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Dyddiad/Date: 18th December 2020

Annwyl/Dear Mr Greenland,

**BWRIAD / PROPOSAL: ADEILAD AMAETHYDDOL AR GYFER GWARTHEG GODRO /
AGRICULTURAL BUILDING FOR DAIRY COWS**

LLEOLIAD / LOCATION: OLD SONTLEY HALL, SONTLEY, WREXHAM, LL13 0YW

Thank you for consulting us on the further information (letter by Peter Hughes, undated with associated plan) in support of the above application, which we received on the 7th December 2020.

We have no objection to the application, but have the following comments:

Pollution Prevention

Further to the additional information received as stated above, we no longer have any concerns regarding the water quality impacts of the proposed development.

Protected Sites

The site is located 1.3 kilometres upstream of Sontley Marsh Site of Special Scientific Interest, known for its botanical interest.

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

Flood Risk

The planning application proposes less vulnerable development (agricultural building). Our Flood Risk Map confirms the site to be within Zone C2 and the <1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outline of the Gefeiliau Brook.

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate, through the submission of a limited FCA, that the potential consequences of flooding can be managed to an acceptable level.

Whilst not a formal FCA, the latest submissions do, in the main, discuss and demonstrate that the risks and consequences of flooding can be managed to an acceptable level. Relative to the scale and nature of the proposed, in flood risk terms, we can withdraw our significant concerns but offer the following advice, which yourselves and the applicant should be made aware of;

The applicant has confirmed and annotated a plan that indicates the proposed building will not be over the existing culverted ordinary watercourse. The Lead Local Flood Authority had also raised this constraint. The Lead Local Flood Authority should be satisfied with the latest submissions and that existing known flood risk will not be exacerbated.

The applicant has confirmed that there will be no additional ground raising, other than building footprint which will be offset by removal of existing buildings on an existing concrete apron, i.e. the removal of and construction of buildings remains within the curtilage of the farm and will be no closer to the Gefeiliau Brook.

The applicant has confirmed that they manage any existing flooding problems on site by using a tractor driven pump. Whilst this is acknowledged, the opportunity should be taken to utilise flood resistant techniques in the new build, where appropriate and ensure that all potential operatives on site are aware of the management plan to be adopted during extreme weather, including flooding.

We suggested that annotated site photos would assist all parties. These would help further understand of the submitted annotated layout plan but is not considered a key element to overcoming our concerns.

The proposals to minimise the quantities of dirty water generated are acknowledged but this in turn will increase the quantity of clean water being discharged directly into the adjacent watercourse.

As indicated by the Local Flood Authority, SAB approval will be required which will need to consider and adopt attenuation of the increased surface water.

Protected Species

We note that there is no information about protected species (Great Crested Newts, bats, otters) with the application, and therefore are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

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 concerning the above, please contact me on the details below.

Advice for the Developer:

Slurry Storage:

Under the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulations 2010, there is a legal requirement for the applicants to notify the NRW at least 14 days before the new structure is brought into use. To assist with this notification a WQE3 form is available for completion by the applicants, on the following link: <https://cdn.naturalresources.wales/media/678331/nrw-wqe3.pdf?mode=pad&rnd=131596232100000000>.

Environmental Management:

Any waste excavation material, demolition or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitably permitted or exempt sites. Transfer notes shall be kept for each load for a minimum of 2 years.

The importing of inert waste onto the site for storage or use in construction, maintenance or improvement works, for example hardcore, soils, must be registered with Natural Resources Wales under The Environmental Permitting (England and Wales) Regulations 2016 and comply with the conditions of the relevant permit. It should be noted that the registration of some exempt activities for the use of waste material for relevant works require a 25-working day consultation period. This is to allow assessment, determination and authorisation prior to commencement of any activity authorised under the relevant permit from The Environmental Permitting (England and Wales) Regulations 2016.

The applicants must minimise discolouration to the watercourse from the construction works. Silty water should be treated, either through the use of settlement lagoons, or tanks, or discharged across a grassed area. For work in river channels the use of coffer dams is recommended, to keep river water out of the working area. River crossings must be kept free from mud or dust deposits. Oil and chemical storage must be kept away from the watercourse, on an impervious base, within a bund, and secured. Absorbents or a suitable spill kit must be kept on site for use in the event of an emergency. NRW should be notified

immediately of such an occurrence. The mixing, use and washing of machinery and shuttering of wet concrete and cement must be carefully controlled to minimise the risk of any material entering the watercourse. The applicant is advised to follow the guidance within Guidance for Pollution Prevention 5 "Works and maintenance in or near water":

<http://www.netregs.org.uk/media/1415/gpp-5-works-and-maintenance-in-or-near-water.pdf>

We advise that in addition to planning permission, it is the applicant's responsibility to ensure that they secure all other permits/consents relevant to their development.

Yn gywir / Yours' faithfully,

Mr. GARETH THOMAS

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Deialu uniongyrchol/Direct dial: (0300) 065 3786 **Siaradwr Cymraeg / Welsh Speaker**

