

Date: 19 April 2024

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Dear Cyngor Gwynedd,

SCOPING OPINION UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (as amended)

Barmouth North Promenade Flood Alleviation Scheme

I am writing further to your request for a screening and scoping opinion, submitted 09 February 2024, made in accordance with The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("The Regulations").

The purpose of the Environmental Impact Assessment (EIA) screening procedure is to determine whether the proposed works require an Environmental Impact Assessment and submission of an Environmental Statement (ES). The purpose of the scoping procedure is to determine what information should be provided in the ES.

In reaching our Screening Opinion we have considered the proposed works against Schedule A1 and A2 of the above regulations. In reaching our scoping opinion we have had regard to the information provided in the Report to Inform Scoping Opinion (document reference North Prom Scoping_V0.02), submitted 09 February 2024, and considered the requirements of Schedule 3 of the Marine Works Regulations. We have also consulted with the bodies that we consider have an interest in the project by reason of their environmental responsibilities, or local or regional competences, as required by the above regulations, and had regard to their comments.

Screening Opinion

A screening opinion was issued on the 22 November 2023 (reference SC2304) confirming our opinion that a statutory Environmental Impact Assessment is required for the project.

Therefore, the application required for the proposed works for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 ("The Act") must be accompanied by an ES.

Scoping Opinion

This letter sets out the additional information that we consider necessary to be included and/or assessed in the ES for this Project.

Please note our scoping opinion is based on the information available to us at this time. The information provided is not a definitive list of the ES / EIA requirements and further information may be required following an application for this project, to ensure a full assessment is carried out.

This Screening and Scoping Opinion will be provided to all those bodies that were consulted and will be publicised on our website and on our Public Register.

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

Scoping Opinion (SC2401)

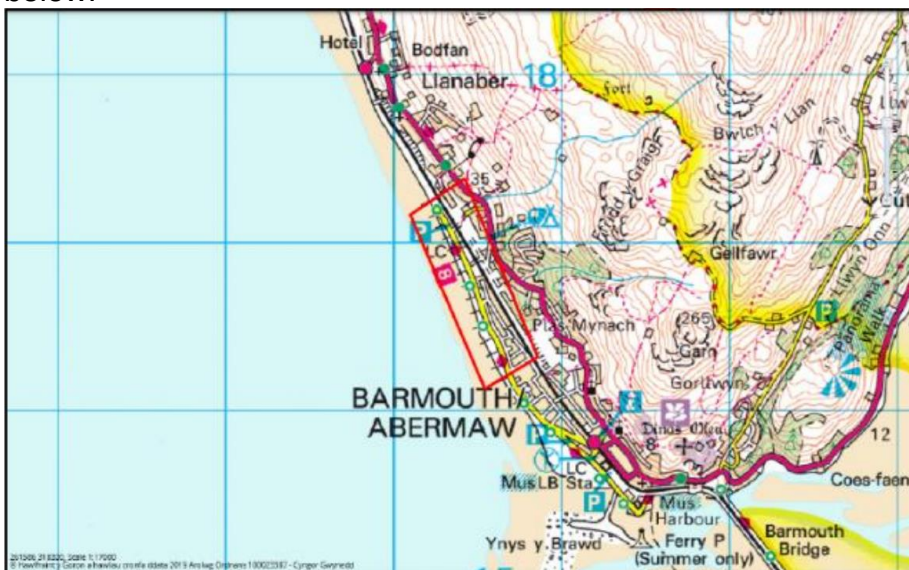
Summary of the proposal

The Barmouth north promenade flood alleviation scheme seeks to improve the standard of defence in the north promenade region of Barmouth. The works briefly includes:

- The secondary, or alternative primary wall to be rebuilt structurally and increase by 600mm over a length of 1.2km.
- Tertiary flood wall to be rebuilt structurally and increased by 450mm over a length of 1.1km.
- Rock toe armour to be provided to protect the primary sea wall and revetment at the north end of the scheme. Remainder of primary defence to be protected by shingle beach nourishment.
- Refurbishment of existing sheet piles.

Location

The Barmouth north promenade flood alleviation scheme is located in the north promenade region of Barmouth, Gwynedd (NGR for site: X 260359, Y 317042). See map below:



Consultation Responses Received

In considering the scoping report, the we consulted with various consultation bodies. The consultation bodies that responded are listed below:

- Natural Resources Wales Advisory (NRW A)
- Maritime and Coastguard Agency (MCA)
- Trinity House (TH)

- Cadw
- Chamber of Shipping
- Gwynedd Biodiversity Officer
- Marine Enforcement - Marine & Fisheries Division
- Public Health Wales
- NATS
- Ministry of Defence (MoD)
- The Crown Estate (TCE)
- Welsh Archaeological Trust (WAT)

0. General comments

- 0.1. Marine and coastal guidance produced by NRW that may provide useful information to help with your project is available here:
<https://naturalresources.wales/guidance-and-advice/business-sectors/marine/?lang=en>
- 0.2. The ES submitted should demonstrate consideration of the points raised in this scoping opinion. It is recommended that a table is provided in the ES summarising the scoping opinion comments and how they are addressed in the ES.
- 0.3. The EIA must be undertaken by a competent person and the ES must include a competent expert statement.
- 0.4. Where possible, other environmental assessments should be coordinated with the EIA process. However, it is important to note that the Habitats Regulations Assessment (HRA) and Water Framework Directive assessment (WFD), and any other assessment, are separate processes to the EIA.
- 0.5. Throughout the ES robust evidence should be presented so that the potential environmental impacts can be properly understood and evaluated; and appropriate measures identified to avoid, reduce or where necessary compensate for those impacts.
- 0.6. The ES must include:
- A Non-Technical Summary (NTS);
 - A chart or map identifying where the activity will be carried out;
 - A description of the likely significant effects of the project, whether direct, indirect, secondary, cumulative, transboundary, short-term, medium-term, long-term, permanent, temporary, positive and negative;
 - A description of the methods used to make the assessment of the significant effects and difficulties encountered in compiling the information and uncertainties involved;
 - A description of measures to avoid, prevent, reduce or offset identified significant adverse effects and proposed monitoring arrangements; &

- A description of the expected significant adverse effects of the project on the environment resulting from the vulnerability of the project to risks of major accidents or disasters.

0.7. The ES must consider any potential transboundary impacts where appropriate.

0.8. Early engagement with relevant stakeholders is encouraged. You are able to obtain further advice from NRW A through the NRW Discretionary Advice Service, please see here: <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/our-service-to-developers/>

0.9. You must ensure that reference is made to and consideration of compliance with the UK Marine Policy Statement and the now published Welsh National Marine Plan and its associated policies within the submitted ES, alongside any further regional planning documentation. The published Welsh National Marine Plan can be found here: <https://gov.wales/welsh-national-marine-plan-document>. Implementation guidance for the Welsh National Marine Plan can also be found here: <https://gov.wales/welsh-national-marine-plan-implementation-guidance>.

0.10. We generally agree with the topics that the report has scoped into the EIA. We have provided specific comment below. Where no comment has been provided the assessment should be carried out as detailed within the scoping report. We do however note that little detail has been provided in the scoping report in relation to the assessment methodologies proposed for different topics, therefore little comment has been provided surrounding the appropriateness of the assessment at this stage. We would therefore encourage you to engage with relevant consultees as you undertake your assessments to ensure that the EIA carried out is sufficient.

0.11. No detail is provided within the Scoping Report surrounding consideration of the potential impacts of works upon shipping and navigation. On this occasion, it appears that all works will be done at low tide, close inshore where the impact on shipping and navigation is likely to be low. It appears that all materials will be brought to the site via road and not by sea. However, the MCA have stated that it would be useful to confirm what (if any) construction works will be undertaken in the marine environment and whether the proposed scheme introduces any new potential hazards to other marine users. The MCA has an interest in how the works will be undertaken, the method for recharge and construction of the flood protection, and whether the works involve any changes to navigable depth or an obstruction for any vessels operating in the area. At this stage it is not therefore possible to scope out impact to navigation, therefore this must be presented with the EIA.

0.12. The Crown Estate have stated that they would be affected by such works and landowner's consent would be required. You should therefore liaise with the Managing Agent for the area: Colin Brereton of Jones Peckover on 01745 812127, cdb@jonespeckover.com regarding landowner's consent.

1. Noise and Vibration

- 1.1. We agree that noise and vibration is scoped into the assessment.
- 1.2. Comments received relating to noise and vibration have been included within the Biodiversity and Protected Sites section below.

2. Biodiversity and Protected Sites

- 2.1. We agree that biodiversity and protected sites are scoped into the assessment.
- 2.2. As highlighted by the Gwynedd Biodiversity Officer the project should look to incorporate biodiversity enhancements into the design of the scheme where possible.
- 2.3. The scoping report makes no reference to marine mammals or fish receptors that are features of European Designated Sites. NRW A have advised that Marine Mammals of the Pen Llyn a'r Sarnau SAC would need to be considered due to possible noise disturbance from the piling activity. Likewise, NRW A have highlighted that the potential for the piling activity to impact on migratory fish from underwater noise and vibration and should be considered for the Afon Eden – Cors Goch Trawsfynydd SAC which has salmon as a feature.
- 2.4. NRW A have also advised that The Aber Mawddach/ Mawddach Estuary SSSI should be scoped in.
- 2.5. NRW A welcome a survey for Invasive Non-Native Species to identify the range and location of any species in the vicinity. However, they suggest that this include all species of medium and high concern on the Marine Invasive Non-native Species Priority Monitoring and Surveillance list for Wales.
- 2.6. It is also advised that you follow the relevant guidance for Benthic habitat assessments for marine development that can be found [here](#).

3. Marine and Coastal Physical Process

- 3.1. We agree that marine and coastal physical process must be scoped into the assessment. A spatial maximum zone of influence for potential impacts of the proposed works has not been presented. This must be included with the EIA.
- 3.2. NRW A also state that scoping report submitted provides insufficient detail regarding potential direct and indirect impacts of the Construction, Operation and Decommission phases of the proposed works to Physical Processes this must be addressed within the EIA.

- 3.3. The Scoping Report notes that the Shoreline Management Plan relevant to the site is Hold the Line for epoch 1 while transitioning to Managed Realignment by epoch 2 and 3. The EIA must consider whether works are in line with the relevant SMP.
- 3.4. There is guidance on NRW website surrounding when a coastal squeeze assessment may be necessary. We encourage you to review and follow the guidance - [Natural Resources Wales / Assessing coastal squeeze](#).

4. Geology and Soil

- 4.1. No comment was received in relation to Geology and Soil. We agree that this topic can be scoped out of further consideration within the EIA.

5. Flooding and Water Quality

- 5.1. We agree that flooding and water quality must be scoped into the assessment. NRW A have requested that proposal should not look to impact upon the excellent bathing water rating Barmouth currently has. Access to the bathing water sampling point 20014 at grid reference SH6084015900 should not be affected as access to the sampling point will be required from the 1st of May – 30th of September. The area around the sample point will need to be impact free during these months.
- 5.2. It is noted that 74,000m³ of shingle for the beach recharge and 12,000 tonnes of rock to construct the rock toe and under-layering. NRW A have requested that you consider where this will be sourced from and whether it will cause loose sediment to be washed into the sea and cause discolouration.
- 5.3. The CEMP should include methods to deal with any loose sediment that maybe stored on the site from running into any watercourse and pollution prevention measures.
- 5.4. As stated in the submitted Business Case- Initial Environmental Appraisal document, large parts of the study area/application site are “....*within a flood zone, therefore a Flood Consequence Assessment may be required...*”. NRW A would agree that a Flood Consequence Assessment (FCA) should be compiled and submitted in support of the proposal. This would ensure that all parties are fully aware of the benefits of the scheme and the standard of protection afforded by the proposals for the town.
- 5.5. The FCA should also investigate and address possible sources of flooding to the town from the north end of the works. As indicated on the submitted (draft) drawing ARP-XX-DR-CS-0001-GA P02, the flood cell extends beyond the study area and additional flood mitigation measures to prevent overtopping are required and to be determined as detailed design. NRW A have advised that these details are included in the submission.
- 5.6. NRW have recently completed a study on wave overtopping along the Tremadog Bay which includes the study area/this application site. It may be beneficial for the

scheme promoters to seek outputs and animations of the hydraulic modelling as they may be beneficial in associating the design/compilation of any FCA and ensure that the flood route to the north can be managed for a range of events. The 0.1% Annual Exceedance probability event + allowances for climate change should be considered.

- 5.7. It is highly recommended that you contact the Development & Flood Risk team prior to submission to discuss the above (developmentandfloodrisk.northmid@cyfoethnaturiolcymru.gov.uk)

