



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:	NPS – Installations Permitting Environment Team – Pembrokeshire								
2. Name of SSSI:	<table border="0"> <tr> <td>I. Milford Haven Waterway</td> <td>0.432km (432m)</td> </tr> <tr> <td>II. Gweunydd Somerton Meadows</td> <td>1.823km (1823m)</td> </tr> <tr> <td>III. Broomhill Burrows</td> <td>2.967km (2967m)</td> </tr> <tr> <td>IV. Castlemartin Corse</td> <td>3.567km (3567m)</td> </tr> </table> Note – the distances quoted have been supplied by the applicant and are measured from the proposed hydrogen production facility to these protected sites. Distances to the existing power station installation boundary are shorter, but are unaltered by this variation application.	I. Milford Haven Waterway	0.432km (432m)	II. Gweunydd Somerton Meadows	1.823km (1823m)	III. Broomhill Burrows	2.967km (2967m)	IV. Castlemartin Corse	3.567km (3567m)
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3. Type of permission:	Environmental Permit (substantial variation)								
4. Date for Natural Resources Wales permit determination:	Draft decision by end of May 2026								
5. Predicted 28 day date for response from NRW conservation/ecology (under S28 I(4)):	End of May 2026 (if required)								
6. Natural Resources Wales reference no:	PAN-027129 (EPR-DP3333TA) EPR/DP3333TA – regulatory DMS PAN-027129 Public Register								

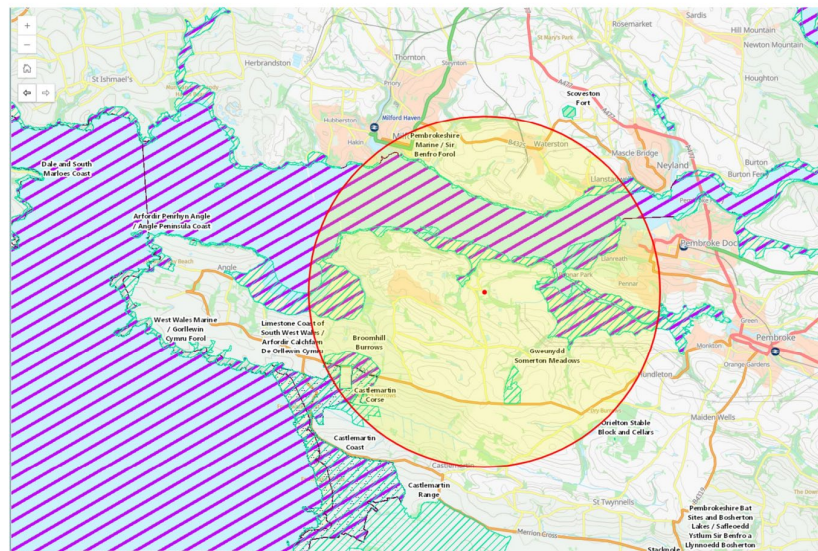
7. National grid reference:

Pembroke Power Station, West Pennar, Pembroke, Pembrokeshire
SA71 5SS

NGR corresponding to the centre of the proposed hydrogen production facility at the permitted installation: SM 92510 02478

Appendix 4

Habitat Receptors



8. Description of proposal:

A substantial variation to installation permit EPR/DP3333TA to add a new electrolytic hydrogen (H₂) production facility with an operating capacity of 110-120MWe, capable of producing up to 2 tonnes per hour of purified hydrogen gas using either Alkaline Electrolysis (AEL) or Proton Exchange Membrane (PEM) technology. Purified hydrogen gas will be compressed and supplied by pipeline to a neighbouring industrial installation (Pembroke Refinery, operated by Valero Energy Ltd). The variation also adds two directly associated activities capable of generating emissions to air: emergency power generation (diesel generator) and hydrogen flaring. Diesel generator use is restricted to emergency situations only e.g. plant shutdown in response to power failure, and routine testing for short periods. Hydrogen flaring will take place during electrolyser startup, shutdown, and emergency situations.

There are no direct process effluent discharges to water or land from the proposed hydrogen production facility. Clean surface water is directed to existing systems. Rejected HPF process water is returned to the power station's water treatment plant which is permitted under EPR/DP3333TA. The permit already includes protective emission limits and conditions for effluent discharges and environmental monitoring. This variation application will not result in any change to the permitted discharge volumes or emission limits.

There are no emissions to land from the HPF, or physical disturbance within or adjacent to any protected sites.

Oxygen from electrolysis is vented to atmosphere via roof vents, however this is not considered to be a pollutant. The only conceivable impact pathway is via air emissions (noise, NO_x, SO₂, particulates, nitrogen deposition, acid deposition) from the aforementioned directly associated activities.

[Installation boundary plan \(Rev C\)](#) shows the extent of the installation (green line) and the new hydrogen production facility (purple hatched area), with the hydrogen flare and emergency generator as emission points A15 & A23.

