



Marine
Management
Organisation

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Dear Strategic Planning Team,

MMO Marine Planning response to The Local Plan for the Broads: Review Plan period 2021 to 2042 Publication (Regulation 19).

As the marine planning authority for England, the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent the Marine Plan boundaries extend up to the level of the mean high water spring tides mark (which includes the tidal extent of any rivers), there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure the necessary considerations are included. In the case of the document stated above, the [East Inshore and East Offshore Marine Plans](#) are of relevance. The East Marine Plans cover the area from Flamborough Head to Felixstowe, including the tidal extent of any rivers within this area.

All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan, in this case the [East Inshore and East Offshore Marine Plans](#), or the [UK Marine Policy Statement \(MPS\)](#) unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our [online guidance](#), [Explore Marine Plans](#) and the [Planning Advisory Service soundness self-assessment checklist](#).

The East Marine Plan may have relevance for proposals that are above MHWS, but are capable of affecting the marine area, such as a land-based development that may eventually discharge into the sea or change the seascape character. Proposals for development that can affect the marine plan area, and tidal rivers, must consider East Marine Policies alongside The Local Plan for the Broads. To assist applicants, the Council and the MMO will seek to coordinate advice given to applicants.

Marine Licensing

The Marine and Coastal Access Act 2009 states that a marine licence is required for certain activities carried out within the [UK marine area](#). The MMO is responsible for marine licensing in English waters

and for Northern Ireland offshore waters. The marine licensing team are responsible for consenting and regulating any activity that occurs “below mean high water springs” level that would require a marine licence. These activities can range from mooring private jetties to nuclear power plants and offshore windfarms.

Marine Relevance to The Local Plan for the Broads

Please see below suggested policies from the East Inshore and East Offshore Marine Plans that we feel are most relevant to The Local Plan for the Broads. The East Inshore and East Offshore Marine Plans are widely of relevance to The Local Plan for the Broads as there is significant crossover between both areas.

These suggested policies have been identified based on the activities and content within the document entitled above. They are provided only as a recommendation, and we would suggest your own interpretation of the East Marine Plans is completed:

- **EC1:** Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.
- **EC2:** Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to meet employment needs in localities close to the marine plan areas.
- **EC3:** Proposals that will help the East marine plan areas to contribute to offshore wind energy generation should be supported.
- **SOC1:** Proposals that provide health and social well-being benefits including
 - through maintaining, or enhancing, access to the coast and marine area should be supported.
- **SOC2:** Proposals that may affect heritage assets should demonstrate, in order of preference:
 - a) that they will not compromise or harm elements which contribute to the significance of the heritage asset
 - b) how, if there is compromise or harm to a heritage asset, this will be minimised
 - c) how, where compromise or harm to a heritage asset cannot be minimised it will be mitigated against or
 - d) the public benefits for proceeding with the proposal if it is not possible to minimise or mitigate compromise or harm to the heritage asset
- **SOC3:** Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference:
 - a) that they will not adversely impact the terrestrial and marine character of an area
 - b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them
 - c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against
 - d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts
- **ECO1:** Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine, terrestrial) should be addressed in decision-making and plan implementation.
- **ECO2:** The risk of release of hazardous substances as a secondary effect due to any increased collision risk should be taken account of in proposals that require an authorisation.
- **BIO1:** Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).
- **BIO2:** Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.
- **CC1:** Proposals should take account of:
 - a) how they may be impacted upon by, and respond to, climate change over their lifetime and

