



David Fitzsimon
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In Cyf/Our ref: qA1898545
Eich Cyf/Your ref: P/2021/0077
Dyddiad/Date: 20 Tachwedd 2025

Annwyl David Fitzsimon

**DEDDF CYNLLUNIO GWLAD A THREF 1990 - CAIS GALW MEWN ADRAN 77
GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITHDREFN RHEOLI DATBLYGU)
(CYMRU) 2012 – CYFARWYDDYD O DAN ERTHYGL 18(1)
CAIS I GODI UNED CYNHYRCHU WYAU BUARTH ORGANIG A'R HOLL WAITH
CYSYLLTIEDIG
TIR YN FFERM CAE MÔR, LLWYN MAWR, PONTFADOG, LLANGOLLEN, LL20 7BE
CAIS P/2021/0077**

Y mater dan sylw

1. Mae Gweinidogion Cymru wedi bod yn ystyried a ddylid galw'r cais uchod i mewn. Rwyf wedi fy awdurdodi gan Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio i ystyried y mater hwn.

Polisi

2. Mae polisi Llywodraeth Cymru ar alw ceisiadau cynllunio i mewn wedi'i nodi ym Mholisi Cynllunio Cymru (PCC) Rhifyn 12, Chwefror 2024. Ym marn Llywodraeth Cymru, yr Awdurdodau Cynllunio Lleol (ACLI), fel cyrff etholedig, ddylai benderfynu ar gynigion datblygu, lle bynnag y bo'n bosibl. Nid yw Gweinidogion Cymru, yn ymarferol, yn galw nifer o geisiadau cynllunio i mewn a dim ond pan fydd y cynnig yn codi materion o fwy na phwysigrwydd lleol y byddant yn gwneud hynny. Wrth benderfynu a ddylid galw cais i mewn, byddwn yn ystyried pwy ddylai benderfynu ar y cais yn hytrach na phenderfynu a ddylid derbyn y datblygiad neu a ddylid rhoi caniatâd cynllunio iddo.

Ystyriaeth

3. Dyma'r prif broblemau wedi'u codi ynghylch yr achos hwn:

- Mae'r cais yn methu mynd i'r afael â chyrchfan derfynol y tail a gweddillion y treulio anaerobig a gynhyrchir.
 - Yr effaith niweidiol y mae treulyddion anaerobig yn ei chael ar yr amgylchedd.
 - Mae'r cais yn methu ystyried yr effaith gronnol y mae unedau dofednod dwys yn ei chael ar yr amgylchedd, gan gynnwys lledaenu clefydau.
4. Rhoddwyd ystyriaeth i'r materion uchod ac unrhyw wybodaeth berthnasol arall.
 5. Mae'r cais yn cynnig allforio gwastraff i dreulyddion anaerobig. Tynnir sylw at yr adolygiad gan Cyfoeth Naturiol Cymru (CNC) o'r problemau a godir gan waredu o'r fath. Ar sail yr adolygiad hwn, mae CNC wedi cadarnhau nad yw bellach yn foddol bod y trefniadau ar gyfer rheoleiddio gwasgaru tail neu weddillion treulio anaerobig ar dir yn ddigonol i atal ffosforws rhag cael ei golli i amgylchedd yr afon. Wrth gymhwyso'r casgliad hwn i'r cais uchod, mae CNC yn pryderu na fydd y datblygiad arfaethedig yn sicrhau rheolaeth effeithiol ar y tail organig a gallai hynny arwain at golli ffosforws i amgylchedd yr afon.

Penderfyniadau

6. Mae Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio wedi dod i'r casgliad bod y datblygiadau arfaethedig yn gwrthdaro â'r polisi cynllunio cenedlaethol ar gadwraeth natur. Gallai effeithio mewn ffordd arwyddocaol ar safleoedd o bwys i gadwraeth natur, pan fydd maethynnau'n cael eu hychwanegu at ACAu lle mae lefelau'r maethynnau eisoes yn uwch na'r targedau. Gallai'r cais arwain at drosglwyddo maethynnau o fewn ac ar draws dalgylchoedd afonydd gan gael effaith eang y tu hwnt i'w hunion ardal. Mae nifer yr unedau dofednod dwys yn y Canolbarth eisoes wedi bod yn destun dadl frwd y tu hwnt i ffiniau'r ardal ac mae'r dadleuon yn para gyda'r cais hwn. Mae'r ffaith bod bwlch rheoleiddio ac ansicrwydd ynghylch rôl y system gynllunio yn broblem newydd. O'r herwydd, dylai'r cais gael ei alw i mewn, er mwyn i Weinidogion Cymru wneud penderfyniad yn ei gylch.
7. **Mae Gweinidogion Cymru yn cyfarwyddo drwy hyn mai Gweinidogion Cymru ddylai benderfynu ar y cais cynllunio y cyfeirir ato ym mhennawd y llythyr hwn (P/2021/0077).**
8. Bydd y cais cynllunio gwreiddiol, ynghyd ag unrhyw gynlluniau, adrannau a mapiau, ac unrhyw ddogfennau ategol eraill, gan gynnwys tystysgrifau a gohebiaeth arall berthnasol, nad ydynt wedi'u cyflwyno eisoes, yn cael eu hanfon at: Penderfyniadau Cynllunio ac Amgylchedd Cymru, Adeiladau'r Goron, Parc Cathays, Caerdydd, CF10 3NQ. (e-bost: PEDW.Casework@gov.wales).
9. Rhoddir gwybod ichi am y broses sydd i'w mabwysiadu ar gyfer ystyried y cais cyn gynted â phosibl. Tynnir eich sylw at ddarpariaethau erthygl 13 o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 (y Gorchymyn) sy'n ei gwneud yn ofynnol i'ch ACLI roi hysbysiad o delerau cyfarwyddyd adran 77 ar yr ymgeisydd, a'r rhesymau dros eu rhoi.
10. Mae'r cyfarwyddyd a wneir gan Weinidogion Cymru o dan erthygl 18 o'r Gorchymyn ar 31 Awst 2025 yn parhau i fod mewn grym.
11. Nid yw'r penderfyniad i alw cais i mewn yn awgrymu nac yn cyfleu unrhyw safbwynt gan Weinidogion Cymru ynghylch rhinweddau'r cais..

12. Anfonwyd copi o'r llythyr hwn at asiant yr ymgeisydd.

Yn gywir

A handwritten signature in black ink, appearing to read 'H. Butts', with a stylized flourish at the end.

Hywel Butts

Pennaeth Gwaith Achos Cynllunio / Head of Planning Casework

Y Gyfarwyddiaeth Gynllunio / Planning Directorate

Arwyddwyd o dan awdurdod yr Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio; un o Weinidogion Cymru.

Signed under authority of the Cabinet Secretary of Economy, Energy and Planning; one of the Welsh Ministers.



David Fitzsimon
Chief Officer Economy and Planning
Wrexham County Borough Council
Lambpit Street
Wrexham LL11 1AR

By email: david.fitzsimon@wrexham.gov.uk and matthew.phillips@wrexham.gov.uk

In Cyf/Our ref: qA1898545
Eich Cyf/Your ref: P/2021/0077
Dyddiad/Date: 20 November 2025

Dear David Fitzsimon

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL-IN REQUEST
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(WALES) ORDER 2012 – DIRECTION UNDER ARTICLE 18(1)
PROPOSED ERECTION OF AN ORGANIC FREE RANGE EGG PRODUCTION UNIT
AND ALL ASSOCIATED WORKS
LAND AT CAE MOR FARM, LLWYN MAWR, PONTFADOG, LLANGOLLEN, LL20 7BE
APPLICATION P/2021/0077**

Issue

1. The Welsh Ministers have been considering whether to call in the above application. I am authorised by the Cabinet Secretary for Economy, Energy and Planning to issue a direction in this case.

Policy

2. The Welsh Government's policy on calling in planning applications is set out in Planning Policy Wales Edition 12, February 2024 (PPW). The Welsh Government considers local planning authorities (LPAs), as elected bodies, should be left to make decisions about development proposals wherever possible. The Welsh Ministers do not, in practice, call in many planning applications and will only do so where the proposal raises issues of more than local importance. The consideration of a request to call in an application is not about the acceptability of the development and whether planning permission should be granted; it is concerned with who should make the decision.

Consideration

3. The main issues raised in this case are:

- Failure to address the final destination of manure and anaerobic digestate produced.
 - The detrimental impact anaerobic digesters have been shown to have on the environment
 - Failure to take account of the cumulative impact that intensive poultry units have on the environment, including the spread of diseases.
4. Consideration has been given to the above issues and any other relevant information.
 5. The application proposes to export waste to anaerobic digestors. The review by Natural Resources Wales (NRW) of the issues raised by such disposal is noted. Based on this review, NRW has confirmed that it is no longer satisfied that the regulatory regimes covering spreading of manures or digestate to land are adequate in preventing loss of phosphorus to the river environment. When the conclusion is applied to the above application, NRW is concerned the proposed development may not result in effective control of organic manure management which could result in phosphorous entering the river environment.

Decision

6. The Cabinet Secretary for Economy, Energy and Planning has concluded the proposed development potentially conflicts with national planning policies on nature conservation. It may significantly affect sites of nature conservation importance, where nutrients are added to SACs with nutrient levels already exceeding targets. The application may result in the transfer of nutrients within and across river catchments with a wide effect beyond their immediate locality. The number of intensive poultry units across mid Wales has already given rise to substantial controversy beyond the immediate locality, and the controversy continues with this application. The existence of a regulatory gap and the uncertainty around the role of the planning system is a novel issue. Consequently, the application should be called in for determination by the Welsh Ministers.
7. **The Welsh Ministers hereby direct that the planning application referred to in the heading to this letter (P/2021/0077) shall be determined by the Welsh Ministers.**
8. The original planning application, together with any plans, sections and maps, and any other documents accompanying it, including related certificates and other correspondence, which have not already been supplied, shall be sent to Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ (email: PEDW.Casework@gov.wales).
9. You will be notified of the process to be adopted for the consideration of the application as soon as possible. Your attention is drawn to the provisions of article 13 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ("DMPWO") which requires your LPA to serve notice of the terms of and the reasons for the section 77 direction on the applicant.
10. The direction made by the Welsh Ministers under article 18 of the DMPWO on 31 August 2023 will remain in force.

11. The decision to call in this application does not imply or infer any view from the Welsh Ministers about the merits of the application.
12. A copy of this letter has been sent to the agent for the applicant.

Yours sincerely

A handwritten signature in black ink, appearing to read 'H. Butts', with a stylized flourish at the end.

Hywel Butts
Pennaeth Gwaith Achos Cynllunio / Head of Planning Casework
Y Gyfarwyddiaeth Gynllunio / Planning Directorate

Arwyddwyd o dan awdurdod yr Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio; un o Weinidogion Cymru.

Signed under authority of the Cabinet Secretary of Economy, Energy and Planning; one of the Welsh Ministers.