

Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

Adoption of Screening Opinion under Regulation 5

Works for the creation of beach café, terrace, play area and car parking, 224 static caravan pitches, new coastal defences and demolition of 56 existing chalet apartments.

1. Introduction

Gwynedd Council as Local Planning Authority has received a request for a formal screening opinion in respect of the development described above.

2. Need for environmental impact assessment.

(i) SCHEDULE 1 - DESCRIPTIONS OF DEVELOPMENT FOR THE PURPOSES OF THE DEFINITION OF “SCHEDULE 1 DEVELOPMENT”

The local planning authority considers that the proposed development does not fall within the descriptions of development set out in Schedule 1. Therefore, the submission of an environmental statement is not a statutory requirement.

(ii) SCHEDULE 2 - DESCRIPTIONS OF DEVELOPMENT AND APPLICABLE THRESHOLDS AND CRITERIA FOR THE PURPOSES OF THE DEFINITION OF “SCHEDULE 2 DEVELOPMENT”

Description of development

Paragraph 10.

(m) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.

Threshold; “*All development*”.

Paragraph A29 of the Welsh Office Circular 11/99 states that “*The impact of such works will depend largely on the nature of the particular site and the likely wider impacts on natural coastal processes outside of the site. EIA will be more likely where the area of the works would exceed one hectare*”

Paragraph 12

(c) Holiday villages and hotel complexes outside urban areas and associated developments

Threshold “The area of the development exceeds 0.5 hectare”

Paragraph A33 of the Welsh Office Circular 11/99 states that “*In assessing the significance of tourism development, visual impacts, impacts on ecosystems and traffic generation will be key considerations. The effects of new theme parks are more likely to be significant if it is expected that they will generate more than 250,000 visitors per year. EIA is likely to be required for major new tourism and leisure developments which require a site of more than 10 hectares. In particular, EIA is more likely to be required for holiday villages or hotel complexes with more than 300 bed spaces, or for permanent camp sites or caravan sites with more than 200 pitches.*”

The following statutory and non-statutory environmental designations & landscape constraints are within the vicinity of the site:

- (a) Pen Llyn a'r Sarnau SAC is located within part of the site in particular where the proposed coastal defence work is proposed.
- (b) Glanllynau a Glannau Penychain i Gricieth SSSI is located within part of the site in particular where the proposed coastal defence work is proposed.
- (c) Public Right of Way path No 37 Llannor runs within the site. This path also forms part of the Wales Coastal Path.
- (d) TAN 15 Flood Advice Maps – The coastal defence works are located within a C2 flood zone.
- (e) Butlins 2 Candidate Wildlife Site is located within the site. The broad habitat of this area consists of standing water, broadleaved woodland and coniferous woodland.

Development Proposals

The site comprises 60.46 ha. The proposed development will comprise a number of development parcels within the area of the Holiday Park to the south-east of the railway line and includes part of the beach to the south east. The development has been divided into a number of individual areas of development and includes:-

Parcel A – Old Stables – Proposed conversion of old stables into an area to accommodate up to 13 static caravan pitches.

Parcel B – Lakeside West – Proposal to site up to 27 static caravan pitches with the potential for a limited number (up to 3) to be situated on the lake as 'lakehouses'.

Parcel C – Secondary Sales Area – Proposal to site up to 8 static caravan pitches in this area.

Parcel D – Old Chalet Site – It is proposed to demolish the four apartment blocks (56 apartments / 272 guest spaces) and to create an area of parking with associated landscaping.

Parcel E – Boating Lake Site – Proposal to develop up to 24 new static caravan pitches.

Parcel F – Beachside Site – Proposal to develop up to 15 new static caravan pitches.

Parcel G – East of existing sewage treatment plant – Proposal to site up to 90 static caravan bases.

Parcel H – Site of existing sewage treatment plant – Proposal to erect a new beach café with terrace, a play area and car park.

Parcel I – Site north of existing sewage treatment plant – It is proposed to develop this area for 47 new static pitches.

Parcel J – Coastal defences – The proposed development comprises works to a 320m stretch of coastline including 'fish-tail' shaped rock-armour breakwaters and intervening areas of sand / gravel beach recharge.

Request for a screening opinion

The request for a screening opinion is supported by a Screening Report that identifies the main planning issues including the landscape and environmental impact of the development proposals.

In accordance with Regulation 6 of the 2017 (Wales) EIA, Gwynedd council as Local Planning Authority is satisfied that the information submitted with the request for a screening opinion, in relation to an application for planning permission as described above, satisfies the following criteria; —

- (a) a plan sufficient to identify the land;
- (b) a description of the development, including in particular—
- (i) a description of the physical characteristics of the development and, where relevant, of demolition works;
 - (ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- (c) a description of the aspects of the environment likely to be significantly affected by the development;
- (d) a description of any likely significant effects, to the extent of the information available on those effects, of the proposed development on the environment resulting from—
- (i) the expected residues and emissions and the production of waste, where relevant; and
 - (ii) the use of natural resources, in particular soil, land, water and biodiversity; and
- (e) such other information or representations as the person making the request may wish to provide or make including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.
- (4) The person making the request for the screening opinion must, when that person provides the information required by paragraphs (2) or (3) of Regulation 6, take into account the criteria in Schedule 3 of the EIA Regulations and the available results of other environmental assessments carried out pursuant to Union legislation other than under the Directive.

Schedule 3 sets out selection criteria that may be used to determine whether a project that meets or exceeds the applicable threshold in Schedule 2 requires an EIA –

(iii) SCHEDULE. 3 - SELECTION CRITERIA FOR SCREENING SCHEDULE 2 DEVELOPMENT

1.Characteristics of development; <i>Must be considered having regard, in particular to -</i>		
a)	The size and design of the development;	Large – • The proposed site is approximately 60.46 ha in total although only pockets of development are proposed within the site in its entirety. • The siting of the additional static caravans along with the beach café is mainly proposed within the extent of the existing holiday park or where there is extant planning permission for additional units. • The proposed coastal defence works will alter the appearance of the coastline and is located within a sensitive area in ecological terms.
b)	The cumulative impact with other existing development and/or approved development;	Low – The majority of the site is already used as a holiday park. There are no other similar developments in the immediate locality.
c)	Use of natural resources in particular land, soil, water and biodiversity;	Moderate– • The coastal defence work will include the importation of 18,000m³ of sand, gravel and rock armour
d)	Production of waste;	Moderate – • It is considered that the main waste associated

		with the proposal would be at construction stage rather than at operational stage.
e)	Pollution and nuisances;	Moderate – • Effects of noise, dust, transport & exhaust emissions during the duration of the construction period • Potential contamination in watercourses as a result of accidental plant spillage during construction phases • Levels of contaminants in water from the introduction of construction material into the marine environment
f)	Risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;	Moderate - • The coastal defence work is situated within a C2 Zone in the Development Advice Maps of TAN 15 (Development and Flood RISK). The coastal defence work will create changes to the coastal waterbody during the operational phase. Flood consequences assessment required in accordance with TAN 15 & NRW requirements.
g)	The risks to human health (for example due to water contamination or air pollution).	Moderate - • Effects of noise, dust, transport & exhaust emissions during the duration of the construction period • Potential contamination in watercourses as a result of accidental plant spillage during construction phases • Levels of contaminants in water from the introduction of construction material into the marine environment

2. Location of development;

The environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard, in particular to -

a)	The existing approved land use;	• The majority of the site is used as part of the Hafan y Mor Holiday Park while the remainder of the site would be considered to be agricultural fields.
b)	The relevant abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;	• Some regenerative capacity
c)	The absorption capacity of the natural environment, paying particular attention to the following areas -	

	i. wetlands, riparian areas, river mouths;	N/A
	ii. coastal zones and other marine environment;	Significant- • The creation of the coastal defence work with the creation of new groins will have an impact on coastal processes. • The coastal defence work would impact on the levels of contaminants in the water from the introduction of construction material into the marine environment. • The proposed static caravan development on Parcel G along with the coastal / beach works would result in the loss of approximately 3.6ha of neutral grassland (lowland meadow) which is assessed as County value habitat of key significance to sustain and improve biodiversity in relation to Wales. Based on current proposals this would represent a significant loss at a County level.
	iii. mountain and forest areas;	N/A
	iv. nature reserves and parks;	N/A
	v. European sites and other areas classified or protected under national legislation;	Significant – • The proposal for the coastal defence works with the creation of groynes and the importation of 18,000m³ of sand, gravel and rock armour has the potential to have a significant effect on European sites specifically the Pen Llyn a'r Sarnau SAC.
	vi. areas in which there has already been a failure to meet the environmental quality standards laid down in Union legislation and relevant to the project, or in which it is considered there is such a failure;	N/A
	vii. densely populated areas;	Moderate – • No densely populated areas directly affected by the proposal. • The public has access along the Wales Coastal Path located within part of the site.
	viii. landscapes and sites of historical, cultural or archaeological significance.	N/A

3. Types and characteristics of the potential impact

The likely significant effects of the development on the environment must be considered in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the development on the factors specified in regulation 4(2), taking into account -

a)	The magnitude and special extent	• There isn't a high density of population in the
----	----------------------------------	---

	of the impact (for example geographical area and size of the population likely to be affected);	immediate surrounding area. • Increase in the number of tourist population using the holiday park due to increase in accommodation units. • The public has access along the Wales Coastal Path located within part of the site. The site is visible from the Coastal Path but mitigation measures are proposed to reduce the visual impact of the proposal. • Effects of noise, dust, transport & exhaust emissions during the duration of the construction period. • Potential contamination in watercourses as a result of accidental plant spillage during construction phases. • Levels of contaminants in water from the introduction of construction material into the marine environment. • Effect on coastal processes. • Impact on European designated sites due to the creation of the coastal defences and the importation of materials for construction of the coastal defence work.
b)	The nature of the impact	• Impact on coastal processes. • Impact on European designated sites due to creation of coastal defences and the importation of materials for construction of the coastal defence work. • Loss of approximately 3.6ha of neutral grassland (lowland meadow) which is assessed as County value habitat of key significance to sustain and improve biodiversity in relation to Wales. • Short-term impacts of residues and emissions during the construction phase. • Short-term impacts of traffic and transport impacts during the construction phase, • Impact of the development on landscape and seascape both short term during construction phase and long term.
c)	The transboundary nature of the impact;	Significant - • The screening report considers the potential impacts of the development on the extended environmental community. Development will effect the European designated site in particular the Pen Llyn a'r Sarnau SAC.
d)	The intensity and complexity of the impact	Large and complex • The coastal defence works will involve changes to coastal processes and have an impact on European designated sites.

e)	The probability of the impact	• Long term due to changes in coastal processes.
f)	The expected onset, duration, frequency and reversibility of the impact;	• The coastal defence works would not be reversible as once the work has been undertaken the coastal processes would already have changed along with the impact on the designated site. • Possible to reverse some of the impact of the land based scheme – additional static caravans and beach café.
g)	The cumulation of the impact with the impact of other existing and/or approved development;	None identified
h)	The possibility of effectively reducing the impact.	• An appropriate scheme of mitigation can be the subject of planning conditions to control the mitigations put forward such as landscaping and ecology

3. Conclusion.

This development is screened having regard to the EIA (Wales) Regs. 2017. An assessment of the likely impact of the development proposals on the environment using the criteria in Schedule 3 is set out above.

The direct and indirect significant effects of the proposed development have been considered in respect of –

Population and human health;

The development would increase the potential number of tourist population using the holiday park due to an increase in the number of accommodation units. The area surrounding the site does not consist of a densely populated area. There is potential impact of noise, dust, transport & exhaust emissions during the duration of the construction period. Also there is a risk of potential contamination in watercourses as a result of accidental plant spillage during construction phases. There is also the potential to have contaminants in the water from the introduction of construction material into the marine environment. However, overall the proposal is not considered significant in terms of environmental impact on the human health, both physical & mental, of the surrounding population.

Biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(1) and Directive 2009/147/EC(2);

- Field surveys and desk-based assessments are being undertaken by a qualified ecologist to understand any potential ecological impact that may arise from the proposed development projects. Both terrestrial and marine ecology are being assessed.
- The screening report considers the potential impacts of the development on the qualifying features of the SSSI and SAC but also the extended environmental community including the impacts on undesignated features.
- The coastal defence work in particular will have significant wider implications for the coastal and marine SSSI / SAC due to changes in coastal processes and the importation of sand, gravel and rock armour into the site to construct the coastal defence.
- The Council's Biodiversity Unit have specified that they have serious concerns about the building of new groynes and the importation of 18,000m³ of sand, gravel and rock armour and this has potential to have a significant effect on European sites (specifically, the Pen

Llyn a'r Sarnau Special Area of Conservation). The development could have impact on the following features of the European site:-

- Reefs, particularly biogenic reefs of *Sabellaria alveolata* which are found nearby
 - Large shallow inlets and bays
 - Mudflats and sandflats not covered by seawater at low tide
 - Otter
- The Council's Flood and Coastal Erosion Risk Management Unit have confirmed that the proposed coastal defences are likely to have an effect on coastal processes outside of the site as there is an intention to trap sediments outside of their natural cycle.

Land, soil, water, air and climate;

- Planning permission exists for a new Sewage Treatment Plant and this has the capacity to serve the additional accommodation that forms part of the development.
- Foul and surface water systems have totally separate systems within the park and as such foul sewage will not be allowed to enter the surface water which discharges ultimately to adjacent water courses and to the sea.
- It is proposed to utilise a sustainable system of discharging surface water for parcels G and I which comprise the main proposed caravan extensions.

Material assets, cultural heritage and the landscape;

- The site is visible from the coastal path that runs through part of the site. It is proposed to mitigate the land based developments (additional static caravans and beach café) with additional screen planting. Some of these developments will also be viewed against the backdrop of the existing holiday park. The coastal defence work which includes the creation of rock groynes and areas of sand and gravel will create a localised change in the form of the landscape but materials used will be similar to the surrounding area. The development will not give rise to a significant landscape and visual impact.

Having taken into account the selection criteria in schedule 3 to the EIA (Wales) Regs. 2017 (as shown above) and the advice in Welsh Office Circular 11/99, the Local Planning Authority takes the view that the proposed development is not a major development of more than local significance. However part of the site that involves the coastal defence work is located in an environmentally sensitive area being a SAC and SSSI and the complexity of this element of the development needs to be fully assessed with particular regard to its impact on coastal processes and the designated sites. Based on the information submitted and that surveys and assessments are still being carried out, the Authority cannot be satisfied that the impacts are not significant.

For the reasons above, it is considered that the proposed development is likely to have significant effects on the environment and the submission of an environmental impact assessment will be required.

This screening opinion has considered the interaction between the factors listed above and concludes that the likely impact of the development on the environment requires the submission of an environmental statement.



Keira Sweeney
Arweinydd Tim Rheolaeth Datblygu /
Development Management Team Leader

22 November 2018



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-72535-F3L5
Eich cyf/Your ref: C18/1060/40/SO

Maes y Ffynnon
Penrhosgarnedd
Bangor
LL57 2DW

Ebost/Email: NorthPlanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: (0300) 065 3786

Swyddog Cynllunio / Planning Officer
Adran Cynllunio / Planning Department
Cyngor Gwynedd Council
Ffordd y Cob
Pwllheli
LL53 5AA

Dyddiad/Date: 21st December 2018

Annwyl/Dear Sir/Madam,

**Barn sgopio
Scoping opinion
Hafan y Mor Holiday Park, Pwllheli, LL53 6HX**

Thank you for consulting us on the above Scoping Opinion, which we received on the 27th November 2018. NRW has reviewed the information provided in the Bourne Leisure Ltd. "Hafan y Mor Holiday Park '2030 Vision Masterplan: Scoping Report for Environmental Impact Assessment with Screening for Habitat Regulations Appraisal, October 2018, ABPMer".

Please note that our comments are without prejudice to any comments we may wish to make when consulted on any subsequent planning applications or on the submission of a more detailed scoping report, or the full Environmental Statement. At the time of any planning application there may be new information available which we will need to take into account in making a formal response.

These comments include those matters NRW consider will need to be taken into consideration and applied to the Environment Impact Assessment (EIA) and the resulting Environmental Statement (ES):

Physical and Coastal Processes

Given the scale of the coastal defence works proposed and their proximity to protected sites (Pen Llyn a'r Sarnau / Llyn Peninsula and the Sarnau Special Area of Conservation (SAC) and Glanllynau a Glannau Pen-ychain i Gricieth Site of Special Scientific Interest (SSSI)), it is evident there is the potential for significant changes and potential impacts to the coastal and marine environment.

Summary

To summarise, from a coastal and physical processes perspective we consider that there are potential impacts on/regarding:

- * Littoral drift.
- * Coastal squeeze.
- * Morphological change of the foreshore.

- * Ongoing maintenance of the proposed scheme in terms of beach recycling and recharge.
 - * Changes to hydrodynamics.
 - * Direct footprint impacts.
 - * Sediment characteristics of imported material (rock, shingle and sand). Information will need to be presented on grain size, mineralogy, colour, angularity.
 - * The impacts of ground preparation works on underlying geology and the geological features of the Glanllynau a Glannau Pen-ychain i Gricieth SSSI
 - * Sediment taken from the foreshore and used in construction
 - * Climate change, sea level rise scenarios and understanding the design lifetime of the scheme.
- We advise that these issues are fully considered within any EIA undertaken.

The coastal defence aspect of the proposed scheme appears to be very large for the scale of risk and as such we would recommend a full options appraisal is presented within any Environmental Impact Assessment (EIA) produced.

Shoreline Management Plan

The project goes against the policy unit 12.25 in the Shoreline Management Plan of 'No Active Intervention' for Pen y Chain East. Although a plan level Habitats Regulations Assessment (HRA) was undertaken for the Shoreline Management Plan, as the proposed scheme goes against the assessed policy, as it stands, a separate project specific HRA assessment of impacts such as coastal squeeze will need to be undertaken.

NRW recommend the applicant applies to the Cardigan Bay Coastal Group for a change of policy from 'No Active Intervention' to 'Hold the Line'. A change in policy is likely to affect policy unit 12.24 Afon Wen to the East which is assigned 'Managed Realignment' in the second epoch and is currently protecting the railway line; we advise that this also may need to be changed to 'Hold the Line'.

Littoral Drift

Current thinking is that littoral drift occurs from west to east in the vicinity of the proposed development area. If the coastal defence aspects of the proposed scheme are implemented it is anticipated that significant changes to hydrodynamics and the down drift sediment supply will occur. It is good to see that this impact has been identified in section 4.2.2 of the EIA Scoping Report and will be subject to further assessment. We advise that particular attention should be given to the infrastructure to the east of the proposed development area and any likely accelerated erosion of the Glanllynau a Glannau Pen-y chain i Gricieth SSSI.

Footprint of works

It is understood that the coastal defence aspect of the proposed scheme is 320m in length, however, it is unclear from the EIA Scoping Report how far the landward retreat is expected to occur. We advise that sediments which are removed from the back of the system should remain within the marine system if they are of marine origin and not used for construction or landscaping on site. We recommend that any potential for landward retreat should be assessed in relation to the Pen Llyn a'r Sarnau SAC and Glanllynau a Glannau Pen-ychain i Gricieth SSSI in terms of direct habitat loss.

Sediment recharge

We question the requirement of the importation of 18,000m³ of sediment quoted in section 2.3.4 of the EIA Scoping Report as this seems to be a relatively small amount given the large scale of the works. We advise that the applicant will need to provide further information on the future recycling

and management of sediments. In addition, we also question what seems to be a short construction window (6 months) for the coastal defence aspects of the proposed scheme, especially given that the works are to be undertaken over winter where delays due to adverse weather conditions could be likely.

Baseline data

Section 4.2.3 of the EIA Scoping Report states that there is no expectation that further field survey work will be needed and that there is sufficient available information for hydrodynamic model development, verification and interpretative analysis. We advise that although we do not necessarily disagree with this statement, we would need to see the data described before commenting fully on its suitability; in particular,

- * Bathymetry extent
- * Sediment sample locations
- * Wave data for validation
- * Tide data and how Barmouth relates to Hafan y Môr
- * Details of ground investigation data undertaken to date.

For the purposes of climate change data use we request clarification regarding whether the applicant intends to use UKCP18 for climate change scenarios.

Work required for further assessment

We advise that further detail is required on how the applicant intends to assess anticipated changes to hydrogeomorphology.

Water and Sediment Quality

Water Framework Directive (WFD)

NRW confirm that the developer will need to conduct a WFD compliance assessment (See Section 4.3.3 of EIA Scoping Report) and that the evidence gathered during the EIA process will need to be used to inform the WFD compliance assessment process.

The activities that have the potential to affect the Tremadog coastal water body and which may lead to modification of the Tremadog coastal water body should be assessed against the WFD's environmental objectives to determine whether they have the potential to prevent these objectives from being met which includes whether they may cause deterioration.

The proposed coastal defence works comprise construction of 5 fish tail groynes which extend 20m below Mean High Water Springs (MHWS) and artificial beach nourishment to create pocket beaches along a 320m section of coastline fronting Hafan y Môr caravan park. Impacts to the WFD ecological and chemical status which could impact on the overall water body status may be caused by the following activities:

- * Sediment disturbance and potential release of contaminants during the construction phase of the groynes.
- * A permanent loss of intertidal habitat and species under the footprint of the groynes.
- * Alteration to hydrodynamics and obstruction to natural sediment transport pathways in the locality of the groynes and the presence of which may lead to alteration of the coastal plan form up and down drift of the Hafan y Môr site all of which could cause a non-temporary alteration to the hydromorphology status of the Tremadoc coastal water body.

Consideration therefore needs to be given to whether any hydromorphological alterations brought about by the project will potentially impact upon the biological quality elements and may cause deterioration in status.

Tremadog coastal water body GB651009350000 (www.waterwatchwales) is currently at 'Good' overall status, 'Good' ecological status and 'Good' chemical status. The driving ecological quality element is 'Alien Species'. The Tremadog Bay coastal water body lies within the Pen Llyn a'r Sarnau/Lleyn Peninsula and the Sarnau SAC. Under WFD if the activity is in or within 2km of any WFD protected area boundary, each identified area should be included in the detailed assessment.

Pollution Prevention

We agree with section 4.3.3 of the EIA Scoping Report in that the applicant will need to consider measures and best practices that will need to be adopted to minimise the risk of pollution incidents occurring as a result of the works. We advise that this information should also be presented in the proposed Construction Environmental Management Plan.

Ecology and Nature Conservation

Protected Sites

The EIA Scoping Report has identified the two main designated sites likely to be impacted by the proposed development, these being the Pen Llyn a'r Sarnau / Lleyn Peninsula and the Sarnau SAC and the Glanllynau a Glannau Pen-ychain i Gricieth SSSI. Any EIA produced will need to fully consider impacts to the habitat, species and geological features of these designated sites. In addition to the impact pathways identified in the Ecology and Nature Conservation section of the EIA Scoping Report, the EIA should also consider the impacts listed under the 'summary' section of the coastal and physical processes section of this letter in the context of protected sites.

