

Record of a Habitats Regulations Assessment of a project or spatially-specific plan

OGN 200 Form 1B (with structured tables for likely significant effect screening and appropriate assessment)

Document owner: Head of Business for Natural Resource Management

Version History:

Document Version	Date Published	Summary of Changes
2.0	21/10/2024	Following 2023/24 review of HRA OGNs

Next review date: October 2025

Record of a Habitats Regulations Assessment.....	3
1. Plan or Project Details	3
2. Determining the need for a Habitats Regulations Assessment.....	5
3. Considering the likelihood of a significant effect (LSE).....	6
4. Appropriate assessment of the plan or project when considered alone.....	8 89
5. In combination assessment	13 1312
6. Conclusion	15 1514
7. Consultation with the ANCB and how sections 2, 3, 4 and 5 of this HRA report (as applicable) take into account that advice. 16 1615	
8. Appropriate nature conservation body (ANCB) response to an internal HRA consultation.....	17 1716
9. Appendix - ANCB Response	18 1817
9. Appendix - Supporting information.....	19 1918

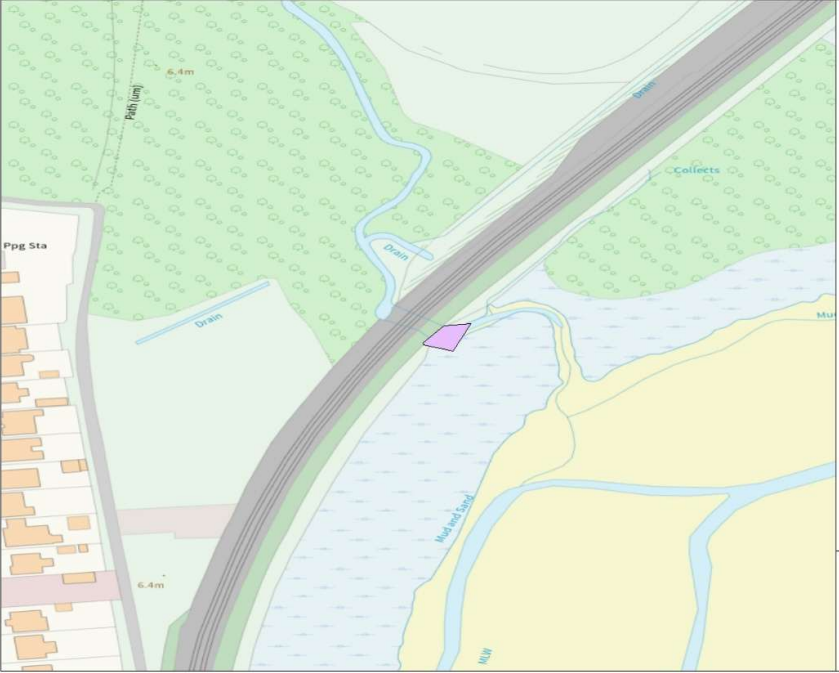
OGN 200 Form 1B

Record of a Habitats Regulations Assessment

Plan or project name, brief description or application reference number	CML2603 - Llangennech Tidal Flap & Culvert Repair
HRA iteration/version	N/A

1. Plan or Project Details

Information about the plan or project		
1	Date application received	13 January 2026
2	Applicant details	M Group Transport (Rail & Aviation) Limited, Abel Smith House, Gunnels Wood Road, Stevenage, Hertfordshire, England, SG1 2ST
3	NRW team responsible for carrying out, or requiring to be carried out, the plan or project, and name of lead officer	N/A
4	Activity/ies proposed	• Masonry repairs (stonework & repointing works) using marine grade cementitious materials to repair head wall and culvert bore. Vegetation clearance for surface preparation. • Temporary sandbag dam to allow for over-pumping of water from working area using 6" pump, pipe bagging to be laid through the culvert bore. • Materials delivered by rail.

