

Philip Forster
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Date: 12th July 2017

Dear Mr Forster,

**APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED
UNDER PLANNING APPEAL DECISION REF: APP/H6955/A/16/3154472
CONDITION 4 - ECOLOGICAL HABITAT MANAGEMENT PLAN
CONDITION 8 - COMPREHENSIVE AND INTEGRATED DRAINAGE AND WATER DISPOSAL
CONDITION 15 - PROTECTION OF SURFACE WATER
CONDITION 16 - EXTERNAL LIGHTING
CAE MOR FARM, LLWYN MAWR, PONTFADOG, LL20 7BE**

Thank you for consulting us on the above application, which we received on the 28th June 2017.

Following our assessment of the information provided, we are satisfied that conditions 4,8 and 16 can be discharged.

However, we cannot recommend that condition 15 be discharged. We recommend that you should only grant permission if the following requirements are met, to address significant concerns that we have identified. Provided these requirements are met, we would not object to the application:

Requirement 1- Condition 15 - Mitigation measures identified to prevent direct contamination of watercourses within the ranging area.

Condition 4

Condition 4 seeks the submission and approval of an Ecological Management Plan.

We have reviewed the Ecological Management Plan (reference Anon. (2017). Cae Mor Poultry Unit: Llwynmawr, Llangollen: Ecological Management Plan. Quants Environmental Ltd. Unpublished) that supports the application and are satisfied that it includes appropriate prescriptions in respect of bats.

We therefore have no objection to the discharge of Condition 4.

Condition 8

Condition 8 seeks the submission of a comprehensive and integrated drainage and water disposal scheme.

We have reviewed the information submitted (Roger Parry & Partners, Drainage Plan, RJC-MZ-1845-01C) and are satisfied with the separate foul and surface water systems.

You may wish to consult your internal drainage engineers on the additional information that you received 7th July 2017 concerning the soakaway design, to ensure that they are satisfied with the surface water system.

We have no objection to the discharge of condition 8.

We would draw it to the applicant's attention that the proposed wash down tank must comply with the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO Regulations). If the applicant has any further queries regarding this, they are advised to contact Julian Whitehead, NRW Environment Officer (Agriculture) on 07468742740.

Condition 15

Condition 15 requires "A scheme for the protection of surface water in accordance with the DEFRA publication entitled Protecting our Water, Soil and Air – A Code of Good Agricultural Practice for farmers, growers and land managers, or any successor document, shall be submitted to and approved in writing by the local planning authority before the building and structures hereby permitted are brought into use. The scheme shall be implemented as approved and surface water protection measures shall thereafter be managed and retained in accordance with the approved scheme."

Following our review of the submission, we cannot recommend that condition 15 be discharged, as the applicants have not addressed the potential for direct contamination of watercourses within the ranging area. The applicants have presented a Method Statement Pollution Prevention, Roger Parry & Partners, however, this document addresses pollution risk from the construction phase of the development rather than the operational phase of the free-range egg production unit and ranging areas.

The appeal decision confirms at paragraph 38 the reason for the inclusion of condition 15 as follows "*If this appeal were to be allowed, a planning condition would be necessary to ensure that direct contamination of watercourses is prevented within the ranging area.*"

With regards to the ranging area of the birds, we are not aware that the original application or any application to discharge conditions has provided a plan that confirms the ranging area, although we note that page 6 of the Design and Access Statement supporting the planning application stated that "the land surrounding the laying house will be divided into a series of temporary paddocks".

Requirement 1 – Mitigation measures to prevent direct contamination of watercourses is prevented within the ranging area.

For us to be satisfied that the submission confirms that the operational phase of the development will not lead to direct contamination of watercourses, we would require confirmation of the areas that are to be used for temporary paddocks for the poultry. We would recommend ensuring that the

poultry are excluded from watercourses (including a 2 metre buffer strip) within the identified ranging area. This would include excluding the poultry from the woodland area to ensure that there is minimal risk of contamination of the springs and watercourses within this area.

The site owner during operation of the unit will need to be in compliance with the advice included in the Code of Good Agricultural Practice. The need to operate in a manner that is in compliance with this guidance should ensure that the development will not have a detrimental impact on water quality.

The Good Practice advice includes a requirement to fence off surface waters to prevent livestock from fouling the water, damaging banks and getting into the water (paragraph 462). A copy of the guidance can be obtained from the following website:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/268691/pb13558-cogap-131223.pdf

We also note that the 'Method Statement Pollution Prevention' submitted as part of the application references the Pollution Prevention Guidance (PPGs) issued in 2007. These have now been renamed Guidance for Pollution Prevention (GPPs) and can be viewed by using the link below. Former PPG5 (now GPP 5) has been recently updated and was reissued in January 2017 and PPG 6 (now GPP 6) has also been updated from the version referenced in the supporting documents to a version issued in 2012.

The applicants should use the latest versions of the Guidance for Pollution Prevention:

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

Whilst addressing our requirement above, we recommend that the applicants revise the method statement to refer to the updated GPPs

Condition 16

Condition 16 seeks the submission of an external lighting plan.

We have reviewed the submitted plan and confirm that we have no objection to the discharge of condition 16.

Our comments only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. Any site owner/developer should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

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.

If you have any queries concerning the above, please contact me on the details below.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

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cc: Roger Parry & Partners LLP richard@rogerparry.net