



Marine
Management
Organisation

South West Inshore and South West Offshore Marine Plan

Draft for consultation

January 2020



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References in marine plans to EU legislation, insofar as it is currently, or will become, part of UK law after the UK leaves the EU, may require some changes in relation to rights and obligations under EU legislation. Any such changes will be addressed at the most appropriate point during plan drafting or revision, as required.

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Cover photo: Clovelly, North Devon

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South West Inshore and South West Offshore Marine Plan

1 The South West Marine Plan

1.1 Overall aims

1. The South West Marine Plan introduces a strategic approach to planning within the inshore and offshore waters between the River Severn border with Wales and the River Dart in Devon. It provides a clear, evidence-based approach to inform decision-making by marine users and regulators on where activities might take place within the marine plan areas.
2. The plan applies national policies in a local context, ensuring the needs and aspirations of both of the marine plan areas are reflected. To achieve this, the marine plan has been developed in consultation with stakeholders and in conjunction with government.
3. The plan will enable activities to move more quickly from concept to consent by identifying areas suitable for investment, encouraging earlier and clearer communication between developers and regulatory decision-makers, and by early identification of proposals that are inappropriate or unfeasible.
4. Implementation of the plan's policies, through more informed decision-making, will help to ensure that we optimise use of the marine area's natural capital. This assists in realising greater enhancement and protection of vulnerable habitats and species, and natural defences against climate change and flooding as well as improving the well-being of coastal communities and supporting a strong marine economy.

1.2 Background and introduction

5. A marine plan is required for the south west inshore and the south west offshore marine plan areas shown in Figure 1 ([Marine and Coastal Access Act 2009](#) Section 51). This marine plan has been prepared for the purposes of Section 51 of the [Marine and Coastal Access Act 2009](#) and will be adopted with the agreement of the Secretary of State for Environment, Food and Rural Affairs. Because of commonalities and dependencies between the two marine plan areas, a single document has been produced (the South West Marine Plan). It is acknowledged that they remain two separate plans – the South West Inshore Marine Plan and the South West Offshore Marine Plan. The South West Marine Plan document is supported by a Technical Annex, which

includes further detail on policy implementation and must be read alongside the South West Marine Plan to implement the plan policies¹.

6. The South West Marine Plan will help to enhance and protect the marine environment and achieve sustainable economic growth, whilst respecting local communities both within and adjacent to the marine plan areas. Policies are presented within an economic, social and environmental framework, helping to deliver the high level marine objectives set out in the [Marine Policy Statement](#)². Other relevant government priorities benefit from this approach such as those set out in the [25 Year Environment Plan](#), the [Clean Growth Strategy](#) and sustainable development³ of the marine area.
7. The plan is an enabling mechanism, providing greater certainty about where activities could best take place and assisting users in determining preferred locations. Specifically, the South West Marine Plan:
 - enables efficient use of space, highlighting the need and opportunities for co-existence in areas with high concentrations of activity or where the geography of the area do not allow alternatives
 - clarifies where co-existence is not appropriate, and where activities should be avoided
 - enables communication and negotiation where co-existence is an option, so impacts can be mitigated or minimised. In some cases where impacts cannot be minimised but where proposals will bring other benefits, the plan enables these to be taken into account in the decision-making process
 - gives greater certainty around current activity by providing real time data through the [Explore Marine Plans](#) digital service
 - provides appropriate safeguarding for areas of future resource potential where evidence allows
 - allows flexibility where evidence is limited so developers and decision-makers are able to apply their knowledge and experience
 - supports the development of proposals by:
 - setting out requirements that apply irrespective of specific location, including how an activity or development is undertaken
 - identifying factors within the specific opportunities and challenges identified in the south west marine plan areas which will improve the chances of success within the decision-making process. One example is encouraging proposals to sustain local jobs, draw on the local skills base and support diversification

¹ [The South West Marine Plan Technical Annex](#)

² HM Government, [Marine Policy Statement](#) 2011

³ As defined in the United Kingdom [Sustainable Development Strategy](#)

- providing context for when ‘imperative reasons of overriding public interest’ are being considered⁴ such as the need for nationally significant infrastructure
 - increasing awareness of which other relevant legislation, guidance and existing measures should or must be taken into consideration
 - reiterating the importance of other relevant project-level regulation and assessment within the decision-making process
8. Section 1 of the plan provides essential background information, section 2 includes, the vision, objectives and plan policies, section 3 provides guidance for those using and implementing the plan and section 4 includes a description of how monitoring, reporting and review will be carried out.

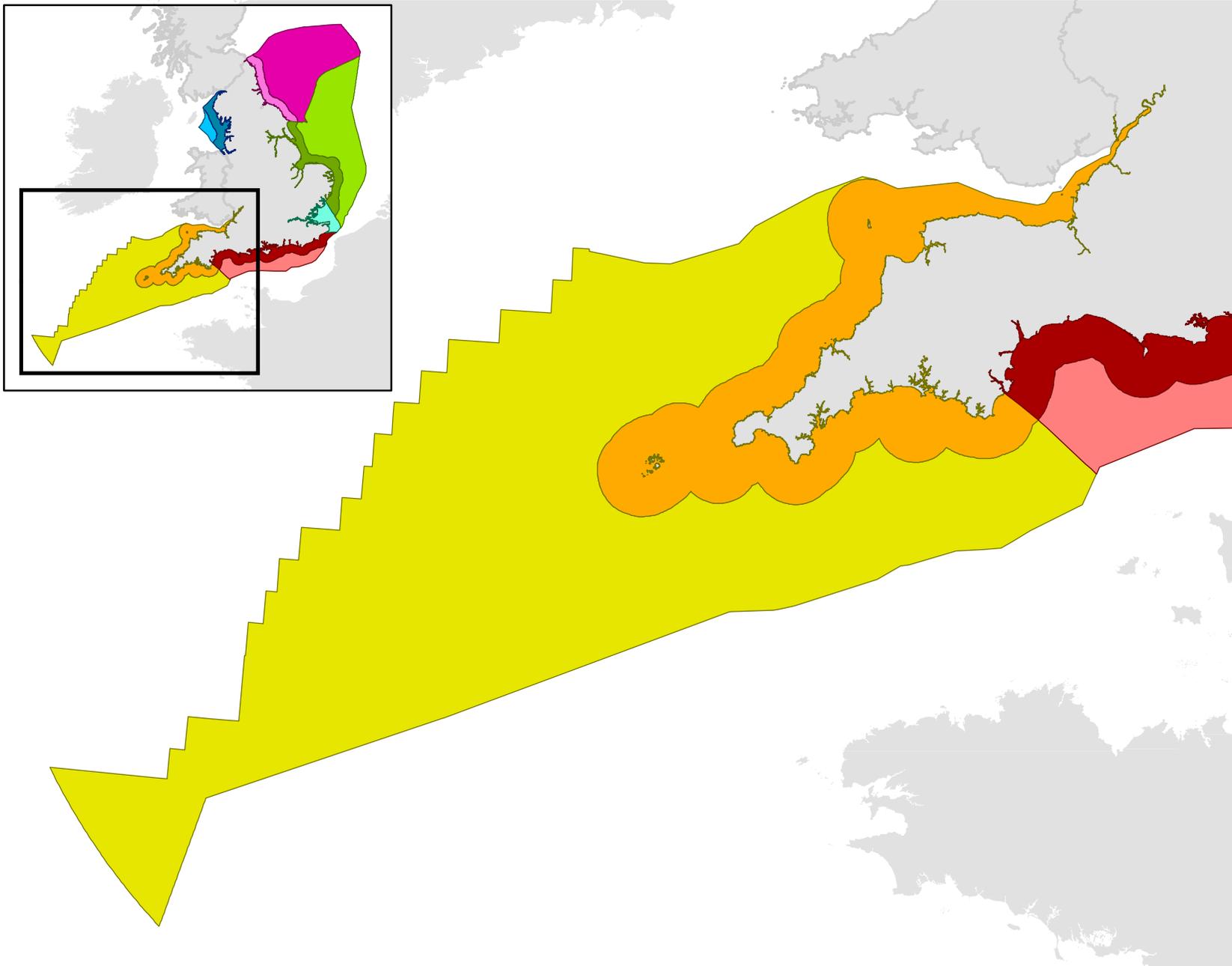
⁴ Considerations of overriding public interest defined in Section 64 of [The Conservation of Habitats and Species Regulations 2017](#) and section 29 of [The Conservation of Offshore Marine Habitats and Species Regulations 2017](#) (please note both pieces of legislation have since been amended by [The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019](#)).



Figure 1 | South West Inshore and Offshore Marine Plan Areas

Information map

This map is to be used for reference only. Please refer to Explore Marine Plans for a detailed view of the data and to interrogate plan policies.



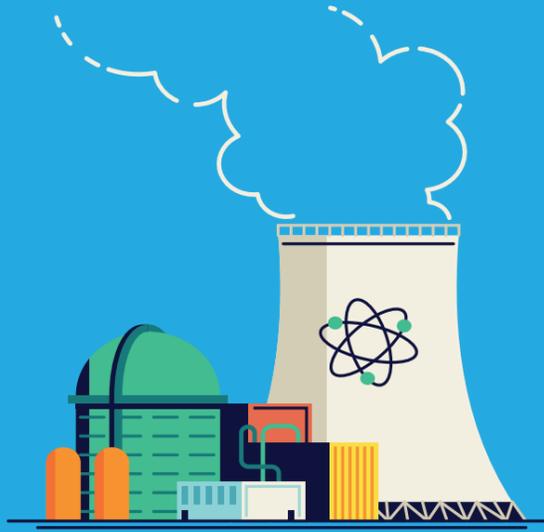
Marine Plan Areas

- East Inshore
- East Offshore
- North East Inshore
- North East Offshore
- North West Inshore
- North West Offshore
- South East Inshore
- South West Inshore
- South West Offshore
- South Inshore
- South Offshore

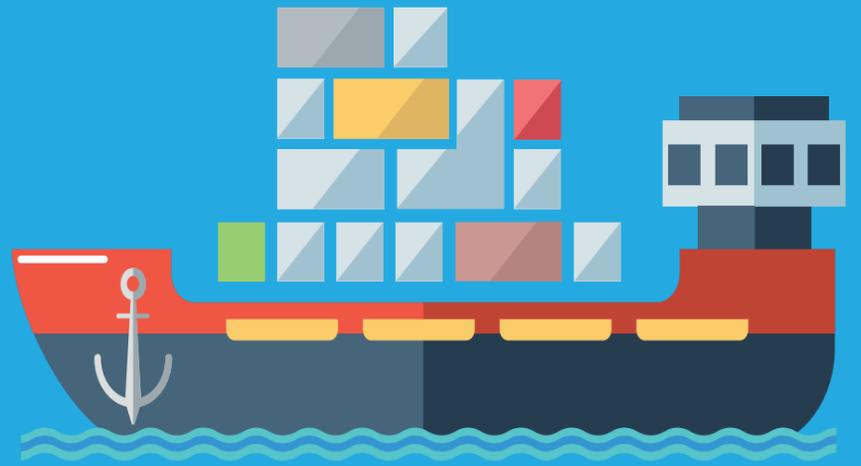
Date: August 2019
Coordinate System: ETRS 1989 UTM Zone 30N
Projection: Transverse Mercator
Datum: ETRS 1989

