



Marine
Management
Organisation

**A hypothetical
example of marine
plan use:
Decisions in
accordance with
the North East
Marine Plans
(section 58(1) of
the Marine and
Coastal Access
Act 2009)**



...ambitious for our seas and coasts

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Contents

1. Introduction	4
2. Marine Policy Statement and Marine Plans	5
3. Application	5
4. What information must I provide?.....	9
Annex A – Marine plan policy assessment.....	11

1. Introduction

Section 58(1) of the Marine and Coastal Access Act 2009 (MCAA) states that a public authority must take any authorisation or enforcement decision in accordance with the appropriate marine policy documents, unless relevant considerations indicate otherwise.

Furthermore, if a public authority takes an authorisation or enforcement decision otherwise than in accordance with the appropriate marine policy documents, the public authority must state its reasons. MCAA defines “Public authorities” (section 322) as including local planning authorities, government departments and Ministers of the Crown. “Authorisation or enforcement” decisions are defined as relating to “the doing of any act which affects or might affect the UK marine area”. “Appropriate marine policy documents” includes marine plans and the Marine Policy Statement (as defined under MCAA section 59).

This guidance is, therefore, aimed primarily at public authority decision-makers. However, it is also relevant to applicants for authorisations in order to improve the quality of the consideration of marine plans in their applications (and in turn support efficient determinations by the decision-makers). Furthermore, while focussed on the marine licensing process, the MMO recommends a similar approach to marine plan policy assessment be utilised by public authorities when taking decisions on applications for their s58(1) authorisations that affect the marine area (eg planning consents by local planning authorities).

It will take a hypothetical example using the [North East Inshore and Offshore Marine Plans](#) (hereafter referred to as “the North East Marine Plan”) as its appropriate marine policy document, and is sited in the north east marine plan area. However, the approach described can be applied to any marine plan and area (although similar examples for other marine plans are available on the [Using Marine Plans](#) webpages).

Please note that this guidance uses the hypothetical worked example purely for illustrative purposes only. It is designed as a helpful guide to the process. It does not provide step-by-step instructions. Importantly it should not be considered advice or give an expectation that future applications will be considered in any particular way. Each application is individually considered on its own facts and circumstances, in accordance with the relevant statutory provisions and guidance applicable. Decisions taken in this example are not to be taken as representative of how the MMO will consider and decide future applications. If, having read this guide, applicants remain unsure as to the application process then they should seek their own independent professional advice.¹

Marine plans provide a clear, evidence-based approach to inform decision-making by marine users and regulators on where activities might take place within the marine plan area. The vision and objectives of the marine plan aim to deliver

¹ For more information on the assessment and approval process see [marine licence application timelines](#).

sustainable development in the marine environment, through a combination of plan policies.

This example focuses on plan policy considerations and does not consider other aspects of licence applications or decisions in any detail, for example Habitats Regulations Assessments (HRA) or Environmental Impact Assessments (EIA).

2. Marine Policy Statement and Marine Plans

The [UK Marine Policy Statement](#) (MPS) provides the policy framework for the marine planning system. It provides the context for Marine plans. Marine plans, put into practice the objectives for the marine environment that are identified in the MPS alongside the [National Planning Policy Framework](#) (NPPF) and the [Localism Act 2011](#).

A marine plan:

- sets out priorities and directions for future development within the plan area
- informs sustainable use of marine resources
- helps marine users understand the best locations for their activities, including where new developments may be appropriate

A marine plan also provides guidance on activities to promote or avoid for some locations. They could also support an activity that is important to stakeholders.

Each marine plan contains policies that guide those who use and regulate the marine area to encourage sustainable development while considering the environment, economy and society.

Marine plans apply to all authorisation and enforcement decisions for activities within or affecting the plan area. This should be acknowledged and considered in the application and decision-making process.

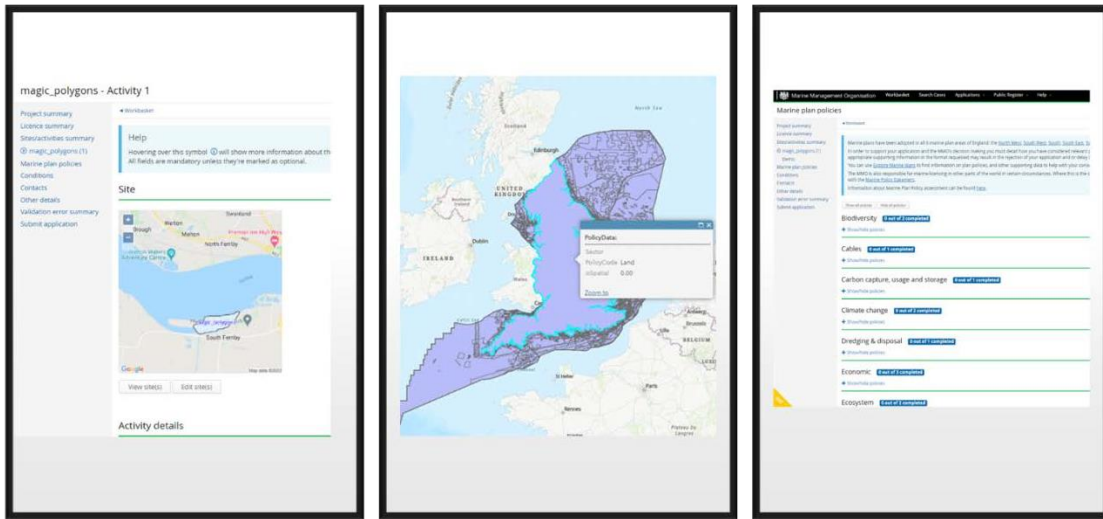
3. Application

The following sections consider a marine licence application, but the information provided on Marine Plan Policy Assessment (MPPA) is suggested as applying to any public authority making an authorisation decision under s58(1) of the Marine and Coastal Access Act 2009 (see 1 Introduction) including applications to Local Planning Authorities for planning permissions.

Applications for a marine licence include a dedicated marine plan policy screen. The screen uses site location data provided by the applicant to query an ArcGIS marine plan policy layer (see Figure 1). It then displays results in policy sector groupings in the new marine licence application form plan policy screen (see Figure 2).

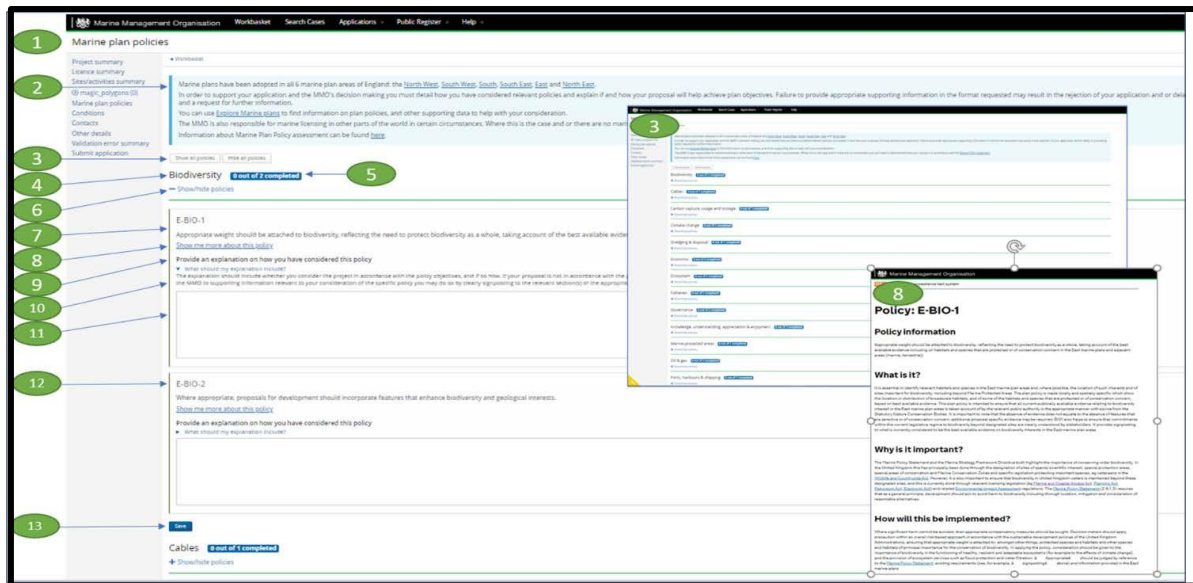
This hypothetical example focuses on a small wild oyster restoration project in Kitty Fords, which aims to restore Britain's seas to health by rebuilding native oyster habitats. The project's specific location highlights the wide range of policies that must be considered in a small area. The oyster restoration falls under Section 58(1) of the [Marine and Coastal Access Act \(MCAA\)](#), meaning that decisions must be made "in accordance with" the relevant marine plan.

Figure 1 ArcGIS Marine Plan Policy Layer



The screen contains various features to improve the applicant experience and facilitate the provision of marine plan policy information to support the application.

Figure 2 Marine Licence Application Form Marine Plan Policy Screen



The numbers 1-13 in Figure 2 are detailed below:

1. A dedicated marine plan policy page and left-hand menu tab.
2. A blue banner at the top of the new marine plan policy section of the application form to set expectation and provide useful links.

3. Show all policies/hide all policies buttons. This feature allows the applicant to collapse and or reopen all policies on mass to suit preference.
4. Policies are categorised and grouped. The policy category in the image is 'Biodiversity'. Based on the location selected in this example there are two biodiversity policies relevant.
5. A flag is incorporated in the design to allow easy identification of incomplete sections.
6. Policies can be opened and hidden again on an individual basis. This can be used in combination with feature 3 to collapse all policies and help the applicant work through the screen systematically section by section.
7. The policy reference is shown along with the relevant policy text for ease of consideration.
8. A hyperlink 'Show me more about this policy' is included. The link opens a separate window and allows the applicant to find out more about the policy in question.
9. A statement provides a prompt to applicants directing them to explain how they have considered the specific policy.
10. The statement in 9 is supported by a space saving help text option 'what should my explanation include?'. When selected some more detailed narrative is provided:

'The explanation should include whether you consider the project in accordance with the policy, and if so how. If your proposal is not in accordance with the policy, please explain why not and include any considerations you believe MMO should take into account when assessing your application.'

If you wish to direct the MMO to supporting information relevant to your consideration of the specific policy, you may do so by clearly signposting to the relevant section(s) of the appropriate document(s). You must still provide a summary setting out your policy considerations.'
11. A free text box is provided to allow customers to document their considerations as requested in 9 and 10.
12. Where a policy category has more than one policy that is relevant, each policy will be listed one after the other and ordered using the policy reference. In the example BIO1 appears before BIO2.
13. A save feature is provided for customers to provide assurance and ensure information is not lost in error. When used the save button automatically closes the section being worked on and opens the next incomplete section. Text entered

is also saved automatically when applicants navigate to another part of the application form using the menu.

4. What information must I provide?

Marine plan policies

Relevant policies are displayed within the marine plan policy section of the marine licence application form.

