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04/08/2020

Dear Sir/Madam,

PROPOSAL: **Agricultural building for livestock, feed and equipment**

LOCATION: **Land West of Cefn Road, Bwlchgwyn, Wrexham**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 14/07/2020.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met and you include the document below within the condition identifying approved plans and documents on the decision notice. Otherwise, we would object to this planning application.

Requirement: Pollution Prevention: Submission of further information which demonstrates that proposed development will not affect the water environment.

- Elite Ecology. Preliminary Ecological Appraisal – Land at Cefn Road, Bwlchgwyn. February 2020.

Pollution Prevention

While we welcome the repositioning of the agricultural building from that proposed under application P/2020/138 (withdrawn), insufficient detail has been provided by the applicant in this application to demonstrate that the proposal will not affect the water environment. Storm drainage is mentioned in the submission but no detail on the animals to be housed in the new building.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater. Farm yard manure effluent is classed as slurry – and insufficient detail has been received on whether slurry will be an issue in this case and if so, how slurry will be managed by the proposed development.

In view of the above, we require additional information from the applicant to assess any potential effects from inadequate and polluting manure management arrangements to adequately assess the application:

1. Confirmation of type of livestock to be housed in the proposed building and numbers of livestock to be housed in the proposed building.

If slurry will be produced, the following additional information will be required:

2. A more detailed plan of the proposed new shed, showing how its design features will ensure effective dirty water run off management, including confirmation whether the floor and any containment features will be lined.
3. Confirmation of where clean roof water/ dirty yard surface water will be discharged to. This must demonstrate that the potential for pollution from the proposals would be minimised.

The applicant will also need to demonstrate that they are complying with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 SSAFO Regulations and that the structure is going to be built to the standards as set out in the CIRIA guidance:

<https://www.ciria.org/ItemDetail?iProductCode=C759F&Category=FREEPUBS&WebsiteKey=3f18c87a-d62b-4eca-8ef4-9b09309c1c91>

Given the lack of detail accompanying the current application, the provision of the above information by the applicant may lead to further information being required regarding other topics such as air quality.

Additional information is given in the 'Advice to Developer' section below.

Protected Species

We note that the ecological report submitted in support of the above application (Elite Ecology. Preliminary Ecological Appraisal – Land at Cefn Road, Bwlchgwyn. February 2020. has identified that the application site has the potential to support protected species, including bats. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document '*Natural Resources Wales Approach to Bats and Planning* (2015)'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented.

The report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

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.

Advice for the Developer

Agriculture:

The facilities must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater.

Please refer to the link below for further information:

<http://naturalresources.wales/guidance-and-advice/business-sectors/farming/good-farming-practice/?lang=en>

Environmental Management:

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-qpps-full-list/>

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

If you have any queries on the above, please do not hesitate to contact us.

Yours faithfully,

Joy Evans

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