

# 1. The Spatial Planning System in the United Kingdom



UK in the co-operation area of NWE, Royal Haskoning

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## 1. The Spatial Planning System in the United Kingdom



Figure 1: UK in the co-operation area of NWE, Royal Haskoning

### 1.1 General information

The United Kingdom consists of Great Britain and Northern Ireland. Great Britain comprises England, Scotland and Wales.

In mid 2004, the population of the United Kingdom was approximately 60 million. This consisted of approximately 50.1 million people in England; 2.9 million in Wales; 5 million in Scotland and 1.7 million in Northern Ireland.

Scotland became part of Great Britain in 1707. While many laws made by parliament in London apply to England and Wales, Scotland has a different legal system and many laws applying to Scotland differ from those in England and Wales. Northern Ireland became part of the United Kingdom 1921. The Republic of Ireland has a different set of statutory instruments from the rest of the United Kingdom.

The Parliament of the United Kingdom is the supreme legislative institution in the UK and British overseas territories. Apart from the Sovereign or Head of State (the Monarchy), the UK parliament has two chambers, the House of Commons and the House of Lords. The members of the House of Commons are elected directly by the people in each constituency, who can each vote for one candidate, with the candidate with the most votes being elected. The House of Lords is an unelected chamber comprising members of the Church of England ('Lords Spiritual') and members of the Peerage (Nobility) (also known as 'Lords Temporal'). Lords Spiritual serve in the House of Lords as long as they continue to occupy their ecclesiastical positions, whereas Lords Temporal serve for life.

Throughout this report, reference is made to the English regions; and the counties, local authorities and unitary authorities of the UK. The following links provide maps of these administrative boundaries. The roles of the various authorities are discussed in more detail throughout the report.

Map of Local Authority Districts, Counties and Unitary Authorities in the UK:  
[http://www.statistics.gov.uk/geography/downloads/uk\\_laduacty.pdf](http://www.statistics.gov.uk/geography/downloads/uk_laduacty.pdf)

Map of the English Regions:

[http://www.statistics.gov.uk/geography/downloads/uk\\_gor\\_cty.pdf](http://www.statistics.gov.uk/geography/downloads/uk_gor_cty.pdf)

Map of the Government Office Regions in England:

[http://www.statistics.gov.uk/geography/downloads/uk\\_gor\\_cty\\_1.pdf](http://www.statistics.gov.uk/geography/downloads/uk_gor_cty_1.pdf)

## 1.2 Description of the Spatial Planning System in the United Kingdom

The planning system in the UK has undergone in the past 2 years its most radical reforms since 1947. The Planning and Compulsory Purchase Act 2004 (referred to as the Act), which received Royal ascent in May 2004, represents an overall move towards spatial planning from existing land use strategies. This new approach is to operate within reformed governmental structures, which promote local government modernisation, the development of regional government, and an enhanced awareness of European policies.

The key principles of the reform may be summarised as the following:

- The development of regional government, and an emphasis on the regional tier of the planning system
- Reform of the development plan system, based on the replacement of Regional Planning Guidance (RPG) with Regional Spatial Strategies (RSS)
- An emphasis on community and stakeholder involvement in planning, part of the desire to make planning in the UK more 'accountable and transparent'
- The use of Sustainability Appraisal. This is a key component of the reforms, under the SEA Directive 2001/42/EC. The aim is to ensure that local development documents are prepared with the objective of contributing to the achievement of sustainable development.

As a result of the devolution agenda since 1997, the UK has turned, for the first time into a federal structure. Since planning was made a devolved area of policy making, this has had major implications for the planning system. In particular it has meant that the English, Welsh, Scottish and Northern Ireland systems are in plan-making terms now quite separate and different. The procedural changes still being implemented since 2004 mean that for everywhere apart from England there are new 'national' plans being produced, but which in form differ from national territory to national territory. The national plans for Wales and Northern Ireland have now been published. Both take their format from contemporary European practice as spatial strategies.

The following table summarises the planning powers of the executive and elected parts of United Kingdom Governments:

Executive Body	Elected Body	Population	Area	Function
Department for Communities and Local Government (DCLG)  Until May 2006 this was called the Office of the Deputy Prime Minister (ODPM)	Parliament	60 million	244.000 km <sup>2</sup>	Legislation, policy and planning Inspectorate for England

Scottish Executive	Scottish Parliament	5 million	79.000 km <sup>2</sup>	As above for Scotland
The National Assembly for Wales	The Welsh Office	3 million	21.000 km <sup>2</sup>	As above for Wales
Department for the Environment and the Planning Service	The Northern Ireland Assembly	1,6 million	14.000 km <sup>2</sup>	All planning functions for Northern Ireland

Table 1: Elected and executive planning responsibilities in the UK

The main features of planning legislation in the United Kingdom are:

- The duty on local planning authorities to prepare a development plan
- A comprehensive legal definition of development
- A requirement to obtain planning permission for that development
- The right of appeal against refusal of planning permission by the local planning authority
- The power to remove unauthorised development
- Reserve powers of the Government in respect of dealing with planning applications and making or amending development plans.

Town and Country Planning legislation does not cover building standards, which are dealt with by Local Authorities under Building Regulations.

### 1.2.1 Legal Structure of the Spatial Planning System

#### Planning Law

The rules and procedures of UK planning and environmental law are derived from a variety of sources. Statutory controls provide the framework for the control of development and land use. Legislation and supporting administrative regulation is now increasingly influenced by European and international environmental law. Planning law is in essence a public law mechanism for the control of land use. It establishes a regulatory system through which public authorities are vested with powers by statute to control the development and use of land. The various institutional structure and methodologies are based on administrative, regulatory and economic investment approaches. The specific methodologies of planning law include: making development/environmental plans; granting permissions; issuing directions; setting aside conservation areas on publicly owned or leased land; entering into agreements and prohibiting specified activities.

#### Legal Structure

The main *primary* legislation for England is the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004. Also important is the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main instruments of *secondary* (subordinate) legislation are the Town and Country Planning (General Permitted Development) Order 1995; the Town and Country Planning (General Development Procedure) Order 1995; the Town and Country Planning (Use Classes) Order 1995 (The UCO) ; and the Town and Country Planning (Development Plan) Regulations 1999. In 2006 these secondary instruments were modified by the Town and Country Planning (Application of Subordinate Legislation to the Crown) Order 2006.

### Role of Central and National Governments

Parliament at Westminster sets the general policies and the overall policy framework, but land-use planning is a devolved responsibility in the UK. Overall responsibility lies with the relevant devolved Government Departments and Minister for each of the four national territories, and planning legislation is a responsibility of each of the sub-national parliaments and assemblies (Westminster acts as an English parliament in this role). The relevant players are:

- England: Currently Department for Communities and Local Government/Deputy Prime Minister
- Scotland: Scottish Executive/ Minister for Environment and Rural development
- Wales: National Assembly for Wales / Minister for Environment
- Northern Ireland: Northern Ireland Executive /Minister for Regional Development (Regional Strategy), Minister for Environment (Planning Service)

Town and Country Planning legislation and policy in Scotland, Wales and Northern Ireland are the responsibility, respectively, of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.

The Scottish Parliament and the National Assembly for Wales have similar powers to those of the central government of England. They can take over planning applications, set up their own planning inspectors and issue their own policy guidance.

In Northern Ireland the Department of the Environment is responsible for planning policy, development plans and development control. Strategic planning policy and the Regional Development Strategy are the responsibility of the Department for Regional Development.

### Role of the Local Planning Authority

The Local Planning Authority has the responsibility for day to day administration and implementation. This includes the duty to prepare development plans of which there are three main types (as above), depending on the local authority structure in the area concerned.

Table 2 below summaries the main legislative, policy creation, and development plan responsibilities for different parts of the UK:

Level	Responsible body	Planning instruments	Description	
<b>England</b>				
1	National	All England Central Government Office of the Deputy Prime Minister (ODPM)	National Planning Legislation and Planning Policy (Circulars and PPSs, Minerals Planning Guidance (MPG) Regional Planning Guidance (RPG) also existed up to 2004, and remain in force until new RSS and Sub Regional strategies come into force.  The Planning Inspectorate	Primary and Secondary Legislation and written national and regional Policy Guidance.