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South West marine plan areas



Hinkley Point C will create **25,000** jobs and provide **3.2GW** of reliable, low carbon power



11.6 Mt of freight transported through the major ports in 2015



13,000 and **12,000 tonnes** of fish landed in Plymouth and Newlyn during 2015



Largest Naval base in Western Europe and home to the Royal Navy

20



Of the **53** protected wreck sites in England



809km designated heritage coast



43 Designated Marine Protected Areas

1.3 The south west inshore and offshore marine plan areas

9. The south west inshore marine plan area covers an area of approximately 2,000 kilometres of coastline stretching from the River Severn border with Wales to the River Dart in Devon, taking in a total of approximately 16,000 square kilometres of sea. Wales, and its marine area and the south marine plan areas border the south west inshore marine plan area. It includes:
 - the area from mean high water spring tide to 12nm
 - any area submerged at mean high water spring tide
 - the waters of any estuary, river or channel, so far as the tide flows at mean high water spring tide
 - waters in any area which is closed (permanently or intermittently) by a lock or other artificial means against the regular action of the tide, but into and from which seawater is caused or permitted to flow (continuously or occasionally)
10. The south west offshore marine plan area includes the area from 12 nautical miles extending out to the seaward limit of the Exclusive Economic Zone, a total of approximately 68,000 square kilometres of sea. Wales, France, Ireland, Guernsey and south marine plan areas border the south west marine plan areas.
11. The south west marine plan areas are the largest of all of England's marine plan areas and relatively less busy in some parts compared to other plan areas. They include an open, dramatic coastline in the inshore, England's only deep water habitats in the offshore, and the only oceanic archipelago – the Isles of Scilly - in the UK. The communities that exist within the south west have a strong maritime heritage and are intrinsically linked to the marine area. Communities are predominantly rural, with several urban areas particularly alongside the Severn estuary. Within the plan areas there are 16 local authorities (including six unitary authorities), five Areas of Outstanding Natural Beauty, North Devon's UNESCO Biosphere Reserve and Exmoor National Park. The south west inshore marine plan area borders over 50% of England's heritage coast
12. The south west marine plan areas are home to a number of activities of economic importance, in particular the areas are home to the greatest number of fishing vessels in England. Associated ports such as Newlyn and Plymouth are important for supporting the fishing industry. Ports in the south west inshore marine plan area are important for cargo, ferry and roll-on/roll-off services, providing links to continental Europe and the Isles of Scilly. In addition to traditional industries there are innovative approaches to renewable energy projects being developed and implemented across the south west marine plan areas, making use of the significant tidal and wind resources. There is a significant amount of underwater cabling, including large international fibre optic telecom cables crossing the North Atlantic. There are marine aggregate exploration and option areas in the Bristol Channel.

13. The south west marine plan areas have a unique character that is highly valued by local communities and visitors alike. The south west is a popular tourist destination, with visitors attracted by mild weather, diverse landscapes, iconic heritage sites and varied recreational opportunities such as surfing in Cornwall or as a cruise vessel destination. Tourism and recreation activities contribute significantly to the local economy.
14. The south west marine plan areas have a rich military heritage. An example of this is in Devonport which has the largest naval base in western Europe and has been supporting the Royal Navy since 1691. Military activities in the south west marine plan areas are diverse and range from operational vessels, naval bases, surface and sub-surface navigational interests, access to underwater acoustic ranges, as well as training areas. For example there are over 13,000km² of military practice and exercise areas used for military training.
15. The south west marine plan areas contain a diverse range of habitats and species. There are a significant number of statutory designations for protecting the marine environment within and bordering the south west marine plan areas. The inshore marine plan area contains the most sites of special scientific interest of all English marine plan areas. The offshore marine plan area contains England's only deep water habitats. The Severn Estuary contains expansive sand and mudflats, reclaimed saltmarsh, rocky intertidal areas and extensive wet grasslands. Habitats surrounding the Bristol Channel include coastal cliffs, estuarine habitats and biogenic reefs. Sand and gravel banks are classified as important wetlands. The rugged coastline at Lands End comprises sea cliffs, deep inlets, coves and submerged reefs. Priority habitats include Maerl beds, sheltered muddy gravels, intertidal boulder communities, coastal saltmarsh, seagrass beds and intertidal mudflats. Habitats in the south west marine plan areas support an abundance of species, including seabirds, waterfowl, seals, cold water corals and basking shark.

1.4 Legal and policy context

16. Marine plans are prepared under the policy framework provided by the [Marine Policy Statement](#), and together they underpin the marine planning system for England. The [Marine Policy Statement](#) builds on the shared UK wide [high level marine objectives](#), and provides an overview of the relevant national policy, including the [National Planning Policy Framework](#) and associated [National Policy Statements](#).
17. The South West Marine Plan conforms to the [Marine and Coastal Access Act 2009](#) and [Marine Policy Statement](#) requirements. Where relevant, it also takes account of informal guidance set out within the marine planning [description document](#) prepared by the Department for Environment, Food and Rural Affairs.
18. During the development of the South West Marine Plan all reasonable steps were taken, as required by the [Marine and Coastal Access Act 2009](#), to

ensure the South West Marine Plan is compatible with marine plans for marine areas related to the south west marine plan areas⁵, including the [South Marine Plan](#) and the [Welsh National Marine Plan](#). All reasonable steps were also taken, as required by the [Marine and Coastal Access Act 2009](#), to ensure the South West Marine Plan is compatible with any related relevant development plans⁶ (or their equivalent). Public and local authorities responsible for other plans affecting the south west marine plan areas⁷, for example River Basin Management Plans, have been engaged throughout the development of the South West Marine Plan. Further details can be found in Appendix 2 of the South West Marine Plan Technical Annex.

19. The plan also takes account of the duty to co-operate with public authorities⁸ in the preparation of relevant plans (under the [Planning and Compulsory Purchase Act 2004](#) Section 33A, as amended by the [Localism Act 2011](#)) in the English inshore region, the English offshore region or any part of either of those regions. The duty to co-operate requires local authorities and other public bodies to engage constructively, actively and on an ongoing basis⁹. That duty applies to the marine plans, their implementation and any subsequent revisions. These requirements, together with the option for communities to formulate their own neighbourhood plans, bring new opportunities for an integrated planning system for land and sea. There is also a duty placed on all relevant authorities to have regard to the purposes for which National Parks are designated (under the [National Parks and Access to the Countryside Act 1949](#) Section 11A).
20. The South West Marine Plan has been prepared in accordance with, and gives consideration to, the EU [Maritime Spatial Planning Directive](#) (2014/89/EU) which supports the [Integrated Maritime Policy](#) for the European Union. The directive introduces a framework for maritime spatial planning and encourages sustainable development of marine areas and resources. It also sets out minimum requirements, which have been addressed in the South West Marine Plan.
21. As a result of the above, the South West Marine Plan:
- provides a strategic approach to decision-making, considering future use and providing a clear approach to managing resources, activities and interactions within the south west marine plan areas
 - reduces burden, providing developers with greater clarity on where to invest, encouraging public authorities and plan users to communicate earlier in the process

⁵ HM Government [Marine and Coastal Access Act 2009](#) Schedule 6 3(1)

⁶ HM Government [Marine and Coastal Access Act 2009](#) Schedule 6 3(2)

⁷ HM Government [Marine and Coastal Access Act 2009](#) Schedule 6 9(2)(h)

⁸ Prescribed bodies are currently set out in Regulation 4 of [The Town & Country Planning \(Local Planning\) \(England\) Regulations 2012](#) (SI 2012/767)

⁹ [A Plain English Guide to the Localism Act](#)

- enables projects to move more quickly from concept to consent, reducing the number of inappropriate or unfeasible proposals, saving time and resources
- applies and clarifies national policy and existing measures, taking account of the issues, opportunities, and characteristics of the south west marine plan areas – marine plans do not establish new requirements
- addresses potential cumulative effects of impacts from the many and increasing pressures
- takes an ecosystem approach and reflects the benefit of clean and healthy seas and natural capital to provide ecosystem goods and services
- complements current measures where appropriate
- takes all reasonable steps to make sure compatibility with any related relevant development plans¹⁰ (or their equivalent), and having regard to other plans¹¹, is in line with the principles of Integrated Coastal Zone Management, addressing the importance of land-sea interactions
- contributes to the [Marine Strategy](#)¹²
- is based on sound evidence as far as possible¹³, is informed by consultation with stakeholders and makes use of available data and existing management measures where appropriate

22. The draft Marine Plan applies legislation and policies across government in a sub-regional context, ensuring the needs and aspirations of marine plan areas are reflected. National policy and priorities evolve in response to emerging issues and concepts, for example climate change and its implications for the marine environment or applying a natural capital approach or applying nature-based solutions to solving environmental issues. New legislation could set out new and additional considerations for marine planning, for example in relation to Highly Protected Marine Areas (HMPA) if considered necessary following the HMPA Review. The draft Marine Plan is the result of a long process to examine available evidence, identify local priorities and meet stakeholder expectations in the context of current national policy. It represents the most up to date thinking on emerging concepts and developing legislation. Amendments made to the Marine Plan following public consultation offer an opportunity to update the plan in line with new legislation and government policy alongside responses to the consultation. The statutory reporting cycle for Marine Plans at a frequency of no less than three years provides further opportunity for Marine Plans to be reviewed and amended.

¹⁰ HM Government [Marine and Coastal Access Act 2009](#) Schedule 6 3(2)

¹¹ Technical Annex appendix 2. Note, further to the requirement to ensure compatibility with any marine plan related to the plan area ([Marine and Coastal Access Act 2009](#) Schedule 6 3(1)) there are two marine plans that border the south west marine plan areas: [Welsh National Marine Plan](#) and the [South Marine Plan](#)

¹² The Technical Annex sets out the detail of the Marine Strategy and how the plan will contribute to delivery.

¹³ Where evidence is inconclusive, decision-makers should make reasonable efforts to fill evidence gaps but will need to apply precaution within an overall risk-based approach, in accordance with the sustainable development policies of the UK Administrations.

