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Wrexham County Borough Council,
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25/02/2021

Annwyl Syr/Madam / Dear Sir/Madam,

PROPOSAL: CONSTRUCTION OF AGRICULTURAL BUILDING

LOCATION: HALAN Y DDAEAR, HIGHER LANES, HIGHER WYCH, MALPAS

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 01/02/2021.

We have no objection to the proposed development as submitted and provide the following advice.

Special Areas of Conservation (SAC)

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 phosphate levels for all river SACs across Wales. As part of this package, we issued a [planning position statement](#), in which we confirmed that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the site's qualifying features.

We note from the information submitted that the development proposes the erection of a general use agricultural building which will also be used to house existing sheep and cattle.

The structure must be designed and built by a suitably qualified engineer to meet the standards set in the SSAFO Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading). If built to these standards the application as submitted is unlikely to increase the amount or concentration of phosphate discharged directly or indirectly into the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Balal Lake SAC.

The development has the potential to contribute to the increase the amount of phosphate in the catchment. As such, we refer you to our [Interim Planning Advice](#) and confirm that 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, we look forward to being consulted on your appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Protected Species

We note that the bat report submitted in support of the above application (Arbtech, December 2012) has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted.

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 sincerely,

Garmon Lewis

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales