

Neighbourhood *Planning*



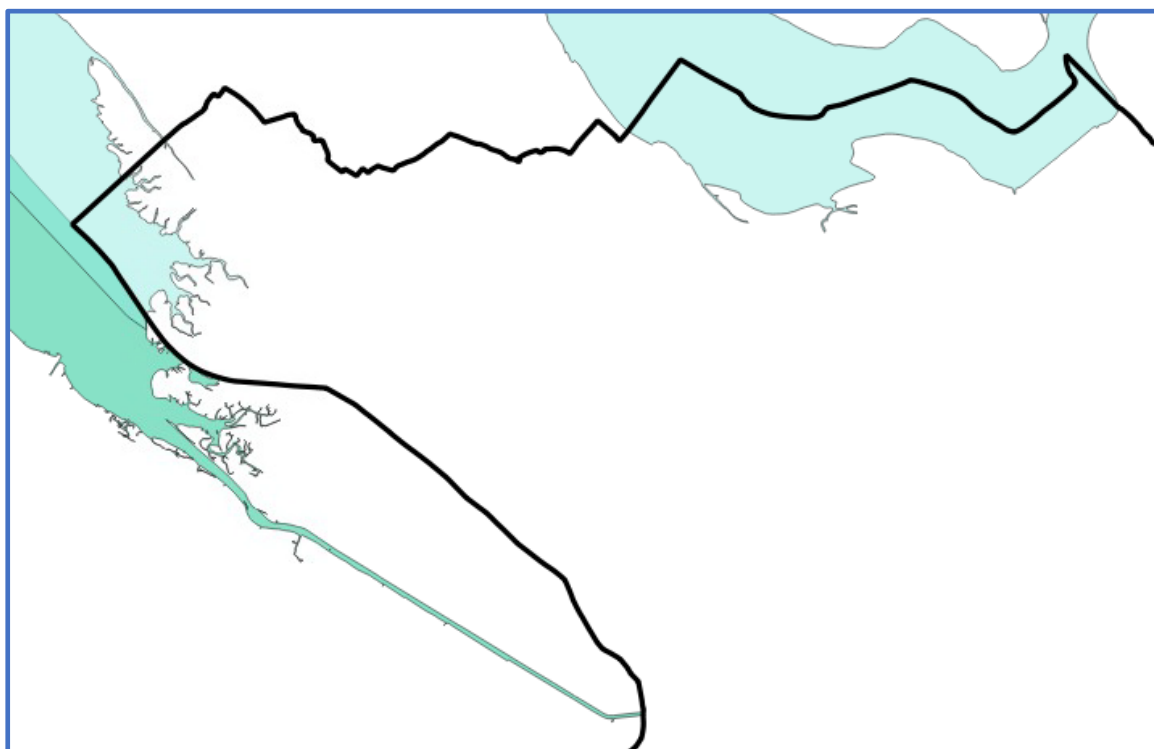
Marine Planning and the role of Neighbourhood Plans in Cheshire West and Chester

What are marine plans?

Marine plans inform decision-making by marine users and regulators on where activities might take place within the marine plan areas. They provide guidance on things to promote or avoid in certain marine locations. As the marine planning authority for England, the Marine Management Organisation (MMO) is responsible for preparing marine plans in England for inshore and offshore waters.

The marine plans that are potentially relevant to neighbourhood planning in Cheshire West and Chester (CWaC) are the [North West Marine Plan \(adopted June 2021\)](#) and the Welsh National Marine Plan. The diagram below shows the areas covered by these marine plans. Marine plans apply up to the mean high-water springs mark, which includes the tidal extent of any rivers.

