

Planning Act 2008

Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011

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## **Able Marine Energy Park**

### *Material Change 2*

## **Updated East Marine Plan Compliance Table**

**(Qu.1.0.9)**



Licensing Marine Plan Policy Assessment

MCMS Case Reference:					
Case Officer:					
<a href="#">East Marine Plans</a>	Policy Text	Policy Aim/Rationale	Policy screened in or out from EMP assessment	Case officer assessment of plan policy (include why policy screened out)	Relevant page numbers, references and document title where applicant has assessed policy (for audit trail)
Policy 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).	This policy applies to both the inshore and offshore plan areas.  This plan policy is intended to ensure that all current publicly available evidence relating to biodiversity interest in the East marine plan areas is taken account of by the relevant public authority in the appropriate manner with advice from the Statutory Nature Conservation Bodies. It is important to note that the absence of evidence does not equate to the absence of features that are sensitive or of conservation concern; additional proposal specific evidence may be required. BIO1 also helps to ensure that commitments within the current legislative regime to biodiversity beyond designated sites are clearly understood by stakeholders. See East Plan paras: 213-216.	IN- Policy scoped into assessment through EMP policy search	The Updated ES (UES) takes account of all publicly available evidence with relation to the biodiversity issues relevant to the development. The UES makes reference to both marine and terrestrial habitats and species that may be affected by the development, provides a range of suitable mitigation measures and makes reference to the Marine Policy Statement where appropriate.	Chapter 9 - Water and Sediment Quality - Section 9.4.0 Chapter 10 - Aquatic Ecology - Section 10.4.0 Chapter 11 - Ecology - Section 11.4.0 Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0
Policy 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.	Plan policy applies to both inshore and offshore plan areas. Links to plan policies OG1, OG2.  Licensed areas to which the policy applies in the East Inshore and East Offshore Marine Plan Areas are shown in figure 21 of the East Plans. The exceptional circumstances are: i) where the aggregates company that holds the lease allows another party to use that area either for aggregate extraction or another use; ii) where it is determined that the location should be licensed (by the Department for Energy and Climate Change) for oil or gas development (see also plan policies OG1 and OG2). Changes to the lease would be subject to agreement with the lease holder. See East Plans paras: 393-397.	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	No aggregate extraction is proposed as part of the development	Policy N/A to application
Policy 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.	Plan policy applies to both inshore and offshore plan areas. Links to policy OG1, OG2.  This policy signals to those applying for an authorisation for a new development or activity that prevents future extraction of aggregates in exploration areas that it is likely to be looked on unfavourably once an area is awarded 'rights' by The Crown Estate. It is expected that proponents of new development or activities will consult with the relevant aggregate company and others such as The Crown Estate, to determine compatibility and to satisfy the public authorities that the policy is met. The exceptional circumstances are: i) where the aggregates company that holds the agreement allows another party to use that area either for aggregate extraction or another use; ii) where it is determined that the location should be licensed (by the Department for Energy and Climate Change) for oil or gas development. See East Plan paras 398-402.	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The development is not within an area subject to an Exploration and Option Agreement with The Crown Estate.	Policy N/A to application
Policy 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	This policy applies to both inshore and offshore plan areas.  Policy AGG3 applies MPS 3.5.6, taking account of the regional and national importance of the East Marine Plan Areas for marine aggregate supply and of the spatially discrete areas in which commercially viable deposits of sand and gravel are found. The policy is intended to enable public authorities to consider how proposals for marine development and activities within areas of high potential aggregate resource, as defined by British Geological Survey, may impact the ability to access commercially viable marine sand and gravel resources in the future. The policy does not apply to other activities that are already licensed including where those activities may exclude new aggregate extraction, e.g. protected cable corridors and existing aggregate licence areas. The requirement under d) is to provide information for consideration by the relevant public authority. <u>It does not indicate that approval of the proposal will follow by default.</u>  Ways in which applicants may satisfy a) include providing data that shows the area does not contain aggregates or providing evidence that their operation will be compatible with extraction activity. Circumstances under which b) might be satisfied could include showing that the footprint of the proposal relative to the available aggregate in that location is de minimis. Circumstances under which c) might be satisfied could include moving the proposal from a more to less favourable area for aggregates, or proposing that prior extraction of aggregates before development is feasible. See East Plans paras: 403-409.	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The development is not within a defined area of high potential aggregate resource.	Policy N/A to application
Policy 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	This policy applies to both inshore and offshore plan areas.  Policy AQ1 is an enabling policy for aquaculture, which seeks to protect opportunities for aquaculture, as they are identified through research and evaluation. The Marine Policy Statement (3.9.6 and 3.9.7) highlights the potential benefits of aquaculture, in existing areas, and aspirations for sustainable growth of the industry in possible future locations. Policy AQ1 does not preclude other developments or activities, including current aquaculture. Rather, it applies the intent of the national policy to ensure consideration is given to how other proposals may impact access to and use of areas suitable for future aquaculture development. The policy requires any proposals to demonstrate, using best evidence available, where adverse impacts to aquaculture activities may occur and how these impacts can be avoided. Where avoidance is not possible an explanation as to why the impacts cannot be overcome and possible minimisation, or mitigation, measures should be provided, allowing decision-makers to assess (as part of the application process) the adverse impacts to aquaculture posed by the development. The requirement under d) is to provide information	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The development is not within a sustainable aquaculture development site.	Policy N/A to application

