

OGN 200 Form 1B

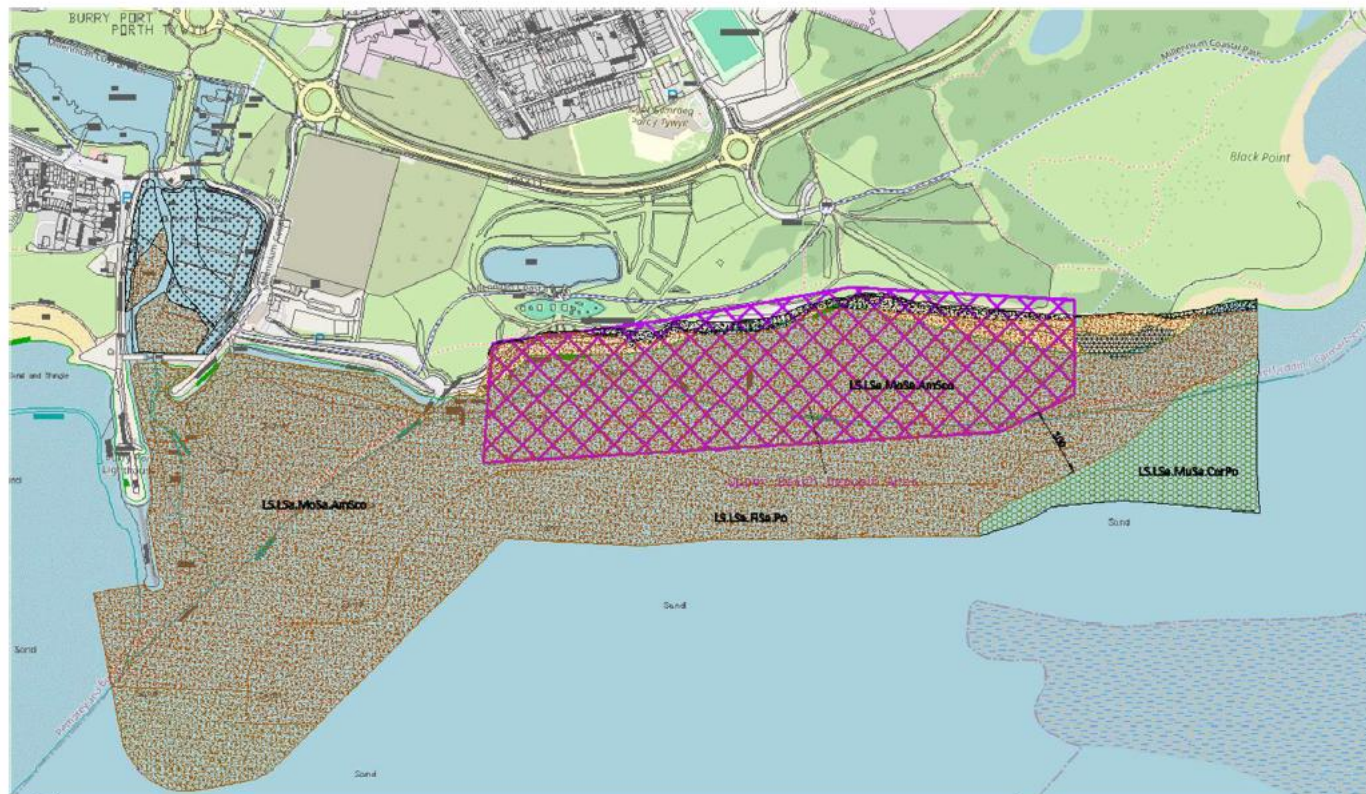
Record of a Habitats Regulations Assessment

Plan or project name, brief description or application reference number	Burry Port Disposal of Dredge Material
HRA iteration/version	1

1. Plan or Project Details

Information about the plan or project		
1	Date application received	07 November 2025
2	Applicant details	Carmarthenshire County Council
3	NRW team responsible for carrying out, or requiring to be carried out, the plan or project, and name of lead officer	N/A
4	Activity/ies proposed	Burry Port Disposal of Dredge Material Carmarthenshire County Council (CCC) are proposing to undertake maintenance dredging at Burry Port Harbour to restore the required water depths in the Approach Channel and Outer Harbour, and propose to deposit the dredged material within an area of the beach

		situated to the east of the hatbour (known as Burry Port East Beach). Up to 140,000 tonnes (70,000m3) of dredge material to be deposited per annum. As the statutory harbour authority (SHA), CCC have powers conferred by the Burry Port Harbour Revision Order 2000 to undertake maintenance dredging but are applying for a marine licence from Natural Resources Wales under the Marine & Coastal Access Act 2009 to undertake the deposit of dredged material on Burry Port East Beach.																																			
5	Relevant legislation or statutory basis	Marine and Coastal Access Act 2009																																			
6	Location	<table><tr><th>Eastings</th><th>Northings</th><th>ETRS89-Lat</th><th>ETRS89-Long</th></tr><tr><td>245228.4</td><td>200216.1</td><td>51.67933142</td><td>-4.24001335</td></tr><tr><td>245505.8</td><td>200264.8</td><td>51.67984466</td><td>-4.23602553</td></tr><tr><td>245835.2</td><td>200247.2</td><td>51.67977786</td><td>-4.23125760</td></tr><tr><td>245835.2</td><td>200108.6</td><td>51.67853261</td><td>-4.23119637</td></tr><tr><td>245724.6</td><td>200053.4</td><td>51.67800579</td><td>-4.23276965</td></tr><tr><td>244968.1</td><td>200008.8</td><td>51.67739669</td><td>-4.24368259</td></tr><tr><td>244982.4</td><td>200184.7</td><td>51.67898091</td><td>-4.24355405</td></tr></table>				Eastings	Northings	ETRS89-Lat	ETRS89-Long	245228.4	200216.1	51.67933142	-4.24001335	245505.8	200264.8	51.67984466	-4.23602553	245835.2	200247.2	51.67977786	-4.23125760	245835.2	200108.6	51.67853261	-4.23119637	245724.6	200053.4	51.67800579	-4.23276965	244968.1	200008.8	51.67739669	-4.24368259	244982.4	200184.7	51.67898091	-4.24355405
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244982.4	200184.7	51.67898091	-4.24355405																																		



7	Plan or project documents, including any application documents	• DML2562 NRW Results Template MAR02686 Burry Port 2025 v3 • DML2562 Burry Port Dredge and Disposal_Biosecurity Risk Assessment_FINAL • DML2562 Burry Port Maintenance Dredge WNMP_2025_11_05 • DML2562 - Outer Harbour Licence Area.dbf • DML2562 - New NRW Disposal Area 2025.dbf • DML2562 - New NRW Disposal Area 2025.shp • DML2562 - Outer Harbour Licence Area.shp • DML2562 - Outer Harbour Licence Area.shx • DML2562 - Burry Port Harbour eng-marine-dredge-and-disposal-licence-application 2025_09_29 • DML2562 - New NRW Disposal Area 2025.shx
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8	Environmental Statement	N/A
9	Pre-application correspondence	N/A
10	NRW team responsible for preparing this HRA report, and lead officer	Chris Roscoe, Senior Marine Licensing Officer, Marine Licensing Team
11	Team or person responsible for approving the plan or project (competent authority role)	As above

2. Determining the need for a Habitats Regulations Assessment

2.1 Is there any possibility that the plan or project could negatively affect any European sites?	Yes
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2.2 Is the whole of the plan or project directly and only connected with or necessary to the management of one or more European sites, for the purposes of conserving the habitats or species for which the European site(s) is/are designated?	No
2.3 Is there a possibility that the plan or project could affect any other feature of the European site(s) concerned, or of another European site, in a way that would undermine that feature's conservation objectives?	N/A

