



Winchester City Council

DRAFT PORTFOLIO HOLDER DECISION NOTICE

PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR HIGH QUALITY ENVIRONMENT

TOPIC - SHORELINE MANAGEMENT PLAN

PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Corporate Director (Governance), the Chief Executive and the Head of Finance are consulted together with Chairman and Vice Chairman of the Principal Scrutiny Committee and all Members of the relevant Scrutiny Panel (individual Ward Members are consulted separately where appropriate). In addition, all Members are notified.

Five or more of these consulted Members can require that the matter be referred to Cabinet for determination.

If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Committee Administrator by 5.00pm on Tuesday 7 December 2010.

Contact Officers:

Case Officer: Patrick Aust, Tel 01962 848 254, Email: paust@winchester.gov.uk

Committee Administrator: Nancy Graham, Tel: 01962 848 235, Email: ngraham@winchester.gov.uk

SUMMARY

To obtain approval of the Portfolio Holder of the final policies from North Solent Shoreline Management Plan that affects part of Winchester City Council District in the vicinity of Curdridge. The area affected will not be defended and a policy of No Active Intervention (NAI) as described below will be employed.

PROPOSED DECISION

That Portfolio Holder approve in principle the final SMP and policies but be minded that final approval is subject to:

- 1 further minor amendments to be agreed by the Head of Access and Infrastructure (but not changes in policy options or Policy Unit boundaries) and
- 2 obtaining Imperative Reasons of Overriding Public Interest (IROPI) consent from the Secretary of State, for the Plan from the Secretary of State for Environment, Food and Rural Affairs).

REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Shoreline Management Plans (SMPs) are an important component of the Department for Environment, Food and Rural Affairs' (Defra) strategic framework for the future management of coastal erosion and coastal flood risk to people, the developed and natural environments and require economic, environmental and technical assessments to demonstrate the viability of any proposed policy.

SMPs must take account of existing planning initiatives and legislative requirements, make use of the best available data and science, and inform, and be supported by, the statutory planning process.

SMP's are prepared by one operating authority (in this case New Forest District Council) on behalf of all operating authorities within the plan area.

A Shoreline Management Plan (SMP) is a non-statutory document that aims to:

- evaluate, at a high strategic level, the known risks to people, property and the built and natural environment from the sea and coastal processes over the next 100 years
- balance the management of coastal flooding and erosion risks, with natural processes, and the consequences of climate change
- present a policy framework to address these risks to people and the developed, historic and natural environment in a technically feasible, environmentally acceptable and economically sustainable manner
- develop coastal defence policies of management intent for each section of coast over 3 epochs: present day (0-20 years); medium-term (20-50 years); long-term (50-100 years)

- provide details on a wide range of coastal issues, and assists local authorities to formulate planning strategies and control future development of the shoreline
- to aid government to determine future national funding requirements for flood and coastal erosion risk management

Due to the current legislative and funding arrangements, climate change and environmental considerations, it may not be possible to protect, or continue to defend land or property from flooding or erosion.

Distinct lengths of coastline have been defined based on natural sediment movements and coastal processes, and the assets and features potentially at risk of flooding and/or erosion within the coastal zone, rather than administrative boundaries (See Annex 1); these are termed Policy Units. A single policy has been applied per epoch per Policy Unit.

The SMP policies are:

Policy	Definition
Hold the Line (HTL)	<p>Defra definition - Maintain or upgrade standard of protection provided by defences. This policy should cover those situations where work or operations are carried out in front of the existing defences (such as beach recharge, rebuilding the toe of a structure, building offshore breakwaters, etc.) to improve or maintain the standard of protection provided by the existing defence line. This policy also involves operations to the back of existing defences (such as building secondary floodwalls) where they form an essential part of maintaining the current coastal defence system.</p> <p>A policy of HTL does not mean that public funding is secured or guaranteed. Nor should it be assumed that it is safe to develop behind existing defences or additional defences are promoted.</p>
Advance the Line (ATL)	<p>Defra definition - Construct new defences seaward of existing defences. Use of this policy should be limited to those policy units where significant land reclamation is considered</p>
Managed Realignment (MR)	<p>Defra definition - Allowing the shoreline to move backwards or forwards, with management to control or limit movement (such as reducing erosion or building new defences on the landward side of the original defences).</p> <p>A policy of MR does not mean that public funding is secured or guaranteed.</p>

No Active Intervention (NAI)	Defra definition - Not to invest in providing or maintaining defences A policy of NAI does not prevent the continued maintenance of existing defences to enable continued use of existing structures while they are structurally sound
Note: All the policies above will need to be supported by monitoring and must (when put into practice) take account of existing health and safety legislation.	