<p><b>Policy BIO2</b></p>	<p>Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.</p>	<p>This policy applies to both the inshore and offshore plan areas.</p> <p>This policy adds value by providing a clear direction to public authorities that they should show a preference for proposals that enhance benefits to marine ecology, biodiversity and geological conservation. Such benefits may include the enhancement of resilience of ecosystems (for example to the effects of climate change), and the provision of ecosystem services such as flood protection and water filtration. 'Where appropriate' includes where it is reasonable to expect such features to be included that are consistent with or do not compromise (whether to do with technical constraints, cost or other reasons) the primary purpose for which the development is proposed. Identifying positive impacts of a proposal does not negate the need to assess negative impacts in line with whatever legislation or assessment requirements apply. Enhancement is not a substitute for avoidance, protection or mitigation measures. See East Plan paras: 217-219.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>The UES identifies the sensitive receptors that relate to marine ecology, biodiversity and geological conservation and assesses the magnitude of change (impact) and significance of effect of the development. The UES also provides an overview of the Humber Ecosystem.</p> <p>The consideration of enhancements to biodiversity and geological interests are contained within the original ES submitted in support of the DCO and did identify that the scheme (as consented) had an adverse effect on the integrity of biodiversity and habitats in the area prior to mitigation. On this basis, the consented scheme included the provision of a range of mitigation and compensation measures (including the provision of over 100 hectares of compensatory marine habitat) to ensure the development is appropriate and identified effects are reduced or off-set where possible. The DCO itself includes (amongst others) requirements for the implementation of a dredging strategy, Compensation Environmental Management and Monitoring Plan (CEMMP), Marine Environmental Management and Monitoring Plan (MEMMP), compensatory habitat (including Cherry Cobb Sands and Halton Marshes Wet Grassland Mitigation Area), watercourse channel pumping and bank reinstatement.</p> <p>The UES reviews these findings in relation to the proposed alterations to the quay layout and works within the marine environment. On this basis, no further biodiversity or geological enhancements are proposed within the terrestrial environment beyond that already contained within the original ES and DCO. With regard to the marine environment, the UES has found no changes or new significant effects beyond that contained within the original ES. On this basis, no further biodiversity or geological enhancements are proposed within the marine environment beyond that already contained within the original ES and DCO.</p> <p>Given there are no alterations to the significance of effects or residual impacts identified within the original ES, the mitigation measures (including biodiversity and geological enhancements) already proposed and consented as part of the DCO should be considered entirely appropriate and to have satisfied the requirements of Policy BIO2.</p>	<p>Chapter 7 - Geology, Hydrogeology and Ground Conditions - Section 7.1.0</p> <p>Chapter 10 - Aquatic Ecology - Section 10.4.0 and 10.5.0</p> <p>Chapter 11 - Ecology - Section 11.4.0 and 11.5.0</p> <p>Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0 and 12.5.0</p> <p>Chapter 27 - Summary of Mitigation and Monitoring - Section 27.2.0 and 27.3.0</p>
<p><b>Policy CAB1</b></p>	<p>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.</p>	<p>This policy applies to both inshore and offshore plan areas. Links to policy GOV1, DD1, PS2, TR2.</p> <p>This policy aims to ensure sub-sea cables are properly protected from damage and do not cause a safety issue for vessels, particularly in navigation channels. Burial of cables increases opportunities for co-location and co-existence with other activities. Public authorities should look to ensure that adverse impacts upon cable operations are in the first instance avoided. Where this is not possible, such impacts should be minimised through any mitigation proposals. Mitigation proposals will vary with cable type and purpose, as does any applicable legislation, including any environmental constraints. See East Plan paras: 417-422.</p>	<p>OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area</p>	<p>The development proposals do not propose the installation of a cable.</p>	<p>Policy N/A to application</p>
<p><b>Policy CC1</b></p>	<p>Proposals should take account of:</p> <ul style="list-style-type: none"> <li>• how they may be impacted upon by, and respond to, climate change over their lifetime and</li> <li>• how they may impact upon any climate change adaptation measures elsewhere during their lifetime</li> </ul> <p>Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.</p>	<p>This policy applies to both inshore and offshore plan areas.</p> <p>The policy aim is that new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. The MPS (2.6.7.5) sets out that decision-makers and proposers of marine and coastal developments should take account of climate change projections and ensure that the design and operation of a given marine activity and/or proposed management measure (such as a marine protected area designation) are 'adaptation-proofed' as much as is possible to increase their resilience to the effects of climate change such as coastal change and flooding. This policy gives effect to the MPS high level principles for decision-making related to the need to account for the potential impacts of climate change adaptation. Additional considerations are the need to take into account other relevant projects, programmes and plans, and of other relevant matters. See East Plan paras: 236-240.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>In accordance with Section 4.21 of the Scoping Opinion (Appendix UES5-2), the UES has included consideration of carbon dioxide emissions (Chapter 17: Air Quality), flood risk and climate change (Chapter 13: Drainage and Flood Risk), hydrodynamics (Chapter 8: Hydrodynamics and Sedimentary Regime) and adaptation of the development design (Chapter 4: Description of Changes to Development).</p> <p>The assessment contained within the original ES quantified the predicted CO2 emissions of the operational phase. The original ES did not draw any conclusions from this. However, the impact on CO2 emissions identified within the original ES was accepted as part of the DCO: it is noted that material amendment does not relate to the operational phase in terms of the air quality scope and, therefore, CO2 impacts will not change as a result.</p> <p>The UES has duly considered the risks associated with climate change through assessment of a suitable future flood risk scenario with raised sea levels. As such, the consideration of climate change is inherently contained within the existing assessment for flood risk and overtopping.</p> <p>On this basis, the Updated ES assesses the impact of the proposed development on the carbon and climate balance and has identified that the development will not negatively impact the climate and carbon balance.</p> <p>The UES has identified that there are no alterations to the significance of effects or residual impacts identified within the original ES. As such, the mitigation measures already proposed and consented as part of the DCO should be considered entirely appropriate with regard to seeking to reduce impacts on climate change and carbon balance. On this basis, the proposed material amendment should be considered to comply with the requirements of Policy CC1.</p>	<p>Chapter 4 - Description of Changes to Development - Section 4.3.0 and 4.4.0</p> <p>Chapter 8 - Hydrodynamics and Sedimentary Regime - Section 8.4.0</p> <p>Chapter 10 - Aquatic Ecology - Paragraph 10.7.6</p> <p>Chapter 12 - Commercial and Recreational Fisheries - Paragraphs 12.7.6</p> <p>Chapter 13 - Drainage and Flood Risk - Section 13.4.0</p> <p>Chapter 17 - Air Quality - Section 17.4.0</p> <p>Chapter 25 - Other Environmental Issues - Section 25.2.0</p> <p>Chapter 27 - Summary of Mitigation and Monitoring - Section 27.2.0 and 27.3.0</p>
<p><b>Policy CC2</b></p>	<p>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.</p>	<p>This policy applies to both inshore and offshore plan areas.</p> <p>The focus of this policy is on those projects that are subject to the requirements of the Environmental Impact Assessment Directive. However, smaller-scale projects may have significant emissions considerations too, for example in relation to co-location of other activities; identification and need for assessment of such projects should be at the discretion of the decision-maker.</p> <p>The approach taken by this policy to reducing emissions of greenhouse gases should account for the following in relation to the minimising and mitigating steps:</p> <ul style="list-style-type: none"> <li>• emissions directly related to the activity proposed (including greenhouse gases directly associated with construction, operation and/or decommissioning where appropriate)</li> <li>• emissions indirectly related to the activity proposed (for example, increased journey length for vessels arising from development)</li> <li>• impact the activity may have on measures already in place as part of reducing greenhouse gas emissions (for example, carbon offsetting measures or incorporation of renewable energy generation)</li> </ul> <p>See East Plans paras: 241-244.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>The development is required to minimise greenhouse gas emissions under Requirement 24 of Schedule 11 (Schedule of Requirements) that accompanied the DCO.</p>	<p>Chapter 17 - Air Quality - Section 17.5.0</p> <p>Chapter 25 - Other Environmental Issues</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p>
