



## Habitats Regulations Assessment

|                           |                        |                  |                                      |             |                  |
|---------------------------|------------------------|------------------|--------------------------------------|-------------|------------------|
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| <b>Amended by</b>         | David Morris           | <b>Job Title</b> | Marine Licensing Case Officer        | <b>Date</b> | 16 November 2021 |
| <b>Quality Checked by</b> | Craig Loughlin         | <b>Job Title</b> | Marine Licensing Senior Case Manager | <b>Date</b> | 27 June 2022     |

**Table 1: Proposed plan or project details**

|  |  |
|--|--|
| <b>Title of project</b>                | The Dover Harbour Revision Order 2022  |
| <b>Case reference</b>                  | HRO/2021/00006   |
| <b>Applicant name</b>                  | Dover Harbour Board  |
| <b>Location of works</b>               | See Annex 1.   |
| <b>Description of proposed project</b> | Installation of a wall of tubular piles to create an outer wave screen approximately 70m in length at the entrance to the marina in Dover to protect the marina from wave energy reflected from the north-eastern corner of the harbour at high water. |

**Table 2: Need for a Habitats Regulations Assessment (HRA)**

|   |   |
|---|---|
| <p><b>Is the proposal directly connected with, or necessary to the management of a National Site Network (NSN) site for the purpose of conserving the habitats or species for which the site is designated?</b></p> | <p>No, the works are not directly connected with or necessary to the management of a National Site Network (NS) site.</p> |
|---|---|

**Table 3: Details of NSN site identified**

|   |
|---|
| <p><b>Name of NSN site:</b> Dover to Kingsdown Cliffs Special Area of Conservation (SAC) (UK0030330)<br/> <b>Distance and Direction:</b> 1.4km to north east</p>  |
| <p><b>Licensable activity/ies from the project that have the potential to interact with the NSN site:</b> Waves being reflected from the constructed wave screen.</p>   |
| <p><b>Conservation Advice package used:</b><br/>         There is currently no Conservation Advice package available for this NSN site. As such, to help inform the HRA the MMO has, where appropriate, used the Conservation Advice packages from North Norfolk Coast SAC (UK0019838) NSN site as a proxy to help provide information on relevant feature-pressure sensitivities.<br/> <a href="https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK0019838&amp;SiteName=North%20Norfolk%20Coast&amp;SiteNameDisplay=North%20Norfolk%20Coast%20SAC&amp;countyCode=&amp;responsiblePerson=&amp;SeaArea=&amp;IFCAAarea=&amp;NumMarineSeasonality=1&amp;HasCA=1">https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK0019838&amp;SiteName=North Norfolk Coast &amp;SiteNameDisplay=North Norfolk Coast SAC&amp;countyCode=&amp;responsiblePerson=&amp;SeaArea=&amp;IFCAAarea=&amp;NumMarineSeasonality=1&amp;HasCA=1</a><br/>         This is not a definitive list and all relevant considerations of specific interactions Dover to Kingsdown Cliffs NSN site have been considered as part of the HRA process.<br/><br/>         The supplementary advice available for the Dover to Kingston Cliffs SAC has also been used to inform the HRA - <a href="http://publications.naturalengland.org.uk/publication/4785841763254272">http://publications.naturalengland.org.uk/publication/4785841763254272</a></p> |
| <p><b>Date conservation advice was last accessed:</b> 16 November 2021</p>  |

## Likely Significant Effect (LSE)

In formulating the LSE alone assessment, Natural England's Conservation Advice Package, as outlined in Table 3, have been consulted and the following principles applied:

