of the summary will be available on request.

All responses will be made public unless confidentiality is specifically asked for. However, correspondents should be aware that confidentiality cannot always be guaranteed, for example where a response includes evidence of a serious crime. Any automatic confidentiality disclaimer generated by your organisation's IT system will not be respected unless you specifically include a request to the contrary in the main text of your response.

This consultation is being conducted in accordance with the Government's code of practice on written consultation. The criteria are reproduced in Part 6. Any procedural observations or complaints about the consultation exercise should be sent to:

Communities and Local Government Consultation Co-ordinator  
Zone 6/H10, Eland House  
LONDON SW1E 5DU

Or by e-mail to [consultationcoordinator@communities.gsi.gov.uk](mailto:consultationcoordinator@communities.gsi.gov.uk)

## PART 2: Proposed planning policy

### DRAFT PLANNING POLICY: DEVELOPMENT AND COASTAL CHANGE

#### INTRODUCTION

1. Planning policy statements (PPSs) set out the Government's national policies on different aspects of spatial planning in England. This document sets out planning policies on managing development on coastal areas affected by coastal change. These policies complement, but do not replace or override, other national planning policies and should be read in conjunction with other relevant statements of national planning policy, in particular Planning Policy Statement 1 *Delivering Sustainable Development*; Planning Policy Statement *Planning and Climate Change*; Planning Policy Statement 25 *Development and Flood Risk*; and Government's policies for flood and coastal erosion risk management.
2. The intention is that (following consultation) the policy will be published as a supplement to PPS25. This will replace the policy on managing the impacts of coastal erosion to development set out in Planning Policy Guidance 20, *Coastal Planning*. Guidance to help practitioners implement this policy is provided in the *[title of supporting practice guide]*<sup>6</sup>.
3. This policy should be taken into account by regional planning bodies in the preparation of revisions to regional spatial strategies, by the Mayor of London in relation to the spatial development strategy for London, and by coastal local planning authorities in the preparation of local development documents. This planning policy should also be material, depending on the particular circumstances of the case, to decisions on individual planning applications.
4. For the purposes of this policy, coastal change means physical change to the shoreline, i.e. erosion, coastal landslip, permanent inundation and coastal accretion.

#### GOVERNMENT OBJECTIVES

5. *Making Space for Water* strategy (2005) sets out the Government's vision for managing and adapting to an ever changing coastline. The broad aim is to ensure that our coastal communities continue to prosper and in a way that manages and adapts to coastal change. To help achieve this vision, the Government's objectives for planning are:
  - **to promote sustainable development** by ensuring that decisions are based on an understanding of coastal change over time and the social and economic benefits of particular types of development

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<sup>6</sup> Forthcoming

- **to prevent new development from being put at risk from coastal change** by avoiding inappropriate development in areas that are vulnerable to coastal change or any development that adds to the impacts of physical changes to the coast, and by enabling appropriate development (development that requires a coastal location and/or provides substantial economic and social benefits to communities).
- **to reduce the risk facing coastal communities already at threat from coastal change** by ensuring that plans are in place to manage their future development through adaptation, for example, by improving their resilience or by relocation.

## PLAN MAKING POLICIES

### Policy DCC1: Evidence base for plan-making

- DCC1.1 Regional planning bodies and local planning authorities on the coast should ensure that they have an evidence base at the appropriate scale and level of detail on the current and predicted impacts of physical changes to the coast. This should reflect the range of feasible coastal management options, for example coastal defences or community resettlement. The prediction of future impacts should reflect the long-term nature and the inherent uncertainty of coastal processes (including coastal landslip), and take account of climate change. The evidence should be proportionate and sufficient to inform adequately the relevant planning process.
- DCC1.2 This evidence should be drawn from shoreline management plans (SMPs) and associated maps and data developed by the Environment Agency and local authorities, together with other strategic plans that apply to coastal areas, such as catchment flood management plans, heritage coast strategies and Natural England's strategies for the coast.
- DCC1.3 Regional planning bodies and local planning authorities should develop partnership working with their neighbours and with relevant agencies and bodies with an interest in the coast<sup>7</sup>. The aim should be to develop a collective understanding of coastal processes and issues for coastal planning.

<sup>7</sup> Such as the Environment Agency, National England, the National Trust, English Heritage, the Maritime Management Organisation and Coastal Groups.

## **Policy DCC2: Regional planning approach**

DCC2.1 Regional planning bodies should determine from the evidence of impacts (DCC1) if coastal change is a key regional priority. Where it is, the regional spatial strategy should set out the strategic approach to facilitating the long-term adaptation of coastal communities at risk of future physical changes. This should include the criteria to be used for selecting and determining broad strategic locations for development options.

DCC2.2 In determining the strategic approach and implementation plan for the region, regional planning bodies should:

- draw on the evidence of impacts (DCC1)
- work in partnership with local planning authorities and relevant agencies and bodies with an interest in the coast<sup>8</sup>
- take into account the wider social, economic and environmental policy objectives and
- take into account other strategies and plans of significance to the coast

## **Policy DCC3: Local planning approach**

DCC3.1 Local planning authorities should identify on the proposals map the area likely to be affected by physical changes to the coast and refer to this area as the coastal change management area (CCMA). In determining the CCMA(s), local planning authorities should:

- draw on the evidence of impacts (DCC1)
- take into account the wider social, economic and environmental policy objectives
- take into account the strategic approach in the regional spatial strategy (DCC2) and other strategies and plans of significance to the coast and
- work in partnership with other local planning authorities and relevant agencies and bodies with an interest in the coast<sup>9</sup>, including through consideration of any wider community adaptation activity

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<sup>8</sup> See footnote 7

<sup>9</sup> See footnote 7

DCC3.2 Local planning authorities should set out the approach to development in the CCMA(s). The aim should be to:

- determine the nature of development that will be appropriate within the CCMA(s)
- indicate the circumstances in which certain types of development may be permissible within the CCMA(s) and
- allocate land suitable for appropriate development within the CCMA(s)

DCC3.3 Where development and infrastructure needs to be relocated from CCMA(s) (DCC3.2), local planning authorities should allocate sufficient, suitable land beyond the CCMA(s). In allocating such land, local planning authorities should be able to demonstrate that there are sufficient links with the coastal community from which development has been displaced, to secure the long-term future sustainability of coastal areas.

## DEVELOPMENT MANAGEMENT POLICIES

### Policy DCC4: Pre-application discussions and assessment

DCC4.1 PPS1 says that local planning authorities should consider the benefits of early engagement in pre-application discussions. Early engagement is particularly beneficial for proposed developments in the CCMA. Early discussions are also useful with relevant agencies and bodies with an interest in the coast<sup>10</sup>. The more the applicant and the local planning authority can explore and understand the risk, extent and nature of the coastal change impact before applications are made, the greater the chances of a successful application. This discussion will also assist in scoping the information that will be required by the local planning authority to reach a decision on the application when it is submitted (DCC5).

### Policy DCC5: Evidence requirements for validation of applications for planning permission in the coastal change management Area

DCC5.1. Local planning authorities should ensure planning applications are accompanied by an assessment of the vulnerability of the proposed development to coastal change and of the impact on coastal change. The level of information required by local planning authorities should be proportionate to the level of impact from and to coastal change. Applications should not be validated without this information.

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<sup>10</sup> See footnote 7

## **DCC6: Policy principles guiding the consideration of applications for development in coastal change management areas**

DCC6.1 In considering applications for development<sup>11</sup>, local planning authorities should take into account:

- the assessment of vulnerability
- shoreline management plans
- the wider sustainability benefits of the development proposed
- whether the development will be safe through its planned life-time;
- the outcome of consultation with relevant agencies and bodies with an interest in the coast<sup>12</sup>, in particular the Environment Agency [in their role as statutory consultee]
- the outcome of any consultation with the local community; and
- the requirement in the Marine and Coastal Access Bill to enable the creation of a continuous signed and managed route around the coast

DCC6.2 When development is appropriate in a CCMA local planning authorities should set a time-limit for developments permitted in the CCMA to reduce the consequences of coastal change risk to people and development in the long-term. The time-limit should reflect the planned life-time of the proposed development, taking account of the assessment of vulnerability. Planning conditions should be applied where there is a need to manage the risk to the proposed development during its planned life-time.

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<sup>11</sup> Including applications to renew time-limited planning permissions in the CCMA where erosion has progressed at a lower rate than predicted.