3. Considering the likelihood of a significant effect (LSE)

3.1 Renewal of a project authorisation on the same or more restrictive terms as an extant authorisation

Is this a renewal of an extant authorisation which complies with NRW approved criteria for ruling out significant effects of renewals (see Part 2 of OGN200) without conducting a project-specific LSE test?	No
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3.2 Likelihood of significant effects (LSE) test

3.2.1 Which European sites might be affected by the plan or project?

(a)	Based on the plan or project specification, or information provided in the application, it is considered that these European sites have features which could be negatively affected by the plan or project	RAMSAR SPA SAC	Burry Inlet Burry Inlet Carmarthen Bay and Estuaries / Bae Caerfyrddin ac Aberoedd
(b)	The potential for the plan or project to negatively affect these European sites was also initially considered, but can be ruled out without further consideration	Bristol Channel Approaches / Dynesfeydd Môr Hafren SAC The works are in close proximity to the Bristol Channel Approaches SAC however, no works will be occurring in the water column and	

		thus, there is no potential for the generation of underwater noise which could impact Harbour Porpoise. As such, given the location, scale and nature of the proposed works, no LSE is expected.
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3.2.2 Screening for likelihood of significant effect

Table 3.2.2 Screening assessment			
Designated site feature	Relevant conservation objectives	Screening conclusion – ‘SCREEN OUT’, ‘SCREEN IN’ or ‘IN COMB’	Explanation
Carmarthen Bay and Estuaries/ Bae Caerfyrddin ac Aberoedd SAC			
1110 Sandbanks which are slightly covered by sea water all the time	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen out	NO IMPACT PATHWAY PREDICTED The primary risk to the Sandbanks would be introduction of additional sedimentation into the feature, however in considering the scale of the proposed works, and the distance of over 15km between the works and the feature, no likely significant effect is predicted.
1130 Estuaries	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen in	The following impact pathways be present as a consequence of the project: PHYSICAL DAMAGE TO FEATURE DAMAGE TO FEATURE'S HABITAT NON-PHYSICAL DISTURBANCE During the deposition areas of the Estuary feature will be covered with dredge material. This may would disrupt any communities present in the material through smothering. The use of vehicles moving upon the feature may also result in feature damage through compaction.

		Screen in	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.
1140 Mudflats and sandflats not covered by seawater at low tide	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen in	The following impact pathways be present as a consequence of the project: PHYSICAL DAMAGE TO FEATURE DAMAGE TO FEATURE'S HABITAT NON-PHYSICAL DISTURBANCE During the deposition areas of the 'Mudflats and sandflats not covered by seawater at low tide' feature will be covered with dredge material. This may would disrupt any communities present in the material through smothering. The use of vehicles moving upon the feature may also result in feature damage through compaction.
		Screen in	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.
1160 Large shallow inlets and bays	conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen out	NO IMPACT PATHWAY PREDICTED The primary risk to the Large shallow inlets and bays would be introduction of additional sedimentation into the feature, however in considering the scale of the proposed works, and the distance of over 1km between the works and the feature, no likely significant effect is predicted.
1310 Salicornia and other annuals colonizing mud and sand	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen out	NO IMPACT PATHWAY PREDICTED The primary risk to the Salicornia and other annuals would be introduction of additional sedimentation into the feature, however in considering the scale of the proposed works, and the distance of over 4km between the works and the feature, no likely significant effect is predicted.

1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen out	NO IMPACT PATHWAY PREDICTED The primary risk to the Atlantic salt meadows would be introduction of additional sedimentation into the feature, however in considering the scale of the proposed works, and the distance of over 1.3km between the works and the feature, no likely significant effect is predicted.
1103 Twaite shad <i>Alosa fallax</i>	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen out	PHYSICAL DAMAGE TO FEATURE The proposed dredging, transport and deposit of sandy material will involve land-based plant working on the beach in 'dry' conditions when the tide has receded sufficiently. Land-based plant will not work within the water column to facilitate sediment removal (or transport or deposition) and there will not be a potential pathway for physical damage to this feature. DAMAGE TO FEATURE'S HABITAT Shad are herring-like fish that spend most of their adult lives in the sea but spawn in rivers (or, occasionally, in the upper reaches of estuaries) in early summer. Tidal spawning has not been recorded in this SAC, therefore assumed that most of the juvenile shad using the site came from in the upstream Afon Tywi. This is located approximately 13km from the proposed activity site. The principal issues affecting the shad populations in the SAC relate to the management of the Afon Tywi SAC. The proposed dredging, transport and deposit of sandy material will involve land-based plant working on the beach in 'dry' conditions when the tide has receded sufficiently. Land-based plant will not work within the water column to facilitate sediment removal (or transport or deposition) and there will not be a potential pathway for damage to this feature's habitat.
		Screen out	NON-PHYSICAL DISTURBANCE No plausible impact pathway including noise or visual disturbance from construction activities, due to works being conducted above the water and at low tide.

		Screen in	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.
		Screen in	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of fish in the vicinity.
1095 Sea lamprey <i>Petromyzon marinus</i>	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf		PHYSICAL DAMAGE TO FEATURE The proposed dredging, transport and deposit of sandy material will involve land-based plant working on the beach in 'dry' conditions when the tide has receded sufficiently. Land-based plant will not work within the water column to facilitate sediment removal (or transport or deposition) and there will not be a potential pathway for physical damage to this feature.
			DAMAGE TO FEATURE'S HABITAT Primary breeding and nursery habitat of the Sea Lamprey consist of sandy sediments and gravels of rivers. Sea Lamprey then develop to feed parasitically on various fish species within estuaries and inshore waters. The proposed dredging, transport and deposit of sandy material will involve land-based plant working on the beach in 'dry' conditions when the tide has receded sufficiently. Land-based plant will not work within the water column to facilitate sediment removal (or transport or deposition) and there will not be a potential pathway for damage to this feature's habitat.
		Screen out	NON-PHYSICAL DISTURBANCE No plausible impact pathway including noise or visual disturbance from construction activities, due to works being conducted above the water and at low tide.

		Screen in	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.
		Screen in	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of host fish in the vicinity
1099 River lamprey <i>Lampetra fluviatilis</i>	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen out	PHYSICAL DAMAGE TO FEATURE The proposed dredging, transport and deposit of sandy material will involve land-based plant working on the beach in 'dry' conditions when the tide has receded sufficiently. Land-based plant will not work within the water column to facilitate sediment removal (or transport or deposition) and there will not be a potential pathway for physical damage to this feature.
			DAMAGE TO FEATURE'S HABITAT Primary breeding and nursery habitat of the River Lamprey consist of sandy sediments and gravels of rivers. River Lamprey then develop to feed parasitically on various fish species within estuaries and inshore waters. The proposed dredging, transport and deposit of sandy material will involve land-based plant working on the beach in 'dry' conditions when the tide has receded sufficiently. Land-based plant will not work within the water column to facilitate sediment removal (or transport or deposition) and there will not be a potential pathway for damage to this feature's habitat.
		Screen out	NON-PHYSICAL DISTURBANCE No plausible impact pathway including noise or visual disturbance from construction activities, due to works being conducted above the water and at low tide.

