

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

Rhymney Great Wharf Habitat Restoration Polders Enhancement Project

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

Rhymney Great Wharf is located approximately 5km to the north-east of Cardiff City Centre on the Severn Estuary foreshore, seaward of the Wentlooge Sea Defences. The Project seeks to re-establish and protect priority saltmarsh habitats along the Rhymney Great Wharf by installing new polders and extending the existing polder system to the west. Polders are fences constructed of brushwood materials inserted between chestnut (*Castanea sp*) fence posts in a rectangular pattern across the mudflat at an appropriate height to facilitate accretion of sediment (c.3m below Mean High Water Springs – MHWS). Tidal currents are slowed by the fences, and wave movements reduced, so that sediment can more easily settle out of the water column and encourage accretion that supports saltmarsh regeneration. Openings in the fences are required at existing creeks / channels to allow drainage on receding tides and allow suspended sediment to settle and support accretion of the mudflat shoreward of the polders.

By installing the polders along this frontage, the aim is to promote sediment deposition in the first instance, to reduce or ideally reverse the erosive trends currently being experienced. This should have benefits for the mudflat feature overall, and then saltmarsh may develop in areas where conditions allow.

Whilst the primary focus of this Project is to restore the saltmarsh (Atlantic salt meadows) SAC feature, the Project is also seeking to support the mudflats and sandflats not covered by sea water at low tide (intertidal mudflats and sandflats) features by retaining sediment and also retaining or restoring transition zones between the two habitats.

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)

£900,000

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	Dr	Full Name	Lily Pauls
Company or Trading Name	Natural Resources Wales		
Company Registration Number (if applicable)			
Name of Contact or individual (if different)	N/A		

Position in Company	Marine Projects Team Leader
Address inc. postcode (provide registered Company address if applicable)	Ty Cambria, 29 Newport Road, Cardiff, United Kingdom, CF24 0TP
Telephone Number	03000653366
Email Address	Lily.Pauls@cyfoethnaturiolcymru.gov.uk

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	Miss	Full Name	Bethan Follis
Company or Trading Name	Ove Arup and Partners Ltd. (Arup)		
Company Registration Number (if applicable)	01312453		
Name of Contact or individual (if different)	N/A		
Position in Company	Environmental Consultant		
Address (Inc. postcode)	4 Pierhead Street, Cardiff CF10 4QP		
Telephone Number	+44 29 2026 6690		
Email Address	Bethan.follis@arup.com		

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 - expected in Spring 2024. This is subject to funding. If funding is not secured to complete the project during 2024 the work may be phased or delayed.	

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
Vehicle usage TBC following Contractor Appointment. All details will be provided by the appointed Contractor to NRW before operations commence.	
TBC following Contractor appointment- expected in Spring 2024.	Vehicles expected to comprise the following, or similar: • Super Low Ground Pressure 8-ton Excavator, with post-knocker. • Tracked dumper.

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 will be procured in Spring 2024 - subject to funding. If funding is not secured to complete the project during 2024 the work may be phased or delayed. Refer to Outline Construction Method Statement (Appendix C) for anticipated methodology.

4. Environmental Impact Assessment (EIA)

Certain projects, due to their scale, location and/or nature, may require an EIA under the Environmental Impact Assessment Directive (Directive 85/337/EEC – as amended). If a project qualifies under EIA, an Environmental Statement (ES) must be prepared and submitted with the application.

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?

Schedule A2 Infrastructure projects (69) includes for: 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.

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 SC2305

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

Negative EIA Screening Opinions received from NRW MLT [Ref: SC2305] and Cardiff Council under the Marine Works (EIA) Regulations and T&CP (EIA) Regulations respectively.

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*

April 2024

October 2029

Start Date

Requested Licence Expiry Date

*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.

