



## Research Information Note

English Nature Research Report 566

### **Review of how the land use planning system could influence the development of a marine spatial planning system in England**

Report Authors D. Tyldesley and B. Hunt 2004

Keywords: planning; spatial planning; marine; land use; review

#### **Introduction**

English Nature's developing Maritime Strategy is looking to inform the debate about how a spatial planning system for the marine environment might be introduced and how it might contribute to nature conservation. The objective of this review was to produce a short report providing a brief assessment of the relevance and lessons to be learnt from land use planning for marine spatial planning.

#### **What was done**

English Nature commissioned a review of the land use planning system from Chartered Town Planners specializing in both nature conservation and marine spatial planning. The review:

- Described the scope and evolution of land use planning in England;
- Identified key milestones in the development of planning for nature conservation;
- Analysed the main instruments and components of the land use planning system and its processes, including public consultation;
- Assessed the contribution of land use planning to nature conservation and its principal benefits and limitations;
- Analysed key differences between terrestrial and marine planning that might influence a marine spatial planning system;
- Identified and assessed mechanisms from the planners' toolkit of potential value to nature conservation; and
- Discussed what a marine spatial planning system might be and what it might need.

#### **Results and conclusions**

Although systematically researched analysis is limited, there is substantial evidence that the land use planning system has made a significant contribution to nature conservation. Legislative provisions about site protection are closely meshed and the planning system has a strong policy context for wildlife conservation, albeit there is room for improvement. Nature conservation bodies have been influential in development plans and planning decisions.

The planning system has been weaker in respect of securing enhancement of habitats and geological features and in facilitating improved management of wildlife sites. The management of ongoing activities and the use of land for agriculture and forestry are also outside the remit of the planning system.

Several planning mechanisms have been helpful to nature conservation including the requirement for planning authorities always to take account of all material considerations; development plans and national and regional planning guidance; the call - in process of referring planning applications to the Secretary of State; conditions imposed on planning permissions; planning obligations; consultation processes and environmental impact assessment.

There is a range of differences between land and sea planning likely to affect the way in which a marine spatial planning system evolves, including: ownership and common rights over land and sea; stakeholder communities; buildings, infrastructure, transport and communications; multiple uses and mobility of uses; regulatory processes and regulators; enforcement; zoning and international law and conventions.

The three dimensional aspects of the marine environment, the mobility of species and physical dynamics of the sea and coasts also require special consideration in the development of a marine spatial planning system.

A marine spatial planning system is likely to require three ongoing processes: plan-making, implementation and monitoring and review.

### **Steps towards a marine spatial planning system**

It is difficult to predict how the establishment of a system may progress, because it depends on so many variables and uncertainties. It seems unrealistic to assume that a marine spatial planning system will be established in one step. The likely time scales for considering new statutory provisions in the various legislatures at UK and devolved government levels, means that there is probably time to undertake a non-statutory trial of a system or elements of it.

### **English Nature's viewpoint**

#### **Selected references**

BIRDLIFE INTERNATIONAL, 2003. Developing a Framework for Marine Spatial Planning in the North Sea: Principles. Paper presented to the OSPAR Convention for the Protection of the Marine Environment of the North East Atlantic, Meeting of the Commission, 23-27 June 2003 ref OSPAR 03/4/12-E, in press.

COLLIS, I. & TYLDESLEY, D., 1993. Natural Assets. Local Government Nature Conservation Initiative

HUNT, B. & TYLDESLEY, D., 1998. Review of the Practical Implications and Effectiveness of Nature Conservation Safeguards in the Planning System. Report to the RSPB.

POSTAN, C. & SIMMS, C., 2003. Evaluation of development plans to assess biological and geological policy issues. Research Report 484, English Nature

ROYAL TOWN PLANNING INSTITUTE, 1999. Planning for Biodiversity A Good Practice Guide RTPi

TYLDESLEY D., 1986. Gaining Momentum: The Role and Performance of Local Authorities in Nature Conservation BANC and WWF, Pisces Publications

#### **Further information**

For the full report and other publications on this subject please contact the Enquiry Service on 01733 450100/101/102 or email [enquiries@english-nature.org.uk](mailto:enquiries@english-nature.org.uk)

For further information about the work of English Nature, please visit our website at: [www.english-nature.org.uk](http://www.english-nature.org.uk)