		Screen in	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.
		Screen in	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of host fish in the vicinity.
1102 Allis shad <i>Alosa alosa</i>	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen out	PHYSICAL DAMAGE TO FEATURE The proposed dredging, transport and deposit of sandy material will involve land-based plant working on the beach in 'dry' conditions when the tide has receded sufficiently. Land-based plant will not work within the water column to facilitate sediment removal (or transport or deposition) and there will not be a potential pathway for physical damage to this feature. DAMAGE TO FEATURE'S HABITAT Shad are herring-like fish that spend most of their adult lives in the sea but spawn in rivers (or, occasionally, in the upper reaches of estuaries) in early summer. Tidal spawning has not been recorded in this SAC, therefore assumed that most of the juvenile shad using the site came from in the upstream Afon Tywi. This is located approximately 13km from the proposed activity site. The principal issues affecting the shad populations in the SAC relate to the management of the Afon Tywi SAC. The proposed dredging, transport and deposit of sandy material will involve land-based plant working on the beach in 'dry' conditions when the tide has receded sufficiently. Land-based plant will not work within the water column to facilitate sediment removal (or transport or deposition) and there will not be a potential pathway for damage to this feature's habitat.
		Screen out	NON-PHYSICAL DISTURBANCE No plausible impact pathway including noise or visual disturbance from construction activities, due to works being conducted above the water and at low tide.

		Screen in	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.
		Screen in	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of fish in the vicinity.
1355 Otter <i>Lutra lutra</i>	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	Screen out	PHYSICAL DAMAGE TO FEATURE Otters are a highly mobile species and the works proposed are temporary and small scale. Therefore no likely significant effect is predicted.
			DAMAGE TO FEATURE'S HABITAT No impacts from habitat loss predicted for this feature. Therefore, this potential impact pathway is to be screened out.
		Screen in	NON-PHYSICAL DISTURBANCE There is a potential impact pathway through noise disturbance from dredge deposition activities and use of heavy machinery, which has the potential to disturb both otter and their prey (fish) within the SAC.
		Screen in	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.
		Screen in	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of prey (fish) in the vicinity.

Burry Inlet SPA and RAMSAR site			
Curlew <i>Numenius arquata</i>	NRW conservation objectives: conservation-advice-for-burry-inlet-spa.pdf	Screen out	PHYSICAL DAMAGE TO FEATURE Birds are highly mobile and the works proposed are temporary and small scale when considered against the size of the European site. Therefore no likely significant effect is predicted.
Dunlin <i>Calidris alpina alpina</i>			DAMAGE TO FEATURE'S HABITAT No impacts from habitat loss predicted for this feature. Therefore, this potential impact pathway is to be screened out.
Grey plover <i>Pluvialis squatarola</i>		Screen in	NON-PHYSICAL DISTURBANCE There is a potential impact pathway through noise disturbance from dredge deposition activities and use of heavy machinery, which has the potential to disturb the bird feature.
Knot <i>Calidris canutus</i>		Screen in	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.
Oystercatcher <i>Haematopus ostralegus</i>			
Pintail			

<i>Anas acuta</i> Redshank <i>Tringa totanus</i> Shelduck <i>Tadorna tadorna</i> Shoveler <i>Anas clypeata</i> Teal <i>Anas crecca</i> Wigeon <i>Anas penelope</i> Turnstone <i>Arenaria interpres</i>		Screen in	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of prey in the vicinity.
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TABLE 3.2.3 Screening decision of the plan or project 'alone'	
(a) If the screening conclusion for <u>all</u> features for all sites in Table 3.2.2 is 'SCREEN OUT'	The plan or project is not likely to have a significant effect on any European site, and no further consideration under the Habitats Regulations is required in order to determine the approval/application.
(b) If the conclusion for <u>any</u> features in Table 3.2.2 is 'SCREEN IN'	The plan or project is likely to have a significant effect on one or more European sites and therefore an appropriate assessment is required.
(c) If there are <u>no</u> features in Table 3.2.2 that are 'SCREEN IN' and <u>any</u> features that are 'IN COMB'	The plan or project is not likely to have a significant effect on any European sites when considered alone, but the possibility of significant effects in combination with other plans and projects needs to be considered.

4. Appropriate assessment of the plan or project when considered alone

4.1 Assessment of plan or project as defined

Table 4.1 Appropriate assessment			
European site feature/s	Description of impacts	Assessment in view of conservation objectives	Can adverse effect on site integrity be ruled out? 'YES' or 'NO'
Carmarthen Bay and Estuaries/ Bae Caerfyrddin ac Aberoedd SAC			
1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide	The following impact pathways be present as a consequence of the project: PHYSICAL DAMAGE TO FEATURE DAMAGE TO FEATURE'S HABITAT NON-PHYSICAL DISTURBANCE During the deposition areas of the Estuary feature will be covered with dredge material. This may would disrupt any communities present in the material through smothering. The use of vehicles moving upon the feature may also result in feature damage through compaction.	The pressure applied to the features below the weight of the land-based mechanical excavators could crush and damage the structure and communities of the reefs in this area. Similar affects may be felt by smothering of the feature by the material being deposited. The additional weight and smothering could cause physical damage to the topology of the habitat of the mudflats and sandflats. This topology is a critical feature of the SAC feature and is home to communities prioritised within the conservation objectives	No
	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.	The water and sediment chemical composition are important aspects of the Conservation Features of this SAC, and the change in that chemical composition could influence the direct degradation of this feature. This could also negatively affect the local communities within this feature, contributing to additional feature degradation.	No

1103 Twaite shad <i>Alosa fallax</i>	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.	The water and sediment chemical composition are important aspects of the Conservation Features of this SAC, and the change in that chemical composition could influence the direct degradation of this feature.	No
1095 Sea lamprey <i>Petromyzon marinus</i>	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of fish in the vicinity.	Increased sediment in the water column may impact visibility, and therefore the natural behaviour of the feature in this area. This may lead to reduced availability of prey or feeding success in this region. Any re-suspension of sediment, following deposit, will be localised and of negligible volume since the material to be excavated is fairly low in volume, and consisting of predominantly sand. This type of sediment will settle quickly rather than being transported over long distances in the water. Additionally these are highly mobile features, and able to use alternative foraging sites during the short duration that material is disposed	Yes
1099 River lamprey <i>Lampetra fluviatilis</i> 1102 Allis shad <i>Alosa alosa</i>			
1355 Otter <i>Lutra lutra</i>	NON-PHYSICAL DISTURBANCE There is a potential impact pathway through noise disturbance from dredge deposition activities and use of heavy machinery, which has the potential to disturb both otter and their prey (fish) within the SAC.	The areas at and around the placement site are ongoing areas of human activity (e.g., beach users, dog walkers, etc) and airborne noise from mechanical sources (e.g., road vehicles on the nearby tracks), so otters may have a degree of habituation to certain disturbances. Otters are known to use the coast between Llanelli and Burry Port and have been seen crossing the railway line which runs along the coast and connect their feeding and resting habitats. Access to shallow sea water is important to coastal otters since their principal prey species are fish. Accordingly, the range of otter may extend to the placement site on Burry Port East Beach because they are known to commute between the railway line and the coast. Although there is a potential pathway for visual disturbance (e.g. line of sight disturbance due to human presence) and/or above water noise	Yes

		disturbance (i.e. plant), the proposed dredging activity will take place over a limited time period (i.e., approximately 47 days), and will take place with tides between mid and low water when there will be other human activity at and around the coast between Llanelli and Burry Port, including the areas around the Approach Channel and Outer Harbour and , for these reasons, is unlikely to cause a hinderance or constraint to otter commuting activity because there will remain extensive areas around the deposition site to maintain an inter-connection between resting and foraging sites.	
	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.	The water and sediment chemical composition are important aspects of the Conservation Features of this SAC, and the change in that chemical composition could influence the direct degradation of this feature.	No
	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of prey (fish) in the vicinity.	Increased sediment in the water column may impact visibility, and therefore the natural behaviour of the feature in this area. This may lead to reduced availability of prey or feeding success in this region. However, any re-suspension of sediment, following deposit, will be localised and of negligible volume since the material to be excavated is fairly low in volume, and consisting of predominantly sand. This type of sediment will settle quickly rather than being transported over long distances in the water. Additionally this is a highly mobile feature, and able to use alternative foraging sites during the short duration that material is being disposed	Yes
Burry Inlet SPA and RAMSAR site			
Curlew <i>Numenius arquata</i> Dunlin <i>Calidris alpina alpina</i>	NON-PHYSICAL DISTURBANCE There is a potential impact pathway through noise disturbance from dredge deposition activities and use of heavy machinery, which has the potential to disturb the bird feture.	Noise and visual disturbance has the potential to displace bird populations thus undermining the conservation objectives of the site which seek to maintain or improve populations.	No

Grey plover <i>Pluvialis squatarola</i> Knot <i>Calidris canutus</i>	TOXIC CONTAMINATION There is a risk of oil and chemical spills to the marine environment from the land-based mechanical excavator while disposing of the dredge material.	The water and sediment chemical composition are important aspects of the Conservation Features of this SAC, and the change in that chemical composition could influence the direct degradation of this feature. This could also negatively affect the local communities within this feature, contributing to additional feature degradation.	No
	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decrease visibility and decreased instances of prey in the vicinity.	Increased sediment in the water column may impact visibility, and therefore the natural behaviour of the feature in this area. This may lead to reduced availability of prey or feeding success in this region.	No
Oystercatcher <i>Haematopus ostralegus</i>			
Pintail <i>Anas acuta</i>			
Redshank <i>Tringa totanus</i>			
Shelduck <i>Tadorna tadorna</i>			
Shoveler <i>Anas clypeata</i>			
Teal <i>Anas crecca</i>			
Wigeon <i>Anas penelope</i>			
Turnstone <i>Arenaria interpres</i>			

4.2 Appropriate assessment of the plan or project taking into account additional conditions or restrictions imposed by the competent authority

Table 4.2 Appropriate assessment of the plan or project taking into account additional conditions or restrictions				
European site Feature	Adverse effect(s)	Can adverse effect(s) be mitigated by additional imposed conditions or restrictions? 'YES' or 'NO'	Additional imposed mitigation measure(s)	Can adverse effect on site integrity be ruled out? 'YES' or 'NO'
Carmarthen Bay and Estuaries/ Bae Caerfyrddin ac Aberoedd SAC				
1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide	The following impact pathways be present as a consequence of the project: PHYSICAL DAMAGE TO FEATURE DAMAGE TO FEATURE'S HABITAT NON-PHYSICAL DISTURBANCE The pressure applied to the features below the weight of the land-based mechanical excavators could crush and damage the structure and communities of the reefs in this area. Similar affects may be felt by smothering of the feature by the material being deposited. The additional weight and smothering could cause physical damage to the topology of the habitat of the mudflats and sandflats. This topology is a critical feature of the SAC	Yes	Condition 2.2 of any issued licence would identify the exact coordinates of the authorised work area and restrict works to this zone; 2.2 Licensed Area The Licence Holder is authorised to conduct the activities described in Table 1 in the vicinity of [region] bounded by the coordinates specified in Table 3 and as indicated in the plan attached at Appendix 1. The applicant has provided a Monitoring and Adaptive Management Plan – “<i>DML2562 - Burry Port Disposal Monitoring and Adaptive Management Plan 2026_05_22</i>” which they will work in-line with. Should monitoring indicate an adverse effect on site integrity, then adaptive management measures will be implemented to ensure the works have no further impact. This will be secured by appropriate monitoring conditions on the licence.	Yes

	feature and is home to communities prioritised within the conservation objectives		To avoid shoaling and minimise the risk of uneven material loading impacting the likelihood of smothering, the following bespoke condition would be applied to any issued permit; Bespoke Condition “The Licence Holder must ensure that during the course of disposal, material is distributed evenly over [the disposal area].”	
	TOXIC CONTAMINATION The water and sediment chemical composition are important aspects of the Conservation Features of this SAC, and the change in that chemical composition could influence the direct degradation of this feature. This could also negatively affect the local communities within this feature, contributing to additional feature degradation	Yes	Any issued Marine Licence will include condition: 3.14 Pollution Prevention The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number 0300 065 3000. The applicant has also stated that a clause will be included in the dredging contractor’s specification that a suitable pollution prevention and response plan (or similar) be produced and implemented.	Yes
1103 Twaite shad <i>Alosa fallax</i> 1095 Sea lamprey <i>Petromyzon marinus</i> 1099 River lamprey <i>Lampetra fluviatilis</i> 1102 Allis shad <i>Alosa alosa</i>	TOXIC CONTAMINATION The water and sediment chemical composition are important aspects of the Conservation Features of this SAC, and the change in that chemical composition could influence the direct degradation of this feature.	Yes	Any issued Marine Licence will include condition: 3.14 Pollution Prevention The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number 0300 065 3000. The applicant has also stated that a clause will be included in the dredging contractor’s specification that a suitable pollution prevention and response plan (or similar) be produced and implemented.	Yes

1355 Otter <i>Lutra lutra</i>	TOXIC CONTAMINATION The water and sediment chemical composition are important aspects of the Conservation Features of this SAC, and the change in that chemical composition could influence the direct degradation of this feature.	Yes	Any issued Marine Licence will include condition: 3.14 Pollution Prevention The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number 0300 065 3000. The applicant has also stated that a clause will be included in the dredging contractor's specification that a suitable pollution prevention and response plan (or similar) be produced and implemented.	Yes
Burry Inlet SPA and RAMSAR site				
Curlew <i>Numenius arquata</i> Dunlin <i>Calidris alpina alpina</i> Grey plover <i>Pluvialis squatarola</i> Knot <i>Calidris canutus</i>	TOXIC CONTAMINATION The water and sediment chemical composition are important aspects of the Conservation Features of this SAC, and the change in that chemical composition could influence the direct degradation of this feature.	Yes	Any issued Marine Licence will include condition: 3.14 Pollution Prevention The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number 0300 065 3000. The applicant has also stated that a clause will be included in the dredging contractor's specification that a suitable pollution prevention and response plan (or similar) be produced and implemented.	Yes

Oystercatcher <i>Haematopus ostralegus</i> Pintail <i>Anas acuta</i> Redshank <i>Tringa totanus</i> Shelduck <i>Tadorna tadorna</i>	NON-PHYSICAL DISTURBANCE There is a potential impact pathway through noise disturbance from dredge deposition activities and use of heavy machinery, which has the potential to disturb the bird fecture.		The applicant has proposed that one 5-day dredge campaign will be sufficient during the peak wintering season (December – February). Given the small time-frame (5 days), and timing of the works with the tide (avoiding 2 hours either side of high tide), disturbance to overwintering marine bird species will be minimal and temporary.	
Shoveler <i>Anas clypeata</i> Teal <i>Anas crecca</i> Wigeon <i>Anas penelope</i> Turnstone <i>Arenaria interpres</i>	TURBIDITY There is a potential impact pathway on this feature through increased turbidity and increased suspended solids caused by the disposal of the dredged material which may lead to decreased visibility and decreased instances of prey in the vicinity.		The applicant has provided a Monitoring and Adaptive Management Plan – “DML2562 - Burry Port Disposal Monitoring and Adaptive Management Plan 2026_05_22” which they will work in-line with. Should monitoring indicate an adverse effect on site integrity, then adaptive management measures will be implemented to ensure the works have no further impact. This will be secured by appropriate monitoring conditions on the licence.	

4.3 Concluding the appropriate assessment of the plan or project alone

Table 4.3 Conclusion of the appropriate assessment alone	
(a) If Table 4.1, or the right hand column of Table 4.2 if applicable, is ‘YES’ for all features	It has been ascertained that the plan or project, when considered alone, will not adversely affect the integrity of any European sites.