As the proposal is partly located within the SAC we advise that your Authority will need to consider the proposed scheme under the provisions of Regulation 63 of the Conservation of Habitats and Species Regulations in due course in the form of a Habitats Regulations Assessment (HRA). We advise that the EIA Scoping Report should contain information to help inform the HRA in the form of a stand-alone chapter or appendix (see section 1.2.2 of the EIA Scoping Report).

Section 4.4.2 of the EIA Scoping Report states that the applicant will follow biosecurity planning guidance for Wales, reducing the risk of the introduction of non-native species to the site. Invasive non-native species have subsequently been scoped out of the EIA. We recommend however, given the large scale of the proposed development and its proximity to protected sites, that the developer should undertake a biosecurity risk assessment to reduce the risk of the introduction of invasive non-native species to the local area. This risk assessment should be included within the proposed Construction Environmental Management Plan (see page 27).

Protected Species

The ecology and nature conservation section of the EIA Scoping Report - Hafan y Môr Holiday Park '2030 Vision' Masterplan (ABPmer, October 2018) is generally acceptable from a protected species perspective. It has identified further assessment/mitigation required for the following protected species: otter, bats, reptiles and barn owls. It has also identified the need for cumulative effects and in-combination assessments of other plans/projects that could impact these protected species.

We do have a concern about the loss of part of the woodland at Parcel B. This area was assessed and approved as part of planning application C18/0618/40/LL. However, no tree loss was identified as part of the submitted ecology report at the time, and therefore, the mitigation proposed was approved based on this information. This area will now need to be reassessed as part of the in-combination assessment.

Flood Risk

The Shoreline Management Plan policy is for 'no active intervention' for this stretch of the coastline. However as noted on page 8 of The Hafan y Môr Holiday Park '2030 Vision' Masterplan this policy does not necessarily preclude local private management of defences subject to normal approvals. Ordinarily we favour any coastal defence scheme which provides betterment in terms of flood risk providing any perceived detrimental impacts can be mitigated. The proposal involves landward re-alignment of the foreshore and the installation of groynes which can interfere with long shore drift. As such there could be an impact on erosion rates on adjacent areas of the coast. We therefore suggest that a Flood Consequences Assessment (FCA) is undertaken to ensure the works do not have a negative impact on the existing flood regime or on the erosion rates of any adjacent areas including the railway line and the defences to the east of the Hafan y Mor site.

Appendix A of the Hafan y Môr Holiday Park '2030 Vision' Masterplan shows the 2030 Vision Masterplan Map and indicates the possibility of culverting over the watercourse to the south of the existing/proposed sewage treatment works (outside the consented boundary) to potentially gain 1 no. extra unit. We would not wish to see any additional culverting and would also be against Gwynedd Council's Culverting Policy. We refer the applicants to the following link: <https://www.gwynedd.llyw.cymru/en/Residents/Documents-Residents/Parking%2c-roads-and-travel/Flood-and-Coastal-Risk-Management/Culverting-policy.pdf>. We would normally object to any such proposals apart from short lengths for access purposes.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website: (<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

If you have any queries concerning the above, please contact me on the details below.

We advise that in addition to planning permission, it is the applicant's responsibility to ensure that they secure all other permits/consents relevant to their development.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

Cynghorydd Cynllunio Datblygiad / Development Planning Adviser

Ebost/Email: NorthPlanning@cyfoethnaturiolcymru.gov.uk

Deialu uniongyrchol/Direct dial: (0300) 065 3786 **Siaradwr Cymraeg / Welsh Speaker** 🇬🇧

ADRAN AMGYLCHEDD

GWASANAETH TRAFNIDIAETH a CEFN GWLAD

Oddi wrth:	Emily Meilleur, Uwch Swyddog Bioamrywiaeth, Cyngor Gwynedd	At:	Cara Owen, Swyddog Cynllunio, Cyngor Gwynedd
Ein Cyf:	C18/1060/40/SO	Eich Cyf:	
Dyddiad:	17 th December 2018	Dyddiad:	

Cais Rhif / Application Number: C18/1060/40/SO 27/11/2018

Bwriad / Proposal: Barn sgopio / Scoping opinion

Lleoliad / Location: Hafan y Mor Holiday Park, Pwllheli, Gwynedd, LL536HX

Dear Cara Owen,

Ecological features that should be assessed in an EIA for the proposal of the expansion of Hafan y Mor with coastal works:

The EIA should followed the guidelines produced by CIEEM and include the following:

1. Habitats surveys of both marine and terrestrial should be undertaken. Maps should be provided showing habitat extent and the area coverage of each habitat. Habitats (marine & terrestrial) listed under section of the Environment Act (Wales) 2016 should be identified. Species The predicted area (in meters square or hectares) of habitat that would be lost or damaged permanently or temporarily.
2. Protected species surveys, these should be undertake at the appropriate times of year, and include otters, bats, breeding birds, reptiles, water voles etc. Further consideration will be required for otter which is associated with the Pen Llyn a'r Sarnau SAC. Further consideration will be required for reptiles because Hafan y Mor has been found to contain 4 species of reptile. Hafan y Mor has been found to support reptile populations that are significant at a county level.
3. Species listed under section 7 of the Environment Act (Wales) 2016, both marine and terrestrial species should be included in the assessment such as invertebrates such as small pearl-boarded fritillary butterfly, fungi such as waxcap assemblages.
4. There are several Wildlife Sites within or adjacent to the proposed development and the impact to these should be considered.
5. The EIA should include information to inform a Habitats Regulations Assessment, in considering the impact the proposed development will have on the Pen Llyn a'r Sarnau SAC.
6. The proposal should incorporate measures to enhance biodiversity.
7. Gwynedd Council has a duty under section 6 of the Environment Act (Wales) 2016 as a public authority must take account of the resilience of the ecosystems, information should be provided to enable an assessment of ecosystem resilience, in particular the following aspects:

- (a) diversity between and within ecosystems;
- (b) the connections between and within ecosystems;
- (c) the scale of ecosystems;
- (d) the condition of ecosystems (including their structure and functioning);
- (e) the adaptability of ecosystems.

Emily Meilleur

Senior Biodiversity Officer

Uwch Swyddog Bioamrywiaeth

Cyngor Gwynedd Council

01286 679977

Biodiversity@gwynedd.llyw.cymru

biodiversity@gwynedd.llyw.cymru

Williams Nia Wyn (AMG)

From: Cynllunio/Planning
Sent: 20 December 2018 15:05
To: Cynllunio 3
Subject: FW: Cais Cynllunio / Planning Application C18/1060/40/SO

From: Coed <Coed@gwynedd.llyw.cymru>
Sent: 20 December 2018 11:31
To: Cynllunio/Planning <CYNLLUNIO@gwynedd.llyw.cymru>
Subject: RE: Cais Cynllunio / Planning Application C18/1060/40/SO

Cais Rhif / *Application Number:* 27/11/2018
C18/1060/40/SO

Bwriad / *Proposal:* Barn sgopio / Scoping opinion
Lleoliad / *Location:* Hafan y Mor Holiday Park, Pwllheli, Gwynedd, LL536HX

Bysai angen cael asesiad BS5837:2012 wedi ei wneud i asesu effaith y datblygiadau ar y coed sydd yn bodoli ar y safle yn barod, a cynllun i ddangos pa goed fysai'n cael eu torri a beth fysai'n cael ei blannu fel rhan o'r datblygiad.

From: Cynllunio/Planning <CYNLLUNIO@gwynedd.llyw.cymru>
Sent: 27 November 2018 14:30
To: Coed <Coed@gwynedd.llyw.cymru>
Subject: Cais Cynllunio / Planning Application C18/1060/40/SO

Gwybodaeth am gais / Information on application C18/1060/40/SO

Williams Nia Wyn (AMG)

From: Cynllunio/Planning
Sent: 17 December 2018 11:09
To: Cynllunio 3
Subject: FW: Scoping Opinion: C18/1060/40/SO

From: Morgan Barbara <Barbara.Morgan@networkrail.co.uk>
Sent: 17 December 2018 11:02
To: Cynllunio/Planning <CYNLLUNIO@gwynedd.llyw.cymru>
Subject: FW: Scoping Opinion: C18/1060/40/SO

Network Rail
1st Floor
Bristol Temple Point
Bristol
BS1 6NL

Ask for : Barbara Morgan
Tel : 0117 3721125

My Ref : P/TP18/0946/BM
Your Ref : C18/1060/40/SO

Date : 17 December 2018

Dear Sir/Madam

Scoping Opinion
Hafan y Mor Holiday Park, Pwllheli Gwynedd LL53 6HX

Thank you for your email dated 27 November, together with the opportunity to comment on this proposal.

Network Rail has a statutory obligation to ensure the availability of safe train paths and as such we are required to take an active interest in any development adjacent to our infrastructure that potentially could affect the safe operation of the railway.

When you formally consult Network Rail we need to be satisfied that there will be no adverse safety issues arising as a result of the proposed development to users of the railway. Can we therefore suggest a section be added in the environmental statement to demonstrate that the railway infrastructure will not be compromised and be adequately protected.

Please feel free to get in contact if you have any questions.

Yours sincerely,

Barbara Morgan
Town Planning Technician (Western & Wales)

www.networkrail.co.uk/property

Please send all Notifications and Consultations to townplanningwestern@networkrail.co.uk or by post to Network Rail, Town Planning, 1st Floor, Bristol Temple Point, Redcliffe Way, Bristol BS1 6NL

Module PA Planning

Reference C18/1060/40/SO Proposal Barn sgopio / Scoping opinion
Main Location Hafan y Mor Holiday Park, Pwllheli, Gwynedd, LL536HX

New Respondant

Role	Interested Party		
Name	Mrs	Jenny	Emmett
Company			
Address	GAPS Craig Beuno, Ffordd y Garth, Bangor, Gwynedd, LL57 2RT		
E-Mail	jenny.emmett@heneb.co.uk		
Telephone	01248370926	FAX	
Mobile			

Reply Details

Reply Type	Comments	Response Date	2018-12-11
Comments	Thank you for consulting us on this scoping enquiry. We have no comments at this stage, but would note that there may be a future requirement for archaeological mitigation, e.g. in connection with the 'Old Stables' and coastal defence works.		

Media

☐ No Media Attached

Accepted
Attachment Type
Description
Filename / URL
Type

Transfer to APAS

Reject

Module PA Planning

Reference C18/1060/40/SO Proposal Barn sgopio / Scoping opinion
Main Location Hafan y Mor Holiday Park, Pwllheli, Gwynedd, LL536HX

New Respondant

Role	Interested Party		
Name	Mr	Gareth	Roberts
Company			
Address	Trafnidiaeth, x, x, x, x		
E-Mail	x		
Telephone	x		
Mobile	FAX		

Reply Details

Reply Type	No Objection	Response Date	2018-12-03
Comments	Cyfeiriaf at y cais uchod a dymunaf ddatgan na fwriadaf roi argymhelliad gan y tybir na fuasai'r datblygiad arfaethedig yn cael effaith andwyol ar unrhyw ffordd, neu ffordd arfaethedig. I refer to the above application and wish to state that I do not propose to make a recommendation as the development is not considered to have an adverse effect on any highway, or proposed highway.		

Media

☐ No Media Attached

Accepted
Attachment Type
Description
Filename / URL
Type

Transfer to APAS

Reject

Williams Nia Wyn (AMG)

From: Cynllunio/Planning
Sent: 28 November 2018 14:14
To: Cynllunio 3
Subject: FW: Cais Cynllunio / Planning Application C18/1060/40/SO
Attachments: LLYTH - SCOPING - YMGYNGHORI_158.docx

From: Bailey Dafydd <Dafydd.Bailey@dwrcymru.com>
Sent: 28 November 2018 13:27
To: Cynllunio/Planning <CYNLLUNIO@gwynedd.llyw.cymru>
Subject: FW: Cais Cynllunio / Planning Application C18/1060/40/SO

P'nawn da,

Thank you for consulting DCWW on the above application.

We have no comments to make in relation to the scoping opinion application.

Diolch,

Dafydd



Dafydd Bailey

Development Control Officer | Developer Services | Wholesale Business Services | Services Dwr Cymru Welsh Water

Kinmel Park | Bodelwyddan | LL18 5TQ | T: 0800 917 2652 | www.dwrcymru.com

From: Cynllunio/Planning [<mailto:CYNLLUNIO@gwynedd.llyw.cymru>]
Sent: 27 November 2018 14:30
To: services developer <developer.services@dwrcymru.com>
Subject: Cais Cynllunio / Planning Application C18/1060/40/SO

***** External Mail *****

Gwybodaeth am gais / Information on application C18/1060/40/SO

Dwr Cymru Welsh Water is firmly committed to water conservation and promoting water efficiency. Please log on to our website www.dwrcymru.com/waterefficiency to find out how you can become water wise. Mae Dwr Cymru Welsh Water wedi ymrwymo i warchod adnoddau dwr a hyrwyddo defnydd dwr effeithiol. Mae cyngor i' ch helpu i ddefnyddio dwr yn ddoeth yn www.dwrcymru.com/waterefficiency

***** This email and any file attached is confidential. If you are not a named recipient or believe you may have received this email in error please delete from your system and promptly inform the sender. Dwr Cymru Cyf (trading as Welsh Water) is a company registered in England and Wales, number 02366777, registered office Pentwyn Road, Nelson, Treharris, Mid Glamorgan CF46 6LY. Mae'r neges e-bost yma ac unrhyw ffeil sydd ynghlwm wrthi'n gyfrinachol. Os nad chi yw'r derbynnydd a enwir, neu os ydych chi'n credu eich bod wedi derbyn y



ARWEL EVANS,
LICHFIELD
HAFAN Y MOR HOLIDAY PARK
PWLLHELI
GWYNEDD
LL536HX

Rhif Cais / *Application No.*: C18/1060/40/SO

11-Jan-2019

Bwriad / *Proposal*: Barn sgopio / Scoping opinion
Lleoliad / *Location*: Hafan y Mor Holiday Park, Pwllheli, Gwynedd, LL536HX

Dear Sir,

Re: Request for a Scoping Opinion – Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

Works for the creation of beach café, terrace, play area and car parking, 224 static caravan pitches, new coastal defences and demolition of 56 existing chalet apartments, Hafan y Môr Holiday Park

I can confirm that the information contained in your report dated October 2018 covers the main effects of the proposed development and the environmental statement should therefore cover the proposed contents as per part 6 Summary of the scoping report. Whilst the proposed topics covered are considered relevant and necessary to the proposal you will note that responses from consultees (copies attached) make recommendations that should be duly considered in the preparation of the report.

The essential Planning issues regarding the proposal are:

- Physical and coastal processes
- Water and sediment quality
- Ecology and nature conservation
- Coast protection and flood defence
- Landscape/seascape and visual impact
- Transport and access
- Impact of development on public and residential amenity

However I would agree with the scoping report in so far that the last three subjects would not have to form part of the EIA and understand that a standalone Landscape and Visual Impact appraisal and Transport Statement will be submitted as part of a planning application.

Copies of responses from the organisations consulted on the scope of the Environmental Statement are attached and I would be grateful if you would contact these organisations directly in the preparation of your statement, to ensure that the level of detail covered in their related, specialist fields is adequately addressed. The following provides a summary of the key points raised on the scope of the EIA.

Physical and coastal processes

Due to the scale of the coastal defence works and their proximity to protected sites there is the potential for significant changes and potential impact to the coastal and marine environment. From a coastal and physical processes perspective it is considered that there are potential impacts regarding:

- ***Littoral drift***

In addition to the assessments outlined in the scoping report it is also advised that the infrastructure to the east of the proposed development area and any likely accelerated erosion of the Glanllynau a Glannau Penychain i Griccieth SSSI is also assessed.

- ***Coastal squeeze***

The project goes against policy unit 12.25 in the Shoreline Management Plan of 'No Active Intervention' for Pen y Chain East. Although a plan level Habitats Regulations Assessment (HRA) was undertaken for the Shoreline Management Plan, as the proposed scheme goes against the assessed policy, as it stands, a separate project specific HRA assessment of impacts such as coastal squeeze will need to be undertaken.

NRW recommend that the developer applies to the Cardigan Bay Coastal Group for a change of policy from 'No Active Intervention' to 'Hold the Line'. A change in policy is likely to affect policy unit 12.24 Afon Wen to the East which is assigned 'Managed Realignment' in the second epoch and is currently protecting the railway line; we advise that this also may need to be changed to 'Hold the Line'.

- ***Morphological change of the foreshore***

Further detail will be required on how it is proposed to assess anticipated changes to hydrogeomorphology.

- ***Ongoing maintenance of the proposed scheme in terms of beach recycling and recharge***

- ***Changes to hydrodynamics***

- ***Direct footprint impacts***

It is unclear how far the landward retreat is expected to occur. Sediments removed from the back of the system should remain within the marine system if they are of marine origin and not used for Construction or landscaping on site. Also any potential for landward retreat should be assessed in relation to the Pan Llyn a'r Sarnau SAC and Glanllynau a Glannau Penychain i Griccieth SSSI in terms of direct habitat loss.

- ***Sediment characteristics of imported material (rock, shingle and sand). Information will need to be presented on grain size, mineralogy, colour, angularity***

The amount of sediment importation at 18,000m³ quoted in section 2.3.4 of the EIA Scoping Report appears relatively small given the large scale of the works. Further information will be required on the future recycling and management of sediments. Furthermore the construction window of 6 months appears short for the coastal defence aspects of the proposed scheme, especially given that the works are to be undertaken over winter where delays due to adverse weather conditions could be likely.

- ***The impacts of ground preparation works on underlying geology and the geological features of the Glanllynau a Glannau Pen-ychain i Griccieth SSSI***

- ***Sediment taken from the foreshore and used in construction***

- ***Climate change, sea level rise scenarios and understanding the design lifetime of the scheme***

The coastal defence aspect of the proposed scheme appears to be very large for the scale of risk and as such a full options appraisal should be presented within the EIA.

Water and sediment quality

The activities that have the potential to affect the Tremadog coastal water body and which may lead to modification of the Tremadog coastal water body should be assessed against the WFD's environmental objectives to determine

whether they have the potential to prevent these objectives from being met which includes whether they may cause deterioration.

The proposed coastal defence works comprise construction of 5 fish tail groynes which extend 20m below Mean High Water Springs (MHWS) and artificial beach nourishment to create pocket beaches along a 320m section of coastline fronting Hafan y Môr Caravan Park. Impacts to the WFD ecological and chemical status which could impact on the overall water body status may be caused by the following activities:

- Sediment disturbance and potential release of contaminants during the construction phase of the groynes.
- A permanent loss of intertidal habitat and species under the footprint of the groynes.
- Alteration to hydrodynamics and obstruction to natural sediment transport pathways in the locality of the groynes and the presence of which may lead to alteration of the coastal plan form up and down drift of the Hafan y Môr site all of which could cause a non-temporary alteration to the hydromorphology status of the Tremadoc coastal water body.

Consideration therefore needs to be given to whether any hydromorphological alterations brought about by the project will potentially impact upon the biological quality elements and may cause deterioration in status.

Tremadog coastal water body GB651009350000 (www.waterwatchwales) is currently at 'Good' overall status, 'Good' ecological status and 'Good' chemical status. The driving ecological quality element is 'Alien Species'. The Tremadog Bay coastal water body lies within the Pen Llyn a'r Sarnau/Lleyn Peninsula and the Sarnau SAC. Under WFD If the activity is in or within 2km of any WFD protected area boundary, each identified area should be included in the detailed assessment.

Ecology and nature conservation

Protected Sites

The EIA Scoping Report has identified the two main designated sites likely to be impacted by the proposed development, these being the Pen Llyn a'r Sarnau / Lleyn Peninsula and the Sarnau SAC and the Glanllynau a Glannau Pen-ychain i Grieth SSSI. Any EIA produced will need to fully consider impacts to the habitat, species and geological features of these designated sites. In addition to the impact pathways identified in the Ecology and Nature Conservation section of the EIA Scoping Report, the EIA should also consider the impacts listed under the 'summary' section of the coastal and physical processes section of Natural Resources Wales' letter dated 21 December 2018 in the context of protected sites.

The proposed scheme will have to be assessed under the provisions of Regulation 63 of the Conservation of Habitats and Species Regulations in the form of a Habitats Regulations Assessment (HRA). We advise that the EIA Scoping Report should contain information to help inform the HRA in the form of a stand-alone chapter or appendix.

Section 4.4.2 of the EIA Scoping Report states that the applicant will follow biosecurity planning guidance for Wales, reducing the risk of the introduction of non-native species to the site. Invasive non-native species have subsequently been scoped out of the EIA. We recommend however, given the large scale of the proposed development and its proximity to protected sites, that the developer should undertake a biosecurity risk assessment to reduce the risk of the introduction of invasive non-native species to the local area. This risk assessment should be included within the proposed Construction Environmental Management Plan.

There are several Candidate Wildlife Sites within or adjacent to the proposed development and the impact on these should be considered.

Protected Species

The ecology and nature conservation section of the EIA Scoping Report - Hafan y Môr Holiday Park '2030 Vision' Masterplan (ABPmer, October 2018) is generally acceptable from a protected species perspective. It has identified further assessment/mitigation required for the following protected species: otter, bats, reptiles and barn owls. It has also identified the need for cumulative effects and in-combination assessments of other plans/projects that could impact these protected species.

There is concern about the loss of part of the woodland at Parcel B. This area was assessed and approved as part of planning application C18/0618/40/LL. However, no tree loss was identified as part of the submitted ecology report at the time, and therefore, the mitigation proposed was approved based on this information. This area will now need to be reassessed as part of the in-combination assessment.

Coast protection and flood defence

The Shoreline Management Plan policy is for 'no active intervention' for this stretch of the coastline. However as stated within the Shoreline Management Plan itself this policy does not necessarily preclude local private management of defences subject to normal approvals. Ordinarily we favour any coastal defence scheme which provides betterment in terms of flood risk providing any perceived detrimental impacts can be mitigated. The proposal involves landward re-alignment of the foreshore and the installation of groynes which can interfere with long shore drift. As such there could be an impact on erosion rates on adjacent areas of the coast. We therefore suggest that a Flood Consequences Assessment (FCA) is undertaken to ensure the works do not have a negative impact on the existing flood regime or on the erosion rates of any adjacent areas including the railway line and the defences to the east of the Hafan y Môr site.

Appendix A of the Hafan y Môr Holiday Park '2030 Vision' Masterplan shows the 2030 Vision Masterplan Map and indicates the possibility of culverting over the watercourse to the south of the existing/proposed sewage treatment works (outside the consented boundary) to potentially gain 1 no. extra unit. We would not wish to see any additional culverting and would also be against Gwynedd Council's Culverting Policy.

Conclusion

The Scoping report makes reference to National, Regional and Local Planning Policy and guidance. You will be aware that section 38(6) of the Planning and Compulsory Purchase Act 2004 and Planning Policy Wales emphasises that applications should be determined in accordance with the Development Plan, unless material planning considerations dictate otherwise. Material planning considerations include National Planning Policy and guidance and the relevant policies contained within the fully adopted Anglesey and Gwynedd Local Development Plan.

