Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-284103-D3X6
Eich cyf/Your ref: P/2024/1655

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 16 July 2025

Dear Sir/Madam,

PROPOSAL: ERECTION OF SLURRY LAGOON WITH SAFETY FENCING AND ASSOCIATED WORKS

LOCATION: HALGHTON VILLA, HORSEMANS GREEN, WHITCHURCH, SY13 3DY

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) with additional information about the above, which we received on 08 July 2025.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:
Condition 1: Protected Species
Condition 2: Biosecurity

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

Protected Species

We have reviewed the following information which has been submitted in support of the application:

- Whitehead, M. (2025). Land at Halghton Villa, Horseman's Green Ecological Appraisal. Land at Halghton Villa Horseman's Green Wrexham SY13 3DY. PJ Ecological Solutions.

The information has identified that great crested newts (GCN) are material to the application site.

GCN and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981. Where GCN are present and a development proposal is likely to contravene the legal protection, they are afforded, the development may only proceed under

licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
ii. There is no satisfactory alternative; and,
iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

To avoid developments with planning permission subsequently not being granted a licence, the Local Planning Authority should take Planning Policy Wales and Technical Advice Note 5 into account when considering development proposals where a European Protected Species is present.

We note that limited consideration appears to have been given in the submitted report to the subterranean behaviour of the species, the low spring rainfall experienced in 2025 and that the type of terrestrial habitat present at the site is typically used by the species in north-east Wales.

We advise that further information is required to manage the potential impacts of the scheme on GCN. However, we would be content for this further information to be provided via a suitably worded condition. We therefore advise the following condition in respect of GCN is included on any planning permission granted.

Condition 1: No development, including site clearance, shall commence until a GCN plan of reasonable avoidance measures has been submitted to and approved in writing by the Local Planning Authority. The plan of reasonable avoidance measures should include, but not necessarily be limited to:

- fence design, construction and maintenance (the erection of a one-way amphibian fence, prior to and throughout the duration of construction operations);
- proposals for the clearance of individuals from working areas; and
- details of timing, phasing and delivery of reasonable avoidance measures.

The plan of reasonable avoidance measures shall be carried out in accordance with the approved details.

Justification: To ensure that GCN are protected by the development.

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases.

We therefore advise that any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA. We consider that this assessment must include:

(i) appropriate measures to control any INNS on site; and

(ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme.

Condition 2: No development, including site clearance, shall commence until a Biosecurity Risk Assessment, and Method Statement that considers invasive non-native species and specific diseases (e.g. Chytrid) has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to prevent the introduction of and where present control, removal or for the long-term management of invasive species both during construction and operation. The risk assessment shall consider landscaping and other related plans. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to prevent or control the spread and effective management of any invasive non-native species and listed diseases at the site.

Pollution of Controlled Waters / Protected Sites

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 understand this proposal is to improve the existing slurry management system on the farm to conform with the capacity requirements of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAPR).

Further to our previous response (ref. CAS-274556-Z9M7, dated 25 February 2025) we note the submission of amended plans received on 7 July 2025.

Provided the structure is located, designed and built by a suitably qualified engineer to comply with the construction and capacity requirements of the CoAPR, we have no objection to the proposal.

Under CoAPR it is a requirement to notify NRW of new or substantially altered slurry stores at least 14 days before construction begins. Further information on what we require is available on our website at Natural Resources Wales / Silage and slurry storage.

Further information is available at Natural Resources Wales / How to use manures and slurries appropriately and the Code of Good Agricultural Practice guidance.

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

The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

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.

Yours faithfully,

Sara Thomas
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.