(b) If there are any 'NO's in the right hand column of Table 4.2	It has not been ascertained that the plan or project, when considered alone, will not adversely affect the integrity of one or more European sites.
(c) Are there any residual effects of the plan or project (net of mitigation measures) which, though not adverse on their own, could be significant when considered in combination with the effects of other plans or projects?	No

5. In combination assessment

Table 5.1 Identification and assessment of in combination effects				
European site name:				
'INCOMB' impacts from screening Table 3.2.2 and/or residual effect from appropriate assessment in section 4	European site feature(s) concerned	Other plans or projects with effects that might interact with the effects of the plan or project to render its effects significant/adverse (if any)	Nature of the in combination effect (if any) and assessment in view of conservation objectives	Can significant or adverse in combination effects be ruled out for all features?
N/A				
(a) If the right hand column is 'YES' for all rows		The plan or project, when considered in combination with other plans and projects, is either not likely to have a significant effect on, or will not adversely affect the integrity of, any European site.		
(b) If any rows in the right hand column are 'NO'		The plan or project is likely to have a significant effect on, or an adverse effect on, European site/s in combination with other plans or projects.		

6. Conclusion

HRA is not required because there is no conceivable impact on any European sites. (As documented in section 2.1)	
HRA is not required because the whole of the plan or project is directly connected with or necessary to the management of one or more European sites, for the purposes of conserving the habitats or species for which the site(s) is/are designated, <u>and</u> the plan or project is not likely to have a significant effect on any other European sites. (As documented in section 2.2 and 2.3)	
This project is a renewal of a current permission which complies with NRW agreed criteria for ruling out likely significant effects of a renewal without conducting a project-specific LSE test. Therefore, it is considered not likely to have a significant effect on any European sites, either alone or in-combination with other plans or projects. (As documented in section 3.1 of this form)	
The plan or project has been screened for likelihood of significant effects and is considered not likely to have a significant effect on any European sites. (As documented in section 3.2 of this form, and section 5 if applicable)	
In light of the conclusions of an appropriate assessment it has been established that the plan or project will not adversely affect the integrity of any European sites, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans or projects. (As documented in section 4 of this form, and section 5 if applicable)	X
In light of the conclusions of the appropriate assessment, it has <u>not</u> been ascertained that the plan or project will not adversely affect the integrity of any European sites, as documented in section 4 of this form, and section 5 if applicable. Approval for the plan or project <u>cannot</u> be given unless either: - the plan or project specification, and/or the terms under which it might be approved, are modified so as to remove the risk of adverse effects, and a revised HRA is prepared, or - the plan or project (not being an SSSI consent*) satisfies the requirements for a derogation and a Derogation Notice is prepared and submitted for consideration by the appropriate authority, normally Welsh Ministers (*SSSI consents cannot be given as derogations)	
Signed: Name: Chris Roscoe Position: Senior Marine Licencing Officer Date: 21 November 2025 	
Was this HRA conclusion an escalated decision? YES or NO	No

7. Consultation with the ANCB and how sections 2, 3, 4 and 5 of this HRA report (as applicable) take into account that advice.

Relevant section of the HRA report	Correspondence and/or meetings with the ANCB	Description of how the comments from the ANCB have been taken into account
4	24/12/2025 – 12/06/2026	Bristol Channel Approaches was initially considered for assessment, but was screened out at Stage 3.2.1b as advised. Further information has been provided by the applicant and extensive conversations have taken place with NRW Advisory to address their continued concerns. The applicant has addressed pollution concerns by stating that a clause will be included in the dredging contractor's specification that a suitable pollution prevention and response plan (or similar) be produced and implemented. Standard pollution prevention measures will also be included on the licence. A Monitoring and Adaptive Management Plan has been provided by the applicant to ensure that any adverse impacts on the SAC are recorded and suitable action is taken to mitigate them.
4	Comments from applicant: 26/06/2026	Having shared the draft licence with the applicant, concerns were raised regarding the practicality of the following condition given that the licensed activity is for the disposal of dredge arisings: <i>"The Licence Holder must ensure the area is returned to the original profile, or as close as reasonably practicable, following the completion of works."</i> This condition has therefore been removed as suitable mitigation has already been secured through the implementation of a monitoring and adaptive management plan (Condition 3.20) and the need for disposed material to be evenly distributed within the disposal area (Condition 3.22). As such, removal of the condition would not impact the conclusions of the HRA.

Appropriate nature conservation body (ANCB) response to an internal HRA consultation

This form should be completed by the team or individual providing the ANCB advice to the competent authority team

TO: Chris Roscoe, Marine Licensing Team
FROM: Emma Lowe, Marine Area Advice and Management Team
SUBJECT: Habitats Regulations Assessment of DML2562 Burry Port Disposal of Dredge Material

Thank you for consulting Marine Area Advice and Management Team on the above. Our comments are as follows:

Marine Mammals

Marine mammal sites have not been scoped into the current assessment. We advise that given the close proximity of the proposed works to the Bristol Channel Approaches Special Area of Conservation (SAC), which is designated for harbour porpoise, consideration of potential impacts on marine mammals should be included at the screening stage.

A potential pathway for underwater noise exposure has been identified. While dredging operations are proposed to be shore-based, certain components of the machinery will extend into the water column to facilitate sediment removal. This interaction is anticipated to generate underwater noise during the operational window, which is scheduled for approximately 3 to 3.5 hours on either side of low tide (equating to a total duration of around 7 hours). Given that water coverage will be minimal for the majority of this period, the transmission of noise into the marine environment is expected to be limited.

Based on current guidance (JNCC, 2017; NOAA, 2018), thresholds for behavioural disturbance and auditory injury in marine mammals are unlikely to be exceeded under these conditions. The JNCC guidelines for minimising the risk of injury to marine mammals from piling and other underwater noise sources recommend mitigation where impulsive noise levels may exceed injury thresholds; however, the anticipated noise from shore-based dredging is considered non-impulsive and of low magnitude.

Consequently, NRW (A) concludes the predicted noise levels are unlikely to exceed established thresholds for behavioural disturbance or auditory injury in marine mammals within the vicinity of the works, **and we can therefore agree a conclusion of no Adverse Effect on Site Integrity for Marine Mammals.**

Marine Ornithology

Given the proximity of the proposal to the Burry Inlet SPA/Ramsar and Burry Inlet and Loughor Estuary SSSI, which are designated for wintering waterbirds, there is the potential for the works to cause visual and noise disturbance to wintering waders and wildfowl. The low tide counts maps presented in appendix 6 of the Habitats Regulations No Significant Effects Report only cover three species of the twelve that the SPA is designated for (Wigeon, Pintail, and Oystercatcher) with the oystercatcher low tide count map showing

potential large numbers close to the Burry Port as well as along the beach that will be utilised for deposition.

The recent condition assessment of the Burry Inlet SPA shows a number of species failing on wintering population numbers, these species include redshank, curlew, dunlin, grey plover, shoveler, turnstone, wigeon, and the waterbird assemblage.

NRW (A) therefore advises that works should take place outside of the wintering season.

However, if works are planned to be completed during the wintering season, more information on wintering waterbirds in the area is required in order to properly assess the impacts. In this instance, appropriate wintering bird surveys would need to be carried out to assess potential impact to overwintering bird populations. Site-specific surveys should include surveys during the high tide periods (i.e. two hours either side of high tide) and the timing of these surveys should be September to March inclusive. Further consideration should also be given to existing data sources, such as Wetland Bird Survey (WeBS) data that cover the proposed site.

We also agree with advice put forward by benthic ecology specialists regarding potential impacts from the works to the bivalve community along the beach where the dredged material is to be deposited. Therefore, in addition to comments regarding disturbance impacts, we agree with advice provided on the importance of understanding the benthic community composition of the area and the potential impacts of the sediment deposition as this may impact bird prey species.