Potential environmental effects should be considered in each topic covered regarding the construction and operation phases. Detailed technical information / assessments that support the topics covered should be included in the appendices rather than in the ES. The assessment reports prepared for each of the topics identified in the ES should be in defined sections including a baseline study detailing:

- The relevant site conditions and results of surveys
- Assessment as to the effects of the development directly, indirectly, secondary, cumulative, short, medium and long term, permanent, temporary, positive and negative effects; and
- Mitigation measures in respect of the adverse effects of the development.
- Discussion of alternatives to the development proposed, including a 'do-nothing' scenario.

I hope the above is of assistance.

Yours faithfully

Gwenan Jones
Senior Development Control Officer

Gwefan / Web site: www.gwynedd.llyw.cymru
E-bost: Cynllunio@gwynedd.llyw.cymru
E-mail: Planning@gwynedd.llyw.cymru
Ffôn / phone: 01766 771 000

Swyddfa'r Cyngor
Gwasanaeth Cynllunio
Ffordd y Cob
Pwllheli
Gwynedd
LL53 5AA

Colin Scott
Associated British Ports Ltd
Quayside suite
Medina Chambers
Town Quay Southampton
Hampshire
SQ14 2AQ

Date: 5th February 2019

Dear Mr Scott,

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

**MARINE SCREENING AND SCOPING OPINION FOR HAFAN Y MÔR HOLIDAY PARK '2030
VISION'**

I am writing further to your request for a screening and scoping opinion, received 17/10/2018, made in accordance with The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("The Regulations").

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

In reaching our Screening Opinion we have considered the proposed works against Schedule A1 and A2 of the above regulations. In reaching our scoping opinion we have had regard to the information provided in the "Hafan y Môr Holiday Park '2030 Vision' Masterplan, Scoping Report for the Environmental Impact Assessment with Screening for Habitats Regulations Appraisal", dated October 2018, and considered the requirements of Schedule 3 of the Marine Works Regulations. We have also consulted with the bodies that we consider have an interest in the project by reason of their environmental responsibilities, or local or regional competences, as required by the above regulations, and had regard to their comments.

Screening Opinion

It is our opinion that the works fall within the categories of project listed within Schedule A2 paragraph 69 of the above regulations - Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.

And

84. Holiday villages and hotel complexes outside urban areas and associated developments.

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.

We have carefully considered the views of the consultation bodies alongside the criteria as set out in Schedule 1 of the regulations, and have determined, based on the information provided; that the project has the potential to have a significant effect on the environment and therefore a statutory Environmental Impact Assessment is required.

We have come to this conclusion on the basis of the likely significant impacts of the project on the SAC, (and the adjacent SSSI), identified through the proposed coastal defence works to a 320m stretch of coastline including 'fish-tail' shaped rock armour breakwaters and intervening areas of sand / gravel beach recharge. The proposed scheme will impact the SSSI and SAC, not only in the immediate vicinity of the works, but will also have wider implications due to anticipated changes in coastal processes.

Scoping Opinion

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

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

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

It is acknowledged that the scoping report has been produced to inform a scoping opinion required under The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended).

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

Scoping Opinion (SC1814)

Summary of the proposal

Hafan y Môr is a holiday camp located near Pwllheli, Gwynedd in Wales. The proposal submitted is the next phase of Haven Leisure Ltd's '2030 vision masterplan' for their Hafan y Môr Holiday Park. This proposal involves extending and improving the park as well as ensuring that it has appropriate long-term coastal erosion protection.

Individual elements of this proposal include:

- Demolition of 56 chalets;
- Addition of up to 224 static caravan pitches (a net increase of 99 units from the total approved in 2011);
- A new car park;
- A new beach café,
- Landscaping;
- Improvement of a 120 m length of existing coastal revetment; and
- Introduction of a further 210 m section of coastal protection (comprising rock armour and beach recharge).

Location

Hafan y Môr covers 179ha and is located 5km east of Pwllheli, on the southern side of the Llyn peninsula, Gwynedd, Wales.

Consultation Responses Received

In considering the scoping report, the Natural Resources Wales Permitting Service (NRW PS) consulted with various consultation bodies. The consultation bodies that responded are listed below:

- Natural Resources Wales Technical Experts (NRW TE)
- Maritime and Coastguard Agency (MCA)
- Royal Yachting Association (RYA)
- Trinity House Lighthouse Service (THLS)
- Gwynedd Council, Biodiversity

0. General comments

- 0.1. Marine and coastal guidance produced by NRW that may provide useful information to help with your project is available here: <https://naturalresources.wales/guidance-and-advice/business-sectors/marine/marine-and-coastal-guidance/?lang=en>
- 0.2. The ES submitted should demonstrate consideration of the points raised in this scoping opinion. It is recommended that a table is provided in the ES summarising the scoping opinion comments and how they are addressed in the ES.
- 0.3. The ES must include all the information set out in Schedule 3 and regulation 12 of the Marine Works (Environmental Impact Assessment)(Amendment) Regulations 2017.

1. Introduction

- 1.1. Chapter 1 of the scoping report provides a clear description of the proposed development, a description of the supporting appendices included with the report and information in relation to the public and regulatory discussions that have been undertaken. This chapter clearly identifies the reports' aims and approach to scoping, identifies where further assessment is required and what those assessments are.

2. Project Description

- 2.1. Chapter 2 of the report clearly describes the project development, both terrestrial and marine components. In addition, alternatives to the scheme have been described.
- 2.2. Mitigation measures to minimise and prevent the suspected adverse effects of the construction and maintenance of the coastal defence scheme have also been identified.

3. Legislative and Policy Context

- 3.1. Chapter 3 of the report identifies the key legislation and policies of relevance to the project. It is expected that the policy and legislation summarised would be referred to throughout the ES to assist in assessing the environmental effects of the project.
- 3.2. With regards to marine planning, Welsh Government is now developing the first Welsh National Marine Plan. The purpose of the WNMP is to guide the sustainable development of our marine area. Once the plan has been adopted NRW PS must make decisions in accordance with the marine plan, unless relevant considerations indicate otherwise. In preparation for the adoption of the plan, we recommend that any EIA undertaken reviews the contents of the draft Welsh National Marine Plan, and the Environmental Statement considers how the project complies with the draft Policies, or the final policies once the plan is adopted.
- 3.3. It is your responsibility to ensure that you obtain all relevant permissions/consents for your project. This includes those that may have been identified within the scoping report or others that have been identified following further assessment whilst drafting the ES.

4. Scoping Review

- 4.1. **Key issues and approach to EIA** - The scoping report clearly provides maps and plans identifying the location of the development. Areas of development below Mean High Water Spring must be identified and defined by co-ordinates within the ES to enable stakeholders to accurately plot them to identify and assess potential effects on their specific Geographical Information Systems.
- 4.2. To develop the impact scope for further assessment, the following environmental topics have been reviewed:
 - Physical (coastal) processes (Section 4.2)
 - Water and sediment quality (Section 4.3)
 - Ecology and Nature Conservation (Section 4.4)
 - Fish and fisheries (Section 4.5)

- Commercial and recreational navigation (Section 4.6)
- Archaeology (cultural heritage) (Section 4.7)
- Coast protection and flood defence (Section 4.8)
- Landscapes, seascapes and visual impact (Section 4.9)
- Transport and access (Section 4.10)
- Airborne noise and vibration (Section 4.11)
- Air quality (Section 4.12)
- Infrastructure and other marine users (Section 4.13)
- Human health (Section 4.14)

4.3. Those environmental topics scoped in and requiring further assessment have a description of the existing environment, the possible environmental effects and identifies the necessary assessments to be undertaken for further consideration. Comments in relation to each Section are provided below.

4.4. Those environmental topics scoped out of requiring further assessment are similarly assessed with a description of why it is considered no further assessments are required.

4.5. Generally, NRW PS are content with the proposed approach to the EIA as defined within the scoping report. However, the scoping report makes no detailed reference to a non-technical summary or the vulnerability of the project to major accidents or natural disasters, both of which need to be provided within the ES.

5. Physical (coastal) processes (Section 4.2). Scoped in by the Applicant and requires further assessment.

5.1. Given the scale of the coastal defence works proposed and their proximity to protected sites (Pen Llyn a'r Sarnau / Llyn Peninsula and the Sarnau Special Area of Conservation (SAC) and Glanllynau a Glannau Pen-ychain i Gricieth Site of Special Scientific Interest (SSSI)), it is evident there is the potential for significant changes and potential impacts to the coastal and marine environment.

5.2. The following must be fully considered within any EIA undertaken and documented within the Environmental Statement. (ES).

- Littoral drift.
- Coastal squeeze.
- Morphological change of the foreshore.
- Direct footprint impacts.
- The ongoing maintenance of the proposed scheme in relation to beach recycling and recharge.
- Hydrodynamic changes.
- Sediment characteristics of imported material (rock, shingle and sand). Information will need to be presented on grain size, mineralogy, colour, angularity.
- The removal of sediment from the foreshore to be used in construction.
- The impacts of ground preparation work on underlying geology and the geological features of the Glanllynau a Glannau Pen-ychain i Gricieth SSSI.
- Climate change, sea level rise scenarios and the design lifetime of the scheme.

- 5.3. The coastal defence aspect of the proposed scheme appears to be very large for the scale of risk and as such we would recommend a full options appraisal is presented within any Environmental Statement.
- 5.4. **Littoral Drift** - Current thinking is that littoral drift occurs from west to east in the vicinity of the proposed development area. If the coastal defence aspects of the proposed scheme are implemented it is anticipated that significant changes to hydrodynamics and the down drift sediment supply will occur. It is good to see that this impact has been identified in section 4.2.2 of the EIA Scoping Report and will be subject to further assessment. Particular attention should be given to the infrastructure to the east of the proposed development area and any likely accelerated erosion of the Glanllynau a Glannau Pen-y Chain I Gricieth SSSI.
- 5.5. **Coastal Squeeze and the Shoreline Management Plan (SMP2)** - The project goes against the policy unit 12.25 in the Shoreline Management Plan of 'No Active Intervention' for Pen y Chain East. Although a plan level Habitats Regulations Assessment (HRA) was undertaken for the Shoreline Management Plan, as the proposed scheme goes against the assessed policy, as it stands, a separate project specific HRA assessment of impacts such as coastal squeeze will need to be undertaken.
- 5.6. NRW PS suggest the applicant considers applying to the Cardigan Bay Coastal Group for a change of SMP2 policy from 'No Active Intervention' to 'Hold the Line'. A change in policy is likely to affect policy unit 12.24 Afon Wen to the East which is assigned 'Managed Realignment' in the second epoch and is currently protecting the railway line; this also may need to be changed to 'Hold the Line'.
- 5.7. A request of policy change is usually registered if there is new evidence that an existing policy is no longer valid. A policy change can be proposed or instigated by a third party or private defence owner/investor and this may affect the economic assessment undertaken within the SMP2, enabling an alternative policy option to be considered, however it would still need to consider other facets such as environmental considerations and impact to adjoining assets.
- 5.8. It is advised that an assessment of coastal squeeze is required to inform the project level HRA. If these effects are identified, a test of no alternatives and an IROPI test will be required. If the proposals are not in line with SMP2 Policy, the SMP2 cannot support these tests, and the applicant will need to provide the information to support these stages. However it is unclear whether it would be possible to conclude that there was overriding public interest if the SMP2 had not reached this conclusion in support of a Hold the Line Policy. We note that the proposals include 'set back' of the defence line and therefore coastal squeeze may not be evident – further information is required to support further consideration of this point.
- 5.9. Applying to the coastal group for a policy change through a 'change sponsor' enables consideration of any new evidence at plan level. A change sponsor is needed in the case where a challenge is raised by an organisation who is not a coastal group member to bring the challenge to the coastal group. It is anticipated that the relevant local authority would be the change sponsor for a third party which will then request to trigger the process.
- 5.10. If a change is agreed a Marine Licence application may be more straight forward as the plan (SMP2) would help to support the alternatives and IROPI tests, however there is a

risk that the coastal group may not agree to change the policy. It may also be a potentially lengthy process.