A policy reference for each relevant policy is displayed along with the policy text. Applicants must explain how they have considered the specific policy listed.

The explanation should include whether customers consider the project to be in accordance with the policy, and if so how. If the proposal is not in accordance with the policy customers should explain why not and include any consideration they believe MMO should take into account when assessing the application.

If customers wish to direct the MMO to supporting information relevant to your consideration of the specific policy, they may do so by clearly signposting to the relevant section(s) of the appropriate document(s). Customers must still provide a summary setting out your policy considerations.

Additional plan and policy information

At the end of the list of relevant policies an additional section is provided for additional plan and policy information.

Customers are asked to provide any further information about their consideration of the [Marine Policy Statement \(MPS\)](#), marine plans and policy objectives they would like the MMO to take into account when determining the application.

If the proposal is not in accordance with marine plans or the [MPS](#) customers should use the section to explain why not and include any consideration they believe MMO should take into account when assessing the application.

Marine plan policy consideration examples

Applicants need to provide sufficient information as part of their application to allow the authority to determine whether or not the proposal is compliant with marine plan policies. If the authority cannot, on the basis of the information provided, come to the view as to whether or not the decision would be in accordance with the plans it will either return the application (to seek further information to improve the quality of marine plan policy assessment) or refuse to grant the authorisation.

For a high quality marine plan policy consideration the applicant should provide detail on how they will meet the policy aim including any policy hierarchy (avoid, minimise, mitigate, or case for proceeding), reference any relevant evidence such as Habitats Regulation Assessment (HRA), Shadow Habitats Regulation

Assessment (sHRA) and Environmental Assessment (EA), consultations with other relevant authorities such as harbour authorities or how it may be linked to national policy such as the Marine Policy Statement or the National Policy Statement.

To support customers, the MMO has produced Annex A. Annex A is illustrative of the structure and detail of considerations that should be provided in support of an application.

It is important to note, the responses provided in Annex A are only intended to provoke thought about the type of considerations and information that might be provided, in a form that is likely to be most helpful. Customers must provide their own considerations bespoke to their proposed activities to support their application and must not reuse the information set out in the annex.

Failure to provide effective consideration of marine plan policies as described may result in rejection of the application. Guidance on Common Issues with Marine Plan Policy Assessments is available from the [Using Marine Plans](#) webpages.

Annex A – Marine plan policy assessment

Table 1: North East Marine Plan policy assessment example

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
NE-ACC-1	<p>Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, including the provision of services for tourism and recreation activities, will be supported. Proposals that may have significant adverse impacts on public access should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. 	<p>The proposed project will not result in enhancing or increasing inclusivity for public access to a marine area.</p> <p>Similarly, the proposed project will not have significant adverse effects on public access for tourism and recreational activities. The short-term and localised deployment of cultch and oysters on the seabed within the chosen survey area will not significantly restrict recreational activities (e.g. vessels) within the marine area.</p> <p>The proposal is therefore considered to be in accordance with NE-ACC-1.</p>	6, 9
NE-AGG-1	<p>Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the proposal is compatible with aggregate extraction.</p>	<p>The proposed project is not located in an area where a licence for aggregate extraction has been granted or applied for.</p> <p>NE-AGG-1 is therefore not considered to be applicable to this proposal.</p>	2, 3

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
NE-AGG-2	<p>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 proposal is compatible with aggregate extraction.</p>	<p>The proposed project is not in an area that has an Exploration and Option Agreement with The Crown Estate for aggregate extraction.</p> <p>NE-AGG-2 is therefore not considered to be applicable to this proposal.</p>	2, 3
NE-AGG-3	<p>Proposals in areas of high potential aggregate resource that may have significant adverse impacts on future aggregate extraction should demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> a. avoid b. minimise c. mitigate - significant adverse impacts on future aggregate extraction so they are no longer significant. <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>The location for the proposed project is not situated within areas of high potential aggregate resource. This has been informed through review of The Crown Estate Open Data Portal.</p> <p>NE-AGG-3 is therefore not considered to be applicable to this proposal.</p>	2, 3
NE-AIR-1	<p>Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases. Proposals that are likely to result in increased air pollution or increased emissions of greenhouse gases must</p>	<p>The proposed project is not expected to have any significant direct or indirect impacts on local air quality and greenhouse gas emissions.</p> <p>Land-based transport for moving and depositing cultch and oysters will be limited in</p>	3, 7

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<p>demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - air pollution and/or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements. 	<p>both frequency and duration. Deposition of the cultch on the seabed, carried out by vessels, will be a temporary activity, taking approximately one to two weeks.</p> <p>Oyster deposition will happen year-round, but will involve smaller vessels and will be limited to periods when oysters are available for collection and when weather conditions permit.</p> <p>It is estimated that vessel use will average two trips per month, and emissions from these vessels will be minimal compared to the current baseline.</p> <p>As the activity avoids and minimises adverse impacts upon air quality and emissions of greenhouse gases it is considered to be in accordance with NE-AIR-1.</p>	
NE-AQ-1	<p>Proposals within existing or potential strategic areas of sustainable aquaculture production must demonstrate consideration of and compatibility with sustainable aquaculture production. Where compatibility is not possible, proposals that may have significant adverse impacts on sustainable aquaculture production must demonstrate that they will, in order of preference:</p>	<p>The purpose of this proposed project is restoration of native oyster populations, through deployment of cultch and oysters on the seabed, and not for the production of this species.</p> <p>There will not be any conflict with strategic areas of sustainable aquaculture production.</p>	2, 4