1.5 Overview of plan development and supporting documents

23. Stakeholders and government officials across all relevant departments including those relating to retained functions eg defence, local and other authorities and representatives of devolved administrations and bordering nations whose authorities were notified of the intention to prepare the marine plan (see table 6 in the Technical Annex), have been central to the development of the plan. All stages of preparing the South West Marine Plan have been supported by ongoing formal and informal public engagement. Details of the engagement approach and activities are set out in the [Statement of Public Participation](#). The South West Marine Plan was developed iteratively in nine month development blocks followed by three months of engagement. Stakeholder input from the engagement periods was incorporated into the following iteration of plan development. The third and final iteration of the South West Marine Plan was followed with a more [detailed summary](#) of responses and actions ahead of consultation on the draft South West Marine Plan. Material produced through the iterations in preparation of the plan can be found in the South West Marine Plan [core development documents](#).
24. Assessments undertaken as part of the South West Marine Plan's preparation are the:
- [Sustainability Appraisal](#) as required by the [Marine and Coastal Access Act 2009](#) (Schedule 6 paragraph 10) – appraises the social, economic and environmental impacts of the South West Marine Plan and makes sure sustainable development is at the heart of the plan making process
 - [Habitats Regulations Assessment](#) – fulfils the requirements of [The Conservation of Habitats and Species Regulations 2017](#)¹⁴ and [The Conservation of Offshore Habitats and Species Regulations 2017](#)¹⁵

¹⁴ As amended by [The Conservation of Habitats and Species Regulations \(Amendment\) \(EU Exit\) Regulations 2019](#)

¹⁵ As amended by the [Conservation of Habitats and Species Regulations \(Amendment\) \(EU Exit\) Regulations 2019](#)

2 Vision, objectives and policies

2.1 Vision

The vision for the south west marine plan areas in 2041

As England's Ocean Peninsula the south west marine plan areas are sustainably developed and thriving based on their unique nature and close links to the maritime area in terms of economy, society, environment and governance. Across the region fishing, tourism, port development and harbour regeneration, with the associated safeguarded or new infrastructure, support a strong and diversified maritime economy which encourages economic growth and employment. Emerging and innovative renewable energy opportunities have been realised in relevant locations throughout the south west marine plan areas.

Community wellbeing, cohesion and recognition of natural and cultural heritage is enhanced by increased sustainable access to the marine area. Management along the coast and in estuaries has enhanced resilience to climate change, such as in the protection and use of saltmarsh in the Severn Estuary. The region's close economic and social ties to defence on the south Devon coast continue to be supported.

Authorities and relevant organisations are working together to successfully apply an ecosystem approach to protect and enhance the diverse and characteristic natural environment and ecological communities of the region. Transboundary effects are considered effectively through close liaison across regional, national and international borders.

25. The vision for the south west marine plan areas in 2041 reflects the challenges and opportunities that exist in the plan areas. The vision was developed through stakeholder engagement and taking account of the approach to drafting plans, national policy and the evidence base. Detail on how the south west marine plan areas will look as a result of the vision being achieved can be found in the Technical Annex.

2.2 Objectives

26. The vision for the South West Marine Plan will be achieved through the marine plan objectives (Table 1). The plan objectives reflect engagement with stakeholders and government throughout the planning process. As a result of stakeholder feedback, together with experience and lessons from the development of earlier marine plans, it was concluded that relevant high level marine objectives set out in the [Marine Policy Statement](#) would be appropriate to use as the objectives for the South West Marine Plan. The 'generic' high level marine objectives are made specific to the vision for South West Marine Plan by the evidence and issues that describe opportunities and challenges in the south west marine plan areas over the next 20 years ([marine planning issues and evidence database](#)). As a result, the high level marine objectives, underpinned by the evidence, issues and policies specific to the south west marine plan areas, form the plan objectives listed in Table 1.

27. High level marine objectives relevant to the South West Marine Plan are only those which are mainly delivered through plan policies. Therefore, the plan objectives are based on the economic, social and environmental high level marine objectives. Those high level marine objectives that are to do with process or largely delivered through other mechanisms, such as plan development or implementation of marine plans as a whole¹⁶, are not appropriate to use as plan objectives. Instead, these can be considered as 'supporting' objectives to the plan. The Technical Annex provides more information on the plan objectives and supporting objectives.
28. Plan objectives are cross-cutting rather than topic or sector specific. The order of the objectives does not reflect their priority. Economic, social and environmental objectives must be considered equally alongside one another. Plan objectives should be applied in an integrated way, though not every objective will apply to every situation and in every location.
29. For detail on the objectives see Table 1 of the Technical Annex which outlines the relevance and importance of each plan objective to the south west marine plan areas. Detail on the contribution of policies to each objective can be found in Table 2 of the Technical Annex. The Technical Annex also includes 'signposting' to existing legislation, guidance and best practice which may aid implementation of the plan objectives through informing decision-making and the development of proposals.

¹⁶ For example, objective 17 'Marine businesses are subject to clear, timely, proportionate and, where appropriate, plan-led regulation' will be achieved through the development and implementation of marine planning as a whole rather than specific policies.

Table 1: Objectives of the South West Marine Plan

| Achieving a sustainable marine economy | |
|--|---|
| 1 | Infrastructure is in place to support and promote safe, profitable and efficient marine businesses. |
| 2 | The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future. |
| 3 | Marine businesses are taking long-term strategic decisions and managing risks effectively. They are competitive and operating efficiently. |
| 4 | Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the market place. |
| Ensuring a strong, healthy and just society | |
| 5 | People appreciate the diversity of the marine environment, its seascapes, its natural and cultural heritage and its resources and can act responsibly. |
| 6 | The use of the marine environment is benefiting society as a whole, contributing to resilient and cohesive communities that can adapt to coastal erosion and flood risk, as well as contributing to physical and mental wellbeing. |
| 7 | The coast, seas, oceans and their resources are safe to use. |
| 8 | The marine environment plays an important role in mitigating climate change. |
| 9 | There is equitable access for those who want to use and enjoy the coast, seas and their wide range of resources and assets and recognition that for some island and peripheral communities the sea plays a significant role in their community. |
| 10 | Use of the marine environment will recognise, and integrate with, defence priorities, including the strengthening of international peace and stability and the defence of the United Kingdom and its interests. |
| Living within environmental limits | |
| 11 | Biodiversity is protected, conserved and, where appropriate, recovered, and loss has been halted. |
| 12 | Healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystems. |
| 13 | Our oceans support viable populations of representative, rare, vulnerable, and valued species. |

2.3 Policies

30. Policies contained in the South West Marine Plan support delivery of the plan objectives to achieve the vision and address issues (challenges and opportunities) identified in the [south west marine plan areas](#). Where a plan objective cannot be achieved through existing legislation, new policies have been drafted. The policies may also clarify existing requirements or make them relevant to the plan areas.
31. Policies cover a wide range of topics including activities and uses, economic, social and environmental considerations, and cross-cutting issues such as integration of decision-making on land and at sea. Table 2 shows the relationship between the marine plan policies and the plan objectives. Each policy has a unique reference code, for example SW-BIO-1. Policy aims are provided in Table 2 to explain how the policies guide decisions and support the application of plan objectives. Related policies are presented alongside each other in the Technical Annex with shared supporting text where appropriate to avoid duplication, for example SW-AQ-1 and SW-AQ-2.
32. Some policies apply across the whole of the inshore and offshore marine plan areas and some may apply to specific areas. Plan policies and relevant supporting information have been expressed spatially where possible. Maps are presented in the Technical Annex and on the [Explore Marine Plans](#) digital service, together with guidance on use of the latest data and information.
33. The Technical Annex provides more detail on what each policy covers, why it is important and where and how the policy will be implemented. Unless stated otherwise in the Technical Annex, policies apply all year round. The Technical Annex also provides guidance on use of the latest data and information to support application of policies. Both the Technical Annex and the [Explore Marine Plans](#) digital service should be used alongside this plan.
34. The marine plan must be read as a whole, taking all plan policies together rather than each policy in isolation. It is unlikely that a particular decision will involve a single policy or all policies. Instead, several plan policies are likely to be pertinent to a decision. Decision-makers, working with proponents and others as necessary, are to determine which plan policies (and associated maps) apply to a particular decision.

Table 2: Policies of the South West Marine Plan

The page numbers identify the location in the South West Marine Plan Technical Annex where the policy is described in detail

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|-----------------------|-------------|--|--|-------------------------------|------|
| Infrastructure | SW-INF-1 | Appropriate land-based infrastructure which facilitates marine activity (and vice versa) including the diversification or regeneration of marine industries, should be supported. | Many marine activities in the south west and adjacent marine plan areas are reliant on land based infrastructure in the south west inshore marine plan area. Supporting infrastructure development, diversification or regeneration will provide economic and social benefits and support marine business, including those that are land based. SW-INF-1 supports integration between the marine and terrestrial systems by encouraging proposals and other measures that maintain existing or provide new infrastructure in the intertidal area that facilitates marine activity. | 1 | 32 |
| Co-existence | SW-CO-1 | <p>Proposals that optimise the use of space and incorporate opportunities for co-existence and co-operation with existing activities will be supported.</p> <p>Where potential conflicts with existing activities are likely (including displacement) proposals must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts on existing activities (including displacement) d) if it is not possible to mitigate significant adverse impacts on existing activities | The south west marine plan areas, and in particular the inshore area, are busy areas where space is limited. To realise sustainable social, environmental and economic benefits it is therefore important to plan for and make efficient use of the space. SW-CO-1 encourages proposals to be spatially planned, take account of existing activities, and promote co-existence. The policy ensures new activities seek to avoid creating conflicts and to minimise their footprint. | 2, 4, 6, 8, 9, 10, 11, 12, 13 | 36 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|------------|-------------|--|--|-----------------|------|
| | | (including displacement), proposals should state the case for proceeding. | | | |
| Aggregates | SW-AGG-1 | Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the other development or activity is compatible with aggregate extraction. | <p>SW-AGG-1 safeguards marine aggregate licence areas from other activities, unless it is demonstrated that the other activities are compatible with marine aggregate extraction. This enables continuity of supply of construction aggregate and supports local and national objectives and economies.</p> <p>Current active marine aggregate dredging sites or areas subject to Exploration or Option Agreements in the south west marine plan areas can be viewed in Figure 4. However, growing pressures on traditional land-based aggregates means that these areas may change with time. It is therefore important to safeguard potential future aggregates resources. There are also areas of high potential aggregate resource which would support this future extraction.</p> | 2, 3 | 43 |
| | SW-AGG-2 | Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction. | SW-AGG-2 safeguards marine aggregate Exploration and Option Agreement areas to enable the aggregate industry to explore defined areas to identify commercially viable aggregate resource. Proposals will only be supported if they are compatible with marine aggregate extraction. This enables future supply of construction aggregate and supports local and national objectives and economies. | 2, 3 | 43 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|--------------------|-------------|--|--|-----------------|------|
| | SW-AGG-3 | <p>Proposals in areas where high potential aggregate resource occurs should demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate significant adverse impacts on aggregate extraction d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p> | <p>SW-AGG-3 ensures that proposals consider areas of high potential aggregate resource, as defined by the British Geological Survey. It ensures that any impacts on access to commercially viable marine sand and gravel resources in the future are managed, enabling secure access to sufficient supply of aggregate resources.</p> | 2, 3 | 43 |
| Aquaculture | SW-AQ-1 | <p>Proposals within existing or potential strategic areas of sustainable aquaculture production must demonstrate consideration of and compatibility with sustainable aquaculture production.</p> <p>Where compatibility is not possible, proposals must demonstrate that they will, in order of preference:</p> <p>a) avoid, b) minimise, c) mitigate significant adverse impacts on sustainable aquaculture production, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p> | <p>The policy recognises that aquaculture is an important industry with potential to grow, contributing to food supply and security. SW-AQ-1 seeks to protect both existing aquaculture operations as well as opportunities for aquaculture in strategic areas of sustainable aquaculture production. These strategic areas have been spatially defined for species of commercial importance by considering environmental factors, technical constraints and other users of the sea (planning constraints).</p> <p>The policy does not prevent other developments or activities; it supports sustainable aquaculture production by spatially defining areas where other industries are required to demonstrate compatibility with aquaculture. If this cannot be demonstrated, proposals must avoid, minimise or mitigate significant adverse impacts on sustainable aquaculture production, or state the case for proceeding if mitigation is not possible.</p> | 2, 4 | 50 |

