

05/10/2020

Er sylw / For the attention of Simon Greenland

Dear Simon,

**BWRIAD / PROPOSAL: CONSTRUCTION OF NEW MILKING PARLOUR AND
HANDLING AREA AND ALL ASSOCIATED WORKS**

**LLEOLIAD / LOCATION: Merehead Dairy Unit, Big Arowry, Bettisfield,
Wrexham**

Thank you for re-consulting Natural Resources Wales (NRW) about the above, which was received on 01/09/2020.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below. Otherwise, we would object to this planning application.

Requirement 1: Revised detailed atmospheric modelling assessment and consideration and implementation of mitigating measures by the applicant to ensure damage does not occur to the protected site.

Requirement 2: Environmental Management: Information is required to clarify the proposed management of slurry.

Condition 1: No development, with the potential to impact on invasive species, shall commence until a site wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

We recommend you should only grant planning permission if you include the following document within the condition identifying approved plans and documents on the decision notice:

- Ecological Appraisal, Merehead Farm, July 2019

Protected Sites and Aerial Emissions

We note the Planning Statement and Design and Access Statement (DAS) (Roger Parry and Partners, January 2020) indicates that there will be a new farming enterprise of 150 dairy cow unit to start milking in Feb 2021 (Chapter 1, Paragraph 2). The DAS confirms there would not be an increase in cow numbers (Chapter 3). Chapter 1 also confirms a current farming system of beef cattle and lamb.

The detailed atmospheric modelling report (Report on the Modelling of the Dispersion and Deposition of Ammonia from the Existing and Proposed Operations at Top House Farm and Home Farm, near Arowry in Wrexham, AS Modelling & Data Ltd, 7th April 2020) indicates that all previous farming activities at Home Farm and Top House Farm would cease and a new milking parlour and associated buildings would be erected on land approximately 930 m north-west of Home Farm (Chapter 2). We presume that the assessment of the impact of the proposal on protected sites is based on these assumptions.

Agricultural units have the potential to impact protected sites through aerial emissions (ammonia and nitrogen deposition). NRW assesses the air quality impact a unit may have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 5km of the unit.

We note there are 6 sites within 5km to the agricultural unit.

Midland Meres & Mosses Phase 2 (Wales) Ramsar 250 m
Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses (Wales) SAC 2.5 km
Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses (England) SAC 4.1 km
Hanmer Mere SSSI 250 m
Llyn Bedydd SSSI 1.8 km
Fenn's, Whixall, Bettisfield, Wem And Cadney Mosses SSSI 2.5 km

European Sites

We have concerns that a significant effect from the proposed development on the sites outlined below.

- Midland Meres & Mosses Phase 2 (Wales) Ramsar

The detailed atmospheric modelling report submitted in support of the proposal indicates that the development exceeds the 1% process contribution for both the Hanmer Mere SSSI and Llyn Bedydd SSSI. Both SSSI are also designated as part of the Midland Meres & Mosses Phase 2 Ramsar Site (Wales).

An amended detailed modelling report must be submitted which clearly demonstrates the emissions have been reduced to within an acceptable level, i.e. a betterment in

comparison to the existing scenario identified in table 6a of the modelling report. Where the detailed modelling demonstrates that there is potential for a significant increase to the ammonia levels at the Ramsar Site / SSSIs, then detailed modelling for the implementation of mitigation measures must be included in the report demonstrating betterment in comparison to the existing scenario identified in the modelling report (table 6a).

Should you also conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being consulted on your appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Sites of Special Scientific Interest

NRW consider the proposals have the potential to impact upon the:

- Hanmer Mere SSSI - 250 m away
- Llyn Bedydd SSSI - 1.8 km away

As these SSSI's form the basis for European Protected Site selection, providing the impact pathways referenced above for the SACs are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Environmental Management

We note the application only identifies a milking parlour. We note a drainage plan (drawing 1) which indicates a dirty water storage tank on the site. However, we require calculations to show the amount of effluent to be stored and the storage capacity of any tanks to show compliance with the storage requirements of the relevant Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010. We also need more details on the construction of the tank to ensure that this also complies with the construction standards of the regulations.

Requirement 2: Environmental Management: Information is required to clarify the proposed management of slurry.

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases.

Condition 1: No development, with the potential to impact on invasive species, shall commence until a site wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

This condition is required to ensure that an approved Biosecurity Risk Assessment is implemented for measures to control the spread and effective management of any invasive non-native species at the site.

Protected Species

We note the Ecological Appraisal, Merehead Farm, July 2019, has considered the potential impact of the development on bats and Great Crested Newts (GCN). 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. However, we note the Reasonable Avoidance Measures (RAMs) outlined in the Ecological Appraisal, Merehead Farm, July 2019, with regards to bats and GCN. We recommend you should only grant planning permission if you include the following document within the condition identifying approved plans and documents on the decision notice:

- Ecological Appraisal, Merehead Farm, July 2019

Please do not hesitate to contact us if you require further information or clarification of any of the 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.

Yn gywir / Yours faithfully,

Daniel Davies

Daniel Davies

Uwch Cynghorydd, Cynllunio Datblygu / Senior Advisor, Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales