

# OGN 200 Form 1A

## Record of a Habitats Regulations Assessment

<b>Plan or project name, brief description or application reference number</b>	PAN-025929 – Withyhedge Landfill Permit Variation
<b>HRA iteration/version</b>	1

## 1. Plan or Project Details

Information about the plan or project		
1	<b>Date application received</b>	Duly made 24/04/2025
2	<b>Applicant details</b>	Resources Management U.K Limited
3	<b>NRW team responsible for carrying out, or requiring to be carried out, the plan or project, and name of lead officer</b>	N/A
4	<b>Activity/ies proposed</b>	<p>Resources Management UK Ltd have submitted an application to Natural Resources Wales (NRW) to change its environmental permit for Withyhedge Landfill Siyte (permit number EPR/MP3330WP).</p> <p>The proposed changes include:</p> <ul style="list-style-type: none"><li>• Revised final restoration levels</li><li>• Modified management and monitoring program for groundwater, surface water and leachate</li><li>• New landfill gas compliance trigger levels</li><li>• The addition of 50,000 tonnes of waste soils per year for restoration work under a new Waste Recovery activity</li><li>• Consolidation and modernisation of the permit, including a review of existing Improvement Conditions and Pre-operational Conditions</li></ul>

5	<b>Relevant legislation or statutory basis</b>	Environmental Permitting Regulations Landfill Directive
6	<b>Location</b>	Rudbaxton, Haverfordwest, SA62 4DB
7	<b>Plan or project documents, including any application documents</b>	<a href="#">See DMS file</a>
8	<b>Environmental Statement</b>	N/A
9	<b>Pre-application correspondence</b>	N/A
10	<b>NRW team responsible for preparing this HRA report, and lead officer</b>	Jennifer McGuire
11	<b>Team or person responsible for approving the plan or project (competent authority role)</b>	Installations and RSR permitting Team

## 2. Determining the need for a Habitats Regulations Assessment

2.1 Is there any possibility that the plan or project could negatively affect any European sites?	YES
2.2 Is the whole of the plan or project directly and only connected with or necessary to the management of one or more European sites, for the purposes of conserving the habitats or species for which the European site(s) is/are designated?	NO
2.3 Is there a possibility that the plan or project could affect any other feature of the European site(s) concerned, or of another European site, in a way that would undermine that feature's conservation objectives?	YES

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

### 3.1 Renewal of a project authorisation on the same or more restrictive terms as an extant authorisation

Is this a renewal of an extant authorisation which complies with NRW approved criteria for ruling out significant effects of renewals (see Part 2 of <a href="#">OGN200</a> ) without conducting a project-specific LSE test?	NO
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### 3.2 Likelihood of significant effects (LSE) test

#### 3.2.1 Which European sites might be affected by the plan or project?

(a) Based on the plan or project specification or information provided in the application, it is considered that these European sites have features which could be negatively affected by the plan or project	Afonydd Cleddau / Cleddau Rivers SAC
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(b)	The potential for the plan or project to negatively affect these European sites was also initially considered, but can be ruled out without further consideration	N/A
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### 3.2.2 Screening for likelihood of significant effect

TABLE 3.2.2 Screening assessment
European site name: Afonydd Cleddau / Cleddau Rivers SAC
<p>Withyhedge landfill is bordered by Rudbaxton Water, which is a tributary of the Western Cleddau River which in turn forms part of the Ceddau Rivers SAC. The site is designated for:</p> <ul style="list-style-type: none"> <li>• Sea lamprey <i>Petromyzon marinus</i></li> <li>• Brook lamprey <i>Lampetra planeri</i></li> <li>• River Lamprey <i>Lampetra fluviatilis</i></li> <li>• Bullhead <i>Cottus gobio</i></li> <li>• European otter <i>Lutra lutra</i></li> <li>• Watercourses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation</li> <li>• Active raised bogs</li> <li>• Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>).</li> </ul> <p>The features of site and conservation objectives are outlined in detail in the <a href="#">Afonydd Cleddau / Cleddau Rivers SAC SAC Managament Plan, dated 2022</a>.</p> <p>In determining the likelihood of significant effect from the changes proposed to the site’s permit, we have assessed each change proposed and whether there is an impact pathway to the site.</p>

### Revised final restoration levels

The new restoration levels include the retention of additional waste overtipping from a previous operator and a new restoration design. An impact pathway to the SAC from this change includes changes to slope stability which could cause waste collapses which release waste and/or sediment into the water course.