1.1 North Solent Shoreline Management Plan

The North Solent SMP is the first revision to the Western Solent and Southampton Water SMP and the East Solent and Harbours SMP, completed in 1998 and 1997, respectively. The coastline covered by this Plan extends from Selsey Bill, in the east, to Hurst Spit, in the west, and includes Portsmouth, Langstone and Chichester Harbours.

The Client Steering Group of the North Solent SMP is a partnership of local, regional and national authorities and agencies that have various responsibilities and powers for managing the coast; these are listed below:-

<ul style="list-style-type: none"> • New Forest District Council (Lead Authority) 	<ul style="list-style-type: none"> • Environment Agency (Southern Region; Solent & South Downs Area)
<ul style="list-style-type: none"> • Test Valley Borough Council 	<ul style="list-style-type: none"> • Hampshire County Council
<ul style="list-style-type: none"> • Southampton City Council 	<ul style="list-style-type: none"> • West Sussex County Council
<ul style="list-style-type: none"> • Eastleigh Borough Council 	<ul style="list-style-type: none"> • New Forest National Park Authority
<ul style="list-style-type: none"> • Winchester City Council 	<ul style="list-style-type: none"> • Chichester Harbour Conservancy
<ul style="list-style-type: none"> • Fareham Borough Council 	<ul style="list-style-type: none"> • Natural England
<ul style="list-style-type: none"> • Gosport Borough Council 	<ul style="list-style-type: none"> • neighbouring SMP Groups Isle of Wight SMP; Hurst Spit to Durlston Head SMP; & Beachy Head to Selsey Bill SMP
<ul style="list-style-type: none"> • Portsmouth City Council 	
<ul style="list-style-type: none"> • Havant Borough Council 	
<ul style="list-style-type: none"> • Chichester District Council 	

Flood and coastal defence legislation in England and Wales is largely permissive i.e. there is no statutory duty to protect people or property. It does not award any right to protection from flooding or coastal erosion or any right to any particular standard of protection where defences are provided.

In April 2008 Defra delegated their strategic overview to the Environment Agency for all flood and erosion risk management around the coastline of England. They provide support to the coastal authorities in developing strategic plans and coordinate the provision of Flood and Coastal Defence Grant in Aid (GiA) funding.

The Environment Agency has permissive powers (not a duty) to undertake works to protect low-lying land from flooding (flood defence) and to manage flood risk.

Elected Member representatives from each of the authorities have been involved throughout the development of the SMP and have been consulted at various stages to comment and approve specific outputs, such as tidal flood risk and erosion risk maps and analysis. Winchester City Council is represented by Councillor Frank Pearson.

Stakeholder involvement in the preparation of the second round of SMPs is of key importance. Workshops with Planners and Development Control, Archaeologists and Heritage Officers, Key Stakeholders, Landowners, Environmental and Ecological Officers have been held and various issues and concerns have been raised and discussed, and considered in the various assessments.

1.2 Final SMP Policies

The Policy Statements and maps for each Policy Unit are presented in the final SMP. The only Policy Unit in the WCC District is Policy Unit 5C04 and this may be found on the following link:

www.northsolentsmp.co.uk/media/adobe/4/i/5C04.pdf

1.3 Planning Process and Future Planning Applications

Planning and Development Control Officers consider each planning application on its individual merits on a case-by-case basis with reference to the relevant and applicable statutory plans and planning policies and will have regard to the non-statutory SMP. SMPs are not legally enforceable but are used by Planners and Development Control Officers to assist with decision making for proposed development on or near the coast. The Local Planning Authority will seek the advice of statutory consultees, such as the Environment Agency (for flood risk issues, etc.), Coastal Protection Authority (for shoreline erosion and coastal process issues, etc.), Natural England (for environmental issues, impact on European and national nature conservation designations, etc.), and their views will be taken into account when considering a planning application. Therefore, planning permissions will not be determined solely by the SMP coastal defence policy.

