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Sent: 14 January 2022 15:45

To: Planning Enquiries <planning_enquiries@herefordshire.gov.uk>

Subject: 214309 - Planning application comment was submitted

The following is a comment on application **P214309/F** by '**Chris Howell**'

Nature of feedback: objecting_to_the_application

Comment:

Planning application P214309/F

Phosphate bank, drainage and swales.

The proposed development by Border Oak is, without doubt, a significant improvement from the, frankly, ghastly earlier development proposal and is much more in keeping with the village of Yarpole.

However, I wish to draw attention to the matters relating to phosphates and drainage.

Border Oak engaged Nutrient Neutral and they have produced a very detailed report pertaining to the phosphorous strategy of this development. But before referring to this report, I would like to wind back the clock to 2006.

Then, the property was owned by Mr David Niblett. An application for planning permission was put in, on his behalf, by McCartneys (historic reference DCNW2006/1497/F, current reference DCN061608/F) for the erection of a new livestock farm building sited away from Brook House Farm. I would like to draw attention to a number of points put in on this submission:

- The farm buildings (at Brook House Farm) at present are located on low land..
- The site is at low level in relation to the adjacent watercourse to the south and west. This makes drainage very difficult. There is the constant worry of an accident occurring whereby the watercourse could be polluted by an escape of waste. The watercourse is also the home of a rare and protected species of shrew. (my italics...really? How interesting! I see no reference to this in the submission).
- The site is adjacent to other residential properties in Yarpole. Further development of the site for beef production could lead to conflict with neighbours.....
- There is no means of clearing the site of old building and then rebuilding....there is the added cost of demolition at £20,000.....
- There is very little space for housing an average of 230 bull beef in one building....

So, an enormous new building was erected – 22.85 m wide and 54.86m long not 300 meters to the south west of Brook House Farm. Unfortunately, I cannot find any reference to the size of the old building it was replacing. I understand this was to be demolished.

Then in 2009 an application by the same agent McCartneys, on behalf of the same owner, Mr. Niblett, was put in under historic reference DCNW0009/1615/F, current ref NW091513/F. This was for permission... 'the proposed building is to be built using the materials from taking down a building at Brook House Farm in accordance with a previous planning consent.... The building will be approximately 22.5m x 13.5m.

So approximately 1557m² of buildings have been erected on this site. A few years ago, I believe in 2019, the whole surrounding area was then concreted over, producing a yard, estimated at 120m long by 65 m wide – this farmyard is 7800m².

Coming now to the phosphorous strategy report produced by Nutrient Neutral.

Item 3.2.1 refers to the historic site at Brook House Farm comprising of 0.54 hectares farmyard and 0.21 ha. of adjoining pasture.

3.2.2 of this report details the impermeable area being 90% of the whole farmyard equivalent to 4860m². And, I quote ... 'immediately prior to the purchase (presumably by Border Oak), the previous landowner (Mr. Niblett) removed many structures (barns and hardstanding)... and therefore the assumed runoff discharged to land is at 43.5%. It further reports... 'it is also noted that this yard was directly adjacent to a watercourse which presents high risk pathway of runoff'.

The report produces a runoff calculation. I actually think there is an error in the Nutrient Neutral conversion of Shobden SAWS to meters (should be 0.7938, which I will use in the subsequent calculations):

Description	Report Value	Replacement	buildings values	Planning Refs
61608/F and 9153/F Unit Report Reference				
Farmyard impermeable area	0.48	0.702	Ha	site plans
Annual rainfall	793.8	793.8	mm	Shobden SAWS
	0.7938	0.7938	m	Convert to meters
Total rainfall on impermeable farmyard areas	3810.24	5572.48	m ³ /year	
% runoff not captured	43.5	43.5	% median	% runoff for cattle yards. Edwards, DEFRA WA0523
Volume runoff not captured	1657.45	2424.03	m ³	
TP concentration runoff	30.8	30.8	mg/l	Mean Farmyard runoff TP Concentration. Edwards and Withers 2008. Equivalent EMC for urban runoff
Convert mg/l to kg/m ³	0.0000308	0.0000308	kg/l	(/1000000)
	0.0308	0.0308	kg/m ³	(*1000)
Total TP annual	51.05	74.66	Kg TP/yr	

The Nutrient Neutral reports concludes, on page 7, that the total phosphorous loss from the historic land use for the site, for the farmyard is 51.687kg TP/yr. Adjusting for error, my calculation is 51.05.

