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Form

Record of a Habitats Regulations Assessment of a project

March 2016

OGN 200 Form 1

Document owner: Protected Sites Team, KSP

Version History:

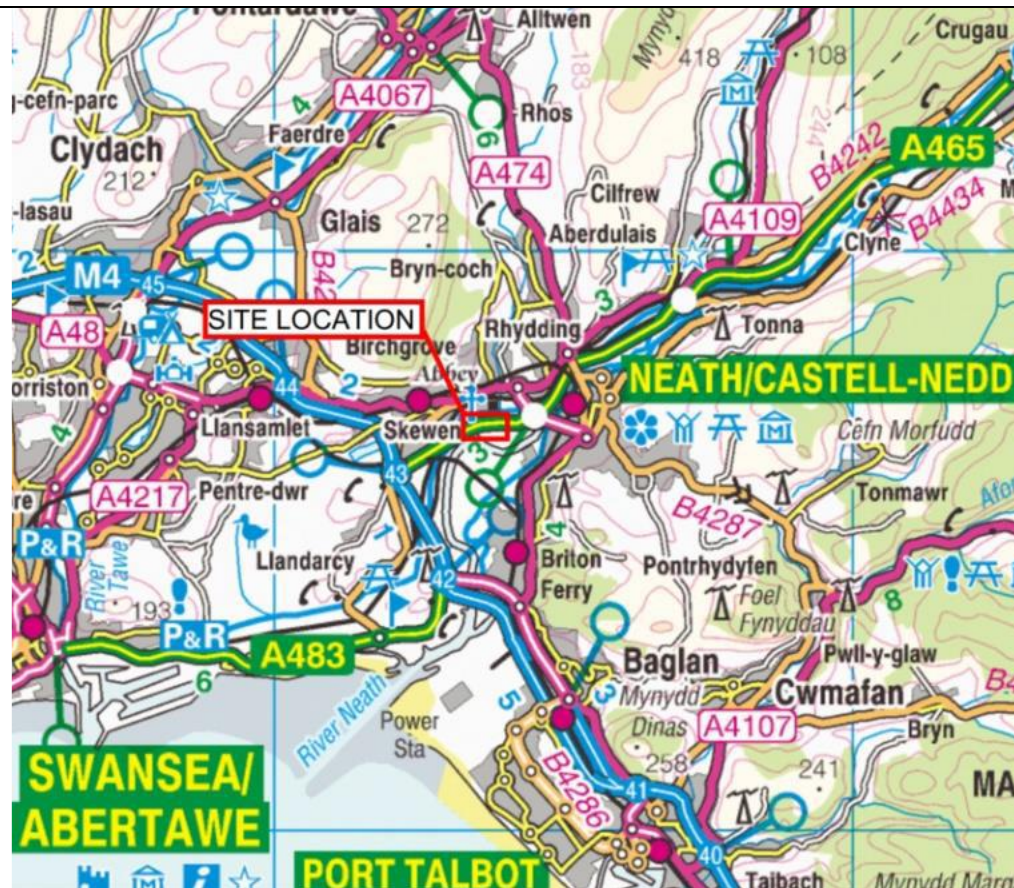
Document Version	Date Published	Summary of Changes
1.0	March 2016	Document created

Review Date: February 2017

Record of a Habitats Regulations Assessment of a project

1. Project Details

1(a): Project details where an external party has applied to NRW for any form of authorisation		
Application reference number (if applicable)	CML2437	
Date application received	19 June 2024	
Applicant details	South Wales Trunk Road Agent	
Activity proposed	The project is located at the A465 Clydach Underbridge and involves the installation of scour protection measures at the base of the supporting piers located within the right-hand riverbank	
Relevant legislation	Marine and Coastal Access Act (2009)	
Location	The project is located near Neath, at the A465 Clydach underbridge bounded by the coordinates below:	
	Lat	Long
	51.6587	-3.8259
	51.6588	-3.8265
	51.6592	-3.8264
	51.6593	-3.8259
	51.6592	-3.8255



Application documents	• CML2437 Location Plan • CML2437 General Arrangement Plan • CML2437 Sections Sheet 1 of 2 • CML2437 Sections Sheet 2 of 2 • CML2437 Pier Elevation • CML2437 Habitats Regulation Assessment_Rev1 • CML2437 WFD Assessment • CML2437 8449 CEMP Rev.3 09.08.24
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	• CML2437 Welsh National Marine Plan Assessment • CML2437 Centregreat - Neath Bridge Scour Works - RAMS - 12.8.24
Environmental Statement	N/A
Pre-application correspondence	(mentioned email correspondence but not provided) <u>N/A</u>
NRW team responsible for drafting this HRA report, and name of lead officer	Maria Alvarez, Marine Licensing Team

