



Poultry Units: planning permission and environmental assessment

Guidance for applicants, local planning authorities and Natural Resources Wales staff

Reference number: GN021

Document Owner: DPAS Board

What is this document about?

This guidance is intended to assist all parties involved in submitting, assessing and determining planning applications for poultry units.

Who is this document for?

- Those applying for planning permission for poultry units
- Local planning authorities
- NRW staff

Contact for queries and feedback

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Version History

Document Version	Date Published	Summary of Changes
1.0	Feb 2017	Pilot document published
1.1	Nov 2017	Full guidance note published

Review Date: November 2018

Spotted a problem? Let us know at
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Introduction

Purpose

This guidance is intended to assist all parties involved in submitting, assessing and determining planning applications for poultry units.

Key point

Each case will be assessed on its own merits and following this guidance will not guarantee planning permission.

Background

As a statutory consultee in the planning process, NRW advises on the potential impacts on Wales's natural resources and environment. To give effective and timely advice, we need sufficient information about a proposal and the way it addresses environmental matters.

Poultry units pose specific risks to the environment and communities that need careful consideration and management. Design and management can usually minimise the risks of pollution, harm to habitats and species or nuisance to others. It is important for applicants to understand their sites, and to include relevant information in planning applications to explain how proposals:

- avoid or minimise impacts
- comply with environmental legislation.

This guide sets out the information that NRW and the local planning authority need to inform their assessments.

How to use this guidance

The guidance is split into two parts:

Part 1 is a checklist of information to submit with a planning application and why it is needed.

Part 2 provides further information for applicants on management plans, design, and other consents, permits and licenses.

Part 1: Checklist

This is a list of information NRW needs in support of a planning application consultation to enable an informed and timely response.

Applicants should consider the constraints and opportunities when thinking about site selection, in particular:

- avoiding locations close to designated sites
- habitats
- protected species
- watercourses
- other locations where it would be difficult to manage run off.

	Topic	Requirements
1	Identification of sensitive receptors in the surrounding area	<p>Applications need to identify and take into account surrounding sensitive receptors including:</p> <ul style="list-style-type: none"> Protected sites (including SAC, SPA, Ramsar sites and SSSI) protected species and ancient woodlands. Nearby residential dwellings. This will affect the risk of noise and odours causing nuisance. Factors affecting the risk include distance, topography, prevailing wind direction and speed, vegetation, site ventilation, type of production, bedding, manure handling system and manure management systems. The locations of controlled water (for example watercourses, wet and dry ditches, groundwater and ponds) is essential to inform pollution prevention measures, including buffers for livestock range areas and locations of soakaways and other drainage features based on distance and connectivity.
2	Atmospheric ammonia impact assessment - SCAIL	<p>Applications will need to show the risk of atmospheric ammonia concentrations and nitrogen deposition on nearby sites. This can be done using the free online tool – SCAIL (Simple Calculation of Ammonia Impact Limits) available at http://www.scail.ceh.ac.uk/</p> <p>Applications need to include a report from SCAIL or other air quality modelling package that includes:</p> <ul style="list-style-type: none"> the input data background levels. process contributions (PC). the predicted new environmental concentrations (PEC) of ammonia and nitrogen
3	Detailed ammonia modelling	<p>In cases where SCAIL indicates that thresholds of insignificance are exceeded further detailed modelling may be required to support the application.</p> <p>Presenting reports with the same standard set of information makes it much easier to identify relevant information in them and to be confident of the full context for the assessment NRW needs to make.</p> <p>It is much quicker for NRW to assess the potential impacts when the model results are easy to relate to receptors on the ground. Tables should give the names of designated sites and other place names, with cross reference to a map.</p> <p>Reports should include PC and PEC information for all cases, including PEC even where NRW's thresholds are not exceeded.</p>
4	Site drainage plan	<p>Applications need to include a plan of the proposed site that indicates all of the new and existing features that will control pollution from the development, including:</p>