5.11. To discuss the possibility of a changing the SMP2 Policy, contact the Chair of the relevant Coastal Group in the first instance, their contact details are: EmlynJones@gwynedd.gov.uk

5.12. **Footprint of works** - It is understood that the coastal defence aspect of the proposed scheme is 320m in length, however, it is unclear from the EIA Scoping Report how far the landward retreat is expected to occur. Sediments which are removed from the back of the system should remain within the marine system if they are of marine origin and not used for construction or landscaping on site. Any potential for landward retreat should be assessed in relation to the Pen Llyn a'r Sarnau SAC and Glanllynau a Glannau Pen-y-chain i Gricieth SSSI in terms of direct habitat loss.

5.13. Without prejudice, should the HRA produced for the project conclude that adverse effects on the integrity of Natura 2000/Ramsar sites cannot be ruled out, approval for the project cannot be given unless either:

- the 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 report is prepared.
- the project satisfies the requirements of Article 6(4) of the Habitats Directive, and alternative solutions, imperative reasons of overriding public interest (IROPI) and compensatory measures are submitted for consideration by the appropriate authority, normally Welsh Ministers, and approved.

5.14. **Sediment recharge** - We question the requirement of the importation of 18,000m³ of sediment quoted in section 2.3.4 of the EIA Scoping Report as this seems to be a relatively small amount given the large scale of the works. In the ES you must provide further information on the future recycling and management of sediments. In addition, we also question what seems to be a short construction window (6 months) for the coastal defence aspects of the proposed scheme, especially given that the works are to be undertaken over winter where delays due to adverse weather conditions could be likely.

5.15. **Baseline data requirements** - Section 4.2.3 of the EIA Scoping Report states that there is no expectation that further field survey work will be needed and that there is sufficient available information for hydrodynamic model development, verification and interpretative analysis. We advise that although we do not necessarily disagree with this statement, we would need to see the data described before commenting fully on its suitability; in particular,

- Bathymetry extent
- Sediment sample locations
- Wave data for validation
- Tide data and how Barmouth relates to Hafan y Môr
- Details of ground investigation data undertaken to date.

5.16. For the purposes of climate change data use we request clarification regarding whether the applicant intends to use UKCP18 for climate change scenarios.

5.17. **Work required for further assessment** - Further detail is required on how it is intended to assess anticipated changes to hydrogeomorphology.

6. **Water and sediment quality (Section 4.3)** Scoped in by the Applicant and requires further assessment.

6.1. Whilst the information required to inform the Habitats Regulations Assessment (HRA) and Water Framework Directive (WFD) assessment should be coordinated with the EIA, it is important to note that there is distinction between the EIA, HRA and WFD processes; We therefore recommend that the ES should include sections containing 'information to inform the HRA' and 'WFD compliance assessment' and separate reports must be provided.

6.2. The WFD assessment must consider:

- all activities carried out; and,
- each stage of the activity, for example construction, operation, maintenance and (potentially decommissioning)
- The WFD compliance assessment process needs to also consider the zone of influence of the project in its entirety and any WFD waterbodies that fall within it, not just where there are direct impacts.
- Consideration should be given to whether the potential impacts are short term effects (< 6 years) or will cause a non-temporary/permanent change (e.g. direct habitat loss, alteration to sediment transport pathways, interference with migratory fish pathways etc). If the impacts are considered a non-temporary/permanent effect on the biological, chemical or hydro morphological elements of the WFD water body in question then the impact must be carried forward for consideration in the WFD compliance assessment process.
- Guidance on the WFD assessment in the form of NRW OGN72 has been provided with this scoping opinion. This is internal guidance that has been provided to assist the Developer to understand what is expected of a Water Framework Directive Assessment.

6.3. The activities that have the potential to affect the Tremadog coastal water body and which may lead to modification of the Tremadog coastal water body should be assessed against the WFD's environmental objectives to determine whether they have the potential to prevent these objectives from being met which includes whether they may cause deterioration.

6.4. The proposed coastal defence works comprise construction of 5 fish tail groynes which extend 20m below Mean High Water Springs (MHWS) and artificial beach nourishment to create pocket beaches along a 320m section of coastline fronting Hafan y Môr caravan park. Impacts to the WFD ecological and chemical status which could impact on the overall water body status may be caused by the following activities:

- Sediment disturbance and potential release of contaminants during the construction phase of the groynes.
- A permanent loss of intertidal habitat and species under the footprint of the groynes.
- Alteration to hydrodynamics and obstruction to natural sediment transport pathways in the locality of the groynes and the presence of which may lead to alteration of the coastal

plan form up and down drift of the Hafan y Môr site all of which could cause a non-temporary alteration to the hydromorphology status of the Tremadoc coastal water body.

- 6.5. Pollution Prevention. The applicant will need to consider measures and best practices that will need to be adopted to minimise the risk of pollution incidents occurring as a result of the works. This information must also be presented in the proposed Construction Environmental Management Plan.

7. Ecology and Nature Conservation (Section 4.4) Scoped in by the Applicant and requires further assessment.

- 7.1. The EIA Scoping Report has identified the two main designated sites likely to be impacted by the proposed development, these being the Pen Llyn a'r Sarnau / Lleyn Peninsula and the Sarnau SAC and the Glanllynau a Glannau Pen-y Chain i Gricieth SSSI. Any EIA produced will need to fully consider impacts to the habitat, species and geological features of these designated sites. In addition to the impact pathways identified in the Ecology and Nature Conservation section of the EIA Scoping Report, the EIA should also consider the impacts listed under the section 5.2 of the coastal and physical processes section of this letter in the context of protected sites.
- 7.2. The ecology and nature conservation section of the EIA Scoping Report is generally acceptable from a protected species perspective. The report has identified further assessment/mitigation required for the following protected species: otter, bats, reptiles and barn owls. It has also identified the need for cumulative effects and in-combination assessments of other plans/projects that could impact these protected species (For further information see Paragraph 20 of this Scoping Opinion)
- 7.3. The HRA screening report concludes that there will be a 'likely significant effect' (LSE) of the project on European sites. NRW PS will consider the proposed scheme under the provisions of Regulation 63 of the Conservation of Habitats and Species Regulations on receipt of a marine licence application in the form of a Habitats Regulations Assessment (HRA). The Environmental Statement must contain information to inform the HRA in the form of a stand-alone chapter or appendix.
- 7.4. The impacts on coastal processes and specifically the impact of the groynes and recharge of beaches must also be assessed due to potential effects on the *Sabellaria alveolata* reefs which occur to the East of the development.
- 7.5. The section on waterbirds mentions a few species but not all the species which frequent the area. Dunlin, Sanderling, Ringed Plover, Turnstone and Curlew regularly use the beach in question with occasional grey plover and bar-tailed godwit with red breasted merganser usually close offshore. There is a large post-breeding congregation of gulls and terns (Kittiwake, Black-headed Gull and Sandwich Tern, Arctic Tern) to the south of the development at SH438363 in late summer and gulls also congregate immediately to the east of the development at the Afon Wen estuary. The ES must assess the potential impacts to these species and mitigate if necessary.
- 7.6. Section 4.4.2 of the EIA Scoping Report states that the applicant will follow biosecurity planning guidance for Wales, reducing the risk of the introduction of non-native species to the site. Invasive non-native species have subsequently been scoped out of the EIA. Given the large scale of the proposed development and its proximity to protected sites, the

developer must undertake a biosecurity risk assessment to reduce the risk of the introduction of invasive non-native species to the local area. This risk assessment must be included within the proposed Construction Environmental Management Plan (CEMP)(see page 15 of the Scoping Report).

7.7. Section 4.4.1 of the ecology and nature conservation section of the EIA Scoping Report is generally acceptable from a protected species perspective. The report has identified further assessment/mitigation required for the following protected species: otter, bats, reptiles and barn owls. It has also identified the need for cumulative effects and in-combination assessments of other plans/projects that could impact these protected species.

7.8. For information, we do have concerns regarding the loss of part of the woodland at Parcel B. This area was assessed and approved as part of planning application C18/0618/40/LL. However, no tree loss was identified as part of the submitted ecology report at the time, and therefore, the mitigation proposed was approved based on this information. This area will now need to be reassessed as part of the in-combination assessment.

8. **Fish and fisheries (Section 4.5)** Scoped out by the Applicant. We agree and have no comment to make on this section of the report.

9. **Commercial and recreational navigation (Section 4.6)** Scoped out by the Applicant.

9.1. Any marking requirements, or changes to the existing markings must be confirmed with Trinity House on receipt of a Marine Licence application.

10. **Archaeology (cultural heritage) (Section 4.7)** Scoped out by the Applicant.

10.1. NRW PS consulted with the relevant archaeological bodies on the scope of the Environmental Statement. No comments were received however you may wish to contact those bodies directly to ensure that the level of detail covered by the Scoping Report adequately addresses any areas of concern.

11. **Coast protection and flood defence (Section 4.8) Scoped in by the Applicant and requires further assessment.**

11.1. Please refer to the Physical and Coastal Processes section of the report for specific comments relating to Shoreline Management Plans.

11.2. The Shoreline Management Plan policy is for 'no active intervention' for this stretch of the coastline. However as noted on page 8 of The Hafan y Môr Holiday Park '2030 Vision' Masterplan this policy does not necessarily preclude local private management of defences subject to normal approvals. Ordinarily we favour any coastal defence scheme which provides betterment in terms of flood risk providing any perceived detrimental impacts can be mitigated. The proposal involves landward re-alignment of the foreshore and the installation of groynes which can interfere with long shore drift. As such there could be an impact on erosion rates on adjacent areas of the coast. A Flood Consequences Assessment (FCA) must be undertaken to ensure the works do not have a negative impact on the existing flood regime or on the erosion rates of any adjacent areas.

11.3. For further information in relation to undertaking Flood Consequence Assessments

please see the following link:

- <https://naturalresources.wales/evidence-and-data/research-and-reports/reports-evidence-and-data-on-flooding/flood-and-coastal-erosion-risk-in-wales/?lang=en>

11.4. Appendix A of the Hafan y Môr Holiday Park '2030 Vision' Masterplan shows the 2030 Vision Masterplan Map and indicates the possibility of culverting over the watercourse to the south of the existing/proposed sewage treatment works (outside the consented boundary) to potentially gain 1 no. extra unit. This would also be against Gwynedd Council's Culverting Policy. Please have regard to the following link:

- <https://www.gwynedd.llyw.cymru/en/Residents/Documents-Residents/Parking%2c-roads-and-travel/Flood-and-Coastal-Risk-Management/Culverting-policy.pdf>.

12. **Landscapes, seascapes and visual impact (Section 4.9)** Scoped out by the Applicant. We have no comment to make on this section of the report.

13. **Transport and access (Section 4.10)** - Scoped out by the Applicant. We agree and have no comment to make on this section of the report.

14. **Airborne noise and vibration (Section 4.11)** - Scoped out by the Applicant. We agree and have no comment to make on this section of the report.

15. **Air quality (Section 4.12)** – Scoped out by the Applicant. We agree and have no comment to make on this section of the report.

16. **Infrastructure and other marine users (Section 4.13)** Scoped out by the Applicant.

16.1. NRW PS note the proposed works have been assessed as resulting in a fairly low risk to navigation and impacts to fishing, commercial and recreational navigation and other marine users have been scoped out for further assessment. However, noting that contractor methodology is yet to be decided or is open to change, impacts from the following must be assessed within the ES.

16.2. If any material for construction or deposit (i.e. aggregate) is to be transported by sea, the operation must consider potential impacts to navigation in the area. Pwllheli marina must be made aware of the works prior to commencement.