The operator has reviewed the existing Stability Risk Assessment (SRA) for the site to determine if any further assessment is required as a result of the proposed changes. A review of the assessment by the operator concluded that assumptions in the original risk assessment were based on steeper and longer geometric assumptions with the aim of determining the upper limits of stability and not the final (at time of writing) slope configurations. The technical review concluded that as the SRA was based on a steeper slopes than the new restoration level is proposing, there is no increased risks arising from changes to slope stability and no further assessment is required. NRW's technical specialists have reviewed the evidence submitted by the applicant and are in agreement.

We have also considered the impact the overtip will have on the liner of the landfill. The Conceptual Site Model (CMS) for the site identifies the River Rudbaxton as the main environmental receptor of the landfill activity, where groundwater flows beneath the landfill through bedrock and flows into the Rudbaxton Water. Any changes which pose a risk to the integrity of the landfill liner could lead to an increased risk of leachate migration. The operator has assessed the original assessment and liner specification for the cells which have been historically overtipped and found that 6 of the 7 cells identified may be experiencing a pressure which is greater than that estimated when designing the landfill. Detailed assessment carried out by way of assessing the acceptable strain limits indicated by the individual cell cylinder tests concluded that the additional pressure is still within the acceptable strain limits. New cylinder tests were also carried out, with conclusion supporting the lining as being sufficient to withstand the increased load.

NRW asked how the applicant had considered how the additional waste volume will generate extra leachate (and additional weight) in their assessment. A technical note was provided which justified there not being any additional pressure of the landfill liners because:

- The waste is deeper but covers less area, so the total leachate volume shouldn't increase, even if it's more concentrated.
- The permits leachate depth limits (max 1 m above the cell base) will remain
- The leachate re-circulation system is being removed

NRW's technical specialists have reviewed the assessments provided and agree that from the information in the application, there will be no risk of the basal liner being comprised as a result of the new restoration profile and hence no anticipated impact pathway to the site as a result of the changes proposed.

Our assessment has concluded that there is no impact pathway to the site as a result of this change.

#### Modified management and monitoring program for groundwater, surface water and leachate

As discussed above, The Conceptual Site Model (CMS) for the site identifies the River Rudbaxton as the main environmental receptor of the landfill activity. The permit includes limits on leachate levels, groundwater quality and surface water quality to protect this receptor. Any changes to these could have an impact on the SAC by reducing the level of protection granted by these. However, the applicant has provided a Hydrogeological Risk Assessment Review (HRAR) which justifies every change in limit and monitoring regime proposed. NRW's technical specialist have reviewed the HRAR, and additional information submitted in response to information requests, and are in justification provided for the changes proposed. From the information provided, we are satisfied the new permit limits and monitoring requirements remain protective of the Rudbaxton Water. A detailed description of all the permit's limits and monitoring changes and our assessment is available in the decision document accompanying the permit variation.

The variation is also update the surface water management system, including the details of a new Phase 2 surface water collection system. The system protects the water course by receiving any rainfall run-off from the landfill and providing sufficient retention time to allow settlement of suspended solids before the run-off is discharged to the Rudbaxton Water. We have reviewed the updated information provided and are satisfied the surface water management system is sufficient to prevent the ingress of sediment into Rudbaxton Water. Full details of the new system and our assessment can be found in the decision document accompanying the variation. A pre-operational measure for future development has been imposed, requiring the operator to confirm the surface water management system design for Phase 3 before any landfill cells are constructed.