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<p>a. avoid b. minimise c. mitigate - adverse impacts on sustainable aquaculture production so they are no longer significant.</p> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>NE-AQ-1 has been considered and there is no overlap or incompatibility with existing or potential strategic areas of sustainable aquaculture production.</p>	
NE-AQ-2	<p>Proposals enabling the provision of infrastructure for sustainable aquaculture and related industries will be supported.</p>	<p>The proposed project will not involve infrastructure for sustainable aquaculture production. Instead, it focuses on increasing larval supply to the natural environment and enhancing habitat creation through the deposition of oyster cultch and oysters only.</p> <p>NE-AQ-2 has been considered and since no infrastructure for aquaculture is part of this project, the policy is not applicable.</p>	1, 2
NE-BIO-1	<p>Proposals that enhance the distribution of priority habitats and priority species will be supported. Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference:</p> <p>a. avoid</p>	<p>Native oysters (and their beds) are a UK Species of Principal Importance in England, an OSPAR threatened and/or declining habitat and a Feature of Conservation Importance (FOCI). The proposed project seeks to enhance the distribution of these populations and their supporting habitat within the marine area, through cultch and oyster deployment.</p>	11, 12, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<ul style="list-style-type: none"> b. minimise c. mitigate -adverse impacts so they are no longer significant. d. compensate for significant adverse impacts that cannot be mitigated. 	<p>The proposed project will not have a significant adverse impact on the distribution of priority species and habitats, as demonstrated in Section 2 of the Habitats Regulations Assessment (HRA) undertaken to support the MLA. Following Stage 1 (Screening), No Likely Significant Effect could be determined for all features and designated sites screened-in for assessment.</p> <p>A Marine Conservation Zone (MCZ) Risk Assessment was undertaken for all MCZs (four in total) within 50 km of the proposed project. Berry to St Joseph's MCZ and the Acorn to St Joseph's MCZ was screened-in for Stage 1 assessment where No Likely Significant Risk was determined.</p> <p>NE-BIO-1 has been considered and this proposal will not have a significance adverse impact on the distribution of priority species and habitats.</p>	
NE-BIO-2	Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported. Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must	The project is designed to restore native oyster habitat through the improvement of habitat and of native oysters. Through improvement of habitat, this may increase connectivity of wider populations, increasing opportunity for settlement and subsequent recruitment.	11, 12, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<p>demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. d. compensate for significant adverse impacts that cannot be mitigated 	<p>NE-BIO-2 has been considered and this proposal will support and promote the enhancement of native species.</p>	
NE-BIO-3	<p>Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, will be supported. Proposals must take account of the space required for coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate d. compensate for – net habitat loss. 	<p>The project is designed to restore native oyster habitat and to improve local ecosystems through the improvement of habitat and release of native oysters. Native oysters and their habitat are important for providing direct and indirect ecosystem services such as food and refuge for other species, and overall increases in biodiversity through increases in seabed complexity.</p> <p>NE-BIO-3 has been considered and this proposal will support and promote the enhancement of coastal habitats.</p>	8, 11, 12, 13
NE-CAB-1	<p>Preference should be given to proposals for cable installation where the method of protection is burial. Where burial is not</p>	<p>No cable burial is required for this project, and it will not interact with existing subsea cables on the seabed. Additionally, no cables are</p>	3, 4

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.	located with 10km of the potential licence area. NE-CAB-1 has been considered and is not applicable to the proposal.	
NE-CAB-2	<p>Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is not possible proposals will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts on existing and potential future landfall sites so they are no longer significant. <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>There will be no requirement for activities within the intertidal zone for this proposed project, thus avoiding any adverse impacts on existing, or known future, landfall sites.</p> <p>NE-CAB-2 has been considered and the proposal will not affect any existing or future landfall sites.</p>	1, 3
NE-CAB-3	Where seeking to locate close to existing subsea cables, proposals should demonstrate compatibility with ongoing function, maintenance and decommissioning activities relating to the cable.	<p>There are no cables within 10km of the proposed licence for this project.</p> <p>NE-CAB-3 has been considered and the proposal will not affect any existing subsea cables.</p>	3, 4

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
NE-CCUS-1	Decommissioning programmes for oil and gas facilities should demonstrate that they have considered the potential for re-use of infrastructure.	<p>The proposed project is not part of a decommissioning programme for oil and gas facilities.</p> <p>NE-CAB-3 has been considered and as stated, this proposal is not involved in any decommissioning activities for oil and gas.</p>	2, 3
NE-CCUS-2	Carbon capture, usage and storage proposals incorporating the re-use of existing oil and gas infrastructure will be supported.	<p>This is not applicable to the proposed project of native oyster restoration.</p> <p>NE-CCUS-2 has been considered and no impact is expected since the proposal is located far from any existing oil and gas infrastructure and is not applicable to the project of native oyster restoration.</p>	2, 3
NE-CCUS-3	Proposals associated with the deployment of low carbon infrastructure for industrial clusters should be supported.	<p>Native oyster beds naturally store carbon; however, the proposed project is not associated with deployment of low carbon infrastructure.</p> <p>NE-CCUS-3 has been considered and the proposal is not associated with deployment of low carbon infrastructure.</p>	1, 2, 3, 8
NE-CC-1	Proposals that conserve, restore or enhance habitats that provide flood defence or	The proposed project aims to restore native oyster populations. Native oyster beds are	6, 8, 11, 12

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<p>carbon sequestration will be supported. Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. d. compensate for significant adverse impacts that cannot be mitigated. 	<p>listed as a blue carbon habitat, where they can store and sequester carbon.</p> <p>Oyster beds are also effective at providing natural flood defence. There are a number of potential sites optioned for deployment of cultch and oysters. Those closest to the coast (eg within 0.4 km away) may provide a natural flood defence.</p> <p>The proposed project is not predicted to have any adverse impacts on other habitats that provide a flood defence or carbon sequestration ecosystem service.</p> <p>NE-CC-1 has been considered and the proposal will have no adverse impacts on habitats that provide flood defence or carbon sequestration.</p>	
NE-CC-2	<p>Proposals in the north east marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.</p>	<p>Temperature is one of a number of important factors for the success of native oyster populations. The geographical location of the proposed project is within the thermal tolerance for this species and expected to be within future increases in sea temperature. The proposed project aims to build a resilient and sustainable natural population to</p>	3, 6

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
		<p>contribute towards the long-term success of this species in the UK.</p> <p>NE-CC-2 has been considered and the proposal will be resilient to the effects of climate and coastal change.</p>	
NE-CC-3	<p>Proposals in the north east marine plan areas, and adjacent marine plan areas, that are likely to have significant adverse impacts on coastal change, or on climate change adaptation measures inside and outside of the proposed project areas, should only be supported if they can demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. 	<p>The scale and location of the proposed project of native oyster restoration will avoid and minimise significant adverse impacts on coastal change or climate change adaptation measures.</p> <p>NE-CC-3 has been considered and the proposal will not have a significant adverse effect on coastal change or climate change adaptation measures.</p>	3, 6, 11, 12
NE-CO-1	<p>Proposals that optimise the use of space and incorporate opportunities for co-existence and co-operation with existing activities will be supported. Proposals that may have significant adverse impacts on, or displace, existing activities must demonstrate that they will, in order of preference:</p>	<p>Only a limited area of the seabed will be ultimately selected for cultch and oyster deployment, therefore it is not expected that there will be a significant requirement to address any need of co-existence.</p> <p>However, consideration of local sea users, such as fishers will be important for the</p>	2, 4, 6, 8, 9, 10, 11, 12,13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<p>a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant.</p> <p>If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.</p>	<p>success of this project. Fishing activity in the proposed areas is low, relative to areas further offshore, and works undertaken will be temporary and spatially limited, avoiding areas of static gear. Consultation with Trinity House and the Maritime Coastguard Agency will be undertaken for deployment of the spat collector.</p> <p>NE-CO-1 has been considered and any proposed activity will be temporary, and others will be consulted before completing the spat collection.</p>	
NE-CBC-1	<p>Proposals must consider cross-border impacts throughout the lifetime of the proposed activity. Proposals that impact upon one or more marine plan areas or terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.</p>	<p>The location of the proposed project is to be located wholly within the marine area, covered under the North East Marine Plan.</p> <p>NE-CBC-1 has been considered and it is not applicable to the proposed project.</p>	1-13 (all plan objectives)
NE-CE-1	<p>Proposals which may have adverse cumulative effects with other existing, authorised, or reasonably foreseeable proposals must demonstrate that they will, in order of preference:</p> <p>a. avoid</p>	<p>The marine licence is being sought for the deposition of cultch and oysters across a limited area of seabed, and it is not predicted that this activity, will, in-combination with any other activities within the marine area result in significant adverse cumulative impacts.</p>	2, 3, 4, 6, 11, 12, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<ul style="list-style-type: none"> b. minimise c. mitigate - adverse cumulative and/or in-combination effects so they are no longer significant. 	<p>NE-CE-1 has been considered and the proposed project will not create adverse cumulative effects with other activities in the areas.</p>	
NE-DEF-1	<p>Proposals in or affecting Ministry of Defence areas should only be authorised with agreement from the Ministry of Defence.</p>	<p>The proposed project involves the deposition of clutch and oysters over a small area of the seabed near a Ministry of Defence area. The Ministry of Defence has been notified of the proposal and have raised no objections. The project will not have an impact on the Ministry of Defence area.</p> <p>NE-DEF-1 has been considered and the proposed project will not affect Ministry of Defence areas.</p>	10
NE-DIST-1	<p>Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. 	<p>It is not predicted that there will be any significant adverse impact on mobile species.</p> <p>There is only localised loss of supporting habitat through deposition of cultch and oysters, for fish, birds, and mammals.</p> <p>Any vessel related disturbance or displacement effects will be highly localised and temporary, ceasing following completion of works.</p>	11, 12, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
		Furthermore, through the Habitats Regulations Assessment (HRA) it was assessed that No Likely Significant Effects was determined for protected mobile features of the European Marine Sites from the proposed project.	
NE-DD-1	In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.	<p>The proposed project involves the deposition of cultch and oysters over a small area of the seabed, well away from any navigational dredging areas. Any vessel related activity will be limited to the project site, and the harbour master will be notified in advance to prevent any interference with ongoing dredging activity.</p> <p>NE-DD-1 has been considered and the proposed project will not have adverse impacts on navigational dredging activities.</p>	2
NE-DD-2	<p>Proposals that cause significant adverse impacts on licensed disposal sites should not be supported. Proposals that may have significant adverse impacts on licensed disposal sites must demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. 	<p>The proposed project involves the deposition of cultch and oysters over a small area of the seabed, well away from any licensed disposal sites. Any vessel related activity will be limited to the project site, and the harbour master will be notified in advance to prevent any activity impacting work at the disposal site.</p> <p>NE-DD-2 has been considered and the proposed project will not have adverse impacts on licensed disposal sites.</p>	2