<sup>12</sup> See footnote 7

# PART 3: Draft framework of the practice guide

## INTRODUCTION

1. The purpose of the practice guide will be to assist with the application and implementation of the proposed new policy on development and coastal change, contributing to the Government's policy of minimising, managing and adapting to coastal change now and in the future. It will be developed to explain the purpose and meaning of the core text of the policy by providing practical advice to local planning authorities, regional planning bodies and other stakeholders. It will provide guidance on the process and responsibilities of implementing the policy.
2. The policy aims to provide a planning framework for the long-term strategic and sustainable management of the impacts of future physical changes to the coastline as part of the Government's strategy on flood and coastal erosion management, *Making Space for Water* (2005). The policy promotes a strategic risk-based approach which aims to strike the right balance between economic prosperity and the need for further defence of the coastline, and reduce the consequences of coastal change on communities.
3. The practice guide will show how implementing spatial strategies and policies for managing the impact of coastal change to development can assist in delivering wider social, economic and environmental benefits for coastal communities. It will be illustrated with case studies demonstrating the practical application of the policy.
4. The practice guide will be designed to be easily updated to incorporate new requirements and good practice, probably through its development as a web-based tool. It is likely to be made available in electronic as well as paper formats.
5. **This framework sets out the proposed structure of the practice guide. In each section it provides draft text (in italics) intended to be included in the guide. It also indicates where further text may be needed.**

## STRUCTURE OF CONTENTS

### Chapter 1: The planning system and coastal change management

6. *Tackling climate change is the Government's principal concern for sustainable development in a changing global context. PPS1, Delivering Sustainable Development, and PPS Planning and Climate Change set out the wider planning policy framework for managing and reducing the risk from climate change to deliver sustainable development. These, alongside PPS25, Development and Flood Risk, promote a risk-based approach towards managing the impact of coastal change by:*
  - *ensuring a broad consideration of the impacts of coastal change in preparing spatial plans at regional and local level and in determining planning applications, based on the use of an agreed evidence base on coastal change, including coastal erosion and projected sea level rise and their degree of impact on the coast*



- *avoiding inappropriate development in areas that are vulnerable to coastal change, whilst allowing necessary development that is appropriate and safe and*
  - *shaping sustainable coastal communities that are resilient to coastal change*
7. This chapter of the practice guide will also explore the following issues that are important for spatial planning to manage coastal change.

**Section 1: Outline of stakeholders’ key roles and responsibilities and linkages**

8. *The policy advises that the Environment Agency should be consulted on planning applications in areas that are identified as vulnerable to coastal change (i.e. coastal change management areas (CCMAs)). With its new strategic overview role, the Environment Agency will be able to support the planning system by providing timely information and advice on coastal change issues that is fit for purpose.*

***The Environment Agency ‘strategic overview’ role***

*The Government’s Making Space for Water strategy included a commitment to extend the strategic role of the Environment Agency in relation to the future management of coastal erosion risk in England. Under the new arrangement, which came into force on 1 April 2008, the Environment Agency will:*

- *take the lead in managing all sea flooding risk in England, and fund and oversee coastal erosion works undertaken by local authorities*
- *ensure that proper and sustainable long-term shoreline management plans (SMPs) are in place for the English coastline. SMPs will be managed, reviewed and approved by the Environment Agency on behalf of Defra*
- *work with local authorities to ensure that the resulting flood and coastal erosion works are properly planned, prioritised, procured, delivered and maintained so that record levels of investment are used to best effect. Local authorities will remain the lead for coastal erosion but under the Environment Agency’s overview role and*
- *ensure that third party defences are sustainable*

9. This section of Chapter 1 will also set out the role of other coastal change consultees in the planning process. These will include bodies such as Natural England, the National Trust, English Heritage, the Marine Management Organisation and Coastal Groups<sup>13</sup>.

<sup>13</sup> Coastal Groups are voluntary coastal defence groups made up of maritime district authorities and other bodies with coastal defence responsibilities. These are responsible for preparing shoreline management plans.

## Section 2: Integrated coastal zone management and the Marine and Coastal Access Bill

10. This section of the practice guide will go on to identify ways to promote and support improved coordination between all stakeholders with an interest in the coast to enable the sharing of knowledge, best practice and experience. Particular emphasis will be placed on the role of integrated coastal zone management (ICZM) as a tool to enable a joined-up holistic approach towards the planning and management of the many different elements (land and marine) of the coast. For example, engagement with Coastal Groups should help inform the planning system and strengthen links with the shoreline management plan (SMP) process. Coastal Partnerships can provide an effective way of involving stakeholders in all planning and decision-making for the coast.
11. *The Government's policy on ICZM is set out in 'A strategy for promoting an integrated approach to the management of coastal areas in England' (see below), and the planning principles promoted through the development and coastal change policy, reflect this approach.*

### ***ICZM – A strategy for promoting an integrated approach to the management of coastal areas in England (Defra, 2009)***

*This strategy sets out the Government's vision for coastal management, objectives and future actions to achieve the vision, and briefly explains how all the changes currently being taken forward will work together in coastal areas.*

*Integrated coastal zone management (ICZM) means adopting a joined-up approach towards the many different interests in coastal areas –both on the land and at sea. It is the process of harmonising the different policies and decision-making structures, and bringing together coastal stakeholders to take concerted action towards achieving common goals. Integrating the many different interests effectively means we can look at the coast in a holistic way.*

*The recognised key principles for implementing an integrated approach to the management of coastal areas are:*

- a long term view*
- a broad holistic approach*
- adaptive management*
- working with natural processes*
- support and involvement of all relevant administrative bodies*
- use of a combination of instruments*
- participatory planning*
- reflecting local characteristics*

*ICZM is a priority for UK Government. The aim is to embed these principles into all coastal planning and decision-making processes affecting coastal areas, and including both the terrestrial and marine planning systems.*

12. Coastal integration applies to both the terrestrial and marine spatial planning systems. It is important that changes introduced by the Marine and Coastal Access Bill are considered alongside proposals for managing the impacts of physical changes to the coast through the terrestrial planning system. The practice guide will explain in more detail the links to the Marine and Coastal Access Bill and its proposals to introduce a marine spatial planning system (through the creation of a marine policy statement (MPS) and creation of a set of marine plans to implement the MPS) and proposals to improve access to the English coast. This section will, in particular, explain the role and linkages with the proposed Marine Management Organisation (MMO) in implementing the policy.

***The Marine and Coastal Access Bill and the Marine Management Organisation***

*The Marine Bill will introduce a new system of marine planning that will be a key tool in helping the UK Government to deliver its vision of the marine environment through strategic management. Marine planning aims to clarify the UK Government's objectives and priorities for the future, and direct decision-makers and users towards more efficient, sustainable use and protection of our marine resources. Marine plans developed within the national policy framework will lead the process of joining up between maritime and terrestrial spatial planning.*

*The Marine Management Organisation (MMO) will be the UK Government's strategic delivery body in the marine area. The MMO, through delegation by Defra's Secretary of State, will act as the marine planning authority and also as regulator of most activities in the marine environment. To enable integration of marine plans with the land planning system, the MMO will work closely with local authorities and the regional planning bodies to integrate land and marine management.*

**Section 3: Links to other relevant planning policy statements (PPSs) in ensuring the proper management of coastal areas**

13. *The new policy on development and coastal change builds from the existing policy and does not seek to assemble all national planning policy relevant in its application. The policy should be read alongside other relevant planning policy statements (PPS/PPG(s)).*

14. *The most significant national planning policy documents of relevance to planning to manage coastal change are:*

- *PPS1 Delivering Sustainable Development*
- *Planning and Climate Change (supplement to PPS1)*
- *PPS3 Housing*
- *PPS7 Sustainable Development in Rural Areas*
- *PPS9 Biodiversity and Geological Conservation*
- *PPS11 Regional Spatial Strategies*
- *PPS12 Local Spatial Planning*
- *PPG14 Development on Unstable Land*
- *PPG15 Planning and the Historic Environment*
- *PPG17 Planning for Open Space, Sport and Recreation*
- *PPS25 Development and Flood Risk*

15. *PPS25 Development and Flood Risk is of particular relevance. This sets out the Government's policies for managing flood risk through the spatial planning system. PPS25 aims to ensure that flood risk is taken into account at all stages of the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall. The policy on development and coastal change complements PPS25 by taking forward its risk-based approach on managing the impacts of physical changes to the coast on development.*
16. *There are communities which will be exposed to the risk of both flooding from the sea and coastal change. Continued historic sea level rise exacerbated by climate change is likely to increase the risk from sea flooding to some coastal communities. In some instances, the scale of flooding could be such that communities will need to be moved inland over time. Where the impact is increased probability of flooding, it is addressed through PPS25 policy and assessed by strategic flood risk assessments (SFRAs)<sup>14</sup>. Should sea levels rise to the extent that defences are permanently overtopped so that areas are inundated, with movement of shorelines inland, the new policy on managing coastal change will come into effect. Consequently, flood risk management policy (PPS25) will need to be integrated with the coastal change policy to effectively manage the impacts of climate change and the changing coastline to these communities.*

<sup>14</sup> PPS25 requires that flood risk is assessed by local planning authorities through strategic flood risk assessments (SFRAs) to provide the evidence base for their plans and strategies and that planning applications for development in flood risk areas are accompanied by a flood risk assessment (FRA). Both SFRA and FRA should consider the risk and impact from sea flooding (including changes in risk as result of coastal processes) SFRAs and FRAs should take account of the evidence provided by SMPs to understand the effects of coastal change.

