

Determination report

Licence number: WA/056/0053/005

Application reference number: PAN-030960

Site name: Nant Cwm-du at Senni, Brecon

Report of an application for a same terms renewal of full abstraction licence number WA/056/0053/005.

The impact of the abstraction was originally assessed in our report dated 28/08/2014.

Purpose of this document

This determination report:

- explains how the application to renew the licence has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies any further conditions in the licence other than those applied as standard.

Unless the determination report specifies otherwise we have accepted the applicant's proposals.

NRW has decided to issue the licence.

We consider that in reaching this decision, we have taken into account all relevant considerations and legal requirements and that the licence will ensure that the appropriate level of environmental protection is provided.

A glossary of acronyms used can be found at the end of this document in [Annex 2](#).

Application details

Application details	
Applicant name and address	Stuart Price and Margaret Eirlys Price Trading as SH & ME Price Blaensenni Sennybridge Brecon Powys LD3 8SU
Existing licence number	WA/056/0053/005
New licence number	WA/056/0053/005/R001

Departures from application forms	
Aspect of application	New value applied for
Licence Holder name: Previously Stuart Price	Stuart Price and Margaret Eirlys Price trading as SH & ME Price

Any differences between what was applied for within the initial application and what was subsequently agreed as the application details have been communicated to the applicant.

Administrative details

Criteria	Details
Validation	The applicant has submitted all the required information for a complete and valid application. The application was validated on 27/01/2025. This means we considered it was in the correct form, the correct application fee had been received, and that the application contained sufficient information for us to begin our determination The applicant demonstrated that they are entitled to apply for the abstraction licence, as they have a right of access to the abstraction point.

Additional Information / reports supplied	Water efficiency measures.
Commercial confidentiality / National security	Not applicable to this application.
Advertisement	The proposal is exempt from the need to be advertised under Regulation 7(1) of the Water Resources (Abstraction and Impounding) Regulations 2006 (SI 2006/641).
External Consultation	It was not necessary to consult with external bodies, because the proposal is not subject to advertising.

Statutory duties

Aspect	Criteria met	Justification / detail
Water Framework Directive	Yes	This proposed activity has screened out of requiring a Water Framework Directive Assessment because it is a green light activity for the reasons below. • The renewal is on the same terms. • The activity is not within a protected area. • There are no monitoring conditions on the licence. • There were no recorded concerns from specialists. • The new licence will be time limited. NRW are satisfied that there will be no deterioration in ecological status as a result of the components of the activity authorised by the licence.
The National Site Network and Ramsars	Yes	This scheme was partially assessed under the Habitats Regulations by Natural Resources Wales when the original licence was granted (documents dated 13/06/2014 and 18/07/2014). The project has been screened for likelihood of significant effects for those sites and/or features not considered when the licence was originally determined. Taking account of the advice received from SNCB advisors, the project is considered not likely to have a significant effect on any

		Natura 2000/Ramsar site (As documented in section 3.2 of OGN 200 form 1). The Habitats Regulations Assessment is available to view on the public register.
Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and Areas of Outstanding Natural Beauty (AONB)	Yes	This activity was partially assessed under the CRow Act by Natural Resources Wales when the original licence was granted dated (13/06/2014 and 14/07/2014). The project was also assessed for those sites and/or features not considered when the licence was originally determined. Natural Resources Wales is of the opinion that the proposal is not likely to have any impact on these sites. A SSSI assessment is available on the public register to view.
Protected rights and lawful users of water	Yes	It was not necessary to reconsider protected rights and lawful users of water as part of the renewal. There have been no changes to the previously licensed abstraction.

Tests to renew the licence

Test	Criteria met?	Justification / detail
Environmental sustainability	Yes	We have reviewed the risk to the environment and deem that the abstraction continues to be sustainable.
Justification of need	Yes	We have reviewed the applicant's returns data and deem that there is a continued justification of need for the water. Since 2016, the Licence Holder has abstracted between 65.5% and 100% of their maximum licenced annual quantity. This range of abstraction is to be expected for a hydropower scheme, as the amount of water available for abstraction varies depending on the amount of rainfall and number of dry days within a year.
Water efficiency	Yes	We have reviewed the applicant's water efficiency measures and have deemed them reasonable.

Changes to licence conditions

Condition number	Change
Condition 9.6	Part (ii) added to ensure this condition contains all current wording in line with policy and guidance.
Condition 9.10	Removed. No longer required as the scheme is operational.
Condition 9.11	Removed. No longer required as abstraction has commenced.