2. Determining the need for a Habitats Regulations Assessment

2.1 Is the whole of the project directly connected with or necessary to the management of one or more Natura 2000 sites, for the purposes of conserving the habitats or species for which the Natura 2000 site(s) is/are designated?	No
2.2 Is there a possibility that the project could affect a different Natura 2000 site to the one(s) the project is intended to conserve?	Yes
2.3 Is it necessary to carry out an HRA?	Yes

3. Considering the likelihood of a significant effect (LSE)

3.1 Renewal of a permission on the same or more restrictive terms as the extant permission

Is this project a renewal of a current permission which complies with NRW approved criteria for ruling out significant effects of renewals (see section 6.2A of OGN 200) without conducting a project-specific LSE test?	No
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3.2 Likelihood of significant effects (LSE) test

3.2.1 Which Natura 2000 sites might be affected by the proposal?	Based on the project specification or information provided in the application, it is considered that the following Natura 2000 sites have features which could be affected by the project: Crymlyn Bog/ Cors Crymlyn SAC and Ramsar site (3.2 km) The potential for the project to affect the following Natura 2000 sites was also initially considered, but can be ruled out without further consideration: N/A	
3.2.2 Screening assessment		
	Assessment of likelihood of significant effect	
	I Relevant conservation objectives	II Potential impact pathway
Crymlyn Bog/ Cors Crymlyn SAC and Ramsar		
<i>Transition mires and quaking bogs</i> <i>Calcareous fens with Cladium mariscus and species of the Caricion davallianae</i> <i>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)</i>	Further details in Crymlyn Bog SAC Core Management Plan ENGLISH (naturalresources.wales) The extent should be stable in the long term, or where appropriate increasing. Quality (including in terms of ecological structure and function) should be being maintained, or where appropriate improving. Populations of the habitat's typical species must be being maintained or where appropriate increasing.	Habitat loss / Physical damage - None of the works will take place in the SAC. Due to the distance of the SAC from the footprint of the Scheme, no direct or indirect loss of habitat will occur. Disturbance (e.g. physical) - None of the works will take place in the SAC. Due to the distance of the SAC from the footprint of the Scheme, and the work being confined to the area of the bridge piers, no physical disturbance to habitats within the SAC is anticipated. Accidental pollution during construction, maintenance and repair works - Due to the distance of the SAC from the footprint of the Scheme, accidental pollution during construction, maintenance and repair works is not anticipated to have an impact on habitats within the SAC. Although there is the potential for hydrological connectivity of the Scheme to the SAC, via the river and through groundwater flows, best practice measures for reducing pollution events would be in place during construction and work would be undertaken at low tide further reducing the risk of pollutants being carried downstream.

	Factors affecting the extent and quality of the calcareous fen habitat (including water quality, atmospheric pollution, water quality of the habitat and its typical species (and thus affecting the habitat's future prospects) should be under appropriate control.	
Crymlyn Bog/ Cors Crymlyn Ramsar site		
Largest example of valley floodplain topogenous mire in South Wales, and one of the largest surviving fens in the west of Britain. Very few other sites are known to support a comparable complexity and diversity of vegetation. Habitats Directive Annex I features present on the SAC include: H7140 Transition mires and quaking bogs H7210 Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> H91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> Supports a substantial population of the nationally-rare slender cotton-grass <i>Eriophorum gracile</i>, and a rich invertebrate fauna including many rare and highly localised species.	Conservation objectives for Ramsar features are currently to be developed, excluding topogenous fen which are to be developed with reference to the conservation objectives for transition mires and quaking bogs, and calcareous fens as listed for the SAC	Habitat loss / Physical damage - None of the works will take place in the SAC. Due to the distance of the SAC from the footprint of the Scheme, no direct or indirect loss of habitat will occur. Disturbance (e.g. physical) - None of the works will take place in the SAC. Due to the distance of the SAC from the footprint of the Scheme, and the work being confined to the area of the bridge piers, no physical disturbance to habitats within the SAC is anticipated. Accidental pollution during construction, maintenance and repair works - Due to the distance of the SAC from the footprint of the Scheme, accidental pollution during construction, maintenance and repair works is not anticipated to have an impact on habitats within the SAC. Although there is the potential for hydrological connectivity of the Scheme to the SAC, via the river and through groundwater flows, best practice measures for reducing pollution events would be in place during construction and work would be undertaken at low tide further reducing the risk of pollutants being carried downstream.