17. *Coastal areas currently protected by coastal defences may face the risk of flooding resulting from either physical failure of the defence, in whole or in part (i.e. breach) or sea water levels rising to exceed the level of the defence (i.e. overtopping). PPS25 policy is that this flood risk should be appraised as part of the SFRA and, where relevant, through site-specific flood risk assessment (FRA), taking account of coastal management policy set out in the shoreline management plan (i.e. hold or advance the line of defence, or no active intervention on defended coasts), and the risk of flooding to development managed by applying the approach in PPS25.*
18. *Where the shoreline is changing as result of coastal management policies (i.e. either no active intervention on undefended or defended coast, or managed realignment), it is proposed that the impacts of these changes to the coast on development be managed by applying the new policy on development and coastal change.*
19. Section 4 will further explore the links between FRAs and the proposed vulnerability assessment.

#### **Section 4: Decision making and the role of the sustainability appraisal**

20. *The sustainability appraisal of RSSs and LDDs provides an effective tool for ensuring proper integration of coastal change considerations at the plan making stage, but also for promoting a balanced approach within the context of wider spatial priorities (social, economic and other environmental considerations). Avoiding and reducing the impacts from coastal change to development should be identified as a sustainability objective if it is identified as a key priority regionally or locally. Information from SMPs should provide baseline information for the sustainability appraisal of regional and local plans.*

#### **Section 5: Management of the interim position**

21. This chapter of the practice guide will advise on developing policies that take coastal change into account to achieve sustainable development objectives at all levels of the planning process, from the RSS(s) through LDDs, to site-specific development control. It will be linked to policy and guidance on the plan making –process in PPS11 (*Regional Spatial Strategies*), which will be reviewed following the enactment of the Local Democracy, Economic Development and Construction Bill and PPS12 (*Local Spatial Planning*).
22. The practice guide will provide guidance to local planning authorities (LPAs) on how to manage the impacts of coastal change in the interim, before RSSs and LDDs can be updated to properly reflect the new policy.

### **Chapter 2: Regional and local planning approach<sup>15</sup>**

23. *RSSs and LDDs should deliver a full and appropriate response to coastal change, by giving effect to the Government's objectives for planning in coastal areas affected by coastal change set out in DCC2 and DCC3 of the draft policy on development and coastal change. Regional and local planning strategies should help implement the key planning objectives<sup>16</sup> by including policies tailored to local circumstances.*

<sup>15</sup> Government is in the process of reforming regional arrangements. References made to regional spatial strategies (RSSs) and regional planning bodies (RPBs) will be subject to change in light of the provisions in Part 5 of the LDEDC (Local Democracy, Economic Development and Construction) Bill. Namely, references to RSS will be replaced by 'regional strategy' and RPB will be replaced by 'responsible regional authorities'.

<sup>16</sup> Refer to section 3.1. of the Consultation Document

24. This chapter of the practice guide will go on to set out how consideration of the impact of coastal change should form an integral part of planning strategies and plan making at the national, regional and local levels, and of decision-making on all types of planning applications for development in areas that might be vulnerable to coastal change.

### Section 1: Planning approach at the regional level

25. *Policy DCC2 in the policy on development and coastal change sets out the approach that regional planning bodies (RPBs) should take to manage coastal change in the light of evidence on whether existing and planned coastal defences will be adequate or available in the future<sup>17</sup>.*
26. *RPBs should be cooperating with adjacent regions to promote consistency in assessing and responding to coastal change issues and setting up arrangements to involve and inform local planning authorities (LPAs), as coastal processes (and SMPs) cross local authority boundaries.*
27. *In developing a regional approach to managing the impacts of coastal change, RPBs should consider how to optimise the location of the region's areas for growth, particularly in relation to coastal sub-regions. This should aim to provide a consistent and coordinated approach to coastal development. The approach should also include consideration of the possibility and practicality of relocation of communities at risk to more sustainable locations.*
28. The practice guide will provide advice to help RPBs identify the risks to regional strategic locations for development, linking to PPS25, so that risk from sea flooding is integrated with impacts of coastal change. The guide will advise on the appropriate level of intervention required, supported by appropriate examples, taking into account other strategies and spatial plans aiming to deliver regeneration and economic growth for coastal areas.

### Section 2: Planning approach at the local level

29. LPAs are responsible for developing and implementing policies to manage and adapt to coastal change through spatial planning decisions at the local level. The approach LPAs should take to managing coastal change is set out in policy DCC3 of the draft new policy on development and coastal change.
30. The practice guide will advise on the following topics to assist implementation of the new policy at the local level and achieve wider sustainable development objectives:
- specific planning tools which may aid implementation of the new policy, such as area action plans as a means of managing future development in coastal communities threatened by coastal change
  - opportunities through the design, construction and maintenance of coastal defences to incorporate renewable energy generation schemes in sustainable coastal defences, or more widely in coastal locations and
  - consultation and stakeholders' involvement

<sup>17</sup> The new policy sets out in policy DCC1.2. that this evidence should be drawn from SMPs and other strategic plans that apply to coastal areas, such as: catchment flood management plans, heritage coastal strategies, Natural England's strategies for the coast, and the Environment Agency's national maps of coastal erosion, where available.

### Chapter 3: Assessing the impact of coastal change

31. This chapter will provide guidance on the available sources of information that will enable RPBs and LPAs to understand and assess the level of impact of physical changes to the coast within their regional and local areas, and determine whether an area is at risk, to inform their land allocations and planning strategies and policies.
32. Although regional and local plans set our spatial policy for the next 15 to 20 years, decisions made concerning land use and types of development in areas that might be vulnerable to coastal change will have implications over much longer timeframes. The practice guide will advise LPAs that the main source of evidence should be SMPs. Defra and the Environment Agency have strategies in place to ensure SMPs reflect the latest United Kingdom Climate Projections (UKCP) scenarios.
33. The new policy also advises that LPAs and all relevant stakeholders should have an agreed evidence base on coastal change to inform their decision-making processes. An agreed evidence base is particularly important to facilitate a coordinated approach to managing the physical impacts of coastal change through both the marine and terrestrial planning systems.

#### Section 1: The role of shoreline management plans

34. *Shoreline management plans (SMPs) provide spatial information on physical changes to the coastline and options to manage them. They provide a key source of evidence for RPBs and LPAs in developing their spatial plans. Evidence from SMPs should be augmented by regional flood risk appraisals, strategic flood risk assessments (SFRAs), catchment flood management plans and river basin management plans.*

#### **Shoreline management plans**

*A shoreline management plan (SMP) is a plan for future management of the risks associated with coastal processes (e.g. tidal patterns, wave height, wave direction and the movement of beach and seabed materials) which aims to reduce the impact of those risks to people and the developed, historical and natural environment. SMPs provide detailed information on the extent of coastal erosion, as well as consideration of the range of feasible coastal management scenarios for each coastal area and their impact in shaping the coastline.*

*SMPs are led/drafted by either the Environment Agency or a lead local authority (generally where erosion issues dominate). In both cases there is a steering group, known as Coastal Groups, comprising the Environment Agency, all local authorities covered by the SMP, Natural England and others as required (e.g. some port authorities).*

*SMPs inform decisions (taken by the Environment Agency) on which schemes to fund and inform long term investment strategies.*

35. *The regional and local spatial responses to SMPs need to be distinctive and tailored to the places and challenges concerned. At the local level, local development documents (LDDs) will need to address the risks and issues raised by their SMP within the context of all relevant national planning policies and related evidence. Effective partnership working by the LPAs in the SMP process should help ensure that planning issues are properly considered when appraising the proposed coastal management scenarios and that LPAs properly understand their spatial implications.*