6. Cultural Heritage

- 6.1. We agree that cultural heritage must be scoped into the assessment. The WAT have advised that the proposed scheme does not appear to be of a scale or nature that would have implications for the attributes that contribute to the significance of the Registered Historic Landscape, and have not recommended ASIDOHL (specific assessment relating to the Registered Historic Landscape) in this case. However, the Registered status and characteristics of the local historic landscape should be taken into consideration during scheme design.
- 6.2. The WAT have reviewed the regional Historic Environment Record (HER), including limited map regression of historic Ordnance Survey maps, and have advised that the present waterfront would appear to be of relatively modern creation. As such, the proposals to alter existing structures are unlikely to have notable historic environment implications. However, the HER does record a few archaeological discoveries and sites in immediate proximity. These comprise the site of WWI practice trenches now occupied by a housing estate (PRN 34158), a former landing place (NPRN 525439), animal bone within a buried deposit of uncertain date (PRN 6889) and the periodic exposure of pieces of railway infrastructure (PRN 100450) as a result of sediment movement on the beach. These indicate localised potential for buried archaeological remains to be encountered during associated groundworks. Any remains are most likely to be of post-medieval date, but would be of interest since this is Barmouth's primary period of development, in addition to any intrinsic archaeological value.
- 6.3. The WAT agree it is appropriate to scope in cultural heritage in to the EIA, but would advise that the scope of assessment can be relatively tightly focused around the scheme. The history of Barmouth has been previously documented in some detail through characterisation studies, and desk-based research should be directed towards establishing the potential for impact rather than providing a more general overview, with a view to informing suitable mitigation measures (by design or field investigation). The appointed archaeological contractor or consultant will need to agree the scope and format of assessment with WAT in advance.
- 6.4. The preliminary information indicates that certain design details are to be confirmed following the undertaking of geotechnical investigations. WAT would be obliged if you could consult them on these works, so that they can advise as to any

archaeological constraints on intrusive works and indicate where archaeological monitoring may be necessary.

- 6.5. Cadw have stated that whilst cultural heritage is to be included in the EIA, no details of any methodologies that will be used to determine the presence of historic assets or how the impact on them will be determined.
- 6.6. The listed buildings detailed within the consultation response from cadw, dated 19 March 2024, are located inside 1km of the proposed development which could have an impact on their settings. Cadw therefore recommend the impact of the proposed development on the setting of the listed buildings should be carried out in accordance with the Welsh Government guidance given in the document “The Setting of Historic Assets in Wales”. Cadw would expect a stage 1 assessment to be carried out for all of the designated historic assets, which will determine the need, if necessary, for stages 2 to 4 to be carried out for specific historic assets. The results of the stage 1 assessment should be included in the EIA.
- 6.7. The scoping report has also identified that the proposed works straddle the boundary between the Ardudwy and the Mawddach registered historic landscapes. In section 3.1.9, it notes an ASIDOHL may need to be included in the EIA to ascertain the impact of the proposed development on the historic landscapes. In Cadw’s opinion, the scale of any impact will be negligible due to the size of the proposed works. Consequently, it is Cadw’s opinion that an ASIDOHL is not required to be included in the EIA.
- 6.8. The scoping document does not appear to have considered the impact of the proposed works on undesignated historic assets including archaeological features. The scale of the proposed works will require machinery moving along the beach along with the direct works. Cadw have stated that this could cause damage to both identified non-designated historic assets, such as the rail tracks, iron wheels, and axles that are periodically exposed by shifting sands at the north end of Barmouth beach and are included in the statutory Historic Environment Record curated on behalf of the Welsh Ministers by the Gwynedd Archaeological Trust, and archaeological features that have not yet been recorded. There is therefore a need for a desk-based historic environment assessment to be prepared in accordance with the standards and guidance set by the Chartered Institute for Archaeologists, and this should include a walkover survey of the beach along with archaeological monitoring of any geotechnical test pits that are excavated.

7. Other cumulative effects

- 7.1. The ES must include an assessment of cumulative and in-combination effects.
- 7.2. The following data sources may provide useful information on other projects for the assessment of cumulative effects:
- The Nationally Significant Infrastructure Projects register:
<https://infrastructure.planninginspectorate.gov.uk/projects/register-of-applications/>

- The Developments of National Significance Register:
<http://gov.wales/docs/desh/publications/180312-dns-register-en.pdf>
- Planning Policy e.g. Local Development Plans, Transport Plans (National and Local) and National Policy Statements.
- An up to date list of marine licensable developments can be found at the following link:
<http://lle.gov.wales/catalogue/item/MarineLicences>

8. Summary

8.1. To ensure all permits/consents/licences relevant to the proposed project are secured. Please view NRW's website [here](#).

8.2. We would also strongly recommend you engage with the Marine Area Advice and Management Team marine.advice@cyfoethnaturiolcymru.gov.uk prior any submission to discuss the comments raised by NRW.

Yours sincerely



Joe Thomas
Marine Licensing Team
Natural Resources Wales

Approved by:



Emmer Litt

Marine Licensing Team Leader

Natural Resources Wales