We have decided to remove the limits on the flow rate from the discharge points from the surface water ponds from the permit as part of a regulator initiated change. This decision is based on annual reporting data, which consistently shows actual flows to be significantly below the existing limits. We do not consider there to be any environmental benefit in restricting flow from the ponds, particularly as rainfall falling on the landfill must ultimately discharge into the Rudbaxton catchment. This variation does not remove the requirement to monitor and report on the water quality of the discharges.

### New landfill gas compliance trigger levels

There is no anticipated impact pathway anticipated from changes relating to landfill gas monitoring.

### The addition of 50,000 tonnes of waste soils per year for restoration work under a new Waste Recovery activity

Potential risks to the adjacent watercourse from the proposed waste recovery activity primarily relate to the mobilisation of particulates or contaminants from restoration soils. However, the applicant has outlined a comprehensive surface water management system designed to intercept and control any such mobilised materials. This system includes regular monitoring of surface water quality, with thresholds set within the permit to trigger intervention if necessary. Furthermore, only inert soils will be used in the restoration process, and their quality will be assured through a Construction Quality Assurance (CQA) protocol.

Our assessment has concluded that there is no impact pathway to the site as a result of this change

### Consolidation and modernisation of the permit, including a review of existing Improvement Conditions and Pre-operation Conditions

There is no impact pathway anticipated impact from this change which is mainly administrative.

**TABLE 3.2.3 Screening decision of the plan or project 'alone'**

<b>(a) If the screening conclusion for <u>all</u> features for all sites in Table 3.2.2 is 'SCREEN OUT'</b>	<b>The plan or project is not likely to have a significant effect on any European site, and no further consideration under the Habitats Regulations is required in order to determine the approval/application.</b>
<b>(b) If the conclusion for <u>any</u> features in Table 3.2.2 is 'SCREEN IN'</b>	<b>The plan or project is likely to have a significant effect on one or more European sites and therefore an appropriate assessment is required.</b>
<b>(c) If there are <u>no</u> features in Table 3.2.2 that are 'SCREEN IN'</b>	<b>The plan or project is not likely to have a significant effect on any European sites when considered alone, but the possibility of significant effects in combination with other plans and projects needs to be considered.</b>

and <u>any</u> features that are 'IN COMB'	
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#### 4. Conclusion

HRA is not required because there is no conceivable impact on any European sites. (As documented in section 2.1)	
HRA is not required because the whole of the plan or project is directly connected with or necessary to the management of one or more European sites, for the purposes of conserving the habitats or species for which the site(s) is/are designated, <u>and</u> the plan or project is not likely to have a significant effect on any other European sites. (As documented in section 2.2 and 2.3)	
This project is a renewal of a current permission which complies with NRW agreed criteria for ruling out likely 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 European sites, either alone or in-combination with other plans or projects. (As documented in section 3.1 of this form)	
The plan or project has been screened for likelihood of significant effects and is considered not likely to have a significant effect on any European sites. (As documented in section 3.2 of this form, and section 5 if applicable)	<b>X</b>
In light of the conclusions of an appropriate assessment it has been established that the plan or project will not adversely affect the integrity of any European sites, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans or 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 plan or project will not adversely affect the integrity of any European sites, as documented in section 4 of this form, and section 5 if applicable. Approval for the plan or project <u>cannot</u> be given unless either: <ul style="list-style-type: none"> <li>the plan or 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 is prepared, or</li> <li>the plan or project (not being an SSSI consent*) satisfies the requirements for a derogation and a Derogation Notice is prepared and submitted for consideration by the appropriate authority, normally Welsh Ministers</li> </ul> (*SSSI consents cannot be given as derogations)	
Signed: Jennifer McGuire	
Name: Jennifer McGuire Position: Lead Specialist Officer, Installations and RSR Permitting	

**Date:17/09/2025**

**Was this HRA conclusion an escalated decision?**

**NO**