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| | SW-AQ-2 | Proposals enabling the provision of infrastructure for sustainable aquaculture and related industries will be supported. | SW-AQ-2 aims to tackle barriers to aquaculture by encouraging the provision, maintenance and development of marine and land infrastructure to support sustainable aquaculture and related industries. This policy supports the development of sustainable aquaculture projects by ensuring connectivity between marine operations and land infrastructure, which will ensure opportunities for aquaculture are realised. Due to the overlap between some shore side aquaculture and fisheries infrastructure, SW-AQ-2 supports integration of aquaculture with the fishing industry, and the diversification of fishers. This policy will also benefit employment and development of skills in coastal communities. | 1, 2 | 50 |
| Cables | SW-CAB-1 | <p>Preference should be given to proposals for cable installation where the method of installation is burial.</p> <p>Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.</p> | Submarine cabling is important to the growth and sustainability of telecommunications, offshore wind farms and electricity transmission. SW-CAB-1 supports and encourages cable burial where possible to meet the needs of the sector whilst enabling the co-existence with other users of the south west marine plan areas. | 3, 4 | 59 |

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| | SW-CAB-2 | <p>Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported.</p> <p>Where this is not possible proposals will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts on new and existing landfall sites, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding. | <p>Subsea cabling is important to the growth and sustainability of telecommunications, offshore wind farms and electricity transmission. Existing and potential future landfall sites for subsea cables are not currently protected from other uses, which may prevent these sites being used as cable landfall locations. SW-CAB-2 seeks to avoid the loss of existing and potential future landfall sites and supports proposals that consider the requirement for future cable landfall opportunities, ensuring that socially and economically vital cable activities can continue.</p> | 1, 3 | 59 |
| | SW-CAB-3 | <p>Where seeking to locate close to existing sub-sea cables, proposals should demonstrate compatibility with ongoing function, maintenance and decommissioning activities of the cable.</p> | <p>SW-CAB-3 protects the continued function, maintenance and decommissioning of subsea cables, up to the point of landfall.</p> | 3, 4 | 59 |
| <i>Dredging and disposal</i> | SW-DD-1 | <p>In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.</p> | <p>Dredge areas, and the area surrounding these that are required for dredge activity to take place, are often affected by new proposals, including cables or built infrastructure, that negatively impact the ability to access or egress from these sites. SW-DD-1 ensures continued safe access by vessels to ports and harbours over the lifetime of the South West Marine Plans. Adjacent areas in this policy are defined as those identified to be necessary to dredge activity. This policy discourages proposals that would cause significant adverse impacts on dredge activities, due to the need</p> | 2 | 67 |

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| | | | for related vessels to navigate to and from authorised dredge areas. | | |
| | SW-DD-2 | <p>Proposals that cause significant adverse impacts on licensed disposal areas should not be supported.</p> <p>Proposals that cannot avoid such impacts must, in order of preference:</p> <ul style="list-style-type: none"> a) minimise b) mitigate or c) if it is not possible to mitigate the significant adverse impacts, proposals must state the case for proceeding. | <p>Disposal areas, and the areas surrounding these that are required for the disposal activity to take place, are often impacted on by new proposals, including cables or built infrastructure, that negatively impact the ability to access or egress from these sites. SW-DD-2 ensures that disposal areas are not compromised, reducing the need to designate new disposal sites which are not intended for alternative use, reducing environmental impacts. Adjacent areas in this policy are defined as those identified to be necessary for disposal activity. This policy discourages proposals that would cause significant adverse impacts on disposal activities, due to the need for vessels to navigate safely to and from disposal sites.</p> <p>Preserving current disposal sites, particularly where sites are being used for beneficial and alternative use, will enable the growth of ports within the south west inshore marine plan area. Over the 20 year life span of the plan this may become more prevalent in the developing economic climate.</p> | 2 | 67 |

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| | SW-DD-3 | Proposals for the disposal of dredged material must demonstrate that they have been assessed against the waste hierarchy. Where there is the need to identify new dredge disposal sites, proposals should be supported which are subject to best practice and guidance. | As a result of dredging activity, disposal of this material is often required, whether this is direct disposal as a last resort in the waste hierarchy or disposal of material for alternative uses. SW-DD-3 provides a source of best practice and guidance for the designation of new dredge disposal sites. This is required as the demand increases for new disposal sites, and encourages early consideration of impacts to avoid conflicts during the proposal process. The establishment of new dredge disposal sites should only be explored after previous levels within the waste hierarchy have been considered and where the disposal is for the purposes of alternative use. If existing designated disposal sites cannot be used, for example where sediment size does not match or there are particular constraints, and the potential to utilise closed or disused sites has been fully investigated and discounted, the designation of new dredge disposal sites may also be required. | 2 | 67 |
| Oil and gas | SW-OG-1 | Proposals in areas where a licence for oil and gas has been granted or formally applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with the oil and gas activity. | <p>The potential to extract oil and gas is important to the UK's energy supply. However, oil and gas exploration and production may require access to the same area of seabed within existing licenses as other sector proposals. This policy safeguards areas where there are existing licenses but recognises that proposals which demonstrate compatibility with oil and gas activities may be supported.</p> <p>The policy gives clarity on dealing with potential future conflicts with other users who may want to use the same space as oil and gas extraction activities by supporting co-existence opportunities for different users</p> | 2, 3 | 79 |

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| | | | <p>of the south west marine plan areas. This supports the UK in meeting its energy and security objectives, as activities that may impact or sterilise areas that may be used for potential oil and gas extraction would hinder the fulfilment of the objectives of the Marine Policy Statement and the UK's energy objectives.</p> | | |
| | SW-OG-2 | <p>Proposals within areas of geological oil and gas extraction potential demonstrating compatibility with future extraction activity will be supported.</p> | <p>Maximising economic recovery of oil and gas resources may require access to discoveries that have not yet been developed. However, future oil and gas extraction proposals may require access to the same area of seabed as other proposals. This policy safeguards areas identified as having geological potential for future oil and gas extraction by supporting proposals that take future oil and gas extraction into account.</p> <p>The policy gives clarity on dealing with potential future conflicts with other users who may want to use the same space as oil and gas extraction activities by supporting co-existence opportunities for different users of the south west marine plan area. This supports the UK in meeting its energy and security objectives, as activities that may impact or sterilise areas that may be used for potential oil and gas extraction would hinder the fulfilment of the objectives of the Marine Policy Statement and the UK's energy objectives.</p> | 2, 3 | 79 |

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| Ports, harbours and shipping | SW-PS-1 | <p>Only proposals demonstrating compatibility with current activity and future opportunity for sustainable expansion of port and harbour activities will be supported.</p> <p>Proposals that may have a significant adverse impact upon current activity and future opportunity for expansion of port and harbour activities must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding. | <p>Ports and harbours are essential to realise economic and social benefits for the south west marine plan areas and the UK. SW-PS-1 makes sure proposals do not restrict current port and harbour activity or future growth, enabling long-term strategic decisions, and supporting competitive and efficient port and shipping operations.</p> <p>SW-PS-1 provides clarity on how the economic interests of ports and harbours should be protected and makes sure new development does not restrict current activities or future growth. This policy protects the efficiency and resilience of continuing port operations, and further port development (Marine Policy Statement 3.4.7). The sustainable development of ports (increase in shipping activity) is supported by the Marine Policy Statement (3.4.10). This policy also complements and supports the National Policy Statement for Ports, setting provisions for port growth in the context of the management and development of other activities. Policy SW-PS-1 supports the Government policy for ports (National Policy Statement for Ports 3.3). It is recognised that although not all ports are able, or wish to grow physically, there will remain a need to be commercially viable through adaptation, change, and diversification. Also recognised is the need to ensure safe navigation both within and in the approaches to ports, both at the present time and into the future. This policy supports continued port maintenance and repairs, diversification and other sustainable port development which contribute to long-term economic growth and prosperity.</p> | 2, 3 | 86 |
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| | SW-PS-2 | Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance must not be authorised within or encroaching upon International Maritime Organization routeing systems unless there are exceptional circumstances. | <p>Within the south west marine plan areas there are International Maritime Organization routeing systems which are essential for shipping activity, freedom of navigation and navigational safety. SW-PS-2 confirms that proposals that compromise these important navigation routes should not be authorised. SW-PS-2 enables and supports safe, profitable and efficient marine businesses.</p> <p>SW-PS-2 specifies that developments should not be authorised where use of International Maritime Organization routeing systems may be compromised. Authorisation of proposals that impact upon use of International Maritime Organization routeing systems are very rare.</p> | 1, 2 | 86 |
| | SW-PS-3 | Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances. | <p>The south west marine plan areas are very busy with respect to high density navigation routes, strategically important navigation routes and passenger services. SW-PS-3 confirms that proposals that pose a risk to safe navigation or the viability of these routes and services should not be authorised. SW-PS-3 aims to protect these routes and services by enabling and promoting safe, profitable and efficient marine businesses.</p> <p>SW-PS-3 focuses on minimising negative impacts on shipping activity, protecting the economic interests of ports, shipping and the UK economy overall, affording protection to the areas used by high intensities of traffic (Marine Policy Statement 3.4.2). It also gives effect to provisions in the National Planning Policy Framework</p> | 1, 2 | 86 |

