

CRoW Act 2000: Natural Resources Wales application for permission - Formal Notice

Natural Resources Wales Formal Notice.

Requirements of Section 28I of the Wildlife & Countryside Act 1981 as amended by the Countryside and Rights of Way Act (CRoW) 2000.

Duty in relation to granting any consent, licence or permit for activities likely to damage Sites of Special Scientific Interest (SSSI).

Guide to filling in this form for Natural Resources Wales staff:

To be completed by Permitting Officers for any applications for a permission which the Natural Resources Wales has considered under S28G duties to protect and enhance SSSIs. This applies to all proposed permissions within a SSSI, and to operations outside the SSSI boundary which are likely to damage its special features.

Refer to OI 140_10 'Applying the Countryside and Rights of Way (CRoW) Act 2000 to applications for permits with potential for impact on Sites of Special Scientific Interest (SSSI)', including the flowchart in Appendix 2.

Pink italic text – drafting notes, to be deleted before completion/consultation.

Blue text – examples, to be replaced with permission-specific information.

Ensure you have completed all sections.

1. Natural Resources Wales area/region/NPS hub:	Wales, Cardiff, Ty Cambria
2. Name of SSSI:	Afon Cleddau Dwyreinion/ Eastern Cleddau River
3. Type of permission:	Environmental Permit
4. Date for Natural Resources Wales permit determination:	04/04/2019
5. Predicted 28 day date for response from NRW conservation/ecology (under S28 I(4)):	28/02/2019
6. Natural Resources Wales reference no:	PAN-003982 BP0366401/V001
7. National grid reference:	SN 03787 24195
8. Description of proposal:	The application is to vary an existing permit at Llys Y Fran Dam sewage treatment works. The variation is to increase the daily discharge limit from a DWF of 9.9 to 14.5m³/day, this is to accommodate for growth in the catchment (expansion of existing visitor centre and a new outdoor activity centre). The proposal is also to move the discharge point from SN 03963 24241 to SN 03787 24195. The proposed treatment consists of a rotating biological contractor package treatment plant which will receive and treat all flows from the catchment. The system will be designed with sufficient capacity so that no emergency discharges will take place. Further details can be found on the solutions document on the DMS here.

9. Is the proposed activity within (wholly or partially) the SSSI boundary?

Yes



10. Has there been any pre-application discussion or correspondence with NRW conservation/ecology

No

11.What aspect(s) of the proposed permission may damage the features which are of special interest for the SSSI?

The following 'Operations Requiring Consent' (or other activities associated with the permission) that may cause damage) are relevant to the proposed permission.

Dumping, spreading or discharging of any materials

The following SSSI features and mechanisms of impact have been considered to assess the likelihood of damage:

- **River habitats including water crowfoot habitat**
- **Potamogeton berchtoldii x P. polygonifolius**
- **Otter**
- **Fish (bullhead, brook lamprey, river lamprey, sea lamprey)**

12.Decision

i) The proposed permission is **not likely to damage** any of the flora, fauna or geological or physiological features which are of special interest.

Referring to the SSSI: Management Statement, maintaining good water quality is key to supporting the features listed above. Therefore, it is key to assess the impact from the discharge on the SSSI to decipher whether the proposal would have an impact on the features. Monte Carlo modelling has been undertaken to ascertain the impact the discharge would have; the modelling demonstrates that the levels of organic pollution will stay within the remit of the JNCC Common Standards Monitoring Guidance for Rivers (2016). The targets set in the guidance are 1.5 mean BOD (mg/l) and 0.25 90%ile total ammonia, the modelling results show with limits on the permit of 40mg/l BOD, 60mg/l suspended solids and 20mg/l ammonia, the quality downstream of the discharge will be **0.95mg/l BOD and 0.11mg/l 90%ile Ammonia**. This has been modelled as a new discharge as the only upstream discharge is the existing from Llys Y Fran sewage treatment works which the variation will mean no longer is in place. These targets have been set to ensure the designated sites can support the designated features and habitats, therefore the modelling has shown that the impact from this discharge will not impact on the SSSI features. There will also be no emergency discharges of untreated sewage.

The management plan also states that the Fish species in the SSSI could be affected by changes in the water level and flow, significant variations from the natural levels can change the accessibility of spawning areas and can also alter critical factors such as dissolved oxygen levels, available territory and the impact of pollution. This proposal will not significantly alter the water level or flow, the discharge will occur at an average of 0.21 litres per second and there are no intermittent or emergency discharges that will deviate largely from this level. There are also no abstractions downstream for up to 10km+, this means there will be no significant effects which could jeopardise the fish species within the SSSI or in surrounding areas.

**Natural Resources Wales is minded to:
Issue the permission**

13.Name and job title of Natural Resources Wales officer:

Elliot Burge
Water Quality Permitting Officer

14.Date form sent to NRW conservation/ecology

31/01/2019

For Natural Resources Wales use only, once NRW conservation/ecology response received

15.NRW conservation/ecology comment on assessment:	i) NRW conservation/ecology advise the operation can go ahead
16.Name and job title of NRW conservation/ecology officer:	Chris Lawrence, Senior Conservation Officer, Pembrokeshire
17.Date of receipt of NRW conservation/ecology response:	08/02/2019