Level	Responsible body	Planning instruments	Description
2	9 Regions Government Offices for the Regions (GORs) Regional Development Agencies (RDAs)	Regional Spatial Strategies (RSS) (Post 2004)	Regional arm of central government in the English regions. Act on behalf of the Minister in planning matters for their region. Responsible for the preparation of RSS.
3	34 Counties Elected County Council	Minerals and Waste Local Plans (post 2004) Development Control (minerals and waste)	Responsible for preparation of Minerals and Waste Local Plans
4	238 Districts District Council	Local Development Frameworks (Post 2004) Development Control	Responsible for the creation of Local Development Frameworks.
5	115 Unitary Authorities and Boroughs Urban areas with a single tier of local government National Parks Authorities The Mayor of London	Unitary Development Plan (Pre 2004 Act) Local Development Frameworks (Post 2004 Act) The London Plan	Responsible for the preparation of Local Development Frameworks and in National Parks National Park Management Plans. In London the Mayor of London is responsible for the preparation of the London Plan
<b>Wales</b>			
1	National Regional Government National Assembly for Wales	Town and Country Planning Legislation and Planning Policy National Spatial Development Plan Development Control	National Plan based on European Spatial Planning Approach.
2	22 Districts District Council National Park Authorities	Unitary Development Plan Development Control	Responsible for preparing spatial and land use policies.
<b>Scotland</b>			
1	National Scottish Parliament Scottish Executive	Town and Country Planning Legislation and Policy	Primary and secondary legislation and written Policy Guidance.

Level		Responsible body	Planning instruments	Description
2	32 Councils	Selected Councils for cities, town and rural areas	Structure Plan Local Plans and Development Control	Written statements of policies and proposals, land use designations and key diagram.  Cover the whole area of a Council, contained detailed policies and proposals illustrated on a map base
<b>Northern Ireland</b>				
1	National	Northern Ireland Assembly  Department for the Environment	Town and Country Planning Legislation and Planning Policy  Regional Development Strategy  Development Plans	Primary and Secondary legislation and written Policy Guidance

Table 2: Legislative and development plan responsibilities in the UK

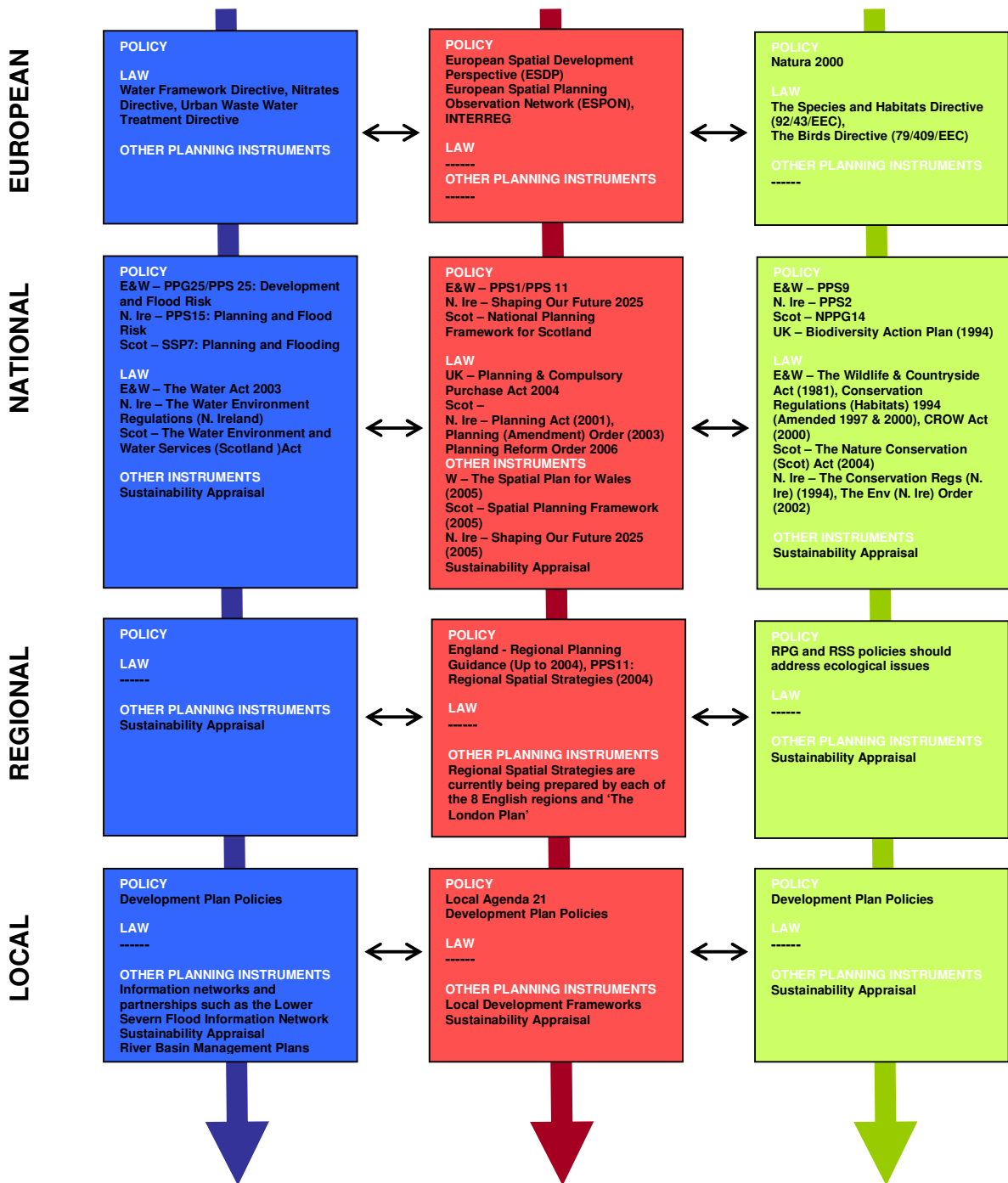
### **1.3 Scheme: spatial planning, water management, ecology**

The following table shows the most relevant laws, policies and other planning instruments at six levels, starting at Europe and going down to the local level. The three coloured columns show the fields of spatial planning, water management and ecology. The main focus will be the column of spatial planning. Water management and ecology are added components related to spatial planning.

## LEVEL WATER MANAGEMENT

## SPATIAL PLANNING

## ECOLOGY



The symbol ----- signifies that it does not yet exist.

Comment: the names of the policies, laws and other planning instruments are in the original English language  
 N. Ire = Northern Ireland, E&W = England & Wales, Scot = Scotland

Figure 2: Laws, policies and other planning instruments in water management, spatial planning and ecology, Royal Haskoning

### **1.3.1 Spatial Planning: Development Plans**

Development Plan is the term used for the plan or plans which provide the contextual basis for decisions on planning applications. They contain policies for the future development and use of land in an area. Plans can cover a wide range of issues such as housing, transport, employment, shopping, recreation and conserving and protecting the countryside. As suggested above, the 2004 Act has changed the structure of the planning system including the structure of development plans in England and Wales. Existing development plans remain statutory until plans are reformed or altered in line with the new system. A summary of the pre-2004 system is provided for context.

#### **Pre-2004 System**

Prior to the 2004 Act reforms, the strategic statutory development plans were initially prepared by the county level of local government in England and Wales. Unitary authorities were introduced in 1984 and through 1990s' reforms. Strategic statutory planning was done by the same authority as local planning, and produced as part 1 of the unitary development plans.

Structure Plans were produced at the County level and set out key strategic objectives to be achieved through land use policies and set a framework for Local Plans. Each Council prepared a structure plan either alone or with neighbouring councils. The time horizon for the plans was approximately 15 years. In Scotland structure plans are prepared by local authorities.

Minerals and Waste Local Plans were prepared at the county level and outline local strategies and facility sitings, in line with European and National policy.

Local Plans, covering the whole area of a district council, contain detailed policies and proposals illustrated on a map base with some individual development proposals. These plans generally had a time horizon of 10 years and had to be in conformity with the structure plan. Similar arrangements apply in Scotland. But, because there is only one tier of local government here, local councils are encouraged to produce the local plan and structure plan together, in a format like a unitary development plan. Local Transport Plans were also prepared at the county, unitary or district level and provide details of projects, funding and overall approach to development in the area.

In Northern Ireland the Department of the Environment prepares development plans. The Spatial Development Strategy is the responsibility of the Department for Regional Development.

Unitary Development Plans were prepared in Wales and parts of (mainly urban) England where there is a single tier of local government. These plans consist of two parts: the first akin to a structure plan dealing with strategy; the second akin to a local plan covering detailed policies and broad land use allocations. In London the mayor prepares a Spatial Development Strategy to supplement the strategic elements in the Unitary Development Plans prepared by the London Boroughs.

