

Determination report

Licence number: WA/056/0038/0006 & WA/056/0038/0007

Application reference number: PAN-032759 & PAN-032760

Site Name: Nant y Wenynen

Report of an application for a new full abstraction licence and impoundment licence

Purpose of this document

This determination report:

- explains how the applications have 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 licences 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 licences.

We consider that in reaching this decision, we have taken into account all relevant considerations and legal requirements and that the licences 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](#).

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1. Summary of the proposal

The proposal is for a new full abstraction licence and impoundment licence to facilitate an existing hydroelectric power (HEP) scheme at National Grid Reference (NGR) SO 11840 18747, on the Nant y Wenynen, Dyffryn Cwannon near Llangynidr, Powys.

The proposal consists of modifications to an existing weir including increasing the width from 1,000 millimetre (mm) to 1,500 mm, and addition of a Hands of Flow (HoF) notch in the crest of the weir structure. The existing HoF orifice located in the intake tank will be blocked off. The 1,000mm wide stainless steel screened intake box, level sensor, penstock pipe and turbine house will remain in situ with no further modifications needing to be made to facilitate the altered flow regime detailed below.

The amended weir intake structure is designed to physically secure abstraction of 70% of the available flow above the residual flow all year up to a maximum of 20.67 litres per second (l/s) (Q_{mean}). A residual flow of 4.7 l/s (Q₉₅) will be secured via a HoF notch in the crest of the weir structure. All abstracted water will be returned to the Nant y Wenynen at NGR SO 12265 18446, approximately 610 metres (m) downstream of the abstraction point. See Map1 below, which details the points of abstraction and impoundment, plus point of discharge. The intake screen will have 3mm apertures, the outfall will be screened with 10mm mesh.

It is proposed to abstract the following quantities: 20.7 l/s, 75 cubic metres per hour (m³/hour), 1,786 cubic metres per day (m³/day), 329,216 cubic metres per year (m³/year).

The scheme was originally permitted under licence numbers WA/056/0038/001 (abstraction) and WA/056/0038/002 (impoundment), issued on 31/01/2012, and was operational between 2015 and 2025. The licences ceased to exist as a result of dissolution of the Licence Holder (company) and failure to transfer the licences to a new Holder before dissolution. As a result, the applicant was advised to apply for a new abstraction and impoundment licence to facilitate the existing HEP scheme.



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Map showing location of abstraction, impoundment and discharge points.

2. Application details

Administrative details	
Applicant name and address	Dyffryn Cwannon Green Energy Community Interest Company Cric, Beaufort Street, Crickhowell, Powys, NP8 1BN
New licence numbers	WA/056/0038/0006 & WA/056/0038/0007
Hydrometric sub-catchment	056/0038 – Afon Cwannon to Usk Confluence

Departures from application forms	
Aspect of application	New value applied for
Licence End Date	31/03/2038
Abstraction Quantities	20.7 litres per second 75 cubic metres per hour 1,786 cubic metres per day 329,216 cubic metres per year
Method of securing Hands off Flow	Via a Hands of Flow notch in the crest of the weir structure.
Outfall screen aperture size	10 millimetres

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.

3. Validation of the applications and further information received during determination

The applications were validated on 05/06/2026. This means we considered they were submitted on the correct forms, the correct application fees have been received and that the applications contained sufficient information for us to begin our determination, but not that they necessarily contained all the information we would need to complete that determination; see below.

Further information was required to enable final determination of the applications. Copies of these requests and the responses when received were placed on our public register.

The applicant submitted the following information:

- 'Proposed Intake Details' drawing number 09001/06/B (revised)
- 'HOF notch weir calculations (revised)
- Additional photographs of the Nant y Wenynen at both the intake and discharge

Entitlement to apply

The applicant demonstrated that they are entitled to apply for the abstraction licence, as they have, or will have when the licence takes effect, a right of access to the abstraction point.

4. Advertising

In exercise of its discretion under the Water Resources (Abstraction and Impounding) Regulations 2006 (Regulation 7(4)), Natural Resources Wales dispensed with the advertising requirements in relation to this proposal. This decision is documented on a dispensation notice, which can be found on the public register.

Notice of this proposal has not been published; consequently, no external representations from the general public can be made or considered. No statutory bodies have been notified because the proposal is not subject to advertising.