36. *In this context, it is proposed that SMPs fulfill a similar role to that of a strategic flood risk assessment (SFRA), in that they will provide the means of identifying the risks for a local area and proposals on how to manage them. Integrating SMPs in the planning process will ensure that they provide the basis for regional strategies and local spatial plans, and will clarify they are material considerations for planning applications in coastal areas.*
37. This section will go on to draw on the recently completed Environment Agency research on integrating SMPs with the planning system. It will provide guidance on the following:
- relevant data sources on coastal change and, specifically, coastal erosion, to provide the evidence base supporting the implementation of the proposed impact-based approach in the new policy. Available sources of information include SMPs, the Environment Agency's national maps of coastal erosion (when available), catchment flood management plans, and other strategic plans that apply to the coast such as heritage coast strategies, Natural England's strategies for the coast, and Coastal Observatories and
  - role of RPBs and LPAs in informing the SMP process to ensure a more integrated approach to managing and adapting to coastal change

## Section 2: Identifying the coastal change management area

38. *The new policy (DCC3) requires LPAs to identify on the proposals map of the local development framework (LDF) the area likely to be affected by physical changes to the shoreline and refer to this as the coastal change management area (CCMA).*
39. *A CCMA will only be defined where rates of shoreline change are significant (the practice guide will provide advice to help LPAs decide what is significant) over the next 100 years, taking account of climate change. CCMA's will not need to be defined where the SMP policy is to hold or advance the line (maintain existing defences or build new defences).*
40. *The CCMA should be defined primarily from the evidence provided by SMPs. However other sources may help inform decisions on the appropriate area for the CCMA. These could include catchment flood management plans, estuary management plans, harbour management plans and river basin management plans.*
41. *SMPs identify risk in three time horizons (up to 20, 50 and 100 years) and include maps showing the geographical extent of each risk area. LPAs will have discretion to determine how these are interpreted in planning terms to define the CCMA and whether the CCMA should show the separate zones for each of the three time horizons, or whether it should rely on the SMP for the area to provide that level of information.*
42. *LPAs should be able to demonstrate that they have considered SMPs in defining the CCMA and land allocation within it, taking particular account of any sustainability criteria outweighing any coastal change risks. The LPA should consult the Environment Agency and any other relevant bodies when defining the geographical extent of the CCMA, and should agree the CCMA with the Environment Agency. This section of the practice guide will also provide guidance on the role of stakeholders in assisting LPAs define the CCMA's.*
43. The practice guide will provide more detailed advice on how the CCMA should be defined using the best available information.



### Section 3: Appropriate development within the coastal change management areas

44. *The new policy outlines the Government's policy objectives for managing the impact of physical changes to the coast, which include enabling appropriate development (that requires a coastal location and/or provides substantial economic and social benefits to the community) whilst avoiding inappropriate development in areas vulnerable to coastal change, i.e. CCMA's.*
45. *In assessing what constitutes appropriate development within the CCMA's, it is important to appreciate the fundamental difference between coastal change risk and risk from flooding. Flooding may happen on a recurring basis. Development can recover from flooding (albeit at a cost) and continue to be used, although there is a safety risk to people during the flood. This is reflected in PPS25's sequential, risk-based approach that aims to locate development in areas of lowest risk first. But PPS25 recognises that where there are no lower risk sites available and development is necessary, sites can be developed in flood risk areas, providing they are safe. Accordingly, the classification of flood risk vulnerability in PPS25 is based on the risk to people's safety and well-being, as well as the capacity of different uses to adapt and keep functioning during, or start functioning soon after, flooding. Coastal change differs from flooding in that it is a finite hazard which, when it impacts, results in actual loss of the properties, infrastructure and assets as well as a risk to the safety of residents.*
46. *In the light of the difference between flood risk and coastal change impact, what may be appropriate development in a high flood risk area may not be appropriate in a CCMA. Development would only be appropriate in a CCMA if it requires a coastal location and the impacts of coastal change upon it can be managed.*
47. *Essential infrastructure (based on the definition in Table D2 of PPS25) may be permitted in a CCMA provided there are clear plans to manage the impacts of coastal change on it, and it will not have an adverse impact on rates of coastal change elsewhere.*
48. *Ministry of Defence installations that require a coastal location can be permitted in a CCMA provided there are clear plans to manage the impacts of coastal change. Where the installation will have a material impact on coastal processes, this must be managed to minimise adverse impacts on other parts of the coast.*
49. *For other development not covered by paragraphs 47 and 48 above we propose that decisions on what may be appropriate are based on the following criteria:*
  - *within the short-term risk areas (i.e. 20 years time horizon) only a limited range of types of development directly linked to the coastal strip, such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping. All with time-limited planning permissions*
  - *within the medium to long-term risk areas (i.e. the 50 to 100 time horizons) a wider range of time-limited development, such as hotels, shops, office or leisure activities requiring a coastal location and providing substantial economic and social benefits to the community, may be appropriate. Other significant development, such as key community infrastructure, is unlikely to be appropriate unless it has to be sited within the CCMA to provide the intended benefit to the wider community and there are clear, costed plans to manage the impact of coastal change on it and the service it provides*
  - *permanent new residential development will not be appropriate within a CCMA*

50. Where extensions and alterations permitted under the General Permitted Development Order are likely to result in an increase in the scale of property and number of occupants at risk from coastal change in the short-term (i.e. next 20 years), LPAs should consider whether to make greater use of an Article 4 Direction under the Town and Country Planning (General Development Procedure) Order 1995 to require planning permission to be sought. In this event, it would be for the LPA to decide, taking into account the circumstances of any particular case, whether planning permission should be granted. The requirement for planning permission to be sought would help ensure that proper consideration is given to the possible impacts of coastal change to the development.
51. This section of the practice guide will also provide advice on defining acceptable level of risk and lifetime of development within the context of the new policy.

#### Section 4: Assessing the vulnerability of development to coastal change

52. *The new policy (DCC5) requires that planning applications for development in a CCMA should be accompanied by an assessment of the vulnerability of the proposed development to coastal change and the impacts of coastal change.*
53. *The scope and content of the vulnerability assessment should be appropriate to the degree of risk and the scale, nature and location of the development. The detailed scope of the vulnerability assessment should be agreed in advance with the LPA in consultation with the Environment Agency and any other relevant stakeholders.*
54. *The vulnerability assessment should demonstrate that the new development:*
  - *provides wider sustainability benefits that outweigh the predicted coastal change impact*
  - *will be safe through its planned lifetime, without increasing risk to life or property, or requiring new or improved coastal defences*
  - *does not affect the natural balance and stability of the coastline or exacerbate the rate of shoreline change to the extent that changes to the coastline are increased somewhere else and*
  - *the assessment should also consider and identify measures for managing the development at the end of its planned life, including proposals for the removal of the proposed development before the site is immediately threatened by shoreline changes*
55. *PPS25 requires that planning applications for development in flood risk areas are accompanied by a site-specific flood risk assessment (FRA). FRA should consider the risk and impact from sea flooding (including changes in risk as a result of coastal processes). Advice on the scope and content of FRA is provided in the PPS25 practice guide [PG55, paragraphs 3.70–3.79].*
56. This section of the practice guide will also provide advice on how FRA and vulnerability assessment should interrelate in areas which are affected by both coastal flooding and coastal erosion.

#### Section 5: Operating time-limited developments

57. *The new policy requires that LPAs set a time limit for developments permitted in the CCMA (DCC6.2) This can be achieved by time-limited planning permissions containing conditions relating to the review of the permission in relation to rates of coastal change and removal of the development prior to the impact of the coastal change.*

58. *LDDs should identify the specific risks associated with land uses allowed within the CCMA. This will help them to specify appropriate planning conditions and obligations to manage and control development within the CCMA.*
59. This section of the practice guide will provide guidance on:
- how to apply temporary permissions to the types of temporary uses and developments within the CCMA (set out in Chapter 3, Section 3 of the practice guide)
  - guidance on specific planning conditions and obligations appropriate to manage and control development in CCMA to ensure it remains safe during its planned lifetime, including provision for review related to the actual rate of coastal change, the removal of the development before it becomes at imminent risk and for the management of the vacated site prior to its loss
  - how planning interventions can link with financial mechanisms for securing the necessary funds to finance the removal of affected development and clearing up of the site, such as insurance bonds, particularly in relation to commercial and business uses
  - monitoring compliance with planning obligations on time-limited applications
  - approach to planning applications to renew time-limited planning permissions in the CCMA where erosion has progressed at a lower rate than predicted
60. Guidance in this section will be supported by case studies, showing how this type of development may offer opportunities for adapting to the long-term effects of coastal physical changes, while maintaining coastal communities' viability in the short-term.

## Section 6: Relocation and replacement of development affected by coastal change

61. *To assist adaptation, the new policy promotes the principle of planned relocation and roll-back of development and infrastructure to more sustainable locations further inland from the changing coast (DCC3.2). The purpose of this is to facilitate the sustainable replacement of housing, community facilities, and commercial and business uses that are needed for the social and economic well-being of coastal communities.*
62. The practice guide will advise on how to identify suitable sites and make appropriate allocations in LDFs. There should be appropriate links (e.g. social, economic and/or physical) between suitable land identified for relocation to the coastal community from which the development has been displaced, to sustain the long-term sustainability of coastal areas.
63. In order to help support communities in planning for and adapting to change, Defra is consulting on the introduction of a new 'Coastal Change Fund' as part of the *Consultation on Coastal Change Policy* launched on 15 June 2009. The key aims of the fund are to:
- reduce the hardship and stress associated with the loss of a home to coastal change and
  - to support communities as they adjust to the impacts of coastal change caused by coastal flooding and/or erosion

64. This section of the practice guide will, with examples and case studies, provide guidance on:
- how to integrate this policy approach across the different stages of the planning process, so that policies and land allocations in regional and local spatial plans facilitate planning applications for the appropriate replacement of properties at risk
  - approaches to relocating development from at risk areas, drawing from any lessons learned by the coastal change pathfinder programme that Defra are setting up (see <http://www.defra.gov.uk/corporate/consult/coastal-change/index.htm> for more information)
  - planning tools available to assist in relocating development, for example, streamlining planning permissions, land transfer incentives, time-restricted alternative uses for at-risk properties that would otherwise be abandoned etc
  - how this policy will apply to different land uses. Relocation proposals may include, for example, housing, community facilities, commercial and business uses, and infrastructure that are needed for the social and economic well-being of coastal communities. But consideration will also need to be given to the need to relocate environmental and cultural assets which may be lost as a result of coastal change
  - how relocation can provide a positive contribution towards securing the long-term sustainability of coastal communities and
  - the interim use and management of abandoned developments at risk in order to maximise the benefits to be gained for the well-being of the local community in advance of their eventual loss; and how to ensure the site of an abandoned development is rendered safe, mitigating any residual health and safety or pollution risk to people and the environment

#### **Chapter 4: Monitoring implementation**

65. *The success of the approach advocated in the policy should be reflected in a progressive reduction in the number of applications granted contrary to the Environment Agency's advice on coastal change risk grounds.*
66. *Policies to manage coastal change should be monitored to assess their effectiveness, possibly linked to local area agreements (LAAs). The principal national source of information is the annual monitoring of progress made by local authorities against Defra's national indicators on:*
- (i) Flood Risk and Coastal Erosion (NI 189) – Measurement will be made by recording the percentage of agreed actions to implement long term flood and coastal erosion risk management plans that are being undertaken satisfactorily. Agreed actions are those activities identified in catchment flood management plans and SMP action plans signed off by the Environment Agency's regional director that are attributed to the relevant local authority; and*

*(ii) Planning to Adapt to Climate Change (NI 188) designed to measure progress in preparedness in assessing and addressing the risk and opportunities of a changing climate. Measurement will be based on evidence that the local authority has put in place for proactively managing climate risks. Working with local strategic partnership members to embed climate change adaptation across the local area will be important.*

*The Environment Agency has a new statutory duty to co-operate with local authorities in establishing and delivering mutually agreed local area agreement (LAA) targets. LAAs set out an area’s key priorities over a three year period. As part of this, the Environment Agency is responsible for monitoring local authority progress against the indicator on flood risk and coastal erosion (NI 189). This indicator monitors local authority progress in delivering agreed actions contained within catchment flood management plans and SMPs.*

- 67. This chapter of the practice guide will advise on monitoring to ensure that the proposed new policy to manage the impact of coastal change is effective. Effective monitoring of planning strategies is key in securing responsive action as this collective understanding and the wider evidence-base evolves.
- 68. To assess effectiveness of the policy and its implementation and, as necessary, any action needed to improve implementation of the policy , Communities and Local Government proposes to monitor:
  - whether the Environment Agency is adequately consulted on planning applications proposed within the CCMA
  - the number of planning applications permitted by LPAs against a sustained objection on coastal change impact grounds from the Environment Agency and
  - the number of planning applications for major development<sup>18</sup> permitted by LPAs against a sustained objection on coastal change impact grounds from the Environment Agency
- 69. This section of the practice guide should advise on:
  - the indicators that will be used to assess progress against the objectives of the policy
  - how these should be integrated with monitoring of other policies relevant to the coast and
  - the role of LPAs and the Environment Agency in the provision of relevant information

<sup>18</sup> Major development is defined in the Town and Country Planning (Consultation) (England) Direction 2009 as  
 (a) in respect of residential development, a development where the number of dwellings to be provided is 10 or more, or the site area is 0.5 hectares or more; or  
 (b) in respect of non-residential development, a development where the new floorspace to be provided is 1,000 square metres or more, or the site area is 1 hectare or more.

## PART 4: Consultation Stage Impact Assessment

Summary: Intervention & Options		
<b>Department /Agency:</b> Communities and Local Government	<b>Title:</b> Impact Assessment of Planning Policy on Development and coastal change	
<b>Stage:</b> Consultation	<b>Version:</b> 1.1	<b>Date:</b> July 2009
<b>Related Publications:</b> Planning Policy on Development and coastal change		

**Available to view or download at:**

<http://www.>

**Contact for enquiries:** Matthew Bigault

**Telephone:**

**What is the problem under consideration? Why is government intervention necessary?**

**Problem:** Coastal change, as exacerbated by climate change, has implications for development on the coast and is therefore a major consideration for spatial planning in shaping places that are resilient to climate change. Coastal environments have changed continuously through human history. However, climate change and forecasted sea level rises could mean a potentially considerable impact on erosion rates and coastal flooding on undefended coasts, increasing the risk of changes to the coastline, with a knock-on impact on business and communities in such areas. It also raises questions as to the sustainability of maintaining some of our coastal defences in the long term.

**Rationale for intervention:** In the absence of full information, current planning policy in PPG20 placed a restriction on any development in areas at risk of coastal erosion. We now have improved information about coastal changes (from the Environment Agency) and it is, therefore, right that the planning policy should adapt so that, in the light of this evidence, more efficient decisions can be made and development that is beneficial can go ahead, which in the counterfactual might not have.

### What are the policy objectives and the intended effects?

The main aim of the policy is to ensure that our coastal communities continue to prosper, but in a way that manages and adapts to the impacts of coastal change. To do this the policy will:

- strike the right balance between economic growth and the need for further defence of the coastline
- reduce the adverse consequences of coastal change on people, property, infrastructure, businesses, habitats and the historic environment and
- facilitate a more strategic risk-based approach to managing future physical changes to the coast, so that long-term adaptation of communities can be planned to avoid blight, whilst allowing necessary development that is appropriate and safe

This approach, supported by better information, will allow a more evidence-based approach to planning and investment at the coast, and in doing so ensure better decisions are made and welfare improved.

### What policy options have been considered? Please justify any preferred option.

**Option 1:** Do nothing (not change current policy in light of new information)

**Option 2:** Introduce new planning policy on coastal change, subject to public consultation, and to support it with a new practice guide.

**Preferred option is option 2.** This is based on the Government's objectives for the planning system, and how planning should facilitate and promote sustainable patterns of development, mitigating the effects and adapting to the impacts of climate change. For the reasons set out in the attached evidence base, by mainstreaming coastal change risk within the planning process now, much time and resource will be saved in the future, making peoples lives safer and minimising the adverse economic and social impacts by helping coastal communities adapt.

**When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?**

12 to 18 months after publication of the final policy. We will then assess the appropriateness and consistency in implementation, and evaluate the extent to which the policy has achieved its proposed outcomes.