#### **2004 Development Plan Changes**

Under the 2004 Act the above hierarchy is being replaced in England by Regional Spatial Strategies and Local Development Frameworks. Table 3 below illustrates how the development plan system in England has changed as a result of the Act:

<b>The Statutory Development Plan in England</b>		
<b>Level</b>	<b>Before</b>	<b>After</b>
	Planning & Compulsory Purchase Act 2004	Planning & Compulsory Purchase Act 2004
<b>Regional</b>		<b>REGIONAL SPATIAL STRATEGIES</b> These are to be prepared by the 9 Regional Planning Bodies and in London, the spatial development strategy prepared by the Mayor of London.
<b>County</b>	<b>STRUCTURE PLANS</b> <b>MINERALS AND WASTE LOCAL PLANS</b>	<b>MINERALS AND WASTE DEVELOPMENT PLAN DOCUMENTS (Part of the Local Development Framework prepared by Local Authorities)</b> These will be prepared by Unitary authorities where necessary
<b>Local Authority Districts</b>  (including Metropolitan Districts and London Boroughs)	<b>DISTRICT LOCAL PLANS (OR NATIONAL PARK LOCAL PLAN)</b>	<b>THE LOCAL DEVELOPMENT FRAMEWORK</b> This will be comprised of local development documents, which include development plan documents, that are part of the statutory development plan and supplementary planning documents which expand policies set out in a development plan document or provide additional detail. The local development framework will also include the statement of community involvement, the local development scheme and the annual monitoring report. Furthermore, local planning authorities should also include any local development orders and or simplified planning zones which have been adopted. The key documents, which form part of the local development framework, are illustrated in Figure 2
<b>Unitary Authority</b>  (Single tier administration, with administrative functions normally carried out by County and District Councils)	<b>UNITARY DEVELOPMENT PLANS</b>	

Table 3: Changes to the Development Plan in England as a result of the Planning & Compulsory Purchase Act, 2004

Below is a summary of the new development plan structure for England. Local development documents will comprise the local development framework. The Local Development Framework is not a statutory term; however, it sets out, in the form of a 'portfolio', the local development documents which collectively deliver the spatial planning strategy for the local planning authorities' area. Detailed guidance on the new development plan structure can be found in Planning Policy Statement 12: Local Development Frameworks (ODPM, 2004). The link for this can be found at the end of this report.

### **The Development Plan**

The Government is committed to the well-established principle of a plan-led system. The statutory development plan will continue to be the starting point in the consideration of planning applications for the development or use of land (Section 36 (6) of the Act). The development plan, therefore, provides the essential framework for planning decisions.

The development plan will consist of:

- Regional Spatial Strategies prepared by the regional planning bodies or, in London the spatial development strategy prepared by the mayor of London; and
- Development plan documents prepared by district councils, unitary authorities and, in the case of minerals and waste development plan documents, by county councils.

### 1.3.2 Components of the Local Development Framework

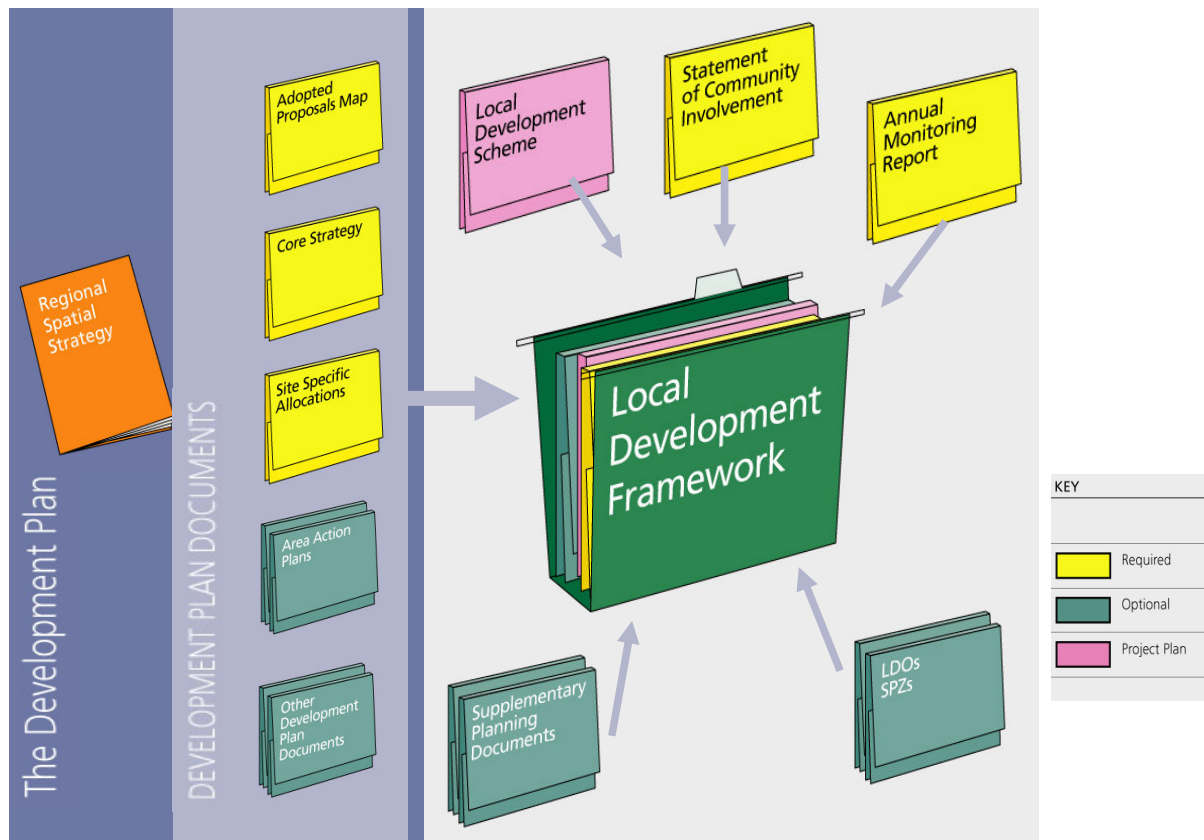


Figure 3: Components of the Local Development Framework (PPS12: A Companion Guide, ODPM, 2004)

#### Local Development Frameworks

The local development frameworks will contain within their documents, an integrated set of policies which are based on a clear understanding of the economic, social and environmental needs of the area and any constraints on meeting those needs. The strategy and the policies in local development documents should relate to the geography of the area and be founded on its physical and demographic characteristics, internal and external links and relationships with neighbouring areas.

The Local Development Framework comprises local development documents, which include development plan documents (that are part of the statutory development plan and supplementary planning documents) which expand policies set out in a development plan document or provide additional detail. The Local Development Framework will also contain the Statement of Community Involvement, the local development scheme, and the annual monitoring report. Furthermore, local planning authorities will also include any local development orders and or simplified planning zones which have been adopted. The Local Development Framework, together with the Regional Spatial Strategy, provides the essential framework for planning in the local authority's area.

#### Statement of Community Involvement

Public participation is a key component of the new planning system. The preparation of local development documents should be a participatory process, the scope of which will be set out in the Statement of Community Involvement. This reflects an overall emphasis in public participation in current policy, evident in EU legislation such as the Water Framework Directive.

### Regional Spatial Strategies in England

In September 2004, following the passing of the 2004 Act, definitive guidance for the production of the eight Regional Spatial Strategies in England (plus the *London Plan*) was put into place with the issue, after a round of public consultation, of PPS11: Regional Spatial Strategies (ODPM, 2004).

The style of the new upper tier statutory plans is meant to differ from previous plan documents in that it 'provides a spatial framework to inform the preparation of Local Development Documents, Local Transport Plans and regional and sub-regional strategies and programmes that have a bearing on land use activities'. Currently, all regions are modifying their current Regional Planning Guidance to incorporate the necessary changes to transform them into an initial series of Regional Spatial Strategy documents.

### Changes to the Development Plan System in Wales

Under Part 6 of the Planning and Compulsory Purchase Act (2004) the development plan system in Wales has been reformed whilst retaining the positive aspects of the current single tier unitary development plan (UDP) system. Local planning authorities are required to prepare and maintain up to date development plans called local development plans. Local development plans will be simpler, more concise documents than the present UDPs and will focus on the local planning authority's objectives for the use and development of land in their area, and their general policies for implementing them. Specific allocations will be necessary to ensure that development needs are suitably met. There will be scope for more detailed policies (including site specific proposals) in key localities where they are warranted.

### National Strategic Planning

There is at present no English strategic framework to match the national frameworks being produced for the other three sub-national territories of the UK, namely Northern Ireland, Scotland, and Wales. Northern Ireland and Wales have now published their national spatial plans. Both of these documents are statutory plans. Scotland has followed a different route, following a 2002 review of strategic planning in that territory. April 2004 saw the publication of a non-statutory Spatial Planning Framework for Scotland, the aims of which are to be carried through in the continuing structure plan and city regional plans foreseen in the 2002 review. Further specific legislation to reform the Scottish system as a whole remains to be introduced in Edinburgh.