<p><b>Policy CCS1</b></p>	<p>Within defined areas of potential carbon dioxide storage, (mapped in figure 17) proposals should demonstrate in order of preference:</p> <ol style="list-style-type: none"> <li>a) that they will not prevent carbon dioxide storage</li> <li>b) how, if there are adverse impacts on carbon dioxide storage, they will minimise them</li> <li>c) how, if the adverse impacts cannot be minimised, they will be mitigated</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ol>	<p>This policy applies to both inshore and offshore plan areas.</p> <p>The East marine plan areas represent a significant proportion of England's storage potential for Carbon Capture and Storage. The policy aims to help ensure that sufficient storage sites are available for Carbon Capture and Storage over the long-term in view of the large number of such sites, on a national and international scale.</p> <p>Ways in which applicants may satisfy a) include providing data that shows the area is not a suitable storage site or providing evidence that their operation will be compatible with storage activity. Circumstances under which b) might be satisfied could include showing that the footprint of the proposal relative to the storage footprint on the seabed is insignificant. Circumstances under which c) might be satisfied could include moving the proposal from a more to less favourable area for Carbon Capture and Storage, or proposing co-ordination that can avoid any conflict, e.g. storage can take place before a new development or vice-versa. Circumstances under which d) might be satisfied could include demonstrating the importance of the proposal to meet other objectives or relevant departmental policies in the marine plans or other material considerations. <u>The requirement under d) is to provide information for consideration by the relevant public authority; it does not indicate that approval of the proposal will follow by default.</u> See East Plan paras: 328-336.</p>	<p>OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area</p>	<p>The development is not within a defined area of potential carbon dioxide storage.</p>	<p>Policy N/A to application</p>

<b>Policy CCS2</b>	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).	This policy applies to both inshore and offshore plan areas. Link to policy GOV1, GOV2.  This policy promotes MPS 3.3.33, the potential to combine permanent storage of carbon dioxide with the enhanced production of hydrocarbons, and supports possibilities to re-use existing infrastructure to provide access to storage sites. See East Plan paras: 337-341.	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The development does not propose the capture/storage of carbon.	Policy N/A to application
<b>Policy DD1</b>	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	This policy applies to the inshore plan area only.  This plan policy aims to protect dredging and disposal activities, in or adjacent to licensed dredging and disposal areas, against other new proposals, e.g. cables or built infrastructure, that would compromise the continued access to ports and harbours for the shipping industry. It aims to clarify the application process for decision-makers and licence applicants, for early intervention, in dealing with issues or conflicts which may arise during the application process. The requirement under d) is to provide information for consideration by the relevant public authorities. It does not indicate that approval of the proposal will follow by default. See East Plan paras: 380-384.	IN- Policy scoped into assessment through EMP policy search	The applicant, and the UES, has given due consideration to the dredging activities proposed and the need for disposal at an existing consented site (HU080, HU081 and HU082). A detailed assessment of the hydrodynamic and sedimentary regime has been undertaken for the proposed dredging activities and mitigation recommended where appropriate.	Chapter 8 - Hydrodynamics and Sedimentary Regime - Section 8.4.0 Chapter 10 - Aquatic Ecology - Section 10.4.0 Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0 Chapter 13 - Drainage and Flood Risk - Section 13.4.0
<b>Policy DEF1</b>	Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence.	Policy applies to both inshore and offshore plan areas.  This policy supports the need for defence activities to take place within the East marine plan areas for the purpose of national security. If the Ministry of Defence objects to a proposal then the development or activity will not be authorised. The Ministry of Defence should be consulted in all circumstances to verify whether defence interests will be affected and ensure that national defence capabilities and interests are not compromised (Marine Policy Statement 3.2.9). Any applications which would adversely affect defence activities would need to demonstrate that permission had been granted by the Ministry of Defence, to ensure that the impact of a proposal does not conflict with the military usage. See East Plan paras: 279-281.	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The development does not affect and is not within a Ministry of Defence Danger and Exercise Area.	Policy N/A to application
<b>Policy EC1</b>	Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.	Policy applies to both inshore and offshore plan areas. Links to policy SOC1. This policy is intended to promote more than the most economically beneficial developments and activities. It is also about gaining economic benefit from all developments and activities. Therefore where one project provides more economic benefit than a project of the same type, then the former should be supported. This should be the case unless there are other compelling reasons not to support the more economically beneficial project. See East Plan paras: 113-121.	IN- Policy scoped into assessment through EMP policy search	The development provides the opportunity for the UK to establish a world scale offshore wind cluster and enables the UK to maximise its economic development in the emerging renewable energy sector. The proposed material change will support the delivery of this Nationally Significant Infrastructure Project (NSIP).  Chapter 21 of the original ES for the DCO provided a Socio; Economic assessment for the proposed AMEP development that considered the following potential effects in respect of both the construction and operational phases:  • economic effects of the proposed development on the local area and the wider community of the Hull and Humber sub-region including assessment of the likely direct, indirect and induced effects of the project in terms of employment and skills; and • effects on local communities including community infrastructure such as accommodation, education, healthcare and recreation.  The proposed material amendment as considered within the UES does not alter the assessment or findings of the original ES or the development as consented under the DCO with regard to economic productivity or the Socio-Economic effects as outlined above. On this basis, the development proposals will provide economic productivity benefits at a local, regional and national scale which ensures compliance with Policy EC1.	Chapter 4 - Description of Changes to the Development Chapter 21 - Socio-Economics - Section 21.4.0