Landowners are at liberty to defend their property or to discontinue maintenance of their coast protection or flood defence works or even remove them, as they see fit. However, alteration to Flood Defence Works requires consent from the Environment Agency and physical works may well require planning permission. Landowners are encouraged to inform their Local Authority in advance of withdrawing or cessation of maintenance of defences. This will enable the implications associated with withdrawal of maintenance, e.g. increased flood risk to properties and landholdings, damage to or loss of environmentally important sites, etc., to be assessed.

1.4 Action Plan

The Action Plan for the North Solent SMP is intended to be a living document to be updated by the SMP's Client Steering Group members and through the Southern Coastal Group. The Action Plan is currently being reviewed by the Client Steering Group. The draft version can be made available, if requested.

RESOURCE IMPLICATIONS:

None.

CONSULTATION UNDERTAKEN ON THE PROPOSED DECISION

Consultation with Client Steering Group, Elected Members, Key Stakeholders, Planners, Landowners, Heritage Officers, Environmental and Ecological experts and other stakeholders occurred throughout the development of the SMP.

The SMP project team, in collaboration with Public Relations and Communication Officers from the Client Steering Group organisations, designed and managed the stakeholder engagement for the public consultation for the draft North Solent SMP, which ran for a 3 month period, from 1st February 2010 to the 23rd April 2010.

The approaches adopted included making maximum use of the North Solent Shoreline Management Plan website www.northsolentsmp.co.uk, along with each Local Authority website to advertise the consultation.

Press notices and letters to the extended stakeholder group and landowners were circulated to raise awareness of the SMP and the forthcoming exhibitions and meetings. Advertisement posters for the SMP public exhibitions were distributed throughout the coastal areas within the SMP region.

Hard copies of the draft SMP documents were held at each Local Authority for review by Officers, Elected Members and the public. A summary booklet was also produced detailing the SMP process and the policies proposed for consultation; these were available at the exhibitions and via the website.

FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE

n/a

DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED

n/a

DISPENSATION GRANTED BY THE STANDARDS COMMITTEE

n/a

Approved by: (signature)

Date of Decision

Councillor Bell – Portfolio Holder for High Quality Environment

Appendices:

Policy Unit 5C04 Description and Map

www.northsolentsmp.co.uk/media/adobe/4/i/5C04.pdf

Policy Unit 5C04 Bursledon Bridge to Botley & Curbridge to Satchell Marshes

Summary description of Policy Unit

A largely undeveloped frontage comprising agricultural grade 4 land on east bank of the River Hamble, and grades 1 and 3 on west bank. The tidal floodplain is relatively restricted due to the topography as the wooded river banks rise quite steeply or are stepped in elevation. West bank includes Hampshire County Council owned and managed Manor Farm Country Park, and south of Bursledon Bridge are boat yards and marina related assets. The majority of the frontage is undefended and privately owned, where there are defences they are privately maintained. Inter-tidal habitats of International, European and national nature conservation importance, provide high tide roost sites and support the adjacent and nearby SPA/Ramsar sites. Heritage features include Protected Wreck sites, Scheduled Ancient Monuments, listed buildings and maritime features, along with Conservation Areas. The River Itchen, Weston Shore, Netley and Hamble Coastal Defence Strategy has recommended an NAI policy for the frontage, but with localised HTL on the east bank south of Bursledon Bridge to Lands End Lane.

Proposed policy options

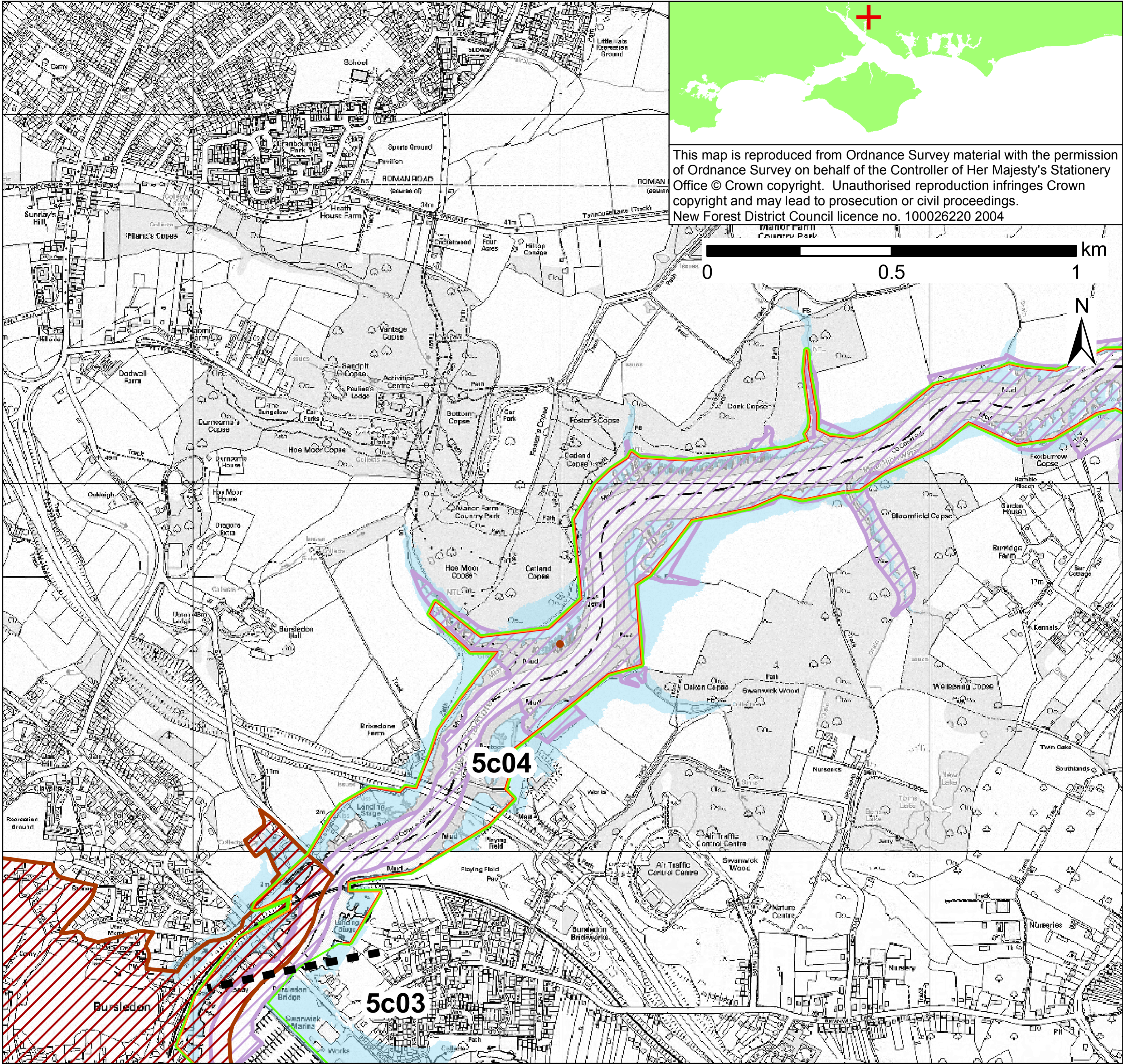
SMP1 Ref
HAM2 Managed Realignment
HAM3 No Active Intervention

Epoch 1 Short Term: Years 0-20	Epoch 2 Medium Term: Years 20-50	Epoch 3 Long Term: Years 50-100
No Active Intervention	No Active Intervention	No Active Intervention

Summary of rationale behind proposed policy options

The frontage upstream of Bursledon Bridge is privately owned and almost entirely undeveloped and undefended. It encompasses a large proportion of the shoreline of the River Hamble including the upper tidal reaches. The flood risk area is relatively constrained by the natural topography, however, as sea levels rise and the tidal influence stretches further upstream there may be the potential for flooding of the low lying hinterland thereby naturally creating inter-tidal habitats. Shore-side developments south of the bridge, such as marinas, may continue to maintain their defences, but no public funding will be available. Rights of private owners to maintain their defences remain.

No defence works are identified. No public funding would be available for maintenance of defences by private owners.