But, of course, what has not been taken into account, is the fact that in no way is this a loss from the husbandry of beef cattle. It has merely been removed to another site, 300meters away and is, in fact an INCREASE in the phosphorous pollution. The fact that today the livestock building is no longer owned or run by Mr. Niblett is irrelevant. Beef cattle are being reared there now. There is no 'phosphorous loss'....there is a phosphorous GAIN of 23.61 kg TP/yr. an increase of 46.25%.

So how is the livestock rearing being managed today?

Here is a recent photo:

The heaps of cattle dung have been removed from the livestock barn, to my left. As you can see, the land slopes down towards me and away to the right. There is only one outcome – leached fluids run towards me and into the ditch....which runs down to the running watercourse, which, in turn, is the running watercourse shown as located at the bottom of the gardens of houses 1, 2 and 3 on plan D 1744.20A.

There is another watercourse draining the yard, located where the trees are in the photo, flowing from right to left. This watercourse joins the same stream running past the site to the south. For clarity, here is a plan showing the watercourses, the direction of flow and three sites – marked X, Y and Z where livestock dung has been stockpiled in the past years. All leaching ends up in the stream, which ultimately flows into the Lugg.

Mr Dave Throup, the Environment Agency's Herefordshire Environment Manager has publicly stated, and I quote: Agricultural pollution and soil run-off is a significant problem which is why we are using targeted patrols and a number of other methods to try and tackle the issue. Working with our partners from Herefordshire Council...we can identify those sites that pose a risk to the environment and work with farmers to prevent pollution incidents happening in the first place.'

I have presented clear evidence of a link between this proposed development and associated 'phosphorous strategy' and the former owner and the development and use of a much larger beef/livestock rearing unit which entirely negates any justification of creating 'phosphorous credits'.

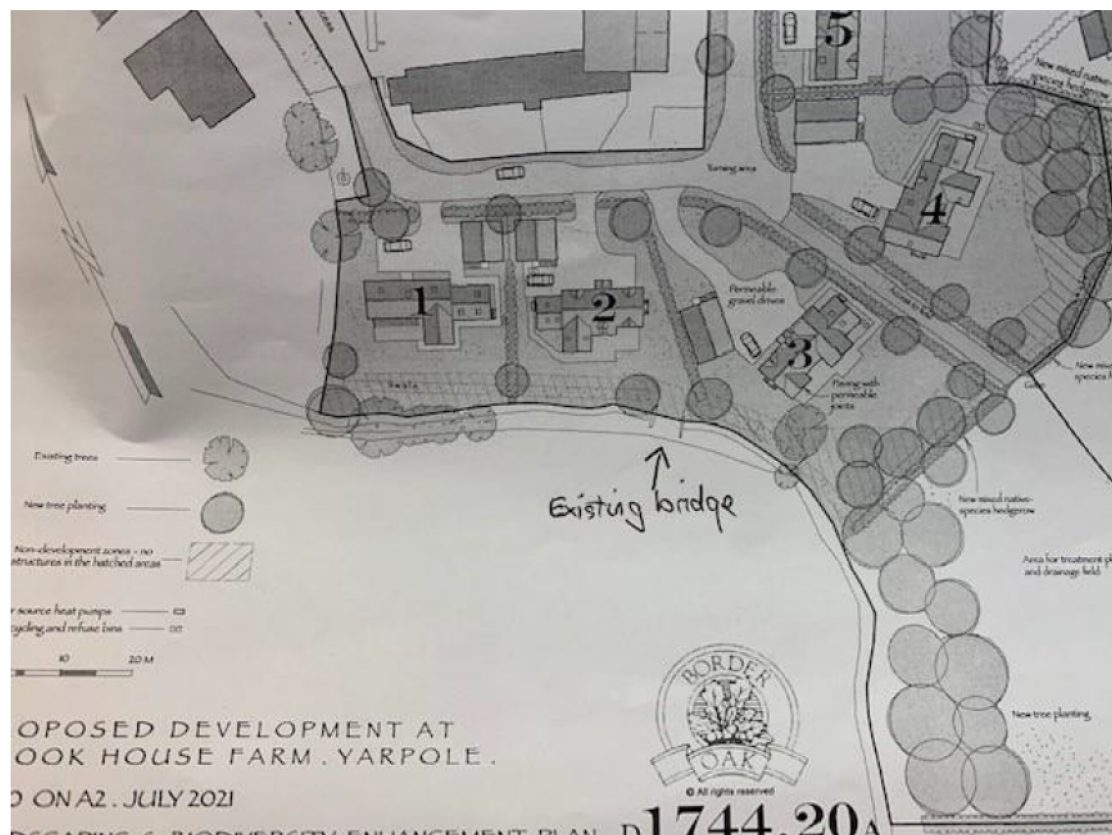
The only way this development can go forward is for Border Oak and the current livestock farm management to instigate a comprehensive solution to prevent open air storage of cattle waste and, thereby, continual leaching into the river Lugg. If this is achieved, then Border Oak may rightfully claim a phosphorous credit of 23.61 kg/ TP/yr.