<b>Policy EC2</b>	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.	Policy applies to both inshore and offshore plan areas. Links to policy SOC1.  This policy is intended to promote more than solely the most economically beneficial developments and activities. It is also about gaining employment benefit from all developments and activities. Therefore, where one project provides more employment benefit than a project of the same type, then the former should be supported. Unless there are other compelling reasons not to do so, for example it has greater negative social or environmental impacts. This policy should apply to all decisions relating to new proposals, be they for continuation of existing activity or relating to new activity. See East Plan paras: 122-127.	IN- Policy scoped into assessment through EMP policy search	The development positively contributes to the economy through the creation of jobs, and its use (wind energy generation) plays a role in influencing wider economic activities.	Chapter 4 - Description of Changes to the Development Chapter 21 - Socio-Economics - Section 21.4.0
<b>Policy EC3</b>	Proposals that will help the East marine plan areas to contribute to offshore wind energy generation should be supported.	Policy applies to both inshore and offshore plan areas and should be used in conjunction with policies WIND1 and WIND2.  Optimising the location and methods of deploying offshore wind farms as well as other developments and activities that may affect their delivery, will help minimise the adverse effects on both marine users and the environment. Its main role however, is to make the link between ambitions for economic development and job creation, thereby adding value by highlighting the importance of the East marine plan areas to achieving national policy for economic growth and renewable energy projects. This is more geographically specific than national policy. See East Plan paras: 128-133.	IN- Policy scoped into assessment through EMP policy search	The development (Able Marine Energy Park) is a port facility which will support the continued on-shore wind energy facility and therefore it actively helps the East Marine Plan area contribute to offshore wind energy generation. The development serves as a bespoke port facility for the renewable energy sector.	Chapter 1 - Introduction - Section 1.1.0 and Section 1.2.0 Chapter 4 - Description of Changes to the Development Chapter 21 - Socio-Economics
<b>Policy ECO1</b>	Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine, terrestrial) should be addressed in decision-making and plan implementation.	This policy applies to both the inshore and offshore plan areas. Links to policy GOV3.  The policy supports the aim of integration across and between different plans, including terrestrial local plans, in referring to the impacts of marine activities on the terrestrial, as well as marine ecosystems and vice-versa. It also draws attention to, and reinforces, the role of authorities in and adjoining the East marine plan areas to work together to identify and manage cumulative impacts, including through other relevant plans or programmes, such as River Basin Plans. This policy should be used alongside existing processes such as Environmental Impact Assessment and Strategic Environmental Assessments which also consider cumulative effects. These processes consider the need to avoid, minimise or mitigate impacts caused by cumulative effects, and this also is reflected in the principles of the National Planning Policy Framework and the Marine Policy Statement (2.6.1.3) on conserving and enhancing the natural environment. See East Plan paras: 196-199 and also para 188.	IN- Policy scoped into assessment through EMP policy search	The updated ES assesses the cumulative and in-combination effects of the material amendment on the aquatic and terrestrial ecology of the site and surrounding area.	Chapter 8 - Hydrodynamics and Sedimentary Regime - Section 8.4.0 Chapter 10 - Aquatic Ecology - Paragraphs 10.4.88 et seq Chapter 11 - Ecology - Section 11.4.0 Chapter 12 - Commercial and Recreational Fisheries - Paragraphs 12.4.25 et seq Chapter 26 - Assessment of Cumulative and In-Combination Effects

Policy 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.	This policy applies to both the inshore and offshore plan areas.  Risks are likely to be identified and addressed through existing mechanisms, such as environmental assessment, navigational risk assessment, safety measures and contingency plans. It is essential that potential indirect effects are fully considered in practice. Public authorities may need to liaise with those with expertise and/or a remit relevant to the policy in making their decisions, and determining unacceptable levels of risk, in addition to consultation of guidance and existing regulations, such as the Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended), and the Conservation of Habitats and Species Regulations 2010. See East Plan paras: 200-204.	IN- Policy scoped into assessment through EMP policy search	The updated ES considers the navigational risks associated with hazardous substances and the risk of collision. A further assessment has also been undertaken with regard to aviation safeguarding and the risks associated with craneage on the site and the potential for bird strike.	Chapter 12 - Commercial and Recreational Fisheries - Paragraph 12.7.7
Policy 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	This policy applies to both inshore and offshore plan areas. Note: 'fishing activity' refers to licensed, commercial fisheries only (para 423 of the East Plan). Link to policy GOV2, GOV3.  This plan policy supports fishing activity by avoiding adverse impacts resulting from development and activities in the East marine plan areas. The policy focuses on access to fishing grounds. The requirement under d) in policy FISH1 is to provide information for consideration by the relevant public authority. <u>It does not indicate that approval of the proposal will follow by default.</u> See East Plan paras: 437-441.	IN- Policy scoped into assessment through EMP policy search	The Updated ES considers how the material change relates to both commercial and recreational fishing. It concludes that there are no significant changes to the direct impacts to fisheries that will result from the material amendment to the original DCO.	Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0
Policy 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	This policy applies to both inshore and offshore plan areas.  The aim of this policy is to support the recovery of fish stocks by offering protection against adverse impacts to spawning areas from development or activity. Public authorities will need to ensure that supporting information is submitted, proportionate to any proposal, illustrating any potential impacts (this may include consultation to identify issues at scoping stage) and suggested measures to minimise or mitigate them. The requirement under d) is to provide information for consideration by the relevant public authority. <u>It does not indicate that approval of the proposal will follow by default.</u> See East Plan paras: 442-446.	IN- Policy scoped into assessment through EMP policy search	The Updated ES considers how the material change relates to both commercial and recreational fishing. It concludes that there are no significant changes to the direct impacts to fisheries that will result from the material amendment to the original DCO. - It also makes reference to the provision of compensatory habitat at Cherry Cobb Sands within the original DCO.	Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0
Policy GOV1	Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.	This policy applies to both inshore and offshore plan areas. Links to policy GOV1 and the Coastal Concordat.  Public authorities must assess the potential positive and negative impacts, on both the marine and terrestrial environments, of development proposals in a collective and cumulative manner (e.g. the effects of a cable landfall on flood defences, unstable cliffs, landscape and seascape). Proposals in the marine area that would significantly compromise the delivery of the objectives of terrestrial development plans are unlikely to be approved. Public authorities should also take into account proposals on land that have potential impacts on delivery of marine plan objectives. See East Plan paras: 259-263.	IN- Policy scoped into assessment through EMP policy search	The original ES considers whether there is appropriate infrastructure in place to support the on-site activities in the marine area and vice versa. This includes the provision of a range of mitigation measures to ensure the development is appropriate and identified effects are reduced or off-set where possible.  The DCO includes (amongst others) requirements for the implementation of a dredging strategy, Compensation Environmental Management and Monitoring Plan (CEMMP), Marine Environmental Management and Monitoring Plan (MEMMP), compensatory habitat (including Cherry Cobb Sands and Halton Marshes Wet Grassland Mitigation Area), watercourse channel pumping and bank reinstatement, embedded mitigation for Commercial and Recreational Navigation, realignment / re-routing of public footpaths and rights of way, highways improvements, aviation safeguarding, construction and best practice related mitigation.  As detailed within the UES, with the exception of navigation, the proposed material amendment does not alter the findings or require the implementation of further or alternate mitigation beyond that contained within the original ES and the DCO. On this basis, the proposed material amendment continues to support activities in the marine area and vice versa as contained within the original ES and extant DCO, and is entirely compliance with the requirements of Policy GOV1.	Chapter 4 - Description of Changes to the Development Chapter 8 - Hydrodynamics and Sedimentary Regime - Section 8.5.0 Chapter 10 - Aquatic Ecology - Section 10.5.0 Chapter 11 - Ecology - Section 11.5.0 Chapter 12 - Commercial and Recreational Fisheries - Section 12.5.0 Chapter 13 - Drainage and Flood Risk - Section 13.5.0 Chapter 27 - Summary of Mitigation and Monitoring
Policy GOV2	Opportunities for co-existence should be maximised wherever possible.	This policy applies to both inshore and offshore plan areas. It can be linked to proposals under CCS1 and CCS2.  The key aim of this policy is to promote compatibility and reduce conflict (between activities, and also with the environment) in order to manage the use of space within the marine environment in an efficient and effective manner. Marine plans should identify areas of constraint and locations where a range of activities may be accommodated. This reduces real and potential conflict, maximises compatibility between marine activities and encourages co-existence of multiple users. The policy ensures coexistence is considered. It is important for all relevant public authorities to ensure that the feasibility of co-existence is taken into account in formulating plans affecting the marine area (including Local Plans, Local Development Frameworks, Shoreline Management Plans and River Basin Management Plans), and when assessing new development and other activities. See East Plan paras: 264-268.	IN- Policy scoped into assessment through EMP policy search	The original ES considers whether the development, as consented under the DCO, conflicts with other activities, and also with the environment in order to manage the use of space within the marine environment in an efficient and effective manner. This includes consideration of policy compliance, as well as the provision of a range of mitigation measures to ensure the development is appropriate and identified effects are reduced or off-set where possible.  The DCO includes (amongst others) requirements for the implementation of a dredging strategy, Compensation Environmental Management and Monitoring Plan (CEMMP), Marine Environmental Management and Monitoring Plan (MEMMP), compensatory habitat (including Cherry Cobb Sands and Halton Marshes Wet Grassland Mitigation Area), watercourse channel pumping and bank reinstatement, embedded mitigation for Commercial and Recreational Navigation, realignment / re-routing of public footpaths and rights of way, highways improvements, aviation safeguarding, construction and best practice related mitigation.  As detailed within the UES, with the exception of navigation, the proposed material amendment does not alter the findings or require the implementation of further or alternate mitigation beyond that contained within the original ES and the DCO. A revised assessment was undertaken for Hydrodynamics and Sedimentary Regime to consider the alternate layout of the quay and associated climate change assumptions (this is a factual report which is then utilised by the other disciplines to complete their assessments). A review of changes to policy and legislation is also provided within Chapter 3 of the UES.  The proposed material amendment does not alter the ability of the development to co-exist with other developments, assets and the environmental designations within the marine environment, as contained within the original ES and extant DCO. On this basis, the proposed material amendment is contended to be entirely in compliance with the requirements of Policy GOV2.	Entire UES is of relevance but specific reference should be made to: Chapter 3 - Changes to Policy and Legislation (please note there is also a further Technical Note which has been issued during Examination) Chapter 6 - Description of Committed Developments Chapter 8 - Hydrodynamics and Sedimentary Regime - Section 8.4.0 Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0 Chapter 14 - Commercial and Recreational Navigation - Section 14.4.0 Chapter 26 - Assessment of Cumulative and In-Combination Effects
Policy 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	This policy applies to both inshore and offshore plan areas. Links to GOV2, SOC2, SOC3, AGG3, TIDE1, PS3, CCS1, DD1, FISH1 and 2, AQ1, TR1 and TR2.  Over-development of an area through high levels of co-existence can lead to displacement of certain activities, especially fishing. GOV3 aims to ensure GOV2 is implemented proportionally. The policy aim is to facilitate decisions and effective management measures that avoid, minimise or mitigate negative economic, social and environmental impacts. Please note the requirement under d) is to provide information for consideration by the relevant public authorities. <u>It does not indicate that approval of a proposal will follow by default.</u> See East Plan paras: 269-273.	IN- Policy scoped into assessment through EMP policy search	The original ES considers whether the proposed development would displace any existing or authorised activities (including any non-designated environmental assets). The original ES also includes consideration of cumulative effects, details the provision of a range of mitigation measures to ensure the development is appropriate and identified effects are reduced or off-set where possible, and the residual effects of the development post mitigation.  The consented scheme does not displace any existing or authorised (but yet to be implemented) activities within the marine environment. Nevertheless, in terms of mitigating adverse impacts of the wider scheme, the DCO includes (amongst others) requirements for the implementation of a dredging strategy, Compensation Environmental Management and Monitoring Plan (CEMMP), Marine Environmental Management and Monitoring Plan (MEMMP), compensatory habitat (including Cherry Cobb Sands and Halton Marshes Wet Grassland Mitigation Area), watercourse channel pumping and bank reinstatement, embedded mitigation for Commercial and Recreational Navigation, realignment / re-routing of public footpaths and rights of way, highways improvements, aviation safeguarding, construction and best practice related mitigation.  As detailed within the UES, with the exception of navigation, the proposed material amendment does not alter the findings or require the implementation of further or alternate mitigation beyond that contained within the original ES and the DCO.  The proposed material amendment does not alter whether the development would result in the displacement or need for mitigation associated with other activities within the marine environment as contained within the original ES and extant DCO. On this basis, the proposed development should be considered to comply with the requirements of Policy GOV3 given that it would be nil-sum-change from that already consented under the extant DCO.	Entire UES is of relevance but specific reference should be made to: Chapter 3 - Changes to Policy and Legislation (please note there is also a further Technical Note which has been issued during Examination) Chapter 6 - Description of Committed Developments Chapter 8 - Hydrodynamics and Sedimentary Regime - Section 8.4.0 Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0 Chapter 14 - Commercial and Recreational Navigation - Section 14.4.0 Chapter 26 - Assessment of Cumulative and In-Combination Effects Chapter 27 - Summary of Mitigation and Monitoring