Fish and Shellfish Ecology

Non-physical disturbance has been screened out for fish features within the HRA with the reasoning of no plausible pathway. NRW (A) advise that there is a potential pathway, as although the dredging vehicles are proposed to be shore based, we note that parts of the machinery will enter the water column to remove material. This mechanism could introduce some noise to the marine environment during the proposed window of “3 – 3.5 hours either side of low tide (7 hours total)”. As the majority of this time there will be limited water coverage, noise disturbance into the marine environment will be limited and is unlikely to reach a threshold where it impairs fish movements within and across the burry inlet.

In addition, non-physical disturbance has been screened in for otter - ‘*There is a potential impact pathway through noise disturbance from dredge deposition activities and use of heavy machinery, which has the potential to disturb both otter and their prey (fish) within the SAC*’. This is inconsistent, as although shad and lamprey are unlikely to be targeted by otter as prey, they will be subject to the same disturbance as those species that are. NRW (A) do however agree with the conclusion of the HRA, that the plan or project, when considered in combination with other plans and projects, **will not adversely affect the integrity of any European site, with regard to fish and shellfish features.**

Benthic Ecology

HRA Benthic Issue 1

The proposed works, as set out in the information provided, are sited within Burry Inlet RAMSAR / Burry Inlet SPA and Carmarthen Bay and Estuaries / Bae Caerfyrddin ac Aberoedd SAC.

Carmarthen Bay and Estuaries / Bae Caerfyrddin ac Aberoedd SAC has been designated due to the presence of the following benthic features which fall within the Zone of Influence of the proposed works: 'Estuaries' and 'Mudflats and sandflats not covered by seawater at low tide'.

Currently insufficient evidence has been presented to enable NRW (A) to advise with an adequate level of confidence that the proposed works will not have the potential to result in an Adverse Effect on Site Integrity (AEoSI). More specifically, we are concerned that the following Conservation Objectives have the potential to be hindered (noting direct overlap of the proposed licence area with Annex I features):

- Objective 1: The overall distribution and extent of the estuaries feature within the SAC and each of its main component habitats are stable or increasing, subject to natural change.
- Objective 3: The abundance, distribution and diversity of species within component habitats and communities necessary for the structure and function of the estuaries feature are stable or improving, subject to natural variability.
- Objective 1: The overall distribution and extent of the mudflat and sandflat feature within the SAC and each of its main component habitats are stable or increasing, subject to natural change.
- Objective 3: The abundance, distribution and diversity of species within component habitats and communities necessary for the structure and function of the mudflat and sandflat feature are stable or improving, subject to natural variability.

Information which is currently lacking and which is required to support NRW (A) in providing specialist benthic advice is as follows:

Worst Case quantification of total area of impact (considering both heavy plant and depositional pressure pathways) and magnitude of impact, including maximum depth of sediment deposition in any disposal event (smothering and siltation benchmarks of 5cm and 30 cm will require consideration to understand the likely sensitivity/recoverability of receptors and determine whether the intervals in operations are likely to enable interim periods of recovery, thus inform the evaluation of the significance of pressures on designated features).

Where past activities of a similar nature have occurred within the proposed licence area, any monitoring/objective data collected should be used to support the application.

The baseline characterisation of benthic receptors is currently inadequate. The development of a robust and detailed description of the physical and biological attributes of the benthic habitats across the Zone of Influence (Zoi) is required. NRW(A) advise that as a minimum, a Phase I habitat assessment should be undertaken and include a number of intertidal cores across the range of shore heights to provide characterisation of the infaunal communities present. This information is necessary to identify, quantify and evaluate predicted changes within the designated sites and/or supporting habitats with an appropriate level of confidence.

Particular regard should be given to the identification of species and habitats of conservation importance, including Annex I protected species and habitats, as well as those protected under section 7 of the Environment (Wales) Act 2016 (noting that there are records of blue mussel beds within and in close proximity to the proposed license area). Invasive non-native species (INNS) should also be identified and mapped.

Depending upon the advice of specialist ornithologists with respect to the importance of the area as supporting habitat for features of Burry Inlet RAMSAR / Burry Inlet SPA, it may be necessary to develop a more detailed understanding of the quality/importance of supporting habitats as determined by:

the community composition of those communities with particular focus on primary bird prey species such as bivalves and polychaetes;

the biomass of prey species, and

the shore height.

HRA Benthic Issue 2

In the absence of an appropriate baseline characterisation, it is not possible to advise on the adequacy and/or appropriateness of the mitigation which has been proposed, including those which are the subject of licence conditions. Further, the bespoke condition of 'maintain profile' is ambiguous. The profile being maintained needs to be defined in order for the regulator to be able to address any deviation from the condition and to ensure that mitigation can be sufficiently effective.

Once the communities within the ZOI have been adequately characterised (as outlined in B2 above) then we advise that further consultation with NRW (A) will be required in relation to operational monitoring requirements.

HRA Benthic Issue 3

Clarification is required as to whether the proposal presents a method of beach nourishment/beneficial use or whether the existing beach profile is to be maintained. Understanding the project intentions in this respect could be important for understanding the likely changes in the designated SAC features which may also act as supporting habitat for SPA features.

Physical Processes

HRA Assessment Further Evidence Required

The HRA has identified that the proposed works are within Burry Inlet RAMSAR / Burry Inlet SPA and Carmarthen Bay and Estuaries / Bae Caerfyrddin ac Aberoedd SAC. Evidence has been presented to show that the following impacts on physical processes can be ruled out:

- 1) Maintenance dredging will be undertaken in dry conditions and relocated during dry conditions so there will not be an extended sediment plume during dredging activities.
- 2) The sediment removed by dredging will be returned to the same sediment system, maintaining the Burry Inlet sediment budget and water body's hydromorphology.
- 3) The dredging activity will not disturb sediment with contaminant at concentrations above Cefas Level 1.
- 4) The particle size analysis of material in the dredging areas will be the same as the sand material at the deposit area.

However, details of how the disposal site will be accessed by heavy machinery and the impacts of vehicles through compression of sediment have not been presented. Vehicles accessing the disposal site could impact the following features:

'Mudflats and sandflats not covered by seawater at low tide,' a feature of Carmarthen Bay and Estuaries / Bae Caerfyrddin ac Aberoedd SAC

Salicornia and other annuals colonising mud and sand- a feature of Carmarthen Bay and Estuaries / Bae Caerfyrddin ac Aberoedd SAC

Sensitive habitat - mussel bed/ salt marsh as shown in Appendix 6 of the Burry Port Harbour- Maintenance Dredging and Disposal of Dredged Material WFD Assessment Report - The oyster beds may be supporting habitat for features of Burry Inlet RAMSAR / Burry Inlet SPA.

Evidence Required

It is recommended that an up-to-date habitat map is provided of the deposition area along with evidence of the importance of mussel beds as a supporting habitat for features of Burry Inlet SPA/ Ramsar. Refer to Benthic and Ornithology Specialists for their advice on evidence needed.

Mitigation

NRW (A) recommended an access management plan should be produced which identifies routes for machinery to access the disposal site to avoid impact on these sensitive habitats. This should include clearly identified routes for vehicles; site briefs for staff/contractors on site sensitivities; contingency plans to understand bad weather/ breakdown procedures and considerations for how to reduce impact on site e.g. through use of trackways to distribute vehicle weight and reduce compaction.

NRW (A) recommend a pollution prevention plan is prepared following best practice to prevent fuel/chemical spills from machinery and to minimise disturbance to sensitive habitats, this should include details of diesel/ oil use and storage, the use of spill kits and emergency procedures.

