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Newport Neptune Project: Request for an Environmental Impact Assessment (EIA) Screening Opinion Under The Marine Works (EIA) Regulations 2007 (as amended)

Dear Sir or Madam,

On behalf of Associated British Ports (ABP), Port of Newport, I am writing to request an EIA Screening Opinion from Natural Resource Wales (NRW) under Regulation 11 of The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (herein 'the Marine Works EIA Regulations') in relation to a proposal to dismantle two structures at the Port of Newport.

In accordance with the requirements of the Marine Works EIA Regulations for a Schedule 2 project, we enclose a Site Location Plan (see Figure 1) and a description within this letter of:

- The site of the proposed works and the Marine Application Area that is sufficient to identify the aspects of the environment potentially affected by the redevelopment proposal;
- The characteristics of the proposal;
- Any potential effects from the proposed works which would be likely to significantly affect the environment (to the extent the information is available); and
- Measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

This letter sets out the legislative and environmental considerations of relevance to the proposals, to enable NRW to issue an EIA Screening Opinion. On the basis of available information, it is our opinion that the proposals do not comprise "EIA development" as defined in the Marine Works EIA Regulations on the basis that the proposals are not likely to result in significant effects on the environment.

Consultation will also be carried out with the Local Planning Authority (Newport City Council) and if required the content of this letter will also form the basis of a similar EIA Screening Opinion request to the Council under Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

1. The Site

The site is located on the west bank of the River Usk, adjacent to Alexandra Docks at the Port of Newport in south Wales, north of the Severn Estuary (see Figure 1).

The site overlaps the River Usk/Afon Wysg Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). Structure B is located 1.9 km upstream (in a straight line) from the Severn Estuary SAC, Special Protection Area (SPA) and Ramsar site.





Figure 1. Location of the proposed works

2. The Proposed Work Characteristics

ABP propose to remove two structures and supporting piles installed in the intertidal region of the River Usk, adjacent to Alexandra Docks, Newport:

- Berthing Jetty Structure No. 3 – 30 m x 19 m wide. The adjacent timber structure is 63 m in length x 15 m wide; and
- Structure B - 30 m x 30 m.

Works are expected to be completed from an area landward of the structures proposed for removal. However, the final works methodology has not yet been confirmed, and there remains potential that works may be undertaken from a barge operating from the seaward side.

Structure No. 3 is a suspended quay wharf consisting of a reinforced concrete deck with beams supported on a framework of reinforced concrete rectangular beams. The concrete framework is supported on precast concrete piles founded below the seabed (see Figure 2). There is also a framework of timber fendering projecting from the riverside face of the structure and this extends approximately 2 m into the river over the full height of the wharf. Adjacent to the north of Structure there is a large timber structure approximately 15 m wide and 63 m in length along the river (see Figure 3 and Figure 4).



Figure 2. Photograph of the southeast corner of Structure No. 3.



Figure 3. Photograph of front of Structure No. 3.

