



*Brecon and Radnor Branch
Campaign for the Protection of Rural Wales*

Chair: Jonathan Colchester

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15/3/21

20/2115/REM | Section 73 application to vary condition 3 of planning approval 20/1115/FUL to allow the building to be used for up to 5,000 free range organic broilers (Poultry) | Ffosmascal Rhayader Powys LD6 5NR

Brecon and Radnor Branch CPRW object to this application. We have significant concerns about this s73 application and believe the applicant is obfuscating scrutiny of cumulative environmental impacts.

Background and timeline to this application.

30/6/2020 PCC approved 18/0463/FUL, Erection of a broiler unit, creation of access and all associated works at Llwyngwilym Farm , Rhayader, Powys, LD6 5NS. This broiler unit is the other side of the road from proposed 20/1115/REM and that approved Manure Management Plan (MMP) includes this site as a spread zone.

The MMP also claims there are 50 suckler cows and 250 finishers, it then says, *Messrs Powell will be reducing cattle numbers at Llwyngwilym as they have recently purchased an additional farm which will house several the growing cattle together with some sucker cows. The land is also available for additional manure application.*

17/11/2020 PCC approved application 20/1115/FUL for a general purpose agricultural shed which the applicant assured NRW was to house existing cattle.

Barely one month later, on 24/12/2020, this s73 application was validated to allow change of use of the proposed building. The application form reads: *Condition no. 3 is too restrictive. Rearing beef cattle is not a long term sustainable use for the buildings. A more viable use has been found. The applicant has been approached about rearing free range broilers.*

14/1/2021 PCC received application 21/0059/FUL Erection of a poultry building and associated works, Llwyngwilym Poultry Unit Llwyngwilym Rhayader Powys LD6 5NS. This was validated on 23/2/2021. The ES states:

4.1 Existing Farm Unit

*The applicant, H & E Powell, is a family farming business which consists of Mr and Mrs Powell. Mr and Mrs Powell have three sons, two of which help to run the family farm and have their own young families. The poultry unit will be managed by Jake Powell. Llwyngwilym is a mixed farm which extends to 564 acres of owner occupied land together with a further 1270 acres of rented land. **There is a large***

suckler cow herd, finishing cattle and a sheep flock. There is also an existing 24,000 free range mobile unit.

Planning permission was granted dated 30th June 2020 (ref: 18/0463/FUL) for the erection of a broiler unit, creation of access and all associated works at Llwyngwilym Farm, Rhayader, Powys, LD6 5NS. This application seeks to add a second poultry building on the site. The total number of birds would double from 55,000 to 110,000.

Location plans for all three application sites show the land belongs to Llwyngwilym on either side of the road at Ffosmascal. It appears that the submission of successive applications with different addresses and over a short period of time is an attempt to avoid any proper scrutiny of cumulative effects.

There also seems to be confusion about cattle with numbers played down in the Manure Management Plan for 18/0463/FUL but almost immediately after approval a shed was applied for to house some of them on the same holding.

Application documents

The application form reads: *Variation to allow the building to be used for up to 4,000 free range organic broilers (poultry).*

The PCC description and the application documents refer to 5000 birds. There is also lack of clarity between documents about whether the proposal is for organic chickens or not. Organic status is a material consideration as there are different legal requirements for space per bird; for example, the current proposed range, described as one hectare on the range plan is only large enough for 2500 organic birds. It is helpful for an applicant to state the appropriate Assurance standards (RSPCA, Soil Association etc.)

It is a legal requirement that organic chicken have natural light in housing however the elevation plan fails to show any windows or roof lights. There is also no indication of feed silos or ventilation. Whilst we note that Condition 2 of 20/1115/FUL does not tie the approved development to the elevation plans, we believe the current proposal for organic poultry will require a building of significantly different appearance. It is helpful for an applicant to state the appropriate Assurance standards (RSPCA, Soil Association etc.) so there is clarity about the design of the building and range.

