

P-06-1232 Stop the proliferation of intensive poultry units (IPUs) by legislating and introduce a moratorium until this can be achieved, Correspondence – Petitioner to Committee, 29.11.22

Thank you for this information.

Responses embedded in the attached document.

Also:

- What are your thoughts on the attached document? *It does not answer the questions fully; the PCC use of GDPR to deny the public access to information is at best questionable. Why do other CCs publish information but not Powys? GDPR applies to all.*
- Does it adequately address the issues that you raised? *I'm afraid not; PCC Planning do not seem to be accountable. They do not enforce planning conditions, they do not share information and they do not fully reply to planning challenges, and when they do respond they are not complete and refer you to their appeals process. The record of appeals is heavily weighted to PCC, not the public. Where is the voice of the public in PCC planning?*
- Do you have further questions in response? *See below*
- Is there anything additional that you would like the Committee to know at this stage, either in response to this document or as an update to the Committee? *PCC continue to ignore public responses to planning applications. A recent case had 22 objections, none of which were published and planning was granted. Where is accountability? What is the status of the promised TAN?*

Petitioner comments on the responses provided by [Powys County Council](#)

Petitions Committee question: how you consider the cumulative impact of Intensive Poultry Units in the planning process Planning applications are determined in line with prevailing legislation, regulations, policy, guidance and other material considerations.

Powys response: [Powys County Council Planning applications are determined in line with prevailing legislation, regulations, policy, guidance and other material considerations. On the 12th June 2018, Welsh Government's Chief Planner wrote to all Local Planning Authorities in relation to intensive agricultural development including cumulative impacts: Intensive poultry units: guidance for local planning authorities | GOV.WALES](#)

Since its publication, the Authority has followed the advice provided when determining planning applications for intensive livestock units and statutory consultees such as [Natural Resources Wales](#) also take cumulative impact into account when responding to being consulted on planning applications.

Petitioner response : [Where are the 'material considerations' defined and published. A search on the PCC website does not produce any information.](#)

This response does not provide evidence of how they consider the cumulative impact. What evidence is there available to the public? What form does it take? Evidence of processes followed (not simply the guidance but how they implement), reports/information included in responses by Planning available? IPU applications in Powys can be considered, and have been, through delegated powers which simply state permission granted. The advice referenced applies to units of 40,000 birds and above; not to units below this number. Do PCC have a published process chart for these activities, available to the public and interested parties

Petitions Committee question: a response to the concern raised by the petitioner about lack of transparency when all information relating to application are not published

Powys response: The Council's planning portal website is used to publish planning application documents and the consultation responses received from statutory consultees and is therefore considered transparent. Comments published by members of the public are no longer published on the planning portal for resource and data protection reasons, although redacted copies can be provided on request. This approach is similar to that taken by other Authorities across Wales.

Petitioner response: Considering something transparent does not make it so. The fact that PCC state comments from the public are no long published (a practice not followed by the majority of CCs) means there is a lack of information. Other Welsh CCs state 'We are legally obliged to ensure that all responses to planning applications are made public' How can Powys have different laws? This practice means that representations from expert organisations and the public are not visible. This denies the public their voice. How are redacted copies requested? There is no link or information on the PCC site.

Petitions Committee question: · has an environmental survey has been undertaken to understand the impacts of the concentration of IPU's in Powys.

Powys response: The Authority has collected data on planning permissions since the adoption of its Local Development Plan (LDP) in April 2018 and this will be used to inform the development of future planning policy as part of the Powys replacement LDP process which commenced in July. Earlier planning permission data is also available and can be retrieved as necessary. However, the Authority has not specifically commissioned or undertaken an environmental survey or research into such impacts. The Authority is aware of some research in relation to phosphates / phosphorous undertaken by the University of Lancaster for the river Wye: Resilience Phosphorus UK – Re-focusing phosphorus use in the UK food system (lancs.ac.uk)

Petitioner response: Why have they not undertaken environmental surveys? How do PCC take into account the Well-being of Future Generations (Wales) Act 2015 in relation to IPU's? The guidance reference above also states "Intensive agricultural units particularly pig and poultry farms, can affect both sensitive habitats and the local population. This is largely through the release of pollutants, including: ammonia; nutrients from manure, litter and slurry; effluent discharges; dust; odour; and noise. There is the need to exercise particular care when considering developments which would bring livestock units within close proximity to sensitive land uses such as homes, schools, hospitals, office development or sensitive environmental areas. Importantly, while an individual intensive livestock

development may be acceptable, the cumulative impacts resulting from similar developments nearby should also be taken into account. “ The Environment Impact Assessment (Agriculture) (Wales) Regulations 2017 require farmers to produce an Environmental Statement in those cases where certain farming operations on semi-natural areas and/or large scale restructuring projects on rural land holdings are likely to have significant environmental effects. If each IPU has undertaken this assessment then the data is available. Do PCC enforce this requirement to produce EIA?