

Ein cyf/Our ref: CAS-260841-R3H5
Eich cyf/Your ref: P/2022/1050

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 05 September 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 18 July 2024.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is 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

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

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 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?'

Provided the structure 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), we have no objection to the proposal.

CIRIA guidance C759 'Livestock manure and silage storage infrastructure for agriculture. Part 2 Design and Construction' provides the necessary soil characteristics and tests for constructing an earth bank slurry lagoon. Investigations should be carried out to determine the depth of the water table. The water table should be below the base of the earth bank slurry lagoon to protect controlled waters and to facilitate ease of construction. Water levels should be measured during the wettest time of the year.

We should be informed of any substantial changes 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](#).

The slurry should be applied to land in accordance with a suitable manure management plan (MMP) based on an underlying nutrient management plan (NMP). The Code of Good Agricultural Practice (COGAP) has standard formats for the MMP and associated NMP.

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.

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 (Ammonia Impact Assessment, July 2024, Reference 01.0288.001 v1, Isopleth Ltd). From the information provided, we consider that the proposal is not likely to have a significant effect on the protected sites due to the increase in annual ammonia concentration being less than 1% of the process contribution. We note that the proposal includes a flexible cover over the lagoon and that there is no proposed increase in stock.

Our advice may change should modifications be made to the proposed development prior to the determination of the application. If there are any changes to the proposed development which may affect the consideration of potential environmental impacts, please consult us again before you determine the application.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), it is for your Authority to carry out the test of Likely Significant Effects for the proposed development. Should you conclude that the proposal is likely to have a significant effect on a SAC/SPA/Ramsar site, either alone or in combination with other plans or projects, an appropriate assessment must be made on the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify.

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 Agricultural Pollution) (Wales) Regulations 2021 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.