

APPLICATION FOR A MARINE LICENCE FOR MARINE WORKS

Marine Works include, but are not limited to, coast defences, beneficial uses of dredged materials, subsea cables, pontoons, jetties, land reclamation, grab samples and outfall pipes under the Marine and Coastal Access Act 2009

Please read the notes carefully before completing the form.

- The Marine Licensing Team (MLT) administers Part 4 of the Marine and Coastal Access Act 2009 on behalf of the Licensing Authority, the Welsh Ministers.
- The completed application form must be accompanied by a location plan and, where appropriate, descriptive drawing(s) and any supporting environmental assessments. One completed hard copy of the application and supporting documents will always be required. Additional copies are required for consultation purposes.
 - For application and supporting documents less than 10MB we can accept an additional copy via email.
 - For applications larger than 10MB **16** additional copies in CD/DVD format will be required
 - When applications and supporting documents are hard copy only **16** copies will be required.
- Please submit applications to the **Permit Receipt Centre** via the details at the top of this form
- Please submit marine licence applications, including this form and all supporting documents, **at least 4 months before the licence is required.**

Some projects may raise matters that require a significantly longer time for consideration. These are most likely to be:

- Projects that fall **within** The Marine Works (Environmental Impact Assessment) Regulations 2007 – as amended requiring an Environmental Statement
- Large scale projects with substantial volumes of material being deposited or excavated
- Works requiring an Appropriate Assessment to be conducted under The Conservation of Habitats and Species Regulations 2017.
- Information should be provided about the anticipated **duration of the entire project** in respect of works below/seaward of Mean High Water Spring (MHWS). Where appropriate, planned phasing of the work for which consent is sought must be detailed. For projects lasting more than one calendar year, planned phasing details must be given for each 12 month period.

A licence fee is payable in respect of an application. Details of fees can be found on our web pages.

Please note applications will not be processed without the correct relevant fee or invoicing details.

- Payments can be made via Cheque, BACS or credit/debit card.
 - Cheques should be crossed and made payable to **Natural Resources Wales.**
 - For BACS payments ensure you provide the reference number (not remittance number)

- For credit/debit card payments please complete the CC1 form and submit with the application. The CC1 form can be found on our web pages

Further information on payment methods can be found on our web pages

- **All activities need to comply with the Water Framework Directive (WFD). The framework and guidance can be found on the Natural Resources Wales website, <http://naturalresources.wales>. The results of your WFD assessment must be attached to your marine licence application.**
- Please answer all questions. If any information is not available at the time of application please indicate in the relevant section, giving reasoning in a covering letter. Outstanding details must be submitted as soon as possible. Any delay in forwarding details is likely to result in delays in determining your application.

Your application may not be considered complete and therefore not processed until key information has been submitted. Your application may be returned if you fail to submit outstanding information within given timescales.

- Please note any licence may have conditions that must be discharged before works can commence. This will take additional time.
- If you have any queries with regards to completing this application please contact the MLT: marinelicensing@naturalresourceswales.gov.uk

How your application will be processed by the MLT:

- Submit all application to the **Permit Receipt Centre** via the details at the top of this form.
- Checked and acknowledged by the MLT within 21 days of receipt of application and payment
- If the application is complete and no further information is needed at this time, your application will be placed in a work queue to be assigned a permitting officer
- If the application is not complete, further information will be request and need to be provided before the application can be considered as complete
- Our **4 months** service level for determining non-EIA applications will begin from the date the **completed** application is received (*Please note some projects may take significantly longer than 4 months to determine due to their nature*)
- EIA projects may take significantly longer due to their scale and complexity. Therefore we encourage early engagement with the MLT
- Your application and supporting documents will be sent to for an initial consultation period of 28 days (*42 days for EIA projects*)
- For the majority of projects, a public notice must be advertised. Public consultation will be 28 days (*49 days for EIA projects*).
For EIA projects a second public notice will be required. The MLT will advise on how this should be done.
- Responses to consultation will be considered and additional information requested at this time, if necessary.

- A decision on your Marine Licence Application will be made

All information submitted may be referred to within a licence, therefore all works must be in accordance with this information, unless otherwise agreed with NRW acting on behalf of the Licensing Authority during the determination process.

It is the responsibility of the applicant to obtain any other consents/authorisations that may be required.

Application Form Structure

1. Project Description and Cost
2. Applicant Details
3. Details of Agent, Contractor, Vehicles and/or Vessels used to carry out works
4. Environmental Impact Assessment (EIA)
5. Licensable Period
6. Project Description
7. Methods Statement
8. Materials of Project
9. Beach Replenishment, Land Reclamation or Salt Marsh Feeding
10. Temporary Works
11. Dredge and Disposal of Dredge Material
12. Protected Sites
13. Other Consents
14. Statutory Powers
15. Public Register
16. Application Fee
17. Declaration

Check List

Please ensure that you have included all the necessary information before you submit your application. **If any of the below are not completed in the application form, the application is likely to be considered incomplete and may be returned to you**

Item	Yes (✓)
The applicant is a legal entity?	✓
The declaration is signed by the applicant?	✓
Is the application fee correct?	✓
Are the grid references/coordinates correct?	✓
Do the coordinates match map locations?	✓
Have all the relevant supporting documents been submitted?	✓
Has a clear methodology been provided in the application form?	✓
Has Protected sites information been included?	✓
Has a Water Framework Directive (WFD) assessment been submitted?	✓
Are all the continuation sheets for application questions appended with correct corresponding numbers?	✓

Should you have any queries regarding your application please contact the MLT via marinelicensing@naturalresourceswales.gov.uk

1. Project Description and Cost

1 (a). Project Name

Llanddulas to Kinmel Bay Coastal Defence Improvements Scheme

1(b). Please provide a brief description of the proposed project, including location

Llanddulas to Kinmel Bay Coastal Defence Improvements Scheme is designed to alleviate flood risk and prevent further flood damage to residents, businesses, and critical infrastructure. The interventions stretch along an 11km stretch of coastline from Llanddulas at National Grid Reference (NGR): SH904786 to Kinmel Bay at (NGR):SH995808 The proposed scheme comprises of upgrades to existing rock armour, new rock armour, beach replenishment, raising embankments and seawalls and building new flood walls, improved beach access. Additionally, some sections of the coastal path will be widened for improved cycle and pedestrian movement. Public realm and ecological enhancements also form part of the scheme. Only a limited proportion of the proposed scheme is below the MHWS, as shown on attached drawings (CH1701-AMEY-EWE-XX-DR-CH-3001-MHWS, CH1701-AMEY-EWE-XX-DR-CH-3002-MHWS, CH1701-AMEY-EWE-XX-DR-CH-3003-MHWS). The details of the interventions below MHWS are outlined in Section 6. Project Description.

1(c). Please provide an estimated gross cost of the project (Inc. materials and labour) for works that fall below/seaward of Mean High Water Springs (MHWS)

£5,000,000

2. Applicant Details

To whom the licence will be issued. *This must be a legal entity such as an individual, registered company/ charity or public body.*

Title Mr.

Full Name Kevin Lucas

Company or Trading Name

Conwy County Borough Council

Company Registration Number (if applicable)

Name of Contact or individual (if different)

N/A

Position in Company

Project Manager

Address inc. postcode (provide registered Company address if applicable)

Cyngor Bwrdeistref Sirol Conwy / Conwy County Borough Council
Environment, Roads & Facilities
Mochdre Offices
Conway Road
Mochdre
Conwy, LL28 5AB

Telephone Number

Email Address

3. Details of Agent, Contractor, Vehicles and/or Vessels used to carry out works

3(a). Agent Details

This is who we will correspond with unless otherwise informed. If no agent we will contact the applicant.

Title Full Name

Company or Trading Name

Company Registration Number (if applicable)

Name of Contact or individual (if different)

Position in Company

Address (Inc. postcode)

Telephone Number

Email Address

3(b). Does the Applicant wish to be included in all correspondence? Yes ☒ No ☐

3(c). Contractor Details

In order for contractors to benefit from the licence permission, details must be provided. Any details not provided with application must be confirmed before operations commence.

Contractor Company or Trading Name	Address
TBC following contractor appointment.	

3(d). Will the works require the use of vessels?

Yes ☐ No ☒

3(d) (i). Vessel Details (if applicable and available)

In order for contractors to benefit from the licence permission, details must be provided.

Any details not provided with application must be confirmed before operations commence.

Operator	Name of Vessel	Type of Vessel	Vessel Registration Number	Country of Registration
N/A				

3(e). Will the works require the use of vehicle?

Yes ☒ No ☐

☐

3(e) (i). Vehicle Details (if applicable and available) to be used below MHWS

In order for contractors to benefit from the licence permission, details must be provided.

Any details not provided with application must be confirmed before operations commence.

Operator	Type/Description of Vehicle
TBC	40t Tipper
TBC	36t Excavator
TBC	20t Road Wagons
TBC	10t Tipper
TBC	3t Tipper
TBC	1.5t Tipper
TBC	15t Excavator
TBC	5t Excavator
TBC	Sheet Piling Rig

3(f). If the contractor or vessels or vehicles are not known at the application stage, when do you expect to provide these details?

These details will need to be confirmed prior to the licence and operations commencement

Contractor appointment is expected in March 2023. An indicative construction methodology has been provided alongside this application. Materials will be delivered primarily using the existing road network with a single access route across the beach. Construction work will involve heavy plant and equipment. More detailed construction methodology will be subject to the appointment of a contractor and their resources and construction program, which can be provided to NRW before operations commence if required.

Projects that fall within Annex I of the Directive automatically require an EIA. Projects that

fall within Annex II of the Directive are assessed on a case-by-case basis for the requirement for an EIA to be undertaken.

4(a). Do you consider the works to be under the Environmental Impact Assessment Directive (Directive 85/337/EEC – as amended)? Yes ☒ No ☐

☐

4(a) (i) If Yes, which Annex does the proposal fall under? Annex I ☐ Annex II ☒

4(a) (ii) Which number(s) within the Annex does the proposal relate to?

10(m) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works; - All development

4(b). Have you applied for a screening or scoping opinion from the MLT under the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)? Yes ☒ No ☐

☐

4(b) (i). If Yes, please provide the reference number

SC2108

4(c). Has an Environmental Impact Assessment been undertaken? Yes ☒ No ☐

4(c)(i). If Yes, has an Environmental Statement been submitted to support this Marine Licence application? Yes ☐ No ☒

4(d). If an Environmental Impact Assessment has been undertaken, but an ES has not been submitted, please provide an explanation

The Environmental Statement (ES) is in the process of being prepared. A full draft copy of the ES will be provided to NRW as part of the planning Pre-Application Consultation (PAC) (expected to take place in October). Relevant assessments and chapters of the ES have been extracted and are submitted as part of this to this application. These include Coastal Processes Impact Assessment, Ecological Impact Assessment (EcIA), Habitat Regulations Assessment and Water Framework Assessment.

Please continue on a separate sheet if necessary. Please tick if you have done this ☒

5. Licensable Period

Determination of applications will be based on the works taking place during these dates. Please ensure you have included an adequate contingency period. If works are not completed by the Requested Licence Expiry Date you may be required to submit a new application. *Including a contingency period within your original application does not impact on Licence Fee*

Start Date 28/03/2023

Requested Licence Expiry Date 30/06/2025

Please ensure you submit your application for a Marine Licence **at least 4 months** prior to the intended start date. Some projects, such as EIA projects, will take significantly longer to determine.

6. Project Description

6(a). Please give a description of the proposed project.

This should include the purpose of the project, estimated timescales of construction and operation, and broken down by the phases of works, if applicable.

Details should include, but not be limited to, dimensions of project, quantity of material being deposited and removed.

The Llanddulas to Kinnel Bay is a stretch of coastline within Conwy County which experiences extreme tidal levels combined with large wave heights along the sea front. As a consequence of climate change, the number of properties at risk of flooding along this coastline will increase from 1,872 properties in 2018 to 4,598 properties in 2118 for a 100-year return period event. The existing coastal defences comprise a combination of timber groynes, rock revetment, cobbled beaches, sea walls and floodgates.

The proposed coastal protection scheme has been designed to protect people, property, and critical infrastructure from coastal flooding. The main objectives of the scheme, as outlined within the Outline Business Case (OBC) are as follows:

1. To reduce flood damages to the 4,471 residential and non-residential properties currently at risk in the Walkaway scenario.
2. Ensure community and stakeholder engagement to ensure 'buy-in' for the scheme, thus delivering social benefits by raising awareness and increasing community resilience.
3. To develop a scheme that is deliverable within engineering and time constraints.
4. To develop a scheme that is adaptable to change.
5. Encourage innovative solutions that deliver multiple benefits. Specifically for this scheme to sustain and/or improve the tourist and amenity benefits through continued operation of the beach and the North Wales Coastal route.

The scheme involves upgrades to existing rock armour, beach replenishment, sea walls, and new rock armour along the frontage. The scheme has been designed to avoid significant impediment of views whilst achieving a significant reduction of flood risk and minimising the need for ongoing maintenance over the lifetime of the scheme.

The proposed interventions have been divided between seven Coastal Management Units (CMUs). A description of the proposed CMUs interventions is set out below, with details of what works are below MHWS (also shown on drawings CH1701-AMEY-EWE-XX-DR-CH-3001-MHWS, CH1701-AMEY-EWE-XX-DR-CH-3002-MHWS, CH1701-AMEY-EWE-XX-DR-CH-3003-MHWS).

- CMU 3-2B: Llanddulas Beach. Works at this location involves upgrading the existing rock armour defence as well as an increase in embankment elevation. The new defence will stretch roughly 350m to the eastern edge of the car park to the end of the caravan site on Beach House Road, along two existing bays bound by rock groynes. The raised embankment will be tied into the existing ground to prevent the new defences being outflanked in coastal flood conditions. The level of the embankment crest will provide adequate protection considering the recommended allowances for sea level rise and designed to offer a standard of protection (SoP) up to 1 in 200-year coastal flooding event through to the year 2041.

Works below MHWS: Only a small area section at the toe of the rock armour is below in the MHWS (identified by the purple area on plan CH1701-AMEY-EWE-XX-DR-CH-3001-MHWS).

- (i) CMU 3-4: Pensarn Beach. The proposed works at this location involve an initial capital beach nourishment, to achieve a minimum beach crest to reduce overtopping to less than 10 l/s/m at this region in a 1 in 200-year coastal flood event, while also providing erosion protection to the currently exposed sea wall. The works also involve a programme of maintenance including periodical beach recharge (estimated to be 3 to 5-yearly), providing the needed supply of material to a starving beach. There will also be an additional set-back wall further along on the western end of the CMU approximately 1.8m tall on the landward-side of the existing road/cycleway. This will provide coastal flood protection to the A55 and northern Abergele.

Works below MHWS: The majority of the beach replenishment is below the MHWS (identified by the purple area on plan CH1701-AMEY-EWE-XX-DR-CH-3002-MHWS).

- (ii) CMU 3-5A: Belgrano Beach. The coastal defence upgrades at this location have been divided into two. At the western end of Belgrano beach, rock armour will be placed in front of the existing sea wall extending for 500m. The rock armour is designed to offer wave overtopping protection of 1 l/s/m for a 1 in 200-year event in 2041. The eastern site will involve new rock armour, extending eastward from the existing rock armour at Lyndale Holiday Park with a newly raised embankment behind. This rock armour will extend 300m, and also offer wave overtopping protection of 1 l/s/m for a 1 in 200-year event in 2041. **Works below MHWS: Approximately half of the bottom section of the rock armour is below MHWS (identified by the purple area on plan CH1701-AMEY-EWE-XX-DR-CH-3002-MHWS and CH1701-AMEY-EWE-XX-DR-CH-3003-MHWS).**
- CMU 3-5B: Towyn Revetment. The proposed works involve upgrades to the current rock armour, keeping the current slope angle but increasing the crest width and height to offer a standard of protection of 1l/s/m for a 1 in 200-year event up to the year 2041. The new design will make every effort to reuse and repurpose the current rock armour material. The existing sea wall is being raised by 0.75m. **Works below MHWS: Only a small area at the toe of the rock armour is below in the MHWS (identified by the purple area on plan CH1701-AMEY-EWE-XX-DR-CH-3003-MHWS).**
 - CMU 3-5C: Kinmel Bay Beach. The coastal defence upgrades along this section include increase in height of the seawall create along the entire until by 500m, and upgrade/replace flood gate at carpark to be at the same level as the wall. The level of the seawall crest will be increased to provide improved wave overtopping flood protection to Kinmel Bay for sea level rise up to 2041. The proposed works also include re-profiling the level of the entrance will provide flood protection landwards by preventing water entering the main town, with any flood water returned to the sea by flap gates. The existing rock revetment at the western eastern end of Kinmel Bay Beach will be enhanced and upgraded, the length of the new rock armour unit will be approximately 420m. Maintenance in terms of periodical recharge will be required at the western end downdrift the enhanced revetment at Towyn, where downdrift erosion may reach the seawall. **Works below MHWS: Only a small area at the toe of the rock armour is below in the MHWS (identified by the purple area on plan CH1701-AMEY-EWE-XX-DR-CH-3003-MHWS).**

Please continue on a separate sheet if necessary. Please tick if you have done this ☐

6(b). Please detail the location of the proposed construction project.

This should be either Ordnance Survey National Grid Reference (i.e. AB 12345 67890) or Latitude and Longitude in decimal degrees to 4 decimal places (i.e. Lat 52.1234 Long - 4.1234), defining the extent of the project. **Please specify which coordinate system has been used.**

Please see document GKX-JBAU-00-00-DR-EN-0001-S4-P01-ML_Coordinates

Please continue on a separate sheet if necessary. Please tick if you have done this ☒

6(c). The following must be provided with the completed application form:

- (i) a suitably scaled extract of an Ordnance Survey Map or Admiralty Chart with location of project, complete with **North Arrow** and **Scale**
- (ii) construction plans and sectional drawings showing those proposed works below/seaward of MHWS, which should give details of the materials to be used (for beach replenishment the quantity, particle size and source of material to be deposited and deposit location is also required).
- (iii) a descriptive schematic drawing and suitably scaled location plan which show the full extent of the project clearly in relation to the surrounding area and features.

Please list below **all supporting documents** that have been submitted with this application, including suitable documents/maps/drawing titles and reference numbers

General arrangement drawings - CH1701-AMEY-HGN-XX-DR-CH-0101-GA-Sheet-0 to 12
Cross section drawings –

CH1701-AMEY-GEN-XX-M3-CH-2505-JBA-GA-P01-1-CH1701-2505
CH1701-AMEY-GEN-XX-M3-CH-2505-JBA-GA-P01-1-CH1701-2506
CH1701-AMEY-HGN-XX-DR-CH-2501 (CMU 3-2B)
CH1701-AMEY-HGN-XX-DR-CH-2502 (CMU 3-2B)
CH1701-AMEY-HGN-XX-DR-CH-2507-01 (CMU 3-5A)
CH1701-AMEY-HGN-XX-DR-CH-2508-01 (CMU 3-5A)
CH1701-AMEY-HGN-XX-DR-CH-2509-01 (CMU 3-5A)
CH1701-AMEY-HGN-XX-DR-CH-2509-02 (CMU 3-5A)
CH1701-AMEY-HGN-XX-DR-CH-2510 (CMU 3-5A)
CH1701-AMEY-HGN-XX-DR-CH-2511-01 (CMU 3-5B)
CH1701-AMEY-HGN-XX-DR-CH-2511-02 (CMU 3-5B)
CH1701-AMEY-HGN-XX-DR-CH-2512 (CMU 3-5B)
CH1701-AMEY-HGN-XX-DR-CH-2513-01 (CMU 3-5C)
CH1701-AMEY-HGN-XX-DR-CH-2513-02 (CMU 3-5C)
CH1701-AMEY-HGN-XX-DR-CH-2514 (CMU 3-5C)