5. Justification of requirements and water efficiency

The turbine design flow of 20.7l/s is consistent with the agent's Mean Flow (Q_{mean}) estimate and is therefore within the limits set out in NRW's Abstraction Rates for Hydropower guidance which recommends that maximum rates of abstraction should not exceed Q_{mean} for a Zone 3 scheme.

The proposed residual flow of 4.7 l/s equals NRW's estimate of Q₉₅ flows which is in accordance with NRW's Hydropower guidance.

NRW's Hydropower guidance does not specify a maximum annual abstraction rate, however, NRW currently accept 365 times the maximum daily quantity proposed. In this case the annual quantity proposed is equivalent to ~184 times the maximum daily quantity, which has been calculated based on the average rainfall for the area, with an additional 30% to account for wet years; which is considered acceptable.

The net head for this scheme has been determined by the agent as 130.52m. The agent has based the electrical output on a maximum flow rate of 20.7l/s, and states that the scheme will have a maximum output of 20.64 kilowatts (kW). The following equation gives an estimate of the power (P) that can be generated (in kilowatts) based on the abstraction rate (Q), acceleration due to gravity (g) and head difference:

$$P = Q \times g \times h$$

Where:

Q = 0.02067 cubic metres per second

g = 9.81 metres per second squared

h = 130.52 metres

$$P = 0.02067 \times 9.81 \times 130.52 = 26.47 \text{ kW}$$

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System efficiency is the product of the individual efficiencies of the scheme, and for this proposal based on the power output calculation above, the design system efficiency has been calculated as 78% ($20.64/26.47 * 100$) which is reasonable.

NRW have assessed the applicant's justification of requirements and have deemed them reasonable as it aligns with NRW's Hydropower Guidance.

Water efficiency

Natural Resources Wales have reviewed the measures provided by the applicant and consider that they are satisfactory to ensure that water is used efficiently.

The applicant has confirmed that the intake will be inspected regularly to ensure there are no blockages on the weir or through the abstraction screen, and that the HoF notch is working properly. The penstock will be inspected for leaks and movement. The performance of the turbine will be assessed on a regular basis and the turbine and its control system will be given an annual level service. A water efficiency addendum will be included in the licence document.

6. Consultation

Natural Resources Wales carried out consultation on the applications in accordance with its legal obligations, our statutory Public Participation Statement (PPS) and Principles of Working Together agreements.

Consultation with other bodies	
Bannau Brycheiniog National Park Authority	24/07/2026
Heneb (the Trust for Welsh Archaeology)	23/07/2026

A summary of consultation comments and our response can be found in 7.11. We have taken all relevant representations into consideration in reaching our decision.

7. Technical assessment of the proposal

This proposal has been screened for potential impacts to the water environment, which includes designated sites, protected species, protected rights and lawful users.

7.1 Resource assessment and Abstraction Licensing Strategy (ALS)

The abstraction and impoundment are within NRW's River Usk Abstraction Licensing Strategy (ALS) area. According to the ALS, there is restricted water available for licensing at this location.

The River Usk ALS states that, for non-consumptive licences, where water is returned close to the point of abstraction, there is no need to protect flows at a wider catchment level. These licences may still be restricted to protect flows between the point of abstraction and the point of discharge. The level of the restriction will depend on the site-specific conditions.

The River Usk ALS states that applications for impoundment licences are dealt with on a case-by-case basis. The assessment of an impoundment application takes into consideration its potential impacts on the environment (such as fish migration), flood risk, downstream water users and flow modification.

7.2 Hydrology

The abstraction and impoundment are located on a stream named the Nant y Wenynen, located in the Usk catchment.

The proposed abstraction and impoundment are situated approximately 600m downstream from the source of the Nant y Wenynen. The Nant y Wenynen is a tributary of the Afon Cwannon; all abstracted water discharged back to the Nant y Wenynen approximately 155m upstream of its confluence with the Afon Cwannon. The Afon Cwannon flows in a north easterly direction for approximately 3.2 kilometres (km) before its confluence with the River Usk. The River Usk then flows for approximate 82km before discharging into the Severn Estuary at Newport.

7.3 Impact on groundwater

Not applicable as this application is for a surface water abstraction and impoundment with no identified impacts to groundwater.

