



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

Chair: Jonathan Colchester

Correspondence: secretary@brecon-and-radnor-cprw.wales

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Dear Planning Officer

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

Holding Objection to Planning Application:

20/1292/FUL Drewern, Hundred House: Erection of a poultry unit extension to accommodate 16,000 free range chickens (egg production) together with associated feed bins and associated works

1. Traffic

2. Export of litter to Gamber Logistics

3. Water use and disposal

4. Impacts on rights of way

5. Habitats Regulations Assessment

6 Cumulative Assessment

7. Climate change

1. Traffic

Extract from Manure Management Plan (Page 8 Revision C dated February 2021): *'For the second poultry unit the manure is sold off farm to a logistics company'*, and a letter from Gamber Logistics is attached. This is a change from the original proposals for the disposal of manure on the landholding.

At the same time the Design and Access Statement (Version 2 July 2020) states the following: *'Manure will be removed from the unit every four days, by tractor and trailer and shall be used on land in the ownership of the business or indeed stored in the existing manure store upon farm. There will be additional movements involving the application of manure however these shall be confined to the farming unit at the Drewern Farm. No additional movements.'* [Para 7.0] *'Manure will be used on the land at Drewern Farm and land in their control reducing the need to import fertiliser onto the farm'* [para 20.0], using this, and other statements to justify claims of sustainability. Also *'The proposals will result in minimal increases to highway movements related to the farming unit as the majority of the movements are associated with the existing free range poultry unit'* [Conclusion].

Consultation responses from Highways are dated October and November 2020. While concerns about failures to meet requirements of the previous application P/2017/0274 are expressed, it is clear that Highways have responded on the basis that there are no significant highways implications from the expansion, such as, for example, multiple additional long distance heavy vehicle journeys.

Using figures from the Welsh Government's Water Resources (Control of Agricultural Pollution (Wales) Regulations 2021 the tonnage of manure exported will be approximately 700 tonnes per annum, which, assuming for illustration a vehicle capacity of 28 tonnes, would require 25 return (i.e. 50) heavy vehicle journeys of approximately 35 miles each, a significant carbon footprint.

This inconsistent application information undermines the claim as to sustainability of the proposal. Highways departments in both Powys and Herefordshire councils should be consulted on the basis of the revised plans for export of manure.

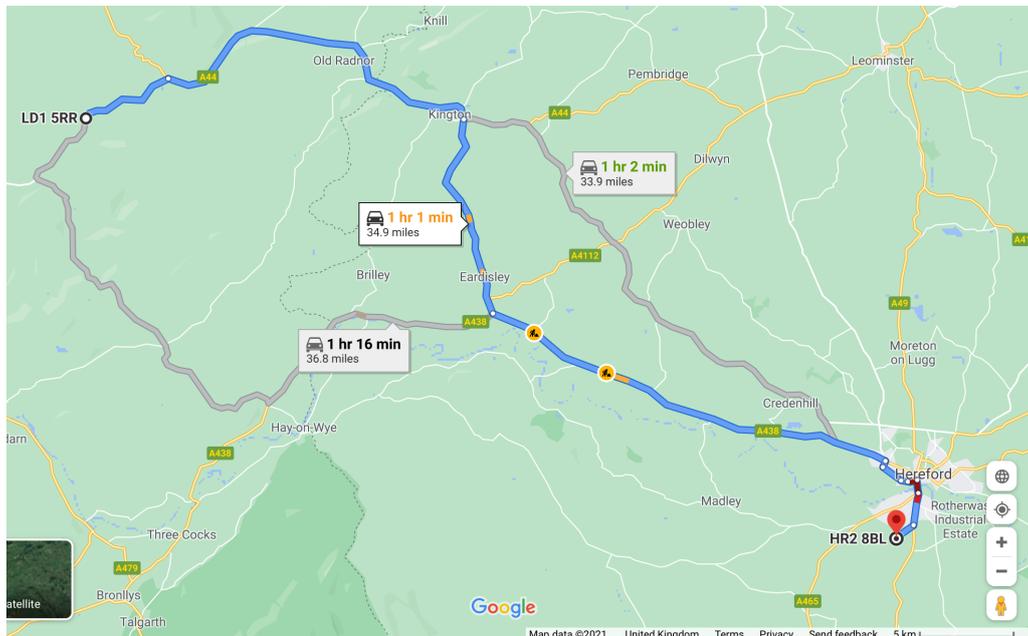


Figure 1 Google maps Drewern to Gamber Logistics

2. Export of litter to Gamber Logistics

NRW's response of 19/3/2021 notes proposed export of manure from the extension to Gamber Logistics and requires a contingency plan for 'if the situation arises where the Applicants are not able to export/sell the manure'. The ubiquity of poultry farms in Powys makes it unlikely that neighbouring farms will have any requirement for more poultry manure. It follows that the farm should be required to have a sufficient landholding to use all manure (and dirty wash water etc.) that is produced, and, looking only slightly ahead, at the same time satisfy the near future requirements of the Welsh Government's Water Resources (Control of Agricultural Pollution (Wales) Regulations 2021. Under these Regulations the maximum nitrogen spreading rate for organic manure across the land-holding will lower from 250k/Ha/year to 170k/Ha/year. Since no Manure Management Plan showing contours and watercourses has ever been provided we cannot be certain even that there is sufficient appropriate land for spreading even the manure produced from the existing shed at the current rates of spreading. What is the contingency plan for the disposal of twice the quantity of manure on the farm at 2/3 the current rate of spreading? This needs to be established and evidenced.

The development is required to achieve phosphate neutrality or betterment to protect water quality within the Welsh Wye Catchment and comply with NRW's Planning Position Statement and Interim Planning Guidance. This guidance states:

In relation to developments to which this document applies, we would expect that any measures relied upon to avoid or mitigate potential impacts on a SAC due to increased amounts or concentration of phosphates, are supported by evidence from the developer which demonstrates that those measures are guaranteed and maintained for the lifetime of the development, and are effective, reliable, and timely. We would also seek confirmation by the local planning authority that the measures can be legally enforced to ensure they will be implemented as proposed.

Gamber has very recently provided a similar undertaking for at least 5 of the 21 live applications in Powys planning and therefore Powys County Council and NRW should be considering the in-combination impacts of this arrangement with respect to traffic and the receiving environment over the border.

The Gamber undertaking does not specify where the litter will go. Gamber is based in Herefordshire, in the Wye catchment, and so there is a high risk that Gamber will export excess phosphates from one part of the catchment to another. In as much as the litter supplies ADs, it adds to the problem. Phosphates are retained in digestate which is usually spread on neighbouring land. In addition, digestion of poultry litter requires combination with plant crops,

principally maize. Maize requires high levels of nutrients (RB 209) and carries a high risk of soil-erosion and build-up of soil phosphate stores, both of which are recognised to pollute local watercourses.

According to the NRW Interim Planning Guidance for SACs quoted above, NRW expects evidence that the measures are guaranteed and maintained for the lifetime of the development. The Gamber letter reproduced in the revised Manure Management Plan does not supply this evidence. NRW also expects the LPA to confirm that they can legally enforce these measures. Unless the LPA are in a position to closely monitor quantities and destinations of litter export and enforce against any breach of condition, and at the same time monitor the different destinations of poultry litter from different units on the same farm, clearly an impossibility, they cannot possibly confirm this. An intensive poultry unit may have a lifespan of decades length and a company such as Gamber may be subject to takeover, merger, bankruptcy etc. as with any other company. The Gamber letter is not a legal undertaking and so Powys cannot guarantee the export arrangement. The LPA cannot claim that the SAC is safeguarded beyond reasonable scientific doubt.

This arrangement provides no certainty about the protection of the Wye SAC in Wales or in England.

The environmental risks cannot be satisfactorily addressed without a credible means of regulatory control over the proposed manure export arrangement.

This requires a radical change in the current procedure whereby NRW avoids responsibility for potential environmental damage by 'advising' that the LPA must impose planning conditions, knowing these are neither monitored or enforced. The LPA, in turn, defends planning decisions on the grounds that NRW advice has been followed.

3. Water use and disposal

Despite the doubling of the number of birds all dirty water is to be collected in the existing tank. Confirmation of the likely capacity requirement for 32,000 birds, taking into account implications of extreme rainfall events, should be sought and the adequacy of the existing tank, stated capacity 10,000 litres, can then be assessed.

At the same time, we are concerned that the impacts of the high water demands of intensive poultry rearing are not scrutinised at the time of application. We are already experiencing periods of extremely low rainfall and extreme rainfall events. In this context it is negligent not to consider the potential impacts of this new development on already existing demand.