General arrangement drawings with MHWS –

CH1701-AMEY-EWE-XX-DR-CH-3001-MHWS
CH1701-AMEY-EWE-XX-DR-CH-3002-MHWS
CH1701-AMEY-EWE-XX-DR-CH-3003-MHWS

Red line boundary with coordinates - GKX-JBAU-00-00-DR-EN-0001-S4-P01-ML_Coordinates
Outline construction methodology - GKX-JBAU-00-00-MS-EN-0001-S4-P01-ML_Construction_MS
Water Framework Directive (WFD) Assessment - GKX-JBAU-00-00-RP-EN-0002-S4-P01-ML_WFD
Ecological Impact Assessment - GKX-JBAU-00-00-RP-EN-0003-ML_EcIA
Habitat Regulation Assessment - GKX-JBAU-00-00-RP-EN-0001-S4_P01_ML_HRA
Coastal Processes Chapter - GKX-JBAU-00-00-RP-EN-0004-S4_P01-ML_Coastal_Processes
NRW Correspondence - GKX-JBAU-00-00-DA-EN-0001-S4_P01-ML_Stakeholder_Log
WNMP Signposting document - GKX-JBAU-00-00-PC-EN-0001-S4-P01-ML_WMNP
Outline CEMP - GKX-JBAU-00-00-SP-EN-0001-S4-P01-ML_Outline_CEMP

Please continue on a separate sheet if necessary. Please tick if you have done this ☐

The applicant should note that these drawings/plans may be copied to others as part of the MLT's consultation procedures. If they are subject to copyright, it is the **responsibility of the applicant to obtain the necessary approvals to reproduce the documents and to submit up to 16 copies with the application.**

7. Methods Statement

7(a). Please provide a detailed method statement for the works

This must include methods for all works including temporary structures or deposits such as jetties, cofferdams, moorings or landing stages to be constructed seaward of MHWS

Please see attached GKX-JBAU-00-00-MS-EN-0001-S4-P01-ML_Construction_MS

Please continue on a separate sheet if necessary. Please tick if you have done this ☐

7(b). Do you intend to undertake activities that could generate underwater noise?

This include piling, use of explosives, geophysical, acoustic deterrent devices and multibeam echosounders.

Yes ☒ No ☐

7(b) (i). If Yes, what type(s) of activities will be undertaken?

Construction work below the MHWS will be undertaken whilst the tide is sufficiently clear of the construction sites. It is proposed that a Giken press is used for piling works (for beach accesses), to mitigate against potential noise.

7(b) (ii). If Yes, approximately how many days will the activity be undertaken for?

Approximately 250 days within the construction programme.

7(c). Please state the measures to be taken to:

(i) Minimise risk to the marine environment

- A Biosecurity Risk Assessment will be prepared to avoid the risk of introduction of marine Invasive Non-Native Species (INNS).
- A Construction Environmental Management Plan will be produced on appointment of the contractor.
- No underwater construction work is proposed. Works will be undertaken whilst the tide is sufficiently clear of the construction sites.
- It is proposed that a Giken press is used for piling works (for beach accesses), to mitigate against potential noise.
- Further details of proposed mitigation can be found in the Ecological Impact Assessment - GKX-JBAU-00-00-RP-EN-0003-ML_EcIA

(ii) Prevent undue interference to others

- Core working hours will be in line with the reasonable hours for operation of building works between 8:00am to 6:00pm between Monday to Friday, 8:00am to 12:00pm on Saturdays, excluding Sundays and Public holidays.
- A Construction Environmental Management Plan will be produced.
- On-going public consultation and liaison regarding the scheme by Conwy Council and the appointed Contractor.

(iii) Maintain navigational safety, including marking and lighting of works

N/A

Please continue on a separate sheet if necessary. Please tick if you have done this ☐

8. Materials of Project

8(a). Description of materials to be deposited seaward of MHWS (Please tick all that apply)

Timber	☐	Iron/Steel	☒	Concrete	☐	Biocides/other chemicals	☐
Silt	☐	Stone/Rock	☒	Gravel	☐	Plastic/Synthetics	☐
Sand	☒	Other	☐				

If other, please provide a description of materials.

N/A

8(b). Delivery method of materials to site

If sea delivery, please include details of vessels to be used with a chart of proposed route and transshipment area. If vehicle delivery, please provide the proposed access route.

Materials will be delivered to site by vehicles using access routes and the existing highway network. There are no intentions to use marine based plant. Please see GKX-JBAU-00-00-MS-EN-0001-S4-P01-ML_Construction_MS for further details.

Please continue on a separate sheet if necessary. Please tick if you have done this ☒

8(c). Will the works involve removals seaward of MHWS?

Yes ☐ No ☒

8(c) (i). Description of materials to be removed seaward of MHWS (Please tick all that apply)

Timber	☐	Iron/Steel	☐	Concrete	☐	Biocides/other chemicals	☐
Silt	☐	Stone/Rock	☐	Gravel	☐	Plastic/Synthetics	☐
Sand	☐	Other	☐				

8(c) (ii). Description of objects/materials to be removed seaward of MHWS

Including quantities to be removed.

All material excavated as part of the scheme (for the placement of the proposed rock armour) will be placed at the foot of the rock armour and will not be removed seaward of MHWS.

9. Beach Replenishment, Land Reclamation or Salt Marsh Feeding

For works involving any of the above, please provide the following information

9(a). Is the material to be deposited like for like to existing material? Yes ☐ No ☒

9(a)(i) If No for Beach Replenishment please provide justification why?