Policy 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.	<p>This policy applies to both inshore and offshore plan areas.</p> <p>Plan policy MPA1 adds value to existing policy by clarifying the need for public authorities to not only consider impacts on individual sites, but also impacts on the overall ecological coherence of the Marine Protected Area network. This policy also indicates that this should be done at a strategic level rather than at a project level which is more relevant to individual Marine Protected Areas, and is addressed through assessments such as Environmental Impact Assessments. For example it would be anticipated that factors to be taken into account will be considered in regional environmental assessments, Strategic Environmental Assessments or in assessments and measures brought forward in support of the Marine Strategy Framework Directive. See East Plan paras: 227-229.</p>	IN- Policy scoped into assessment through EMP policy search	<p>The original ES considers the effects of the development on the Marine Protected Area and the ecological designations contained therein. This includes the provision of a range of mitigation and compensation measures (including the provision of over 100 hectares of compensatory marina habitat) to ensure the development is appropriate and identified effects are reduced or off-set where possible.</p> <p>The DCO includes (amongst others) requirements for the implementation of a dredging strategy, Compensation Environmental Management and Monitoring Plan (CEMMP), Marine Environmental Management and Monitoring Plan (MEMMP), compensatory habitat (including Cherry Cobb Sands and Halton Marshes Wet Grassland Mitigation Area), watercourse channel pumping and bank reinstatement, embedded mitigation for Commercial and Recreational Navigation, construction and best practice related mitigation. These mitigation measures and requirements are all of relevance of the impacts and management of the Marine Protected Area network.</p> <p>As detailed within the UES, with the exception of navigation, the proposed material amendment does not alter the findings or require the implementation of further or alternate mitigation beyond that contained within the original ES and the DCO. On this basis, the proposed development should be considered to comply with the requirements of Policy MPA1 given that it would be nil-sum-change from that already consented under the extant DCO. All necessary design and mitigation measures required to implement the development are already consented under the extant DCO and the proposed material amendment does not alter these.</p>	<p>Chapter 4 - Description of Changes to the Development</p> <p>Chapter 10 - Aquatic Ecology - Section 10.4.0</p> <p>Chapter 11 - Ecology - Section 11.4.0</p> <p>Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p>
Policy 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.	<p>This policy applies to both onshore and offshore plan areas.</p> <p>The spatial footprint of individual developments is relatively small, but there is exclusivity over the area occupied by the infrastructure, including statutory safety zones of 500 metres around platforms and certain subsea infrastructure, (e.g. subsea manifolds) and consultation requirements for areas up to nine nautical miles around a platform for any activities that may interfere with helicopter approaches (such as wind turbines). The safety zones are in place for the protection of personnel, the infrastructure and other users of the sea. Plan policy OG1 clarifies that, where existing oil and gas production and infrastructure are in place, the areas should be protected for the activities authorised under the production licence consent until the licence is surrendered, (including completion of any relevant decommissioning activity), or where agreement over co-located use can be negotiated.</p>	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The proposals are not within an area of existing oil and gas production.	Policy N/A to application
Policy OG2	Proposals for new oil and gas activity should be supported over proposals for other development.	<p>This policy applies to both inshore and offshore plan areas.</p> <p>The policy aim is to afford protection of potential sites to prevent incompatible activities taking place. In identified resource areas, oil and gas proposals will be supported over all other proposals. This policy is spatially specific and takes account of the relative importance of gas production in the East marine plan areas to the United Kingdom. See East Plan paras: 295-299.</p>	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The development does not propose oil and gas activity.	Policy N/A to application
Policy 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.	<p>This policy applies to both inshore and offshore plan areas.</p> <p>PS1 recognises existing designations for navigation whilst acknowledging the ability to co-locate with many sea-bed related and non-permanent activities, provided such activity does not impinge on navigational safety. The policy does not preclude non-permanent static sea-surface infrastructure such as jack-up vessels, subject to prevailing operational requirements including relevant notifications to mariners being issued to ensure safe operation. See East Plan paras: 353-356.</p>	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The development does not require static sea surface infrastructure.	Policy N/A to application
Policy 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	<p>This policy applies to both the inshore and offshore plan areas.</p> <p>This policy aims to protect important navigation routes for navigational purposes. PS2 provides additional detail to the Marine Policy Statement (3.4.7) on the importance of minimising negative impacts on shipping activity, protecting the economic interests of ports and shipping and the United Kingdom economy overall, and affording protection to the areas used by high intensities of traffic (Marine Policy Statement 3.4.2). Exceptional circumstances could include NSIP's. See East Plan paras: 357-366.</p>	OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area	The development does not require static sea surface infrastructure.	Policy N/A to application
Policy 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	<p>This policy applies to the inshore plan area only.</p> <p>This policy gives effect to the need to minimise negative impacts on shipping activity, freedom of navigation and navigational safety, as well as protecting the efficiency and resilience of continuing port operations, and further port development and complements the NPS for ports. This policy is not intended to influence factors related to competition between ports and should not result in consideration related to competition being factored in to decision-making on the basis of these marine plans. This policy applies to proposals that may alter the prevailing characteristics in Statutory Harbour Authority areas but may apply more widely, so active identification of ports and harbours that may be affected by proposals is encouraged. The requirement under d) to provide information for consideration by the relevant public authority <u>does not indicate that approval of the proposal will follow by default</u>. See East Plan paras: 367-373.</p>	IN- Policy scoped into assessment through EMP policy search	The Updated ES considers the National Policy Statement for Ports. The development will not result in any adverse impacts or interference on the ports or harbours in the area.	<p>Chapter 4 - Description of Changes to the Development</p> <p>Chapter 8 - Hydrodynamics and Sedimentary Regime - Section 8.2.0</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p>