5	Relevant legislation or statutory basis	Marine and Coastal Access Act 2009
6	Location	Llangennech, Carmarthenshire 51.688871 -4.0816744 51.688794 -4.0817307 51.688785 -4.0816301 51.688889 -4.0815530 Cyfoeth Naturiol Cymru Natural Resources Wales CML2603 Llangennech Tidal Flap & Culvert Repair  Legend CML2603 0 0.025 0.05 Kilometers © Crown Copyright and database right 2016. Ordnance Survey licence number 100019741. © Haverthwaite a hawlaia o'rfael ddiwydiol 2013. Rhestr ystyried y'r Arddangosfa 100019741.

7	Plan or project documents, including any application documents	CML2603 Trinity House Correspondence.pdf CML2603 MCA Correspondence .eml CML2603 - Application Form.pdf CML2603 Application Amendments Form (LH Signature).pdf CML2603 - 0450_WAL_MGR Monitor Remit.pdf CML2603 - LLA Tidal Flap (0450) - WNMP SIGNPOST DOCUMENT.xlsx CML2603 - Picture - Works Location.png CML2603 - Visual 2025 LLA 2 61 5.pdf CML2603 - LLA Tidal Flap (0450) - EV002567-AA-HRA-2025 - 2.pdf CML2603 - Appendix A - LLA Tidal Flap (0450) - Biosecurity Management Plan & Risk Assessment - 2025 - Rev 1.pdf
8	Environmental Statement	N/A
9	Pre-application correspondence	N/A
10	NRW team responsible for preparing this HRA report, and lead officer	Dylan Morgan – Marine Licensing Officer – Marine Licensing Team
11	Team or person responsible for approving the plan or project (competent authority role)	As Row 10.

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,	NO

for the purposes of conserving the habitats or species for which the European site(s) is/are designated?	
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 OGN200) 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	Carmarthen Bay and Estuaries/ Bae Caerfyrddin ac Aberoedd SAC
(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	Burry Inlet SPA and RAMSAR site Carmarthen Bay SPA - UK9014091

3.2.2 Screening for likelihood of significant effect

Table 3.2.2 Screening assessment

Designated site feature	Relevant conservation objectives	Screening conclusion – 'SCREEN OUT', 'SCREEN IN' or 'IN COMB'	Explanation
European site name: Carmarthen Bay and Estuaries/ Bae Caerfyrddin ac Aberoedd SAC			
1110 Sandbanks which are slightly covered by sea water all the time	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	SCREEN OUT	NO IMPACT PATHWAY PREDICTED These features are not located in close proximity to the location of Works. Due to the small scale and nature of the works, therefore there is no impact pathway.
1130 Estuaries	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	SCREEN IN	Possibility of LSE due to contamination from: • Spillage of hydrocarbons during refuelling of equipment or due to equipment failure • Spillage of cementitious grout from repair areas
1140 Mudflats and sandflats not covered by seawater at low tide			
1160 Large shallow inlets and bays	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	SCREEN OUT	NO IMPACT PATHWAY PREDICTED These features are not located in close proximity to the location of Works. Due to the small scale and nature of the works, therefore there is no impact pathway.
1310 Salicornia and other annuals colonizing mud and sand	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	SCREEN IN	Possibility of LSE due to contamination from: • Spillage of hydrocarbons during refuelling of equipment or due to equipment failure • Spillage of cementitious grout from repair areas
1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)			
1103 Twaite shad <i>Alosa fallax</i>	NRW conservation objectives: conservation-advice-for-carmarthen-bay-and-estuaries-sac.pdf	SCREEN OUT	NO IMPACT PATHWAY PREDICTED These features are not located in close proximity to the location of
1095 Sea lamprey <i>Petromyzon marinus</i>			

1099 River lamprey <i>Lampetra fluviatilis</i>			Works. Due to the small scale and nature of the works, therefore there is no impact pathway.
1102 Allis shad <i>Alosa alosa</i>			
1355 Otter <i>Lutra lutra</i>			

TABLE 3.2.3 Screening decision of the plan or project 'alone'	
(a) If the screening conclusion for <u>all</u> features for all sites in Table 3.2.2 is 'SCREEN OUT'	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) If the conclusion for <u>any</u> features in Table 3.2.2 is 'SCREEN IN'	The plan or project is likely to have a significant effect on one or more European sites and therefore an appropriate assessment is required.
(c) If there are <u>no</u> features in Table 3.2.2 that are 'SCREEN IN' and <u>any</u> features that are 'IN COMB'	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.

4. Appropriate assessment of the plan or project when considered alone

4.1 Assessment of plan or project as defined

Table 4.1 Appropriate assessment

European site feature/s	Description of impacts	Assessment in view of conservation objectives	Can adverse effect on site integrity be ruled out? 'YES' or 'NO'
European site name: Carmarthen Bay and Estuaries/ Bae Caerfyrddin ac Aberoedd SAC			
1130 Estuaries	Contamination from; hydrocarbon spillage during refuelling (or equipment failure) and masonry repointing works.	Materials are to be delivered to site by rail. The works are to be contained to the structure and materials prepared within the rail corridor, not the wider area. No vehicles/vessels are to enter the estuarine environment and mats/tarps are to be placed on the sensitive saltmarsh environment. INNS have not been identified near the working area. Adherence to GPP5, 7, 21 & 22 working practices. The applicant submitted an HRA and a Biosecurity Risk Assessment & Management Plan to support the application and mitigate adverse impacts to designated site features. Emergency Plans in place: - Any disabled or malfunctioning equipment within or near the channel environment will be immediately checked for any potential release of hydrocarbons, and if discovered, spill kits and trays will be used immediately. - The on-call emergency engineer provider will be requested to attend site if the fault cannot be resolved by the operator. As all equipment is accrued by hand, any faulty equipment will be carried out of the marine environment. - NRW and the on-call Environmental Clerk of Works will be contacted immediately and	YES
1140 Mudflats and sandflats not covered by seawater at low tide			YES
1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)			YES

		made aware of the emergency and risk of a pollution event. Features are presently in unfavourable condition, however there are sufficient mitigation, plans and procedures in place to mitigate an LSE to these features. Given this, and the nature and short timeframe of the works, adverse effects to site integrity can be ruled out when undertaken in accordance with the HRA & Biosecurity Risk Assessment & Management Plan and detailed mitigation measures. In addition, standard licence conditions state that: - Bunding, storage facilities and spill kits will be employed to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment. - Plant, vehicles and machinery will not be refuelled on the foreshore. - The licence holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible.	
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4.2 ~~Appropriate assessment of the plan or project taking into account additional conditions or restrictions imposed by the competent authority~~

~~Table 4.2 Appropriate assessment of the plan or project taking into account additional conditions or restrictions~~

European site name: Carmarthen Bay and Estuaries/ Bae Caerfyrddin ac Aberoedd SAC				
European site Feature	Adverse effect(s)	Can adverse effect(s) be mitigated by additional imposed conditions or restrictions? 'YES' or 'NO'	Additional imposed mitigation measure(s)	Can adverse effect on site integrity be ruled out? 'YES' or 'NO'
1130 Estuaries				
1140 Mudflats and sandflats not covered by seawater at low tide				
1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)				

4.3 Concluding the appropriate assessment of the plan or project alone

Table 4.3 Conclusion of the appropriate assessment alone	
(a) If Table 4.1, or the right hand column of Table 4.2 if applicable, is 'YES' for all features	It has been ascertained that the plan or project, when considered alone, will not adversely affect the integrity of any European sites.
(b) If there are any 'NO's in the right hand column of Table 4.2	It has not been ascertained that the plan or project, when considered alone, will not adversely affect the integrity of one or more European sites.
(c) Are there are any residual effects of the plan or project (net of mitigation measures) which, though not adverse	NO

on their own, could be significant when considered in combination with the effects of other plans or projects?	
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5. In combination assessment

