

<b>Case study</b>	<b>Alkborough Flats managed retreat</b>		
<b>Location</b>	<b>Humber Estuary, England</b>		
	<i>Development planning example</i>	<b>X</b>	<i>Development control example</i> <b>X</b>
<b>A</b>	<b>Summary of the issues</b>		
<p>Issues raised in relation to marine planning include:</p> <ul style="list-style-type: none"> <li>• How will the creation and control of inter-tidal habitats be managed i.e. the cross over/integration of land use plans and marine plans.</li> <li>• Linkages between marine plans and RSSs and LDFs in relation to conformity, aspirations and timing</li> <li>• Marine plans may serve to consolidate the raft of management plan already in existence in the Humber. The HERAG has integrated these organisations with their roles, activities and objectives brought together within the Humber Management Scheme which has, to so some extent, encouraged linkages between strategies. However, as Burdon and Cutts (2008:5) argue, <i>'there is no overall co-ordination of all relevant plans...in fact, whilst the Humber Management Scheme has drawn together a number of management initiatives, planning management remains fragmented between the relevant planning authorities around the Humber'</i></li> <li>• Links to concerns over effects on navigation channels</li> <li>• Marine plans in inland areas – marine plans will extend up to 150km inland</li> </ul>			
<b>B</b>	<b>Description of the plan or development</b>		
<p>The Alkborough Flats Project was managed by the Environment Agency and constitutes one of the few completed managed retreat schemes for coastal flood risk management. Alkborough Flats are situated on the south bank of the Humber Estuary, on the eastern side of the confluence between the Rivers Trent and Ouse to form the River Humber. The site originally comprised around 440ha of agricultural land (including land owned by Associated British Ports), the remainder of which was purchased by English Nature and the Environment Agency between 2003 and 2005 of which around 375ha was protected by a flood embankment.</p> <p>The project involved the managed realignment of tidal defences, including a 20m breach in the existing tidal defence and an overspill weir, and a 1km length of new tidal defence to provide flood storage in addition to the creation of 170ha of new inter-tidal habitat. The total cost of the project was £10.2million and it is key to the Environment Agency's long-term strategy for managing flood risk on the Humber Estuary.</p>			
<b>C</b>	<b>Description of the baseline environment and constraints</b>		
<p>The Humber Estuary is one of the largest estuaries in the UK and drains over one fifth of all land in England, providing the largest single output of fresh water from the UK into the North Sea. The Humber is a major navigation channel providing access via the tidal River Ouse to the ports of Goole and Howden, handling more than 2Mt of cargo annually, and via the tidal River Trent to numerous wharves, together also handling more than 2Mt of cargo annually. The Humber plays a vital economic role in the Humber region and the Humber estuary ports (comprising Grimsby Immingham, Hull and Goole and other wharves) handled 92.59 million tonnes of freight traffic in 2007, accounting for 16% of all UK ports traffic. It is estimated that port dependent businesses at Humber ports support approximately 47,000 direct, indirect and induced jobs, equating to 2% of regional employment and 12.3% of employment in the areas immediately surrounding the Humber. The Estuary also supports extensive and diverse wildlife and natural habitats and is recognised as an area of international importance for wildlife with Ramsar, SPA and candidate SCI designations.</p> <p>The Humber Estuary is governed by multiple local planning authorities and some of the Humber seabed is within LPA boundaries. It therefore provides a useful case study in relation to coastal flood risk management, sediment transport, major developments, protected areas, biodiversity generally and landscape/seascape.</p>			
<b>D</b>	<b>Description of the planning baseline</b>		
<p><b>The Yorkshire and Humber Plan: Regional Spatial Strategy to 2026 (May 2008)</b></p> <p>The Yorkshire and Humber Plan is the statutory Regional Spatial Strategy (RSS) for Yorkshire and Humber and aims to guide development over the next 15 to 20 years. It forms part of the statutory 'development plan' for each district or unitary local authority area.</p> <p>The RSS sets out a spatial vision for the region, seeking more sustainable patterns and forms of development, investment and activity, placing a greater emphasis on matching needs with opportunities and managing the environment as a key resource. The Humber Estuary is identified as a sub regional area (see Section 5). Policy</p>			