JBA Consulting ecologists have carried out surveys at Traeth Pensarn SSSI to record the plant communities currently present. The shingle at Traeth Pensarn SSSI grades from a larger size at the seaward side to a smaller size influenced by sand incursion towards the sea wall. The storm ridge plant community at Traeth Pensarn is of special interest and relies upon a larger freely draining shingle size ranging approximately from 100mm to 180mm. It is recommended that some shingle size in this order is used to recreate the conditions required for this community to become established. The larger size material will also stay in place longer and therefore, allow more time for plants to become established.

The plant communities change as the shingle becomes more stable, at Pensarn shallow ridges of shingle are covered by a fine veneer of sand with a relatively closed grassland vegetation sward. This 'stabilised shingle' is characteristically colonised by red fescue dominated plant community. It is recommended that where possible a smaller size is added to the recharge to replicate this, however, it is likely that if larger shingle can be maintained in the recharged area smaller windblown size particles will accrete in a similar way to the existing vegetated shingle.

9(b). Description of material to be deposited

Please provide the grading specification of materials to be used, if using a range of grain sizes please state the percentage by weight passing. *If unsure, please refer to the Wentworth Scale*

We have used the grading specification for the material used to recharge the proposed stretch of Ty Crwn in 2015 with some alterations to the percentage weight by passing to provide increased proportion of larger shingle particles.

Grading Specification for beach replenishment

Equivalent Sieve Size (mm)	2022 JBA proposal grading
	Lower & upper limit (%)
200	100
125	70 - 100
90	40 - 90
63	20 - 60
45	5 - 35
31.5	0 - 20
22.4	0 - 10
16	0 - 5
11.2	0

Please continue on a separate sheet if necessary. Please tick if you have done this ☐

9(c). Source of the material to be deposited

Including dredged or land based stating the origin of material

Cefn Graianog Quarry – Gwynedd, North Wales (subject to supplier availability).

9(d). Has the material been chemically analysed?

Yes ☒ No ☐

If material has been analysed, we may request this information to determine the application

9(d) (i) If Yes, is the analysis data been included with the application? Yes ☐ No ☒

10. Temporary Works

10(a). Will there be any temporary deposits below MHWS?

Yes ☐ No ☒

This includes construction materials, removed objects/material, jetties or cofferdams

If **Yes**, please continue with section **10**

10(b). Please provide the location of temporary deposits

Please include a map/chart displaying the location of temporary deposits, if necessary.

No storage of rock armour will occur below the MHWS. Beach replenishment material will be placed immediately on site.

10(c). Description of temporary deposits

N/A

Please continue on a separate sheet if necessary. Please tick if you have done this ☐

11. Dredge and Disposal of Dredge Material

If you are undertaking Dredge and Disposal activities please also complete the Dredge and Disposal application form and submit together.

11(a). Do you intend to apply for a marine licence to dispose of dredged material to sea as part of the works in this application? Yes ☐ No ☒

12. Protected Sites

Licensing Authorities have a duty to ensure that projects will **not have significant adverse environmental impact**, particularly on any designated **European Site of Conservation Importance - Special Areas of Conservation (SAC) and Special Protection Areas (SPA)**, listed under the Habitats Directive (Council Directive 92/42/EEC on the conservation of natural habitats and of wild fauna and flora). In addition, it is Government Policy that Wetlands of International Importance (Ramsar sites) are also considered as European Sites. There is a duty to take reasonable steps to further the conservation and enhancement of nationally designated sites (Sites of Special Scientific Interest (SSSIs).

12(a). Have you had pre-application correspondence with NRW, its legacy bodies or Natural England? Yes ☒ No ☐

12(a)(i). If Yes, please provide copies of correspondence with application and state which team(s) you have contacted?

Please see GKX-JBAU-00-00-DA-EN-0001-S4_P01-ML_Stakeholder_Log for further information.

12(b). Are any part of the works located *within or likely to affect* a designated conservation site? (SAC, SPA, SSSI or Ramsar) Yes ☒ No ☐

12(b)(i). If Yes, which designated site(s) may be affected?

The proposed scheme encompasses the Traeth Pensarn Site of Special Scientific Interest (SSSI).

The area of the proposed scheme lies outside but adjacent to the Liverpool Bay Special Protection Area (SPA) – (Site code - UK9020294). The SPA area covers 252,757.73 ha and extends approximately 17.5 km from the coastal frontage of Llanddulas and Kinnel Bay.

At a local level Kinnel Dunes, a Local Nature Reserve (LNR) is at the northeast corner of the scheme boundary.

12(c). Please provide a description of all mitigation measures proposed to avoid any impact on designated conservation sites.

As noted above the documents listed below are submitted as part of the application. A summary of the mitigation measures is listed below:

Ecological Impact Assessment

The works should not have significant impact upon the Liverpool Bay SPA due to the small scale of works on the beach, however Appropriate pollution prevention measures (detailed below and included in the ECIA & HRA) will be put in place.

The SSSI is currently subject to erosion and the continued erosion is expected to impact on the existing area coverage of the SSSI. It has therefore been proposed that further beach replenishment could offer suitable intervention to reduce wave overtopping, erosion and protect the SSSI.

The works will not directly impact upon the SSSI, and all haul roads have been designed to avoid tracking through the site. There is the potential for damage to the site through release of harmful chemicals from machinery or works during construction. Pollution prevention guidelines (also detailed in the HRA) will be adopted to avoid possible indirect impacts.