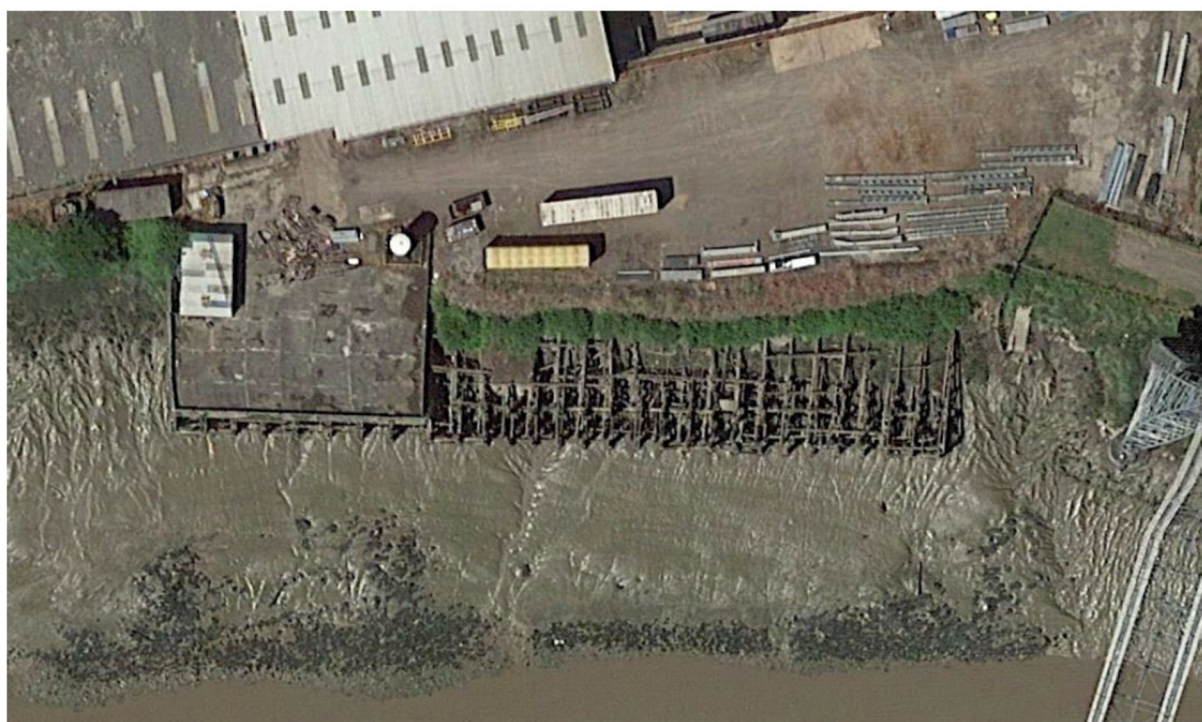


Figure 4. Aerial image of Structure No. 3.

Structure B is a multi-storey building on the West bank of the River Usk (Figure 5 and Figure 6). It consists of a suspended concrete deck slab supported on piles with a steel framed clad building. The structure extends for approximately 26 m in length along the riverbank, and is approximately 28 m in width. This building is currently situated adjacent to a steel framed industrial warehouse on the landward side; however, the warehouse is due to be demolished, under separate permissions, ahead of the proposed demolition of Structure B. The substructure consists of concrete piles encased with corrugated steel shuttering. The piles support reinforced concrete beams in a north-south orientation. The main suspended slab is made up of precast reinforced concrete planks spanning between the beams, with *in situ* reinforced concrete stitching between the planks and overlain with a concrete topping.



Figure 5. View of Structure B from the River Usk.



Figure 6. Aerial image of Structure B.

The superstructure is formed of a steel frame, and the roof is supported by steel trusses. The building envelope consists of roof and wall cladding with glass/plastic glazing panels. An asbestos management survey has identified the presence of asbestos in the workshop area of the building. Whilst not stated within the asbestos management survey report, asbestos may also be present in Structure B's roof sheeting. Internally, the building is separated into a full height open space to the river side with a mezzanine floor on the west side with internal blockwork walls.

Condition inspection surveys of both Structures No. 3 and B concluded that due to poor state of repair the structures should be repaired or removed as a matter of urgency.

The proposed works include the following activities:

Removal of main structures

Ahead of demolition, Structure No.3 and Structure B will be fully encapsulated through placement of scaffolding on their outer sides which will form a continuous physical barrier that contains falling materials, dust, and debris within the work area during demolition. This barrier will be formed through attachment of scaffold to either the deck or piles and will include debris netting to contain any materials that may fall during works. The removal of existing decks, topside structures and supporting beams of Structure No.3 and Structure B will be carried out entirely within the encapsulated area.

The component parts of Structure B will be broken up and removed by means of mechanical excavator or remotely operated demolition robot (a BROKK machine). The concrete deck will be cut, with lifting eyes chemically anchored into each piece to allow piece to be securely lifted out. The same process will be employed for Structure No. 3.

Removal of piles

Existing piles will be cut off just above seabed level at low tide using a long-reach excavator, positioned on land, and fitted with a hydraulic shear/cropper. Piles will be cut in controlled sections and secured by the excavator during cropping to prevent material falling into the river. A debris containment system (such as catch nets and/or floating booms) will be installed around the work area, and all arisings will be lifted directly to the bank for disposal. Piles will be reduced to as close to riverbed level as reasonably practicable without causing disturbance to the riverbed or pollution of the watercourse; the remainder of the pile will remain in place embedded into the seabed.