4. Impacts on rights of way

From the Design and Access: *'There are no public footpaths directly affecting the proposed site. There is a footpath directly leading up the lane to the farm and then proceeding past the farmstead. The proposed unit shall not interrupt the quiet enjoyment of this footpath, and access shall never be compromised.'* In fact, the ranging area is crossed by several bridleways and an ORPA. The consultation response from Powys Countryside Services quotes from the Local Development Plan *'The Local Development Plan, DM13 criterion 9 requires the public right of way to be enhanced and integrated within the layout of the development proposal.'* It is unlikely that local users and tourists will see the requirement to take themselves and perhaps their horses past the unit, through the ranging area of an intensive poultry operation and across disinfectant biosecurity mats as an enhancement. Powys's network of rights of way is a key part of the county's attraction to tourists and a key resource for residents, and once again the conflict between this form of farming and the equally important income stream from tourism is apparent. With the increasing traffic on Powys's roads, some of it generated by the siting of intensive poultry farms in remote rural communities, maintaining the rights of way network is all the more important.

See <https://www.gov.uk/guidance/disease-prevention-for-livestock-farmers>: This UK government advice cites farm visitors as a potential source of disease spread both from humans and pets to livestock, and, in the case of zoonotic disease including forms of bird flu transmissible to humans, from livestock to human. Unfenced access through the ranging area with direct contact between visitor and poultry is clearly contrary to this advice. The latest iteration of the range plan suggests the east-west right of way is stock excluded, we assume by suitable fencing, but not the right

of way descending from the north. It's entirely unclear how the birds' access to those parts of the range beyond PRoW fencing is achieved. Rotation of paddocks is discussed but there is limited scope given the minimum required range area for 32,000 birds is 12.8 Ha and the entire range area (before adjustment for fenced off rights of way?) is 16.19Ha. There are clear practical issues arising from the fencing off of rights of way but at the same time it's open to question whether fencing to separate public access areas within the poultry range is an adequate measure to address the real disease risks.

Equally important, what measures will be taken if bird flu is identified in the unit? This isn't unlikely, as we've seen this last winter. Will the rights of way require to be closed, to ensure the safety of the public and the biosecurity of the site? If so, how will this be achieved and what safe alternative arrangements will be made for their users? This needs to be addressed.

The issue of rights of way across the ranging area needs further thought.

Questions raised by Jill Exton on 8th February don't appear to have been adequately answered.

5. Habitats Regulations Assessment

None is published on the website although NRW have several times pointed out the requirement.

6. Cumulative Assessment

We have been disappointed that despite the increasing density of intensive poultry development in the county we have not yet seen evidence of any thorough exercise to consider a new application in the light of the cumulative environmental impacts. By the time the officer's delegated report is produced it is too late for us to comment, and we would therefore like to see published, at the very least, a clear statement of the neighbouring units which are being considered in cumulation with this application, the considerations which are being taken into account and the conclusions reached together with the officer's reasoning. Assurances within the OR that such an exercise has been undertaken, without detail given, don't convince us that the potential for progressive environmental damage and the steady erosion of rural amenity are given their due weight in the planning balance.

10. Climate change

We take the opportunity to repeat here comments included in the objection to 20/1226/FUL as the failure to address this issue is incomprehensible, particularly in view of the fact that Powys declared a Climate Change Emergency in September 2020.

PPW 11 refers to climate change throughout and asks, 2.28

- *will the causes and impacts of climate change be fully taken into account through location, design, build, operation decommissioning and restoration and*
- *does it support decarbonisation and the transition to a low carbon economy?*

4.1.4. says '*land use and transport must be integrated. The planning system must ensure it enables integration:*

- *between transport measures and land use planning'*

CPRW considers that the council must take climate change into account.

Once the relationship between an intensive poultry unit and manure spreading on a local landholding is severed by a comprehensive manure export plan, the question arises of whether intensive poultry units need to be on rural farms at all, let alone on farms in failing SAC catchments. Powys has 80% of the intensive poultry industry in Wales. Powys has approved applications for an estimated 10,000,000 intensively farmed chickens, nearly half of which are in the sensitive catchment of the Wye SAC. NRW has recently announced that two thirds of water bodies in Welsh SACs, including the Wye, are failing phosphate targets

The intensive poultry industry depends on feed imported from the Americas where production involves large scale habitat destruction and environmentally costly transport. It also uses important water resources. There are serious environmental impacts through use of pesticides and veterinary pharmaceuticals. These and the widely acknowledged risk of human avian flu pandemics are not even considered in planning.

- **CPRW encourages Powys Planning Department to refuse this application.**
- **We trust that Powys County Council will liaise with NRW in order to clarify responsibilities with respect to safeguarding SACs and other habitats from environmental impacts of intensive poultry farming. We do not believe the current LPA Planning and NRW Environmental Permitting regimes are fit for purpose in achieving this.**

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