

REPORT

Boston Alternative Energy Facility

East Marine Plan Policy Checklist

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1.0 **Background**

- 1.1 Marine plans, together with the Marine Policy Statement, underpin the planning system introduced through the Marine and Coastal Access Act 2009 for England's seas.
- 1.2 The East Inshore and Offshore Marine Plans (Department for Environment, Food and Rural Affairs, 2014) provide a clear approach to managing the East Inshore and East Offshore areas, their resources, and the activities and interactions that take place within them.
- 1.3 Nationally significant infrastructure project applications must be determined in accordance with the National Policy Statement, subject to certain exceptions, and have regard to the Marine Policy Statement and relevant marine plans.
- 1.4 This document provides a checklist against the policies in the 2014 East Inshore and East Offshore Marine Plans (Department for Environment, Food and Rural Affairs, 2014), with the Boston Alternative Energy Facility (BAEF) Project to test and demonstrate compliance.

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Policy Area	Code	Policy	Screening	BAEF Project Assessment	Conclusion
Economic	EC1	Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.	Whole marine plan area.	<p>A Socio-Economic Assessment supports this application, the findings of which are included within Chapter 20 of the ES (document reference 6.2.20, APP-058).</p> <p>The Assessment sets out the clear socio-economic benefits of the Facility predicted as a result of its construction, operation (and decommissioning) phases. Its primary benefit is its contribution towards energy security on a local, regional and national level and other benefits relating to facility are identified as being direct and indirect employment benefits, increases in spending in the local economy and together, these are expected to make a contribution towards boosting the economy.</p> <p>The facility represents a long-term sustainable source of energy for Lincolnshire. It will help meet the Government’s renewable energy targets and will help reduce carbon emissions, including the commitment to generate at least 15% of energy demand from renewable sources by 2020 and by 80% by 2050. The facility is capable of generating 80MWe of energy per hour and it will operate 8,000 hours per annum. The facility therefore has the potential to generate an estimated 640,000MWe of energy each year, equating to 206,000 households. This corresponds to more than two thirds of households in Lincolnshire, a figure equivalent to 7.5 times the number of households in Boston.</p>	Direct Policy Compliance
Economic	EC2	Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to	Whole marine plan area	The Facility will support approximately 300 direct jobs per annum during the 48-month construction period. These jobs will include engineering jobs, installation teams, package suppliers, management employees and civils teams;	Direct Policy Compliance

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		meet employment needs in localities close to the marine plan areas.		<p>Of these direct jobs, it is estimated that up to 44% (132 jobs) will be filled by local residents. This constitutes approximately 14% of the current construction labour force in Boston;</p> <p>It is anticipated that the facility will create an additional 293 - 351 indirect jobs (over and above the 300 direct jobs) during the construction stage of the development because of the need to source construction material and equipment. Overall, the facility is expected to create up to 651 jobs over the 48 months build period;</p> <p>The Facility will support an estimated 108 gross direct full - time employee ('FTE') jobs during its operation and these jobs are associated with the lightweight aggregate plant, thermal treatment, the RDF storage area, CO2, RDF storage and the feedstock processing plant;</p> <p>Boston College has expressed an interest in providing bespoke apprenticeship scheme related to the facility as part of the college's expansion to the engineering sector;</p> <p>At the regional (East Midlands) level a total of 32 indirect and induced FTE jobs are estimated to be supported – including the 21 to be captured locally. This corresponds to 93 FTE jobs, in total, across the AOI – rising to 104 FTE jobs at the regional level. The development of the Facility is in accordance with NPS-EN1 in that it provides both local and regional socio-economic benefits. Most notably it will contribute to the provision of renewable energy and waste management practices on a national level. It will also provide direct and indirect employment opportunities in</p>	

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				different specialisms and it is committed to training and education programmes. Most significant weight should be given to this as a benefit of the facility in securing long term sustainability.	
Economic	EC3	Proposals that will help the East marine plan areas to contribute to offshore wind energy generation should be supported.	Whole Marine Plan	Not applicable to the BAEF project.	Policy Not Applicable
Social and Cultural.	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.	Whole Marine Plan Area	Access and public rights of way in the near vicinity of the BAEF are set out on the Access and Rights of Way Plan (document reference 4.5, APP-015) and set out at paragraph 5.6.116 of Chapter 5 Project Description (document reference 6.2.5, APP-043).	Direct Policy Compliance
Social and Cultural	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	Whole Marine Plan Area	The assessment of Heritage considerations has been to ascertain the potential impacts of the Facility (Chapter 8 Cultural Heritage, document reference 6.2.8, APP-046). There are no designated assets within the Application Site. A total of six Listed Buildings are within 1 km, whilst four Scheduled Monuments and a further 22 Grade II* and I Listed structures are found within 3 km. These heritage features include: Wybert's Castle; Slippery Gowt Sluice; Maud Foster Sluice; the Parish	Direct Policy Compliance

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		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.		<p>Church of St Nicholas; St Botolph's Church tower and the conservation areas of Skirbeck and Wyberton.</p> <p>Non-designated assets within 1 km are predominantly medieval to modern in date, mostly in the form of buried deposits associated with farmsteads. The most notable non-designated asset is the 'Roman Bank'. This extant earthwork passes through the centre of the Principal Application Site. The Application Site could also be underlain by prehistoric peat and historic alluvium which has the potential to contain preserved archaeological remains. There is also potential for heritage assets and remains to be present associated with The Haven mudbanks and the foreshore.</p> <p>Heritage input into the design of the layout of the facility has been provided, to ensure avoidance of impact to the historic environment where possible.</p> <p>The Facility has been designed with historic environment in mind, particularly in minimising any potential impacts to the setting of nearby heritage assets.</p> <p>The ES adopts a 'worst case' approach to assessment of effects upon the heritage assets identified with respect to construction, operation and decommissioning of the wharf and the facility. With the application of mitigation measures specific to each asset assessed where required, residual impacts in all cases were considered not to be significant.</p>	
Social and Cultural	SOC3	Proposals that may affect the terrestrial and marine character of an area should	Whole Marine Plan Area	The assessment of Landscape and Visual considerations has been undertaken as part of the ES for this application to ascertain the	Direct Policy Compliance

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		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; or d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.		<p>potential impacts of the Facility (Chapter 9 Landscape and Visual Impact Assessment, document reference 6.2.9, APP-047).</p> <p>Landscape and visual mitigation measures include the retention and enhancement of existing landscape features and the introduction of new belts of woodland planting; species selection will provide visual screening benefit whilst reinforcing existing local landscape character and biodiversity.</p> <p>The development is a major new development in an area which is already subject to significant large-scale industrial activity of a similar character. Full and proper consideration has been given to the potential effects of the development on the local landscape and on views.</p>	
Ecosystem	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.	Whole Marine Plan Area	Detailed assessments of potential cumulative impacts are provided in the Environmental Statement (documents reference: Chapters Category 6). Specific assessments of cumulative impacts on the marine and terrestrial ecosystem are assessed in Chapter 12 Terrestrial Ecology (document reference 6.2.12, APP-050) and Chapter 17 Marine and Coastal Ecology (document reference 6.2.17, APP-055).	Direct Policy Compliance
Ecosystem	ECO2	The risk of release of hazardous substances as a secondary effect due to any	Whole Marine Plan Area	Detailed marine navigation assessments are provided in the Environmental Statement including mitigation to minimise collision risks. No significant collision risks were identified from	Direct Policy Compliance

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		increased collision risk should be taken account of in proposals that require an authorisation.		<p>the project. The release of hazardous substances as a secondary effect is not considered to be significant.</p> <p>Chapter 15 Marine Water and Sediment Quality (document reference 6.2.15, APP-053); Chapter 18 Navigational Issues (document reference 6.2.18, APP-056); Chapter 19 Traffic and Transport (document reference 6.2.19, APP-057); and Chapter 24 Major Accidents and Risk Management (document reference 6.2.24, APP-062).</p> <p>In addition, the Applicant is currently preparing a Navigational Risk Assessment which will be provided to the Examination at Deadline 2 which will inform the Navigational Management Plan as secured by a condition in the deemed marine licence in Schedule 9 to the draft DCO.</p>	
Biodiversity	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).	Whole Marine Plan Area	<p>With respect to construction and operational considerations, each chapter provides a comprehensive assessment of the Facility (including activities on land as well as through dredging and vessel movements) on statutory and non-statutory sites, habitats, badgers, bats, water voles, dormice and otters, reptiles, birds populations and terrestrial invertebrates and marine species, considering also the context of the challenge of climate change.</p> <p>The impact of the development on terrestrial and estuarine ecology is set out with Chapters 12 (Terrestrial Ecology, document reference 6.2.12, APP-050) and 17 (Marine and Coastal Ecology document reference 6.2.17, APP-055) and Chapter 21 (Climate Change, document reference 6.2.21, APP-059) of the ES.</p>	Direct Policy Compliance