Pollution Prevention Measures:

Abiding by relevant pollution prevention measures e.g., CIRIA Guidance: Control of water pollution from construction sites, Guidance for consultants and contractors (C532D) (Masters-Williams, 2001). Information useful for Toolbox Talks on working near water and pollution prevention can be found on the CIRIA website.

(Continue overleaf:)

Preventing accidental oil and fuel leaks can be achieved by the following actions

- Any chemical, fuel and oil stores will be located on impervious bases within a secured bund with a storage capacity 110% of the stored volume.
- Biodegradable oils and fuels will be used where possible.
- Drip trays will be placed underneath any standing machinery to prevent pollution by oil/fuel leaks. Where practicable, refuelling of vehicles and machinery will be carried out on an impermeable surface in one designated area well away from any watercourse or drainage (at least 10m).
- Emergency spill kits will be available on site and staff trained in their use.
- Operators will check their vehicles on a daily basis before starting work to confirm the absence of leakages. Any leakages should be reported immediately; and
- Daily checks should be carried out and records kept on a weekly basis and any items that have been repaired/replaced/rejected noted and recorded. Any items of plant machinery found to be defective should be removed from site immediately or positioned in a place of safety until such time that it can be removed.
- Environmentally sensitive products should be used where possible.

Local Nature Reserve (LNR)

Small sections of dune habitat within the Kinmel Dunes LNR will be temporarily disturbed during the construction works. Sand temporarily removed will be replaced within the LNR under the supervision of an ECoW. Habitat management will be carried out across the LNR, following construction. Clearance will be undertaken using a 2-staged method between September - October, as described in section 5. Further details are set out at Section 6.2 of the ECIA to improve the condition of habitats present.

Coastal & Terrestrial Habitats

Pollution prevention measures following the latest CIRIA guidance will be implemented through the CEMP. A plan for signage and roped off areas at Pensarn will be developed with the local ranger to protect the area for nesting Ringed Plover.

Further detail regarding mitigation and enhancement measures for coastal and terrestrial habitats, protected and priority species set out at Section 6 of the ECIA are to be undertaken as part of the proposed scheme.

Habitat Regulations Assessment (HRA)

A HRA prepared for the scheme (not just for the works below MHWS) found that no significant effects are likely to impact the qualifying features of the Liverpool Bay SPA as part of the proposed scheme.

A cumulative impact assessment was also carried out as part of the HRA screening process. no cumulative effects are foreseen to impact upon the qualifying features of the Liverpool Bay SPA during construction works as part of the proposed scheme. In conclusion, as the scheme is currently understood, **the proposed scheme will not have an adverse impact upon the Liverpool Bay SPA either alone or in combination with any other plans or projects.**

Appropriate pollution prevention measures (outlined in section 5.2 of the HRA) will be carried out as part of the works with standard procedures to be outlined and followed as part of the CEMP.

(Continued overleaf)

Coastal Processes

- Potential coastal process impacts would be mitigated through the adoption of good construction practices. As much work as possible will be conducted under dry conditions during periods of low water to minimise the mobilisation of sediments and construction materials.
- All work schedules should be assessed two weeks in advance to confirm compliance with the stated mitigation measures. Works should cease during storm events, where increased wave activity could mobilise sediments and present hazardous working conditions.
- Ecological enhancements will be incorporated into the scheme in the form of carved rockpools in boulders within the intertidal zone. These indentations in the emplaced boulders retain tidal water creating habitat availability and ecological opportunities for colonisation by intertidal species. Attention needs to be given to the placement of modified boulders, so they are suitably positioned to receive and retain water during each tidal cycle.
- Beach monitoring (e.g., topographic surveys) are already undertaken on an annual basis, will continue, post-construction, at the same/similar time each year to identify changes in beach slope gradient and elevation. Monitoring will provide insight to any potential impacts associated with the newly constructed defences and the morphological response. This will help inform any future requirements for additional beach recharge.

Water Framework Directive (WFD)

The proposed scheme is not likely to have a significant impact on any WFD receptors. No significant long-term impact on existing coastal processes is predicted, whilst impacts on beach habitats, including damage and disturbance during construction, will be temporary in nature and are not considered to be significant. Conversely, construction of the rock armour revetment may provide an ecological benefit and the proposed beach recharge scheme is expected to prolong the protection of the Treath Pensarn SSSI. No impacts on WFD Protected Areas are anticipated.

The following recommendations set out within the WFD, made to support the delivery of the proposed scheme and compliance with the WFD requirements will be complied with:

- The proposed scheme seeks to contribute to any future requirement for additional mitigation measures. This should principally focus on opportunities to provide further ecological enhancement of the rock armour revetment.
- Proposed ground investigation works, and subsequent sediment analysis will be used to determine the presence of any existing contamination within the footprint of the site. Should sampling analysis highlight the presence of contaminants of concern at concentrations above the stipulated Cefas Action Levels then mitigation measures will be required to reduce the potential mobilisation of any harmful contaminants which may be detrimental to the current and/or future WFD status.
- A Construction Environmental Management Plan (CEMP) has been prepared (draft / outline submitted), which sets out the actions that will be implemented to control construction of the proposed scheme so as to avoid adverse impacts on the environment. The CEMP will form part of the construction contract. It adheres to construction best practice for works on the coast to reduce the risk of environmental contamination during construction and include biosecurity procedures to prevent the spread of INNS (see below).
- Visual monitoring of the construction area will be undertaken daily during the construction period to identify any signs of sewage debris or any other contaminated materials, which should be removed offsite for disposal. This will minimise the risk of bacterial contamination adversely affecting beach users and construction personnel.
- Where construction works coincide with the development of future proposed coastal defence and infrastructure projects within the wider sub-cell, caution will be employed to limit any potential cumulative, in-combination effects.