16.3. The term "marine user" should also consider safety risks to beachgoers such as swimmers, windsurfers, jet skis etc. Whilst the works are taking place, suitable arrangements and controls should be considered to prevent possible hazards to them, including notification of HM Coastguard and local RNLI as this may impact beach access.

17. **Human health (Section 4.14)** – Scoped out by the Applicant. We agree and have no comment to make on this section of the report.

18. **Proposed Assessment Methods**

18.1. This section identifies the developers approach to the EIA and summarises the information required. The ES must include all the information set out in Schedule 3 and regulation 12 of the Marine Works (Environmental Impact Assessment)(Amendment)

Regulations 2017.

19. Summary - The scoping report identifies the following topics to be scoped in for further assessment:

- Physical environment
- Water and sediment quality
- Ecology and nature conservation
- Coast protection and flood defence

19.1. A summary of those topics assessed, scoped in or scoped out must be included within the ES.

20. Cumulative impacts and in-combination effects - The following data sources may provide useful information on other projects for the assessment of cumulative effects:

- The Nationally Significant Infrastructure Projects register:
<https://infrastructure.planninginspectorate.gov.uk/projects/register-of-applications/>
- The Developments of National Significance Register:
<http://gov.wales/docs/desh/publications/180312-dns-register-en.pdf>
- Planning Policy E.g. Local Development Plans, Transport Plans (National and Local) and National Policy Statements.
- An up to date list of marine licensable developments can be found at the following link:
<http://lle.gov.wales/catalogue/item/MarineLicences/?lang=en>

21. The items highlighted in this letter must be addressed in the Environmental Impact Assessment. However, I would not see this letter as a definitive list of all Environmental Statement / Environmental Impact Assessment requirements as other subsequent work may prove necessary following further assessment.

22. For further technical advice on certain issues scoped in by the report NRW PS suggest contacting the Discretionary Advice Service directly at the following link:

<https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/our-service-to-developers/?lang=en>

23. If you have any further questions in relation to the marine regulatory requirements of this development please do not hesitate to contact NRW PS at marinelicensing@naturalresourceswales.gov.uk.

24. If the UK leaves the EU - either with or without a deal - the legal obligations relating to compliance with environmental permits and legislation will continue to apply. NRW, on behalf of Welsh Ministers, will continue to issue licenses in line with our current practice. If you have any questions about your licenses, please contact our Customer Care Centre on 03000 653 000.

Yours sincerely

Z McMellin

Zoe McMellin

Marine Licensing Team

Natural Resources Wales

Cc: All Consultation Bodies providing a response

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

Hafan y Môr Masterplan Consultation
Lichfields
Helmont House
Churchill Way
Cardiff
CF10 2HE

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 03000 65 238

03/12/2019

Annwyl Syr/Madam / Dear Sir/Madam,

STATUTORY PRE-APPLICATION CONSULTATION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 AS AMENDED.

BWRIAD / PROPOSAL: PROPOSED MASTERPLAN COMPRISING THE DEMOLITION OF 56 APARTMENTS, CREATION OF 165 BASES FOR THE SITING OF STATIC CARAVANS, TEAM ACCOMMODATION, BEACH CAFÉ INCLUDING TERRACE AND PLAY AREA, NEW COASTAL DEFENCES, MINOR REALIGNMENT OF WALES COAST PATH AS WELL AS ASSOCIATED LANDSCAPING, DRAINAGE, ACCESS AND INFRASTRUCTURE WORKS

LLEOLIAD / LOCATION: HAFAN Y MOR HOLIDAY PARK, PWLLHELI

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 28/10/2019.

Based on the information provided, we have significant concerns with the proposed development. We would recommend to the planning authority that the following requirements should be met before permission is granted and the conditions listed below are attached to the permission. We would also advise that the document listed below is included within the condition identifying approved plans and documents on the decision notice. Otherwise, we would object to the planning application.

Requirements:

Requirement 1: Detailed figure map to be provided for the area of shingle and intertidal habitat areas that would be restored as a result of the removal of the rubble/anthropogenic material.

Requirement 2: Wave overtopping assessment, including associated velocities, to be provided within an updated FCA.

Conditions:

Condition 1: No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be implemented as approved during the construction phase of the development.

Condition 2: Prior to the operation of the development, a long term monitoring plan for protected sites (habitats) shall be submitted and approved in writing by the Local Planning Authority. The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Condition 3: No development shall commence until a flood risk management scheme has been submitted to and approved in writing by the Local Planning Authority. The flood risk management scheme should include:

- Details to ensure the static caravan bases, the parking area associated with Parcel E, and the parking area associated with Parcel H, will be set at a minimum 5.49 metres AOD

Document for inclusion within the condition identifying approved plans and documents on the decision notice:

- Environmental Statement, Habitats Regulations Appraisal and Water Framework Directive Compliance Assessment (ABP Mer, November 2019, Reference R3282).

1. Habitats Regulations Assessment

Pen Llŷn a'r Sarnau Special Area of Conservation (SAC) - General

- 1.1. We have concerns that the proposal would be likely to have significant effects on the Pen Llŷn a'r Sarnau SAC. The proposed development (Parcel J, coastal defence) is located within the SAC. Our comments are provided below.
- 1.2. The HRA to be undertaken by the Local Planning Authority (LPA) should consider the impact pathways on the SAC. Should the LPA also conclude that the proposed development is likely to have a significant effect on the European site, we would look forward to being consulted on their appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017.
- 1.3. We provide comments below with regard to your proposed compensatory measures to fulfil the requirements of Regulation 68 of the Conservation of Habitats and Species Regulations 2017. We provide comments on these compensatory measures below however these comments are without prejudice to any further advice we provide when consulted by the LPA on its HRA.

Pen Llŷn a'r Sarnau SAC – mitigation

- 1.4. In view of the potential direct and indirect impacts on the SAC features as a result of the works proposed in Parcel J, we advise that a Construction Environmental Management Plan should be approved by the LPA (in consultation with NRW) as a condition of any planning permission. The CEMP should demonstrate how the works will avoid and minimise effects on SAC features (e.g. adhering to pollution prevention guidance, minimising the footprint of the works within the SAC, biosecurity measures etc). We will advise the LPA to include the following condition:

Condition 1: No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials to be brought and used in the scheme (e.g. sediment, sand, rock) as well as other details (e.g. amount, mineralogy, colour, angularity); details of quantities of marine sediment generated and how sediment will be managed, details of vehicular movement within Parcel J.
- General site management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of invasive species management; species and habitats protection, avoidance and mitigation measures (including for otters); details of marine enhancement measures within the coastal defence.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the siting and type of external lighting to be specified, in order to avoid impacting on bats and otters.

The CEMP shall be implemented as approved during the construction phase of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

- 1.5. Section 2.7 of the ES states “*However, plant movement along the upper shore will be required on occasion both within and outside the construction footprint*”. The applicant should note, any vehicular use of the “upper shore” for construction should be covered by the CEMP to reduce potential impacts.
- 1.6. We note that a large amount of sediment will be excavated to set-back the defences. As we have previously advised you (letter dated 20/9/2019), we would expect any marine sediments to stay within the active marine zone and that this should be made clear through the CEMP. We also advise that the CEMP should provide information on

the expected quantity of sediments that would have made it into the marine environment through erosion, what the composition is, and where they will be placed.

- 1.7. We note the intention is to use the excavated sediment above MHWST in hinterland landscaping. NRW disagree with this approach. The material will mainly be of glacial origin which would have naturally recharged the marine environment and coast to the east with sands, silts and gravels / cobbles from erosion over the defence lifetime. NRW would consider this to be a loss to the marine environment if this was to be used in construction / landscaping elsewhere on site.
- 1.8. We note the clarification in the application on the source of the sediments (sand, shingle and rock) to be used within the scheme. We consider that information on the grading curves as well as other details (e.g. amount, mineralogy, colour, angularity) will need to be specified in the CEMP. For example, it will need to be ensured that any gravel that is imported is rounded and not angular and of the appropriate size fraction.
- 1.9. NRW note the existing beach will be excavated to a certain depth before placement of new material. We advise that the CEMP will need to set out how the excavated material (and the sediment make-up, clay etc.) will be managed at the foreshore as well as at the backshore (currently terrestrial) area. It should be ensured that no piles of sediment are left within the inter-tidal area that could be washed away at high tide and smother ecological interests elsewhere. We would also advise against burial of existing demolition material as this may hinder adaptation in future which may lead to it being introduced back into the marine environment. The above information will need to be set out in the CEMP.
- 1.10. The Marine Ecology Survey report (Appendix E of the ES) considers the options for the sea defence structures to be 'ecologically friendly' (i.e. with rugose surfaces and crevices preferential for marine species), however its conclusion is unclear. Calrity is required regarding if such measures are still being considered as an option, or whether the structures are considered to be too high on the shore for this to be of merit. We consider they may still be of benefit on the lower portions of the defences. If it would be helpful, NRW can direct the applicant to further information on industries that can create rockpools in the defences. We advise that detailed marine enhancement measures should be set out in the CEMP.
- 1.11. NRW note the service life of the structure applied for is 25 years, we recommend that clarification is provided on the plan past the 25-year mark as no decommissioning scenario is presented.
- 1.12. We previously advised you that the erosion rates are only a coarse prediction and caution would be advised that by setting back the defence and opening up a new active area, further erosion may occur – even by rainfall and slumping rather than coastal inundation. We note the response to this point in Table 3 of the ES. We consider accelerated erosion of the coast to the east is still likely, even with the gravel beach in place, whilst a new equilibrium is formed. However, we do not consider this would have any likely significant effects on the SAC.

1.13. Section 2 of the Marine Ecology Survey (Appendix E of the ES) states “*The survey results are also expected to provide a foundation of any post-implementation monitoring work that may be needed in the future*”. We have previously requested clarification on what annual monitoring, mitigation and adaptation is expected and proposed over the lifetime of the scheme. We also note that the coastal squeeze assessment uses monitoring and adaptive management as a way of ensuring an adaptable way forward. We would expect details of a post-implementation monitoring proposal, as well as its implementation, to be approved by the LPA (in consultation with NRW) as a condition of any planning permission.

Condition 2: Prior to the operation of the development, a long term monitoring plan for protected sites (habitats) shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:

- Details of the methods for monitoring (and triggers for any action to be undertaken)
- Timescales for the long term monitoring
- Timescales for submission of monitoring reports to the LPA

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Justification: A long term monitoring plan for the protected sites should be submitted prior to operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on protected sites

1.14. We also consider the following minor points of clarification should be provided in any planning application (or updated ES) submitted:

- a) Please confirm the distance of the works from the nearest *Sabellaria alveolate*. In the Marine Ecology Survey report it states 30m from the footprint of the smaller breakwater and 50m from the larger breakwater (p513) whereas in the main report it states the nearest is 150m away from the footprint (p96, 225). We assume that this is due to a change in the design of the defences, but clarification is required.
- b) Related to the point above, the figures in the Marine Ecology survey report (e.g. Figure 1 and 3) show a previous breakwater design, these figures should be updated.
- c) P.97 of the ES states “*the habitats and species on the foreshore are not considered sensitive to changes in concentrations of suspended sediment or smothering*”. However, we do not consider this is true for all of the species present. *Zostera marina* for example has low resistance to smothering. (D'Avack, et al. 2019¹). We recommend this statement is revised in any updated ES.
- d) Suspended sediment and contaminated sediment have both been considered and ruled out of impacting marine ecology due to particle size. The resuspension of

¹ D'Avack, E.A.S., Tyler-Walters, H. & Wilding, C., 2019. [*Zostera (Zostera) marina*] beds on lower shore or infralittoral clean or muddy sand. In Tyler-Walters H. and Hiscock K. (eds) Marine Life Information Network: Biology and Sensitivity Key Information Reviews, [on-line]. Plymouth: Marine Biological Association of the United Kingdom. [cited 15-11-2019]. Available from: <https://www.marlin.ac.uk/habitat/detail/257>

finer is ruled out as an impact (p80, para 4) and, although we agree with the conclusion, we recommend that this section should explain why this is considered to be the case.

