

Natural Resources Wales

Ammonia and nitrogen assessments for farm developments that require an environmental permit or planning permission

Consultation Response:

Submission from the Agriculture and Horticulture Development Board (AHDB)

30th November 2020

Introduction - AHDB

AHDB's purpose is to inspire our farmers, growers and industry to succeed in a rapidly changing world. We are the independent go-to source of trustworthy information and evidence-based research. We equip the primary food production industry with easy-to-use, practical know-how and market insight which farmers and processors can apply straight away to make better decisions and improve their performance.

AHDB's consultation response

Introduction

AHDB welcomes the opportunity to respond to the Natural Resources Wales (NRW) consultation on the guidance for 'Ammonia and nitrogen assessments for farm developments that require an environmental permit or planning permission'. Our response follows the five questions that frame this consultation.

Question 1: Is the guidance clear, do you know what is required?

After a thorough review of the draft guidance, it is evident that several changes should be made to improve its clarity. The AHDB has set out the following recommendations, under the draft documents relevant headings, below.

Opening Statement

The opening statement states, *'This guidance is aimed at helping achieve a stable and sustainable future for Welsh agriculture.'* This is vague and does not provide the reader with any information on what this guidance is specifically trying to address. This section of the guidance would provide benefit to the reader if it were specific to the topic of agriculture and its role in causing nitrogen deposition to sensitive sites.

Introduction

The Introduction explains the relevance of this guide to the reader. However, at this point in the document, further clarification on some of the terms used are necessary for a better understanding of whether this guidance is applicable to the potential applicant.

A few terms such as 'sensitive site' have a link in the document which helpfully directs the reader to a definition which is helpful. However, in many cases this guidance may be printed and used as a hard copy so links would not be useable. A contents page and a more detailed introduction around the definition of sensitive sites, what they are, and how agriculture can impact them, can help to address this and will provide the reader the answer to why the guidance is relevant for them.

Other terms such as 'livestock development' need further explanation. For the purpose of this guidance, what is classified as a livestock development? Is it solely a building for housed animals and is there a minimum size that falls into the scope of requiring an assessment?

The introduction then states, *'If you are applying for an environmental permit or planning permission, you will need to carry out an assessment of the potential impact of ammonia and nitrogen from your development.'* This statement needs rewording as the next heading contradicts this and suggest that not all planning applications would require a nitrogen and ammonia assessment.

Does your development need to carry out an ammonia and nitrogen assessment?

This section does not clearly define the criteria for requiring an ammonia and nitrogen assessment.

Information on how to find out where the applicant can find sensitive sites is provided at this point. However, the instructions on how to use the NRW Maps [website](#), do not correlate to how the website actually functions.

It then goes on to say, *'If there are no relevant sensitive sites within the screening distance for the size of your development, then you do not need to carry out any more assessment for ammonia and*

nitrogen.’ This statement would be clearer if stated after the heading of ‘Appropriate Screening Distances’ along with a description of what a screening distance is.

It is also not clear if the thresholds described under the screening distances should consider just the additional livestock for the proposed development or include the livestock that are housed in existing buildings on site. In general, information is needed within this guidance to show how it is applied to a whole new site or for a new development to an existing site.

An applicant who is planning a smaller development than mentioned in the listed screening distances may also be left wondering what steps, if any, they should be taking next. To address this, some sort of table or decision tree could be included within the guidance to help the reader determine what level of assessment their development would require.

Carrying out your assessment

This section is clear. However, the first bullet point ‘*The number of animal places on your development*’ does not encompass the criteria required for applications for anaerobic digestion plants or slurry stores.

Ammonia critical levels and nitrogen critical loads

This section is clear and understandable for the reader.

Background values of ammonia and nitrogen at sensitive sites

The AHDB recommends providing guidance on using the following websites as they are not straight forward to new users:

- Air Pollution Information Service (APIS) <http://www.apis.ac.uk/>
- National Atmospheric Emissions Inventory (NAEI) <http://naei.beis.gov.uk/>

The website for NAEI has been incorrectly titled ‘National Aerial Emissions Inventory’ within the draft guidance. This should be ‘National Atmospheric Emissions Inventory’.

This section also refers to page 4 for information on detailed modelling. However, as mentioned earlier in this response, the link to this guidance does not work.

When you need an environmental permit

This section is clear and understandable for the reader but may be helpful if it referred to more information on Environmental Permitting Regulations.

Assessing the potential damage of your development’s emissions

This section is relatively clear. However, we recommend providing a checklist template to ensure that all the necessary elements are included to establish the developments process contribution.

As previously mentioned, the following link for information on carrying out a detailed modelling assessment does not work.

