

Determination report

Licence number: WA/065/0006/0023/R001

Application reference number: PAN-033376

Site name: Garth construction compound, Minffordd

Report of an application for a different terms renewal (removal of purpose and associated volumes) of full abstraction licence number WA/065/0006/0023/V001.

The impact of the abstraction was originally assessed in our report dated 13/10/2023 and then again in our report dated 08/01/2025 when the Licence Holder applied to vary the licence.

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	Hochtief (UK) Construction Limited Whitehill House Windmill Business Park Whitehill Way Swindon England SN5 6PE
Existing licence number	WA/065/0006/0023/V001
New licence number	WA/065/0006/0023/R001

Departures from application forms	
Aspect of application	New value applied for
New expiry date required to cover extended end date of the construction work.	31/12/2027

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 23/07/2026. 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 area.
Additional Information / reports supplied	New letter of authorisation, from Company Director, for signatory of application form.

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. 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 because the renewal will be on the same terms, the abstraction is not within a protected area, there are no recorded concerns from specialists, and the new licence will be time-limited.
The National Site Network and Ramsars	Yes	This activity was assessed under the Habitats Regulations by the Natural Resources Wales when the original licence was granted (document dated 26/09/2023). 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 Ramsar sites / sites designated under the National Site Network, either alone or in combination with other plans and projects. In line with our guidance, this renewal can be automatically screened out as not likely to have a significant effect.
Sites of Special Scientific Interest (SSSIs), National Nature Reserves	Yes	This activity was assessed under the CRow Act by the Natural Resources Wales when the original licence was granted, documents dated 26/09/2023. The project is a renewal of a current permission under the same terms, so the conclusions that the activity will not impact any sites designated under the CRow Act still apply.

(NNRs) and Areas of Outstanding Natural Beauty (AONB)		
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 that could make any impacts to protected rights and lawful users.

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	The applicant has abstracted approximately 12.7% of their annual maximum licenced quantity for the purpose of dewatering since the abstraction started. NRW would not necessarily expect a Licence Holder to abstract close to their licenced quantities when dewatering as worst-case scenario estimations will have been agreed when applying for a licence. The Licence Holder has confirmed that process water to be used in the construction of the shaft is being supplied why Dŵr Cymru Cyfyngedig via a new raw water main. As such, abstraction of water for the purpose of concrete grout production is no longer required for the remaining life of the licence. This purpose will be removed from the renewed licence (see table below for details of the conditions removed and amended). We have reviewed the applicant's returns data and deem that there is a continued justification of need for the licenced quantities, for the purpose of dewatering, to ensure the applicant can cover the levels of water in the sump encountered so far along with any exceptional levels of groundwater ingress and/or rainwater.
Water efficiency	Yes	We have reviewed the applicant's water efficiency measures and have deemed them reasonable. The quantity of water entering the construction site is minimised by using water-tight shafts and tunnels. The water that has to be abstracted for the purpose

		of transfer was mainly from the construction phase before the water-tight features were installed. • The process water is recycled. • The process water recirculation is frequently inspected and any leaks repaired.
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Changes to licence conditions

Condition number	Change
Conditions 4.2 and 6.2 (removed) Conditions 7.1 and 8.1 (amended to remove reference to the use of multiple meters) Condition 9.1 (amended as all abstracted water will now be discharged)	These conditions have been removed or amended, as appropriate, because the Licence Holder no longer requires the purpose of concrete grout production to remain on the licence.
Condition 9.5(ii)	Reference to manufacturer's specifications removed as the licence does not condition the use of a specific brand of screen.

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 31/12/2027 has been included at the request of the applicant to align with the expected end date of the construction work plus a small amount of contingency.
Special agreements	Yes	No special agreements applied.
Measurement of water abstracted	Yes	In accordance with current guidance, monthly records of water abstracted will need to be submitted to NRW on an annual basis (within 28 days of 31 March) or within 28 days of the 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.

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 proposal accords with local water resources policy and is sustainable.
The applicant	The applicant will benefit from the availability of water for their operation. There will be a cost saving from not having to use mains water for this purpose. 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 and an annual subsistence charge based on their licensed quantity.
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 and annual charges, where applicable. 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.
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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/065/0006/0023/R001 with the conditions as drafted.

Annex 1 – Administration

Purpose code and loss factor

Primary Code	Secondary Code	Use	Loss factor
I: Industrial, Commercial, Public Services	CON: Construction	660: Dewatering	Very Low

Finance

The licence will be subject to annual charges under paragraph 6.1 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