7.4 Impact on surface water flows

Natural Resources Wales have reviewed the proposal in accordance with NRW's Hydropower Guidance and have concluded that the proposal is in line with the guidance and is sustainable. The application has been assessed by the Hydropower Panel whereby it has been agreed that the proposal should be categorised as a Zone 3 abstraction regime which, in accordance with NRW's hydropower guidance, permits 70% abstraction of flows above a residual flow equal to Q95 flows up to a maximum abstraction rate of Qmean flows.

Construction operation and maintenance

Conditions 9.1, 9.2 and 9.9 (abstraction) and conditions 4.1, 4.3, 4.4 and 4.5 (impoundment) - The hydropower scheme will be constructed, operated and maintained and be kept free from leakage and obstruction at all times in accordance with the drawings submitted to ensure that the above abstraction regime is physically secured in a fail safe manner. Conditions will be included on both licences accordingly, together with conditions to clearly define the term 'hydropower scheme' (impoundment structure defined as 'intake works' on the impoundment licence) to ensure the licences are clear and enforceable. A condition will be included on the abstraction and impoundment licences stating that the Licence Holder shall ensure that during construction works and any subsequent maintenance, all flow shall be allowed to pass downstream unchanged in quantity and quality at all times to protect down stream flows.

Purpose restriction

Condition 4.1 (abstraction) - The Licence Holder will be required to ensure that as far as is reasonably practicable, no water flows through the turbine if they are unable to generate electricity. This is to ensure that abstraction only takes place for the authorised purpose and will prevent depletion of flow in the river when power generation is not taking place.

Return of water

Condition 9.4 (abstraction) - In order to ensure that the proposal can be classed as non-consumptive, a condition will be included on the abstraction licence requiring all abstracted water to be returned to the Nant y Wenynen at SO 12265 18446, as proposed.

Compliance

Condition 9.9 (abstraction) & condition 4.3 (impoundment) - Conditions will be included on the licences whereby the Licence Holder must contact NRW 28 days (calendar) before the scheme is commissioned or becomes operational and within 7 days (calendar) after abstraction for generation first starts. This is for NRW's compliance process to begin.

7.5 Impact on ecology

There are no anticipated impacts on ecology as a result of this proposal as licensed. Impacts to ecological features within designated sites can be found in section 7.8.

7.5.1 Impacts on fisheries

There are no anticipated impacts to fisheries as a result of this proposal. NRW are satisfied that the habitat of the Nant y Wenynen at and upstream of the intake location, and within the depleted reach is not suitable to support local populations of brown trout. Assessment of potential impacts upon fish species downstream of the point of discharge has been undertaken, see section 7.8 for further detail. The following conditions will be applied to the licence as proposed by the applicant, and in accordance with NRW's hydropower guidance:

Condition 9.6 (abstraction) will be included on the abstraction licence whereby no abstraction shall take place unless an intake screen with spacing no greater than 3 millimetres has been installed to prevent the entrapment, entrainment or impingement of fish at the point of abstraction. The Licence Holder is required to maintain the fish screen in accordance with the manufacturer's specifications and keep records of such maintenance available for inspection.

Condition 9.7 (abstraction) will be included on the abstraction licence whereby no abstraction shall take place unless a mesh screen with spacing no greater than 12 millimetres has been installed to prevent the entrapment, entrainment or impingement of fish at the point of discharge. The Licence Holder is required to maintain the fish screen in accordance with the manufacturer's specifications and keep records of such maintenance available for inspection.

Condition 4.6 (impoundment) will be included on the impoundment licence whereby the intake works shall not be carried out in the watercourse between 15 October and 15 May in any year. This to avoid damage to fish during vulnerable life stages such as spawning, migration, emergence and early maturation.

7.5.2 Impacts on other water dependent species and habitats

There are no anticipated impacts to water dependent species or habitats as a result of this proposal.

7.6 Impact on water quality

Condition 9.8 (abstraction) and condition 4.2 (impoundment) are included on the licences to ensure that during construction works and any subsequent maintenance works to the hydropower scheme, the flow in the Nant y Wenynen is allowed to pass downstream unchanged in quantity and quality at all times.

Therefore, there are no anticipated impacts to water quality as a result of this proposal.

7.7. Protected rights and lawful users

Lawful uses of water have been considered and appropriate measures to safeguard them have been taken.

No protected rights have been identified as being at risk of derogation as a result of this proposal.

7.8 Conservation impacts – Designated sites

7.8.1 The National Site Network and Ramsars:

The following National Site Network sites and Ramsars have been identified as at risk as a result of this proposal:

- River Usk / Afon Wysg SAC
- Severn Estuary (Wales) SAC, SPA & Ramsar

A Habitat Regulations Assessment (HRA) was completed to assess the potential to affect any of the sites identified. The project was screened for likelihood of significant effects and, taking account of the advice received from NRW's technical advisors, is considered not likely to have a significant effect on any National Site Network site (as documented in section 3.2 of OGN 200 Form 1). A copy of the Habitats Regulations Assessment can be requested from NRW.

7.8.2 Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and Areas of Outstanding Natural Beauty (AONB)

SSSIs

The following sites were identified within the potential impact pathway of the proposal:

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- River Usk (Upper Usk) / Afon Wysg (Wysg Uchaf) SSSI
- Afon Wysg (Isafonydd) / River Usk (Tributaries) SSSI
- River Usk (Lower Usk) / Afon Wysg (Wysg Isaf) SSSI
- Severn Estuary SSSI

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.

NNRs

The following sites were identified within the potential impact pathway of the proposal:

- Newport Wetlands

Natural Resources Wales is of the opinion that the proposal is not likely to have any impact on this NNR as it is located downstream and outside of the depleted reach. As such, no impact pathways were identified.

AONB

Natural Resources Wales is of the opinion that the proposal is not likely to have an impact on any AONBs as none of these sites was identified in NRW's risk screening exercise.

7.8.3 Other Designations

Heritage Coast

Natural Resources Wales is of the opinion that the proposal is not likely to have an impact on any Heritage Coast sites, as none of these sites was identified in NRW's risk screening exercise.

Local Nature Reserves (LNRs)

The following LNR was identified in NRW's risk screening exercise: St. Julian's.

Sites of Importance for Nature Conservation (SINC)

The following SINC were identified in NRW's risk screening exercise:

Ty-Ffynon, Craig y Garcyd, Bottom Farm, Crindau Pill, Llantarnam Wetland, Greenmeadow Community Farm, South Sebastopol Grasslands and Streams, Woodbank, Glebelands, Redland Pool Marsh, Bulmore Road Fields, Graig-yr-Allt, Graig Yr Eurych, Whitehall Farm Field, Monmouthshire & Brecon Canal (Main Arm), Wern Wood, Llanyravon Farm, Cwmbran, Ponthir Sewage Work, Racecourse Farm, Crindau Field, Craig Glaster, Clytha Estate SW, Tamplin Lock Marsh, Claltan Coppice, Llantarnam Grasslands, Olway Brook, Wern Farm, Afon Llwyd, Bettws Empoundment, Ty Coch Tip, Rose Cottage, Monkey Island, Malpas Brook / Bettws Brook, Gofmy Wood (Lower Wern Wood), Canal Fields, Bettws Angling, Monmouthshire & Brecon Canal (Crumlin Arm), Ty

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Poeth Wood, Gwastad Mawr, Llantarnam Abbey Bat Roost, Llantarnam Grasslands - the Alders, Moorings, Llantarnam Road / Court Road, Cwmbran, Afon Llwyd Grasslands, Barrack Hill Woodland, Goytre House Wood, River Gavenni, St. Julians Park

Ancient Woodland

Restored Ancient Woodland Site, Plantation on Ancient Woodland Site, Ancient Semi Natural Woodland

Natural Resources Wales is of the opinion that the proposal is not likely to have any impact on the above LNR, SINC's or Ancient Woodland designations, as all are located downstream and outside of the depleted reach. As such, no impact pathways were identified.

7.9 Water Framework Directive Regulations 2017

The abstraction and impoundment are within GB109056032970 - Afon Crawnnon - source to conf R Usk (catchment), which is hydrologically linked with the following waterbodies:

GB109056032970 - Afon Crawnnon - source to conf R Usk
GB70910057 - Monmouthshire (Crumlin)
GB70910089 - Monmouthshire and Brecon Canal
GB109056040082 - Usk conf Afon Crawnnon to conf Gavenny R
GB109056026890 - Usk - conf Olway Bk to New Br
GB109056040083 - Usk - conf R Gavenny to conf Olway Bk
GB530905415401 - Severn Lower, Usk

According to NRW policy, the proposal has screened out of requiring any further assessment under the WFD Regulations 2017 for the following reasons:

- The proposal is not located in a waterbody at high status, or a waterbody at high status for morphology.
- All activities associated with the proposal are considered green light activities, as detailed in OGN 072 Annex D. The proposed abstraction regime is in line with current hydropower guidance. The proposed modifications to the existing weir structure are considered a 'low risk' activity. The discharge element is to ensure that this proposal can be considered as non-consumptive. All water abstracted shall be returned to the watercourse once it has passed through the pipeline and turbine, unchanged.
- No potential cumulative or in combination impacts have been considered, and there has been no local expert override.

- The proposal is within an unassessed waterbody; therefore, it was necessary to consider the waterbody at a catchment scale., which is not at good overall status meaning it is necessary to detail best practice measures to help achieve the objectives of the water body. Therefore, standard text flagging that any work should take account of biosecurity risks, and mitigation measures should be put in place, shall be included in the issue letter.

The assessment is available on the public register to view.

7.10. Other considerations

Consideration	
Flooding	No concerns have been raised regarding flood risk as a result of this proposal.
Archaeology	NRW sent a screening request to Heneb the Trust for Welsh Archaeology to seek advice on potential impacts to the historic environment. A response to NRW can be found in section 7.11.
Recreation and amenity	NRW consider that this proposal will have minimal impact to recreation and amenity.
Subsidence and desiccation	NRW do not have concerns regarding the risk of subsidence and desiccation as a result of this proposal.

7.11 Representations and external consultation/notification responses

No representations from members of the public were received as this application was not subject to advertising requirements.

The table below summarise responses received together with how they have been addressed in the determination process. For specific statutory bodies and voluntary organisations, we have summarised their specific responses.

Representations from statutory & non-statutory bodies	
Name of organisation and summary of representation	NRW response
The Trust for Welsh Archaeology - Clwyd-Powys Archaeology The Historic Environment Record shows that there are 4 core records situated within the immediate location plan. There is low potential for archaeological remains to be encountered or existing features to be disturbed. While significant impacts are unlikely, the proposed operations could disturb any such features if appropriate care is not taken. It is therefore recommended that all works are undertaken with due caution and a buffer zone of 10m be provided to the features noted above. Operational activities, including the use of heavy machinery, should not be undertaken across any surviving earthworks or structures.	Advice received has been sent to the applicant for consideration.
Bannau Brycheiniog National Park Authority No response received	No concerns to be considered or addressed

7.12 Other consents

The applicant may be required to apply for other consents in addition to these applications. It is the applicant's responsibility to ensure that all necessary consents are obtained before commencing this proposal.

8. Cost benefits and environmental mitigation or gain

In accordance with the Environment Act 1995, Section 39, NRW have had regard to costs and benefits in exercising its powers in the assessment below.

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 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.

9. Biodiversity and Sustainable development

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

10. Time limit

Abstraction - A time limit has been included in accordance with the CAMS common end date for the catchment and Natural Resources Wales's approved policy.

Impoundment - A time limit has not been included because the licence applied for is to impound water.

11. Special agreements

There are no special agreements relevant to this proposal.

12. Measurement of water abstracted

The applicant will be advised of the measuring requirements which will comply 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 NRW's Guidance for Hydropower. 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 monthly electrical output and the corresponding quantity of water abstracted will need to be submitted to 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.

13. Considerations of SMNR – compliance with our General Purpose

We are satisfied that this decision is compatible with our general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.

14. 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 licences.

The conditions incorporated on the licences are considered to be necessary and reasonable in 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 applications (as modified) and issue of Licence numbers WA/056/0038/0006 (abstraction) and WA/056/0038/0007 (impoundment) with the conditions applied.

Annex 1 – Administration

Purpose code and loss factor

Primary Code	Secondary Code	Use	Loss factor
P: Production of Energy	ELC: Electricity	240: Hydro-electric Power Generation	Very Low
X: Impounding	UNK: Unknown	490: Unknown (Impounding)	N/A

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

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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