



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-177568-B0C6
Eich cyf/Your ref: P/2021/0822

Maes Y Ffynnon,
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LL572DW

Wrexham County Borough Council,
The Guildhall,
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ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

15/08/2022

Dear Sir/Madam,

**BWRIAD / PROPOSAL: GOSOD STORFA SLYRI A GWAITH CYSYLLTIEDIG /
INSTALLATION OF SLURRY STORE AND ASSOCIATED WORKS**

LLEOLIAD / LOCATION: TORRIAD FARM, BOWLING BANK, WREXHAM, LL13 9RT

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the additional information for the above, which we received on 26th July 2022.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition: Protected Species

We also advise that based on the information submitted to date, the documents identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of these documents, we would object to this planning application.

Approved Documents:

- Slurry Store Plan, Drawing No 71178 / RJC / 100 dated 20/07/2022
- Slurry Store Section, Drawing No 71178 / RJC / 100 dated 20/07/2022

Protected Species

We note that an updated ecological report has been submitted in support of the above application (Torriad Farm Amphibian Conservation Strategy. Arbor Vitae. 10/12/2021). We advise that the updated report is satisfactory and addresses the concerns raised in our previous response email, dated 03/11/2021.

We welcome the principles of the submitted strategy and agree with the avoidance and mitigation measures proposed.

We also welcome the outline proposal for a dedicated amphibian conservation area. In terms of extent, we advise that this is informed by the overall extent of the proposed development.

We advise that the following condition is attached to any decision notice to ensure the long-term site security for Great Crested Newts (GCN).

Condition: No development shall commence until a GCN Conservation Plan covering construction and post-construction has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, though not necessarily be limited to, the following:

- Build upon the principles outlined in Torriad Farm Amphibian Conservation Strategy, Arbor Vitae (10/12/2021).
- The provision of a plan illustrating the location of the ecology area. This submission shall include Geographical Information Shape files together with underpinning rationale for the extent of the identified area.
- Details of protective measures to be taken to minimise the impacts during construction.
- Details of timing/phasing and duration of construction activities.
- A long-term site management plan that includes defined aims and objectives; habitat management prescriptions; contingency measures if fish or invasive non-native species (INNS) are detected; proposals that are capable of being implemented in the event of failure to undertake or to appropriately implement identified or contingency actions; site liaison and wardening; surveillance based on the methodology of results reported through the online Wales GCN Monitoring Scheme; licensing requirements for undertaking habitat management and surveillance; current and any proposed changes to tenure of the compensation area; persons or bodies responsible for undertaking management and surveillance together with required skills and competencies; reporting requirements; and proposed dates for updating or revising the management plan.
- Reporting of the results of Ecological Compliance Audits.
- Details of measures to prevent or reduce incidental capture, injury or killing.

The Conservation Plan shall be carried out in accordance with the approved details.

Justification: To ensure that an approved species Conservation Plan is implemented which protects GCN affected by the development.

We advise that any consent includes a requirement for a unilateral undertaking planning obligation from the applicant.

Suggested provisions of the unilateral undertaking include:

- (a) Management plan review;
- (b) Restrictive Covenants as informed by Part 7 of the Environment Act 2021; and,

(c) Provision of resources for conservation works.

Agriculture

We understand this proposal is to improve the existing slurry management system on the farm to conform with the requirements of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. The storage requirements of these Regulations come into force on 1 August 2024. The structure is not to accommodate an increase in stock number.

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.

Protected Sites

Special Area of Conservation (SAC)

The application is located within 580m of the River Dee and Bala Lake SAC. From the information provided, we consider that the proposal is not likely to have a significant effect on a SAC, SPA or Ramsar site due to no impact pathways being evident.

Foul Drainage

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.

However, the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

Site of Special Scientific Interest (SSSI)

Based on the information submitted, we consider that the proposed development is not likely to damage the features for which the River Dee SSSI is of special interest.

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.

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