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	If it is not possible to mitigate the significant adverse impacts, proposals must state the case for proceeding.		
NE-DD-3	Proposals for the disposal of dredged material must demonstrate that they have been assessed against the waste hierarchy. Where there is the need to identify new dredge disposal sites, including for alternative use sites, proposals should be supported if they conform to best practice and guidance.	<p>The proposed project involves the deposition of cultch and oysters over a small area of the seabed and does not involve the disposal of dredged material. The project was reviewed and determined a waste hierarchy assessment was not required.</p> <p>NE-DD-2 has been considered and is not considered applicable to the project.</p>	2
NE-EMP-1	<p>Proposals that result in a net increase in marine related employment will be supported, particularly where they meet one or more of the following:</p> <ol style="list-style-type: none"> 1. are aligned with local skills strategies and support the skills available. 2. create a diversity of opportunities. 3. create employment in locations identified as the most deprived. 4. implement new technologies – in, and adjacent to, the north east marine plan areas. 	<p>The works required is of a limited duration and is not expected to result in a significant net increase in employment. The chartering of local vessels and crew will be of small benefit to the community.</p> <p>NE-EMP-1 has been considered and is not considered applicable to the proposed project.</p>	2, 4

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
NE-FISH -1	Proposals that support a sustainable fishing industry, including the industry's diversification, should be supported.	<p>The purpose of the proposed project is for the restoration of native oysters, to provide wider ecological benefits. It is understood that currently it is not to support an oyster fishery.</p> <p>NE-FISH-1 has been considered and it is not considered applicable to the proposed project.</p>	3, 4
NE-FISH-2	<p>Proposals that enhance access for fishing activities should be supported. Proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>Fishing activities will not be enhanced through this proposed project. Consideration has been provided and presented within the Supporting Information Document for commercial fisheries. The project will avoid adverse impacts on local fisheries through being located away from high-density fishing areas and static gear. Further approval will be sought from Trinity House and the Maritime Coastguard Agency (MCA) for deployment of the spat collector to ensure it causes no navigational risk to fishers.</p> <p>NE-FISH-2 has been considered and the proposed project will neither enhance access for fishing activities, nor have significant adverse impacts on them.</p>	2, 9
NE-FISH-3	Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes,	Native oyster beds can provide important habitat for fish, and through successful	11, 12, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<p>should be supported. Proposals that may have significant adverse impacts on essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. 	<p>delivery of this proposed project, restoration of beds may be of indirect benefit.</p> <p>NE-FISH-3 has been considered and the proposed project may provide an indirect benefit to this policy.</p>	
NE-HER-1	<p>Proposals that demonstrate they will conserve and enhance the significance of heritage assets will be supported. Where proposals may cause harm to the significance of heritage assets, proponents must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate – any harm to the significant of heritage assets. <p>If it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.</p>	<p>It has been identified within the Supporting Information Document (SID) that there are several wrecks within the proposed areas. These obstructions have been considered and will be avoided when finalising the site location for the deposition of cultch and oysters. The Project will adhere to potential Archaeological Exclusion Zones recommended by the MMO.</p> <p>NE-HER-1 has been considered and the proposed project will not cause harm to heritage assets.</p>	5, 6, 9

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
NE-INF-1	Proposals for appropriate marine infrastructure which facilitates land-based activities, or land-based infrastructure which facilitates marine activities (including the diversification or regeneration of sustainable marine industries), should be supported.	<p>The proposed project is not in relation to marine infrastructure which facilitates land-based activities. Activities will be occurring away from land, fully in the marine environment.</p> <p>NE-INF-1 has been considered and is not considered applicable to the proposed project.</p>	1
NE-INF-2	<p>(1) Proposals for alternative development at existing safeguarded landing facilities will not be supported.</p> <p>(2) Proposals adjacent and opposite existing safeguarded landing facilities must demonstrate that they avoid significant adverse impacts on existing safeguarded landing facilities.</p> <p>(3) Proposals for alternative development at existing landing facilities (excluding safeguarded sites) should not be supported unless that facility is no longer viable or capable of being made viable for waterborne transport.</p> <p>(4) Proposals adjacent and opposite existing landing facilities (excluding safeguarded sites) that may have significant adverse impacts on the landing facilities should demonstrate that they will, in order of preference:</p>	<p>The proposed project involves the deposition of cultch and oysters over a small area of the seabed and is not located adjacent to, or opposite, any safeguarded landing facilities.</p> <p>NE-INF-2 has not been considered and adverse impacts on safeguarded landing facilities have been avoided.</p>	1

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. 		
NE-INNS-1	<p>Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported. Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species, particularly when:</p> <ol style="list-style-type: none"> 1. moving equipment, boats or livestock (for example fish or shellfish) from one water body to another 2. introducing structures suitable for settlement of invasive non-native species, or the spread of invasive non-native species known to exist in the area. 	<p>The project will follow strict measures to prevent the spread of invasive non-native species (INNS). This includes weathering the cultch material for at least six months before deployment. Additionally, the project will use the 'check, clean and dry' method and follow guidance to prevent the spread on INNS.</p> <p>NE-INNS-1 has been considered and the project will adhere to effective prevention method to avoid and minimise the spread of invasive non-native species.</p>	7, 11, 12, 13
NE-INNS-2	<p>Public authorities with functions to manage activities that could potentially introduce, transport or spread invasive non-native species should implement adequate biosecurity measures to avoid or minimise the risk of introducing, transporting or spreading invasive non-native species.</p>	<p>The project will not be implemented by a public authority so NE-INNS-2 is not considered applicable.</p>	7, 11, 12, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
NE-ML-1	Public authorities must make adequate provision for the prevention, re-use, recycling and disposal of waste to reduce and prevent marine litter. Public authorities should aspire to undertake measures to remove marine litter within their jurisdiction.	<p>Although we are not a public authority, all personnel involved in the project will follow strict pollution prevention measures, including preventing marine litter during the proposed works.</p> <p>NE-ML-1 has been considered and the project will comply with pollution prevention guidelines, even though we are not a public authority.</p>	7, 11
NE-ML-2	<p>Proposals that facilitate waste re-use or recycling to reduce or remove marine litter will be supported. Proposals that could potentially increase the amount of marine litter in the marine plan areas must include measures to, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - waste entering the marine environment. 	<p>All personnel will adhere to pollution prevention measures, including the prevention of marine litter, while undertaking the proposed works.</p> <p>However, the project itself is not proposing to undertake measures to remove litter within the marine area.</p> <p>NE-ML-2 has been considered and the project will minimise marine litter resulting from the activity.</p>	7, 11
NE-MPA-1	Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference:	The location of the proposed project is not located within a marine protected area (MPA), however, as part of the marine licence application, supporting environmental assessments were undertaken: a Marine Conservation Zone (MCZ) Risk Assessment and a Habitats Regulations Assessment	11, 12, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<ul style="list-style-type: none"> a. avoid b. minimise c. mitigate – adverse impacts, with due regard given to statutory advice on an ecologically coherent network. 	<p>(HRA). These demonstrated that there will be no potential impacts on protected sites and their features for listed relevant MCZs, Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) within the marine area.</p> <p>NE-MPA-1 has been considered and the project is not located within, or have adverse impacts on, a marine protected area.</p>	
NE-MPA-2	<p>Proposals that enhance a marine protected area's ability to adapt to climate change, enhancing the resilience of the marine protected area network, will be supported. Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change, and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate – adverse impacts. 	<p>The location of the proposed project is not located within a Marine Protected Area (MPA), however, the project aims to restore native oyster beds, a blue carbon habitat important for carbon storage and sequestration.</p> <p>NE-MPA-2 has been considered and the project is not located within a marine protected area.</p>	11, 12, 13
NE-MPA-3	Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due	The location of the proposed project is not located within a Marine Protected Area (MPA).	11, 12, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered.	NE-MPA-3 has been considered and is not considered applicable to the proposed project.	
NE-MPA-4	<p>Proposals that may have significant adverse impacts on designated geodiversity sites must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate – adverse impacts so they are no longer significant. 	<p>The proposed works involve the deposition of cultch and oysters over a small area of the seabed, far from sites selected to protect geodiversity.</p> <p>NE-MPA-4 has not been considered and will have no impact on designated geodiversity sites.</p>	11
NE-OG-1	Proposals in areas where a licence for oil and gas has been granted or formally applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with the oil and gas activity.	<p>The project is not in an area where a licence for oil and gas extraction has been granted or formally applied for.</p> <p>NE-OG-1 has been considered and is not considered applicable to the proposed project.</p>	2, 3
NE-OG-2	Proposals within areas of geological oil and gas extraction potential demonstrating compatibility with future extraction activity will be supported.	<p>The project is not in an area of geological oil and gas extraction potential.</p> <p>NE-OG-2 has been considered and is not considered applicable to the proposed project.</p>	2, 3

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
NE-PS-1	<p>In line with the National Policy Statement for Ports, sustainable port and harbour development should be supported. Only proposals demonstrating compatibility with current port and harbour activities will be supported. Proposals within statutory harbour authority areas or their approaches that detrimentally and materially affect safety of navigation, or the compliance by statutory harbour authorities with the Open Port Duty or the Port Marine Safety Code, will not be authorised unless there are exceptional circumstances. Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate – adverse impacts so they are no longer significant. <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>The proposed project is located away from the major ports and their approaches (eg Port of Aurther).</p> <p>Consideration has been given to any disruption to shipping and navigation from these areas, where it is expected only temporary disturbance will occur. Any risk to navigation will be mitigated through liaison with local ports and harbours.</p> <p>NE-PS-1 has been considered and the proposed project is located away from major ports and their approaches.</p>	1, 2, 3
NE-PS-2	Proposals that require static sea surface infrastructure or that significantly reduce	The proposed project is not located within, or encroach on, IMO routeing systems.	1, 2

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	under-keel clearance must not be authorised within or encroaching upon International Maritime Organization routing systems unless there are exceptional circumstances.	NE-PS-2 has not been considered and the proposed project is not within or encroaching on IMP routing systems.	
NE-PS-3	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.	<p>This is not applicable as the deposition of cultch and oysters is at a depth of deposition that will not significantly reduce under-keel clearance.</p> <p>The planned deployment of the spat collector (which has been discussed and presented within the supporting information document (SID)), is understood to be an exempted activity (under Article 13 for Shellfish Propagation). However, if deployed in area '3' it may present a potential collision risk for boats. Following stakeholder engagement with Trinity House and the Maritime and Coastguard Agency (MCA) it was established that due to a potential change in water depth of more than 5% in proposed area 3, it would be necessary to further review the risk to navigation, and therefore it has been included in this marine licence application.</p> <p>Should the Marine Licence application (MLA) be granted, pre-approval will also be sought</p>	1, 2