- e) P. 97 and 225 of the ES states “*Specifically, S. alveolata reefs are considered ‘not sensitive’ to smothering and have a ‘very low’ sensitivity to increases in suspended sediment (Jackson, 2008²)*”. It should be noted that the Jackson (2008) reference is based on (Wilson, 1971³) and in this the reefs did indeed recover after a couple of months, but, when they were smothered for around 8 months this resulted in the mortality of most of the individuals. It is true however that re-colonisation can occur.

Pen Llŷn a’r Sarnau SAC – compensation

- 1.15. The proposed coastal defences may result in the direct loss of approximately 0.15ha of sandflat habitat. Should the LPA conclude that the proposals would have an adverse effect on the SAC, and is satisfied that there are no alternative solutions and that the project must be carried out for imperative reasons of overriding public interest, then compensatory measures would need to be secured.
- 1.16. Section 8.4.1 of the ES states in relation to the area at the top of the shore that “*if necessary, these areas could be excavated sufficiently to ensure they lower the shoreline elevation to below the MHWS mark, thus providing intertidal habitat*”. As stated in previous advice to the applicant (letter dated 20/9/2019), we do not agree or approve of any plan to reduce the level of the bank to create intertidal sandflat - this may result in more damage to the SAC/SSSI. In addition, we do not consider this would be effective in creating longterm sandflat habitat.
- 1.17. We note the intended compensation measures in section 8.4.1 of the ES “*to monitor the efficacy of the removal of rubble from the top of the intertidal area and manage adaptively, with further rubble or shingle removal as necessary*”. However, we advise that no natural shingle should be removed.
- 1.18. We note that you propose compensation measures through the removal of rubble/anthropogenic material at the top of the shore, within the SAC, on the shingle bank and in the intertidal. We consider the majority of the habitat to be restored through these measures would be shingle habitat (which forms part of the Large shallow inlet and bays SAC feature) rather than intertidal sandflat which is the SAC feature primarily being lost under the footprint of the works. Although compensation is normally expected to compensate for the habitat being lost (i.e. as a ‘like for like’), we consider the proposed measures are welcomed and would be effective in maintaining the

² Tillin, H.M & Jackson, A., 2018. [Sabellaria alveolata] reefs on sand-abraded eulittoral rock. In Tyler-Walters H. and Hiscock K. (eds) Marine Life Information Network: Biology and Sensitivity Key Information Reviews, [on-line]. Plymouth: Marine Biological Association of the United Kingdom. [cited 15-11-2019]. Available from: <https://www.marlin.ac.uk/habitat/detail/351>

³ Wilson, D.P., 1971. Sabellaria colonies at Duckpool, North Cornwall 1961 - 1970 Journal of the Marine Biological Association of the United Kingdom, 54, 509-580.

conservation status of a SAC feature at this locality (i.e. shingle habitat which forms part of the Large shallow inlets and bay feature). However, and without prejudice to the LPA's HRA, we consider any formal planning application should provide a more detailed area figure for the likely area of shingle and intertidal habitat areas that would be restored as a result of the removal of the rubble/anthropogenic material. This information will be required by the competent authority in order to assess whether the proposal meets the requirements of Regulation 68 of the Conservation of Habitats and Species Regulations 2017.

Requirement 1: Detailed area figure to be provided for the likely area of shingle and intertidal habitat areas that would be restored as a result of the removal of the rubble/anthropogenic material

Pen Llŷn a'r Sarnau SAC - marine mammals features

- 1.19. Any construction works with the potential to cause underwater noise will be undertaken above mean high water in dry working conditions. There will be no piling construction works. We therefore agree with the assessment that there will be no impacts on marine mammal features of the Pen Llŷn a'r Sarnau SAC (or other Welsh SACs with marine mammal features).

2. Site of Special Scientific Interest (SSSI)

- 2.1. The proposal is located partly within the Glanllynau a Glannau Pen-ychain i Gricieth SSSI. NRW consider the proposals have the potential to impact upon the SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded

3. Flood Risk

- 3.1. We have reviewed the Draft Flood Consequences Assessment (FCA) (Weetwood, Hafan y Mor, Pwllheli, October 2019) and have the following comments:

Tidal Risk

- 3.2. Section 5.1 of the FCA refers to the flood mitigation measures proposed for the development. It is proposed to place the static caravans on bases which are located on pitches with a minimum ground level of 5.29m AOD. As caravans are normally raised above surrounding ground this would ensure the caravans themselves are dry up to and including the 0.1% AEP tidal flood including an allowance for climate change. However, it should be ensured that the bases on which the caravans stand are set above the 0.5% AEP tidal flood including an allowance for climate change. Therefore, the height of the caravan bases should be set at a minimum of 5.49m AOD. This level should apply to all new caravan bases in all parcels of land (see condition 3 below).
- 3.3. We are satisfied that the proposed finished floor level of the staff accommodation (Parcel E), is set at 5.89m AOD. It is not clear from the FCA at what level the parking

area associated with this development is to be set. However, we would again advise this is set above the 0.5% + CC AEP tidal event of 5.49m AOD (see condition 3 below).

3.4. Parcel F (26 No. static caravans) and Parcel H (beach café and car park) are shown to be at risk of flooding in the extreme (0.1% +cc AEP) tidal event. It is proposed that the finished floor level of the café is set at 5.89m AOD which is above the 0.1% + cc AEP tidal event. The level of the associated car parking area has not been specified however we would expect this is set no lower than the 0.5% +cc AEP extreme tidal level of 5.49m AOD (see condition 3 below).

3.5. In the absence of additional information being provided with any future planning application, we would recommend to the planning authority that they should only grant planning permission for this scheme if the condition listed below is attached to the planning permission:

Condition 3: No development shall commence until a flood risk management scheme has been submitted to and approved in writing by the Local Planning Authority. The flood risk management scheme should include:

- Details to ensure the static caravan bases, the parking area associated with Parcel E, and the parking area associated with Parcel H, will be set at a minimum 5.49 metres AOD

3.6. No assessment has been made within the FCA of any likely impact of wave overtopping or any associated velocities. Wave overtopping is likely to have an impact on an open coast location such as this especially over the lifetime of the development. This will need to be addressed within any revised FCA submitted. Depending on the outcome of the wave overtopping assessment, the proposed finished floor levels referred to within the FCA (and referred to in condition 3 identified above) may need to be revised. Requirement 2: Wave overtopping assessment, including associated velocities, to be provided within an updated FCA

Fluvial and Surface Water Risk

3.7. There are two small watercourses (A & B), which run through the site – they both have catchments of less than 3km² therefore they do not have an associated flood outline. They are however included within the surface water map which gives a general indication of likely flow routes. Surface water is shown to impact on Parcels C and G with depths generally around 0.3m although a small area in G has depths of up to 0.9m. The illustrative masterplan shows proposed static caravans in this area and we would advise discussions take place with the Lead Local Flood Authority (LLFA) as to how this is managed. We would also note the area of the site adjacent to parcel E (to the west of the railway) is shown at high surface water risk. This area is shown on the map to be linked by a subway to parcel E and land levels are shown to be lower. This may warrant further investigation and may again be something to discuss with the LLFA. Watercourse A discharges to the boating lake within the site and Watercourse B discharges to the sea to the east of the site. Watercourse B has been considered in terms of the risk associated with tidal levels increasing water levels within Section 4.4.1

of the FCA. The entire site is set above present-day extreme sea levels however with climate change expected to impact on sea levels over the lifetime of the development, parts of the site will be at risk from extreme tidal flooding in the future. Increased wind and wave action will also be likely to have an impact on the site into the future. We advise that you liaise with the LLFA regarding the above.

Coastal Defence

- 3.8. We are satisfied with the proposals for the coastal defence in terms of flood risk. We note the ES has considered there will be insignificant impact on the outfall of the Afon Wen to the east and on the railway to the north of the proposals and that discussions have taken place with Network Rail.
- 3.9. The LPA will need to assess whether the policies will be in line with the Shoreline Management Plan and Policy ARNA 1: Coastal Change Management Area.

4. Water Framework Directive

- 4.1. We have considered the WFD Compliance Assessment (Appendix L of the ES). We agree with the conclusions of the assessment that the proposal will not result in the deterioration of any WFD waterbodies.

5. Environmental Management

Waste

- 5.1. Any demolition work will generate what is termed as controlled waste. This waste should only be disposed of to sites which can prove that they are registered as exempt, or licensed under the Environmental Permitting Regulations. There is a legal requirement (Duty of Care requirements of Section 34 the Environmental Protection Act 1990) on the site owner, demolition contractor etc to ensure that the re-use or disposal of this waste is appropriate and complies with the Environmental Permitting Regulations. The Duty of Care requirements also mean that appropriate Waste Transfer Notes are produced and kept. Inappropriate disposal will result in enforcement action being taken against all those involved in the disposal of the waste.

Drainage

- 5.2. We note that section 3.5 of the Drainage Strategy Report (Bratherton Park Design Consultants, 7/10/2019) states that there is one more year left to do on removing surface water from the foul drainage. We welcome the continuation of this work in light of the additional foul drainage loading that this development will generate.
- 5.3. The Drainage Strategy Report indicates that the newly built sewage treatment plant will be able to cope with the additional volume of sewage generated, without causing deterioration in the effluent quality. We note that you have a new permit to discharge. You will need to ensure that you comply with this permit and to ensure that it covers what you are discharging in terms volume etc. If a variation to the permit is required

then you are advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity

- 5.4. We recommend that fat traps are installed on the foul drainage from the café.
- 5.5. In terms of general pollution prevention, the applicant should adhere to GPP5 to minimise impacts on watercourses within and adjacent the site.

6. Protected Species

Bats

- 6.1. We note that the ES submitted in support of the above application (Environmental Statement, Habitats Regulations Appraisal and Water Framework Directive Compliance Assessment (ABP Mer, November 2019, Reference R3282)) has identified that bats are present at the application site. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document '*Natural Resources Wales Approach to Bats and Planning (2015)*'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.
- 6.2. As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. However, we advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site and, therefore, we advise that all avoidance and mitigation measures described in the ES must be undertaken. We also recommend that the new buildings proposed as part of the development incorporate bat friendly measures (e.g. bat access points and crevices).
- 6.3. The ES must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.
- 6.4. The proposal has the potential to impact on bat flight lines through the introduction of lighting. We advise that details of the siting and type of external lighting to be used should be specified in the CEMP (see condition 1 above).
- 6.5. NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities will need to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Otters

- 6.6. The ES concludes that otters use part of Hafan y Môr (particularly watercourse WC1) for foraging, resting and commuting, but that there is no evidence of breeding within the site. Otters are protected under the Conservation of Habitats and Species Regulations 2017 and are also a feature of the Pen Llŷn a'r Sarnau SAC.

6.7. In order to avoid disturbance to otters, we advise that Reasonable Avoidance Measures should be set out in the CEMP (see condition 1 above). This should include measures that maintain the otter's use of WC1 during the construction and operational phase.

Water voles

6.8. We note that no evidence of water voles were found in any of the watercourses on site, and that the absence of water voles may be partly a result of the presence of mink. We would recommend that watercourses are managed to provide suitable water vole habitat wherever possible so that water voles may recolonise the site in future.

Other Matters

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other environmental interests.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please note that the coastal defences work will need a Marine Licence. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

D. B. Griffiths

Bryn Griffiths

Uwch-gynghorydd - Cynllunio Datblygu / Senior Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales