Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-264766-Z5Z1
Eich cyf/Your ref: P/2024/1348

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 22 October 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: ADEILADU STORFA SLYRI AMAETHYDDOL GYDA'R PWLL DERBYN A'R GWAHANWR CYSYLLTIEDIG / CONSTRUCTION OF AGRICULTURAL SLURRY STORE WITH ASSOCIATED RECEPTION PIT AND SEPARATOR

LLEOLIAD/LOCATION: BORRAS HEAD FARM, BORRAS ROAD, BORRAS, WREXHAM, LL13 9TL

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 18 September 2024.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding protected sites If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Sites

River Dee and Bala Lake Special Area of Conservation (SAC)

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). In line with our *Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation* (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments. We refer you in particular to the section of our Advice titled '*What does this mean for agricultural developments?*'

We note from the information submitted that there is an intention to increase the number of dairy cattle on the farm to 220, as detailed in Section 1.7 of the planning statement and included in the submitted slurry calculations and therefore an increase in slurry production.

In the absence of detailed information relating to the management of the manure and drainage from the development, it is not clear whether there is potential to increase the amount of phosphorus within the designated site.

Therefore, we advise that your Authority should seek further information from the applicant regarding the following,

Organic manure management plan

Full details on how organic manure produced will be stored and used should be sought for the applicant.

Any slurry/manure produced should be stored and used in compliance with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAPR), Natural Resources Wales / How to use manures and slurries appropriately and Code of good agricultural practice.

There are a number of templates available but the applicant should include:

- Details on the volume of organic manure/slurry as defined under CoAPR (including contaminated water) which is to be produced. Details of livestock kept on holding including type, and age before and after development.
- Confirmation how the manure/slurry will be stored, to include the location and design to the comply with the construction and capacity requirements of the CoAPR.
- Calculation of total nitrogen and phosphorus produced from the proposed unit and all other sources of nutrient imported or produced on the holding.
- Details of the area of land available to spread organic manures and slurry. Calculation of nutrient loading (nitrogen and phosphorus) per hectare of land used for spreading.
- Details of how nutrients will be used by the holding for agricultural benefit in compliance with CoAPR.
- A risk map as required under the CoAPR for anyone who intends to spread organic manure on the holding must produce and maintain a risk map. This should include boreholes, wells, lakes, rivers, other water bodies, and it may be helpful to include adjacent designated sites, and other sensitive receptors. Sites suitable for field heaps should be marked if manure is to be stored in temporary field heaps.

These documents should be prepared or reviewed by a suitably qualified FACTS (Fertiliser Advisor Certification and Training Scheme) advisor.

Drainage plan

Applications need to include a plan of the proposed site that indicates all of the new and existing features that will control pollution from the development, including:

- clean and contaminated water drains (with direction of flow), slurry/manure/effluent channels and end points,
- effluent containment (including construction materials and capacity) in compliance with the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.
- additional mitigation measures regarding secondary containment eg bunded area to reduce the risk of pollution to groundwater

Should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Site of Special Scientific Interest (SSSI)

The application is located within approximately 620m of Vicarage Moss SSSI and 4.8km of Llay Bog SSSI.

Agricultural units have the potential to impact protected sites through ammonia emissions.

We note from Section 1.7 of the Planning Statement that the intention is to increase the dairy cattle to 220, with the current stock confirmed as 190 during a site visit carried out on 24/09/24 by NRW Control of Agricultural Pollution Regulations (CoAPR) team.

Assessment of the air quality impact a proposal may have on the National Site Network and Sites of Special Scientific Interest (SSSI) is required within a screening distance determined by the nature and scale of the development. Our standing advice on this aspect can be found at Natural Resources Wales / Ammonia assessments. The requirement for a screening assessment, rather than detailed modelling assessment initially, is determined by the background level concentrations. We advise a comprehensive SCAIL agriculture screening report is submitted which includes:

- screenshots of all inputs,
- the list of protected sites included in the screening assessment, and
- a results page for each protected site included in the screening.

We advise that a comparison assessment is presented that determines the difference between the existing and proposed scenario. Please be advised the SCAIL screening report should include all ammonia sources across the whole farm, i.e. housing, yards, nutrient stores, and spreading for existing and proposed scenarios.

Sensitive sites are not limited to Nationally designated sites. We also consider that Sections 6 and 7 of the Environment (Wales) Act 2016 should be used to assess any impact from the development. We advise that your Authority seeks appropriate information on semi-natural habitats such as those protected under local designation types and the ancient woodland inventory.

Please notify us if you are minded to grant permission for this planning application, and if you intend to proceed under the provisions of regulation 64 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

Rachael Burke
Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.