

Appendix C: Assessment against Scotland's National Marine Plan

The following table provides an assessment of the proposal against the relevant policies of Scotland's National Marine Plan (SNMP) as required by Section 10 of the Marine Licence Application Form for Construction Projects.

SNMP Policy	Assessment of Compliance
<p>Policy GEN 1 General planning principle</p> <p><i>There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan.</i></p>	<p>The proposed works comprises of essential maintenance required to prolong the use of the existing infrastructure. The proposed works will maintain an existing structure within the marine environment and ensuring its long-term safety and continued use. Overall, it is considered that the proposed works are consistent with the policies and objectives of SNMP. As such the proposed works do not conflict with Policy GEN 1 of the SNMP.</p>
<p>Policy GEN 5 Climate change</p> <p><i>Marine planners and decision makers must act in the way best calculated to mitigate, and adapt to, climate change.</i></p>	<p>Overall, the design and assessment of the proposed works has had regard to, and is compliant with, policy objectives to minimise effects on climate change. In addition, the principle of the proposed works in maintaining an existing asset to ensure its long-term use, is consistent with the objectives for climate change mitigation and adaptation identified at a national scale. As such, the proposed scheme does not conflict Policy GEN 5 of the SNMP.</p>
<p>Policy GEN 6 Historic environment</p> <p><i>Development and use of the marine environment should protect and, where appropriate, enhance heritage assets in a manner proportionate to their significance.</i></p>	<p>The Kincardine Bridge is a Category A listed structure. The proposed works will contribute to keeping the Kincardine Bridge in its intended use in the long-term thus ensuring the future maintenance of the structure and preserving the way the bridge is understood, experienced and appreciated. The works will be carried out in a sensitive manner appropriate to the national significance and importance of the structure within the marine environment.</p>

SNMP Policy	Assessment of Compliance
	Thus, the proposals are not considered to conflict with the provisions of Policy GEN 6 of the SNMP.
<p>Policy GEN 7 Seascape / Landscape</p> <p><i>Marine planners and decision makers should ensure that development and use of the marine environment take seascape, landscape and visual impacts into account.</i></p>	<p>Since the scheme comprise maintenance works to an existing structure it is anticipated that there would be no significant effects upon the seascape or landscape environment. As such the proposed works do not conflict with Policy GEN 7 of the SNMP.</p>
<p>Policy GEN 8 Coastal process and flooding</p> <p><i>Developments and activities in the marine environment should be resilient to coastal change and flooding, and not have unacceptable adverse impact on coastal processes or contribute to coastal flooding.</i></p>	<p>No significant effects are identified in relation to flood risk. The proposed works will allow the continued free movement of tidal waters in the area. No permanent additional structures or earthworks are proposed which would result in a net loss of floodplain storage comparative to the existing conditions. As a result, it has been assessed that the scheme will not cause a change from current conditions with regards to tidal movement and flood risk and will therefore not result in any change to flood risk to sensitive receptors within the immediate and surrounding area.</p> <p>As such the proposed scheme does not conflict with Policy GEN 8 of the SNMP.</p>
<p>Policy GEN 9 Natural heritage</p> <p><i>Development and use of the marine environment must (a) Comply with legal requirements for protected areas and protected species, (b) Not result in significant impact on the national status of Priority Marine Features (c) Protect and, where appropriate, enhance the health of the marine area.</i></p>	<p>A detailed consideration of the potential for any likely significant effects on the conservation objectives of the following European sites, in the context of The Conservation (Natural Habitats, & c.) Regulations 1994 (as amended) (referred to as the Habitat Regulations), has been undertaken within the Habitat Regulations Appraisal (HRA) for the proposed scheme which is attached to this application as Appendix B:</p> <ul style="list-style-type: none"> • Firth of Forth Special Protection (SPA); • Firth of Forth Ramsar; • River Teith Special Area of Conservation (SAC) <p>Mitigation measures to reduce potential significant effects upon designated sites are detailed within the HRA, the measures identified in the work programme (Appendix B) and use of best practice construction methods. With mitigation in place it is concluded that there will be no implications for the conservation objectives of the Firth of Forth SPA, Firth of Forth Ramsar and River Teith SAC as a result of the proposed works. Therefore, there will be no adverse effects on site integrity (AESI) for the sites, either alone or in combination with other plans and projects.</p>

SNMP Policy	Assessment of Compliance
	<p>With the mitigation measures in place, no significant effects on marine priority features are anticipated from the proposed scheme during the works.</p> <p>As such the proposed scheme does not conflict with policy GEN 9 of the SNMP.</p>
<p><i>Policy GEN 10 Invasive non-native species</i></p> <p><i>Opportunities to reduce the introduction of invasive non-native species to a minimum or proactively improve the practice of existing activity should be taken when decisions are being made.</i></p>	<p>The majority of access to the site during construction would be taken from the existing road network and therefore there would not be a requirement to carry out works using marine vessels and equipment; thereby eliminating this pathway for transfer of non-native marine species. The Contractor, when appointed, will be required to develop a CEMP to provide a framework for the implementation of construction activities, setting out how the Contractor intends to operate the construction site. For works that involve marine vessels and equipment, mitigation to reduce the introduction of invasive non-native species would be detailed in the Construction Environmental Management Plan (CEMP).</p> <p>Consequently, the proposed scheme would not conflict with the requirements of SNMP Policy GEN 10.</p>
<p><i>Policy GEN 11 Marine litter</i></p> <p><i>Developers, users and those accessing the marine environment must take measures to address marine litter where appropriate. Reduction of litter must be taken into account by decision makers.</i></p>	<p>The CEMP will contain measures to avoid litter from construction entering the marine environment.</p> <p>As such the proposed scheme does not conflict with Policy GEN 11 of the SNMP.</p>
<p><i>Policy GEN 12 Water quality and resource</i></p> <p><i>Developments and activities should not result in a deterioration of the quality of waters to which the Water Framework Directive, Marine Strategy Framework Directive or other related Directives apply.</i></p>	<p>Although, potential effects are expected to be temporary, potential effects on surface water quality are considered to be possible. Best practice construction methods will be implemented including the use of appropriate pollution controls (i.e. Guidance for Pollution Prevention (GPPs)), appropriate mitigation measures will be employed during the Proposed Works to provide a degree of visual screening; to contain the works and prevent any materials or tools dropped from falling onto areas below the bridge; and to contain waste arisings such as dust and paint flakes. Appropriate mitigation will be developed on a scheme-by-scheme basis following environmental screening, and consultation from specialist contractors and may include but not be limited to measures such as: full encapsulation of the works area, use of tool tethers, installation of boarding, netting, and sheeting, etc. These measures will be embedded in the method statement for the Proposed Works via the CEMP.</p>

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<p><i>Policy GEN 13 Noise</i></p> <p><i>Development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects.</i></p>	<p>As such the proposed scheme does not conflict with the requirements of Policy GEN 12 of the SNMP.</p> <p>Mitigation measures such as the preparation of a CEMP, have been proposed to reduce any potential adverse noise effects as a result of the works.</p> <p>With the application of mitigation, it is considered that any adverse noise or vibration effects associated with construction of the proposed scheme are unlikely to be significant.</p> <p>As such the proposed scheme does not conflict with Policy GEN 13 of the SNMP.</p>
<p><i>GEN 14 Air quality</i></p> <p><i>Development and use of the marine environment should not result in the deterioration of air quality and should not breach any statutory air quality limits.</i></p>	<p>An appropriate CEMP following contractor appointment will be prepared. No significant residual effects on air quality are expected as a result of traffic management measures during the construction phase.</p> <p>As such the proposed scheme does not conflict with Policy GEN 14 of the SNMP</p>