The preferred option is for works to be carried out using a landside-based crane and/or excavator adjacent to the structures, with all plant will be selected in accordance with structural limitations of the respective works areas. However, it may be necessary for some aspects of the works to be undertaken from the seaward side, using plant positioned on a jack-up barge. A barge may be required to remove the piles from site once cut.

It is not anticipated that works are required to the riverbank adjacent to the structures.

Timing of work

Construction is currently planned to start in early 2027, with an estimated works duration of 3-4 months.

ABP recognises the need to minimise potential impacts on sensitive receptors and is therefore collating existing environmental data and carrying out surveys to provide further understanding of the baseline conditions.

3. EIA Screening Opinion Request

The Marine Works EIA Regulations set out when a scheme would constitute an EIA development. If the proposed works fall into one of the categories of development identified in Schedule A1, then EIA is mandatory. If the proposed works fall into a category in Schedule A2, then EIA may be required depending upon the scale of the proposed works and the sensitivity of the site and its surroundings.

The proposal does not fall within any of the categories of development in Schedule A1 of the Marine Works EIA Regulations. Therefore, this proposal falls under Schedule A2. The relevant Sections of Schedule A2 are:

- 63. Construction of harbours and port installations including fishing harbours (unless included in Schedule A1), and*
- 89. Any change to or extension of development of a description listed in paragraphs 1 to 87 of this Schedule where that development is already authorised, executed or in the process of being executed.*

The determination of whether a Schedule A2 project may have effects on the environment which are likely to be significant is made with consideration to the following matters:

- The characteristics of the project;
- The location of the project; and
- The types and characteristics of the potential impact.

Appendix A of this letter further clarifies the considerations for this proposal and provides an assessment of the proposed works against the criteria listed above. On the basis of the screening assessment undertaken it is considered that the proposed works do not comprise "EIA development" as defined in the Marine Works EIA Regulations. The Marine Licence application will be accompanied by an Environmental Appraisal and supporting assessments including a shadow Habitats Regulations Assessment (HRA), a Water Framework Directive (WFD) Compliance Assessment and a Marine Plan Conformance Assessment.

4. Summary

Based on the identification and assessment of the potential impacts and subsequent effects of the proposals and taking into account the existing uses of the site, its scale and location, and design, it is not considered likely that the proposal will result in significant effects on the environment and as such it is not considered to qualify as an EIA development.

As a result of the location of the site and the nature of the proposals, a few sensitive receptors have been identified within the immediate vicinity which may be affected by the proposal. The risk to those identified within the screening information provided can be adequately assessed through appropriate technical studies and analysis as part of the marine licence process without the need for a full EIA.

We therefore request that NRW returns a Screening Opinion, in accordance with Regulation 11 of The Marine Works (EIA) Regulations 2007 (as amended), that the proposed works are not EIA development.

Yours sincerely
for ABPmer



Damien Kirby
Principal Consultant

Att: Appendix

Appendix A Assessment of Criteria to Determine Whether The Project is Likely to Have Significant Effects on the Environment