- Where available, the 'Advice on Operations' (AoO) matrix to determine pressures associated with the proposed activity that may potentially harm the qualifying habitat features and/ or species of the site has been used.
- Features are assessed against the proximity to the works and relevant seasonality considerations. If no pathway is identified between the project (source) and feature (receptor) than no further consideration is given to those features in the HRA.
- Low risk pressures, unless there is evidence or site specific factors that increase the risk, or uncertainty on the level of pressure on a receptor, this pressure generally does not occur at a level of concern and should not require consideration as part of the assessment.
- Features deemed sensitive to pressures (medium and high risk) for both direct and indirect pathways are taken forward into the LSE assessment unless screened for proximity or seasonality.
- The individual pressure/ feature interactions categorised as 'Not Sensitive' at the benchmark are not taken forward into the LSE assessment unless a specific case related pressure is identified such that the impacts on these features will reach above the benchmarks specified for these pressure/ feature interactions.
- For pressure/ feature interactions categorised as 'Not Relevant' these are not taken forward into the LSE assessment. The MMO considers that there is no interaction of concern between the pressure and a feature or the activity has no way of interacting with the feature.
- Pressure/ feature interactions categorised as either 'Insufficient Evidence' or 'Not Assessed' are taken forward into the LSE assessment in accordance with the precautionary principle.

The Advice on Operations (AoO) category of marine activity used is Coastal Development and Flood and Erosion Risk Management Schemes (Construction)  
- Construction and operation of offshore coastal defence structures (wave screens/breakwaters)

Q1 - I can confirm that I have reviewed all of the relevant conservation advice packages and I understand the features/supporting habitats that I am assessing.

Yes

Q2 - I can confirm that I have reviewed all of the relevant pressures as per the advice on operations section of the conservation advice packages

Yes

Q3 - I can confirm that this LSE has not considered mitigation (either included within the application or through additional measures) when assessing the LSE.

Yes

Q4 - I can confirm that the project will not result in habitat loss within the identified designated sites.

Yes

## **Part 1 - LSE Alone**

Q 5 - Upon reviewing the feature/pressure interactions I consider that the project as proposed will:

a) not have a likely significant effect on any NSN site mentioned above. My rationale is that:

- There is no pathway for disturbance (including seasonality). The features in this SAC are geological features, around 1.4 km away from the proposed works site. The proposed activities will cause increase in suspended sediment in the vicinity of the works, however this is not expected to be a significant increase. Due to the nature of the proposed works, the features in the designated site and the distance to them, it is not considered that proposed works will have a likely significant effect on these features. There will also be an increase in both underwater and overwater noise from the works, however given that the features are geological they are unlikely to be impacted by the noise.

## Part 2 – LSE in-combination.

### Other Projects considered for in-combination assessment

MMO has conducted a GIS check of activities in the immediate area around the proposed project. A pathway zone of influence of 2 km has been used. The MMO has also considered any known projects occurring within or around the boundaries of the NSN sites.

**Table 5 – In-combination plan or projects.**

| Name of plan or project and activity type   | NSN site to which there is a pathway in-combination with licence application   |
|---|--|
| Dover Western Docks Revival - construction. | Dover to Kingsdown Cliffs Special Area of Conservation. The project is separated from the site in Dover by roads, housing and port facilities. The Eastern Arm of the harbour wall prevents also separates the harbour from the cliffs in the SAC. Therefore, no pathway has been identified for any in-combination effects. |

### Impacts from projects considered for in-combination assessment

Q6 - Upon reviewing the feature/pressure interactions acting in-combination between the application project and projects listed in Table 5, I consider that the project as proposed will:

- a) not have a likely significant effect on any NSN site mentioned above. My rationale is that:
  - There is no pathway for in-combination effects. Both the construction works and the movement of ferries have the potential to result in sediment being suspended. However, the increase in suspended sediment is not likely to be significant and unlikely to have a significant in-combination effect with the proposed installation of the wave screen on the interest features of the site. Both the construction works and the movements of the ferries can generate underwater and overwater noise. However, given that the features of the site are geological there is unlikely to be an in-combination effects with the proposed installation of the wave screen.

## Likely Significant Effect Conclusion

The MMO:

Concludes there is no likely significant effect alone from the proposed project, or in-combination with other plans or projects. The works will not take place in the Dover to Kingsdown Cliffs SAC. The SAC site within Dover is terrestrial and given the location and the nature of the designated features, there is no pathway for any impacts from the works to reach the SAC. The works are small scale (70m long) and given the location within Dover Harbour (separated from the SAC by the Eastern Arm of the harbour wall), it is not likely that any wave reflection from the works could reach the site.

