

Ein cyf/Our Ref: CAS-263687-K4X5
Eich cyf/Your Ref: P/2023/0598

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

Dyddiad/Date: 12 September 2024

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD/PROPOSAL: NEWID DEFNYDD ADEILAD O DDEFNYDD AMAETHYDDOL I DDEFNYDD MASNACHOL AR HOLL WAITH CYSYLLTIEDIG / CHANGE OF USE OF BUILDING FROM AGRICULTURE TO COMMERCIAL USE AND ALL ASSOCIATED WORKS

LLEOLIAD/LOCATION: ISYCOED FARM, HOLT ROAD, RIDLEYWOOD, WREXHAM, LL13 9US

Thank you for consulting Cyfoeth Naturiol Cymru (CNC) / Natural Resources Wales (NRW) about the additional information for the above, which we received on 03/09/2024.

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 foul drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Sites and Foul Drainage

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 therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

We note from the information submitted that a package treatment plant is to be installed to provide foul drainage for the proposed development. We understand from the submitted Justification Statement (Roger Parry & Partners LLP, August 2023) that the applicant is intending to 'come out of dairy farming' and Section 2.4 of the Statement cites a betterment due to the applicant '*proposing to take 130 dairy cows and 70 youngstock/ beef out of production*'. The HRA submitted in support of the application states there to be a '*reduction in wastewater due to dairy farming stopping in the sheds that are proposed for change of*

use'. It is not clear if the reduction in the size of the scheme since our previous consultation (28/02/24) will affect the number of livestock (quoted above) to be taken out of production. We advise that your authority should seek clarification on the existing stock levels and the resultant stock levels associated with the proposed development to inform your decision.

We also refer you to our [Planning Advice](#) and advise you to seek further information as identified in the section titled '*What does this mean for development proposals involving private sewage treatment systems*'.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. We therefore advise you to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, 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.

Protected Species

We note that the bat report submitted in support of the above application (Stirling, P., August 2023, Preliminary Ecological Appraisal, Arbor Vitae Environment Ltd) has identified under Section 5.2 that building 2b has low suitability and at least 1 bat activity survey should be carried out.

Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Where bats 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 tests set out in the Regulations (Please also refer to Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning). Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the test relating to "demonstration of no detriment to the maintenance of the favourable conservation status of European protected species".

We advise that you consult your internal ecological advisor on these proposals to ensure that suitable information is provided that assesses the extent of adverse effects on the bats and any avoidance or mitigation measures required. This must demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

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

Pauline Gallagher Brown

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

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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.