	Topic	Requirements
		<ul style="list-style-type: none"> • clean and foul drains (with direction of flow), • effluent containment (including capacity), • provision for decontamination and collection of disinfectant in event of disease control, • any constructed soak away, • French drains and • New or existing sustainable drainage including swales, reed beds or ponds. <p>Any relevant management controls should also be indicated.</p>
5	<p>Range area plan (for free range units)</p>	<p>Applications need to include details of the livestock range area in order to assess the risk of runoff polluting nearby watercourses.</p> <p>Maps showing the range area should indicate:</p> <ul style="list-style-type: none"> • Boundaries of the ranging area (including total area in hectares); • Direction of slope; • Soil types (for example heavy clay); • All sensitive receptors (wells, springs, boreholes -within 50m of the site boundary, watercourses, hedgerows and any known protected sites or species) - within 50 meters of the boundary; • Location of existing or proposed mitigation measures to control run off; • Proposed management of soil and crop cover to prevent waterlogging and run off. With particular reference to areas around livestock access points - pop holes or verandas.
6	<p>Manure management</p>	<p>Applications need to include a manure management plan. The plan needs to include:</p> <ul style="list-style-type: none"> • Calculation of total Nitrogen and Phosphate produced from proposed poultry unit and all other sources of nutrient imported or produced on the holding. • Details of the area of land available to spread dirty water and litter. • Calculation of nutrient loading (Nitrogen and Phosphate) per hectare of land available for spreading. • Show how nutrients will be used by the holding for agricultural benefit. • Risk map of proposed spreading area indicating sensitive receptors, for example: <ul style="list-style-type: none"> - boreholes - wells - lakes - rivers

Topic		Requirements
		<ul style="list-style-type: none"> - other water bodies or habitats that may require assessment under EIA Agriculture Regulations - adjacent designated sites, for example: SSSI.
7	Contingency plan	<p>Applications need to demonstrate that there is contingency for storing any manure, slurry and dirty water produced at times when spreading may not be possible, for example due to wet, waterlogged or frozen conditions in accordance with the Code of Good Agricultural Practice (available on the WG website). This is to ensure manures and slurry are spread at appropriate times to prevent pollution and maximise uptake of nutrients for crop growth.</p> <p>Contingency for storing wash water during and after disease outbreak must be detailed as this is hazardous waste and depending on the severity and type of outbreak may need to be stored for longer than normal and separate from other manures and slurry.</p> <p>Applicants should consider using the hierarchy described in the information section below.</p>
9	Pollution prevention - construction and management	<p>Applications need to include appropriate pollution prevention measures, to ensure that the water environments (both surface and groundwater) are not polluted during construction or operation of the site.</p>
10	Great crested newts	<p>A Great Crested Newt (GCN) assessment will be needed if:</p> <ul style="list-style-type: none"> • the proposed site is within areas inhabited by GCN; • any part of the development, including ranging areas, come within 250m of a pond. <p>If ponds are present, the applicant can make a pre-application enquiry to NRW to establish if the site is within an area inhabited by great crested newts. If so, and it is not possible to show the ponds are unsuitable (for example stocked with fish), an assessment will need to consider measures to avoid or mitigate construction and operational impacts, including predation of newts by chickens on the ranging areas.</p> <p>The Pollution Prevention Plan will show how ponds are protected from pollution.</p>
11	Bats	<p>Applications need to indicate clearly on a plan or map, the location of any trees hedges or buildings that may be affected, either directly by removal or alteration or indirectly.</p> <p>Unless trees, hedges or buildings are being taken down, the only requirement is likely to be a condition that prevents light from the development illuminating nearby woods, trees, hedges</p>

Topic		Requirements
		and other boundary features, or any roost entrances to bat roosts in nearby buildings.
12	Dormice	<p>Applications need to indicate clearly if any trees or hedges or scrub is present and indicate if it is being removed or changed.</p> <p>Unless trees, hedges or scrub are being cleared, the only likely requirements if dormice are present would be:</p> <ul style="list-style-type: none"> • Fencing hedges off from range areas. • Conditions that prevents light from the development illuminating nearby woods, trees, hedges and scrub.
13	Undesignated sites and land	<p>Applications need to include information about nearby local wildlife sites, ancient woodland and other semi-natural habitats, with information to help the Local Planning Authority assess impacts on those features, including the impacts of ammonia and nitrogen deposition.</p> <p>Any projects or operations that significantly increase agricultural output on uncultivated and/or semi-natural areas containing less than 25-30% improved agricultural species (for example ryegrass or white clover) are protected under Category 1 of the EIA Agriculture (Wales) Regulations 2007. Under Category 2 of the regulations, large-scale projects which restructure rural land holdings including improved land require screening consent. Typical operations might include:</p> <ul style="list-style-type: none"> • removal or addition of field boundaries • planting of hedgerow • recontouring (reshaping) of agricultural land. <p>Follow this link for further information on the type of land and operations included under these regulations: http://gov.wales/topics/environmentcountryside/consmanagement/conservationbiodiversity/eiahome/projectsandregs/?lang=en</p> <p>Although the level of risk applied may differ for undesignated sites compared with designated sites, the local planning authority needs the same standard of evidence to assess impacts on undesignated sites as NRW needs to advise on designated sites.</p>
14	Flood zones	If the hard infrastructure is within a C1 or C2 DAM zone, applications need to be supported by a flood consequences assessment (FCA). The FCA will need to demonstrate that the development is flood free in a 100 year flood event and does not increase flood risk elsewhere.

Topic	Requirements
	Note that a proposal affected by flood risk may find it difficult to meet the pollution prevention requirements, especially if manure is carried off ranging areas by flood water.

Part 2: Information for applicants

1. Town and Country Planning (Environmental Impact Assessment) Regulations

The Local Planning Authority may require an environmental impact assessment (EIA) if the development exceeds the appropriate size thresholds (under Schedules 1 or 2 of Town & Country Planning (EIA) (Wales) Regulations 2016) and is considered likely to have a significant effect on the environment.

The size threshold is developments with new floor space of 500 square metres or greater and close to a sensitive receptor (as defined in Schedule 3 of the Regulations).

2. Environmental Impact Assessment Agriculture (Wales) Regulations

Applicants will need to consult the Welsh Government EIA Agriculture Team before carrying out:

- agricultural improvements on uncultivated land or semi-natural areas
- projects involving restructuring of rural land holdings on any agricultural land type.

Contact the Rural Payments Wales (RPW) customer contact centre:

Tel: 0300 062 5004

Fax: 01286 662193

E-mail: rpwonline@wales.gsi.gov.uk

Opening hours: Monday-Friday, 8:30-17:00

You can also contact the EIA Unit directly at EIA.Unit@wales.gsi.gov.uk.

There is more information on their webpage:

<http://gov.wales/topics/environmentcountryside/consmanagement/conservationbiodiversity/eiahome/?lang=en>

3. Compliance with relevant environmental regulations.

You can find information about the relevant regulations, whether a permit is required and how to apply on the NRW website: <https://naturalresources.wales/apply-for-a-permit/?lang=en>

Environmental Permitting Regulations: intensive farming

Should the proposal increase the number of birds within the holding to over 40,000 birds an Environmental Permit under the Environmental Permitting Regulations 2010 would be required from NRW.

The granting 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 operations commence on site.

Applicants are encouraged to enter pre application discussions with NRW prior to applying for a permit to help ensure all aspects are fully considered. Where possible permit and planning applications should be made at the same time to avoid delays.

Environmental Permitting Regulations: abstractions

Applicants intending to supply new units from ground or surface waters are advised to check the abstraction limits and apply for a permit to abstract if required.

More information can be found on our website:

<https://naturalresources.wales/permits-and-permissions/water-abstraction-and-impoundment/apply-for-a-water-abstraction-or-impoundment-licence/?lang=en>

Environmental Permitting Regulations: discharges

The written consent of NRW or registration for exemption by the developer will be required for any discharge from the site (for example, foul drainage to a watercourse) and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site.

