



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

Chair: Jonathan Colchester

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

26th August 2021

To Luke Jones
Principle Planning Officer
Powys County Council

Dear Mr Jones,

OBJECTION:

20/1770/FUL: Erection of a Steel Portal Framed Agricultural Building for the Housing of Livestock (Broilers) installation of feed bins, together with all other associated works. Tan House Farm Dolau Llandrindod Wells LD1 5TL

Brecon and Radnor Branch CPRW object to the planning application 20/1770/FUL. We are very concerned about the misleading information and missing data, both of which make for unreliable determination of material matters, in particular PCC's statutory HRA duty. We reserve the right to make further objection if new information is submitted.

Inconsistency in application documents

The current application is for a 3rd poultry unit at Tan House.

The previous application, P/2017/1301, states that unit 1 is permitted to house 11,350 birds and that unit 2 is for a further 11,350 birds, i.e., total 22,700.

20/1770/FUL DAS states that the application is for 10k free range broilers. It is silent on the permitted number of existing birds.

20/1770/FUL Manure Management Plan v2 April 2021 incorrectly states at section 2 that there are 2 existing units with the capacity for 10,000 birds each, i.e., 20,000 birds already permitted

20/1770/FUL Odour Management and Noise Management Plans state it is organic free-range birds.

Organic free-range broilers have different housing and ranging requirements to standard free range broilers, including natural light and more room per bird. The elevation plan and range plan are inconsistent with organic standards.

P/2017/1301 is for a unit of 76.244m x 12.191m = 929.49 sq m

20/1770/FUL is for a unit of 82.906m x 11.582 = 960.22 sq m

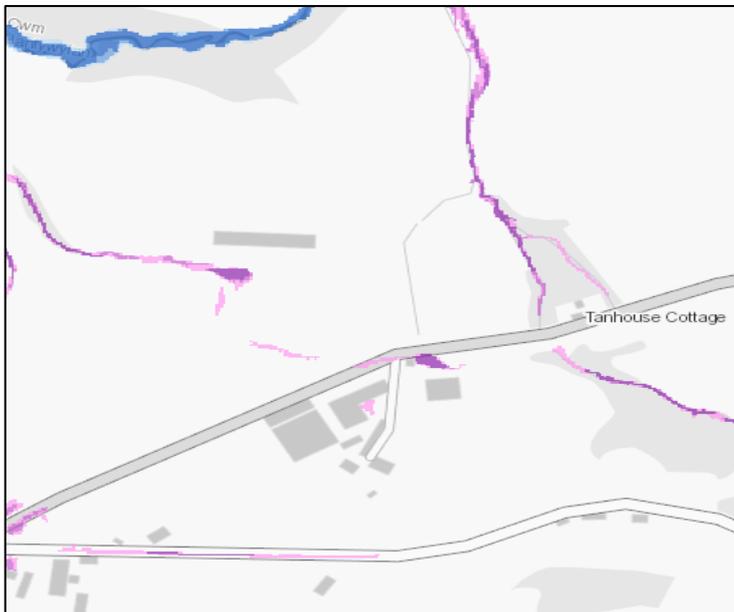
We question why the applicant is applying for a bigger shed than the previous units but only 10k birds. Floor area equals profit margins.

The applicant needs to amend the number of permitted birds and adjust data accordingly and to clarify the organic status or otherwise for the birds.

We note that the cut and paste culture has sunk to a new low of including superseded UDP policies in the DAS.

Flood Risk

Despite the assurances in the DAS about flood risk we have looked at NRW surface water flood risk maps in relation to the proposal. Mapping shows flood risk in the area of the range and high risk at the shed site.



Ecology

We note the PCC Ecologist's comments about the current application and generally concur with her observations, except for biodiversity gain.

P/2017/1031, Condition 2, ties plan IP/JT/05 for 0.6ha of woodland planting to the permission. The NRW response also mentions this "compensatory habitat planting". **We believe this planting is yet to be implemented.** If this is so, we think it inappropriate for PCC to be considering a further poultry unit application on the same site.

The woodland planting is to compensate for emissions exceedances affecting adjacent ancient woodland. The current ammonia modelling, despite using different parameters, also shows exceedance but now biodiversity "gain" is offered via a token 45m of new hedgerow. We are very disappointed that the PCC Ecologist felt that this hedgerow planting is providing a net benefit to biodiversity when taking into consideration each poultry unit is incrementally increasing ammonia emissions on sensitive habitats. We do not understand how 45m of hedgerow (90 m.sq at most) can be considered sufficient gain when 0.6Ha (6,000 m.sq) of woodland planting was required for the second unit. PCC should set out the methodology for assessing net gain.