**Name of MMO officer:** David Morris

**Job Title:** Marine Licensing Case Officer

**Date:** 27 June 2022

## Annex 1

Full location information (including site coordinates) is available on the MMO's Public Register. A map detailing the proposed project site(s) is below.

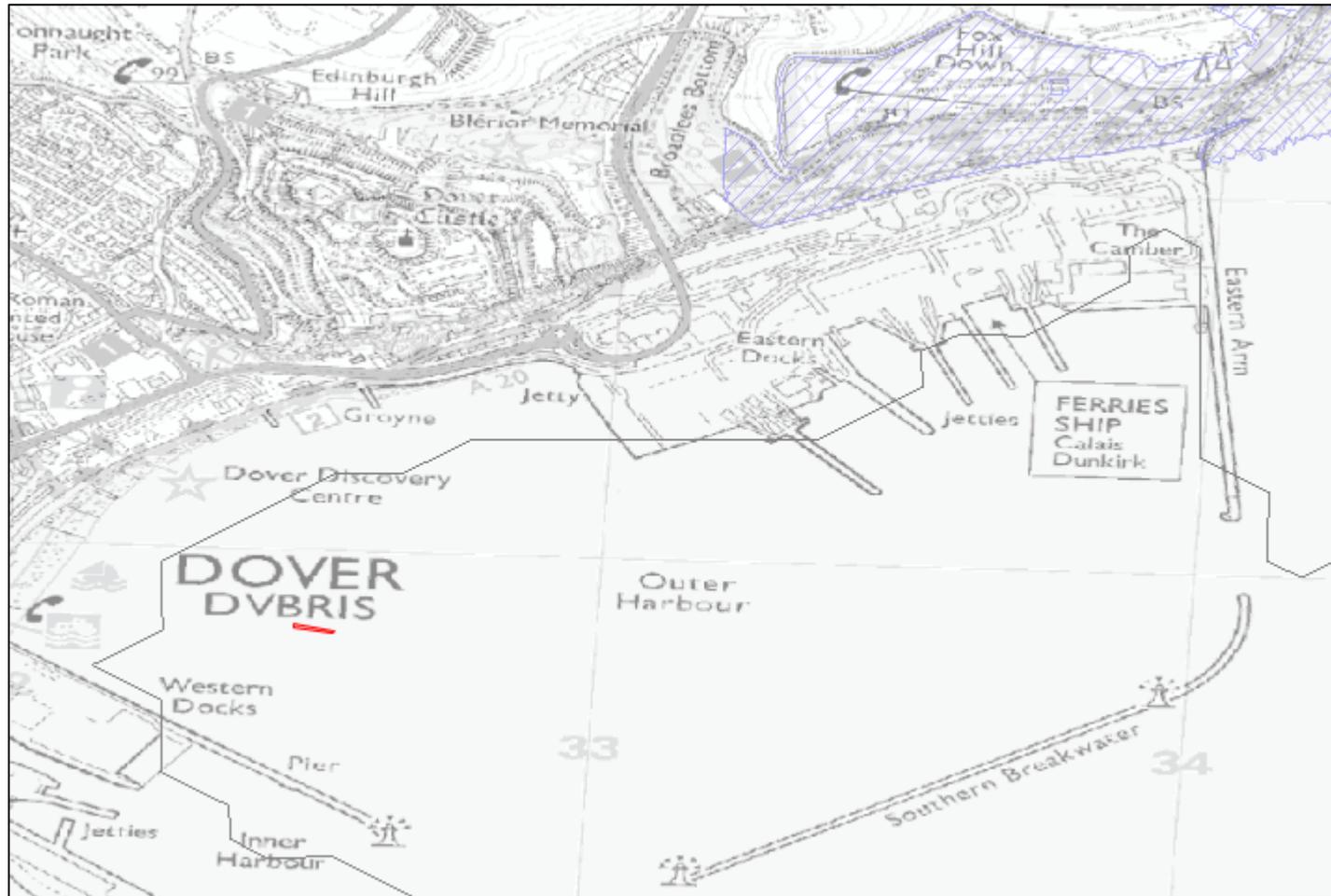


Figure 1: Location of the works (shown in red) and the Dover to Kingsdown Cliffs SAC (shown in blue diagonal lines)