Table 4 below illustrates the scope of development plans for the UK.

Development Plans in the UK	
England	Regional Spatial Strategies (8) and The London Plan
	Local Development Frameworks (Local Authority Level) – Comprises Development Plan Documents and Supplementary Planning Documents
Scotland	National Spatial Plan
	City Region Plans (4)
	Structure Plans as needed
	Local Plans everywhere

<b>Wales</b>	National Spatial Plan
	Local Development Plans (one-tier unitary plan for each unitary district, revised version of current UDPs)
<b>N. Ireland</b>	Spatial Plan
	Local Plans for Each District

Table 4: The scope of development plans for the UK

### 1.3.3 Water Management

The Office of the Deputy Prime Minister (ODPM) takes lead responsibility on development planning policy, which covers policy on planning with regard to the management of flood and coastal erosion risk as well as for development in areas at risk of flooding and/or coastal erosion. Planning Policy Guidance Note 25 (PPG 25): Development and Flood Risk was published in July 2001 and contains guidance on how flood risk should be taken into account as part of the planning and development process. The ODPM committed to review PPG 25 and published draft Planning Policy Statement PPS25 in December 2005 (see links at the end of this report).

Planning Policy Guidance 25, together with the Water Framework Directive, has provided the basis for 'Making Space for Water' (Defra, 2005). This strategy has been under development by the government since 2004. The Department for Environment, Food and Rural Affairs, (Defra) has published the 'First Government Response to Making space for water' (PB 10516) and accompanying summary leaflet (PB 10711) in response to comments recovered by various government agencies through the consultation exercise. The consultation encompassed all types of flooding and highlighted a range of Government policies relevant to flooding and coastal erosion.

In Making Space for Water, the Government of England has outlined its approach over the next 20 years to carrying out an integrated approach to managing flood and coastal erosion risks. The approach takes account of all sources of flooding, embedding flood and coastal risk management across a range of Government policies, e.g. the combining the whole catchments area in the way which is consistent with the implementation of the WFD. This will involve an improved level of risk management, which means it will include coastal erosion on risk maps, expanding the flood warning and awareness activities.

The Government will ensure a pragmatic approach in considering the impact of flood risk in all levels in the planning process. This will include a new Planning Policy Statement (PPS) to replace the present Planning Policy Guidance Note (PPG) 25. An important part will be making a greater use of rural land use solutions such as a creation of wetlands and wash lands. The Government will continue to provide finance for flood management schemes.

### 1.3.4 Water Legislation

The European Water Framework Directive was introduced into UK Planning Law in 2003 in the form of The Water Act (England and Wales); The Water Environment and Water Services (Scotland) Act; and in Northern Ireland through The Water Environment (WFD) Regulations (2003).

The Acts set out means to implement the EU Directive at the local level through new arrangements for long term sustainable water management. The Acts outline means for the creation of:

- River Basin Characterisations
- River Basin Management Plans (RBMPs) including:
  - Description of the district; review of the human impact on the status of the water body; economic analysis of water use; outline environmental objectives; a programme of measures to meet objectives
- Economic Analysis
- Abstraction
- Monitoring (of 'good ecological status')
- Public Participation

As a result of the WFD, water considerations will need to be incorporated at a regional, local (county, district, borough or unitary authority), and site-based level. Also, various aspects of the water environment will need to be considered holistically, with effective mitigation to maintain 'good ecological status'. Developments will need to be designed in light of water issues.

The map below shows the location of the River Basin Districts in the UK, highlighting the need for co-ordination across administrative boundaries.

# WATER FRAMEWORK DIRECTIVE RIVER BASIN DISTRICTS IN THE UK AND IRELAND



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LEGEND: IRBD International River Basin Districts RBD River Basin Districts

### Northern Ireland(UK) and Ireland

	IRBD Name: <b>North Western (IRBD)</b>
	IRBD Name: <b>Neagh Bann (IRBD)</b>
	RBD Name: <b>North Eastern</b>
	RBD Name: <b>Western</b>
	IRBD Name: <b>Shannon (IRBD)</b>
	RBD Name: <b>Eastern</b>
	RBD Name: <b>South Eastern</b>
	RBD Name: <b>South Western</b>

### Scotland, England and Wales

	RBD Name: <b>Scotland</b>		RBD Name: <b>Western Wales</b>
	RBD Name: <b>Solway Tweed</b> (Cross Border)		RBD Name: <b>Dee</b> (Cross Border)
	RBD Name: <b>Northumbria</b> (Cross Border)		RBD Name: <b>Severn</b> (Cross Border)
	RBD Name: <b>North West</b>		RBD Name: <b>Thames</b>
	RBD Name: <b>Humber</b>		RBD Name: <b>South East</b>
	RBD Name: <b>Anglian</b>		RBD Name: <b>South West</b>

National and International Borders  
 Rivers  
 Capital Cities  
 Coastal and Transitional Waters  
*Areas are shown as a tint of the RBD.*

Figure 4: River Basin Districts in the UK and Ireland (WFD-UKTAG, 2005) <http://www.wfduk.org/>

## Water Legislation and Development Plans

In parts of England, major growth is proposed where water resources and the ability to handle increased volumes of sewage effluent, are already constrained. Environment Agency guidance warns that future development needs to be planned carefully so that it does not result in further pressure on the water environment and compromise WFD objectives.

Defra and Welsh Assembly Government intend to issue guidance on river basin planning in autumn 2006 (consultation on draft of the guidance ran from 13 December 2005 – 7 March 2006, see: <http://www.defra.gov.uk/corporate/consult/wfd/consultation.pdf>). This guidance will set out the expectations of the Secretary of State and the National Assembly for Wales in relation to the key steps and principles of the river basin planning process. The consultation draft refers to the links with statutory development planning - especially the linkage or RBMPs to Regional Spatial Strategies and Local Development Frameworks and the Wales Spatial Plan and Local Development Plans – question 7 in the guidance asks if these links will be sufficient.

In the interim, the Environment Agency has published initial advice on the Water Framework Directive and Planning in England and Wales (2006 see: <http://publications.environment-agency.gov.uk/pdf/GEHO0306BKJL-e-e.pdf?lang=e>). It contains information on the roles of local planning authorities in implementing the WFD and states that local planning authorities and regional planning bodies can help to deliver WFD objectives in the first WFD cycle in a number of ways, including by incorporating sustainable water policies in development plans:

Local authorities and regional planning bodies can help deliver the WFD objectives by:

- planning - planning policies should influence the design and location of new development to ensure it does not create adverse pressures on the water environment that could compromise ability to meet WFD objectives.
- Including policies on sustainable water management in their development plans – including policies in Regional Spatial Strategies (RSS), core policies in Local Development Frameworks (LDFs) and area wide policies in Local Development Plans (LDPs).
- Helping to ensure that understanding of the pressures of, and opportunities for, development are reflected in the analysis underpinning RBMPs.
- Ensuring that spatial plans complement River Basin Management Plans
- Reviewing plans on publication of RBMPs to ensure that they contribute towards, and do not compromise the achievement of, WFD objectives.
- Using established mechanisms for community involvement and communication.

RBMPs will need to consider Regional Spatial Strategies and vice versa. Regional Spatial Strategies must consider the inclusion of relevant policies; appropriate land uses in light of the WFD; and have a holistic consideration of water issues. RBMPs must consider Regional Spatial Strategies by incorporating all land use requirements and consulting spatial planners as key stakeholders. Within the Regional Spatial Strategies, Local Development Frameworks will create a strategic context for sustainable water management; incorporate flood routes and storage; develop Sustainable Drainage Systems (SUDS) policy and take RBMPs into consideration. There are some inconsistencies with the timescales for RBMPs and Regional Spatial Strategies, with the Regional Spatial Strategies due to be published and implemented by 2007/8, a year before the RBMPs in 2008/9 (See Table 5 below).

Date	Requirement
Dec 2003	Directive transposed into UK law
Dec 2004	Create river basin characterisation
Dec 2005	Establish and commence environmental monitoring programmes
Dec 2008	Publish draft RBMPs
Dec 2009	Publish final RBMPs
Dec 2012	Ensure programme of measures is fully operational
Dec 2015	Achieve environmental objectives in first RBMPs Publish second RBMPs with revised programme of measures

Table 5: Timetable for Implementation

There are 9 River Basin Districts in England and Wales. Two 'cross-border' River Basin Districts are shared with Scotland. River Basin Districts are similar in scale to the Government Office regions in England but have different boundaries. This reinforces the need for local authorities to think about the implications of proposed development and land use change on water *beyond* their local authority boundary as well as within it. This applies from the regional down to the local level (county, unitary, district, borough). The map below (Figure 5) compares the River Basin District Boundaries to Government Office boundaries in England and Wales.