HE1 sets out the requirements for plans, strategies, investment decisions and programmes for the Humber Estuary sub area based around the following 7 themes:

- roles and functions of places
- economic development
- environment
- transport
- strategic patterns of development
- regionally significant investment priorities
- joined up working

Policy C1 states that plans, strategic investment decisions and programmes should, among other objectives:

- protect and enhance the unique character, heritage and biodiversity of the undeveloped coast and coastal waters, and protect the integrity of internationally important biodiversity sites
- avoid the risk from flooding, erosion and landslip along the coast, through roll-back approaches to relocate existing uses
- improve marine water quality and maintain and extend 'blue flag' standards
- improve the public realm and quality of the built environment of coastal resorts and the coast's natural environment as the basis for economic diversification and regeneration
- promote developing economic and social partnerships and partnership approaches to coastal, shoreline and marine management and conservation through Integrated Coastal Zone Management Plans, Shoreline Management Plans and Heritage Coast Management Plans

#### **North Lincolnshire Local Plan (Adopted March 2003)**

The North Lincolnshire Local Plan makes specific reference to the SMP and Policy LC6 relates to Habitat Conservation, stating that provision will be made for the creation of nature reserves and new wildlife habitats both in rural and urban areas.

#### **Planning for the Rising Tides: The Humber Estuary Shoreline Management Plan (September 2000)**

The Shoreline Management Plan (SMP), which has since been replaced by The Humber Flood Risk Management Strategy (2008), set out the Environment Agency's strategy for managing the flood defences of the Humber Estuary. It was underpinned by two key objectives:

- i. to develop a coherent and realistic plan for the estuary's flood defences;
- ii. to be sure that all proposals are technically feasible, economically viable; environmentally appropriate; and socially acceptable.

Alkborough Flats was identified within the SMP as an area where erosion of the defence line was taking place and, consequently, presented an opportunity to eliminate the need for future maintenance and to provide inter-tidal habitat. The SMP strategy stated that flood risk management proposals in the estuary should:

- consider realigning defences where this will reduce the cost or improve the sustainability of managing the system;
- support the creation of new inter-tidal habitat as necessary to maintain the estuary's conservation status

#### **Humber Flood Risk Management Strategy (March 2008)**

The Humber Flood Risk Management Strategy has replaced the Humber Estuary Shoreline Management Plan which was published in 2000. The document, which is to be reviewed every 5 years, sets out the long-term strategy for managing flood risk around the Humber Estuary and the lower reaches of its main tributaries with the overall aim to *'manage the risk of flooding around the Humber Estuary in ways that are sustainable for the people who live there, the economy and the environment'* and to ensure that all proposals are *'technically feasible, economically viable and environmentally appropriate and socially beneficial.'* The Strategy comprises a series of management proposals for individual flood areas which include the following main features:

- to manage flood risk around the estuary to protect people and property by:
  - continuing to maintain existing defences where this is sustainable
- to withdraw maintenance from defences that are uneconomic and examine other ways of protecting people and property where this happens, including:

- building secondary lines of defence;
- advising people on how to prepare for flooding
- to move defences where doing so will:
  - provide flood storage to help manage water levels during serious floods and so benefit others;
  - allow the EA to stop maintaining defences that are uneconomic;
  - replace inter-tidal habitat lost because of the strategy.

The preparation of the strategy involved widespread consultation including a Steering Group which reviewed progress on the strategy and comprised local authorities, English Nature, ABP, the Humber Estuary Management Strategy group and the CHaMP Review Group (which is drawn from organisations with conservation interests).

**Humber Management Scheme (May 2006)**

The aim of the HMS is to ‘*subject to change, maintain the favourable condition of the site through the sustainable management of activities*’. It incorporates English Nature’s (now Natural England) advice designed to maintain the habitats and species of the Humber in favourable condition. The HMS has studied a range of activities around the Humber and sets out management actions in respect of each.

The HMS was prepared by the Humber Estuary Relevant Authorities Group (HERAG) which comprises 34 relevant authorities (including English Nature and the Environment Agency) with a statutory role in the management of the Humber Estuary (to meet the requirements of Regulation 34 of the Habitats Regulations) and takes advice from the Humber Advisory Group (HAG).