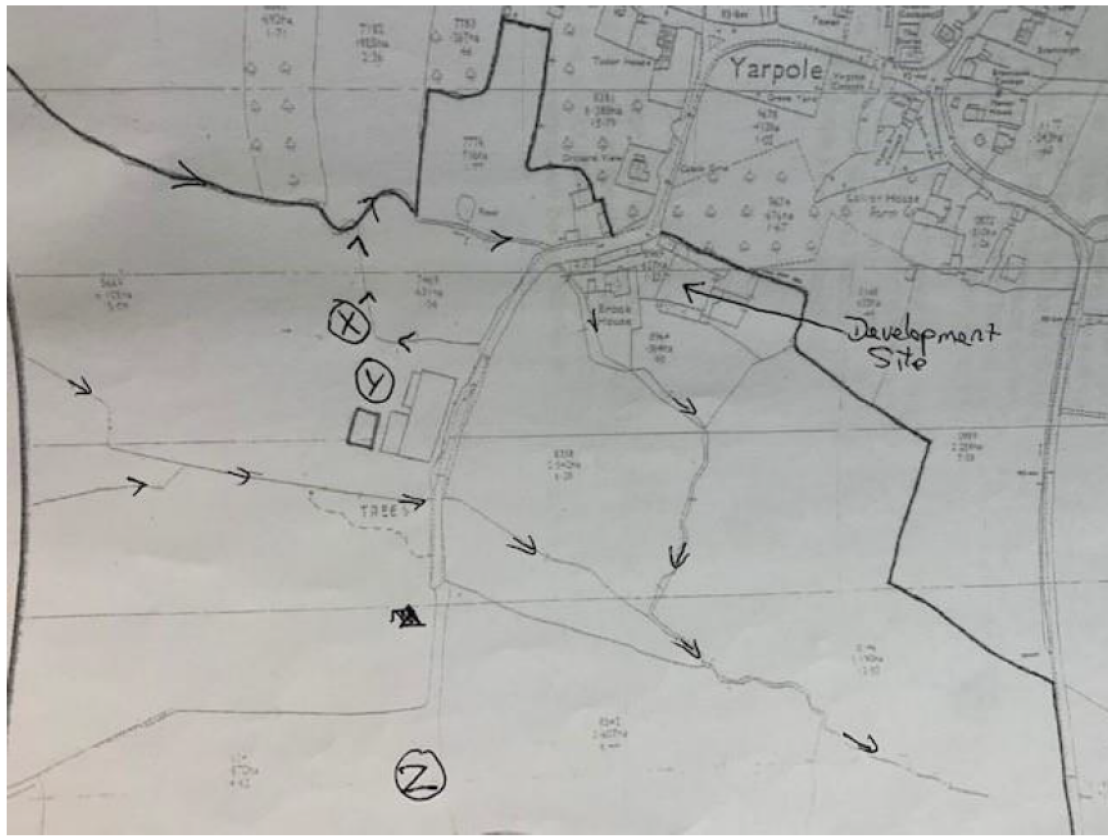
Finally, I see that the new development includes 'swales'. Interesting. How is this to be achieved? None exist at present and one can only surmise that the site level will be built up where the houses are to be located in order to achieve this. There exists a bridge over the stream, marked on the site plan below, which is level with the surrounding land. I suggest a site visit at your earliest convenience.

In conclusion, this development should not proceed until a realistic phosphorous strategy is implemented.

Attachment:

current_photo_livestock_dung.jpg,
site_plan_showing_river_slows_and_dung_locations.jpg,
swale_and_existing_bridge.jpg





Their contact details are as follows:

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Yarpole

Infrastructure from Section 106 to consider:

installation of a comprehensive livestock waste treatment plant at the replaced livestock farmyard to stop phosphorous leaching and general pollution into the river Lugg

Link Id:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=214309

Form reference: 799162