More information can be found on our website:

<https://naturalresources.wales/permits-and-permissions/water-discharges/discharges-to-surface-water-and-groundwater/?lang=en>

Nitrate Pollution Prevention Regulations 2013

The Nitrate Pollution Prevention Regulations restrict the application of nutrient in certain areas. It is the responsibility of the applicant to demonstrate they can comply with the total farm limit, field limits, storage requirement and spreading restrictions. Nutrient planning is a formal requirement of farms within NVZ areas

Water Resources Act (Control of Pollution) (Silage Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010

All wash water and manures arising from poultry units must be collected and stored in accordance with The Water Resources (Control of Pollution) (Silage Slurry and Agricultural Fuel Oil)(Wales) Regulations 2010 and Welsh Governments Code of Good Agricultural Practice .

Roof water from units with low velocity roof extraction should be treated as lightly polluted and directed to a constructed soakaway, swale, pond or reed bed.

Conservation of Habitats & Species Act (2010)

Habitats Regulations Assessment will be required where Natura 2000 Sites (SAC/SPA) and Ramsar sites are likely to be affected.

Wildlife & Countryside Act (1981), as amended

Assessment of the impacts on the SSSI features will be required.

4. Contingency for storing manure and slurry.

The applicant should demonstrate that they have contingency for storing all manure, slurry and dirty water produced at all times of the year. This is to ensure manures and slurry can be spread at appropriate times to prevent pollution and make use of nutrients for crop growth.

Poultry manure and slurry is very rich in potentially polluting nutrients especially Nitrate and Phosphate. These are valuable nutrients for promoting growth in crops but must be managed carefully to avoid pollution through run off or leaching. Good manure and slurry management is also key to biosecurity. Operators should demonstrate that they have considered options for managing the manures and slurry they produce to ensure it does not cause pollution through run off or nutrient build up in soils. For example:

1. Purpose built covered manure store – built to SSAFO standard and sized to ensure adequate capacity to store manures until nutrient is needed by crops. Storing manure undercover reduces losses of nutrient through rainfall and helps to ensure rotting and bacteria break down takes place.
2. Export for anaerobic digestion or energy recovery (ensuring relevant permits are in place).
3. Storage in temporary field heaps sited following regulatory controls and Code of Good Agricultural Practice.
4. Direct application to land following Code of Good Agricultural Practice – this should be a last resort and always consider incorporating manures into soil as soon as practicable.
5. Export or sale – it is important that operators take responsibility to ensure the manure or slurry they export is being managed appropriately by others.

5. Management of ranging areas

Well managed range areas with good vegetation cover, well managed soils and regularly rotated ranging contribute to improved productivity, welfare and biosecurity while reducing the risk of nutrient rich run off causing pollution.

When birds range across the whole area nutrient is spread more evenly and avoids nutrient rich deposits and poaching nearest shed. If poaching occurs operators will need to remediate the area and ensure drainage is not directed to a watercourse.

Use of sustainable drainage methods such as swales, reed beds, earth bunds and ponds can act as a barrier in case of run off.

6. Manure management plan

The purpose of a manure management plan is to avoid pollution to watercourses and harm to semi-natural habitats through excessive application of manure to land.

If manure is to be utilised on the your holding, a manure management plan is needed to demonstrate that the farm has sufficient land to spread the manures produced by the proposed development alongside the other manure generated on the farm at a rate that is consistent with the Code of Good Agricultural Practice (CoGAP) recommended upper limit of 250kg Nitrogen /ha. **This is an upper limit and is not the recommended nutrient requirement for all land. Nutrient planning is needed to show agricultural benefit.**

Consideration must also be given to the phosphate contained with the manures and residual amounts in the soils to ensure that crop requirement is not exceeded. It is recommended that routine soil sampling is undertaken for pH, phosphate and magnesium, and that manure and fertiliser application rates be adjusted as required to meet the requirement of the crop.

The Plan should identify areas where manure spreading should not take place including around ditches and watercourses to help minimise the risk of pollution. As 10m buffer should be maintained around watercourses and any other sensitive areas. No spreading should take place within 50m off springs, wells and boreholes (CoGAP).

Spreading of manure should be carried out in accordance with the CoGAP (i.e. not on wet, waterlogged, frozen, snow covered or steeply sloping ground).

Temporary field heaps should be located in the same position for no longer than 12 months with not return to the same footprint for 2 years. Field heaps should be located to avoid run off to any watercourse or ground waters being located at least 10m from any watercourses (including land drains), and 50m from any well, spring or borehole. If the land is within a NVZ designated area, spreading should be carried out in accordance with guidance for NVZ areas and the field heap marked on the risk map.

Guidance to help complete a Manure Management plan can be found in the Code of Good Agricultural practice. Templates are available online.

If manure is being removed from the applicant's holdings details of quantity and destination should be recorded, for example in a diary or export log.

7. Nutrient Planning

Agricultural manures and slurry are exempt from Waste regulations if they are used for agricultural benefit. To demonstrate the nutrients are being used for benefit and not likely to be causing wider diffuse pollution it is important to plan nutrient use according to crop requirement. Nutrient planning must take into account all sources of nutrient including all organic manures produced by the farm and imports such as inorganic fertiliser, digestate, waste materials or sewage sludge.

Applications should be able to demonstrate how the increased nutrients produced by the development will be used for agricultural benefit. This must take into account all sources of nutrient including organic and inorganic sources and imported materials.

The nutrient plan should include a commitment to ongoing soil sampling for pH, phosphate, potassium and magnesium with manure and fertiliser application rates be adjusted as required to meet the requirement of the crop.

Nutrient plans should follow fertiliser recommendation guidelines set out in Fertiliser Manual (RB209) and preferably endorsed by a FACTS qualified advisor.

Example guidance on producing a NMP can be found here:

<http://adlib.everysite.co.uk/resources/000/253/485/TriedAndTested2009.pdf>

8. Pollution Prevention - design

Clean, uncontaminated surface waters should be disposed of by means of sustainable drainage principles. Any soakaways should be directed away from existing surface waters. The development must be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water.

Runoff water from the ranging area especially should not be allowed to flow directly into surface water drains or watercourses as this can contain polluting nutrients and sediments. We also advise the applicant of the need to ensure that any effluent tank must be constructed to meet SSAFO Regulations (Wales) 2010. In addition the manure trailer should be sealed and be sheeted to prevent leakage if it is sited on the yard. The work should incorporate appropriate pollution control measures to ensure that the water environment (both groundwater and surface water) is not polluted.

9. Pollution Prevention - construction

NRW has found that the need to clarify pollution prevention measures with the applicant has caused extra work and delay before consent. This could be avoided by inclusion of pollution prevention measures with the application.

Appropriate pollution prevention measures must be in place, to ensure that the water environment (both surface and groundwater) are not polluted during excavation, construction or landscaping. When working near watercourses, work must be carried out in a manner so as not to cause pollution of controlled waters. It is an offence under Regulations 38 of the Environmental Permitting Regulations 2010 to cause or knowingly permit a water discharge activity.

All works at the site must be carried out in accordance Guidance for Pollution Prevention 6: 'Working at construction and demolition sites'.

Any works and maintenance in or near water will need to follow Guidance for Pollution Prevention 5: 'Works and maintenance in or near water'.

Guidance for pollution prevention is available online at NetRegs:

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

10. Accident Management Planning

Applicants are advised to include an accident management plan that shows the location and quantities of potentially polluting substances such as oil, fuel, chemical stores, feed bins, dirty water tanks and medicines. The plan should describe how pollution will be prevented or minimised in the event of an accident or emergency such as a fire on site. This may include staff training, diverter valves and provision of absorbents or drain blocking equipment.