**Ministerial Sign-off** for consultation stage impact assessments:

***I have read the impact assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.***

Signed by the responsible minister:

**Date:**



Summary: Analysis and Evidence			
Policy Option: 2		Description: Introduce new planning policy on coastal change, subject to public consultation, and to support it with a new practice guide.	
COSTS	ANNUAL COSTS		<p>Description and scale of <b>key monetised costs</b> by 'main affected groups'</p> <p>There may be some costs associated with this option for developers in preparing a vulnerability assessment. This size and cost of the assessment would vary with the size of the proposed development, but would be set against the benefits to the applicant (currently zero) from the development itself.</p>
	<b>One-off</b> (Transition)	<b>Yrs</b>	
	£		
	<b>Average Annual Cost</b> (excluding one-off)		
	£		
		<b>Total Cost</b> (PV)	£
<p>Other <b>key non-monetised costs</b> by 'main affected groups'</p> <p>In indentifying suitable alternative sites for relocation in the event of roll-back there is the opportunity cost of such sites which might have been used in a different way.</p>			
BENEFITS	ANNUAL BENEFITS		<p>Description and scale of <b>key monetised benefits</b> by 'main affected groups'</p> <p>The key benefit is the facilitating of welfare generating (possibly time-limited) developments where appropriate which, in the absence of the policy change, would not take place. This benefit will accrue to the developers themselves, the local community and the wider economy.</p>
	<b>One-off</b>	<b>Yrs</b>	
	£		
	<b>Average Annual Benefit</b> (excluding one-off)		
	£		
		<b>Total Benefit</b> (PV)	£
<p>Other <b>key non-monetised benefits</b> by 'main affected groups'</p>			

<b>Key Assumptions/Sensitivities/Risks</b>					
<b>Price Base Year</b>	<b>Time Period Years</b>	<b>Net Benefit Range (NPV) £0</b>	<b>NET BENEFIT (NPV Best estimate) £0</b>		
What is the geographic coverage of the policy/option?		England			
On what date will the policy be implemented?		Early 2010			
Which organisation(s) will enforce the policy?		LPAs/CLG			
What is the total annual cost of enforcement for these organisations?		£0			
Does enforcement comply with Hampton principles?		Yes			
Will implementation go beyond minimum EU requirements?		N/A			
What is the value of the proposed offsetting measure per year?		£N/A			
What is the value of changes in greenhouse gas emissions?		£N/A			
Will the proposal have a significant impact on competition?		No			
Annual cost (£-£) per organisation (excluding one-off)		Micro	Small	Medium	Large
Are any of these organisations exempt?		No	No	N/A	N/A
<b>Impact on Admin Burdens Baseline</b> (2005 Prices) (Increase – Decrease)					
Increase of £0		Decrease of £0		<b>Net Impact £0</b>	
Key:	<b>Annual costs and benefits: Constant Prices</b>		<b>(Net) Present Value</b>		

## Evidence Base (for summary sheets)

### INTRODUCTION

1. The new planning policy on development and coastal change is intended to reinforce and clarify the role of the spatial planning system in managing the risk from coastal change to development. The policy promotes a strategic risk-based approach to managing future physical changes to the coastline, so that long-term adaptation of communities can be planned whilst allowing necessary development that is appropriate and safe. It will also introduce a more coordinated approach to planning and investment at the coast, ensuring that spatial strategies to deliver regeneration and sustainable economic development take proper account of the impact of physical processes affecting the coastline and decisions regarding the planning and management of coastal defences.
2. This impact assessment aims to inform stakeholders about the likely impacts of the policy. At this stage the impact assessment has been prepared on the draft policy. This will be reviewed and, if necessary, revised in the light of the responses received during public consultation. At that stage a final impact assessment will be prepared on the final policy.

### RATIONALE FOR GOVERNMENT INTERVENTION

3. The Government's *Making Space for Water* strategy for flood and coastal erosion management, produced in 2004, recognises the importance of adopting a more holistic approach to managing and adapting to the increasing risk from coastal erosion. As part of this approach, the Department for Environment, Food and Rural Affairs (Defra) is consulting on its *Coastal Change Policy* which sets out ideas for how coastal communities can successfully adapt to the impacts of coastal change, and Government's role in supporting this. This underlines the key role that positive spatial planning has in helping communities to manage risk and adapt to an ever changing coastline.
4. The *Making Space for Water* strategy also included a commitment to improve the evidence base in this area and to provide more consistent information about where and how fast coastal erosion is likely to happen. The Environment Agency has worked together with local authorities to produce a set of local maps (shoreline management plans) and national maps showing the zones at risk of erosion for the next 100 years. These maps will provide plan makers at all levels (regional and local) with the evidence needed to allow a rational consideration of coastal erosion issues through the planning process.

5. Current policy on planning to manage coastal erosion risk is contained in Planning Policy Guidance Note 20 *Coastal Planning* (PPG20). Whilst the fundamentals of its policies remain valid, the absence of full information about the risks involved in developments in areas vulnerable to coastal change led to PPG20 adopting a strongly precautionary approach to coastal erosion risk that placed a restriction on any development within these areas. This precautionary approach reflects the state of the evidence at the time but will inevitably lead to a sub-optimal outcome whereby some development that should have taken place did not. In the face of improved information it is right that planning policy should adapt so that, in the light of this evidence, development that is beneficial can go ahead. The new policy approach promotes a risk based-approach to coastal erosion that builds on the successful principles used in PPS25 on flooding to facilitate a more joined-up and strategic approach to managing coastal risk in a sustainable way, so that long-term adaptation of communities can be planned to avoid blight, whilst allowing necessary development that is appropriate and safe.
6. PPS20 was published in 1992. With the exception of policy on coastal erosion risk, it has been superseded by subsequent planning policy statements. We consider that it is now necessary to update the approach to managing the impacts on development of physical changes to the coast. There are options for how we could do this, but we consider that the most effective way to update the policy and to deliver our white paper commitment to streamline planning would be to integrate this policy with our policy on managing the risk of flooding inland. This reflects the approach we are taking on planning for prosperous economies and the historic environment, where we are consolidating related policies into a single PPS. In the short term we propose to publish our coastal management policy as a supplement to PPS25, but our aim in the medium term is to integrate the approach more fully with the existing PPS25. This would mean that PPG20 would be cancelled.

## POLICY OPTIONS

7. Two options are considered:
  - Option 1: Do nothing – retain the existing policy
  - Option 2: Introduce the new planning policy

### Option 1: Do nothing

8. The first option is to continue as at present, keeping in place current planning policy for the coast provided in PPG20, Coastal Planning, published in 1992.

## **Option 2: Introduce new planning policy for managing the risk from coastal change to new development**

9. The proposal is to provide a clear statement of the Government's planning policy to manage the impact of coastal change to development. The policy aims to provide an appropriate response to the need for a more efficient allocation of land in the light of a better understanding of coastal erosion risk and the need to adapt to climate change and the associated increase in sea level rise.
10. The new policy arises from a Community and Local Government (CLG) commitment to update planning policy to help deliver the spatial element of the Government's strategy for flood and coastal erosion risk management *Making Space for Water*. It is intended to sit alongside Defra's *Coastal Change Policy*; together providing a comprehensive package that has supporting communities in adapting to coastal change at its heart.
11. Tackling climate change is one of the Government's highest priorities. Positive planning has an important role in helping communities manage and adapt to an ever changing coastline. The planning framework for the continuing economic and social viability of coastal communities should aim to:
  - strike the right balance between economic prosperity and reducing the consequences of coastal change on communities
  - reduce the consequences of coastal change on people, property, infrastructure, business, habitats and heritage assets and
  - facilitate a more strategic risk-based approach to managing future physical changes to the coast, so that long-term adaptation of communities can be planned to avoid blight, whilst allowing necessary development that is appropriate and safe
12. To achieve these aims, the draft policy promotes the use of risk-based principles by planning authorities to managing the impacts of coastal change to development and supporting the delivery of adaptive measures. It promotes a strategic approach to coastal risk management which aims to ensure that coastal change is taken into account at all stages of the planning process.

13. To deliver the aims of the policy set out in paragraph 10, the following approach is proposed:
- consideration of the impact of coastal change should form an integral part of planning strategies and plan making at national, regional and local levels, and of decision-making on all types of application for consent required for development in areas that might be vulnerable to coastal change
    - the proposed approach depends on consistent information about where and how fast coastal change is likely to happen. Shoreline management plans (SMPs) will be an integral part of this approach. SMPs will fulfil a similar role to that of a strategic flood risk assessment (SFRA), in that they will provide the means of identifying the risks for a local area and proposals on how to manage them. They would provide the evidence for designating in the local development framework (LDF) the area likely to be affected by physical changes to the coast, namely the ‘coastal change management area’ (CCMA), upon which future development policies should be based
  - inappropriate development should be avoided in areas that are vulnerable to coastal change
    - new development should not normally be permitted in areas vulnerable to coastal change (namely the CCMA(s)) and where it would increase the risk to people’s safety, increase the number of properties vulnerable to coastal change or result in an increased demand for future coast defence, or reduce options for providing compensatory habitat or natural enhancement
    - certain types of time limited developments and minor temporary uses may be permitted within the CCMA(s), having regard to the need to maintain the social and economic viability of the community and the vulnerability of the proposed development to coastal change. Such temporary development may be permitted where it can be demonstrated that it will be safe through its planned lifetime, with no additional risk to life, and it will not bring additional demands for new coastal defences or have adverse effects on the environment. The time-limit conditions should reflect the expected life of the intended use taking account of the predicted rate of coastal change
  - regional planning bodies (RPBs) and local planning authorities (LPAs) should prepare and implement planning strategies that facilitate the sustainable management of areas of coast assessed to be subject to physical change. The aim should be to facilitate the adaptation of coastal communities to future physical changes to the coast and improve their resilience in a sustainable way
    - whilst physical changes to the coastline may restrict opportunities for development in affected areas in the long-term, it is important that coastal communities are able to adapt to future coastal changes through adjustments to the location of development over time and facilitating relocation of development to safer low risk areas inland

