

CYFOETH NATURIOL CYMRU
NATURAL RESOURCES WALES

Consent ref no: C003326/1

CONSENT UNDER SECTION 28E OF THE WILDLIFE AND COUNTRYSIDE ACT 1981

Site(s) of Special Scientific Interest:
Severn Estuary

Natural Resources Wales hereby gives consent that:

Dwr Cymru Welsh Water
Linea
Fortran Road
St. Mellons
CARDIFF
CF3 0LT

As an owner/occupier of land within the above site(s), may carry out, cause or permit to be carried out the operation(s) specified below in the manner prescribed.

Maintenance work will be carried out on a Dwr Cymru Welsh Water (DCWW) outfall (ref ST 3185 9905). A long-arm excavator will be used to remove stone, silt and shingle (approximately 1m in depth) from the channel obstructing discharge from the asset. This buildup of material has been caused by tidal influence and is causing pooling immediately at point of discharge. Work is required to remove flooding risk to properties upstream. No material stone/shingle will be removed from site, it will be moved to an agreed area away from the outfall (at approximate NGR ST 20928 75512).

Condition	Condition Reason
The contractor should consult / make use of the pollution prevention guide as stated in GPP-5: works and maintenance in or near water.	To reduce the risk of a pollution that would cause damage to the special features of the SSSI.
The contractor must ensure that fuels and oils are stored and contained securely throughout the operation. Any fueling/re-fueling that is required should be completed away from any water course or open water. Spill kits should be available in case of any spillages.	To reduce the risk of a pollution that would cause damage to the special features of the SSSI.
All equipment, materials, machinery and PPE used are in a clean condition prior to their arrival on site, and upon removal from site.	To minimise risk of introducing invasive non-native species to the local environment.

Works should not take place within the wintering bird season (October through to the end of February) to avoid disturbance to overwintering birds. If the timing of these works runs into the wintering bird season, then a new consent will be required.

If these proposed works occur below mean high water springs (MHWS) then a marine licence is also required. Please contact the Marine Licensing Team (marinelicensing@naturalresourceswales.gov.uk). More info can be found on the following web page: <https://naturalresources.wales/permits-and-permissions/marine-licensing/applying-for-a-marine-licence?lang=en>

This consent is valid until: 30/09/2023
To allow for review.

This consent only relates to the above legislation. It does not release you from any obligations to obtain approval under other legislation or the General Law. If the proposed works involve development, you may also require planning permission from the Local Planning Authority. Some proposals may require the landowner's permission or other authorisations.

Date: 21/08/2023

Signed: Dai Walters

SSSI Consents: Your right of appeal

If we have not consented to the proposed operations you have notified us of, or you disagree with any imposed conditions or time limits, you have the right to appeal. If we do not make a decision whether or not to give consent within 4 months you may appeal as if we had refused consent.

You also have a right of appeal if we withdraw or modify a consent we have previously issued to you.

If you are unclear as to why we have made our decision you should ask us for clarification before deciding whether to lodge an appeal.

Submitting an appeal

Forms and further guidance are available on the Welsh Government website <http://gov.wales/topics/environmentcountryside/consmanagement/rights-of-way-and-wider-access/countryside-area/sites-of-special-scientific-interest-appeals/?lang=en>)

Appeals must be made in writing to the Planning Inspectorate who will consider it on behalf of the Welsh Ministers.

The Planning Inspectorate

Crown Buildings

Cathays Park

Cardiff

CF10 3NQ

Tel: 029 2082 3892

Email : wales@pins.gsi.gov.uk

You will need to state the grounds on which you are making the appeal and enclose a copy of the decision being appealed against as well as any other relevant documentation.

Your appeal must be received **within 2 months** of the date of the notice telling you about the decision you want to challenge¹. You should also send a copy of the appeal to us at Natural Resources Wales.

The appeal may be dealt with by an exchange of written statements, at a hearing, or at a Local Inquiry. You will be asked to indicate which you would prefer. In any case, the appeal will be decided on the basis of the evidence put forward.

After receiving your appeal, the Planning Inspectorate will write to explain what will happen next, in more detail.

Withdrawal or modification of SSSI Consents: Payment if you have suffered loss

You may be eligible for a compensation payment if you will suffer loss as a result of the modification or withdrawal of a consent previously issued to you. If you feel you should be considered for compensation please write to us at the address shown on the covering letter.

¹ Or, where the appeal relates to the failure of a decision being made, within two months of the expiry of the four month period from the date of your notice to NRW notifying them of your intention to carry out the operation(s).