<b>E</b>	<b>Description of the plan development process (for development planning cases) or the authorisation process (development control cases) – under the existing system</b>
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The Alkborough Tidal Defence Scheme was carried out using the Agency’s powers under Section 165 of the Water Resources Act 1991 (a FEPA licence was also applied for together with a letter seeking approval from the DfT). As the scheme involved both new works and improvements to existing tidal defence structures, the EA decided not to exercise its permitted development rights and therefore the Scheme was subject to planning permission (including the submission of an Environmental Statement).

English Nature advised the Agency that an appropriate assessment under the Habitats Regulations would not be required given the fact that the scheme would be directly connected with, or necessary to, the management of the SPA, SCI and Ramsar site.

In support of the scheme, a wide range of consultation was undertaken including with English Nature, English Heritage and North Lincolnshire Council, which included the production of a consultation paper and meetings with key stakeholders and statutory consultees, public exhibitions and newsletters. This included the formation of a management group which was set up to oversee the development of the scheme including English Nature, English Heritage, ABP, North Lincolnshire Council and Lincolnshire Wildlife Trust.

Approval for the Scheme was granted in July 2005 with four conditions attached to the permission including two conditions to minimise the impact of the proposal upon the ecology of the area, following advice from English Nature.

Note that approval has subsequently been sought under section 25 of the Highway Act 1980 to add approximately 5,440m of public footpath.

<b>F</b>	<b>Implication of planning proposals under the Marine and Coastal Access Bill</b>
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The draft Marine Bill enables the MMO, with the EA’s collaboration and consent, to incorporate flood risk management and drainage conditions as part of a licence under the Marine Bill.

<b>G</b>	<b>Inputs of project partners and lessons learnt</b>			
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	EA	NE	CCW	NT
Involvement	✓	✓		

Inputs	As developer – responsible for preparation of planning application and ES Also remit as consultee	Member of the management group – pre-submission consultation Consultee with respect to Habitats Regulations Consultee on scope and content of EIA Leading the future management of the site		
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**Type of involvement/input and resources:**

**Environment Agency**

The EA acted as developer and was responsible for the preparation of the planning application and supporting documents (including EIA) as well as gaining other consents including a FEPA licence and approval from the ABP. With respect to planning, the process was viewed to be straightforward and not resource intensive with consultants being appointed to undertake the EIA although there was difficulty with respect to the Habitats Regulations aspect of the proposal although English Nature ultimately confirmed that appropriate assessment was not required. In support of the scheme, a wide range of consultation was undertaken including with English Nature, English Heritage and North Lincolnshire Council which included the production of a consultation paper and meetings with key stakeholders and statutory consultees, public exhibitions and newsletters. This also included the formation of a management group which was set up to oversee the development of the scheme including English Nature, English Heritage, ABP, North Lincolnshire Council and Lincolnshire Wildlife Trust.

However, gaining consents in relation to navigation (FEPA and approval from ABP) was considered to be time consuming and resource intensive involving around 2 years of negotiations with ABP including the drafting of legal agreements and monitoring frameworks.

In addition to inputs identified above, both Natural England and the EA are involved in the development of management plans covering the Humber Estuary including:

**Environment Agency**

- Consultees in respect of RSS and LDFs
- Lead agency in the development of the Humber Flood Risk Management Strategy and partner in the production of the BAP, CHaMP
- Member and Chair of HERAG
- Partner in HEC

**Natural England**

- Consultee and involvement in respect of RSS and LDFs
- Member of HERAG and partner in HECA
- Partner in development of the BAP and CHaMP
- Member of Humber INCA (Humber Industry Nature Conservation Association (INCA), established in 2002 ‘...to help business development continue hand in hand with nature conversation’)

**Lessons learnt**

The key lesson learnt related to the difficulty in gaining consents relating to navigation.

<b>H</b>	<b><i>The effect the marine planning system may have on the way partners get involved, to their effectiveness in the process and to the staff resources required</i></b>
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*Partner remits*

- Where acting as a developer, will Marine Plans add an additional layer of regulatory burden in the case of inter-tidal development?
- The preparation of Marine Plans is likely to add additional resource pressures
- There is already strong partnership working in the Humber Estuary, principally via the HERAG. How will

these existing partnerships be incorporated within the development of Marine Plans?

- How will shoreline management plans be covered by Marine Plans?