[<https://cdn.naturalresources.wales/media/690820/gn36-checked-2.pdf>]

Glossary

Some words and terms within the glossary are misleading if not accessed directly by using the links within the guidance. For example, the definition around 'Manure removal technology' is referenced in the guidance, on page 1, specifically for poultry. However, this is not made clear in the glossary so would not be correct for manure removal technology in other sectors such as dairy.

The 'Map Instruction:' on how to use the NRW Maps [website](#), do not correlate to how the website functions. This could be out of date. Consider providing more detailed instructions on using the site instead of a paragraph within the glossary.

'Sites where background is exceeded:' states that *'For farms wishing to operate in those areas the full suite of techniques available to minimise the emission must be used as a minimum standard, only housing types where the emission can be fully channelled for treatment can be considered.'*

This is very confusing for the applicant as there is not a standard 'full suite' of techniques for ammonia mitigation as this guidance would suggest. Therefore, how can an applicant ensure they meet the '*minimum standard*'? It is also unclear what 'fully channelled for treatment' means.

Finally, the **'What do you need to include when looking for other sources of Nitrogen:'** seems out of place within the glossary. If it is a requirement for the applicant to include the listed plans and projects as part of their assessment, then they should be included within the main body of the guidance. Otherwise it could be very easily missed or deemed not important enough for the application. Also, information on where the applicant may be able to find the plans and projects listed would be needed.

Question 2: Does the draft document link to the required information sources, is all the information accessible from the draft document?

Within the document there is a link that does not work. This is the link, on page 4, which should take the reader to further information on 'carrying out a detailed modelling assessment'. The link provided is given below.

[\[https://cdn.naturalresources.wales/media/690820/qn36-checked-2.pdf\]](https://cdn.naturalresources.wales/media/690820/qn36-checked-2.pdf)

When you click on this link it takes you to the NRW website but to a 'Page not Found'.

On page 1 there is a link to the NRW Maps [website](#) which works. However, the instructions given to use this site on page 5 do not correlate to how the website functions. Perhaps these instructions are not up to date with the latest development of the site.

The guidance aims to align EPRs, Town and Country Planning and Environmental Impact Assessment (EIA) into one document. For the reader to gain a better understanding of each of these regulations, it would be helpful if links to information on each of these individual statutory instruments was provided.

Question 3: Is aligning the guidance to assist both EPR / Town & Country Planning / EIA helpful?

Having guidance that encompasses all the legislative requirements relevant for the building of an agricultural development under EPR, Town & Country Planning and EIA will be of benefit to the reader. However, without stipulating which statutory instrument a given instruction falls under it is difficult to know who the relevant regulator is, and where the reader might find more information if they need it.

We recommend that with each given instruction, reference to the relevant statutory instrument is made, along with details of the relevant government body.

Question 4: Is any additional information needed?

We believe the guidance would benefit from a more detailed introduction to ensure the reader is aware of the purpose of the document. This should be done with a clear description of what a sensitive site is and why it is important to control the impacts of ammonia and nitrogen deposition from livestock farms to protect them.

Where the guidance talks about livestock numbers and their thresholds, it does not stipulate if the threshold relates to additional stock due to a new development or total stock, including existing, from the whole site. In general, a section on how the guidance should be applied to a new site verses a new development for an existing site would make things much easier to understand.

Throughout the document the following websites are referenced to use as tools to find out what appropriate emission factors you should use, information on ammonia critical level, and how to estimate the amount of ammonia and nitrogen emitted from a livestock development.

- **Air Pollution Information System (APIS)** website - <http://www.apis.ac.uk/>
- **National Atmospheric Emissions Inventory (NAEI)** website - <https://naei.beis.gov.uk/data/ef-all?q=131018>
- **Simple Calculation of Atmospheric Impact Limits (SCAIL)** website - <http://www.scail.ceh.ac.uk/cgi-bin/agriculture/input.pl>

These are all credible and suitable websites to use. However, they can be complicated to navigate for a first-time user. Therefore, we recommend that instructions on how to operate these sites are also included with the guidance or linked to.

Question 5: Any further comments?

There are many ways in which a new development can mitigate the amount of ammonia emissions produced. For example, slurry stores can be covered, air filters can be used in pig housing and certain floor types in cattle housing can achieve reduced emissions. These types of mitigation should be encouraged and recognised in the planning decision process. This guidance provides an opportunity to reference these types of mitigation. This could be done by linking to documents such as:

- [Code of Good Agricultural Practice guidance on reducing ammonia losses from agriculture in Wales](#)
- [Best Available Techniques \(BAT\) Reference Document for the Intensive Rearing of Poultry or Pigs.](#)
- [AHDB's - Low emissions – focus on ammonia](#)

Where mitigation technology is being adopted within an application it would be useful for the guidance to show how this would be considered within an ammonia and nitrogen assessment.