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| | | | (section 37) which aims to encourage sustainable transport. | | |
| | SW-PS-4 | Proposals promoting or facilitating sustainable coastal and/or short sea shipping as an alternative to road, rail or air transport will be supported where appropriate. | <p>Short sea shipping provides a sustainable alternative for the transport of goods. SW-PS-4 aims to support sustainable coastal or short sea shipping where appropriate as an alternative to road, rail or air methods. Short sea shipping is important as a means of both distributing goods brought into ports by growing numbers of ultra large container ships and through direct movements of smaller bulk materials. Policy SW-PS-4 supports the Government policy for ports (National Policy Statement for Ports 3.3.5 and 3.1.4). The short sea shipping market is expected to grow as a sustainable alternative to the transport of goods by road or rail, providing a flexible and specialised service. There are however, a number of factors to consider in what is a price sensitive market (see, for example, Clean Maritime Plan paragraph 98). In particular the relative lower costs of road transport, time constraints on delivery of goods and the availability of government subsidies. Policy SW-PS-4 applies to the inshore and offshore marine plan areas.</p> <p>SW-PS-4 encourages short sea shipping as a sustainable alternative to road, rail or air transport, lowering CO₂ emissions and reducing road congestion. Bulk volumes are moved quickly with a reduction in administrative burden and increased efficiency through economies of scale. Short sea routes also allow the transshipment of cargo from large vessels landing into major European ports to the UK, reducing costs,</p> | 3 | 86 |

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| | | | <p>improving reliability and allowing smaller ports to expand through the establishment of increased numbers of short sea shipping routes where suitable.</p> <p>The types of cargo carried by short sea shipping in the south west plan areas include:</p> <ul style="list-style-type: none"> • fabrication and storage of renewable energy components • landing of marine aggregates and fisheries products • power station transformers • transport of cargo (including bulks, vehicles and roll-on roll-off units) and passengers | | |
| Renewables | SW-REN-1 | Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported. | Supply chains play an important role in developing technology, reducing associated costs of infrastructure and realising the economic and social benefits of renewable energy to the UK economy. SW-REN-1 recognises the importance of the supply chain within the lifecycle of renewable energy projects. SW-REN-1 enables public authorities to support proposals that will reduce costs, ensuring that businesses are operating competitively and with a long term strategy. | 2, 3, 8 | 100 |

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| | SW-REN-2 | Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or decommission the existing or planned energy generation project. | Renewable energy technologies contribute to the diversification and decarbonisation of the electricity grid. SW-REN-2 provides protection to areas identified for energy developments from other activities that could affect the sites ability to generate energy. It enables the development of safe, profitable and efficient marine businesses. | 2, 3, 8 | 100 |
| | SW-WIND-1 | Proposals for offshore wind inside areas of identified potential will be supported. | <p>Offshore wind is the current favoured offshore renewable energy generating technology in the UK. SW-WIND-1 highlights areas of least constraint for offshore wind energy generation and indicates potential future areas for leasing. SW-WIND-1 supports the identification of future leasing rounds and provides a level of certainty for other activities as to where future development may occur.</p> <p>Figure 12 identifies a large portion of the plan area that have the potential for future development of offshore wind. The report MMO1210 'Identifying key potential areas for future offshore wind' outlines the methodology used to define areas that at the time of analysis were relatively cost effective and less constrained for the development of fixed foundation offshore wind. This policy is in place to facilitate the identification of areas for future offshore wind development. The dataset supporting this policy has been developed against current constraints (see MMO1210 Identifying key potential areas for future offshore wind) and will be updated, as required, based on improved understanding of constraints and technical advancements, including new technologies.</p> | 2, 3, 8 | 100 |

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| <i>Heritage assets</i> | SW-HER-1 | <p>Proposals that demonstrate they will conserve and enhance elements contributing to the significance of heritage assets will be supported.</p> <p>Proposals unable to conserve and enhance elements contributing to the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate harm to those elements contributing to the significance of heritage assets d) if it is not possible to mitigate, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets. | <p>The aim of this policy is to conserve and enhance marine and coastal heritage assets through considering the potential for harm to elements that contribute to their significance. This consideration will not be limited to designated assets and extends to those undesignated assets that are, or have the potential to become, significant. It will make sure that assets are considered in the decision-making process and make provisions for those assets that are discovered during the course of developments.</p> | 5, 9 | 110 |

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| <i>Seascape and landscape</i> | SW-SCP-1 | <p>Proposals that may have a significant adverse impact upon the seascapes and landscapes of an area should only be supported if they demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate d) if it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascapes and landscapes of an area. <p>Where possible, proposals should demonstrate that they have considered how highly the seascapes and landscapes of an area is valued, its quality, and the areas potential for change. In addition, the scale and design of the proposal should be compatible with its surroundings, and not have a significant adverse impact on the seascapes and landscapes of an area.</p> | <p>Seascapes and landscapes are important due to the prevalence of protected landscapes, their distinctiveness and their association with tourism and recreation activities, well-being and sense of place. SW-SCP-1 ensures that proposals should only be supported if they manage impacts on the seascapes and landscapes. SW-SCP-1 adds clarity to existing national policy by identifying the visual resource and important characteristics of the south west marine plan areas, enabling these policies to be better supported.</p> | 5, 9 | 116 |
| <i>Fisheries</i> | SW-FISH-1 | <p>Proposals supporting a sustainable fishing industry, including the industry's diversification, should be supported.</p> | <p>Commercial fisheries can be affected by changes to fish abundance, growth, distribution or behaviour. SW-FISH-1 supports long-term strategic proposals that enable the fishing industry to diversify or build in resilience to manage climate change risks and maximise opportunities for sustainable use of marine resources.</p> | 3, 4 | 125 |

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| | SW-FISH-2 | <p>Proposals that enhance access for fishing activities should be supported.</p> <p>Proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts d) if it is not possible to mitigate the significant adverse impacts, proposals should state the case for proceeding. | <p>A sustainable fishing industry provides benefits to coastal communities and contributes to UK food security. Fishing activities are restricted in where they can operate, making the access to these activities vulnerable. SW-FISH-2 supports enhanced access for sustainable fishing activities and seeks to limit impacts from other marine activities on access to fishing activities, enabling continued marine resource use and generating prosperous, resilient and cohesive coastal communities. This policy covers not only fishing activity, but also the transit routes to and from sites and any berthing/beaching or landing/loading points.</p> | 2, 9 | 125 |
| | SW-FISH-3 | <p>Proposals enhancing essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes should be supported.</p> <p>If proposals cannot enhance essential fish habitat, they must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impact on essential fish habitat, including spawning, nursery and feeding grounds, and migration routes. | <p>Sustainable fish populations rely upon specific habitats throughout their life. SW-FISH-3 recognises that the protection of habitats and the services they provide can enhance fish populations, supporting the long-term existence of the fisheries and contributing to Good Environmental Status as detailed in the Marine Strategy Part One. SW-FISH-3 enables sustainable use of marine resources within environmental limits, alongside productive fisheries, by requiring proposals to manage impacts on these habitats.</p> | 11, 12 | 125 |

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| <i>Employment</i> | SW-EMP-1 | <p>Proposals that result in a net increase to marine related employment will be supported, particularly where they meet one or more of the following:</p> <p>i) create employment in areas identified as the most deprived, or ii) support and are aligned with local skills strategies and the skills available in and adjacent to the south west marine plan area, or iii) create a diversity of opportunities, or iv) implement new technologies.</p> | <p>The OECD Employment and Skills Strategies in England highlights how the UK governments aim is to ensure that everyone is able to take advantage of a return to economic growth and the opportunities that come with that. The creation of quality jobs is central to this aim and SW-EMP-1 supports proposals that provide a net increase in marine related employment.</p> <p>It encourages proposals to focus on areas identified as the most deprived, evidence of alignment with local skills strategies, a diversification of opportunities and the implementation of new technologies. In addition, SW-EMP-1 seeks public authorities to consider the employment benefits of a proposal and how the required skills equate to those of the plan area.</p> | 2, 4 | 141 |
| <i>Climate change</i> | SW-CC-1 | <p>Proposals which enhance habitats that provide flood defence or carbon sequestration will be supported.</p> <p>Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate significant adverse impacts, or, as a last resort d) compensate and deliver environmental net gains in line with and where required in current legislation and policy.</p> | <p>Habitats that provide flood defence and carbon sequestration contribute to natural resilience for coastal communities that are vulnerable to coastal erosion and change. SW-CC-1 requires proposals to manage impacts, enabling these important habitats to continue to provide this valuable service. Proposals that cannot avoid, minimise and mitigate, or as a last resort compensate for significant adverse impacts, will not be supported.</p> | 6, 8, 11, 12 | 145 |

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| | SW-CC-2 | Proposals in the south west marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change. | The effects of climate change are wide ranging and can include sea level rise, coastal flooding and rising sea temperatures. SW-CC-2 adds provision to enable enhanced resilience of developments, activities and ecosystems within the south west marine plan areas to the effects of climate change and coastal change. | 3, 6 | 145 |
| | SW-CC-3 | Proposals in the south west marine plan areas and adjacent marine plan areas that are likely to have significant adverse impact on coastal change should not be supported. Proposals that may have significant adverse impacts on climate change adaptation measures outside of the proposed project areas must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate the significant adverse impacts upon these climate change adaptation measures. | Large areas of the south west inshore marine plan areas coastline are subject to or vulnerable to change. SW-CC-3 makes sure proposals do not exacerbate coastal change, enabling communities to be more resilient and able to adapt better to coastal erosion and flood risk where identified. SW-CC-3 also supports proposals that do not compromise existing adaptation measures, which will enable improvement of the resilience of coastal communities to coastal erosion and flood risk. Proposals that cannot avoid, minimise and mitigate significant adverse will not be supported. | 3, 6, 11, 12 | 145 |
| <i>Air quality</i> | SW-AIR-1 | Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases and air pollutants. Where proposals are likely to result in additional local air pollution or increased emissions of greenhouse gas or air | Clean air is essential for life, health, the environment and the economy. Air pollution and greenhouse gas emissions must be reduced to protect health, habitats and species and reduce the impacts of climate change. SW-AIR-1 ensures that proposals consider and address where they may cause direct or indirect air pollution or greenhouse gas emissions and manage these accordingly. | 3, 7 | 156 |