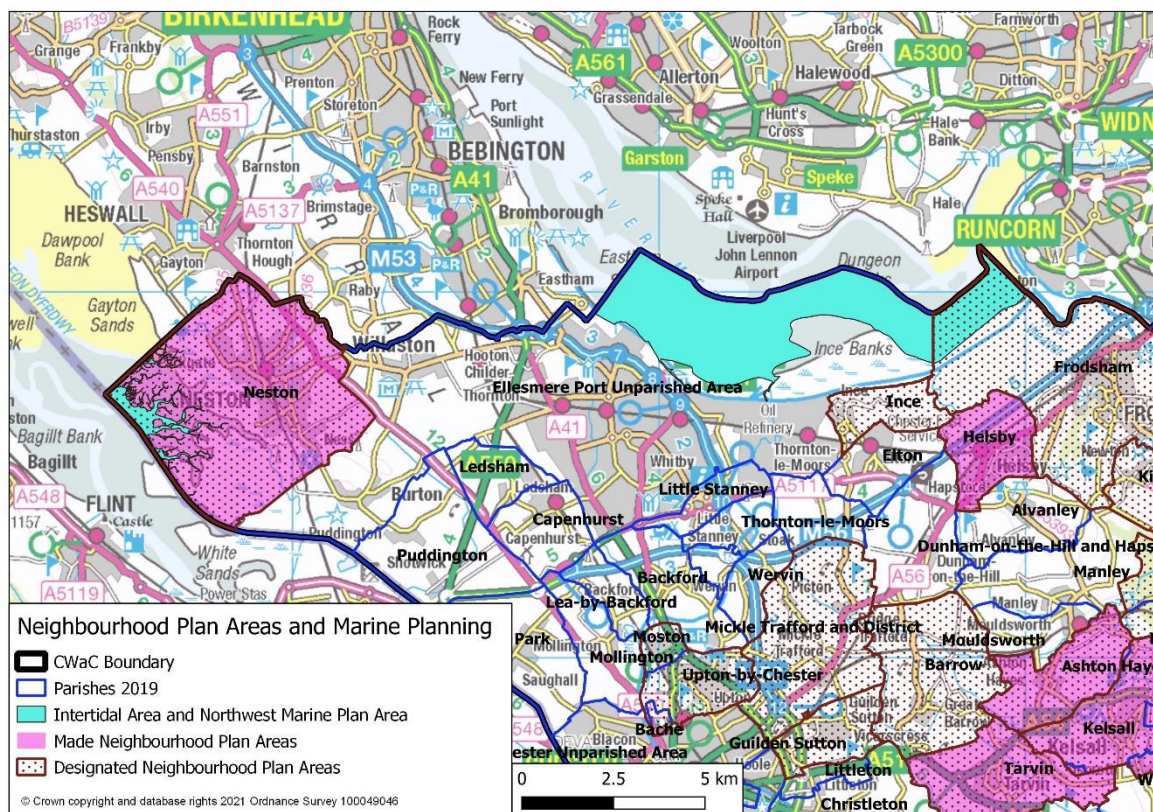
Figure 1 – The boundary of CWaC is shown in black, the light blue is the area covered by the [North West Marine Plan \(June 2021\)](#), and the darker turquoise the area covered by the [Welsh National Marine Plan](#).



Neighbourhood *Planning*



Figure 2 – Neighbourhood plan areas, parishes and marine plan areas



The policies set out in marine plans apply only in their area, but if a proposed activity may affect the plan area, this should be acknowledged and considered.

Do we need to take account of the marine plans even if our neighbourhood plan area is a long way from the marine area?

The policies in the marine plan must be considered during preparation of any neighbourhood plan that adjoins the marine area. In addition to this, any neighbourhood plan that could impact on the marine plan area must have regard to the relevant marine plan.

Sec 58(3) of the [Marine and Coastal Access Act 2009](#) states “A public authority must have regard to the appropriate marine policy documents in taking any decision—(a) which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area...”. This means that any parish council or designated

Neighbourhood *Planning*



neighbourhood forum preparing a neighbourhood plan must consider whether the neighbourhood plan is likely to affect whole or part of the UK marine area.

Neighbourhood plans in all parts of Cheshire West and Chester could potentially impact the Welsh or North West marine environments and a screening process should be undertaken to identify and assess any potential impacts.

Screening neighbourhood plans to identify potential impacts on marine plan areas

A screening process is already undertaken for neighbourhood plans to assess potential impacts on protected species and habitats (Habitats Regulations Assessment - HRA) and on the environment (Strategic Environmental Assessment - SEA) and to identify whether further investigation is required. A similar process should be undertaken to identify potential impacts on the marine area to identify whether further investigation is required or can be screened out.