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Policy Area	Code	Policy	Screening	BAEF Project Assessment	Conclusion
Biodiversity	BI02	Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.	Whole Marine Plan Area	The net gain approach has been followed for this project for losses to habitat. An indicative intertidal biodiversity metric calculation has been completed to determine the requirement for net gain, which is included within the submitted Outline Landscape and Ecological Mitigation Strategy (OLEMS) (document reference 7.4, APP-123). The OLEMS is being updated for the Examination and will be re-submitted at Deadline 2. The final Landscape and Ecological Mitigation Strategy will be approved pursuant to a DCO requirement.	Direct Policy Compliance
Marine Protected Areas	MPA1	Any impacts on the overall Marine Protected Area network must be taken account of in strategic level measures and assessments, with due regard given to any current agreed advice on an ecologically coherent network.	Whole Marine Plan Area	Detailed assessments of potential effects on Marine Protected Areas are provided in the Habitats Regulations Assessment. The submitted documents provide evidence of the consultations with regulator, statutory nature conservation bodies and other stakeholders to ensure the most up to date advice has been considered. Environmental Statement - Appendix 17.1 - Habitats Regulations Assessment, document reference 6.4.18, APP-111.	Direct Policy Compliance
Climate Change	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	Whole Marine Plan Area	In accordance with CC1, climate change has been considered throughout the design stage of the Facility. The Facility includes key design features that will help reduce the amount of greenhouse gas (GHG) emissions associated with its operation. The facility includes the connection of two of the three thermal treatment lines to CO2 recovery plants. The plants will recover a total 5,000 kg of CO2 per hour per line, across the two lines (80,000 tonnes CO2 per annum based upon 8,000 hours operation per line), which will be used for off-site uses in various	Direct Policy Compliance

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		impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.		<p>industries and some retained on site as part of the fire-fighting system.</p> <p>The Facility has been designed so that waste is transported to the Principal Application Site via sea going vessel rather than by road. Design and Access Statement (document reference 5.3).</p> <p>Climate change adaption is considered in Chapters 12 and 17 of the ES in relation to terrestrial and marine and coastal ecology (document references 6.2.12, APP-050 and 6.2.17, APP-055) and then Chapter 21 – Climate Change (document reference 6.2.21, APP-059) where two assessments have been carried out to determine the contribution of the Facility to climate change, and the potential impact of climate change to the Facility’ The latter assessment considers climate change hazards from an increase in temperatures, flood risk and drought and shows that with embedded flood defences and best practice measures the vulnerability rating of the Facility to future climate changes would be low.</p>	
Climate Change	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.	Whole Marine Plan Area	<p>Greenhouse gas emissions reporting which accompanies the application (Chapter 21 Climate Change document reference, 6.2.21, APP-059) concludes Greenhouse gas emissions associated with provision of the Facility would be lower or similar when compared to existing waste treatment streams.</p> <p>The Facility includes key design features that will help reduce the amount of greenhouse gas (GHG) emissions associated with its operation. The facility includes the connection of two of the three thermal treatment lines to CO2 recovery plants. The plants will recover a total 5,000 kg of CO2 per hour per line, across the two lines (80,000 tonnes CO2 per annum based upon 8,000 hours</p>	Direct Policy Compliance

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				operation per line), which will be used for off-site uses in various industries and some retained on site as part of the fire-fighting system.	
Governance	GOV1	Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.	Whole Marine Plan Area	The application describes all required infrastructure on land to support the marine activities. All features are described in the project description chapters of the Environmental Statement Chapter 5 Project Description (document reference 6.2.5, APP-043).	Project is compliant with policy
Governance	GOV2	Opportunities for co-existence should be maximised wherever possible.	Whole Marine Plan Area	The marine area occupied by the project is minimal compared with, for example, offshore wind farms or marine aggregate extraction projects and therefore the opportunities (and need) for co-existence are minimal relating to BAEF infrastructure elements such as marine transport facilities. The location of the project does not coincide with potential or current marine aggregate extraction, offshore wind or offshore oil and gas projects. Marine Ecology and Fisheries is addressed through Chapter 17 Marine and Coastal Ecology (document reference 6.2.17, APP-055).	Project is compliant with Policy
Governance	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)	Whole Marine Plan Area	The ES has considered impacts on other users such as commercial and recreational fisheries, marine navigation (recreational and shipping) and designated conservation sites. The project is not known to displace any other authorised marine projects or activities other than those considered in the ES. Chapter 5 Project Description (document reference 6.2.5, APP-043); Chapter 17 Marine and Coastal Ecology (document reference 6.2.17, APP-055); Chapter 18 Navigational Issues (document reference 6.2.18, APP-056).	Project is compliant with Policy

