

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

Date: 8th December 2016

Dear Mr Forster,

CONSTRUCTION OF 6 TURKEY REARING SHEDS, UTILITY BUILDINGS, ASSOCIATED ACCESS ROADS, FENCING, LANDSCAPING AND DRAINAGE WORKS ADJACENT TO RACKERY COTTAGE, LAND OFF RACKERY LANE, LLAY, WREXHAM, LL12 0PB

Thank you for consulting us on the additional information relating to the above application, which we received on the 21st November 2016, further to our previous response dated 26th July 2016.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission:

Requirement 1 – The submission and approval of a long term management strategy of the habitat enhancement area, and subsequent implementation of approved management strategy.

Requirement 2 - The submission and approval of a long term surveillance scheme

Protected Species

The application is supported by a further ecological submission (Reference: .Fisher, P. (2016). Consultation Draft, Land off Rackery Lane, Llay, Wrexham. Penny Anderson Associates. Unpublished).

Great Crested Newt

The Great Crested Newt is protected under the provisions of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

It is acknowledged that the draft method statement includes the submission of great crested newt avoidance and mitigation measures and habitat enhancement proposals.

We suggest that the design of the approved ecology area includes the construction of at least one new pond and this is included in the overall design of the habitat enhancement area.

We note the content of the draft submission of long term management, surveillance and wardening proposals however further more detailed information is required prior to commencement of development.

We request that any planning permission given for the development includes the following conditions. This will ensure that the development does not have a detrimental impact on the favourable conservation status of great crested newts.

Requirement 1 – The submission and approval of a long term management strategy of the habitat enhancement area, and subsequent implementation of approved management strategy.

A Long Term Management Strategy should be approved prior to commencement of development to ensure that the habitat enhancement areas are managed in the long term. The condition should also ensure that the approved management strategy is implemented in full.

Requirement 2 - The submission and approval of a long term surveillance scheme

We note the submission of the post construction surveillance scheme. We advise that the approved surveillance scheme should include the following provisions;

1. Focussing surveillance to land owned/occupied by the applicant;
2. Including any new ponds constructed as part of the conservation scheme;
3. Increasing surveillance timescales so that it is capable of informing long term management;
4. Utilising the ARC / Cofnod online reporting system.

We consider the issue of the prevention or reduction of the effects of incidental capture/killing to have been satisfactorily addressed within the provisions of the draft method statement.

We confirm that we are not requiring any planning permission to include a condition requiring confirmation that a licence has been issued or confirmation that a licence is not required by NRW.

This advice applies to the proposal in its present form. If the plans are changed in ways that may affect GCN on this site prior to the determination of the application, we advise that a revised ecology report should be requested that takes account of such changes.

Please consult us again if any updated or revised ecology report concludes that the proposal is more likely to have an adverse impact on the GCN population and/or alters the detail or implementation of mitigation or compensation measures.

Bats

All species of bat and their roosts are protected under the provisions of the Wildlife and Countryside Act 1981 (as amended); the EC Habitats and Species Directive (as implemented by the Conservation of Habitats and Species Regulations 2010 (as amended)).

We agree with the submitted assessment and conclusions in respect of bats.

In our view, the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of bat.

We would welcome the implementation of the recommendations in respect of bats.

Biosecurity and Ecological Compliance Audit

We consider the biosecurity and ecological compliance audit issues to have been satisfactorily addressed.

Environmental Permit

An Environmental Permit will be required for the trade effluent discharge from the development. The applicant is advised to contact Natural Resources Wales on 0300 065 3000 for further advice and to discuss the issues likely to be raised. The applicant should be aware that a permit may not be granted. Additional guidance on 'Environmental Permitting' can be accessed:

<https://www.gov.uk/environmental-permit-check-if-you-need-one>

It is proposed that surface water will be discharged to soakaway. We support the use of SUDS for new discharges. Where they are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater.

The effluent collection tank must comply with the construction requirements of the SSAFO regulations and that it will last for a minimum of 20 years without maintenance. The applicant must also submit a SSAFO notification form (WQE3) a minimum of 14 days before the tank is brought into service. Further information, and a copy of the form is available by calling Julian Whitehead, Agriculture Officer on 0300 065.

The grant of planning permission does not permit activities that require consent, licence or permit under other legislation. It is the applicant's responsibility to ensure that all relevant authorisations are obtained before any work commences on site.

The site is also located in the Dee Water Protection Zone (DPZ). Should the site hold particular types/quantities of chemicals, they may need to register for a DPZ consent. More details are available from the following link:

<https://www.gov.uk/government/publications/consent-for-a-controlled-activity-within-the-river-dee-water-protection-zone>

Should any environmental incident occur at site, report immediately to NRW incident reporting hotline (24 hr) on 0800 80 70 60.

Waste Management

The application notes that when it comes to litter removal e.g. animal bedding, this will be "transported off site". The site is located within a Nitrate Vulnerable Zone (NVZ). To comply with the NVZ regulations, the farm will need to keep accurate records for the quantity of litter removed together with the destination of this litter.

Groundwater

It is not clear from the information provided if there would be 'hazardous substances' in the discharges, as defined by the Water Framework Directive (2000/60/EC) and the Groundwater Directive (2006/118/EC). It is also not clear whether or not there could be loss to groundwater from the base of the wetland and the wider system.

We therefore re-iterate that under current legislation, hazardous substances must be prevented from entering groundwater and the entry of non-hazardous pollutants limited to ensure that they do not cause pollution.

For further information we recommend that they refer to the EA's 'Groundwater Protection: Principles and Practice' (August 2013), a copy of which is available on the .gov.uk website. This will be relevant to the above Environmental Permit application.

Protected Sites: Air Quality

We have reviewed the SCAIL report provided in support of the planning application.

For completeness, the applicant should ensure that SCAIL result sheets are provided for all of the protected sites assessed. SCAIL result sheets have only been provided for Midland Meres and Mosses Ramsar only.

We are satisfied that the farm contributions to ammonia and nitrogen concentrations at the designated sites listed are predicted to be at concentrations that are not likely to be damaging to the scientific interest of the designated sites.

Our comments above 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/planning-and-development/planning-and-development/?lang=en>). 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*. The applicant 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.

Our comments are provided without prejudice to any decision NRW may make on any application made to it for an Environmental Permit under the Environmental Permit Regulations 2010 (EPR).

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: Platt White Partnership