(Continued overleaf)

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- Visual monitoring of the construction area will be undertaken daily during the construction period to identify any signs of sewage debris or any other contaminated materials, which should be removed offsite for disposal. This will minimise the risk of bacterial contamination adversely affecting beach users and construction personnel.
- Where construction works coincide with the development of future proposed coastal defence and infrastructure projects within the wider sub-cell, caution will be employed to limit any potential cumulative, in-combination effects.

End.

Please continue on a separate sheet if necessary. Please tick if you have done this ☐

12(d). If the works are not located *within* or *likely to affect* a designated conservation site, please indicated the approximate distance to the nearest designated conservation site.

Set out above - The proposed scheme lies adjacent to the Liverpool Bay Special Protection Area (SPA) – (Site code - UK9020294). The SPA area covers 252,757.73 ha and extends approximately 17.5 km from the coastal frontage of Llanddulas and Kinmel Bay.

Please note that if the proposed works are in or within 2km of a European Site of Conservation Importance you will have to provide suitable mitigation measure to avoid any impact on designated conservation sites.

13. Other Consents

Please detail all consents that you have applied for or received for these works

Type of Consent	Applied for	To be applied for	Reference Number	Date of Issue and Expiry
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Planning Permission under Town and County Planning Act 1990 – From Local Planning Authority (LPA)		√		
Name and Address of LPA for location of works	Conwy County Borough Council Coed Pella Conwy Road Colwyn Bay LL29 7AZ			
Land Owners Consent such as The Crown Estate Consent		√		
Port Authority or Local Harbour permissions				
Other NRW consents <i>such as Flood Defence or SSSI assent</i>		√		
Details of NRW consent				
Other consents <i>such as Transport and Works Act Order, Section 36 Electricity Act, grant/loan sanction</i>		SAB application		
Details of other consents				

14. Statutory Powers

14(a). Does the applicant have statutory powers to consent any aspect of the project?

E.g. coast protection authority, dredging powers, statutory undertakers Yes ☒ No ☐

14(a)(i). If Yes, please give details and state the relevant legislation that gives these powers

Local Harbour Authority – Harbours Act 1964 Coast Protection Authority – Coast Protection Act 1949. Conwy Borough Council has permitted development rights for some elements of the scheme (outside MHWS) in line with the Town and Country Planning (General Permitted Development) Order 1995 (GPDO).
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15. Public Register

Under The Marine Licensing (Register of Licensing Information)(Wales) Regulations 2011 and the Environmental Impact Assessment Directive (Directive 85/337/EEC – as amended) , all information contained within or provided in support of this application will be placed on the Public Register unless NRW approve of the applicant's reasons for withholding all or part.

15. Is there any information contained within or provided in support of this application that you consider should NOT be included on the Public Register on the grounds that its disclosure:

15(a). Would be contrary to the interest of National Security? Yes ☐ No ☒

15(b). Would prejudice to an unreasonable degree you, or some other person's commercial interest of those of a third party? Yes ☐ No ☒

If **Yes** to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld

N/A

Please continue on a separate sheet if necessary. Please tick if you have done this ☒

16. Application Fee

16(a). What are the corresponding fee band for this application? Band 2 ☐ Band 3 ☒

16(b) Band 2 Only

Projects are charged at a fixed fee of £1920. The application will not be processed until the correct fee has been provided.

Please provide the method of payment

Method	Yes (✓)	Reference Number
Cheque		
BACS (not remittance no.)		
World Pay (phone or CC1)		

Please attach **CC1 Form** with application. Can be found on our web pages

16(c) Band 3 Application only

Band 3 applications are charged at on hourly rate of £120 and are invoiced in arrears. Please complete the details below which will be required for invoicing.

Customer Name	Conwy County Borough Council
FAO	Kevin Lucas
Purchase order number	PO1254824/ERF
Address for invoice	Cyngor Bwrdeistref Sirol Conwy / Conwy County Borough Council Environment, Roads & Facilities Mochdre Offices Conway Road Mochdre Conwy, LL28 5AB
Telephone Number	07554152972
Email Address	Kevin.lucas@conwy.gov.uk

17. Declaration

I declare that to the best of my knowledge and belief that the information given in this application form and supporting documentation is true.

WARNING: It is an offence under the Marine and Coastal Access Act 2009, under which this application is made, to fail to disclose information or to provide false or misleading information and can invalidate any licence granted.



Signature _____ Date 27/09/2022

Name (*in capitals*) KEVIN LUCAS

Position in Company Principal Engineer

*Applications cannot be processed unless signed by the **Applicant** (not agent), the applicant must have appropriate level of authority within the company.*

Applications will not be processed unless signed