Ein cyf/Our ref: CAS-276573-D8X8
Eich cyf/Your ref: P/2024/1357

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 26 March 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: NEWID DEFNYDD TIR O DDEFNYDD PRESWYL/PORI I DDEFNYDD CEFFYLAU YN CYNNWYS CREU MENAGE A THRAC TRACTORAU / CHANGE OF USE OF LAND FROM RESIDENTIAL/GRAZING USE TO EQUINE USE INCLUDING CONSTRUCTION OF MENAGE AND TRACTOR TRACK

LLEOLIAD/LOCATION: CORNER HOUSE FARM, THE CADNEY, BETTISFIELD, WHITCHURCH, SY13 2LR

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

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the documents identified below are included in the approved plans and documents condition on the decision notice:

- **Proposed Soakaway Locations, dated March 2025, Reference B06.1.005**
- **Menage Cross Section, Revision A dated March 2025, Reference B06.1.003**

Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below.

Protected Sites

Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses Special Area of Conservation (SAC) / Midland Meres & Mosses Phase 2 (Wales) Ramsar site

Hydrological impacts

The development site is located adjacent to a watercourse, which is hydrologically connected to the Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses (Wales) SAC and the Midland Meres & Mosses Phase 2 (Wales) Ramsar site.
We have concerns that harm from the proposed development on the SAC and Ramsar site cannot be ruled out.

The groundwater and watercourses in the area surrounding the application site are hydrologically connected to the protected sites. We previously raised concerns regarding the proposed soakaways, menage and tractor track as there is potential for the materials used (e.g. limestone) to leach into the surrounding peats and alter the pH levels thereby affecting the features of the protected site.

We note that the applicant has submitted amended drawings to confirm that inert stone will be used for the construction of the menage and soakaways and concur with this approach. We advise that inert stone should also be used in the construction of the tractor track but note that no drawings have been submitted to confirm this.

To secure appropriate mitigation measures, we advise that the documents listed below should be included in the approved plans and documents condition of the decision notice. Provided the measures set out in those documents are implemented as prescribed, we consider that the proposed development would not adversely affect the integrity of the SAC and Ramsar site.

- Proposed Soakaway Locations, dated March 2025, Reference B06.1.005
- Menage Cross Section, Revision A dated March 2025, Reference B06.1.003

We also advise that an updated drawing to confirm that the construction materials for the tractor track will also be of inert stone should be submitted and secured through inclusion in the approved plans and documents condition of the decision notice.

Construction phase pollution

From the information provided, we consider that the proposal may affect the SAC and Ramsar site during the construction phase and have identified pollution as a potential impact pathway to features of the site.

However, we consider the above pathway would not result in an adverse effect if the applicant implements and adheres to standard pollution prevention guidelines.

During the construction phase the applicant should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please advise the applicant to refer to GPP 5 and GPP 6 at the following link:
Guidance for Pollution Prevention (GPP) documents | NetRegs | Environmental guidance

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a SAC and Ramsar site, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as the you specify. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect upon the SAC and Ramsar site.

River Dee and Bala Lake SAC

We note the application site is within the catchment of the River Dee and Bala Lake 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.

Please note, any manure produced must be managed (storage and application to land) in line with The Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil and Air for Wales. If manure is managed correctly then the application as submitted is unlikely to increase the amount of nutrients entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

Site of Special Scientific Interest (SSSI) / National Nature Reserve (NNR)

NRW consider the proposals have the potential to impact upon the Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses SSSI and the Fenn's, Whixall and Bettisfield Mosses NNR. Providing the impact pathways referenced above for the associated SAC/Ramsar site are adequately addressed, NRW consider the features of the SSSI/NNR will also be adequately safeguarded.

Protected Species

Water voles

We note that there is a waterbody close to the application site. Our records indicate that water voles have been recorded within approximately 450m of the application site. However, the ecological report (Worsfold, S., November 2024, Ecological Impact Assessment at Corner House Road, Bettisfield) submitted in support of the above application does not include an assessment to determine whether water voles, a protected species are material to the application site.

As no information about this species has been submitted with the application, we recommend you seek the advice of your Authority's ecologist to determine if there is a reasonable likelihood of water voles being material to the application site and to scope the need for bespoke surveys.

Please consult us again if any further investigation undertaken finds that water voles are material to the application site, and you require further advice from us.

Bats

We note that the ecology report submitted in support of the above application (Worsfold, S., November 2024, Ecological Impact Assessment at Corner House Road, Bettisfield) has identified that there is a possibility of bats commuting and foraging within the application site. We therefore advise discussion with your Authority's ecologist in relation to the proposals regarding bats, in particular any lighting arrangements.

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

E-bost/E-mail: northplanning@cyfoethnaturiolcymru.gov.uk

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.