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| | | <p>pollutants, they must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate air pollution or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements.</p> | Proposals that cannot avoid, minimise or mitigate air pollution and or greenhouse gas emissions in line with current national or local air quality objectives and legal requirements should not be supported. | | |
| <i>Marine litter</i> | SW-ML-1 | <p>Public authorities must make adequate provision for the prevention, re-use, recycling and disposal of waste to reduce and prevent marine litter.</p> <p>Public authorities should aspire to undertake measures to remove marine litter within their jurisdiction.</p> | Litter at sea often originates on land. Increases in development, access, recreation and tourism in the south west marine plan areas may result in increased litter, and an adverse impact on the environment on which these activities rely. Preventing marine litter through effective waste management is vital. Addressing marine litter along the coastline is also an important step towards dealing with this problem. | 7, 11 | 164 |
| | SW-ML-2 | <p>Proposals that facilitate waste re-use or recycling to reduce or remove marine litter will be supported.</p> <p>Proposals that could potentially increase the amount of marine litter in the marine plan area, must include measures to:</p> <p>a) avoid b) minimise c) mitigate waste entering the marine environment.</p> | <p>The natural landscapes, wildlife and recreational opportunities on offer in the marine plan areas attract visitors to the area. More visitors and increases in coastal and marine development could lead to an increase in litter.</p> <p>SW-ML-2 makes sure proposals avoid, minimise or mitigate waste entering the marine environment and encourages support for improvements in waste management and removal of marine litter, during construction and over the lifetime of the development. Proposals that cannot avoid, minimise or mitigate waste entering the marine environment will not be supported.</p> | 7, 11 | 164 |

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| Water quality | SW-WQ-1 | <p>Proposals that enhance and restore water quality will be supported.</p> <p>Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate deterioration of water quality in the marine environment.</p> | <p>Much of the economic and cultural prosperity of the south west marine plan areas is reliant on water quality. Activities can place stress on water bodies such that, in parts of the south west marine plan areas water quality requires improvement. SW-WQ-1 supports activities whose primary objective is to enhance and restore water quality.</p> <p>SW-WQ-1 also manages activities that may cause deterioration to a body of water by ensuring that adverse impacts from proposals must be avoided, minimised and mitigated. With the exception of Article 4.7¹⁷ derogation route no residual adverse impacts on water bodies should occur.</p> | 7, 11 | 172 |

¹⁷ Article 4.7 of the Water Framework Directive is a mechanism by which developments that are beneficial to society can still be progressed even if they are likely to cause deterioration in Water Framework Directive water body status.

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| Access | SW-ACC-1 | <p>Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, and that demonstrate the future provision of services for tourism and recreation activities, will be supported.</p> <p>Where appropriate and inclusive enhanced public access cannot be provided, proposals should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts on public access. | <p>Provision for marine access is essential to enabling the economic, social and environmental benefits that will come from the growth of the right type of tourism and recreation in the South West Marine Plan areas.</p> <p>SW-ACC-1 makes sure that support will be given to proposals which provide appropriate and inclusive enhanced public access to, and within, the marine area, such as physical, digital, and interpretative access and signage. Support will also be given to proposals which enhance access by removing unsuitable access arrangements.</p> <p>Furthermore, it requires proposals to manage impacts on public access to the marine area and contributes to the health and wellbeing of communities. Any change in access to the marine environment, increase or decrease, must be compatible with wider environmental, social and economic goals. For example, access should not impact priority habitats or exclude certain user groups.</p> <p>Proposals that cannot avoid, minimise or mitigate significant adverse impacts should not be supported.</p> | 6, 9 | 182 |
| Tourism and recreation | SW-TR-1 | <p>Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported.</p> <p>Where proposals may have a significant adverse impact on tourism and recreation</p> | <p>Tourism and recreation are widely recognised as very important sectors within the south west marine plan areas, providing numerous economic and social benefits to coastal communities and visitors to the region. SW-TR-1 supports these growth industries through promotion of sustainable tourism and recreation at appropriate locations. It also encourages diversification of activities – through extension of</p> | 6, 9 | 188 |

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| | | <p>activities they must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate that impact.</p> | <p>operating seasons or development of alternative uses for facilities – to create additional employment opportunities, while reducing adverse impacts on natural resources and heritage assets. To minimise stakeholder conflict, this policy also addresses the impact of proposals on existing tourism and recreation use, or future potential activities; those that cannot avoid, minimise and mitigate significant adverse impacts on tourism and recreation are unlikely to be supported.</p> | | |
| Social benefits | SW-SOC-1 | <p>Those bringing forward proposals are encouraged to consider and enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal.</p> | <p>SW-SOC-1 seeks to increase the general knowledge, understanding, appreciation and enjoyment by people of the many values provided by the marine environment through encouraging proposals that incorporate these factors.</p> | 5, 6 | 195 |
| Defence | SW-DEF-1 | <p>Proposals in or affecting Ministry of Defence areas should only be authorised with agreement from the Ministry of Defence.</p> | <p>There are a high number of defence activities and estates in the south west marine plan areas. Marine infrastructure can affect their continuity or future use. SW-DEF-1 will avoid conflict between defence activities and new proposals within the south west marine plan areas, ensuring defence interests are not hindered.</p> | 10 | 202 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|-------------------------------|-------------|--|---|-----------------|------|
| <i>Marine protected areas</i> | SW-MPA-1 | <p>Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported.</p> <p>Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network. | <p>The government is committed to establishing an ecologically coherent network of marine protected areas around the UK. The south west marine plan areas will make a significant contribution to this network, through the many existing and proposed marine protected area sites. SW-MPA-1 makes sure proposals take account of adverse impacts on individual sites and the overall network, protecting important habitats, species and geological features, enabling the successful and continued management of these sites.</p> <p>Proposals that cannot avoid, minimise and mitigate adverse impacts will not be supported. Proposals cannot proceed to (b) unless they have first demonstrated why they cannot meet (a), and so on.</p> | 11 | 207 |
| | SW-MPA-2 | <p>Proposals that enhance a marine protected area's ability to adapt to climate change, enhancing the resilience of the marine protected area network will be supported.</p> <p>Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate adverse impacts. | <p>The effects of climate change on habitats and species poses a challenge to designated marine protected area sites in the south west marine plan areas. SW-MPA-2 ensures proposals account for adverse impacts on individual marine protected areas ability to adapt to climate change, improving resilience and working towards a well-managed marine protected area network.</p> <p>Proposals that cannot avoid, minimise and mitigate adverse impacts will not be supported. Proposals cannot proceed to (b) unless they have first demonstrated why they cannot meet (a), and so on.</p> | 11 | 207 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|-------|-------------|--|--|-----------------|------|
| | SW-MPA-3 | Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered. | Anthropogenic activities such as the burning of fossil fuels, deforestation and farming and methane release from animal farming are having serious adverse impacts on the climate. These impacts include but are not limited to, increased ocean acidity, temperature shifts, and increased storm activity. Climate change will likely result in marine protected area feature migration and/or feature displacement due to shifts in ranges of habitats and species. SW-MPA-3 ensures flexibility by supporting boundary changes to improve the resilience of the marine protected area network. SW-MPA-3 enables adaptive management to help mitigate the loss of features within sites, and support adaptation to climate change. | 11, 12 | 207 |
| | SW-MPA-4 | Proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on designated geodiversity. | Geodiversity in the south west marine plan areas has formed over millions of years and natural change happens slowly over long time scales, meaning geodiversity is particularly vulnerable to human impacts. SW-MPA-4 makes sure proposals account for adverse impacts on designated geodiversity, protecting important geological and geomorphological features that underlie and determine the character of our landscape and seascape. Proposals that cannot avoid, minimise and mitigate adverse impacts will not be supported. Proposals cannot proceed to (b) unless they have first demonstrated why they cannot meet (a), and so on. | 11 | 207 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|---------------------|-------------|---|--|-----------------|------|
| Biodiversity | SW-BIO-1 | <p>Proposals that enhance the distribution of priority habitats and priority species will be supported.</p> <p>Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate d) compensate for significant adverse impacts. | <p>Maintaining the distribution of priority habitats and priority species is important as it reduces habitat fragmentation, species isolation and supports strong, biodiverse communities which in turn provide ecosystem services. SW-BIO-1 maintains the distribution of priority habitats and priority species by ensuring proposals do not significantly adversely affect them. Proposals that cannot avoid, minimise and mitigate for significant adverse impacts, will not be supported.</p> | 11, 12, 13 | 227 |
| | SW-BIO-2 | <p>Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration will be supported.</p> <p>Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts d) compensate for significant adverse impacts. | <p>Competition for space, increased levels of development and predicted effects of climate change can affect the south west marine plan areas habitat and species connectivity, ability to adapt to change and migrate. SW-BIO-2 requires proposals to manage negative effects which may not enable the functioning of healthy, resilient and adaptable marine ecosystems. Proposals that cannot avoid, minimise and mitigate, or as a last resort compensate, for significant adverse impacts, will not be supported.</p> | 11, 12, 13 | 227 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|-------|-------------|---|--|-----------------|------|
| | SW-BIO-3 | <p>Proposals that deliver environmental net gain for coastal habitats where important in their own right and/or for ecosystem functioning and provision of ecosystem services will be supported.</p> <p>Proposals must take account of the space required for coastal habitats where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate d) compensate for net habitat loss and deliver environmental net gain. | <p>In the south west inshore marine plan area there are numerous important coastal habitats. There is competition for space with these coastal habitats, resulting in coastal squeeze, a process where habitats have decreasing space between rigid coastal structures and rising sea level or coastal erosion. SW-BIO-3 requires proposals to manage their impacts on these habitats to support the functioning of healthy and resilient coastal and intertidal ecosystems. Proposals that cannot avoid, minimise and mitigate, or as a last resort compensate, for significant adverse impacts, will not be supported.</p> | 8, 11, 12 | 227 |
| | SW-HAB-1 | <p>Proposals that incorporate measures to conserve deep sea habitats will be supported.</p> <p>Proposals that may have direct adverse impacts on deep sea habitats must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate direct adverse impacts on deep sea habitats. | <p>Deep sea habitats in the south west offshore marine plan area are the only example of deep sea habitats in English waters. These habitats are vulnerable to change due to their slow rate of growth and recovery following disturbance and damage. SW-HAB-1 requires proposals to manage their impacts on these habitats to support the functioning of healthy and resilient deep sea habitats. Proposals that cannot avoid, minimise and mitigate for adverse impacts, will not be supported.</p> | 11, 12 | 227 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|-------------------------------------|-------------|---|--|-----------------|------|
| <i>Net gain and natural capital</i> | SW-NG-1 | <p>Proposals should deliver environmental net gain for marine or coastal natural capital assets and services.</p> <p>Proposals that may have significant adverse impacts on marine and coastal natural capital assets and services must demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> a) avoid b) minimise c) mitigate d) compensate for significant adverse impacts and deliver environmental net gain. | <p>SW-NG-1 encourages proposals to apply the evolving net gain approach to development that aims to leave the natural environment in a measurably better state than beforehand. The policy also protects marine and coastal natural capital assets and services by ensuring that proposals which are likely to cause harm take measures to prevent, reduce or mitigate significant adverse impacts, with compensation strategies being encouraged to deliver environmental net gain. Proposals that cannot avoid, minimise and mitigate, or as a last resort compensate for significant adverse impacts, will not be supported.</p> | 8, 11, 12, 13 | 247 |
| <i>Invasive non-native species</i> | SW-INNS-1 | <p>Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported.</p> <p>Proposals must put in place appropriate measures to <u>avoid or minimise significant adverse impacts</u> that would arise through the introduction and transport of invasive non-native species, particularly when:</p> <ol style="list-style-type: none"> 1) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another 2) introducing structures suitable for settlement of invasive non-native species, or the spread of invasive non-native species known to exist in the area. | <p>The south west marine plan areas have a high risk of introducing or spreading non-native invasive species. SW-INNS-1 aims to avoid or minimise damage to the marine area from the introduction or transport of non-native invasive species and support proposals that attempt to reduce the risk and spread of non-native invasive species. This will enable support for viable populations of flora and fauna. Proposals that cannot avoid or minimise the introduction or transport of invasive species will not be supported. Due to the expected increased risk and impacts caused by non-native invasive species SW-INNS-1 will contribute towards the prevention of further introduction and spread caused by human activities.</p> | 7, 11 | 253 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|-------------------------|-------------|--|--|-----------------|------|
| | SW-INNS-2 | Public authorities with functions to manage activities that could potentially introduce, transport or spread invasive non-native species should implement adequate biosecurity measures to avoid or minimise the risk of introducing, transporting or spreading invasive non-native species. | SW-INNS-2 aims to avoid or minimise the introduction and spread of marine invasive non-native species by encouraging public authorities with relevant functions throughout the south west to implement adequate biosecurity measures, increase awareness of invasive non-native species and provide suitable guidance to help reduce their adverse impacts to the marine environment. | 7, 11 | 253 |
| <i>Disturbance</i> | SW-DIST-1 | Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts. | Disturbance and displacement from activities, including those that do not require authorisation such as tourism and recreation, has caused declines in some highly mobile species. SW-DIST-1 reduces the effects of disturbance and displacement by requiring proposals to manage impacts, highlighting good practice and encouraging strategic management of un-authorised activities. SW-DIST-1 enables people to appreciate the marine biodiversity and act responsibly to protect and recover populations of rare, vulnerable and valued species. Proposals that cannot, avoid, minimise and mitigate for significant adverse impacts will not be supported. | 11, 13 | 264 |
| <i>Underwater noise</i> | SW-UWN-1 | Proposals that result in the generation of impulsive sound must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the Marine Strategy Part One Descriptor 11. | Impulsive sounds can have an adverse effect on marine life and human enjoyment of marine areas. SW-UWN-1 supports the established noise registry to determine baselines, levels of impulsive sound and management options through the recording and assessment of the distribution and timing of impulsive sound sources in the marine environment. This will enable effective marine | 13 | 269 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|---------------------------|-------------|--|---|------------------------|------|
| | | | management and protection of biodiversity or viable populations of species. | | |
| | SW-UWN-2 | Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on highly mobile species d) if it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding. | Underwater noise levels have increased with marine space use. Noise can affect highly mobile species, including causing chronic stress and death at higher intensities. SW-UWN-2 supports management of underwater noise, requiring proposals to take appropriate noise reduction actions. SW-UWN-2 enables clear and proportionate regulation to make sure marine activity respects environmental limits and protects biodiversity. | 11, 13 | 269 |
| Cumulative effects | SW-CE-1 | Proposals which may have adverse cumulative effects with other existing, authorised or reasonably foreseeable proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse cumulative and/or in-combination effects. | Whilst cumulative effects are considered in relevant assessments and decision-making, the increasing use of the marine area reinforces the need to consider and address cumulative effects, in line with the aims set out in the Marine Policy Statement . In conjunction with and in support of other relevant south west plan policies, this policy is intended to ensure relevant effects, including those that may seem less significant in their own right, are taken account of and addressed. In doing so, the policy will help to ensure that the cumulative effects in the south west marine plan areas are effectively managed. | 2, 3, 4, 6, 11, 12, 13 | 276 |