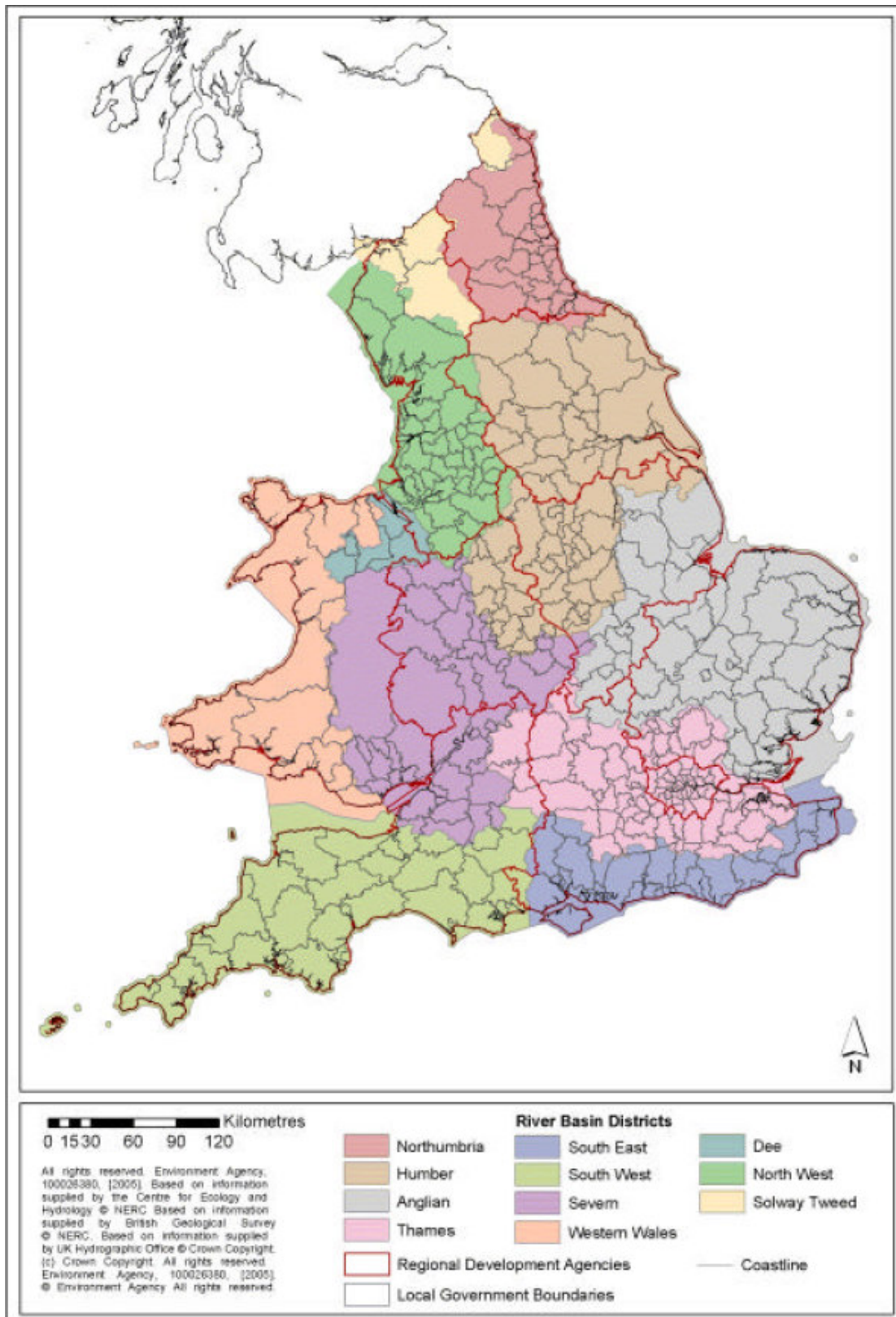


Figure 5: River Basin District, Government Office and Local Government Boundaries in England and Wales (Environment Agency, the Water Framework Directive and Planning, 2006).

The need for a cross-boundary approach and the consideration of RBMPs in development plans is also highlighted in Scotland and Northern Ireland. In Scotland guidance is currently being prepared to for each River Basin District to establish effective

administrative arrangements to support RBMP production and integrate and co-ordinate the RBMPs with other plans and planning. The planning strategy for the Scotland River Basin District has been prepared already (see: <http://www.sepa.org.uk/wfd/rbmp/index.htm>). Northern Ireland shares cross-border river basins with Ireland, giving them three International River Basin Districts. The North Eastern River Basin District is the only District that is completely contained within Northern Ireland. Both Northern Ireland and Ireland are arranging to implement the Directive in a coordinated way. This involves the Minister with responsibility for the Environment in Northern Ireland and the Minister for Environment, Heritage and Local Government in Ireland. The Ministers are helped by a North South Working Group on Water Quality. Future water management in Northern Ireland and the Republic will be implemented and reported to Europe at the River Basin District scale. A North South cross border water management consultancy project, North South Shared Aquatic Resources (NS SHARE) has been set up and will remain in existence until March 2008. The main aim of this project is to facilitate coordinated implementation and delivery of the technical tasks required by the Directive. The NS SHARE project is funded by Europe and the local governments in Ireland and Northern Ireland.

The Water Framework Directive UK Technical Advisory Group (UKTAG) has been set up to support the implementation of the Directive in the UK. Set up in 2001 to provide technical implementation advice, UKTAG is a partnership of the UK environment and conservation agencies. It also includes partners from the Republic of Ireland. In Scotland the competent authority for river basin planning is the Scottish Environmental Protection Agency (SEPA), in England and Wales it is the Environment Agency, and in Northern Ireland the Environment and Heritage Service.

### **1.3.5 Ecology**

Although previous Acts of Parliament include provisions for nature conservation, the main piece of legislation relating to nature conservation in Great Britain is the Wildlife and Countryside Act 1981. This Act is supplemented by the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended); the Countryside and Rights of Way (CRoW) Act 2000 (in England and Wales); and the Nature Conservation (Scotland) Act 2004 (in Scotland). In Northern Ireland, the main legislation is contained in the Wildlife (Northern Ireland) Order 1985 and the Environment (Northern Ireland) Order 2002, supplemented by the Conservation (Natural Habitats, etc) Regulations 1995 (as amended).

PPS9 in England and Wales, PPS2 in Northern Ireland, and NPPG 14 in Scotland set out planning policies for the protection of biodiversity and geological conservation through the planning system. In England and Wales, 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. The policies set out in PPS9 need to be taken into account by regional planning bodies in the preparation of regional spatial strategies, by the Mayor of London in relation to the spatial development strategy for London, and by local planning authorities in the preparation of local development documents. They may also be material to decisions on individual planning applications.

*Working with the grain of nature: a biodiversity strategy for England* (Defra, 2002) sets out the Government's vision for conserving and enhancing biological diversity in England, together with a programme of work to achieve it. It includes the broad aim that planning, construction, development and regeneration should have minimal impacts on biodiversity and enhance it wherever possible.

In moving towards this vision, the Government's objectives for planning are:

- **to promote sustainable development**  
by ensuring that biological and geological diversity are conserved and enhanced as an integral part of social, environmental and economic development, so that policies and decisions about the development and use of land integrate biodiversity and geological diversity with other considerations;
- **to conserve, enhance and restore the diversity of England's wildlife and geology**  
by sustaining, and where possible improving, the quality and extent of natural habitat and geological and geomorphologic sites; the natural physical possesses on which they depend; and the populations of naturally occurring species which they support; and
- **to contribute to rural renewal and urban renaissance**  
by enhancing biodiversity in green spaces and among developments so that they are used by wildlife and valued by people, recognising that healthy functional ecosystems can contribute to a better quality of life and to people's sense of well-being. Also, by ensuring that developments take account of the role and value of biodiversity in supporting economic diversification and contributing to a high quality environment.

The planning system has a significant part to play in meeting the Government's International commitments and domestic policies for habitats, species and ecosystems.

### 1.3.6 Sustainability Appraisal

Sustainable development is central to the reformed planning system. The purpose of sustainability appraisal (SA) is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of revisions of Regional Spatial Strategies (RSS) and for new or revised Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) (ODPM, 2005). Under Section 39(2) of the Planning and Compulsory Purchase Act 2004 sustainability appraisal is mandatory for RSS revisions and for new or revised DPDs and SPDs.

When preparing revisions of RSS revisions or new and revised DPDs and SPDs, Regional Planning Bodies and Local Planning Authorities must also conduct an environmental assessment in accordance with the requirements of European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment" (the Strategic Environmental Assessment or 'SEA Directive'), transposed by the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations').

Sustainability Appraisal represents an important area where EU legislation has had a significant impact on the UK planning system at the development control as well as policy formation levels. It signifies a move away from environmental assessment at the project level (as with EIA), to assessment at all levels 'likely to have a significant effect on the environment'.

## 1.4 Details of the planning instruments in the UK: policy, law and other planning instruments

### 1.4.1 European level

<b>EUROPEAN POLICY</b>			
<b>Subject</b>	<b>Policy</b>	<b>Year</b>	<b>Purpose/Contents</b>
<b>Spatial Planning</b>	European Spatial Development Perspective, ESDP	1999	The aim of the spatial development policy is to work towards a balanced and sustainable development of the territory of the European Union. The ESDP is a policy framework for the sectoral policies of the Community and the Member States that have spatial impacts, as well as for regional and local authorities, aimed as it is at achieving a balanced and sustainable development of the European territory.
<b>Water Management</b>	Flood risk management: Flood prevention, protection and mitigation	2004	Towards a EU Action programme on Flood Risk Management: Many Member States are already taking flood protection measures but concerted and co-ordinated action at the level of the European Union would bring a considerable added value and improve the overall level of flood protection. Therefore in the Communication on Flood risk management; Flood prevention, protection and mitigation the Commission has proposed to develop and implement a concerted EU Action Programme on flood risk management as flood events have the potential to undermine the EU's drive towards sustainable development and the flood risks are increasing.
<b>Ecology</b>	The Convention on the Conservation of European Wildlife and Natural Habitats (The BERN Convention)	1982	The principal aims of the Convention are to ensure conservation and protection of all wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to afford special protection to the most vulnerable or threatened species (including migratory species) (listed in Appendix 3). To this end the Convention imposes legal obligations on contracting parties, protecting over 500 wild plant species and more than 1000 wild animal species.
<b>LEGISLATION/LAW</b>			
<b>Subject</b>	<b>Legislation</b>	<b>Year</b>	<b>Purpose/Contents</b>
<b>Spatial Planning</b>	-----	-----	-----
<b>Water Management</b>	Council Directive 92/43/EEC (the Water Framework Directive)	2000	The European water framework directive has as objective to achieve in the year 2015 a good ecological status for the European waters and to manage them on catchment area level. The WFD is the European directive for the protection of surface-, coastal and groundwater.
	Protection of waters against pollution caused by nitrates from agricultural sources (91/676/EG)	1991	The objective is to reduce or prevent water pollution caused or induced by nitrates from agricultural sources.
	Urban Wastewater treatment (91/271/EEG)	1991	This Directive concerns the collection, treatment and discharge of urban waste water and the treatment and discharge of waste water from certain industrial sectors. Its aim is to protect the environment from any adverse effects due to discharge of such waters.

<b>Ecology</b>	Council Directive 79/409/EEC (the Birds Directive),	1985	These Directives provide for the protection of animal and plant species of European importance and the habitats which support them, particularly through the establishment of a network of protected sites
	Council Directive 92/43/EEC (the Species and Habitats Directive)	1985	
<b>OTHER EUROPEAN PLANNING INSTRUMENTS</b>			
<b>Subject</b>	<b>Instrument</b>	<b>Year</b>	<b>Purpose/Contents</b>
<b>Spatial Planning</b>			
<b>Water Management</b>			
<b>Ecology</b>			

Table 6: Policy, legislation and other planning instruments on European level

## 1.4.2 National, including all English levels

<b>NATIONAL PLANNING POLICY</b>				
<b>Subject</b>	<b>Where applicable</b>	<b>Policy</b>	<b>Year</b>	<b>Purpose/Contents</b>
<b>Spatial Planning</b>	<b>England and Wales</b>	PPS 1: Delivering Sustainable Development	2005	PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system.
		Regional Planning Guidance (England)	Up to 2004	In each region, Regional Planning Bodies (RPBs), in consultation with the Government Offices (GOs) and other regional stakeholders, are responsible for preparing RPG, which should provide a broad development strategy for the region over a fifteen to twenty year period. The RPG provides a regional land-use and transport context for the government's sustainable development policy and it should also provide the longer term planning framework for the Regional Development Agencies' strategies. RPGs are to be replaced by RSSs under the Planning and Compulsory Purchase Act 2004.
		PPS 11: Regional Spatial Strategies	2004	This policy statement sets out the procedural policy on the nature of RSSs and focuses on what should happen in preparing revisions to them and explains how this relates to the Act and associated legislations.
	<b>Northern Ireland</b>	Shaping Our Future 2025	2005	Shaping Our Future is a Regional Development Strategy which offers a strategic and long-term perspective on the future development of Northern Ireland up to the year 2025. It has been prepared in close consultation with the community and seeks to define an agreed vision for the Region and to

				frame an agenda which will lead to its achievement. It will influence the future distribution of activities throughout the Region. It is not limited to land use planning but recognises that policies for physical development have an important bearing on other matters
	<b>Scotland</b>	National planning Framework for Scotland	2004	This is a framework to guide the spatial development of Scotland to 2025. It sets out a vision of Scotland in which other plans and programmes can share and to which they can contribute. It is not an economic development strategy but complements the Executive's <i>Framework for Economic Development in Scotland</i> , highlighting the importance of place and identifying priorities for investment in strategic infrastructure to enable each part of the country to play to its strengths in building a Scotland which is competitive, fair and sustainable. It is not intended to be a prescriptive blueprint, but will be a material consideration in framing planning policy and making decisions on planning applications and appeals. It will be taken into account by the Executive and its agencies in policy and spending decisions.
<b>Water Management</b>	<b>England and Wales</b>	PPG 25: Development and Flood Risk (PPS25: Currently up for Consultation)	2001  (2005)	This guidance explains how flood risk should be considered at all stages of the planning and development process in order to reduce future damage to property and loss of life.  The consultation seeks views on the draft of Planning Policy Statement (PPS) 25: Development and Flood Risk and associated with this, a new Flooding Direction and changes to the GDPO to make the Environment Agency a statutory consultor for certain types of development at flood risk. The intention is that PPS25, together with an accompanying Practice Guide, should replace Planning Policy Guidance Note 25 (PPG25): Development and Flood Risk published in July 2001. The aim of the revision is to focus on national planning policy and 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 planning for development and flood risk.
		PPG 20: Coastal Planning	1992	This note covers planning policy for the coastal areas of England and Wales. It sets the general context for policy (Chapter 1) and identifies planning policies for the coast (Chapter 2). Policies for development that require a coastal location are presented in Chapter 3. Guidance is then given on how these policies should be reflected in development plans (Chapter 4).
	<b>Northern Ireland</b>	PPS15: Planning and Flood Risk (Draft) (DOE 2004)	2004	This Planning Policy Statement, PPS 15 'Planning and Flood Risk sets out the Department's planning policies to reduce flood risk to people, property and the environment. It embodies the Government's commitment to sustainable development and the conservation of biodiversity. It adopts a precautionary approach to decision-making taking account of climate change, and promotes an approach to development supportive to the wellbeing and

				safety of people.
	<b>Scotland</b>	SSP7: Planning and Flooding	2004	Replaces National Planning Policy Guideline (NPPG) 7. SPP 7 sets out the Scottish Executive's planning policy on new development and flooding.
		NPPG 13: Coastal Planning	1997	This National Planning Policy Guideline (NPPG) takes account of recent and likely development pressures on the coast, new nature conservation designations, and the Government's commitment to sustainable development and other relevant Government policies.
<b>Ecology</b>	<b>England and Wales</b>	PPS9: Biodiversity and Geological Conservation	2005	PPS9 sets out planning policies on protection of biodiversity and geological conservation through the planning system.
	<b>Northern Ireland</b>	PPS 2: Planning and Nature Conservation	1997	This Planning Policy Statement describes the statutory framework that helps to protect designated areas, including those of international importance and advises on the treatment of nature conservation issues in development plans. In addition, it outlines the criteria which the Planning Service will employ when processing planning applications which might affect nature conservation interests and to which developers should have regard when preparing proposals.
	<b>Scotland</b>	NPPG14: Natural Heritage	1999	This National Planning Policy Guideline (NPPG) gives guidance on how the Government's policies for the conservation and enhancement of Scotland's natural heritage should be reflected in land use planning. In this context, Scotland's natural heritage includes its plants and animals, its landforms and geology, and its natural beauty and amenity.