This Project seeks to restore and enhance important saltmarsh habitats along the Rhymney Great Wharf (Appendix A - Site Location Plan) by installing new polders and extending the existing polder system to the west as well as repairing existing polders (Appendix B - Design Plans). Polders are fences constructed of brushwood materials inserted between chestnut fence posts in a rectangular pattern across the mudflat at an appropriate height to facilitate accretion of sediment (c.3m below Mean High Water Springs – MHWS). Tidal currents are slowed by the fences, and wave movements reduced, so that sediment can more easily settle out of the water column and encourage accretion that supports saltmarsh regeneration. This will provide a multitude of outcomes and benefits, including for biodiversity, flood protection and carbon sequestration. Currently there are five existing polders along Rhymney Great Wharf (Polders 1-4 constructed in 2005 and Polder 5 constructed in 1988), which have received little or no maintenance since construction, therefore are not fully functioning. The required project outcomes as identified in the Business Justification Case are:

- Create conditions that will support both mudflat and saltmarsh features to varying extents over time.
- Promote sediment deposition in the first instance, to reduce or ideally reverse the erosive trends currently being experienced.
- Protect the frontage of Rhymney Great Wharf from existing erosive pressures upon mudflat and saltmarsh habitats.
- Have a refined sedimentation polder design.
- Support the flood risk management of the area.

Construction is anticipated to take place over the summer of 2024 (exact dates to be confirmed but scheduled to avoid the wintering bird season October to March inclusive – licence period allows flexibility in lieu of any unforeseen (weather, procurement issues) that preclude completion by the latest anticipated completion date of 1st October 2024). Anticipated construction methods are outlined below:

- Work will be planned around the tide times and predicted tidal heights.
- As the work is expected to be delivered over a period of approximately six weeks flexible working times will be adopted.
- Machine work can commence directly behind a falling tide but must be completed 1 hour in advance of a rising tide.
- The site manager will monitor tides and weather and decide when and where to work. They have the authority to stand down should weather conditions raise any safety concerns.
- No lone working at any time on the mud flats.
- The line of the polders will be marked out with ranging rods installed by hand held post knocker. A line can be strung between the ranging rods to give a line the posts can be driven to.
- The string can also be set up to give an average depth of 1000mm above ground level to give a smooth top line in areas of undulation.
- The stakes and brushwood bundles will be transported to the work area using the tracked dumper.
- Each full round chestnut stake 2.5m long peeled and pointed will be pitched and driven to level using the hydraulic post knocker attachment on the excavator.
- A double row of posts driven in pairs offset 300mm apart and at 600mm centres.
- The 2.5 m stake will be no more than 10cm higher than the brushwood.
- Each 3000mm x 300mm brushwood bundle will be placed between the stakes and each layer trodden down with the bottom layer being pushed into the soft mud.
- Each layer will be trodden in to form a compact wall of brushwood with no gaps or large voids.
- The brushwood is then wired over using a plain fencing wire secured to the stakes with u nails.

The access to the site will be agreed with the client (NRW) and will be suitable for low loader and articulated lorry deliveries. A safe fenced compound will be required for the storage of materials and the siting of welfare, fuel bowser etc. away from watercourses in compliance with GPP5. The location of this compound is to be confirmed, behind the flood embankment and away from the intertidal area. The bowser will be appropriately bunded, maximum of 2000ltrs and locked when not in use. Spill kits and drip trays will be used with the bowser. Bowser to be sited at least 20m away from any watercourse or receptors such as drains or natural slopes leading to a watercourse.

See Appendix C – Outline Construction Method Statement for further details.

Please continue on a separate sheet if necessary. Please tick if you have done this ☒
Refer to Appendix C – Outline Construction Method Statement for further details.

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.**

ST 23554 77800 to ST 24740 78393. OS NGR at centre ST 24194 78083.

Refer to Appendix A (Site Location) and Appendix K: ECOP for site plan and environmental context.

Please continue on a separate sheet if necessary. Please tick if you have done this ☒
Refer to Appendix A (Site Location) and Appendix K: ECOP for site plan and environmental context.

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

Appendices:

- A. Site Location Plan
- B. Design Plans
- C. Outline Construction Method Statement
- D. Project Environmental Report (PER)
- E. Preliminary Ecological Appraisal (PEA)
- F. Water Environmental Regulations (WER) Compliance Assessment [OGN72]
- G. Environmental Action Plan (EAP)
- H. Information to Inform a Habitat Regulation Assessment (HRA) [OGN200]
- I. Biosecurity Plan
- J. NRW Correspondence
- K. Environmental Constraints and Opportunities Plans [ECOPs]
- L. Consideration for the Welsh National Marine Plan
- M. Coastal Processes Study

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

A Contractor is due to be appointed in Spring 2024. Indicative methods are outlined in an Outline Construction Method Statement, provided in Appendix C outlining the proposed installation methodology. A detailed method statement for the works including specific details of transport of materials to site, plant/equipment to be used and overall construction methods including temporary works are dependent on the appointed Contractor's preferences, available resources and construction programme. Detailed method statement will be provided to NRW MLT before operations commence. Current design drawings are provided in Appendix B.