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		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.			
Defence	DEF1	Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence.	N/A	Not applicable to the BAEF project	Policy not applicable
Oil and Gas	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.	N/A	Not applicable to the BAEF project	Policy not applicable
Oil and Gas	OG2	Proposals for new oil and gas activity should be supported over proposals for other development.	N/A	Not applicable to the BAEF project	Policy not applicable

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Offshore Wind Renewable Energy	WIND 1	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; or d) in other exceptional circumstances.	N/A	Not applicable to the BAEF project	Policy not applicable
Offshore Wind Renewable Energy	WIND 2	Proposals for Offshore Wind Farms inside Round 3 zones, including relevant supporting projects and infrastructure, should be supported	N/A	Not applicable to the BAEF project	Policy not applicable

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Tidal Stream and Wave	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; or d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.	N/A	Not applicable to the BAEF Project	Policy not applicable
Carbon Capture and Storage	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	Whole Marine Plan Area	<p>The proposal will not prevent carbon dioxide storage.</p> <p>The Facility will include the connection of the flue-gas system from the two outer thermal treatment plant lines to carbon dioxide (CO₂) recovery plants, which will recover CO₂ (to food-grade) for off-site reuse in various industries. Some of the CO₂ will also be retained on-site for use in fire prevention. The two CO₂</p>	Project is compliant with policy

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		dioxide storage, they will minimise them; c) how, if the adverse impacts cannot be minimised, they will be mitigated; or d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.		plants will be fully automatic systems designed for constant operation (24 hours per day, 7 days per week). Chapter 5 Project Description Document reference 6.2.5, APP-043.	
Carbon Capture and Storage	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).	Whole Marine Plan Area	The BAEF makes provision for Carbon Capture. The Facility falls under that 300MWe threshold. Nevertheless, the Facility will incorporate two carbon dioxide recovery plants. The reuse of oil and gas infrastructure is not a component of the scheme. The Facility has a generating capacity of 102MWe, some way below the threshold to identify as 'carbon capture ready', but nevertheless makes provision for this important requirement. The process of CCS within the Facility is set out within Chapter 5 of the ES (document reference 6.2.5, APP-043).	Policy is not applicable
Ports and Shipping	PS1	Proposals that require static sea surface infrastructure or that significantly reduce underkeel clearance should not be authorised in International Maritime Organization designated routes.	N/A	Not applicable to the BAEF project	Policy is not applicable

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Ports and Shipping	PS2	Proposals that require static sea surface infrastructure that encroaches upon important navigation routes (see figure 18 [in the East Inshore and East Offshore Marine Plan]) 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 ²⁰¹ ; 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.	Policy applied to specific area around BAEF	Not applicable to the BAEF project.	Project is compliant with policy
Ports and Shipping	PS3	Proposals should demonstrate, in order of preference: a) that they will not interfere with current activity and future opportunity for expansion of	Whole Marine Plan Area	The Environmental Statement has considered potential impacts to marine navigation including ports and harbours and demonstrated that the project will not have a significant impact on current activities or future opportunities for expansion	Project is compliant with policy

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Policy Area	Code	Policy	Screening	BAEF Project Assessment		Conclusion
		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; or d) the case for proceeding if it is not possible to minimise or mitigate the interference.		Chapter 18 Navigational Issues	Document reference 6.2.18, APP-056.	
				However, in order to maintain navigational safety on The Haven, the Applicant is currently preparing a Navigational Risk Assessment which will be provided to the Examination at Deadline 2 which will inform the Navigational Management Plan as secured by a condition in the deemed marine licence in Schedule 9 to the draft DCO.		
Dredging and Disposal	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; or d) the case for proceeding with the proposal if it is not possible to	Whole Marine Plan Area	The proposals are not within or adjacent to licensed disposal areas and there will be no disposal of dredged sediment offshore.		Project is compliant with policy
				The Port of Boston has a licence to dredge within The Haven, and impacts related to Port of Boston operations (including dredging) are assessed in Chapter 18 Navigational Issues (document reference 6.2.18, APP-056). This assessment confirms no significant impacts to the Port of Boston operations.		
				However, in order to maintain navigational safety on The Haven, the Applicant is currently preparing a Navigational Risk Assessment (NRA) which will be provided to the Examination at Deadline 2 which will inform the Navigational Management Plan as secured by a condition in the deemed marine licence in Schedule 9 to the draft DCO. The NRA will take into account both		