Item	Criteria	Response
	Development description	The proposed works consist of removal of two structures and supporting piles installed in the intertidal region of the River Usk, adjacent to Alexandra Docks, Newport.
	Is it Schedule A1 development?	The proposed works do not fall within any description of development set out within Schedule A1 of the Marine Works EIA Regulations.
	Is it Schedule A2 development?	The proposed works are considered to fall under Schedule A2.
	Is the development located in an Environmentally sensitive geographical area?	The proposed works overlap or are in close proximity to a number of designated sites: ▪ River Usk/Afon Wysg SSSI (overlaps); ▪ River Usk/Afon Wysg SAC (overlaps); ▪ Newport Wetland National Nature Reserve (2.1 km); ▪ Severn Estuary SAC, SPA and Ramsar (1.9 km); and ▪ Severn Estuary SSSI (1.8 km).
	Is a Screening Opinion required?	Activities listed in Annex II of the EIA Directive (2011/92/EU) and Schedule A2 of the Marine Works (Environmental Impact Assessment) Regulations 2007 require an EIA if they are likely to have significant effects on the environment. On this basis, the proposed works are required to be assessed under Schedule 1 in regard to the 'matters relevant to consideration of whether or not a Schedule A2 project is likely to have significant effects on the environment.'
Characteristics of the Project		
(a)	The size and design of the whole project	The proposed works involve the removal of two structures and supporting piles installed in the intertidal region of the River Usk, adjacent to Alexandra Docks, Newport. The two structures to be removed are: ▪ Berthing Jetty Structure No. 3 – 30 m x 19 m wide. The adjacent timber structure is 63 m in length x 15 m wide. ▪ Structure B - 30 m x 30 m. Structure N. 3 and Structure B are situated 135 m apart from one another, with locations shown in Figure 1.
(b)	Cumulation with other existing or approved projects	ABP is also progressing plans to demolish the terrestrial structures adjoining Structures 3 and B. However, it is expected that these works will be complete prior to commencement of marine works, so no potential for cumulative effects is anticipated. The proposed works occur within the River Usk, approximately 3.5 km upstream of the ABP Newport Maintenance Dredge boundary. Newport City Council have been granted a Marine Licence for refurbishment works to the Newport Transporter Bridge, spanning the River Usk, immediately adjacent (upstream) to

Item	Criteria	Response
		the proposed works. Refurbishment of the Newport Transporter Bridge will involve repairs, restoration and enhancement of the bridge infrastructure using temporary access platforms and scaffolding. However, it is noted that the latest Marine Licence issued for these works (CML2127v3) covers an extension of works timeframe from 31 March 2026 to 31 December 2026. As such, it is expected there will be no temporal overlap between these two projects. It is not considered that the above projects would be likely to result in significant adverse effects on the environment when combined with the proposed works. We are not aware of any other developments in the immediate vicinity of the proposed works that would give rise to potential cumulative impacts.
(c)	The use of natural resources, in particular land, soil, water and biodiversity	The proposed works will not involve the use of natural resources other than fuel for works plant.
(d)	The production of waste	Operational waste produced as part of the proposed works will be limited to the structural materials of Structure No. 3 and Structure B. The waste hierarchy will be followed for disposal of these following removal.
(e)	Pollution and nuisances	Potential for pollution and nuisances from the proposed works is primarily related to noise and vibration, air pollution from exhaust fumes, and potential chemical contamination should there be spillages from works plant, or should historical contamination be disturbed by removal works. It is proposed that these risks will be managed through adherence with appropriate mitigation measures such as a Construction Environmental Management Plan (CEMP) or a Marine Pollution Contingency Plan (MPCP).
(f)	The risk of major accidents or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge; and	By the nature of harbour deconstruction projects, which are subject to adherence to relevant health and safety requirements including consideration of navigational risk, mitigation measures and best practices will be implemented and therefore potential likely significant effects are not anticipated.
(g)	The risks to human health (for example due to water contamination or air pollution).	During the works, there is the potential for the surrounding environment and coastal waters to be impacted by accidental pollution as result of a spillage or leak. Mitigation measures and best practices will be implemented and therefore the risk of pollution is low and potential likely significant effects are not anticipated.
Location of Development		
(a)	The existing and approved land use	There is limited use of channel, primarily for recreational navigation.
(b)	The relative abundance, availability, quality and regenerative capacity of	Soil and Land – Land take for the works is not required. Indeed, removal of these structures is likely to constitute