- b) how they may impact upon any climate change adaptation measures elsewhere during their lifetime Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.
- **CC2:** Proposals for development should minimise emissions of greenhouse gases as far as is appropriate. Mitigation measures will also be encouraged where emissions remain following minimising steps. Consideration should also be given to emissions from other activities or users affected by the proposal.
- **GOV1:** Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.
- **GOV2:** Opportunities for co-existence should be maximised wherever possible.
- **GOV3:** Proposals should demonstrate in order of preference:
 - a) that they will avoid displacement of other existing or authorised (but yet to be implemented) activities
 - b) how, if there are adverse impacts resulting in displacement by the proposal, they will minimise them
 - c) how, if the adverse impacts resulting in displacement by the proposal, cannot be minimised, they will be mitigated against or
 - d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts of displacement
- **OG1:** Proposals within areas with existing oil and gas production should not be authorised except where compatibility with oil and gas production and infrastructure can be satisfactorily demonstrated.
- **OG2:** Proposals for new oil and gas activity should be supported over proposals for other development.
- **WIND1:** Developments requiring authorisation, that are in or could affect sites held under a lease or an agreement for lease that has been granted by The Crown Estate for development of an Offshore Wind Farm, should not be authorised unless
 - a) they can clearly demonstrate that they will not compromise the construction, operation, maintenance, or decommissioning of the Offshore Wind Farm
 - b) the lease/agreement for lease has been surrendered back to The Crown Estate and not been re-tendered
 - c) the lease/agreement for lease has been terminated by the Secretary of State
 - d) in other exceptional circumstances
- **WIND2:** Proposals for Offshore Wind Farms inside Round 3 zones, including relevant supporting projects and infrastructure, should be supported.
- **TIDE1:** In defined areas of identified tidal stream resource, proposals should demonstrate, in order of preference:
 - a) that they will not compromise potential future development of a tidal stream project
 - b) how, if there are any adverse impacts on potential tidal stream deployment, they will minimise them
 - c) how, if the adverse impacts cannot be minimised, they will be mitigated
 - d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts
- **CCS1:** Within defined areas of potential carbon dioxide storage, proposals should demonstrate in order of preference:
 - a) that they will not prevent carbon dioxide storage
 - b) how, if there are adverse impacts on carbon dioxide storage, they will minimise them
 - c) how, if the adverse impacts cannot be minimised, they will be mitigated
 - d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts
- **CCS2:** Carbon Capture and Storage proposals should demonstrate that consideration has been given to the re-use of existing oil and gas infrastructure rather than the installation of new infrastructure (either in depleted fields or in active fields via enhanced hydrocarbon recovery).
- **PS1:** Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance should not be authorised in International Maritime Organization designated routes.

- **PS2:** Proposals that require static sea surface infrastructure that encroaches upon important navigation routes(see figure 18) should not be authorised unless there are exceptional circumstances. Proposals should:
 - a) be compatible with the need to maintain space for safe navigation, avoiding adverse economic impact
 - b) anticipate and provide for future safe navigational requirements where evidence and/or stakeholder input allows and
 - c) account for impacts upon navigation in-combination with other existing and proposed activities
- **PS3:** Proposals should demonstrate, in order of preference:
 - a) that they will not interfere with current activity and future opportunity for expansion of ports and harbours
 - b) how, if the proposal may interfere with current activity and future opportunities for expansion, they will minimise this
 - c) how, if the interference cannot be minimised, it will be mitigated
 - d) the case for proceeding if it is not possible to minimise or mitigate the interference
- **DD1:** Proposals within or adjacent to licensed dredging and disposal areas should demonstrate, in order of preference
 - a) that they will not adversely impact dredging and disposal activities
 - b) how, if there are adverse impacts on dredging and disposal, they will minimise these
 - c) how, if the adverse impacts cannot be minimised they will be mitigated
 - d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts
- **AGG1:** Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised unless there are exceptional circumstances.
- **AGG2:** 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 or there are exceptional circumstances.
- **AGG3:** Within defined areas of high potential aggregate resource, proposals should demonstrate in order of preference:
 - a) that they will not, prevent aggregate extraction
 - b) how, if there are adverse impacts on aggregate extraction, they will minimise these
 - c) how, if the adverse impacts cannot be minimised, they will be mitigated
 - d) the case for proceeding with the application if it is not possible to minimise or mitigate the adverse impacts
- **CAB1:** Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant.
- **TR1:** Proposals for development should demonstrate that during construction and operation, in order of preference:
 - a) they will not adversely impact tourism and recreation activities
 - b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them
 - c) how, if the adverse impacts cannot be minimised, they will be mitigated
 - d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts
- **TR2:** Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference:
 - a) that they will not adversely impact on recreational boating routes
 - b) how, if there are adverse impacts on recreational boating routes, they will minimise them
 - c) how, if the adverse impacts cannot be minimised, they will be mitigated
 - d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts
- **TR3:** Proposals that deliver tourism and/or recreation related benefits in communities adjacent to the East marine plan areas should be supported.
- **AQ1:** Within sustainable aquaculture development sites (identified through research), proposals should demonstrate in order of preference:

- a) that they will avoid adverse impacts on future aquaculture development by altering the sea bed or water column in ways which would cause adverse impacts to aquaculture productivity or potential
 - b) how, if there are adverse impacts on aquaculture development, they can be minimised
 - c) how, if the adverse impacts cannot be minimised they will be mitigated
 - d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts
- **FISH1:** Within areas of fishing activity, proposals should demonstrate in order of preference:
 - a) that they will not prevent fishing activities on, or access to, fishing grounds
 - b) how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them
 - c) how, if the adverse impacts cannot be minimised, they will be mitigated
 - d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts
 - **FISH2:** Proposals should demonstrate, in order of preference:
 - a) that they will not have an adverse impact upon spawning and nursery areas and any associated habitat
 - b) how, if there are adverse impacts upon the spawning and nursery areas and any associated habitat, they will minimise them
 - c) how, if the adverse impacts cannot be minimised they will be mitigated
 - d) the case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts

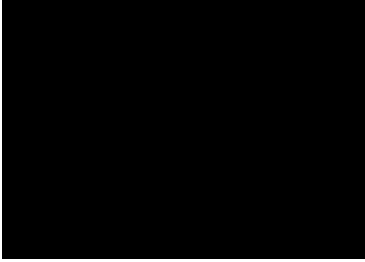
Further points to note

- We welcome and agree with the inclusion of sections '6.3 UK Marine Policy Statement' and '6.4 East Inshore and Offshore Marine Plans (2014)'.
- Please see a list of policies of marine relevance in the previous Local Plan for the Broads draft that we identified in June 2024 during an analysis of international, national and sub-national plans that may have relevance to marine planning in the east marine plan areas:
 - *Policy code, Page number*; Policy SP1, 24; Policy DM1, 24; Policy DM2, 27; Policy DM3, 29; Policy SP2, 31; Policy DM5, 31; Policy DM6, 35; Policy DM7, 40; Policy DM8, 42; Policy SP3, 45; Policy DM9, 46; Policy SP4, 48; Policy DM10, 49; Policy SP5, 52; Policy DM11, 53; Policy DM12, 56; Policy SP6, 59; Policy DM13, 59; Policy DM15, 65; Policy SP7, 67; Policy DM16, 67; Policy DM17, 68; Policy DM20, 71; Policy DM21, 73; Policy SP8, 75; Policy SP9, 76; Policy SP10, 81; Policy SP11, 81; Policy DM25, 82; Policy DM28, 86; Policy SP12, 89; Policy DM29, 90; Policy SP13, 94; DM31, 95; DM32, 96; Policy SP14, 97; DM33, 97; DM37, 115; DM43, 127; SP16, 131; DM44, 131; DM46, 135; DM50, 141; Policy BEC2, 147; Policy BRU1, 148; Policy BRU2, 150; Policy BRU3, 150; Policy BRU4, 151; Policy BRU5, 152; Policy BRU6, 152; Policy CHE1, 155; Policy DIL1, 156; Policy DIT1, 157; Policy DIT 2, 158; Policy GTY1, 160; Policy HOR3, 162; Policy HOR4, 163; Policy HOR5, 164; Policy HOR6, 165; Policy HOR7, 166; Policy HOV1, 170; Policy HOV3, 171; Policy HOV5, 175; Policy LOD1, 178; Policy NOR1, 179; Policy ORM1, 182; Policy OUL1, 183; Policy OUL2, 184; Policy POT1, 188; Policy POT2, 189; Policy POT3, 190; Policy SOL1, 190; Policy SOM1, 191; Policy STA1, 193; Policy TSA1, 195; Policy TSA2, 196; TSA3, 198; TSA4, 199; TSA5, 200; THU1, 200; WHI1, 202; Policy SSTR1, 203; Policy SSUT, 204; Policy SSCOAST, 205; Policy SSMILLS, 207; Policy SSLGS, 213; Policy SSSTAITHES, 213

As mentioned, the above changes are suggested as a recommendation to enhance the marine and terrestrial integration of policy frameworks. We would advise your own interpretation of the East Marine Plan is completed against The Local Plan for the Broads to identify other areas where links can be made.

If you would like further guidance or to discuss the points above, please do not hesitate to get in touch.

Yours sincerely,



Charlotte Lewis
Marine Planner (East)