The number of birds and organic status need clarifying and documents amended accordingly.

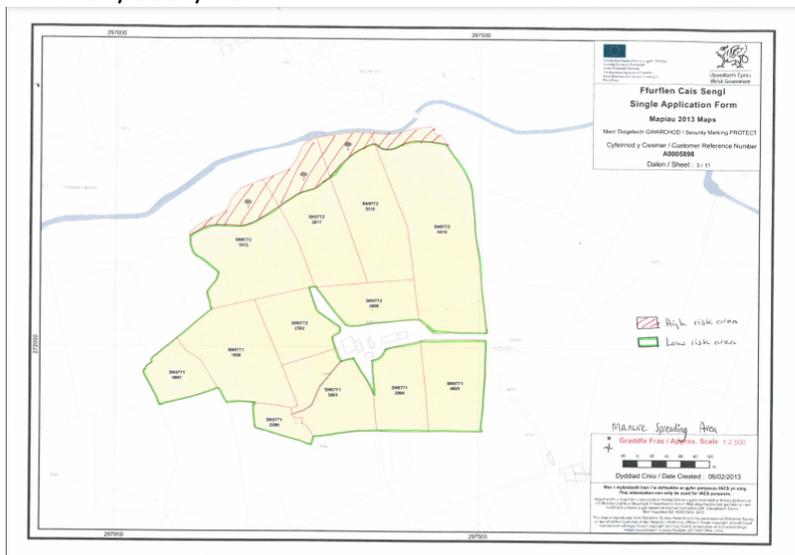
The location plan shows that the applicant does not own adjacent residential properties. This current proposal places an intensive livestock building just over 50m away from the nearest third party residence. This is not acceptable; intensive poultry emit health damaging particulate matter. We remind you that PCC has a legal duty to protect health via the WFGA.

The MMP is totally unacceptable. In order to manipulate nitrogen figures the document makes unsubstantiated claims there will be a reduction in cattle numbers. Furthermore, the intention is to export the manure to a nearby farm in the same ownership, Gilfach y rhiw. This **same land has been included in the MMP tied to 18/0463/FUL.**, see maps below. We are dismayed that PCC have already approved highly polluting manure spreading here which will affect a SAC and Radnorshire Wildlife Trust's flagship Nature Reserve and SSSI. We suggest that PCC's failure to question agent's poor mapping, (which this example highlights), is a dereliction of your Environment Act s6 and WFD duties.

MMP tied to 18/0463/FUL



MMP 20/1115/REM



Manure Spreading and range

The Officer’s Report for application 20/1115/FUL stated **the applicant had confirmed that the livestock and storage building would be used to house existing stock** and therefore the comparison of a new free-range broiler enterprise with a new cattle enterprise as set out in the MMP is not relevant.

The changed project for a 5,000 free-range poultry unit introduces new livestock numbers. The use of the range will result in chicken manure directly on the land throughout the year, irrespective of weather conditions and therefore is an additional risk to the Wye SAC.

NRW guidance note GN 21 requires a phosphate management plan with manure application matched to crop requirements. No such plan has been provided.

We understand that PCC will have to confirm to NRW that it will monitor and enforcing any planning conditions imposed to ensure protection of the SAC throughout the life of the project (NRW Planning Position Statement re Wye SAC). With no transparency about the relationship between this and

other intensive poultry projects, including a 24,000 “mobile unit”, and no clarity about manure and phosphate management arrangements, it is difficult to see how Powys County Council could confirm it is able to undertake this with any certainty. The 24,000 bird mobile unit with access to outdoor range raises another set of questions about phosphate risk to the SAC.

Powys County Council and NRW should insist on clear details about the relationship between the different applications and their combined environmental impact on the SAC.

CPRW considers that the threat to water quality and freshwater ecology of the SAC from existing intensive poultry units in the area is so great that there is no justification for approval of new units.

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A handwritten signature in black ink, appearing to read 'Jonathan Colchester', written in a cursive style.