The site supports 199 vascular plant species including 17 regionally-uncommon and one nationally rare.		
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3.2.3 Screening decision of the project 'alone'	
(a) If ALL rows in column II of Table 3.2.2 are GREEN	The project is not likely to have a significant effect on any Natura 2000 site, because there is no impact pathway from the project to any Natura 2000 features, and no further consideration under the Habitats Directive/Regulations is required in order to determine the application.
(b) If there are NO rows coloured RED in column II of Table 3.2.2, and there are ANY rows which are BLUE	The project is not likely to have a significant effect on any Natura 2000 sites when considered alone, but the possibility of significant effects in combination with other plans and projects needs to be considered.
(c) If ANY rows in Column II of Table 3.2.2 are RED	The project is likely have a significant effect on one or more Natura 2000 sites and therefore an appropriate assessment is required.

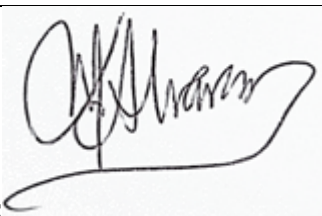
4. Appropriate assessment of the project when considered alone

N/A

6. Conclusion

HRA is not required because the whole of the project is directly connected with or necessary to the management of one or more Natura 2000/Ramsar sites, for the purposes of conserving the habitats or species for which the site(s) is/are designated, <u>and</u> the project is not likely to have a significant effect on any other Natura 2000/Ramsar sites.	
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(As documented in section 2.1 and 2.2 of this form)	
HRA is not required because there is no conceivable impact pathway to any Natura 2000/Ramsar site (As documented in section 2.3 of this form)	
This project is a renewal of a current permission which complies with NRW agreed criteria for ruling out significant effects of a renewal without conducting a project-specific LSE test. Therefore it is considered not likely to have a significant effect on any Natura 2000/Ramsar sites, either alone or in-combination with other plans and projects. (As documented in section 3.1 of this form)	
The project has been screened for likelihood of significant effects and, taking account of the advice received from protected sites advisors, is considered not likely to have a significant effect on any Natura 2000/Ramsar site (As documented in section 3.2 of this form, or section 5 if applicable)	X
In light of the conclusions of an appropriate assessment, and taking account of the advice received from protected sites advisors, it has been established that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans and projects. (As documented in section 4 of this form, and section 5 if applicable)	
In light of the conclusions of the appropriate assessment, it has <u>not</u> been ascertained that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, as documented in section 4 of this form, and section 5 is applicable. Approval for the project <u>cannot</u> 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, or - the project satisfies the requirements of Article 6(4) of the Habitats Directive, an Article 6(4) Statement of Case is prepared (OGN 200 Form 3) and submitted for consideration by the appropriate authority, normally Welsh Ministers	

A handwritten signature in black ink, appearing to read 'Maria Alvarez', is positioned above the 'Signed:' label.

Signed:

Name: Maria Alvarez

Position: Lead Specialist Officer, Marine Licensing

Date: 20 June 2024

7. Consultation with protected sites advisor(s) and how sections 2, 3, 4 and 5 of this HRA report (as applicable) take into account that advice.

Relevant section of the HRA report	Date(s) of correspondence* and any meeting(s) with protected sites advisor(s)	Description of how the comments from protected sites advisors have been taken into account
2		
3		
4		
5		

Protected sites advisor response to an internal consultation on the Habitats Regulations Assessment of a project

TO: Maria Alvarez

FROM: Delyth Rowlands (Marine Area Advice and Management Team)

SUBJECT: Habitats Regulation Assessment of CML2437 Clydach Underbridge Scour Repair and Protection Measures

Thank you for consulting the Marine Area Advice and Management Team on the above project and sending us a copy of the draft Form 1 HRA report dated 08/07/2024. Our comments are as follows:

The HRA has considered impacts to the Cors Crymlyn / Crymlyn Bog Special Area of Conservation (SAC) and Ramsar site and has concluded that the proposal will not have a likely significant effect on these sites. We can confirm that we agree with the conclusions.

Signed: *Rowland Sharp*

Date: 15th August 2024