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		minimise or mitigate the adverse impacts.		current and future dredging requirements within The Haven. The Port of Boston will be a consultee to this work.	
Aggregates	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.	N/A	Not applicable to the BAEF project	Policy not applicable
Aggregates	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.	N/A	Not applicable to the BAEF project	Policy not applicable
Aggregates	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	N/A	Not applicable to the BAEF project	Policy not applicable

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		will minimise these; c) how, if the adverse impacts cannot be minimised, they will be mitigated; or d) the case for proceeding with the application if it is not possible to minimise or mitigate the adverse impacts.			
Cabling	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.	N/A	Not applicable to the BAEF project.	Policy not applicable
Fisheries	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	Whole Marine Plan Area	The operation of the Facility will increase the number of vessels on The Haven, and it was identified in Chapter 18 Navigational Issues of the ES (document reference 6.2.18, APP-56) that without mitigation this would have a major adverse effect on the fishers (paras 18.7.70 and 18.7.73). As a result of this a Navigation Management Plan (NMP) is proposed which will be produced in consultation with the fishers and the Port of Boston to ensure	Project is compliant with policy

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		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; or d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts.		<p>that safety on the Haven is maintained and there is no significant operational impact on the fishers.</p> <p>The Applicant is currently preparing a Navigational Risk Assessment which will be provided to the Examination at Deadline 2 which will inform the Navigational Management Plan as secured by a condition in the deemed marine licence in Schedule 9 to the draft DCO.</p>	
Fisheries	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; or d) the case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts.	N/A	<p>The Environmental Statement has considered impacts on fish ecology including detailed assessments on spawning and nursery areas and demonstrated with the mitigations proposed that there are no significant impacts on fish spawning or nursery grounds.</p> <p>Chapter 17 Marine and Coastal Ecology (document reference 6.2.17, APP-055).</p> <p>Further information is also provided in the Addendum to Chapter 17 and Appendix 17.1 - Benthic Ecology, Fish and Habitats (document reference 9.15), submitted at Deadline 1 of the Examination.</p>	Project is compliant with policy

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Aquaculture	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; or d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.	N/A	The project does not coincide with strategic areas of sustainable aquaculture production defined in the East inshore and East offshore Marine Plan (https://explore-marine-plans.marineservices.org.uk/ accessed 6/10/21). Impacts from resuspended contaminants have been assessed in detail in Chapter 15 Marine Water and Sediment Quality document 6.2.15, APP-053).	The project is compliant with policy
Tourism and Recreation	TR1	Proposals for development should demonstrate that during construction and operation, in order of preference: a) they will not	Whole Marine Plan Area	The Environmental Statement assesses the potential impacts on tourism from the project. The Facility is expected to have temporary, short term and negligible effect with respect to tourism.	Project is compliant with policy

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		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; or d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.		Chapter 20 Socio-Economics (document reference 6.2.20, APP-058).	
Tourism and Recreation	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; or d) the case for proceeding with the proposal if it is not possible to	Whole Marine Plan Area	The Environmental Statement has considered potential impacts to marine navigation including recreational boating and demonstrated that the project will not have a significant impact on recreational boating activities. Chapter 18 Navigational Issues (document reference 6.2.18, APP-056).	Project is compliant with policy

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		minimise or mitigate the adverse impacts.			
Tourism and Recreation	TR3	Proposals that deliver tourism and/or recreation related benefits in communities adjacent to the East marine plan areas should be supported.	Whole Marine Plan Area	The project does not directly deliver tourism or recreational benefits.	Policy not applicable

Spatial screening of marine plan policies using the Explore Marine Plans web service available at [REDACTED]

2.0

References

1. Department for Environment, Food and Rural Affairs. 2014. East Inshore and East Offshore Marine Plans. [Online] Available at:
[REDACTED]
[REDACTED]
2. Marine and Coastal Access Act 2009. [Online] Available at:
[REDACTED]
[REDACTED]
3. Marine Policy Statement 2011. [Online] Available at:
[REDACTED]
[REDACTED]
4. National Policy Statements for Energy Infrastructure 2011. [Online] Available at:
[REDACTED]
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