Other considerations

Test	Criteria met?	Justification / detail
Biodiversity and sustainable development, and Considerations of Sustainable Management of Natural Resources	Yes	The principles of biodiversity and sustainable development are embodied in the conditions attached to the licence. We are satisfied that this decision is compatible with NRW's general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.
Time limit	Yes	A time limit of 31/03/2038 has been included in accordance with the Usk ALS common end date for the catchment and Natural Resources Wales approved policy.
Special agreements	Yes	No special agreements applied.
Measurement of water abstracted	Yes	The applicant has been advised of the measuring requirements in accordance with the Abstraction Metering Good Practice Manual (R & D Technical Report W84). Flow Measurement Analysis (FMA) will be applied to the abstraction licence in accordance with relevant guidance. The Licence Holder will be required

		to determine the quantities of water abstracted by reference to the kilowatt-hours generated, as measured by a kilowatt-hours meter multiplied by a site-specific conversion factor determined using the calculation checklist attached to the abstraction licence. In accordance with current guidance, records of weekly electrical output and the corresponding quantity of water abstracted will need to be submitted to the NRW on an annual basis (within 28 days of 31 March in each year) or within 28 days of NRW requesting the records in writing. The Licence Holder will also be required to keep all records for at least 6 years and to make them available for inspection during all reasonable hours.
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Cost / benefit analysis

Assessment of probable benefits and costs of proposed option to the:	
Water Resources/ The Environment	There is low risk of environmental damage occurring as a result of this proposal. The inclusion of flow conditions will ensure there is enough water for the environment. The proposal accords with local water resources policy and is sustainable.
The applicant	The applicant will benefit from the availability of water for their operation. The applicant will incur the costs of installing and maintaining the method of abstraction and of measuring the volumes of water they abstract. The applicant will have to pay the application fee.
Natural Resources Wales	Natural Resources Wales will incur the cost of determining the application and enforcing the licence. These costs will be partly recovered through the application charge. In determining the licence in accordance with local and national policy, Natural Resources Wales is fulfilling its duties as a regulator.
The economic and social well being of the rural community.	No adverse effects upon the social and economic well being of local communities in the rural area are perceived as a result of this proposal.

Conclusion and decision

Full and due consideration has been given to any representations made, and due regard has been taken of protected rights and other lawful interests.

The principles of sustainable development are embodied in the conditions attached to the licence.

The conditions incorporated on the licence are considered to be necessary and reasonable in the light of the available and presented evidence. The conditions are also considered to be consistent with appropriate standards for enforcement by Natural Resources Wales.

NRW has therefore approved the application (as modified) and issue of Licence number WA/056/0053/005/R001 with the conditions as drafted.

Annex 1 – Administration

Purpose code and loss factor

Primary Code	Secondary Code	Use	Loss factor
P: Production	ELC: Electricity	240: Hydro-electric Power Generation	Very Low

Finance

The licence is exempt from the payment of annual charges being one of the categories under Paragraph 6.2 of [Natural Resources Wales’s water abstraction charges scheme](#).

Annex 2 - Glossary of acronyms used in this document

ALS	Abstraction Licensing Strategy
CAMS	Catchment Abstraction Management Strategy
CRoW	Countryside Rights of Way
EFI	Environmental Flow Indicator
FRAP	Flood Risk Activity Permit
GES	Good Ecological Status
GW	Groundwater
HAF	Hydro abstraction factor
HEP	Hydro-electric power
HES	High Ecological Status
HIA	Hydrological Impact Assessment
HoF	Hands-off flow
HoL	Hands-off level
HRA	Habitat Regulations Assessment
LNR	Local Nature Reserve
LSE	Likely Significant Effect
NNR	National Nature Reserve
NRW	Natural Resources Wales
PALS	Permitting and Licensing System
PPS	Public Participation Statement
PWS	Public Water Supply
Q ₃₀	Flow exceeded 50% of the time period considered
Q ₅₀	Flow exceeded 50% of the time period considered
Q ₇₀	Flow exceeded 70% of the time period considered
Q ₉₅	Flow exceeded 95% of the time period considered
RBMP	River Basin Management Plans
ROA	Rights of Access (e
RSA	Restoring Sustainable Abstraction
SAC	Special Area of Conservation
SINCs	Site of Importance for Nature Conservation (Local Wildlife Sites)
SMNR	Sustainable Management of Natural Resources
SPA	Special Protection Area
SPZ	Source Protection Zone
SSSI	Site of Special Scientific Interest
WAT	Welsh Archaeological Trust
WFD	Water Framework Directive (2008/98/EC)
WFS	Water Feature Survey
WIA	Water Industry Act
WR	Water Resources