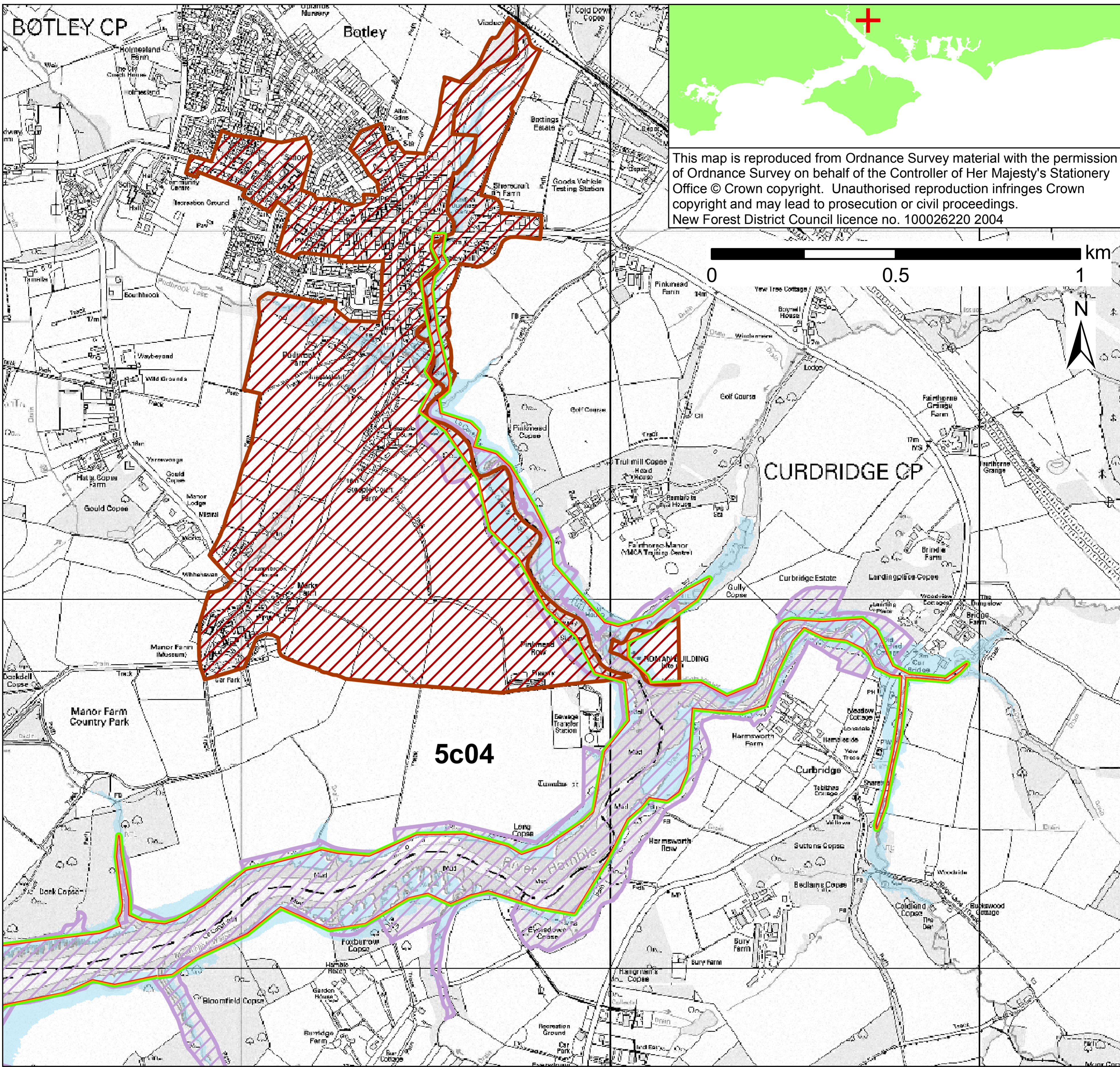


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POLICY

From Present Day (up to 2025):	Medium-Term (2025 to 2055):	Long-Term (2055 to 2105):
No Active Intervention	No Active Intervention	No Active Intervention

- Indicative erosion zone up to 2025
- Indicative erosion zone up to 2055
- Indicative erosion zone up to 2105
- Policy Unit Boundary
- International / National Designations
- Important Heritage Sites
- 2115 Indicative Floodplain (1 in 200 year) provided from PUSH
- Managed Realignment Site



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