| Topic | Policy code | Policy text | Policy aim | Plan objectives | Page |
|----------------------------------|-------------|---|--|----------------------------|------|
| <i>Cross-border co-operation</i> | SW-CBC-1 | <p>Proposals must consider cross-border impacts throughout the lifetime of the proposed activity.</p> <p>Proposals that impact upon one or more marine plan areas or impact upon terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.</p> | <p>SW-CBC-1 requests a considered approach to enhance cross-border co-operation between the terrestrial and marine planning systems in the south west plan areas, the bordering English south marine plan areas and the neighbouring jurisdictions of Wales, the Republic of Ireland and France.</p> | 1-13 (all plan objectives) | 282 |

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3 Using and implementing the South West Marine Plan

35. This section provides guidance on how to use and implement the South West Marine Plan. Applicants, those developing a proposal, and third parties, such as advisors, as well as public authorities, should consider the South West Marine Plan where relevant. It is the responsibility of the user to determine whether and to what extent the policies are relevant, and to apply them to a proposal in the context of their own processes and current practice.

3.1 Specific plan policy considerations

36. The marine plan policies affect different types of decisions including not only 'authorisations', such as those similar to plan-based permitting, but also those which are not 'authorisation' decisions and are capable of affecting the marine area. One example of this is the making of bye laws in the management of marine protected areas. As such, the term 'proposals' is used where appropriate in the plan policies to encompass the range of activities that could require a decision. This includes those that have no formal 'application' process as well as those that do. Plan policies can therefore apply to new developments, uses, management measures and other activities, and in the review of existing activities, authorisations or measures.

37. The South West Marine Plan addresses overall and specific issues of the south west marine plan areas. Issues are described as either challenges or opportunities within the marine plan areas. As the issues vary in impact and priority, the policy text has been written to reflect this. Public authorities and applicants should note whether a policy uses 'must/will' or 'should'. 'Must' or 'will' provides strong direction and greater certainty. 'Should' is used where greater flexibility is required, for example in relation to proportionality. This is consistent with the language used in the [Marine Policy Statement](#).

38. A number of South West Marine Plan policies require proposals to demonstrate that they will a) avoid, b) minimise or c) mitigate impacts on other users or the environment. Policies with steps a) to c) indicate that proposals should not proceed unless criteria in a) to c) are met in order of preference. In other words proposals cannot proceed to b) unless they have first demonstrated why they cannot meet a) and likewise cannot proceed to c) unless they have first demonstrated why they cannot meet a) and b).

39. A fourth step d) is relevant for some policies. Generally, the policies with steps a) to c) will have more robust evidence or data supporting them combined with stronger levels of stakeholder support and direction. Policies with steps a) to d) have a greater degree of flexibility in their application. Proposals applying d) will not receive approval by default for including this information. That will depend on all relevant considerations taken into account by the decision-maker which may include other policies in the South West Marine Plan and other material considerations such as other plans.

Box 1: Cumulative Effects

Cumulative effects can arise from a range of pressures and can occur both spatially and temporally.

As set out in the [Marine Policy Statement \(2.3.1.6 and 2.3.2.1\)](#), marine plans should contribute to considering cumulative impacts, for example 'Marine plans should ... identify how the potential impacts of activities will be managed, including cumulative effects' and 'when considering the potential benefits and adverse effects, decision-makers should also take into account any multiple and cumulative impacts of proposals, in the light of other projects and activities'.

In developing the South West Marine Plan each plan policy has been considered within the Sustainability Appraisal for cumulative effects. The results of this consideration can be found in Sustainability Appraisal database, which is available from the MMO on request.

When taken as a whole, the policies set out in the South West Marine Plan will contribute to the consideration of cumulative effects, including the specific policy requiring cumulative effects to be addressed but also other policies such as those to manage the use of space effectively and reduce adverse impacts.

Further information about cumulative effects can be found in Box 4 of the South West Marine Plan Technical Annex.

3.2 General considerations for public authorities in applying the plan to decisions

40. The scope of decisions affected by marine plans means that the South West Marine Plan is potentially relevant to a wider range of public authorities¹⁸ - more than may usually be the case for land-based plans. All public authorities are responsible for applying the South West Marine Plan through the decisions that they make using existing regulatory and decision-making processes. There are no new mechanisms. Better Regulation principles should be adhered to when implementing the South West Marine Plan.

41. Marine plans apply in differing ways dependent on whether the matter under consideration is either an authorisation or enforcement decision under Section 58(1) of the [Marine and Coastal Access Act 2009](#) or, under Section 58(3), a decision which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area, but which is not an authorisation or enforcement decision. In broad terms, an authorisation or enforcement decision is the determination of any application for authorisation to do any act which affects or might affect the UK marine area¹⁹.

42. Public authorities must make decisions that fall under Section 58(1) 'in accordance' with the South West Marine Plan unless relevant considerations

¹⁸ For further information on public authorities see the [Marine and Coastal Access Act Section 322 \(1\)](#). See also [Implementation Mapping](#) for information, although it is ultimately for individual public authorities to determine the role of marine plans in their work.

¹⁹ See Section 58(4) of the [Marine and Coastal Access Act 2009](#) for details including exclusions.

indicate otherwise. For decisions that fall under Section 58(3), public authorities 'must have regard' to the South West Marine Plan. It is for public authorities to establish all relevant considerations in relation to Section 58(1) as appropriate. Relevant material considerations would include local plans.

43. In respect of local authority decision-making, development plan policies are a material consideration in the determination of an application for planning permission. Decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see Section 70(2) of [The Town and Country Planning Act 1990](#) and Section 38(6) of [The Planning and Compulsory Purchase Act 2004](#) – these provisions also apply to appeals)²⁰.
44. Whilst marine plans and the [Marine Policy Statement](#) are material considerations in decision-making, it is important to note that a marine plan is not to be construed as a development plan under the [Planning and Compulsory Purchase Act 2004](#). Local plans may be a more relevant consideration than the marine plan in certain decision-making activities, for example housing should be taken into account as material considerations as appropriate.
45. How the plan informs the decision-making process is the responsibility of the relevant public authority. For example, the relevant public authority will determine if and how proposals meet the high level marine objectives, plan vision, and all relevant policies, with applicants considering the plan policies in developing their application and its submission.
46. Decisions must be compliant with relevant legislation, regulations and existing policies and measures, such as [Environmental Impact Assessment](#) through relevant regulations including [The Town and Country Planning \(EIA\) Regulations 2017](#), [The Marine Works \(EIA\) Regulations 2007](#) and [The Infrastructure Planning \(Environmental Impact Assessment\) Regulations 2017](#), plus [Guidance Notes on the Offshore Petroleum Production and Pipelines \(Assessment of Environmental Effects\) Regulations 1999](#). The South West Marine Plan policies complement rather than replace these requirements, which may have a stronger influence on decisions. For example, the designation and management of marine protected areas must be made in accordance with the relevant legislation and policy underpinning them. In such cases the marine plan policies help public authorities to understand the effect on or interaction with other interests. This may subsequently inform or alter the decision to be made.
47. Mechanisms also exist to support more integrated and efficient decision-making; one example of such an approach is the Coastal Concordat. The Coastal Concordat is an agreement between the Department for Environment, Food and Rural Affairs, the Ministry of Housing Communities and Local

²⁰ For further information on what constitutes a development plan, their role and application in local authority decision making see the [Planning and Compulsory Purchase Act 2004 Section 38](#)

Government, the Department for Transport, the Marine Management Organisation, the Environment Agency, Natural England and the Local Government Association's Coastal Special Interest Group. It sets out how regulatory and advisory bodies propose to work with local authorities to enable sustainable growth in the coastal zone in support of efficient consenting and decision-making.