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	natural resources (including soil, land, water and biodiversity) in the area and below ground in that area;	either an increase in spatial extent, or an improvement in condition, of the underlying mudflat habitat. Water – The proposed works are located within the Usk Transitional Water Body which has Moderate ecological status. The proposed works are also located approximately 3.0 km away from the Severn Lower Transitional Water Body which also has moderate ecological status. The project does not involve the use of freshwater resources. Biodiversity – The potential implications of the proposed works for the natural environment and biodiversity have been outlined below. In summary, no significant adverse effects are anticipated.
(c)	The absorption capacity of the natural environment, paying particular attention to the following areas: - Wetlands, riparian areas, river mouths; - Coastal zones and the marine environment; - Mountain and forest areas; - Nature reserves and parks; - Areas classified or protected under national legislation, Natura 2000 areas designated or classified by member States pursuant to the Habitats Directive or the Wild Birds Directive; - Areas in which there has already been a failure to meet the environmental quality standards laid down in EU legislation as it applied in the United Kingdom immediately prior to exit day, or in retained EU law and relevant to the project, or in which it is considered that	The Port receives freshwater inflow from the River Usk. The River Usk flows into the Severn Estuary at Newport. The proposed works overlap or are in close proximity to a number of designated sites: ▪ River Usk/ Afon Wysg SSSI (overlaps); ▪ River Usk/Afon Wysg SAC (overlaps); ▪ Newport Wetland National Nature Reserve (2.1 km); ▪ Severn Estuary SAC, SPA and Ramsar (1.9 km); and ▪ Severn Estuary SSSI (1.8 km). The River Usk SSSI covers an area of 307.7 ha. The River Usk comprises a large, linear ecosystem which acts as an important wildlife corridor, an essential migration route and key breeding area for many nationally and internationally important species. The River Usk/ Afon Wysg SAC protects a diverse range of habitats, including estuaries, mudflats, sandflats and saltmarsh, as well as a number of species including Atlantic salmon, Sea lamprey, River lamprey and Otters. The Newport Wetlands National Nature Reserve is part of the Gwent Levels and is made up of a diverse range of low-lying habitats, including wet grassland, reedbeds, saltmarsh and saline lagoons. The Severn Estuary SAC is designated for its Annex I habitats, including Estuaries, Mudflats and sandflats not covered by seawater at low tide, Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>), Sandbanks which are slightly covered by sea water all the time and Reefs. It is also designated for its Annex II species present which includes Sea lamprey (<i>Petromyzon marinus</i>), River lamprey (<i>Lampetra fluviatilis</i>) and Twaite shad (<i>Alosa fallax</i>). The Severn Estuary qualified under Article 4.1 of the Birds Directive as it supports internationally important wintering birds populations, including Bewick's Swan (<i>Cygnus</i>

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	there is such a failure; vii. Densely populated areas; and viii. Landscapes and sites of historical, cultural or archaeological significance.	<i>columbianus bewickii</i>) European white-fronted goose (<i>Anser albifrons</i>), Shelduck (<i>Tadorna tadorna</i>), Gadwall (<i>Anas strepera</i>), Dunlin (<i>Calidris alpina</i>) and Redshank (<i>Tringa tetanus</i>). The area is crucial for both breeding and wintering birds, providing essential feeding and roosting sites. The Severn Estuary Ramsar site covers an area of almost 17,000 ha of wetland. The site's qualifying interest features overlap with those of the Severn Estuary SPA and SAC. The site is of particular importance for hosting internationally important populations of several species of waterbirds as well as its fish species migrating between the sea and rivers via the Estuary. The Severn Estuary SSSI covers an area of approximately 15,000 ha of foreshore and intertidal habitat. The site is not located near any mountain and forest areas.
Types and Characteristics of Potential Impact		
(a)	The magnitude and spatial extent of the impact (for example the geographical area and the size of the population likely to be affected)	The area occupied by the two structures is as follows: ▪ Berthing Jetty Structure No. 3 – 30 m x 19 m wide. The adjacent timber structure is 63 m in length x 15 m wide. ▪ Structure B - 30 m x 30 m. It is anticipated that works will be carried out from the landward side, within the footprint of the presently adjoining terrestrial structures, which are to be demolished ahead of the works proposed within the current application, and subject to a separate planning application. However, it may be necessary for some aspects of the works to be undertaken from the seaward side, using plant positioned on a jack-up barge. Works will not take place below the water level, i.e. above water structures will be removed initially, and components routinely submerged by tidal marine waters will be removed at low tide when they are fully exposed. This will avoid risk of impacts associated with sediment plumes, or from sub surface acoustic emissions. There remains potential for disturbance to benthic habitats, but this will be limited to the immediate works footprint. There may also be localised risk of disturbance to ornithological receptors from above water noise. The potential impacts of the proposed works on the natural environment and biodiversity are also likely to be of low magnitude and limited to the area within the immediate vicinity of proposed works. Receptors are limited in terms of human receptors. The jetty is not accessible by the public. The wider area is used for recreation by members of the public, with footpaths providing access to the surrounding areas.