The local planning authority undertake the screening process once an initial draft of the neighbourhood plan has been prepared. This does not need to be a final draft of the neighbourhood plan but must include the vision and objectives and draft policies. It is important that screening is undertaken at an early stage in the process to enable the outputs from any HRA, SEA or marine plan assessment to inform development of the neighbourhood plan. If there are major changes to the draft policies, they may need to be re-screened.

Once you have completed an initial draft of the neighbourhood plan, please let the local planning authority know so that the screening process can be undertaken. More information about the process and timescales for HRA and SEA screening is provided within the guidance note on appraisals and assessments, which forms part of the toolkit available on our website. Screening must be undertaken at least 6 weeks before the first statutory 6-week consultation on the neighbourhood plan. This will give sufficient time to undertake the screening process, consult statutory bodies and incorporate any required amendments to the neighbourhood plan.

The screening process will involve assessment of the proximity of the neighbourhood plan area to the marine plan areas (including the tidal extent of any rivers) and the potential impact of draft policies on the marine plan area. Impacts could be direct due to proximity to the marine plan area (e.g. any allocated sites on the coast) or proximity to water courses that discharge into the marine plan area. There may also be indirect impacts through drainage and water quality or tourism and recreation.

Neighbourhood *Planning*



Once the screening process has been undertaken, the local planning authority will inform the neighbourhood plan group of the outcome and any additional work required. If impacts on the marine area are screened out, then no further work would be required in relation to the marine plans. If major changes were made to the plan, however, it may need to be re-screened.

The Marine Management Organisation will need to be included as a statutory consultee on all neighbourhood plans, even if screened out for impacts on the marine environment.

Further work required if a neighbourhood plan is identified as having potential impacts on the marine area

If the screening process identifies that a neighbourhood plan is likely to impact on the marine plan area, the neighbourhood plan group should have regard to the relevant marine plan and assess and take account of any potential impacts on the marine area. Your local authority contact officer will be able to advise you on this and provide contacts at the Marine Management Organisation if required.

If the neighbourhood area is in close proximity to the marine plan area, the boundary of the marine plan could be shown on maps within the neighbourhood plan. In this case, it may also be helpful to include a specific policy relating to protection and enhancement of the marine area, to support the policies in the marine plan.

If the neighbourhood plan area has a strong link to the marine environment through watercourses such as canals, estuaries and River Dee, either directly or indirectly, a specific relevant policy may be included.

Neighbourhood plans with strong links to the marine environment should support integrated coastal management and could reference the UK vision for the marine environment ('clean, healthy, safe, productive and biologically diverse oceans and seas'), and show how plan policies and supporting text will contribute to that vision.

If the neighbourhood plan proposes housing allocations, the neighbourhood plan group will need to consider whether these allocations have the potential to impact on flooding or water quality in marine areas or increase recreational visits to coastal areas. Mitigation measures may be required to prevent or reduce potential impacts. The neighbourhood plan group may also consider including policies relating to any new developments within the area to prevent, reduce or mitigate negative impacts on the marine area due to water quality, flooding or recreational impacts. This could

Neighbourhood *Planning*



include requirements for specific drainage improvements or Sustainable Drainage Systems (SuDS).

Through the marine plan and HRA, potential impacts on biodiversity and protected species and sites in marine areas should be considered. Impacts may result from air pollution, water pollution, disturbance, noise or introduction of non-native species as a result of additional development. Policies relating to new development or allocating sites should consider measures to prevent, reduce or mitigate such impacts.

Neighbourhood plans should consider the potential economic benefits to local communities through marine tourism. This includes the potential for additional pressure through increased housing provision on coastal and marine recreation.

For those neighbourhood plans in coastal areas, the potential for sterilisation of sites and prevention of future commercial or industrial use should be considered, along with potential impacts on levels of access to the coast. Marine plans seek to maintain port facilities for future economic growth and neighbourhood plans should take this into account and to protect any existing port operations and should not constrain future port operation. Regard should also be had to potential impacts of development on fisheries or aquaculture.

The potential for coastal erosion and coastal flooding will need to be considered in neighbourhood plans covering coastal areas and should also take account of relevant shoreline management plans.

All neighbourhood plan consultations should include the Marine Management Organisation as a statutory consultee.

Any Sustainability Appraisal supporting the plan could consider the benefits or adverse effects on the UK marine area and highlight how plan policies contribute to the UK marine vision.