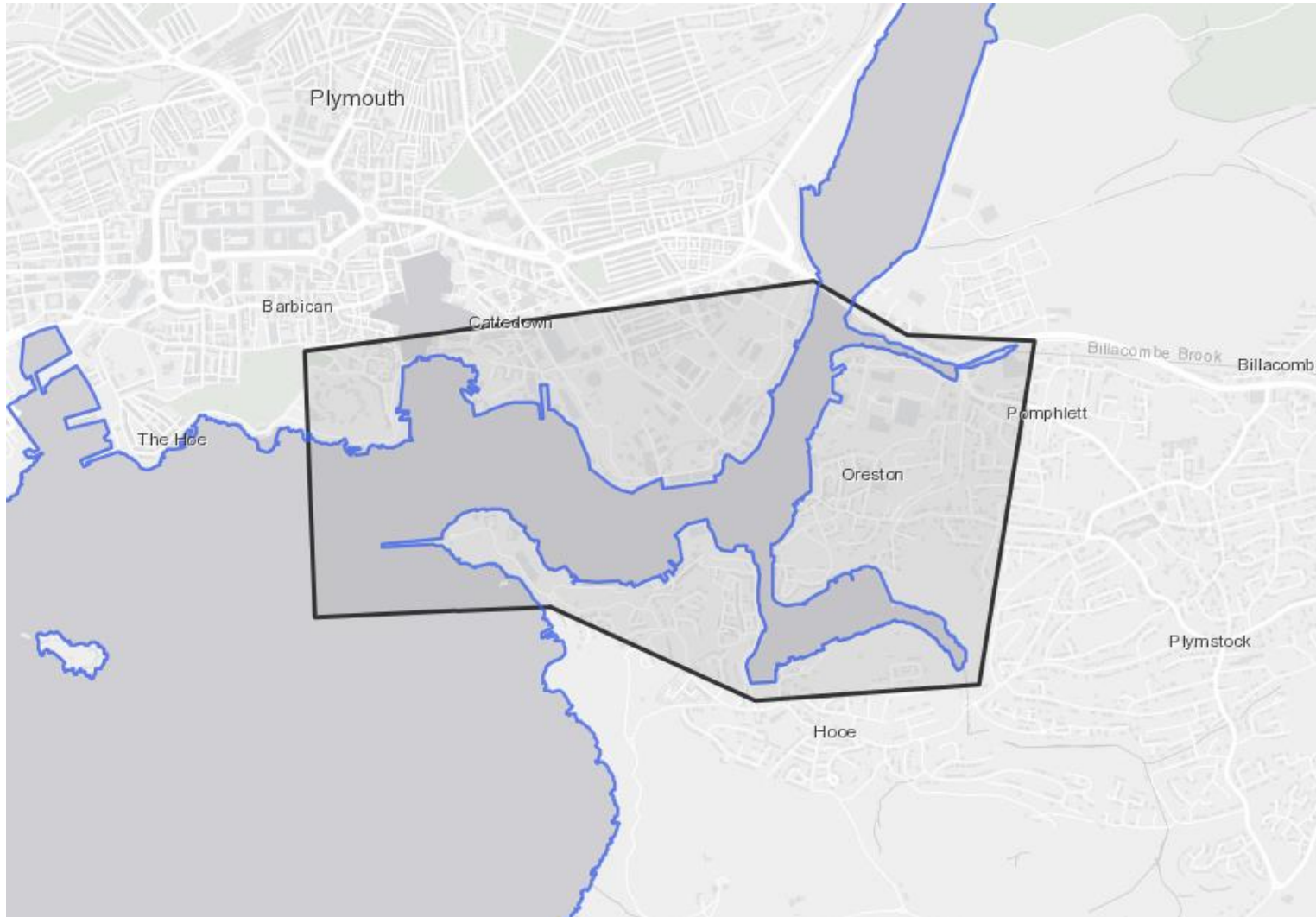


Application name	The Cattewater Harbour Revision Order 2025	Case reference	HRO/2020/00006
Assessment date	04/09/2024		
Case team			
Case Officer	David Morris		
Case Manager	Kristina Benson		
Senior Case Manager	Adrian Clarke		
Application description	Locations: Cattewater (Cornwall)		
Marine Plan Area	South West (Inshore)		
Conclusion	<p>The MMO has considered the area specific policies and the other policies which apply in the draft South West Marine Plan area. The area searched on Explore Marine Plans has been included on the next page.</p> <p>Due to the nature of the application as a non-works order, many of the policies were not considered relevant. Policies which were considered relevant have been highlighted in blue in the table below.</p> <p>The MMO has concluded that the application is compliant with the policies of the draft South West Marine Plan.</p>		

Location used on Explore Marine Plans:



Area specific policies as highlighted by EMP		
Policy	Policy text	MMO consideration
SW-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.	The application is to modernise the powers of the Harbour Commissioners. There are no works in the application to impact dredging and disposal activities. This policy is not relevant.
SW-DEF-1	Proposals in or affecting Ministry of Defence areas should only be authorised with agreement from the Ministry of Defence.	The application is to modernise the powers of the Harbour Commissioners. There are no works in the application to impact Ministry of Defence areas. This policy is not relevant.
SW-PS-3	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.	The application is to modernise the powers of the Harbour Commissioners. There are no works in the application to impact under keel clearance in high density navigation routes. This policy is not relevant.
Plan area policies		
Policy	Policy text	MMO consideration

SW-ACC-1	<p>Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, and that demonstrate the future provision of services for tourism and recreation activities, will be supported. Where appropriate and inclusive enhanced public access cannot be provided, proposals should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts on public access. 	<p>The application is to modernise the powers of the Harbour Commissioners. The powers of General Directions in the Order will allow the Harbour to effectively manage access of the waterways for both leisure and commercial vessels.</p> <p>The application is compliant with the policy.</p>
SW-AIR-1	<p>Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases and air pollutants. Where proposals are likely to result in additional local air pollution or increased emissions of greenhouse gas or air pollutants, they must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate air pollution or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements. 	<p>The application is to modernise the powers of the Harbour Commissioners. There are no works in the application to impact air quality and emissions of greenhouse gases and air pollutants.</p> <p>This policy is not relevant.</p>
SW-AQ-2	<p>Proposals enabling the provision of infrastructure for sustainable aquaculture and related industries will be supported.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. There are no proposals for the provision of infrastructure for sustainable fisheries and aquaculture and related industries in the application.</p> <p>This policy is not relevant.</p>
SW-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> <ul style="list-style-type: none"> a) avoid b) minimise 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to have a significant adverse impact on natural habitat and species.</p> <p>This policy is not relevant.</p>

	<p>c) mitigate d) compensate for significant adverse impacts.</p>	
SW-BIO-2	<p>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 demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate significant adverse impacts d) compensate for significant adverse impacts.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to have a significant adverse impact on native species or habitat adaptation or connectivity or native species migration.</p> <p>This policy is not relevant.</p>
SW-BIO-3	<p>Proposals that deliver environmental net gain for coastal habitats where important in their own right and/or for ecosystem functioning and provision of ecosystem services will be supported.</p> <p>Proposals must take account of the space required for coastal habitats where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will in order of preference:</p> <p>a) avoid b) minimise c) mitigate d) compensate for net habitat loss and deliver environmental net gain.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. There are no proposals in the application to enhance coastal habitats.</p> <p>This policy is not relevant.</p>
SW-CAB-1	<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. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works or cable installation.</p> <p>This policy is not relevant.</p>
SW-CAB-2	<p>Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported.</p> <p>Where this is not possible proposals will, in order of preference:</p> <p>a) avoid b) minimise</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works; therefore, no new or existing landfall cable sites will be impacted.</p> <p>This policy is not relevant.</p>

	<p>c) mitigate significant adverse impacts on new and existing landfall sites, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	
SW-CAB-3	<p>Where seeking to locate close to existing sub-sea cables, proposals should demonstrate compatibility with ongoing function, maintenance and decommissioning activities of the cable.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works; therefore, no existing cable will be impacted.</p> <p>This policy is not relevant.</p>
SW-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 impact upon terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to impact any other marine plan areas.</p> <p>This policy is not relevant.</p>
SW-CC-1	<p>Proposals which enhance habitats that provide flood defence or 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> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts, or, as a last resort d) compensate and deliver environmental net gains in line with and where required in current legislation and policy. 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to cause adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service.</p> <p>This policy is not relevant.</p>
SW-CC-2	<p>Proposals in the south west marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.</p>	<p>The application is to modernise the powers of the Harbour Commissioners and will not be impacted by climate change. This policy is not relevant.</p>

SW-CC-3	<p>Proposals in the south west marine plan areas and adjacent marine plan areas that are likely to have significant adverse impact on coastal change should not be supported. Proposals that may have significant adverse impacts on climate change adaptation measures outside of the proposed project areas must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate the significant adverse impacts upon these climate change adaptation measures. 	<p>The application is to modernise the powers of the Harbour Commissioners and will not have an adverse impact on coastal change. This policy is not relevant.</p>
SW-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> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse cumulative and/or in-combination effects. 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. and will not have adverse cumulative effects with other proposals. This policy is not relevant.</p>
SW-CO-1	<p>Proposals that optimise the use of space and incorporate opportunities for co-existence and co-operation with existing activities will be supported.</p> <p>Where potential conflicts with existing activities are likely (including displacement) proposals must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts on existing activities (including displacement) d) if it is not possible to mitigate significant adverse impacts on existing activities (including displacement), proposals should state the case for proceeding. 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works and there is no need to minimise the use of space and consider co-existence with other activities.</p> <p>This policy is not relevant.</p>
SW-DD-2	<p>Proposals that cause significant adverse impacts on licensed disposal areas should not be supported. Proposals that cannot avoid such impacts must, in order of preference:</p> <ul style="list-style-type: none"> a) minimise b) mitigate or 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. No dredged material will be produced by the application.</p>

	c) if it is not possible to mitigate the significant adverse impacts, proposals must state the case for proceeding.	This policy is not relevant.
SW-DD-3	Proposals for the disposal of dredged material must demonstrate that they have been assessed against the waste hierarchy. Where there is the need to identify new dredge disposal sites, proposals should be supported which are subject to best practice and guidance.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works requiring the disposal dredged material. This policy is not relevant.
SW-DIST-1	Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts.	The application is to modernise the powers of the Harbour Commissioners and will not have an adverse impact on highly mobile species. This policy is not relevant.
SW-EMP-1	Proposals that result in a net increase to marine related employment will be supported, particularly where they meet one or more of the following: i) create employment in areas identified as the most deprived, or ii) support and are aligned with local skills strategies and the skills available in and adjacent to the south west marine plan area, or iii) create a diversity of opportunities, or iv) implement new technologies.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. The application is not designed to develop skills related to marine activities. This policy is not relevant.
SW-FISH-1	Proposals supporting a sustainable fishing industry, including the industry's diversification, should be supported.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to support the diversification of a sustainable fishing industry and or enhance fishing industry resilience to the effects of climate change. This policy is not relevant.

SW-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 significant adverse impacts d) if it is not possible to mitigate the significant adverse impacts, proposals should state the case for proceeding. 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to have significant adverse impacts on access to, or within, sustainable fishing or aquaculture sites.</p> <p>This policy is not relevant.</p>
SW-FISH-3	<p>Proposals enhancing essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes should be supported. If proposals cannot enhance essential fish habitat, they must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impact on essential fish habitat, including spawning, nursery and feeding grounds, and migration routes. 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to enhance access to, or within sustainable fishing or aquaculture sites.</p> <p>This policy is not relevant.</p>
SW-HAB-1	<p>Proposals that incorporate measures to conserve deep sea habitats will be supported. Proposals that may have direct adverse impacts on deep sea habitats must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate direct adverse impacts on deep sea habitats. 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to conserve deep sea habitats.</p> <p>This policy is not relevant.</p>
SW-HER-1	<p>Proposals that demonstrate they will conserve and enhance elements contributing to the significance of heritage assets will be supported. Proposals unable to conserve and enhance elements contributing to the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate harm to those elements contributing to the significance of heritage 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to impact heritage assets.</p> <p>This policy is not relevant.</p>

	assets d) if it is not possible to mitigate, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.	
SW-INF-1	Appropriate land-based infrastructure which facilitates marine activity (and vice versa) including the diversification or regeneration of marine industries, should be supported.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve the creation of any infrastructure. The policy is not relevant.
SW-INNS-1	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: 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.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works that could increase the risk of the spread of non-invasive species. This policy is not relevant.
SW-INNS-2	Public authorities with functions to manage activities that could potentially introduce, transport or spread invasive non-native species should implement adequate biosecurity measures to avoid or minimise the risk of introducing, transporting or spreading invasive non-native species.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works that could increase the risk of the spread of non-invasive species. This policy is not relevant.
SW-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.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to generate beach or marine litter or measures to remove beach or marine litter. This policy is not relevant.

<p>SW-ML-2</p>	<p>Proposals that facilitate waste re-use or recycling to reduce or remove marine litter will be supported.</p> <p>Proposals that could potentially increase the amount of marine litter in the marine plan area, must include measures to:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate waste entering the marine environment. 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to generate beach or marine litter or measures to remove beach or marine litter.</p> <p>This policy is not relevant.</p>
<p>SW-MPA-1</p>	<p>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:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network. 	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. The application does not include proposals to support the objectives of marine protected areas and the ecological coherence of the marine protected area network.</p> <p>This policy is not relevant.</p>
<p>SW-MPA-2</p>	<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 application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. The application does not include proposals to enhance a marine protected area’s ability to adapt to climate change.</p> <p>This policy is not relevant.</p>
<p>SW-MPA-3</p>	<p>Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. The application does not include proposals to support the objectives of marine protected areas and the ecological</p>

		<p>coherence of the marine protected area network.</p> <p>This policy is not relevant.</p>
SW-MPA-4	<p>Proposals must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate significant adverse impacts on designated geodiversity.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works. The application does not include proposals to support the objectives of marine protected areas and the ecological coherence of the marine protected area network.</p> <p>This policy is not relevant.</p>
SW-OG-2	<p>Proposals within areas of geological oil and gas extraction potential demonstrating compatibility with future extraction activity will be supported.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works that could impact oil or gas activity.</p> <p>This policy is not relevant.</p>
SW-PS-1	<p>Only proposals demonstrating compatibility with current activity and future opportunity for sustainable expansion of port and harbour activities will be supported.</p> <p>Proposals that may have a significant adverse impact upon current activity and future opportunity for expansion of port and harbour activities must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate significant adverse impacts</p>	<p>The application enables the efficient and economic management of the harbour and the activities that take place there. This will support any potential sustainable expansion of the harbour activities.</p> <p>The application is compliant with this policy.</p>

	d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	
SW-PS-4	Proposals promoting or facilitating sustainable coastal and/or short sea shipping as an alternative to road, rail or air transport will be supported where appropriate.	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to promote or facilitate coastal and/pr short sea shipping.</p> <p>The policy is not relevant.</p>
SW-REN-1	Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported.	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works that support the development of supply chains associated with the deployment of renewable energy will be supported.</p> <p>This policy is not relevant.</p>
SW-SCP-1	<p>Proposals that may have a significant adverse impact upon the seascapes and landscapes of an area should only be supported if they demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate d) if it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascapes and landscapes of an area. <p>Where possible, proposals should demonstrate that they have considered how highly the seascapes and landscapes of an area is valued, its quality, and the areas potential for change. In addition, the scale and design of the proposal should be compatible with its surroundings and not have a significant adverse impact on the seascapes and landscapes of an area.</p>	<p>The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works that may have a significant adverse impact upon the landscape or seascape of an area.</p> <p>This policy is not relevant.</p>

SW-SOC-1	Those bringing forward proposals are encouraged to consider and enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works to enhance or promote social benefits. This policy is not relevant.
SW-TR-1	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. Where proposals may have a significant adverse impact on tourism and recreation activities they must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate that impact.	The application is to modernise the powers of the Harbour Commissioners. The modernised general direction powers will allow the harbour authority to explain the activities allowed in the Harbour to recreational users to manage those recreational activities effectively. The application is compliant with this policy.
SW-UWN-1	Proposals that result in the generation of impulsive sound must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the Marine Strategy Part One Descriptor 11.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works generating impulsive sound. This policy is not relevant.
SW-UWN-2	Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on highly mobile species d) if it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.	The application is to modernise the powers of the Harbour Commissioners. The application does not involve any works generating impulsive sound and or ambient noise. This policy is not relevant.
SW-WQ-1	Proposals that enhance and restore water quality will be supported. Proposals which cause deterioration of water quality must demonstrate that	The application is to modernise the powers of the Harbour Commissioners. The application

	<p>they will, in order of preference:</p> <ul style="list-style-type: none">a) avoidb) minimisec) mitigate deterioration of water quality in the marine environment.	<p>does not involve any works that may have significant adverse impacts upon the water environment.</p> <p>This policy is not relevant.</p>
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