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17/03/2021

Annwyl Simon Greenland,

**BWRIAD / PROPOSAL: CODI UNED CYNHYRCHU EGG AM DDIM ORGANIC A PHOB
GWAITH CYSYLLTIEDIG. / ERECTION OF AN ORGANIC FREE-RANGE EGG
PRODUCTION UNIT AND ALL ASSOCIATED WORKS.**

**LLEOLIAD / LOCATION: CAE MOR FARM, LLWYN MAWR, PONTFADOG,
LLANGOLLEN**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 17/02/2021.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirements are met and if you include the following documents within the condition identifying approved plans and documents on the decision notice. Otherwise, we would object to this planning application.

Requirement 1: Detailed modelling of aerial emissions from the proposal on protected sites within the vicinity.

Requirement 2: Revised Manure Management Plan.

Requirement 3: Revised Manure Contingency Plan.

Requirement 4: Pollution Prevention Plan.

Approved plans/documents:

- Stirling, P (2020) Cae Mor, Llangollen. Preliminary Ecological Appraisal. Arbor Vitae).
- Ranging plan (drawing no. RB-MZ555-09).
- Drainage plan (drawing no. RB-MZ555-06).

Protected Sites (Aerial emissions)

Agricultural units have the potential to impact protected sites through aerial emissions (ammonia and nitrogen deposition). NRW assesses the air quality impact a unit may have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 5km of the unit.

We note that a simple calculation of ammonia impact limits report has been submitted.

Requirement 1: Detailed modelling of aerial emissions from the proposal on protected sites within the vicinity

We note that the process contribution of the proposal is above 1% of the appropriate ammonia critical level / nitrogen critical load for River Dee Bala Lake SAC and Afon Dyfrdwy (River Dee) SSSI, therefore, in line with our guidance (step 2 of GN20) a detailed modelling of aerial emissions on protected sites within the vicinity of the is required to be undertaken.

Therefore, we require further information regarding the proposal.

Protected Sites (River SAC catchment)

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphate levels for all river SACs across Wales. As part of this package, we issued a [Planning Position Statement](#), in which we advised that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

- Manure Management Plan

We have reviewed the Manure Management Plan (Roger Parry & Partners, dated August 2020) submitted in support of this proposal. We note the manure management plans states "All of the manure will be taken off the farm and utilised on farmland within a 3-mile radius of Cae Mor."

Requirement 2: Revised Manure Management Plan

We require a revision of the plan to include:

- Calculation of total Nitrogen and Phosphate produced from proposed poultry unit and all other sources of nutrient imported or produced on the holding. The manure management plan contains a total for the amount of Nitrogen produced by the 24,000 birds on this unit. The calculation of area required to spread the Nitrogen will need to comply with the requirements of the new Control of Agricultural Pollution Regulations 2021 (to be introduced 1st April 2021). As this unit is in addition to an existing unit of 16,000 places at the farm, the total manure production for both units must be taken into consideration when calculating the area of land required for spreading the manures. Given the proximity of the protected sites, the 3-mile radius given for spreading manures may need to be recalculated.
- If any of the manure will be spread on the holding.
- Details of agreements in place with other farms to take the manure.

The MMP and associated NMP should be prepared or reviewed by a suitably qualified FACTS (Fertiliser Advisor Certification and Training Scheme) advisor.

Requirement 3: Revised Manure Contingency Plan

We note the manure management plan includes a contingency plan that manure can be exported to an Anaerobic digester (AD) plant. We require further clarification and information on this method details should include details of the receiving AD plant and any agreement in to receive the manure.

- Pollution Prevention Plan

We have reviewed the Method Statement Pollution Prevention (Roger Parry & Partners) submitted in support of the proposal.

Requirement 4: Pollution Prevention Plan

Applications need to include appropriate pollution prevention measures, to ensure that the water environments (both surface and groundwater) are not polluted during construction or operation of the site.

- Ranging Plan

We are satisfied with the level of detail provided in the ranging plan (drawing no. RB-MZ555-09). However, it should be noted there is a discrepancy with the 10m noted on the plan and within section 12. Drainage of the Design and Access Statement (DAS) that states: "A buffer of 2m will be provided to all watercourses within the ranging area." We therefore advise that the DAS should be updated to be in line with the ranging plan. We advise that the ranging plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

- Drainage Plan

The drainage plan (drawing no. RB-MZ555-06) shows the clean and dirty water being drained separately. The dirty water will be drained to an underground tank built to comply with the SSAFO standards. We advise that the ranging plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

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).

Protected Species

We note that the ecological appraisal submitted in support of the above application (Stirling, P (2020) Cae Mor, Llangollen. Preliminary Ecological Appraisal. Arbor Vitae) has identified that protected species were not using the application site.

We advise the implementation of recommendations listed in the ecological report. The report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

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.

Advice for the Developer

- Environmental Permitting Regulations

We note that this proposed 24,000 bird unit will be in addition to the existing 16,000 bird unit on the holding.

Should the number of birds subsequently increase within the holding to over 40,000 birds an Environmental Permit under the Environmental Permitting Regulations 2016 would be required from Natural Resources Wales.

We recommend you submit a Permit application as soon as possible, so that it can inform the decision-making process in planning. Where possible, permit and planning application should be made at the same time to avoid delays

- Advice on poultry units

Advice on poultry units can be found in NRW's guidance documents: [Guidance Note 21: Poultry Units: planning permission and environmental assessment](#) and [Guidance Note 20: Assessing the impact of ammonia and nitrogen on designated sites from new and expanding intensive livestock units](#)

- Abstractions

Applicants intending to supply new units from ground or surface waters are advised to check the abstraction limits and apply for a permit to abstract if required.

<https://naturalresources.wales/apply-for-a-permit/water-abstraction-licences-and-impoundment-licences/?lang=en>

- Discharges

The written consent of NRW or registration for exemption by the developer will be required for any discharge from the site (e.g. foul drainage to a watercourse) and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site.

<https://naturalresources.wales/apply-for-a-permit/water-discharges/discharges-to-surface-water-and-groundwater/environmental-permitting-for-discharges-to-surface-water-and-groundwater/?lang=en>

- Groundwater

We refer the developer to the Environment Agency (2017) 'Approach to groundwater protection' position statements which have been adopted by Natural Resources Wales. In particular the developer should be aware of the position statements in Section G "Discharge of liquid effluents into the ground" and H "Diffuse (rural) sources of pollution".

- Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010

The facilities must comply with the Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater.

Please refer to the link below for further information:

<http://naturalresources.wales/guidance-and-advice/business-sectors/farming/good-farming-practice/?lang=en>

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

Yn gywir,

Siôn M. Williams

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