

Ein cyf/Our ref: CAS-255010-Y3D2
Eich cyf/Your ref: P/2022/1050

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 21 May 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: GOSOD STORFA SLYRI / INSTALLATION OF SLURRY STORE

LLEOLIAD/LOCATION: LAND AT MOSS LANE, AROWRY, HANMER, WHITCHURCH

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the additional information for the above, which we received on 01 May 2024.

We continue to 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 and protected sites. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date the document identified below should be included in the approved plans and documents condition on the decision notice.

Approved Document: Preliminary Ecological Appraisal, Moss Lane, December 2022, Arbor Vitae Environment Ltd

Without the inclusion of this document, we would object to this planning application.

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 SAC. As you are aware, on the 21st January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In line with our [Planning Advice](#) (July 2022), under the Habitats Regulations, Planning Authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

The slurry store must be designed and built to the standards of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (the storage requirements for slurry come into force on 1 August 2024). We note that a Manure Management Plan and Nitrate Vulnerable Zone calculations document has been submitted in support of the application. However, we advise that the further information listed below has not yet been addressed and should therefore be sought from the applicant:

- Confirmation that the slurry lagoon will be designed and built to the CoAPR standards and BS5502.
- Calculations for the farm slurry production (including dirty water) to include both the existing slurry store and the proposed new store; and clear indications on what is directed to the proposed store.
- Clarification of the lagoon dimensions: the Manure Management Plan and Nitrate Vulnerable Zone calculations state that the lagoon is 30m x 30m whereas the drawing MZ-829 Rev A shows the external dimensions as 30m x 50m. Confirmation of the correct dimensions should be submitted along with revised plans as appropriate to confirm the dimensions.
- Confirmation of whether there will be an increase in stock associated with the development. We note that the Manure Management Plan and Nitrate Vulnerable Zone calculations document states a stock number of 854, however the records on the Cattle Tracing System show 697 registered stock. If there is an increase, details of the type and numbers of stock should be submitted.
- Information on soil permeability – details and results of any tests carried out and confirmation whether a liner will be used in the lagoon.

Fenn's, Whixhall, Bettisfield, Wem and Cadney Mosses Special Area of Conservation (SAC), Ramsar & Site of Special Scientific Interest (SSSI)
Llyn Bedydd SSSI

The application is located within 900m of Llyn Bedydd SSSI; 1.1km of Hanmer Mere SSSI and 1.4km of the Fenn's, Whixhall, Bettisfield, Wem and Cadney Mosses SAC, Ramsar & SSSI.

We have considered the information submitted (Stirling, P., Preliminary Ecological Appraisal, Moss Lane, December 2022, Arbor Vitae Environment Ltd) in support of the above application. Based on the information submitted, we consider that the proposed development is likely to damage the features for which Fenn's, Whixhall, Bettisfield, Wem and Cadney Mosses SSSI is of special interest.

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

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 therefore, advise that an ammonia assessment should be sought from the applicant for the current proposal as it is sited away from the current farm. Further details can be found here: [Natural Resources Wales / Applications that reduce the impact or risk of pollution \(GN 020\)](#)

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).

Ancient woodland

The application site is within 4.2km of Ancient Semi Natural Woodland. Please refer to our Advice to planning authorities considering proposals affecting ancient woodland (published 26 Nov 2021) for further information [Natural Resources Wales / Advice to planning authorities considering proposals affecting ancient woodland](#)

Protected Species

We note that the ecological report submitted in support of the above application (Stirling, P., Preliminary Ecological Appraisal, Moss Lane, December 2022, Arbor Vitae Environment Ltd) has assessed the ponds within the vicinity of the application site as 'poor' in terms of Habitat Suitability Index for Great Crested Newts (*Triturus Cristatus*).

We concur with the assessment of the habitat suitability in respect of Great Crested Newts and also concur with the proposed general avoidance measures contained within Section 6 of the 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.

Whilst the habitat for Great Crested Newts is described as poor, we consider it would be beneficial to relocate the proposed slurry lagoon away from mapped ponds that may have potential to accommodate Great Crested Newts, in addition to complying with the requirements of The Water Resources (Control of Pollution) (Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulations 2010 as detailed above.

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.