Please continue on a separate sheet if necessary. Please tick if you have done this ☒
Refer to Appendix B [Design Drawings] and Appendix C: Outline Construction Method Statement.

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?

N/A – all works in intertidal area will be undertaken at low tide.

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

N/A

If Yes, you will be required to complete an additional form that will be provided.

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

- (i) Minimise risk to the marine environment

See Section 12 below and Appendix D - Project Environmental Report (PER), Appendix E - Preliminary Ecological Appraisal (PEA), Appendix F - Water Environmental Regulations (WER) Compliance Assessment, Appendix G - Environmental Action Plan (EAP), Appendix H – Information to Inform a Habitat Regulations Assessment (HRA) and Appendix I - Biosecurity Plan for full details of mitigation measures. Key measures include:

- Standard best practice construction techniques secured through the project Environmental Action Plan (EAP).
- All machines will operate on both biodegradable hydraulic oils and Hydrogenated Vegetable Oil (HVO) fuel to avoid toxic contaminants entering the waterbody in the unlikely event of a pollution incident.
- Pollution Prevention measures (PPG5, CIRIA best practice, etc.).
- All machines will be low ground pressure to reduce potential trampling effects on intertidal habitats.
- Bog mats and / or aluminium trackway will also be implemented where necessary to further reduce pressures on underlying habitat.
- The frequency and extent of plant access will be minimised as far as practicable.

Invasive Non-Native Species (INNS) – No marine or terrestrial INNS are recorded within the installation area. INNS focus will be to ensure no INNS are inadvertently introduced to the site. Biosecurity measures are secured via the EAP, Biosecurity Plan and also outlined within the Construction Method Statement.

Birds – Polder installation is programmed during the summer months to avoid the overwintering bird season (October to March inclusive). Should any breeding lesser black-backed gulls (or other birds) be recorded displaying breeding behaviour, suitable and appropriate buffer zones shall be employed to ensure no disturbance. If necessary, certain components of the installation will be scheduled to commence post-fledging. Should any passage waders in excess of 1% of the Severn Estuary SPA / Ramsar population be present within the disturbance radius (200m) of the installation works (including access), as recorded during pre-installation ornithological checks, works within the disturbance radius shall not progress until the area is clear. Installation may continue outside the buffer zone pending approval of the Suitably Qualified Ecologist (SQE).

(ii) Prevent undue interference to others

Refer to Appendix G - Environmental Action Plan (EAP).

- Vehicle movements should be minimised, and separation measures put in place in order to maintain access to and along the footpath where possible.
- Contractor to confirm access routes and any requisite traffic management. Contractor to minimise disturbance to local residents and the traffic accessing the site.
- NRW shall inform the local community, landowners and other key stakeholders on the proposed scheme objectives and program of works; including providing NRW contact name and number.
- NRW shall inform adjacent and local landowners / tenants, of the nature and duration of construction and provide contact name and number.
- Contractor shall liaise with Cardiff Highways as required. The Contractor shall maintain all existing vehicle access and limit period of obstruction.
- Vehicle movements should be minimised, and separation measures put in place.
- Contractor should minimise disturbance to local residents, recreational users and the traffic accessing the site.

(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.

Materials

- Stakes: Sweet Chestnut (*Castanea sativa* L). 2500mm length, 100mm diameter. Stakes to be peeled and pointed at one end.
- Brushwood bundles: (Hazel *Corylus avellana* L.) or Sweet Chestnut (*Castanea sativa* L) or mix of both, 3000mm length, 300mm diameter bundles. 6kg per linear metre.
- Brushwood twine: Biodegradable tensioned coir twine.
- Fixing rope: Synthetic rope, minimum 10mm diameter, minimum breaking load 1000kg.
- Fixings: 20mm galvanized steel hammer-in U shaped staples.

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 transported to site using tracked plant. The delivery route of material to site will be confirmed by the appointed Contractor.

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.

Timber posts- Existing polders are to be removed seaward of MHWS where these are deemed to be at end of useful life and clash with the new polder alignment.

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?

