Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-272246-C0Y3
Eich cyf/Your ref: P/2024/1470

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 03 February 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: ERECTION OF AGRICULTURAL BUILDING - SLURRY STORE

LLEOLIAD/LOCATION: ASNEY PARK FARM, ERBISTOCK, WREXHAM, LL13 0DS

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 13 January 2025.

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 pollution of controlled waters. If this information is not provided, we would object to this planning application. Further details are provided below.

Pollution of Controlled Waters

We note that the Design and Access Statement submitted in support of the application (Brian Lewis Architectural Services. December 2024) refers to the Environment Agency Wales, which was replaced by Natural Resources Wales in 2013. Additionally, we note that the attached document shows the farm is located outside a Nitrate Vulnerable Zone (NVZ). The NVZ Regulations no longer apply in Wales. However, the whole of Wales is subject to the Control of Agricultural Pollution Regulations (CoAPR), which has similarities to the NVZ regulations i.e. storage, spreading, and closed periods. The document also refers to SSAFO regulations, which have also been superseded in Wales by the CoAPR.

The DAS states that 4 months' slurry storage is required. This is incorrect, as the CoAPR require 5 months' storage.

The slurry tank must be designed and built to the standards of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (the storage requirements for slurry came into force on 1 August 2024). Further details are required including:

- Capacity of the existing slurry storage facilities.

- A breakdown of the yard areas included within the slurry wizard information sheet, specifying which areas are included.
- Confirmation of whether the 2850m² yard area includes the silage clamp.
- Confirmation of whether the 1500m² slurry store rainfall calculation pertains to the existing storage.
- Confirmation of whether the rainfall on the 300m² roof space will continue to be collected in the new store.
- Confirmation that only the cows would be producing slurry, along with the yield produced by these cows.
- Confirmation of the proposed tank dimensions as these appear to have been recorded incorrectly within the DAS.
- Confirmation that the store will be designed and built to the CoAPR standards.

Flood Risk

Our Flood Risk Map confirms the application site lies in Zone B of the Development Advice Maps (DAM) as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls into Flood Zone 2: Rivers.

Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development.

We refer the applicant to our website for further advice and guidance is available. Additional guidance including the leaflet "Prepare your Property for flooding" can be found here.

The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties', can be found here.

Nutrient Sensitive SAC River Catchments

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 the proposal is not to accommodate an increase in stock on the farm, however, please see our comments above regarding 'Pollution of Controlled Waters'.

In consideration of the above, provided that you are able to conclude that the development is not likely to have a significant effect on the SAC, we have no objection to the proposal. However, should you conclude that the proposed development is likely to have a

significant effect on the SAC, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity.

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,

Rhys Jones
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.