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
		<p>from Trinity House and the MCA that the device will cause no navigational risk.</p> <p>NE-PS-3 has been considered and the proposed project does not reduce under keel clearance.</p>	
NE-PS-4	Proposals promoting or facilitating sustainable coastal and/or short sea shipping as an alternative to road, rail or air transport will be supported where appropriate.	<p>This is not applicable to the proposed project. Small vessels will be used solely to deposit cultch and will not be involved in any further shipping activities as an alternative transportation method.</p> <p>NE-PS-4 has been considered and is not applicable to the project</p>	3
NE-REN-1	Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported.	<p>This is not applicable to this proposed project of native oyster restoration.</p> <p>NE-REN-1 has been considered and is not applicable as the project does not promote the provision of renewable energy technologies.</p>	2, 3, 8
NE-REN-2	Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or	<p>This is not applicable to this proposed project of native oyster restoration as it is not located in an area for renewable energy generation.</p> <p>NE-REN-2 has been considered and is not applicable to the project.</p>	2, 3, 8

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	decommission the existing or planned energy generation project.		
NE-REN-3	Proposals for the installation of infrastructure to generate offshore renewable energy, inside areas of identified potential and subject to relevant assessments, will be supported.	<p>This is not applicable to this proposed project of native oyster restoration as it is not for the installation of infrastructure to support the generation of renewable energy.</p> <p>NE-REN-3 has been considered and is not applicable to the project.</p>	2, 3, 8
NE-SCP-1	<p>Proposals should ensure they are compatible with their surroundings and should not have a significant adverse impact on the character and visual resource of the seascape and landscape of the area. The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape. Proposals that may have a significant adverse impact on the seascape and landscape of the area should demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> a. avoid b. minimise c. mitigate – adverse impacts so they are no longer significant. 	<p>The deposition of oysters and cultch over the small project area will not have adverse impacts the character and visual resource of the seascape or landscape. There will be no structure above sea level, and any vessel activity associated with the project will be temporary, short-term, and localised.</p> <p>NE-SCP-1 has been considered and the proposed project will not impact on the character and visual resource of the seascape or landscape of the area.</p>	5, 9

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<p>If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascape and landscape of the area. Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty.</p>		
NE-SOC-1	<p>Those bringing forward proposals should consider and demonstrate how their development shall enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal.</p>	<p>The proposed project is part of the wider Bubbly Oysters Project. This collaborative project works with the marine industry and local communities to deliver restoration sites across the UK.</p> <p>Education materials are available for this project. Opportunity will be created to enable visits to project sites (location of the bloodstock nurse sites) and complete citizen science activities, recording and monitoring data for these cages.</p> <p>NE-SOC-1 has been considered and the proposed project will support the enhanced public knowledge, understanding, appreciation and enjoyment of the marine environment.</p>	5, 6, 9

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
NE-TR-1	<p>Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported. Proposals that may have significant adverse impacts on tourism and recreation activities must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a. avoid b. minimise c. mitigate - adverse impacts so they are no longer significant. 	<p>The proposed project does not seek to support or facilitate tourism and recreation activities.</p> <p>The deployment of cultch and oysters is not located in an area that supports leisure, tourism and recreational activities and so will not have adverse impacts on either.</p> <p>NE-TR-1 has been considered and the proposed project will not have adverse impacts on sustainable tourism and recreation activities.</p>	6, 9
NE-UWN-1	<p>Proposals that result in the generation of impulsive sound must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the Marine Strategy Part One Descriptor 11.</p>	<p>No impulsive sound will be created through deposition of cultch and oysters on the seabed as part of the proposed project.</p> <p>The deployment of the spat collector is a non-impulsive sound.</p> <p>NE-UWN-1 has been considered and is not applicable to the proposed project.</p>	13
NE-UWN-2	<p>Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference:</p>	<p>No impulsive noise will be generated from the proposed project.</p>	11, 13

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
	<p>a. avoid b. minimise c. mitigate – adverse impacts on highly mobile species so they are no longer significant.</p> <p>If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.</p>	<p>Any non-impulsive noise (e.g. from vessel activity) will be temporary, spatially limited to the licensed locations and not expected to be above baseline conditions in which to cause disturbance or displacement of mobile species. In addition, as part of the marine licence application, a Habitats Regulations Assessment (HRA) has been undertaken which considered there were no potential adverse impact pathways on highly mobile species.</p> <p>NE-UWN-2 has been considered and the proposed project will not have significant adverse impacts on highly mobile species.</p>	
NE-WQ-1	<p>Proposals that protect, enhance and restore water quality will be supported. Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference:</p> <p>a. avoid b. minimise c. mitigate – deterioration of water quality in the marine environment.</p>	<p>Restoration of native oyster may naturally improve local water quality within and around the project area.</p> <p>Accompanying this marine licence application is a Water Framework Directive (WFD) Scoping and Assessment which has been undertaken to consider key project activities of cultch and oyster deposition and post-deployment monitoring. Potential pathways considered were mobilisation of sediments leading to changes in water clarity (turbidity), resuspension of contaminated sediments, and</p>	7, 11

Plan Code	Policy Wording	Example to show assessment of the proposal against the policies (summary)	Plan Objective
		<p>potential overlap with cultch and highly sensitive subtidal kelp beds.</p> <p>In consideration of mitigation measure, an overall negligible risk was determined, and with proposed activities deemed compliant with WFD regulations.</p> <p>NE-WQ-1 has been considered and the proposed project may naturally enhance water quality within and around the project area.</p>	

Additional plan and policy information

Provide any further information about your consideration of the Marine Policy Statement (MPS), marine plans and policy objectives you would like the MMO to take into account when determining your application.

Box 1: Additional plan and policy information

Please refer to the Supporting Information Documents attached to this application. Overall, the proposed works are aligned with the relevant marine plan policies set out in the North East Marine Plan.