Policy 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.	<p>Policy applies to both inshore and offshore plan areas. Links to policy SOC3, FISH1. SOC1 provides more detail and prescription than the Marine Policy Statement for considering the benefits for health and social well-being and coastal and marine access in decisions. Development and other activities that bring positive benefits to society (through maintaining the coastal environment, and access to it, in order to promote health and well-being) will be supported (including in preference to any alternatives subject to other plan policies). See paragraph 139 of the East Plan for examples of initiatives which could be supported through this policy. See East Plan paras: 137-140.</p>	IN- Policy scoped into assessment through EMP policy search	The proposals positively contribute to the health and social well-being of the area. The provision of the coastal footpath is a significant local amenity and enhances the recreational and tourism value of the surrounding area. The development is also required to positively impact the health and social well-being through Schedule 11 that accompanied the original DCO.	<p>Chapter 4 - Description of Changes to the Development</p> <p>Chapter 21 - Socio-Economics - Section 21.4.0</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p>

<p><b>Policy SOC2</b></p>	<p>Proposals that may affect heritage assets should demonstrate, in order of preference:</p> <p>a) that they will not compromise or harm elements which contribute to the significance of the heritage asset</p> <p>b) how, if there is compromise or harm to a heritage asset, this will be minimised</p> <p>c) how, where compromise or harm to a heritage asset cannot be minimised it will be mitigated against or</p> <p>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>	<p>Policy applies to both inshore and offshore plan areas and is specific to heritage assets. National Policy Statement EN-1 should also be considered when addressing visual impact on heritage assets in relation to wind energy development.</p> <p>The aim of this policy is to ensure that existing marine and coastal heritage assets are protected from proposals that may have a detrimental impact upon them. It ensures that all heritage assets (whether formally designated or not), are considered in the decision-making process. The requirement under d) is to provide information for consideration by the relevant public authorities. <u>It does not indicate that approval of the proposal will follow by default.</u> Please note the absence of any official designation for such assets does not necessarily indicate lower significance and MMO Licensing should consider them subject to the same policy principles as designated heritage assets. As heritage assets have cultural and social values and can be a driver for economic growth, this policy ensures that marine plans, proposals and management measures that conserve heritage assets, are supported in recognition of their value to society. See East Plan paras: 146-152.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>A Written Scheme of Investigation (WSI) for marine and intertidal archaeology was drafted in support of the original ES and it outlines the proposed mitigation measures. Updated mitigation measures are set out in the 2021 WSI and are to be submitted to English Heritage for approval.</p>	<p>Chapter 18 - Marine Archaeology - Section 18.5.0</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p>
<p><b>Policy SOC3</b></p>	<p>Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference:</p> <p>a) that they will not adversely impact the terrestrial and marine character of an area</p> <p>b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them</p> <p>c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>This policy applies to both the inshore and offshore plan areas and is specific to landscape (seascape) character.</p> <p>This policy adds value to what is described in the Marine Policy Statement by ensuring that the character of specific areas is considered not only in the development of marine plans, but also in all decisions, such as on proposals for development, activities or management measures. This policy adds clarity to existing national policy by identifying where character areas and key elements exist within the East Inshore and East Offshore Plan areas. Decisions should aim to minimise or mitigate possible detrimental effects within the East marine plan areas. The requirement under d) is to provide information for consideration by the relevant public authorities. It does not indicate that approval of the proposal will follow by default. In determining proposals, MMO Licensing will take account of a range of relevant considerations including compliance with legislation and regulations. In determining an area's character, public authorities, such as those determining an application, should consult with relevant bodies including Natural England and English Heritage advisors as well as local authorities. See East Plan paras: 175-180.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>The Updated ES has identified any sensitive receptors with regard to the character of the surrounding area, and it has been concluded that it would not result in any adverse impacts.</p>	<p>Chapter 4 - Description of Changes to the Development</p> <p>Chapter 8 - Hydrodynamics and Sedimentary Regime - Section 8.4.0</p> <p>Chapter 12 - Commercial and Recreational Fisheries - Section 12.4.0</p> <p>Chapter 10 - Aquatic Ecology - Sections 10.2.0, 10.3.0 and 10.4.0</p> <p>Chapter 18 - Marine Archaeology - Section 18.4.0</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p>
<p><b>Policy TIDE1</b></p>	<p>In defined areas of identified tidal stream resource (see figure 16), proposals should demonstrate, in order of preference:</p> <p>a) that they will not compromise potential future development of a tidal stream project</p> <p>b) how, if there are any adverse impacts on potential tidal stream deployment, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>This policy applies to both inshore and offshore plan areas. Link to policy GOV2.</p> <p>This policy is spatial and identified areas require protection from other new developments and activities which could prevent the exploitation of tidal stream resources in the future. The requirement under d) is to provide information for consideration by the relevant public authorities, <u>it should not be taken in any way or of itself to indicate that approval of the proposal will follow by default.</u></p> <p>New development or activities that could have potential adverse impacts on tidal stream development in these areas include placement of hard infrastructure at any point through the water column, on or under the seabed and that will be in place for more than five years. Types of infrastructure include breakwaters, quays, jetties, causeways etc. Types of activities that will prevent leasing of areas for tidal stream deployment may include aggregate extraction and establishment of shipping routes. See East Plan paras: 318-323.</p>	<p>OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area</p>	<p>The development is not in an area of identified tidal stream resource.</p>	<p>Policy N/A to application</p>
<p><b>Policy TR1</b></p>	<p>Proposals for development should demonstrate that during construction and operation, in order of preference:</p> <p>a) they will not adversely impact tourism and recreation activities</p> <p>b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>This policy applies for both inshore and offshore plan areas.</p> <p>This policy recognises the importance of tourism and recreation in the East Inshore and East Offshore Marine Plan Areas and seeks to minimise adverse impacts of development on tourism and recreation. This mirrors the terrestrial planning system which provides detailed, local considerations that need to be addressed when planning a new development. This policy will generally be delivered through the EIA process. The requirement under d) is to provide information for consideration by the relevant public authority. <u>It does not indicate that approval of the proposal will follow by default.</u> see East Plan paras: 470-475.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>The updated ES assesses the impact of the proposed material change on local tourism in the area and concludes that the proposed change would not result in any material effects on the local tourism industry. The ES identifies that it is expected that the England Coast Path (which runs through the site) would, when in place, contribute to the tourism economy. The proposed change to the route would cause negligible inconvenience to users of the Path that is not expected to noticeably affect users experience of the route in North Lincolnshire.</p>	<p>Chapter 4 - Description of Changes to the Development</p> <p>Chapter 12 - Commercial and Recreational Fisheries - Section 12.2.0, 12.3.0 and 12.4.0</p> <p>Chapter 21 - Socio-Economics - Table 21-2, Section 21.4.0</p> <p>Chapter 26 - Assessment of Cumulative and In-Combination Effects</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p> <p>Chapter 28 - Conclusion</p>

