

# **Natural Resources Wales permitting decisions**

## **Bespoke permit**

We have decided to grant the permit for Gilfach Nature Reserve operated by Radnorshire Wildlife Trust.

The application number is PAN-004174

The permit number is EPR/BB3193FP

The permit regulates a new discharge of primary treated sewage effluent; a maximum of 1 cubic metre per day treated by a septic tank and discharged into ground via an infiltration system. The system will serve a single two-bedroom house and 3 visitor toilets.

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

## **Purpose of this document**

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

## **Structure of this document**

- Annex 1 the decision checklist

## Annex 1: decision checklist

This checklist should be read in conjunction with the Duly Making checklist.

Aspect	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to web publicising.	<p>The web publicising responses (Annex 2) were taken into account in the decision.</p> <p>There were no responses to the web publication</p> <p>The decision was taken in accordance with our guidance.</p>	✓
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
The site		
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility including discharge points.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Biodiversity, Heritage, Landscape and Nature Conservation and a designated site under the CRoW Act.	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat .</p> <p>A full assessment of the application and its potential to affect the site has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	✓

Aspect	Justification / Detail	Criteria met
		Yes
Habitat Regulation Assessment for a designated site under the EU Habitats Directive	<p>No FORM 1 completed:</p> <p>HRA is not required because there is no conceivable impact pathway to any Natura 2000/Ramsar site</p> <p>Although the discharge point is within close vicinity to a SPA boundary, there are several reasons why the proposal will not affect the special features of the site. Firstly the project is of a very small scale, the maximum daily discharge will be &lt;1m<sup>3</sup>/day and the engineering works associated with installation of the system will not be intrusive. Secondly the features of the SPA are mobile bird species, a small volume of primary treated sewage effluent discharged to ground via a British Standard Infiltration System will not have an affect on the designated species. Taking into account the above points, I did not complete a Form 1 for the application as the proposal does not jeopardise the conservation objectives within the SPA site.</p>	
<b>Environmental Risk Assessment and operating techniques</b>		
Environmental risk	<p>We have carried out a risk assessment on behalf of the operator.</p> <p>The operator considers this risk assessment is satisfactory.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The proposed techniques / emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility.</p> <p>As required in TGN 7.01</p>	✓

Aspect	Justification / Detail	Criteria met
		Yes
The permit conditions		
Considerations of foul sewer	We agree with the operators justification for not connecting to foul sewer.	✓
Operator Competence		
Environment Management System	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓
Sustainable Management of Natural Resources (SMNR)		
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”	✓