

Kinmel Bay Coastal Defence Improvements Scheme – Variation to Marine Licence (Response to NRW email dated 29/11/2024)

A marine licence reference CML2272 Kinmel Bay Coastal Defence Improvements Scheme was granted on 15th March 2023 by NRW. CCBC submitted a request to extend the original Marine Licence expiry date and CML 2272v1 for extension of time was granted on 12th June 2024.

Following further involvement from the contractor, and design changes as a result of the planning process, there have been two key changes to the works below MHWS. An ES addendum¹ (the 'ES addendum') has been prepared to capture and re-assess the potential environmental impacts of the proposed scheme following these changes.

The application for varying the marine licence has been assigned reference number CML2272v2.

By email dated 29 November 2024 the NRW Case Officer enquired whether the changes applied for will have an impact on the assessments of the project, namely the WFD compliance assessment and the HRA. This document presents a review of the proposed changes in relation to the WFD compliance assessment and the HRA Screening Assessment which were previously presented as Appendix E1 and Appendix B6, respectively, of the Environmental Statement, December 2022.

Proposed changes to design and works

The variation to the Marine Licence is required due to:

- Design change replacing two access points (AP8 and AP9) with a single point (AP10) in the centre of Towyn revetment
- Change in piling method, to use vibro hammer piling at AP10 instead of the vibration-free method previously proposed for AP8 and AP9.

Water Framework Directive assessment

The WFD compliance assessment noted above concluded that no impact upon the quantitative or chemical status of the groundwater body is anticipated, and potential risks to the North Wales coastal waterbody are limited to the construction of the rock armour revetment and sloped access ramp and to the operation of the completed scheme.

CHANGE	Design change	Piling method
WFD FEATURE		
Clwyd Permo-Triassic Sandstone groundwater body	The proposed changes to design have eliminated one access point and slightly relocated another.	The designed type of sheet pile and depth of embedment have not been changed, and so

¹ NDD-JBA-XX-XX-RP-EN-0001-S3-P02-ES_addendum_for_piling_method Oct 2024

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	These changes would not alter the potential to affect the groundwater body.	changing the method of pile installation would have no effect on the groundwater body.
North Wales coastal waterbody	The proposed changes to design have eliminated one access point and slightly relocated another. These changes reduce the extent of construction and so slightly reduce the potential to affect the coastal water body. The design levels and operation of the flood defence scheme have not been altered and so there is no change to the operational effects of the scheme.	The designed type of sheet pile and depth of embedment have not been changed. The pile installation operations would still only be conducted above water level and so mobilisation of beach material into water would not change. The transmission of vibration through the beach substrate and into the water column is considered in the ES Addendum which concludes that as 'piling is undertaken in the dry noise will be dissipated in the sands and muds of the foreshore and impacts upon the water column are considered unlikely.' Effects on marine mammals, fish and other aquatic organisms would not therefore be changed. Any increase in airborne noise would not affect the waterbody.

In conclusion, the WFD compliance assessment is not changed by the proposed changes to the design and working methods.

Habitats Regulations Assessment

The HRA Screening Assessment noted above concluded that 'the only means of likely significant effect to the (Liverpool Bay) SPA is through release of harmful chemicals from machinery or works during construction. During Appropriate Assessment this pathway has been mitigated through the use of pollution prevention measures which will result in no significant effect on the site integrity of Liverpool Bay SPA.' The SPA is situated 0.5km to the north of the proposed works and so other direct effects on the site can be ruled out. Indirect effects on bird species using the beach and intertidal areas close to the works site would be limited to any prevention or deterrence of access to these areas eg for feeding, while work is being carried out.

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The possible increased deterrence due to the increased noise of the proposed piling method is considered² to be of minimal significance, because:

- The area of intertidal sediments affected is unlikely to support large numbers of macro-invertebrates and therefore does not represent a significant feeding resource, if birds are deterred from using it
- The area close to the works is a small part of the area of intertidal habitat available to these bird species
- The additional noise due to pile installation and removal would arise for short periods only, estimated as 2 weeks (installation) and 1 week (removal)
- There is considerable existing noise generated from the sea front, cycle route and caravan parks, as well as the other construction noise and vehicle movements associated with the coastal defence works. The additional noise arising from the changed piling method is not likely to add significantly to the sources of disturbance in the works area.

In conclusion, the Habitat Regulations Assessment is not changed by the proposed changes to the design and working methods.

02.12.2024

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² NDD-JBA-XX-XX-RP-EN-0001-S3-P02-ES_addendum_for_piling_method Oct 2024 (para 4.3.1)

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