N/A

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*

N/A

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

N/A

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.

N/A – any removals to be placed in tracked dumper.

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?

Refer to Appendix J for correspondence with the Marine Licensing Team and relevant NRW Specialists.

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 site is located within the Severn Estuary/Môr Hafren Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site (collectively known as Severn Estuary European Marine Site), refer to Appendix H - Information to Inform a HRA and Appendix K - ECOPs.

The Severn Estuary SAC hosts the following Annex I habitats that are a primary reason for selection of this site: estuaries, mudflats and sandflats not covered by seawater at low tide, and Atlantic salt meadows (*Glauco-Puccinellietalia maritima*). Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site include sandbanks which are slightly covered by sea water at all times, and reefs. The site also supports Annex II species that are a primary reason for selection: sea lamprey (*Petromyzon marinus*), river lamprey (*Lampetra fluviatilis*) and twaite shad (*Alosa fallax*).

The Severn Estuary SPA supports passage ringed plover (*Charadrius hiaticula*) and overwintering Bewick's swan (*Cygnus columbianus bewickii*); curlew (*Numenius arquata*), dunlin (*Calidris alpina*), pintail (*Anas acuta*), redshank (*Tringa totanus*), and shelduck (*Tadorna tadorna*).

Severn Estuary SPA qualifying interest features:

- Internationally important populations of regularly occurring Annex 1 species - Bewick's swan.
- Internationally important populations of regularly occurring migratory bird species - European white-fronted goose, dunlin, redshank, shelduck, gadwall.
- Internationally important assemblage of waterfowl - Bewick's swan, European white-fronted goose, dunlin, redshank, shelduck, gadwall, wigeon, teal, pintail, pochard, tufted duck, ringed plover, grey plover, curlew, whimbrel, spotted redshank, lapwing, mallard and shoveler.

Severn Estuary Ramsar site qualifying features:

- Estuaries.
- Migratory fish species.
- Internationally important populations of waterfowl - Bewick's Swan, European white-fronted goose, dunlin, redshank, shelduck, gadwall.
- Internationally important assemblage of waterfowl (wintering - w, passage - p)-Bewick's swan (w), European white-fronted goose (w), shelduck (w), dunlin (w, p), redshank (w, p), gadwall (w), ringed plover (w, p), whimbrel (p), teal (w), pintail (w), wigeon (w), pochard (w), tufted duck (w), grey plover (w), curlew (w), spotted redshank (w).

A HRA Stage 1: Screening and Stage 2: Appropriate Assessment has been undertaken to consider impacts to European sites. Potential pathways for effect were identified between the project and the qualifying features of these European Sites. In light of the conclusions of an appropriate assessment it has been established that the project will not adversely affect the integrity of any National Site Network site, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans and projects. Refer to Appendix H - Information to Inform a HRA for more details.

The site compound may be located above MHWS within the Gwent Levels – Rumney and Peterstone Site of Special Scientific Interest (SSSI – a separate SSSI Assent will be sought for works above MHWS) and polder installation within the Severn Estuary SSSI. The Severn Estuary SSSI is of international importance for wintering and passage wading birds. It holds most of the estuary's internationally important curlew and redshank populations, and most of its nationally important ringed plover (*Charadrius hiaticula*) and grey plover (*Pluvialis squatarola*) populations. It is of international importance for dunlin (supporting c. 7.5% of the British wintering population).

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

Standard best practice construction techniques will be secured through the project Environmental Action Plan (EAP- Appendix G). The EAP includes site-specific methods to ensure that all site activities are controlled and are in accordance with standard operating procedures, e.g. relevant Guidelines for Pollution Prevention (GPP's) and CIRIA best practice. Specific guidance includes GPP5: Works and Maintenance in or Near Water, CIRIA C741 'Environmental Good Practice on Site'; Fourth Edition (2015). All machines will operate on both biodegradable hydraulic oils and Hydrogenated Vegetable Oil (HVO) fuel to avoid toxic contaminants entering the waterbody in the unlikely event of a pollution incident.