3.3 How to use the plan in application and decision-making process

48. Whilst public authorities will apply the South West Marine Plan to decisions they take, those introducing proposals that require the decision, sometimes in the form of an application for an authorisation, will need to take relevant account of the plan. To maximise benefits the South West Marine Plan should be used throughout the development of proposals and in all stages of decision-making, in line with current best practice. In taking a proportionate approach to applying policies, consideration should be given to the scale, complexity and impact of a proposal. Policies may provide support for a specific sector, and can also help to identify potential challenges and offer direction as how to address them. One example of this is through negotiation and consultation. The South West Marine Plan can also help to ensure submissions are informed by a knowledge of other activities occurring or proposed in any given area of interest. Making use of marine plans at the early stages of an application, prior to submission, can help to ensure an efficient decision-making process.
49. Those introducing proposals or making applications can use the South West Marine Plan and supporting tools (including the [Explore Marine Plans](#) digital service, described in section 3.4) in proposal development and design, including refining the preferred proposal location. Further guidance structured around each stage of the application and decision-making process that users of the plan go through is provided in sections 3.5 to 3.8. Minimum requirements for submissions and determinations are set out in section 3.7 with further material and guidance provided in section 3.8, including:
- pre-application discussions and consultation
 - proposal development and design
 - formal submission and determination by the public authority

3.4 Explore Marine Plans – a digital marine planning service

50. The [Explore Marine Plans](#) digital service provides an online, interactive resource for viewing marine planning policies, evidence, and supporting information. It allows users to consider multiple sources of information, at a resolution relevant to their interest. Applicants and public authorities are encouraged to:
- view other known activities, interests, and marine licences that may complement or conflict with a proposal in order to avoid, minimise or

mitigate adverse impacts where possible, prior to the submission of an application

- identify appropriate parties to discuss the proposal with, for example areas of future offshore wind potential
- identify where the proposal contributes to economic, social and environmental considerations within the South West Marine Plan within any formal application
- use the policy checking tool to see:
 - which plan policies may apply to the proposal and view the Technical Annex to identify how to meet policy specific requirements
 - which plan policies from adjacent English marine plan areas may apply for decisions across plan area boundaries. The south marine plan areas are adjacent to the south west marine plan areas

51. In Table 3 similar types of policy are grouped together to provide a suggested walk through for the [Explore Marine Plans](#) policy checking tool. Where policies deliver both enhancement and protection, and therefore have two elements, the policy has been categorised in Table 3 based on the element that is likely to be applied most often. Box 1 in the South West Marine Plan Technical Annex provides more detailed information regarding map types. Data for the maps is updated regularly on the system.

Table 3: Policy walk through

| Walk through step | Relevant policy codes |
|--|---|
| <p>Check the policies which are relevant to all proposals and apply across the whole of the inshore and offshore plan areas.</p> <p>These are likely to apply to you and set out considerations or points to be aware of.</p> | <p>SW-ACC-1 SW-AIR-1 SW-CBC-1 SW-CC-2, SW-CC-3 SW-CO-1 SW-INNS-1, SW-INNS-2 SW-ML-1 SW-MPA-1, SW-MPA-4 SW-NG-1 SW-SOC-1 SW-UWN-1, SW-UWN-2</p> |
| <p>Check definitive policies which show a clear preference for certain activities in certain locations. These provide support for the relevant activities, and preclude other activities or require them to be compatible.</p> | <p>SW-AGG-1, SW-AGG-2 SW-DD-1, SW-DD-2 SW-DEF-1 SW-PS-1, SW-PS-2, SW-PS-3 SW-REN-2</p> |
| <p>Check the policies which support existing use of the marine area. While these policies do not preclude other activities, they require proposals to work through a number of steps to reduce impacts on existing activities to enable co-existence and manage conflicts.</p> | <p>SW-BIO-1, SW-BIO-2, SW-BIO-3 SW-CAB-2 SW-CE-1 SW-DD-3 SW-DIST-1 SW-FISH-2, SW-FISH-3 SW-HAB-1 SW-HER-1 SW-ML-2 SW-MPA-2 SW-OG-1 SW-SCP-1 SW-WQ-1</p> |
| <p>Check the policies which safeguard areas for future development by certain sectors. These may support your sector, or require you to work through a number of steps to prevent affecting future activity if you wish to go there.</p> | <p>SW-AGG-3 SW-AQ-1 SW-CAB-3 SW-OG-2 SW-REN-1</p> |
| <p>Check for policies which directly support certain sectors, support diversification, skills enhancement or employment across all activities.</p> | <p>SW-AQ-2 SW-EMP-1 SW-FISH-1 SW-INF-1 SW-PS-4 SW-TR-1 SW-WIND-1</p> |
| <p>Check for policies which support preferred methods and approaches, including best practice and support identification of the best way to successfully achieve a proposal.</p> | <p>SW-CAB-1 SW-CC-1 SW-MPA-3</p> |

3.5 Pre-application

52. Early engagement between applicants, agents, third parties and public authorities is encouraged. Pre-application engagement can help remove uncertainty, support efficient decision-making and reduce the resources required. Pre-application engagement is likely to be most beneficial in larger or more complex proposals.

53. Consideration of the South West Marine Plan and its Technical Annex, alongside the [Marine Policy Statement](#) is recommended at the earliest stage. The South West Marine Plan will help:

- assess the viability of a proposal, helping to identify the best locations and discount those that are unviable, saving time and money
- identify other activities and developments that may influence or be influenced by a proposal
- identify relevant parties for discussions or consultation such as potential partners in the case of co-locating/co-existing activities
- clarify the appropriateness of information that needs to be provided, and inform the level of assessment to be undertaken
- identify policies relevant to the proposal, how they apply and the potential to contribute to the achievement of the plan vision and the high level marine objectives

54. During pre-application discussion public authorities should:

- encourage applicants to use the South West Marine Plan and [Marine Policy Statement](#) to understand and demonstrate how the proposal contributes to the South West Marine Plan vision and the high level marine objectives
- encourage use and submission of any evidence²¹ used to demonstrate how relevant policies have been met within the proposal, proportionate to the scale, complexity and potential impact of the proposal and including evidence and discussions/consultation with appropriate parties such as Marine Management Organisation, The Crown Estate, Department for Business, Energy and Industrial Strategy and The Ministry of Defence where relevant
- encourage explanation as to why the proposal should proceed in the event of a conflict with the South West Marine Plan

3.6 Proposal development and design

55. The South West Marine Plan assists in proposal development and design, including refining the preferred proposal location. Policies may provide support for a specific sector, and can also help to identify potential challenges and offer direction as how to address them. An example of this is through negotiation and consultation.

²¹ [Marine and Coastal Access Act 2009](#) Part 4 Section 67, paragraphs 4 and 5

3.7 Proposal submission and determination

56. The minimum requirements a proposal should include are:

- the proposal location
- what is proposed
- when and how it is to be undertaken (methodology, materials etc)
- why the proposal is being undertaken
- how the proposal contributes to the achievement of the high level marine objectives, the South West Marine Plan vision and policies (and/or the [Marine Policy Statement](#) where appropriate)
- reference to any relevant assessments such as Habitats Regulations Assessments, Environmental Impact Assessments (as appropriate) to help demonstrate how the proposal addressed plan policies

57. Public authorities should:

- assess the proposal's contributions to the achievement of the high level marine objectives, the South West Marine Plan vision and policies
- evidence how the proposal and decision taken address the South West Marine Plan in support of compliance with the [Marine and Coastal Access Act 2009](#) (Section 58). For example, through data recording systems used as part of the public authorities own processes to illustrate relevant policies and case officer assessments
- request additional relevant information before proceeding with a decision, where it is judged that a proposal has not provided the required information to make an informed assessment

3.8 Further material and guidance

58. The following additional plan-related material may be useful in providing wider context to marine plans and marine planning:

- [marine planning issues and evidence database](#) – a central part of marine plan development and can be used to view and appraise the issues raised and evidence used for marine planning
- **evidence reports** – [marine evidence and data](#) required for the work of the Marine Management Organisation, including marine planning, are systematically acquired and managed. The Marine Management Organisation makes sure that data and evidence are publicly available where possible and interpreted to a high standard for use in its decision-making
- **core development documents** – a [chronological list of documents](#) produced in the development of the South West Marine Plan, including iteration engagement and feedback documents
- **assessments** – of the South West Marine Plan including the [Sustainability Appraisal](#) and [Habitat Regulations Assessment](#)

4 Monitoring, review and reporting

4.1 Approach to monitoring

59. The South West Marine Plan Approach to monitoring describes how the South West Marine Plan will be monitored, this is supported by an Annex of Indicators, which sets out indicator descriptions.

4.2 Reporting

60. The [Marine and Coastal Access Act 2009](#) Section 61(1) sets out a duty to prepare and publish, and lay before parliament, a copy of, a report on the following matters (as set out in the [Marine and Coastal Access Act 2009](#) 61(3)):
- a. the effects of policies in the marine plan;
 - b. the effectiveness of those policies in securing the objectives for which the marine plan was prepared and adopted are met;
 - c. the progress being made towards securing those objectives;
 - d. if the [Marine Policy Statement](#) governs marine planning for the marine plan authority's region, the progress being made towards securing that the objectives for which the [Marine Policy Statement](#) was prepared and adopted are met in that region.
61. Reporting must occur at intervals of not more than three years from the date of marine plan adoption. From this report the marine plan authority must decide whether or not to amend or replace the marine plan. Under Section 61(1) (c) a report must also be produced, at intervals of not more than six years, identifying any marine plans that have been adopted, any intention to amend adopted plans and the planned adoption of further plans.
62. Once prepared these reports will be laid before parliament on behalf of the Secretary of State by the Department of Environment, Food and Rural Affairs.
63. Activities in relation to monitoring and reporting duties under the [Marine and Coastal Access Act 2009](#) Section 61 must also be carried out in such a way as to fulfil duties under Section 54 that specifies a duty to keep relevant matters under review.
64. The Marine Managements Organisation's approach to monitoring is informed by the [Government's Magenta Book](#).