Item	Criteria	Response
(b)	The nature of the impact	Physical Processes The proposed works will involve the removal of existing open-piled structures. This may lead to changes in flow of adjacent waters, and in associated sediment transport. However, given that removal will adjust the bank profile to align with that of adjacent areas along the River Usk, any associated changes are expected to be minor, and would be considered a shift back towards a historical baseline. Therefore, the proposed works are not anticipated to cause significant adverse impacts on any physical processes in the vicinity of the structures or in the surrounding environment. Water and Sediment Quality There is the potential for the surrounding environment and coastal waters to be impacted by accidental pollution as result of a spillage or leak. Mitigation measures and best practices will, however, be implemented and therefore potentially significant effects are not anticipated. Pile removal may result in small and very localised disturbance of the sediment, this may cause a temporary increase in turbidity in the immediate surrounding waters but there will be no long term impact on water quality. Therefore, significant effects are not anticipated. Nature Conservation The proposed works overlap or are in close proximity to a number of designated sites: ▪ River Usk/Afon Wysg SSSI (overlaps); ▪ River Usk/Afon Wysg SAC (overlaps); ▪ Newport Wetland National Nature Reserve (2.1 km); ▪ Severn Estuary SAC, SPA and Ramsar (1.9 km); and ▪ Severn Estuary SSSI (1.8 km). Given the scale and nature of the proposed works any effects will be temporary and localised within the immediate vicinity of the works. It is unlikely that the proposed works will have any significant adverse impacts on features of the nature conservation sites. Potential impacts on features of these sites are considered below. Ecology The proposed works have the potential to impact migratory fish through underwater noise and vibration and disturb birds through airborne noise and vibration. However, given that vibrational pile removal will be carried out at low tide, this is expected to pose minimal risk of disturbance to fish migration. Further mitigation to avoid and minimise impacts will be discussed with NRW and applied as appropriate to avoid significant adverse impacts on ecology features.

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		Airborne Noise and Vibration There is the potential for increased noise during the structure removal works. However, given that these will occur adjacent to Newport Port, the proposed works are not anticipated to generate significant airborne noise and vibration effects above baseline levels for the area. Landscape and Seascape The proposed works will return the riverbank wall towards a historical baseline and align the visual characteristics with that of the adjacent areas. As such, it is considered that any changes to landscape and seascape will be beneficial. Cultural Heritage / Archaeology The proposed works involve removal of pre-existing structures. It is therefore considered unlikely that any cultural heritage or archaeological relics will be present. Potential for adverse effects will be limited to the immediate project footprint, and any features in this area would have been identified during installation works. Further to this, it should be noted that the removal of these structures may potentially have a net positive effect on the setting of the Transporter Bridge, a Grade 1 Listed Building. It is therefore unlikely that the proposed works will have any will have any significant adverse impacts on marine archaeology or cultural heritage. Navigation and Other Sea Users Given the highly temporary nature of any works, the small footprint of activity and the acknowledgement that any works would adhere to best practice procedures to minimise any navigational risk, there is minimal potential for adverse impacts to navigation and other sea users.
(c)	The transboundary nature of the impact	Due to its scale and location, there would be no transboundary impacts associated with the proposed works.
(d)	The intensity and complexity of the impact	The intensity and complexity of the impacts of the proposed works are considered to be low given the scope and scale of the works.
(e)	The probability of the impact	The probability of any adverse impact is low.
(f)	The expected onset, duration, frequency and reversibility of the impact	As outlined above, the impacts are not anticipated to be significantly adverse.
(g)	The cumulation of the impact with the impact of other existing or approved projects	The proposed works are not expected to result in any significant cumulative impacts.
(h)	The possibility of effectively reducing the impact	The mitigation and enhancement measures that will be included as part of the development proposals will minimise the potential for any adverse effects.