CRoW Appendix 4 (140_10_SD02)

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.

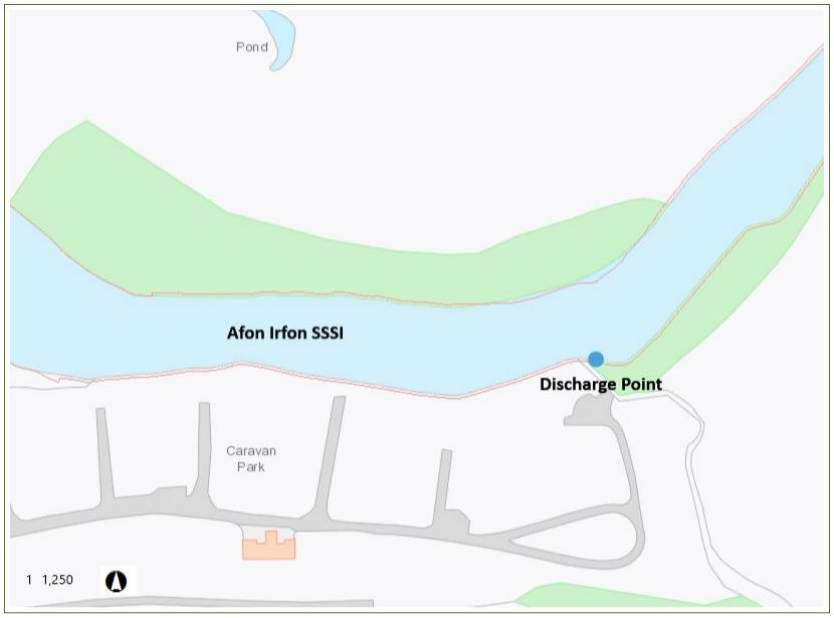
Refer to OI 140_10 'Applying the Countryside and Rights of Way (CRoW) Act 2000 to applications for permits with potential for impact on Sites of Special Scientific Interest (SSSI)', including the flowchart in Appendix 2.

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:	Wales, Cardiff, Ty Cambria
2. Name of SSSI:	Afon Irfon SSSI
3. Type of permission:	Environmental Permit
4. Date for Natural Resources Wales permit determination:	10/04/2019
5. Predicted 28 day date for response from NRW conservation/ecology (under S28 I(4)):	28/03/2019
6. Natural Resources Wales reference no:	PAN-004172
7. National grid reference:	SN 96174 49490
8. Description of proposal:	The proposal Is for a new discharge of 41.85m^3/day of secondary treated sewage effluent directly into the River Irfon originating from static caravans and glamping pods. The site previously had an unpermitted discharge to ground, however the ground conditions and land available are unsuitable to permit, therefore the proposal is for a discharge to surface water.

9. Is the proposed activity within (wholly or partially) the SSSI boundary?	Yes 
10. Has there been any pre-application discussion or correspondence with NRW conservation/ecology	No

11. What aspect(s) of the proposed permission may damage the features which are of special interest for the SSSI?

The following 'Operations Requiring Consent' (or other activities associated with the permission) that may cause damage) are relevant to the proposed permission.

Dumping, spreading, discharging or storage of any materials.

The following SSSI features and mechanisms of impact have been considered to assess the likelihood of damage:

- Moderate nutrient status river communities
- Aquatic lichens
- Otter
- Fish (Atlantic salmon, bullhead, river lamprey, brook lamprey)

The above features are all affected by deteriorations in **water quality.**

12. Decision

ii) The permission is **not likely to damage** any of the flora, fauna or geological or physiological features which are of special interest because of **conditions**.

If we permit this discharge activity then we are allowing 41.85m^3/day of secondary treated sewage effluent into the SSSI, therefore it is key to ensure the impact on the water quality arising from this proposal will not be detrimental to the point where it will jeopardise the designated features.

I have undertaken water quality modelling of the discharge in accordance with Operational Instruction 50_12 'no deterioration and the Water Framework Directive'; the results were as follows:

- Modelling Ammonia at 20mg/l showed there will be a 0% deterioration within the receiving watercourse
- Modelling BOD at 40mg/l showed there will be a 0% deterioration within the receiving watercourse
- We do not usually model phosphates for discharges <50m^3/day, however, as the receiving watercourse is 'moderate' status I modelled phosphate at 8mg/l (what British Standard PTP's treat to), this showed a 0% deterioration within the receiving watercourse

I therefore suggest we apply Backstop Emission Limits (20mg/l Ammonia, 40mg/l BOD, 60mg/l Suspended Solids) on the permit. This will increase the annual subsistence fee and allow tight regulation by NRW on the discharge to ensure these limits (which cause 0% deterioration to the watercourse) will be met, therefore not jeopardising the special features of the SSSI. The applicant is also aware of the sensitivity of the receiving watercourse and will maintain the plant in accordance with a comprehensive management plan developed in accordance with BS 8555 (Phases 1-5).

Natural Resources Wales is minded to:

Issue the permission with conditions to ensure no damage to SSSI

13. Name and job title of Natural Resources Wales officer:	Elliot Burge Water Quality Permitting Officer
14. Date form sent to NRW conservation/ecology	28/02/2019
For Natural Resources Wales use only, once NRW conservation/ecology response received	
15. NRW conservation/ecology comment on assessment:	*Please delete as appropriate:* ii) NRW conservation/ecology advise the operation can go ahead with conditions (i.e. the conditions outlined in Section 12 above)
16. Name and job title of NRW conservation/ecology officer:	Jonathan Saville, Conservation Officer
17. Date of receipt of NRW conservation/ecology response:	19/03/19