Marine Water and Sediment Quality

HRA Water Quality Issue 1

Within the WFD and HRA Assessment, diagrams show the proposed area to dredge (red hash lines). Samples have been taken within this area (appendix 2, page 19, Sediment Sampling locations) and results shown in tables (appendix 4, page 23-28). Zinc levels in 3 samples are above AL1 (20) 005, 007,008. The highest was 25.2. However, these samples in A,B and C sample locations, are greyed out in the table as indicated '*Not applicable as samples are outside of dredging area*'.

Please can the applicant clarify the dredging area.

Does it include areas A, B and C? If so, the tables on pages 23 – 28 will need updating.

If the dredge area is different than what is shown in the red hashed area on page 17 and corresponding coordinates, please can this be amended to show the true area of dredging, ensuring this is corrected in the HRA, WFD and other provided documents.

HRA Water Quality Issue 2

The data in the results template show zinc levels, in 3 samples, (A, B and C) are above AL1 (20) 005, 007,008. The highest was 25.2. NRW (A) disagree with the indicator rating (WFD, page 23) that all '*Data is either below cAL1 or below ERL*'. Please can this be amended.

Samples A, B and C, are in silt and silty sand / sandy silt part of the dredge and this sediment is far more likely to remobilise in the water column than that from sand. Consideration should be given to the disposal of this sediment with mitigation measures. Sediment with levels of zinc above AL1, may affect the habitat where it is planned to be disposed.

HRA Water Quality Issue 3

Having reviewed the documents provided there is no Construction Environmental Management Plan (CEMP). With multiple vehicles and machinery on subtidal area for 47 days (+/-5days), mitigation for potential pollution is required.

Signed: 

Date: 24/12/2025

Appropriate nature conservation body (ANCB) response to an internal HRA consultation

This form should be completed by the team or individual providing the ANCB advice to the competent authority team

TO: Chris Roscoe, Marine Licensing Team
FROM: Emma Lowe, Marine Area Advice and Management Team
SUBJECT: Habitats Regulations Assessment of DML2562 Burry Port Disposal of Dredge Material

Thank you for consulting Marine Area Advice and Management Team on the above. Our comments are as follows:

Marine Mammals

NRW (A) advise that we are now content that the information provided in the “*DML2562 NRW (A) Response with CCC Response*” document sufficiently addresses our previous concerns regarding marine mammals, i.e. that there will be no works occurring in the water column and thus there is no potential for the generation of underwater noise, and thus that the HRA is accurate.

We recommend Dynesfeydd Môr Hafren / Bristol Channel Approaches SAC be included in section 3.2.1 (b) of the Form 1 HRA “*The potential for the plan or project to negatively affect these European sites was also initially considered, but can be ruled out without further consideration*” to evidence that the site was considered.

We note the proximity of the proposed works to the Bristol Channel Approaches SAC designated for harbour porpoise, and therefore the requirement to scope the site in to the HRA. However, given the location, scale and nature of the proposed works, **NRW (A) concludes No Adverse Effect on Site Integrity (AEOSI) for marine mammals.**

Marine Ornithology

As the initial campaign is planned to be completed outside of the wintering season, there is no concern regarding noise and visual disturbance for this specific campaign.

However, we note that later campaigns may take place within the wintering season. Within the Applicant’s supplied information on data sourced from BTO’s low water counts, they state that “*the BTO’s low water counts show that only oystercatcher is recorded in large numbers in this part of the SPA.*” This suggests potential for disturbance to large numbers of oystercatcher, which are a feature of the SPA.

We therefore request the Applicant provides this data in a table format with all relevant data shown for all relevant species, and not just the peak counts.

As only two walkover surveys were completed, both in mid to late January, sufficiently robust data on marine wintering bird species’ use of the proposed site has not been provided.

Further consideration should also be given to existing data sources, such as Wetland Bird Survey (WeBS) data that covers the proposed site, to provide further evidence on the use of the site by overwintering birds.

We note that works are already planned to be completed outside of the 2 hours either side of high tide window. This may be sufficient mitigation to avoid disturbance impacts, however future campaigns have been noted to potentially last up to 52 days. Even whilst taking into consideration that works will only occur over low tide, this could still cause disturbance to birds over a significant proportion on the wintering season. NRW (A) therefore requests clarification on the maximum potential timing and duration of future dredge deposition activities.

Summary

Overall, the Applicant needs to provide further information and evidence to demonstrate that there will be limited disturbance to overwintering birds and therefore no adverse effect on site integrity.

We request that the Applicant provides a more robust report, including the data from the walkover surveys in tabulated format and not just the peak counts.

Ideally, we would also expect to receive results from more thorough wintering surveys, i.e. additional surveys carried out over the duration of the wintering period.

However, we appreciate that the Applicant wishes to commence activities soon, and so as long as the below details are provided, this may be acceptable (subject to our review):

- Sufficient detail on the previous surveys done as requested above – i.e. data in a tabulated format and not just the peak counts
- Use and presentation of available data from sources such as WeBS
- Presentation of BTO low water counts data referenced previously

We do note that the Applicant indicates that future campaigns are more likely to take place in the Autumn and Spring which alleviates some concern.

With this in mind, we advise that a threshold of maximum works duration would be acceptable to limit our concerns for this particular case.

If the data presented as requested above demonstrates low usage of the area by wintering birds, then this may not be necessary. **We do however need additional information on use of the area by wintering birds, particularly oystercatcher as these seem to be the species of potential concern, before we can agree that there is no/minimal impact, and no adverse effect on site integrity.**

For advice regarding oystercatcher prey availability, please see NRW (A)'s comments relating to benthic ecology.

Fish and Shellfish Ecology

Our original comments relating to fish were pointing out a perceived inconsistency in the presented assessment, **however overall we agree with the conclusion made in regard to fish of no adverse effect on site integrity.**

The Applicant has now provided additional information in the documentation provided, which clarifies the nature of the work. As such, we are content from a fish perspective that **additional screening is now not required.**

Benthic Ecology

We maintain that insufficient evidence has been presented to enable NRW (A) to advise with an adequate level of confidence that the proposed works will not have the potential to result in an Adverse Effect on Site Integrity (AEoSI).

We reiterate and stand by previous advice provided on 24/12/2025 in our initial Form 3 response. We also offer the below additional information and guidance.

Key points

- We advise the Applicant needs to carry out a baseline characterisation as per NRW Guidance on Habitat Mapping for developments, which outlines habitat mapping methodology and timings. Unless it can be demonstrated that relevant guidelines have been followed, and evidence to support conclusions can be provided, we are unable to advise further on the likelihood of an AEoI to the SAC.
- We expect the survey to consist of 100% coverage of the proposed licence area plus a 100 m buffer to include all direct, and the most significant secondary impacts. The Applicant needs to provide a phase 1 habitat map, and a detailed methodology used to develop this
- Should the Applicant require technical advice on suitable approaches to baseline characterisation, we would be happy to discuss this further.
- No evidence has been presented which supports the statement that cockle abundance has reduced over time, and or that they are absent from the zone of influence.
- The Sub optimal timing of surveys needs consideration in results
- The Applicant is required to identify, quantify and evaluate both the direct and indirect pressures of the proposed activities using MarESA benchmarks for pressure thresholds and sensitivities of the specific benthic receptors present. It should also be noted that MarESA requires benthic characterisation to EUNIS level 5/6 or equivalent, and only considers single discrete events whilst the proposed activity is for multiple events, therefore any impact evaluation will need to take this into consideration. Predicted impacts need to be evaluated in the context of the specific site Conservation Objectives.