## NATIONAL PLANNING LEGISLATION

Subject	Where applicable	Legislation	Year	Purpose/Contents
<b>Spatial Planning</b>	<b>United Kingdom</b>	Planning and Compulsory Purchase Act	2004	Primary planning legislation superseding the Planning and Compensation Act (1991) and the Town and Country Planning Act (1990). The Planning and Compulsory Purchase Act 2004 is a key element of the Government's agenda for speeding up the planning system. The provisions introduce powers which allow for the reform and speeding up of the plans system and an increase in the predictability of planning decisions, the speeding up of the handling of major infrastructure projects and the need for simplified planning zones to be identified in the strategic plan for a region or in relation to Wales. The Act also provides for a number of reforms to make the handling of planning applications by both central government and local authorities quicker and more efficient. There are also provisions to make the planning Acts bind the Crown, fulfilling a long-standing commitment to end the

				<p>Crown's immunity from the planning system. The provisions relating to compulsory purchase powers and compensation will liberalise the compulsory purchase and compensation regimes. They support policies relating to investment in major infrastructure and regeneration. Represents an overall move towards spatial planning from existing land use strategies.</p>
		Planning (Listed Buildings and Conservation Areas) Act	1990 (Amended 2005)	Provides Statutory Guidance on listed buildings and development control in Conservation Areas.
		Town and Country Planning (General Permitted Development) Order	1995	<p>The main purpose of this Order is to grant planning permission for certain classes of development without any requirement for an application to be made under Part III of the Town and Country Planning Act 1990.</p> <p>Schedule 2 to the Order, which is subject to the provisions of the Order and to regulations 60 to 63 of the Conservation (Natural Habitats, &amp;c.) Regulations 1994, sets out these classes of development in detail. In some circumstances, the permission given is subject to extensive qualifications and restrictions.</p>
	<b>Northern Ireland</b>	The Strategic Planning (Northern Ireland) Order	1999	Under the provisions of the Strategic Planning (Northern Ireland) Order 1999 DRD is responsible for co-ordinating the implementation of the Regional Development Strategy and providing guidance.
		Planning (Compensation, etc.) Act (Northern Ireland)	2001	An Act to abolish the right to compensation in respect of certain planning decisions; and to amend Article 121(1) (c) (iv) of the Planning (Northern Ireland) Order 1991.
		Planning (Amendment) (Northern Ireland) Order	2003	Gives the Department for Regional Development a statutory obligation to provide a statement on the conformity of Development Plans with the Regional Development Strategy.
		Planning Reform (Northern Ireland) Order	2006	The Order makes provision for the Department to reform and improve planning processes while also enhancing transparency and community involvement in the planning system. It also amends the Planning (Northern Ireland) Order 1991 to make planning legislation bind the Crown. Many of these provisions will reflect measures in Great Britain (GB) introduced by the Planning and Compulsory Purchase Act 2004 (c.5)
		<b>Wales</b>	The Town and Country Planning (Local Development Plan)(Wales) Regulations	2005
<b>Water</b>	<b>England</b>	The Water Act	2003	Legislation covering England and Wales. Broad

<b>Management</b>	<b>and Wales</b>			<p>aims for long term sustainable water management:</p> <ul style="list-style-type: none"> <li>• the sustainable use of water resources;</li> <li>• strengthening the voice of consumers;</li> <li>• a measured increase in competition; and</li> <li>• the promotion of water conservation.</li> </ul> <p>Also covers aspects such as abstraction.</p>
	<b>Scotland</b>	The Water Environment and Water Services (Scotland) Act	2003	The Act sets out new arrangements for the protection of the water environment and changes how new connections to the public water and sewerage infrastructure are to be funded.
	<b>Northern Ireland</b>	The Water Environment (Water Framework Directive) Regulations (Northern Ireland)	2003	Designed to implement EU Directive at local level. Including River Basin management Plans, River Basin characterisations; economic analysis; abstraction; monitoring; public participation.
<b>Ecology</b>	<b>England and Wales</b>	The Wildlife and Countryside Act	1981	Consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) in Great Britain. It is complimented by the Wildlife and Countryside (Service of Notices) Act 1985, which relates to notices served under the 1981 Act, and the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), which implement Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive). Has been amended by the CroW Act, 2000 (below).
		Conservation (Natural Habitats and Conservation) Regulations (Habitats)	1994 (Amended 1997 and 2000)	Containing five Parts and four Schedules, the Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
		The Countryside and Rights of Way (CROW) Act	2000	Containing five Parts and 16 Schedules, the Act provides for public access on foot to certain types of land, amends the law relating to public rights of way, increases protection for Sites of Special Scientific Interest (SSSI) and strengthens wildlife enforcement legislation, and provides for better management of Areas of Outstanding Natural Beauty (AONB).
	<b>Scotland</b>	The Nature Conservation (Scotland) Act	2004	Containing five Parts and seven Schedules, the Act places duties on public bodies in relation to the conservation of biodiversity, increases protection for Sites of Special Scientific Interest (SSSI), amends legislation on Nature Conservation Orders, provides for Land Management Orders for SSSIs and associated land, strengthens wildlife enforcement legislation, and requires the preparation of a Scottish Fossil Code. The Act

				is compliant with the provisions of the European Convention on Human Rights, requiring consultation where the rights of the individual may be affected by these measures.
	<b>Northern Ireland</b>	The Nature Conservation and Amenity Lands (Northern Ireland) Order	1985	Provides the Department of Environment for Northern Ireland with the power to acquire land for the purpose of managing it as a nature reserve. The Department may also enter into a management agreement with the owners and occupiers of land for this purpose. The Order also makes provision for the establishment of marine nature reserves. Byelaws can be made to protect both nature reserves and marine nature reserves.
		The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland)	1995	Provide for the designation, protection and management of 'European Sites', the protection of 'European Protected Species' and the adaptation of planning and other controls for the protection of European Sites. European Sites are Special Areas of Conservation listed under the EC Habitats Directive and Special Protected Areas classified under the EC Birds Directive.
		The Environment (Northern Ireland) Order	2002	Provides the Department of Environment for Northern Ireland with the power to declare areas of land as Areas of Special Scientific Interest (ASSI) where the land is of special interest by reason of its flora, fauna, geological, physiographical or other features and needs to be protected.
		The Environment (Northern Ireland) Order	2002	Provides the Department of Environment for Northern Ireland with the power to declare areas of land as Areas of Special Scientific Interest (ASSI) where the land is of special interest by reason of its flora, fauna, geological, physiographical or other features and needs to be protected.

## OTHER SUB-NATIONAL PLANNING INSTRUMENTS

Subject	Where applicable	Plan/Strategy	Year	Purpose/Contents
<b>Spatial Planning</b>	<b>England</b>	The East of England Plan	2004 (Draft)	<p>The RSS sets out a strategy to guide planning and development in the East of England to the year 2021. It covers economic development, housing, the environment, transport, waste management, culture, sport and recreation, mineral extraction and implementation. The RSS has a bearing on almost every aspect of the way we live in the region. It aims to improve the quality of life, and sets out proposals which will influence where we choose to work and live and how we move about the region. It also seeks to address issues such as social exclusion, the need for regeneration and the impact of climate change.</p> <p>Current Update: East of England Regional Assembly suspends its endorsement of the Plan due to lack of central government funding</p>

				for essential infrastructure. However, the Assembly reiterated its commitment to the public consultation on the draft East of England Plan in order to gauge response and gather comments on the development proposals.
		The South East Plan	2005	The South East Plan is a major piece of work being carried out by the Assembly. It will set out a vision for the region through to 2026, focusing on improvements that we need to make to ensure the region remains economically successful and an attractive place to live.
		The London Plan	2004	The Mayor is responsible for producing a new planning strategy for London. This replaces the previous strategic planning guidance for London (known as RPG3), issued by the Secretary of State. The London Plan is the name given to the Mayor's spatial development strategy.
		The South West Plan	2004 (Draft)	In the South West, the SWRA prepares the Regional Spatial Strategy (RSS), which reflects national policies and sets out a broad strategy for new development in the region to 2016 and beyond. Following the Government's recent reform of the planning system, local authorities are now drawing up Local Development Frameworks (LDF). These reflect and build on national and regional policies, taking into account local needs and variation.
		The Yorkshire and Humber Regional Spatial Strategy	2005 (Draft)	A further extension to the timetable for preparing the draft RSS has been agreed with Government Ministers at the end of July 2005. The submission of draft RSS to Government will now be mid-December 2005. This change has been agreed to ensure that the draft RSS is based on solid evidence (particularly in terms of the economy and housing) and is prepared with effective input from stakeholders.
		East Midlands RSS (RSS8)	2005	The purpose of the document is to provide a clear, agreed, long-term spatial vision for the region up to 2021. It replaces the Regional Planning Guidance for the region that was published in January 2002.
		West Midlands RSS	June 2004	Published June 2004
		The North West RSS	Draft 2005	Prepared by the North west Regional Authority
		The North East RSS	2005	2005 draft currently up for consultation, due to be published in March 2006
	<b>Wales</b>	The Spatial Plan for Wales	2005	People, Places, Future, the Wales Spatial Plan, published 2005