Furthermore, we question whether the intention to provide wildlife habitat tight to poultry units is either a suitable compensatory offer or enforceable taking into account biosecurity needs. With respect to compensation: how can new planting in an area where populations of threatened lower plant species cannot establish themselves (due to ammonia levels over 200% of the critical level) be considered to **compensate** for exceedances at other nearby ancient woodland sites?

With respect to biosecurity, avian flu is becoming a regular problem for poultry keepers and biosecurity requires strict protection of birds. UK Government guidance on biosecurity reads:

Protecting your birds from wild birds

One way by which notifiable avian disease may spread to poultry is through contact with infected wild birds. Contact may be direct (through mingling), or indirect (through bird secretions, faeces, feathers, rodents (rats or mice) etc., contaminating anything that may then come into contact with

poultry such as feed, water, utensils clothing). Flooding at your premises or fields nearby can attract wild birds, thereby increasing the risk of notifiable avian disease. Flood water can be contaminated (with wild bird infectious material), which can get into poultry houses or range areas.

We note the Ancient Woodland report submitted in 2018 by Craig Emms and Linda Barnett. This depends on a field survey on January 8th 2018 by an un-named person and has been re-submitted unaltered with the current application. We believe that the report's conclusion that the woodland can be discounted for the purposes of ammonia and nitrogen deposition from the poultry units is at odds with PPW 11 6.4.26 "*Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss.*"

Manure Management Plan

Notwithstanding both NRW and the PCC Ecologist requesting further information we believe that the MMP is misleading and negligent with its fact checking. Furthermore, the MMP switches between acres and hectares. This is unprofessional and we believe obfuscation. For example,

- it is claimed there is 500 acres in ownership of the applicant, but the field table shows 192.27ha which is only 475.12 acres;
- immediately below the field table in the MMP the wrong figures are cited;
- the appended plans are very difficult to locate on a map.

MMP, Plan 1, includes the 0.6ha of compensatory woodland planting in the green spread zone. This should be removed.

MMP Section 2 reads: "*The proposed development is for an erection of a 10,000 bird free range broiler unit at Tanhouse. Presently there are 45 suckler cows and 1100 breeding ewes and two poultry units with the capacity for 10,000 birds each.*"

We query the figures in Table 1 derived from the above statement.

- Suckler cows have calves but they are not accounted for. The NVZ Workbook considers calves separately for N/kg/pa
- 1100 breeding ewes have lambs. Are all lambs off the holding before they reach 6 months?
- Only 30,000 chicken are listed, creating total 11,700 N/kg/pa. Correct total 32,700 birds creating 12,753 N/kg/pa.

This application was submitted before the Water Resources Regulations 2021, however the MMP v2 was submitted after the regulations became law on 1 April but ignores the fact that in 2023 the holding will have to reduce its total annual nitrogen usage from 250kg per hectare to 170kg per hectare. This may have implications for contingency storage of manure.

The MMP, when discussing phosphates uses field names instead of recognised numbers. We note that the PCC ecologist wrote the following when consulted about 20/1292/FUL: "*With regard to presentation of the soil nutrient test results, none of the data were relatable to the fields identified within the MMP, which are identified by OS map sheet and field number. Labels such as 'Big Patch', 'Big Steep Bank' and 'Best Meadow' are meaningless. It should be made clear precisely which of the fields identified as spreadable within the MMP have been subject to nutrient testing and what the results are for each of those fields.*" The same must apply to this application.

Ammonia Assessment:

We do not understand how the consultant has arrived at the APIS background figures for nitrogen and ammonia and believe this should be queried.

We would appreciate NRW confirmation that single volume source modelling is appropriate for these sheds.

The ammonia assessments for unit 2 and this application are undertaken by the same consultancy but use different ranging emission factors. NRW accepted the previous 6/6/17 data for unit 2, which used 10% droppings on the range, based on broiler life cycles. The consultant divided by 2 to account for the fact that the broilers only have access to the range in the second part of the life-cycle. NRW also accepted some **striking exceedances** of their own guidance at nearby ancient woodland (see fig 6 of the 6/6/17 report). Assessment for ancient woodland was made with an allowance of 100% of the critical level of ammonia which was exceeded with levels up to 270% for AW in an area where background ammonia already exceeded this critical level - in other words - a death-knell to plant biodiversity.

Table 6. Annual ammonia concentration and nitrogen deposition rate at the discrete receptors in the restricted modelling domains

Receptor number	X(m)	Y(m)	Site Parameters			Maximum annual ammonia concentration		Maximum annual nitrogen deposition rate	
			Deposition Velocity	Critical Level ($\mu\text{g}/\text{m}^3$)	Critical Load (kg/ha)	Process Contribution ($\mu\text{g}/\text{m}^3$)	%age of Critical Level	Process Contribution (kg/ha)	%age of Critical Load
1	316449	267590	0.030	1.0	10.0	2.726	272.6	21.24	212.4
2	316453	267537	0.030	1.0	10.0	2.117	211.7	16.50	165.0
3	316434	267644	0.030	1.0	10.0	2.409	240.9	18.77	187.7
4	316516	267583	0.030	1.0	10.0	1.103	110.3	8.60	86.0
5	316473	267519	0.030	1.0	10.0	1.554	155.4	12.11	121.1
6	316508	267440	0.030	1.0	10.0	0.585	58.5	4.56	45.6
7	316604	267365	0.030	1.0	10.0	0.186	18.6	1.45	14.5
9	316182	267785	0.030	1.0	10.0	0.859	85.9	6.69	66.9
10	316086	267783	0.030	1.0	10.0	0.510	51.0	3.97	39.7

In our opinion, the 2017 Ancient Woodland Report (ref. 322192) justifying this shows a fundamental misunderstanding of ecological principles in conservation. The point is not to encourage development to further degrade habitats which have already been partly destroyed, it is to protect and enhance these habitats so that vulnerable species can increase and repopulate depleted areas. The plants described as locally abundant in the 1983-86 records (Table 3 of this report) would have been impossible to identify in January (as the report itself admits on P4 - explaining that presence of Ancient Woodland indicator species is affected by the time of year of survey).

Now, for the current application, on 27/5/2021, NRW state: *“We advised that for free range units we consider 80% of the ammonia will originate from the building, and 20% from the ranging area (i.e. 20% droppings will be deposited outside), so in this case the calculations should be based on a 10% figure”* but then accept a much lower figure of 6% for ranging emissions, claiming: *“We advise you that it is still unclear how the emission factors were calculated. However, it is our view that the overall calculations have used a precautionary approach.”*

CPRW believes that this advice from NRW is unacceptably inconsistent and offers no justification for their change in position, neither do we accept that the author’s unilateral figure of 6% droppings is justified and believe the figure is biased in favour of the applicant, inevitably resulting in fewer and lesser exceedances. The scientific paper submitted in justification should

Activity	Vehicle Size	Existing Number Movement	Proposed Additional Movement
Chick Delivery	Rigid Van	1 per flock	0 utilise existing lorry
Bedding	Landrover and Trailer	1 per flock	0 utilise existing lorry
Feed Delivery	16.5m artic	6 per flock	3 per flock
Fuel	Tanker	1 per flock	0 utilise existing lorry
Bird Collection	16.5m artic	4 per flock	2 per flock
Carcass Collection	Box Van	5 per flock	0 utilise existing lorry

The overall extra traffic to be generated by the proposal is approximately 5 vehicles per flock, with 5 flocks per annum this would total an additional 25 movements per year.

The traffic movements quoted by the agent are entirely deceptive:

- There is a different flock schedule with units 1 and 2 empty for 10 days and the current proposal empty 14 days. Units 1 and 2 use a lorry for chick delivery, unit 3 claims delivery by van but 0 extra vehicles for chick delivery. This is impossible.
- Bedding for units 1 and 2 artic lorry, unit 3 Landrover/trailer. We do not understand how different vehicles equal 0 extra movements. We also doubt the volume of bedding would be brought by Landrover/trailer.
- Fuel is unquantified so one cannot tell whether the existing lorry is sufficient.
- Vehicle movement table does not account for building washout or manure/dirty water movement off site. Manure will be taken, at minimum, across the A488 to be stored.

We urge you to refuse this application:

- the data about bird-numbers is insufficient and misleading.
- the MMP is full of errors and has failed to demonstrate that the project will not increase the risk of excess nutrients reaching the SAC.
- the ammonia assessment uses incorrect APIS figures and does not take the cumulative ammonia contribution of the Tan House broiler units into account.
- the hedgerow planting offered to secure net biodiversity gain does not equate to the negative environmental impacts of the development.
- the traffic assessment is unrealistic.



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PS. sent by gmail because sometimes the Brecon and Radnor address is blocked by statutory agencies.