

Ein cyf/Our ref: CAS-248751-P1L1
Eich cyf/Your ref: P/2023/0877

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 21 February 2024

Dear Sir/Madam,

PROPOSAL: Installation of replacement milking parlour

LOCATION: Knolton Farm, St Martins Road, Overton, Wrexham, LL13 0LG

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) in relation to additional information about the above, which we received on 07 February 2024.

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:

Conditions 1 - 3: Groundwater

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

Groundwater

The application site is located above a principal bedrock aquifer within a designated Source Protection Zone. Our records indicate that there are two licensed groundwater abstractions within 100m of the proposed parlour. We therefore consider the site to be sensitive with regards to groundwater. Losses and/or discharges of polluting substances (for example, slurry to ground which could pollute groundwater) should be avoided or minimised as far as possible.

The submitted Planning Statement dated 20 October 2023 states:

“2.5 The parlour will be washed down using water harvested from the roof of the shed and stored in a new storage tank sited behind the shed.”

“6.3 Water from the roof of the new building will be harvested in a new 37,000 litre tank and used to wash down the floor of the parlour before being collected and pumped into the farm slurry store.”

In our previous responses dated 11 and 31 January 2024, we advised that additional information should be submitted to clarify:

- how and where the wash water would be collected and pumped to the farm slurry store
- whether the slurry would be transported above or below ground to the tank
- that the parlour would have an impermeable base and sides and that all areas in contact with wash water would be contained and have impermeable drainage
- how the former parlour along with any associated pipe work and drainage associated with wash water and the slurry store would be decommissioned safely without causing pollution

We have reviewed the following additional information (uploaded to your website on 25 January and 7 February 2024):

- Stroth Slurry Pump Information Page
- GEA Flush Valve Information Page
- Drainage Plan
- Email dated 24 January from the Agent
- Email dated 7 February from the Agent

We advise that the parlour should have an impermeable base and sides and that all areas in contact with wash water should be contained and have impermeable drainage. Pipes and channels must be impermeable and meet the anti-corrosion standards set out in British Standard 5502-50:1993+A2:2010 as well as lasting for at least 20 years, with maintenance.

To secure appropriate mitigation measures as per the above, we advise that the conditions set out below should be attached to any planning permission for this development.

Condition 1 (Surface Water Drainage): No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

Condition 2 (Unsuspected Contamination): If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Given that *“the slurry will be transported in a new sealed pipe which will run beneath the B road”*, we also advise that the following condition should be included in any planning permission granted to address our concerns regarding groundwater pollution.

Condition 3 (Underground Pipework): No installation of underground pipework to transport slurry is permitted other than with the written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification: To prevent development from contributing to or causing an unacceptable risk to controlled waters.

NRW also recommend the following be considered by the Applicant:

- [Guidance for Pollution Prevention \(GPP\) documents | NetRegs | Environmental guidance for your business in Northern Ireland & Scotland](#)
- Groundwater protection position statements - GOV.UK (www.gov.uk), which are formally adopted by NRW and apply in Wales

Agriculture

We note that it is not the Applicant's intention to increase stock numbers and that the development is intended to improve the welfare facilities for current stock levels.

Any slurry/manure produced should be managed in line with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 and [Code of Good Agricultural Practice guidance](#). Any new channels or pipes to an existing slurry storage system must comply with the above Regulations and we should be informed of any substantial changes at least 14 days before construction begins. Further information is available on our website at [Natural Resources Wales / Silage and slurry storage](#).

Protected Sites

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 phosphorus levels for all river SACs across Wales. In line with our [Planning Advice](#) (August 2023), 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.

We note from the information submitted that there is no capacity to increase the size of the herd and there are no plans to do so. Provided the structure is not linked to an increase in livestock numbers (and would not provide the capacity for an increase in livestock numbers in the future), and is designed and built by a suitably qualified engineer, to meet the standards set in the Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading), it is unlikely to increase the amount of phosphorus entering the catchment and therefore, it is not likely to have a significant effect on the River Dee and Bala Lake SAC.

The slurry/manure should be applied to land in accordance with a suitable manure management plan (MMP) based on an underlying nutrient management plan (NMP).

We refer you to our Planning Advice. Provided this guidance is followed and 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, 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 Walkover Survey and Net Benefit for Biodiversity Statement dated 15 December 2023 (Reference: C530/ V1.0) has identified that bats are not present at the application site. Section 5.6 outlines best practice measures with regards to bats and any external lighting proposals. We recommend these measures are appropriately secured in any future consent to the satisfaction of your Authority.

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.

Yours faithfully,

Tristan Williams

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.