Table 5.1 Identification and assessment of in combination effects				
European site name:				
'INCOMB' impacts from screening Table 3.2.2 and/or residual effect from appropriate assessment in section 4	European site feature(s) concerned	Other plans or projects with effects that might interact with the effects of the plan or project to render its effects significant/adverse (if any)	Nature of the in combination effect (if any) and assessment in view of conservation objectives	Can significant or adverse in combination effects be ruled out for all features?
(a) If the right hand column is 'YES' for all rows		The plan or project, when considered in combination with other plans and projects, is either not likely to have a significant effect on, or will not adversely affect the integrity of, any European site.		
(b) If any rows in the right hand column are 'NO'		The plan or project is likely to have a significant effect on, or an adverse effect on, European site/s in combination with other plans or projects.		

Table 5.2 Addressing in combination effects		
In combination effect	Additional imposed mitigation measures,	Taking into account any additional measures identified and how they would

		be applied, can adverse effects on site features from in combination effects be ruled out? 'YES' or 'NO'
In combination assessment: conclusion		
(a) If the right hand column is 'YES' in all cases	It can be concluded that the plan or project will not adversely affect the integrity of any European sites, either alone or in combination with other plans or projects.	
(b) If any row is 'NO' in the right hand column	It cannot be concluded that the plan or project will not adversely affect the integrity of any European sites, when considered in combination with other plans or projects.	

6. 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)	
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)	X
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: - 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 - 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 (*SSSI consents cannot be given as derogations)	
Signed: 	
Name: Dylan Morgan Position: Marine Licensing Officer	
Date: 24 February 2026	
Was this HRA conclusion an escalated decision? YES or NO	NO

7. Consultation with the ANCB 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	Correspondence and/or meetings with the ANCB	Description of how the comments from the ANCB have been taken into account
2		
3	NRW (A) – Email dated 19 February 2026	NRW(A) did not agree with the initial conclusion of HRA and proposed that an Appropriate Assessment be undertaken. This has now been undertaken to the conclusion of no Adverse Effect on the Integrity of Carmarthen Bay and Estuaries / Bae Caerfyrddin ac Aberoedd SAC.
4	NRW (A) – Email dated 19 February 2026	Appropriate Assessment now undertaken in light of comments from NRW (A).
5		

8. Appropriate nature conservation body (ANCB) response to an internal HRA consultation



Appropriate nature conservation body (ANCB) response to an internal HRA consultation

This form should be completed by the team or individual providing the ANCB advice to the competent authority team

TO: Dylan Morgan, Marine Licensing Team
FROM: Rhian Forrest, Marine Area Advice and Management Team
SUBJECT: Habitats Regulations Assessment of CML2603 – Llangennech Tidal Flap and Culvert Repair.

Thank you for consulting Marine Area Advice and Management Team on the above. Our comments are as follows:

We do not agree with the conclusion of the above mentioned HRA and advise that an Appropriate Assessment should be carried out.

The shadow HRA includes measures specifically to avoid and reduce impacts to qualifying saltmarsh habitat adjacent to the works. These include, the placement of tarps and protective covers over vulnerable areas of saltmarsh.

If an undertaking appears to be included specifically to avoid or reduce potential harm to a European site, it strongly suggests that it should not be taken into account when screening the plan or project for LSE but considered as part of an Appropriate Assessment.

On that basis, we advise that likely significant effects cannot be excluded at the screening stage and that an Appropriate Assessment is required.

We have considered the proposed mitigation and agree that the proposal would not have an adverse effect on the site's integrity.

Signed: Rhian Forrest

Date: 19.02.2025

9. Appendix - ANCB Response

[CML2603 HRA Form 3 ANCB internal advice](#)

9. Appendix - Supporting information