- a partnership approach between neighbouring planning authorities and other relevant agencies and bodies with an interest on the coast, such as the Environment Agency, Natural England, the National Trust, English Heritage and Coastal Groups, should be promoted in order to secure an integrated approach towards sustainable planning and management in coastal areas. This is an essential part of the proposed approach because coastal processes (and SMPs) cross local authority boundaries
  - cooperation between the LPA, the Environment Agency and other stakeholders should promote a common understanding of coastal processes and their impacts; define key issues for coastal planning; and coordinate policies for development and growth, regeneration, cultural heritage and natural environment conservation and enhancement, and flood and coastal erosion risk management and defence. This will enable positive strategic planning to deliver wider sustainability objectives
- to make the impact-based approach work in practice, we are proposing that a vulnerability assessment should be carried out on any development proposed in a CCMA. This should describe the impact from and to coastal change of the proposed development

14. We have considered additional measures to support the new policy:

*Environment Agency's consultee role* – We considered extending the Environment Agency's statutory consultee role to cover planning applications for proposed development located in areas that are or might be at risk from coastal change. However, we and the Environment Agency concluded that there was not a case for extending regulation now, but that the Agency should be consulted on proposals in these areas. We therefore propose to monitor whether appropriate consultation is happening. If the Environment Agency is not being adequately consulted we can then consider extending their statutory consultee role.

*Call-in powers* – We considered whether there is a need to widen the scope of the Consultation Direction so it covers major developments where the LPA proposes to grant planning permission, against a sustained objection from the Environment Agency on coastal change risk grounds. This would mean that a LPA could not grant permission without first referring major cases to the Secretary of State to consider whether to call-in the application, when the Agency objects to the development. We concluded that current call-in powers are adequate as they allow the Agency to ask for call-in where necessary. The Agency supports this. However, the Government will monitor planning permissions in areas that are vulnerable to coastal change to ensure that this will provide a sufficient check on inappropriate development. Should current arrangements not prove adequate the scope of the Consultation Direction could be widened at a later date.

## SECTORS AFFECTED

15. The sectors most likely to be affected by the new planning policy are:
- regional and local authority plan makers and the stakeholders they work with, particularly the Environment Agency and statutory planning consultees
  - developers
  - members of coastal communities affected by coastal change

## COST AND BENEFIT ASSESSMENT

16. The following section provides a qualitative assessment of the costs and benefits of the options consulted upon.

### Option 1: Breakdown of costs/benefits

#### Costs

17. The **economic** costs of the 'Do Nothing' option will include:
- constraints on land supply and development as better information on coastal change processes and their effect on the coast may result in more use being made of the precautionary principle (PPG20, 2.16), in the absence of planning tools to help LPAs manage the impacts of coastal change to new development
  - as a result of the above, potential loss of regeneration opportunities as areas vulnerable to physical changes to the coast may suffer from lack of development or become deprived (negative spillovers) when they should/could be developed
  - development that does occur is not necessarily sustainable due to the predicted coastal change risk
  - pressure to increase investment in hard sea defences (at increased public sector cost) as an alternative to managing coastal change risk and
  - development in areas vulnerable to coastal erosion will become uninsurable and difficult or impossible to sell due to lack of mortgage availability, resulting in potential blight
18. There is potentially an increase in **social** costs as a direct consequence of the costs highlighted above.
19. No specific **environmental** cost has been identified for the 'Do Nothing' option.

#### Benefits

20. The **economic** benefits of the 'Do Nothing' option primarily centre on the savings of the costs and effort of producing and disseminating the new policy.
21. No specific **environmental** and **social** benefits have been identified for the 'Do Nothing' option.



## Option 2: Breakdown of costs and benefits

### Costs

22. The **administrative** costs of implementing the proposed new policy will primarily fall on LPAs, the Environment Agency and developers.
23. There would be no additional costs for LPAs in relation to producing SMPs as these are already required. But there may be costs associated with the lack of technical ability within coastal LPAs to interpret the technical information on coastal erosion mechanisms; the assessment of risk and ways of managing it provided by SMPs and associated maps and data developed by the Environment Agency and local authorities; and to understand their significance in spatial terms.
24. There will be costs to developers in producing a vulnerability assessment for any development proposed within the CCMA that the draft policy requires LPAs to designate (essentially the area vulnerable to coastal erosion over the next 100 years). The level of detail required in the vulnerability assessment will depend on the type and scale of development proposed and the total cost of this requirement will depend on how many applications arise for coastal development. The costs for such assessments should be set against the benefits to the developers from the development going ahead.

**What would you consider to be the range of costs of such an assessment, how would this vary with the time taken to do such an assessment and how many assessments do you think might be needed each year?**

25. Implementation of the proposal to allow time-limited development in areas vulnerable to coastal erosion could be costly for LPAs to administer. LPAs will be required to manage compliance of the specific planning conditions attached to this type of development, which would require the removal of the proposed development before it became at imminent risk; and the restoration of the vacated site.
26. Facilitating the relocation of development through 'roll-back' policies could also be costly for LPAs to administer. Such policy will require LPAs to identify and safeguard in their local development documents (LDDs) appropriate land for relocating development affected by coastal erosion. Such development may include, for example, housing, community facilities, commercial and business uses that may be considered essential for the social and economic well-being of coastal communities. Also, there will be costs to the LPAs in providing the necessary advice and assistance to developers and individuals, assessing planning applications and dealing with complaints and problems associated with the relocation policy as it is implemented. In addition, there will be an 'opportunity cost' in providing alternative sites for relocation of development impacted by coastal change as land put aside for this purpose cannot then be used for other land use purposes. But the availability of such sites is important for maintaining the social and economic long-term sustainability of coastal areas.

27. The relocation of development threatened by coastal erosion will bring costs to both business and individuals resulting from rebuilding and replacing their properties and businesses. These will vary across different land uses, and be dependent on the pattern and timing of coastal erosion. But these are costs that will be incurred regardless of the proposed policy changes, as firms/individuals located in coastal sites impacted by erosion will have to move before their property becomes unsafe. The availability of land for relocation should facilitate this process and help reduce the costs to firms/individuals by planning the optimal scale/timing for relocation.
28. Defra's *Coastal Change Policy* consultation considers the support available to communities in adapting to coastal change. In particular, it establishes a coastal change pathfinder programme to explore approaches which support communities in adapting to coastal change (see <http://www.defra.gov.uk/corporate/consult/coastal-change/index.htm> for further details).
29. There will be a resources implication to the Environment Agency in acting as consultee and for the LPA, and possible developers, in liaising with the Agency over applications. But there will also be associated benefits resulting from better informed decisions, leading to more efficient allocation of developments.
30. No specific **environmental** and **social costs** have been identified for this option.

### Benefits

31. One of the major benefits of the proposed new policy will be to reinforce the strategic approach to environmental risk management through the planning system already promoted through Planning Policy Statement 25 (PPS25) *Development and Flood Risk*. The draft new policy strengthens the message that coastal change risk should be considered as early as possible at all stages of the planning process. This will result in better management of the predicted impact of coastal change, with less reliance placed on the need for hard defences.
32. Working in partnership with other organisations should help to promote a common understanding of coastal processes and their impacts, identify key issues for coastal planning and help identify solutions for development and growth, regeneration, natural and historic conservation, and coastal protection and defence which better benefit coastal communities.
33. Allowing time-limited developments which are crucial to the local economy and directly linked to the coastal strip, and facilitating the roll-back and planned relocation of development, will enhance coastal communities' resilience to coastal change. This approach will bring economic and social benefits to these communities by allowing development that is appropriate and safe.

34. Short-term costs to the development process are expected to be outweighed considerably by longer-term social, economic and environmental benefits. By mainstreaming consideration of coastal change risk within the planning process now, much time and resource will be saved in the future, making peoples' lives safer and minimising the adverse economic and social impacts by helping coastal communities adapt.
35. The draft policy, in promoting a more strategic and integrated approach towards coastal change risk management, will initiate a more coordinated approach to planning and investment on the coast. It should ensure that spatial policies to support the delivery of regeneration and economic growth for coastal areas take proper account of the physical processes affecting the coast and decisions regarding the planning and management of coastal defences.

## **SPECIFIC IMPACT LIST CHECKLIST**

36. Alongside the main body of evidence for the costs and benefits of each of the options presented, some discussion is included of their impact on the following:

### **Competition assessment**

37. The proposed new policy is not expected to have any major impact on businesses. There is no expected change to the structure of supply and demand, and hence no competition impacts.

### **Small firms impact test**

38. The proposed new policy would affect all type of business depending on their location but irrespective of their size. Whilst the proposed regulatory process may potentially impact disproportionately on smaller businesses that do not benefit from economies of scale, so may the benefits of the policy for affected small firms who, due to the lack of such economies of scale, may face more limited location options and so will benefit proportionally more from effective coastal change management in planning policies.
39. Small businesses that need to locate on the coast for tourism reasons and benefit from those locations cannot expect to ignore the risk from coastal change. By undertaking a vulnerability assessment, they will be able to understand the risk to their proposed development and assess, at an early stage, the implications of applying time-limited permissions and explore opportunities for the roll-back or relocation to more sustainable locations before the risk from coastal change becomes imminent.

**Legal aid**

40. No legal aid impact identified.

**Sustainable development**

41. The principle of sustainable development underpins the policy proposal. Its emphasis is on ensuring that development on the coast remains safe during its expected lifetime, and enhancing the resilience of coastal communities to the increasing risk from coastal change. This approach will play an important part in minimising the effects of climate change and promoting the long-term viability of coastal communities in a sustainable way.

**Carbon assessment**

42. No specific carbon assessment effect identified.

**Other environment**

43. By ensuring that coastal change impacts are considered alongside wider social, economic and environmental spatial policy objectives, and are integrated effectively with other strategies and plans of significance to the coast, the proposed new policy would deliver wider environmental benefits.

**Health impact assessment**

44. The new policy should ensure that new developments and people are not placed at an unacceptable risk from coastal change, and deliver sustainable coastal communities that are resilient to the predicted coastal change. Bringing more certainty to coastal communities through positive planning for their future should reduce stress.

**Race, gender, disability and other equality**

45. The proposed new policy would impact equally across all members of the community, and there is no evidence to suggest that any particular racial or ethnic group has an increased exposure to coastal change risk.

**Human rights**

46. No specific human rights impacts identified.

**Rural proofing**

47. In spatial terms, rural areas are likely to be at a higher risk of coastal change than developed coastal areas, as the economic arguments for defending some smaller scattered rural communities may be weaker than those for the more developed coastal areas.
48. However, the proposed policy would provide a consistent approach towards managing the risk from coastal change to development, regardless of whether the affected areas are rural or urban.

## Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

**Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.**

Type of testing undertaken	Results in Evidence Base?	Results annexed?
Competition Assessment	Yes	No
Small Firms Impact Test	Yes	No
Legal Aid	Yes	No
Sustainable Development	Yes	No
Carbon Assessment	Yes	No
Other Environment	Yes	No
Health Impact Assessment	Yes	No
Race Equality	Yes	No
Disability Equality	Yes	No
Gender Equality	Yes	No
Human Rights	Yes	No
Rural Proofing	Yes	No

## PART 5: Consultation questions

### 1. POLICY APPROACH

#### Proposed planning policy approach:

##### Question 1.

The new policy and supporting practice guide promotes a strategic risk-based approach to managing future physical changes to the coastline to meet the Government objectives set out in the proposed policy so that long-term adaptation of communities can be planned. It allows necessary development that is appropriate and safe whilst avoiding inappropriate development in areas at risk from coastal change. Do you agree with this approach? If not, what alterations in approach do you suggest?

##### Question 2

Policy DCC1 sets out the requirements for evidence on the current and predicted impacts of physical changes to the coast to support plan-making and planning decisions. Do you agree that SMPs, complemented by other plans and information set out in the policy, provide an adequate supporting evidence base? If not, what other sources of information should RPBs and LPAs take into account?

##### Question 3

It is proposed that coastal change should be taken into account at all stages of the planning process (i.e. regional, local and site specific level) to determine the level of impact and the regional and local spatial responses that might be required. Does the policy in DCC2 and DCC3 on the regional and local planning approach to plan making, and the policy in DCC4 to DCC6 on development management facilitate this? If not, how might it be improved?

##### Question 4

Policy DCC3.2 requires that, where development and infrastructure need to be relocated outside CCMAAs, LPAs allocate sufficient land for this beyond CCMAAs. Planning constraints (e.g. landscape designations) or wider constraints (e.g. coastal communities' acceptance of the need to change) might make this difficult. Do you have any examples of the impact of constraints on the relocation of development affected by coastal change and how constraints can be overcome? Do you have any experience of using planning tools or other mechanisms to facilitate the relocation of development inland over time?

## 2. PRACTICE GUIDE

### Question 5

The practice guide framework sets out the proposed structure of the practice guide. Do you agree that the structure of the practice guide is right, and that it will cover all the relevant topics? If not, what is missing, and why?

### Question 6

Policy DCC3 requires LPAs to define a coastal change management area (CCMA). The draft practice guide sets out how the CCMA should be defined, and the role of stakeholders. Do you agree with this? If not, what alternative ways of defining a CCMA do you suggest?

### Question 7

It is proposed to allow certain types of development in CCMA's when appropriate. Are the criteria set out in the practice guide the correct ones by which to judge what is appropriate? If not, what should these be?

### Question 8

Policy DCC6.2 is that LPAs should set a time-limit for developments permitted in a CCMA, and the practice guide advises on operating time-limited developments. Would the proposal to use time-limited permissions be sufficient to manage and control development within a CCMA to ensure buildings and infrastructure remain safe during their planned lifetime? If not, what alternative approach do you propose?

Are the arrangements for operating time-limited developments in the practice guide appropriate and sufficient? If not, what arrangements would you suggest?

Do you have any examples of time-limited planning permissions and/or relevant planning conditions and obligations?

### Question 9

Policy DCC5.1 requires that an assessment of the vulnerability of the proposed development to coastal change and its impact on coastal change accompany planning applications in the CCMA. The practice guide advises on the scope of vulnerability assessments. Is the scope of vulnerability assessments and the criteria set out in the practice guide appropriate? If not, what should these be?

### 3. EXTENDING EA ROLE

#### Question 10

We are seeking views on whether there is need to extend the Environment Agency's statutory consultee role in relation to planning applications in areas that are vulnerable to coastal change (i.e CCMA's). Do you agree with the approach set out in section 4 of Part 1 of this consultation document? If not, why?

### 4. USING CALL-IN POWERS

#### Question 11

Do you agree that the current arrangements for referring planning applications in CCMA's for consideration by the Secretary of State set out in section 5 of Part 1 of the consultation document are adequate? If not, why?

### 5. REMOVAL OF PDR

#### Question 12

We are seeking views on the appropriateness of advising planning authorities to consider removing some permitted development rights for developments in areas in the CCMA that are identified as at risk from coastal change within a short-term period (i.e. the next 20 years). Do you agree with the approach to this set out in section 6 of Part 1 of the consultation document? If not, why?

### 6. IMPACT ASSESSMENT

#### Question 13

The consultation stage impact assessment sets out the likely benefits and costs of the draft new policy. Do you agree with the assumptions made? If not, or if you think it is incomplete, please tell us why and provide any quantifiable evidence available to you on benefits and costs.

#### Question 14

The impact assessment in Part 4 asks the following question with regards to the cost of carrying out vulnerability assessments (see DCC5.1). What would you consider to be the range of costs of such an assessment, how would this vary with the time taken to do such an assessment and how many assessments do you think might be needed each year?



## Part 6: Consultation criteria

### ABOUT THIS CONSULTATION

This consultation document and consultation process have been planned to adhere to the code of practice on consultation issued by the Department for Business, Innovation and Skills and is in line with the seven consultation criteria, which are:

- formal consultation should take place at a stage when there is scope to influence the policy outcome
- consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible
- consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals
- consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach
- keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained
- consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation
- officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under FOIA, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed these criteria? If not or you have any other observations about how we can improve the process please contact:

CLG Consultation Co-ordinator

Zone 6/H10

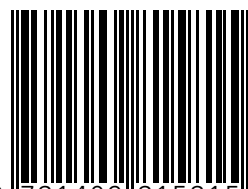
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**ISBN: 978-1-4098-1581-5**

ISBN 978-1-4098-1581-5



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