<p><b>Policy TR2</b></p>	<p>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</p>	<p>This policy applies to both inshore and offshore plan areas. Links to policy PS1, PS2, PS3.</p> <p>The Marine Policy Statement (3.11.1 and 3.11.6) emphasises the estimated economic contribution of recreational boating to the United Kingdom economy as well as highlighting the indirect benefits for coastal towns. Static objects can pose a risk to vessels and may include objects both on and under the water as well as on the seabed. They could also restrict navigation routes for recreational boating. This policy adds clarification to the Marine Policy Statement through highlighting the benefits of early engagement and aims to ensure that any development takes account of the recognised boating areas and most used cruising routes for recreational craft in the East marine plan areas. The requirement under d) is to provide information for consideration by the relevant public authority. <u>It should not be taken in any way or of itself to indicate that approval of the proposal will follow by default.</u> See East Plan paras: 476-485.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>The original ES assessed the impact of the proposed development on commercial and recreational navigation within the Humber, including undertaking a Navigational Risk Assessment (NRA), and the recommendation for a range of suitable mitigation measures. Furthermore, the extant DCO includes (amongst others) requirements for the implementation of embedded mitigation for Commercial and Recreational Navigation.</p> <p>Given the proposed alterations to the quay alignment, Chapter 14 of the UES has considered the potential changes to vessel movements during both the construction and operational phases of the development. This includes providing an update in the baseline position within the Humber, shipping and navigation considerations, stakeholder consultation, a review of the previously proposed mitigation measures (including embedded mitigation) and a review of potential cumulative impacts.</p> <p>The proposed activities associated with the Project have been assessed and it has been concluded that the Project should have a minimal (and not significant) effect on the existing risk profile which should be managed and contained assuming compliance with embedded mitigation and regulations governing: movements, pilotage, towage, Vessel Traffic Service (VTS) and procedures.</p> <p>A general decrease in risk is noted across all hazard categories when compared to the assessment undertaken in 2011 in support of the original DCO application. Factors influencing this decrease in risk profile include:</p> <ul style="list-style-type: none"> <li>• An overall decline in Humber vessel transits past the Project (&gt;50% reduction in passing transits from AIS);</li> <li>• Improvement of the Humber-wide Safety Management System (SMS) and implementation of embedded mitigations over time;</li> <li>• The embedding of many originally proposed additional mitigation measures into the project design;</li> <li>• The review and associated reduction in construction phase vessel movements associated with dredging activities identified within scoping;</li> <li>• The simplification of the quay design via the removal of the specialist berth; and</li> <li>• The reduction of cumulative projects considered within the 2011 NRA that have either been completed or were not taken forward.</li> </ul> <p>All residual effects for the amended project were assessed as Moderate or Low and therefore 'not significant'. This is considered acceptable in terms of the EIA regulations. On this basis, the proposed material amendment would not raise further 'significant' adverse effects on recreational navigation beyond those identified within the extant DCO and the proposals should be considered to comply with the requirements of Policy TR2.</p>	<p>Chapter 4 - Description of Changes to the Development</p> <p>Chapter 12 - Commercial and Recreational Fisheries - Section 12.2.0, 12.3.0 and 12.4.0</p> <p>Chapter 14 - Commercial and Recreational Navigation - Section 14.2.0, 14.3.0 and 14.4.0</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p>
<p><b>Policy TR3</b></p>	<p>Proposals that deliver tourism and/or recreation related benefits in communities adjacent to the East marine plan areas should be supported.</p>	<p>This policy applies to both inshore and offshore plan areas. Links to the Coastal Concordat.</p> <p>The aim of this policy is to promote and support terrestrial planning authority ambitions to deliver sustainable T&amp;R related benefits to the landward side of the East Marine Plans. The Marine Policy Statement (2.3.1.5 and 3.11.1) states that 'marine plans should identify areas of constraint and locations where a range of activities may be accommodated. This will reduce real and potential conflict, maximise compatibility between marine activities and encourage co-existence of multiple uses.' The Marine Policy Statement recognises the changes made by seaside towns to attract visitors all year round, although some marine activities are restricted by weather and many families only visit during school holidays. See East Plan paras: 486-490.</p>	<p>OUT- Policy scoped out of assessment through EMP policy search- the policies are not relevant to the application area</p>	<p>The proposal does not propose tourism or recreation related development</p>	<p>Policy N/A to application</p>
<p><b>Policy WIND1</b></p>	<p>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</p>	<p>This policy applies to both inshore and offshore plan areas.</p> <p>This policy is spatial and covers lease areas granted by The Crown Estate, and demonstration sites. The policy aims to protect sites identified by TCE from sterilisation by other uses until such time as the site is no longer used, or liable to be reused in the future. Exceptional circumstances include where an Offshore Wind Farm lease holder or agreement for lease holder grants permission for another party to use that area for another (non- Offshore Wind Farm) use. See East Plans paras: 305-309.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>The development proposals do not propose or impact upon an offshore wind farm inside a Round 3 Zone. However, the development actively supports the delivery of offshore wind farm development.</p>	<p>Chapter 4 - Description of Changes to the Development</p> <p>Chapter 21 - Socio-Economics - Section 21.4.0</p> <p>Chapter 26 - Assessment of Cumulative and In-Combination Effects</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p> <p>Chapter 28 - Conclusion</p>
<p><b>Policy WIND2</b></p>	<p>Proposals for Offshore Wind Farms inside Round 3 zones, including relevant supporting projects and infrastructure, should be supported.</p>	<p>This policy applies to both inshore and offshore plan areas. Link to policy WIND1, GOV3 and OG2.</p> <p>This policy aims to ensure that the large potential for Offshore Wind Farms in the East marine plan areas and the ambitions of government for renewable energy are realised by preferring proposals which are compatible with the policy, including supporting infrastructure. See East Plan paras: 310-314.</p>	<p>IN- Policy scoped into assessment through EMP policy search</p>	<p>The development proposals do not propose or impact upon an offshore wind farm inside a Round 3 Zone. However, the development actively supports the delivery of offshore wind farm development.</p>	<p>Chapter 4 - Description of Changes to the Development</p> <p>Chapter 21 - Socio-Economics - Section 21.4.0</p> <p>Chapter 26 - Assessment of Cumulative and In-Combination Effects</p> <p>Chapter 27 - Summary of Mitigation and Monitoring</p> <p>Chapter 28 - Conclusion</p>