Further technical explanation of the hydrogen production process and expected emissions from the facility can be found in the application documents and NRW's permitting decision document.

9. Is the proposed activity within (wholly or partially) the SSSI boundary?	No – nominal distances to SSSIs from the new development listed in box (2) above – distances to the existing installation boundary are variable, depending on direction.
10. Has there been any pre-application discussion or correspondence with NRW conservation/ecology	No formal permitting pre application discussions, only high-level conversations and updates shared with SW Operations staff and at DACS industry cluster and industrial decarbonisation working group (IDWG) meetings. Planning statutory pre-application response sent by NRW on 20/05/2024 (ref. CAS-254376-R0G5). Full planning application comments sent on 02/09/2024 (ref. CAS-261476-W9F4) and 28/10/2024 (ref. CAS-265513-B3S7).
11. What aspect(s) of the proposed permission may damage the features which are of special interest for the SSSI? <i>The following ‘Operations Requiring Consent’ (or other activities associated with the permission) that may cause damage) are relevant to the proposed permission:</i> I. Milford Haven Waterway 0.432km (432m) <i>7 Dumping, spreading or discharging of any materials on, in or against bat roosting areas or access points including storage of materials likely to produce noxious fumes in or near the bat roosts.</i> <i>26 Use of vehicles or craft or the use of vehicles, machinery or other devices likely to produce noise, fumes, light or heat near to the bat roosting areas.</i> II. Gweunydd Somerton Meadows 1.823km (1823m) <i>7 Dumping, spreading or discharging of any materials.</i> III. Broomhill Burrows 2.967km (2967m) <i>7 Dumping, spreading or discharging of any materials.</i> IV. Castlemartin Corse 3.567km (3567m) <i>7 Dumping, spreading or discharging of any materials.</i> In all cases, it is operational noise emissions from the HPF and the discharge and dispersal of waste gases / pollutants from the HPF (and potential impact on protected sites) which are relevant. There are no direct impact mechanisms (see also section 8 of this notice) due to the distance between the HPF and nearby protected sites. <i>The following SSSI features and mechanisms of impact have been considered to assess the likelihood of damage:</i> All listed SSSIs: protected flora (potential impact of specified air pollutants on plant life) and protected fauna (potential impact on plant habitats used by animals for feeding, nesting, breeding etc). Milford Haven Waterway SSSI: as above, also potential operational noise impact on some protected fauna (bats). Damage to protected geological or geomorphological features is not expected for any of the listed SSSIs.	
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. Although pathways of possible harm exist (see section 11, above) the emissions impact of relevant pollutants (NOx, SO2, particulates, nitrogen deposition, acid deposition) has ‘screened out’, as described in the air quality impact screening assessment included with the application. This screening assessment has used the SCAIL combustion tool and is based on a predicted operating pattern for the hydrogen flare and the emergency (diesel) generator [Scenario 1], and a worst-case operating pattern [Scenario 2]. For Scenario 2, the screening assessment indicates that modelled pollutant concentrations are all expected to be <1% of relevant critical loads/levels at the nearest SSSI boundary [nitrogen oxides (NOX), sulphur oxides (SOX), ammonia (NH3), N-deposition, and Acid deposition]. Impact has ‘screened out’ as not likely to damage any of these protected sites.	

Due to the distance between the HPF and designated priority species for the Milford Haven Waterway SSSI (fauna: greater horseshoe bat, lesser horseshoe bat), it is not expected that operational noise emissions will cause damage to these protected species and SSSI features, and the structural coherence of the woodland, scrub, grassland and estuarine habitats used by these bat species is unlikely to be weakened by construction and operation of the HPF. Furthermore, impact on local bat roosts and flight pathways has been surveyed and assessed during the planning process for this development (see section 10, above) and it is understood that the planning permission issued by the Local Authority has been conditioned accordingly to provide appropriate environmental controls. Regardless, the environmental permit EPR/DP3333TA includes monitoring requirements, air emission limits and noise management conditions which will all apply to the HPF and allow NRW to regulate the activity effectively.

Natural Resources Wales is minded to:

Issue the permission

13.Name and job title of Natural Resources Wales officer:	Douglas Cowie Lead Specialist Advisor, Industry Policy, Decarbonisation and Standards Team, working on behalf of Installations Permitting function
14.Date form sent to NRW conservation/ecology	N/A – assessment made and placed on file on 30/04/2026 as “not likely to damage”
For Natural Resources Wales use only, once NRW conservation/ecology response received	
15.NRW conservation/ecology comment on assessment:	<i>Please delete as appropriate:</i> i) NRW conservation/ecology advise the operation can go ahead ii) NRW conservation/ecology advise the operation can go ahead with conditions iii) NRW conservation/ecology advise against permitting the operation Please ensure that the NRW conservation/ecology response is attached to this Formal Notice.
16.Name and job title of NRW conservation/ecology officer:	N/A
17.Date of receipt of NRW conservation/ecology response:	N/A