Pollution Prevention measures are secured via the EAP as follows:

- Any fuel / plant storage or refuelling to undertaken in accordance with relevant GPPs.
- The Contractor will develop and implement a Construction Environmental Management Plan for the works, which will include best practice pollution prevention measures when working in the channel (GPP5 to be followed at a minimum) – e.g, reducing plant movements.
- Site-specific methods will ensure that all site activities are controlled and are in accordance with standard operating procedures, e.g., GPP, PPG and CIRIA best practice.
- The physical works footprint and the dimensions of the access corridor should be limited as far as reasonably practicable.
- All plant will be sourced from a trusted reputable company and will come with spill kits which site personnel will be trained to use.
- Vehicles will be loaded with all plant and materials necessary to undertake the works to minimise plant movements below MHWS.
- Minimal quantities of fuels, materials, etc. will be taken on to the foreshore with biodegradable fuel oils implemented where practicable.
- All storage containers will remain within the site compound and be appropriately banded to prevent any spillages or leaks.
- No storage of materials or refuelling operations will be permitted outside the site compound.

All plant will be low ground pressure to minimise potential trampling effects on intertidal habitats. Bog mats and / or aluminium trackway will also be implemented where necessary to further reduce pressures on underlying habitat. The frequency and extent of plant access will be minimised as far as practicable.

Invasive Non-Native Species - No marine or terrestrial INNS are recorded within the installation area. INNS focus will be to ensure no INNS are inadvertently introduced to the site. Biosecurity measures are secured via the EAP, Biosecurity Plan and also outlined within the Construction Method Statement (Appendix C).

Birds - Polder installation is programmed during the summer months to avoid the overwintering bird season (October to March inclusive). Should any breeding lesser black-backed gulls (or other birds) be recorded displaying breeding behaviour, suitable and appropriate buffer zones shall be employed to ensure no disturbance. If necessary, certain components of the installation will be scheduled to commence post-fledging. Should any passage waders in excess of 1% of the Severn Estuary SPA / Ramsar population be present within the disturbance radius (200m) of the installation works (including access), as recorded during pre-installation ornithological checks, works within the disturbance radius shall not progress until the area is clear. Installation may continue outside the buffer zone pending approval of the Suitably Qualified Ecologist (SQE).

Refer to Appendix H – Information to Inform a Habitat Regulations Assessment and Appendix G - Environmental Action Plan for more information.

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.

N/A

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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Type of Consent	Applied for	To be applied for	Reference Number	Date of Issue and Expiry
Planning Permission under Town and County Planning Act 1990 – From Local Planning Authority (LPA)	An application for a Lawful Development Certificate for a Proposed Use or Development has been submitted to Cardiff Council (17/11/23) and a response is awaited.		23/02727/CLPUD	
Name and Address of LPA for location of works	Cardiff Council, County Hall, Atlantic Wharf, Cardiff, CF10 4UW.			
Land Owners Consent such as The Crown Estate Consent		Crown Estate consent will be considered. NRW will serve notice to landowners under the Water Resources Act 1991 (Section 172 and Schedule 20). Landowners will be notified of the works in due course as we progress with contractor procurement.		
Port Authority or Local Harbour permissions	N/A			
Other NRW consents <i>SSSI Assent</i>		SSSI Assent for temporary compound above MHWS if required.		
Details of NRW consent				

Type of Consent	Applied for	To be applied for	Reference Number	Date of Issue and Expiry
Other consents such as Transport and Works Act Order, Section 36 Electricity Act, grant/loan sanction	N/A			
Details of other consents	N/A			

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

NRW are statutory undertakers as confirmed by The Town and Country Planning Act 1990 (as amended) and affording statutory undertaker rights when carrying out their statutory undertaking.

NRW may utilise permitted development rights granted by The Town and Country Planning (General Permitted Development) Order 1995 – [A] Permitted development "*The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure*" under A.1 Development not permitted it states "*Development is not permitted by Class A if (b) the height of any other gate, fence, wall or other means of enclosure erected or constructed would exceed two metres above ground level;*" fence posts being installed for this polder project will be 1m above ground level.

Statutory undertaker status also confers Section 28G Authority status [under Section 28G of the Wildlife and Countryside Act 1981 (as amended) – WCA, 1981] on NRW for relevant activities.

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?

N/A - NRW Internal 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

FAO

Purchase order number

Address for invoice

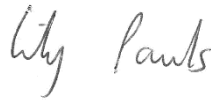
Telephone Number

Email Address

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 21/12/2023

Name (in capitals) DR LILY PAULS

Position in Company Marine Projects Team Leader, NRW

*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