- Applicant needs to objectively describe “similar” PSA of sediment between the dredged area and the deposit area, and consider how this could change the sediment composition and associated communities.
- Statement assuming blue mussels only colonise hard substrates incorrect – section 7 species that could be present and need considering
- Reporting needs to focus on spatial and temporal comparison of abundance and biomass of all taxa, with specific focus on those regarded as key bird prey species in order to understand any likely impacts on SPA features.
- We reiterate advice previously provided on the Application

Detailed comments

NRW (A) advise that the additional information provided within the ‘*DML2562 NRW(A) Response with CCC Response_29_01_2026 v2.2.docx*’ and ‘*Burry Port harbour Phase I sediment deposition.pdf*’ submissions does not satisfy the evidence and ecological evaluation gaps as highlighted in our formal advice which was provided on 24.12.2025 (*DML2562 NRW (A) Response*).

We advise that the submissions, and information provided within the ‘*Burry Port harbour Phase I sediment deposition.pdf*’ document fails to identify and describe the biological communities present within the projects Zone of Influence (Zol) with either with the necessary level of detail and/or confidence.

NRW (A) strongly disagree that the “*Phase 1 Habitat Survey Report supports the findings of the HRA Screening Report*”. We also disagree that the Applicant has provided the evidence to support their statement that “*the overall abundance, distribution and diversity of mussels and cockles necessary for the structure and function of the supporting habitat for oystercatcher (by burying / eroding hard substrate) within this part of the SPA*” has been “*reduced*”. We also do not consider that the necessary evidence has been presented which supports the statement that there is “no evidence of mussels and cockles in the deposit area”. We point out that by nature of Phase I survey methods (and absence of any information relating to the methods used, or coverage obtained during the survey) it is unlikely that the absence of cockles (or other infauna) can be determined with any level of certainty.

We note that survey methods are altogether absent from the report; detailed methods are required to enable NRW (A) to understand the level of confidence which can be applied to the survey outputs, and any subsequent evaluation and assessment. We advise that the Applicant should refer to [NRWs Benthic habitat assessment guidance](#). This guidance sets out the methods and approaches for survey and monitoring of intertidal sediment habitats where such work is required to support environmental and ecological impact assessments for developments and activities in or near Welsh waters.

We note that the intertidal surveys were conducted at a sub-optimal timeframe. Where this is necessary, the temporal disparity should be acknowledged in analysis and reporting, alongside reporting of events which may have impacted the benthic environment, such as cold or storm events.

We strongly recommend the Applicant use MarESA pressure benchmark thresholds to assess both the direct and indirect pressures associated with the proposed activities upon the specific benthic receptors present within the Zol (unless more recent and/or relevant peer reviewed evidence can be used to support assessments). The results should then be used to assess the likely significance of the project proposals in light of the Conservation Objectives for the SAC. NRW (A) remind the Applicant that MarESA benchmarks refer to single discrete events, not repeated and/or ongoing events over the lifetime of the project. Therefore, there remains a requirement on the Applicant to clarify whether the impacts being assessed against the benchmarks are single discrete events or otherwise, and further justify their assessment conclusions/positions.

NRW (A) note that the Applicant has stated that *“particle size analysis shows that sediment within the dredging areas is of a similar composition to the sediment at the deposit area, predominantly comprising of sand.”* We advise that sand particle sizes can vary from fine to coarse, and introduced variability in these proportions could significantly alter the infaunal communities present. We therefore require the Applicant to define ‘similar’ and demonstrate how any differences in particle size as a result of the project may alter the benthic infaunal communities present within the Zol, considering any implications for the SAC Conservation Objectives.

As a final point, it is also worth the Applicant noting that mussels do not only colonise hard substrates (as their additional information suggests) and that Blue Mussel beds on sediment specifically are considered to be of ‘Principal Importance’ for the purpose of maintaining and enhancing biodiversity in Wales, and as such, are designated under Section 7 of the Environment Wales (2016) Act.

In summary, it is NRW (A)’s advice that the baseline characterisation and HRA conclusions remain inadequately evidenced and supported. The overarching survey and assessment objectives should be to understand the changes in the SAC features / SPA supporting habitat during the 10 year period over which the disposal operations are expected to take place (and therefore the potential consequences of the works for both SAC and SPA features).

To meet this objective, changes in the benthic habitat should be considered both in terms of:

1. The extent and spatial variability in supporting habitat for benthic communities.
2. The quality/importance of supporting habitats as determined by:
 - The community composition of those communities with particular focus on primary bird prey species such as bivalves (e.g. *Cerastoderma edule* etc) polychaetes (e.g. *Hediste diversicolor*, *Nephtys* etc) and amphipods.
 - The biomass of prey species.
 - Location on the shore (low, mid and upper shore differentiation).
3. Likely recoverability of communities present according to MarESA (following physical substrate recovery) and consideration of whether the intervals in operations are likely to enable interim periods of recovery (and therefore supporting habitat provision).

Reporting needs to focus on spatial and temporal comparison of abundance and biomass of all taxa, with specific focus on those regarded as key bird prey species.

Whilst we welcome the Marine Licence conditions proposed to maintain the shore gradient, these conditions need to be taken further to ensure not only shore topography is maintained, but also shore height (inundation periods are maintained to ensure similar benthic communities are supported).

Whilst we appreciate further info been provided on the worst case depth of deposition in any given area, all of our previous advice still stands and this information needs to be fed in to an ecological assessment.

Physical Processes

Further information has been provided on the area over which sediment deposition would occur and the potential depth of smothering/siltation. However, the significance of the depths of disposal is dependant on the sensitivity of benthic receptors, so referring to the advice provided on benthic ecology, further evidence is required on the statement that *“Likely recoverability of communities present according to MarESA (following physical substrate recovery) and consideration of whether the intervals in operations are likely to enable interim periods of recovery (and therefore supporting habitat provision)”*.

We note the inclusion of the following bespoke conditions within the HRA:

“The Licence Holder must ensure that during the course of disposal, material is distributed evenly over [the disposal area].”

Additionally, to reduce the probability of any change to the gradient or slope of the beach affecting local wave behaviour thereby impacting the habitats features, the following condition would be added to any issued permit;

“The Licence Holder must ensure the area is returned to the original profile, or as close as reasonably practicable, following the completion of works.”

We welcome this mitigation, and advise that as outlined previously, further mitigation could include avoiding areas sensitive to benthic impacts/ surveying the intertidal to identify where sediment would be best placed to ensure dispersal was occurring as predicted and targeted around areas of erosion. **Until robust evidence is provided we maintain that we are unable to agree that there are no adverse effects on site integrity.**

Marine Water and Sediment Quality

We note that the Applicant has now clarified in the further information provided that dredging activities will not be taking place in the area for which we held concerns in relation to trace metals above AL1.

We therefore have no further concerns and are satisfied there will be no impacts for water quality.

We note the inclusion of a CEMP in documentation submitted by the Applicant which addresses our previous concerns.

We agree with the mitigation of dredging the area in 'a dry state' where sediment will not immediately be mobilised into the water column.

With regard to water quality, we agree with the conclusions of the HRA that there is no adverse effect on site integrity.

Signed: 

Date: 18/02/2026

Appropriate nature conservation body (ANCB) response to an internal HRA consultation

This form should be completed by the team or individual providing the ANCB advice to the competent authority team

TO: Jack Thomson, Marine Licensing Team
FROM: Adam Cooper , Marine Area Advice and Management Team
SUBJECT: Habitats Regulations Assessment of DML2562 Burry Port Dredge Disposal received on 27/05/2026.

Thank you for consulting the Marine Area Advice and Management Team on the above.
Our comments are as follows:

After review of the updated adaptive management plan received on 11/06/2026 we agree with the conclusion of the HRA that:
In light of the conclusions of an appropriate assessment it has been established that the plan or project will not adversely affect the integrity of any European sites, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans or projects.

Signed: Adam Cooper

Date: 12/06/2026