	<b>Scotland</b>	Spatial Planning Framework	2004	Published Non-statutory National Planning Framework
	<b>Northern Ireland</b>	Shaping Our Future 2025	2005	Shaping Our Future is a Regional Development Strategy which offers a strategic and long-term perspective on the future development of Northern Ireland up to the year 2025. It has been prepared in close consultation with the community and seeks to define an agreed vision for the Region and to frame an agenda which will lead to its achievement. It will influence the future distribution of activities throughout the Region. It is not limited to land use planning but recognises that policies for physical development have an important bearing on other matters.

Table 7: Policy, legislation and other planning instruments on national, including all English levels

## Literature and sources

Links to relevant policy and legislative documents (chapter 1.4) can be found on the following websites:

### England

- PPS 1: Delivering Sustainable Development  
<http://www.odpm.gov.uk/index.asp?id=1143805>
- Regional Planning Guidance (England)  
<http://www.planningportal.gov.uk/england/professionals/en/1020432878443.html>
- PPS 9: Biodiversity and Geological Conservation  
<http://www.odpm.gov.uk/index.asp?id=1143832>
- PPS 11: Regional Spatial Strategies  
<http://www.odpm.gov.uk/index.asp?id=1143839>
- PPS 12: Local Development Frameworks  
<http://www.odpm.gov.uk/index.asp?id=1143846>
- PPS 20: Coastal Planning  
<http://www.odpm.gov.uk/index.asp?id=1144093>
- PPG 25: Development and Flood Risk  
<http://www.odpm.gov.uk/index.asp?id=1144113>
- PPS 25: Development and Flood risk - Currently up for Consultation  
<http://www.odpm.gov.uk/index.asp?id=1162059>
- Planning and Compulsory Purchase Act  
<http://www.opsi.gov.uk/acts/acts2004/20040005.htm>
- Planning (Listed Buildings and Conservation Areas Act)  
<http://www.opsi.gov.uk/si/si2005/20051085.htm>
- Town and Country Planning (General Permitted Development Order)  
[http://www.opsi.gov.uk/si/si1995/Uksi\\_19950418\\_en\\_1.htm](http://www.opsi.gov.uk/si/si1995/Uksi_19950418_en_1.htm)
- The Water Act  
<http://www.opsi.gov.uk/acts/acts2003/20030037.htm>
- The Countryside and Rights of Way (CROW) Act  
<http://www.opsi.gov.uk/acts/acts2000/20000037.htm>
- The East of England Plan  
<http://www.eera.gov.uk/category.asp?cat=452>
- The South East Plan  
<http://www.southeast-ra.gov.uk/southeastplan/>
- The London Plan  
<http://www.london.gov.uk/mayor/strategies/sds/index.jsp>

- The South West Plan  
<http://www.gosw.gov.uk/>
- The Yorkshire and Humber Regional Spatial Strategy  
<http://www.yhassembly.gov.uk/index.cfm?routine=content&channel=Regional%20Spatial%20Strategy>
- East Midland RSS (RSS 8)  
<http://www.emra.gov.uk/publications/rpg.asp>
- West Midlands RSS  
<http://www.wmra.gov.uk/page.asp?id=47>
- The North West RSS  
<http://www.nwra.gov.uk/>
- The North East RSS  
<http://www.northeastassembly.gov.uk/voice/view.cfm?vc=66>

## Scotland

- National Planning Framework for Scotland  
<http://www.scotland.gov.uk/library5/planning/npf04-00.asp>
- SSP 7: Planning and Flooding  
<http://www.scotland.gov.uk/library5/planning/spp7.pdf>
- NPPG 13: Coastal Planning  
<http://www.scotland.gov.uk/Publications/1997/08/nppg13-coastal>
- NPPG 14: Natural Heritage  
<http://www.scotland.gov.uk/Publications/1999/01/nppg14>
- The Water Environment and Water Services (Scotland) Act  
<http://www.opsi.gov.uk/legislation/scotland/en2003/2003en03.htm>
- The Nature Conservation (Scotland) Act  
<http://www.opsi.gov.uk/legislation/scotland/acts2004/20040006.htm>

## Wales

- The Spatial Plan for Wales  
<http://www.wales.gov.uk/themesspatialplan/content/wsp-101104-pt1-e.pdf>

## Northern Ireland

- Shaping Our Future 2015  
[http://www.drdni.gov.uk/DRDwww\\_Strategies/current.asp?id=str16](http://www.drdni.gov.uk/DRDwww_Strategies/current.asp?id=str16)
- PPS 15: Planning and Flood Risk (Draft) (DOE 2004)  
[http://www.planningni.gov.uk/AreaPlans\\_Policy/PPS/pps15/PPS15\\_draft.pdf](http://www.planningni.gov.uk/AreaPlans_Policy/PPS/pps15/PPS15_draft.pdf)
- PPS 2: Planning and Nature Conservation  
[http://www.planningni.gov.uk/AreaPlans\\_Policy/PPS/pps2/PPS2.pdf](http://www.planningni.gov.uk/AreaPlans_Policy/PPS/pps2/PPS2.pdf)
- The Strategic Planning (Northern Ireland) Order

<http://www.drdni.gov.uk/DRDwww%5FLegislation/current.asp?id=leg14>

- Planning (Compensation, etc) Act (Northern Ireland)  
<http://www.opsi.gov.uk/legislation/northernireland/acts/acts2001/20010002.htm>
- Planning (Amendment) (Northern Ireland) Order 2003  
[http://www.drdni.gov.uk/DRDwww\\_Legislation/current.asp?id=leg12](http://www.drdni.gov.uk/DRDwww_Legislation/current.asp?id=leg12)
- The Water Environment (Water Framework Directive) Regulations (Northern Ireland)  
<http://www.ehsni.gov.uk/pubs/publications/finalregs.pdf>

### Whole of UK

- The Wildlife and Countryside Act  
<http://www.jncc.gov.uk/page-1377>
- Conservation (Natural Habits and Conservation Regulations (Habits)  
<http://www.jncc.gov.uk/page-1379>
- Spatial Planning Framework  
<http://www.scotland.gov.uk/Topics/Planning-Building/Planning/15243/2945>
- Shaping Our future 2025  
[http://www.drdni.gov.uk/DRDwww\\_Strategies/current.asp?id=str16](http://www.drdni.gov.uk/DRDwww_Strategies/current.asp?id=str16)

### Listed below are some additional relevant links:

- Defra (2005) Making Space for Water: Taking forward a new Government strategy for flood and coastal erosion risk in England  
<http://www.defra.gov.uk/environ/fcd/policy/strategy/1stres.pdf>
- Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents (ODPM, 2005)  
<http://www.odpm.gov.uk/index.asp?id=1161341>
- The Environment Agency  
<http://www.environment-agency.gov.uk/subjects/flood/?lang= e>  
Includes details of High Level 12, a report on objections made to certain development on flood plains.
- The Joint Nature Conservation Committee  
<http://www.jncc.gov.uk/>
- The Water Framework Directive and Planning: Advice for Local Authorities in England and Wales  
<http://publications.environment-agency.gov.uk/pdf/GEHO0306BKJL-e-e.pdf?lang= e>
- Consultation on River Basin planning guidance (2005)  
<http://www.defra.gov.uk/corporate/consult/wfd/consultation.pdf>
- The Joint Environment Agency/Defra Research and Development on Flood and Coastal Erosion risk management publications and information can be found at:  
<http://www.defra.gov.uk/environ/fcd/research/?lang= e>
- United Kingdom Water Framework Directive Technical Advisory Group (WFD - KTAG)

[www.wfduk.org](http://www.wfduk.org)

- Working with the grain of nature: a biodiversity strategy for England (Defra, 2002)  
[www.defra.gov.uk](http://www.defra.gov.uk)
- Office of National Statistics  
<http://www.statistics.gov.uk/cci/nugget.asp?id=760>