

Our ref: HWOU-1-4
Your ref: EN070007
Date: 19 June 2023

Examining Authority

By email

Hynet CO2 Pipeline hynetco2pipeline@planninginspectorate.gov.uk

Dear Madam/ Sir

HyNet carbon dioxide pipeline – DCO – representation at DL4

We represent the interests of:

Stephen Oultram 1199_1096409002_03382_0012; and

Catherine Oultram 1199_1096409002_03439_0022

and write further to the oral representations made on their behalf by Mr Richard Baker during the oral hearing on Wednesday 7 June.

Loss of slurry store

1. The original pipeline route would require the removal of the slurry store at Newbridge Farm. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (as amended) control the on-farm storage of organic manure. The schedules to the Regulations dictate what must be provided, including the requirement to be able to store 5 months' worth of slurry. A dairy farm cannot operate without a slurry store.
2. The steep bank to the rear of the building make it impractical to relocate the slurry store locally and there is no other suitable location on the holding.
3. The developer, at the hearing, was unable to comment on the slurry store issue as a result of CR1. A separate representation has been made in respect of CR1.

Temporary land take for construction compound

4. At a meeting held with the developer team on 5 May 2023, the developer stated that three of four proposed contractors do not require the temporary construction compound at the farm. That must surely call into question the necessity of the temporary land take (in terms of the tests for compulsory acquisition) in a case where it seems to only be a preference for there to be a construction compound on the land. At the hearing, the developer confirmed that they are trying to remove that compound from the DCO although they would still require access (that could accommodate the current use).
5. Any requirement for the compound will require a reduction in stock numbers. The holding is fully utilised and the word 'temporary' is potentially misleading when it would be out of agricultural use for years rather than months. Even a temporary reduction in acreage will require a reduction in stock numbers, employment and risk the sustainability of the whole business.

Segregation

6. We attach a plan of the holding at Brook Park Farm. This is relevant for the land take (envisaged prior to CR1 and the increased permanent land take for CR2), both during works and permanently. This communication is restricted to matters raised at the hearing, but the point about segregation was valid before CR1 and CR2. The holding plan shows how the interaction between the permanent land take, the location of the brook and the woodland will create difficulties in moving stock on the holding, as well as considering the simple loss of area. The loss of land, of itself, will necessitate a reduction in mature and immature stock numbers. For a dairy farm, there is a minimum level of milk production, below which a processor will not contract to collect as the cost of transportation cannot be proportionally reduced based on the amount of milk being collected. If output is restricted because stock number need to be reduced, there will come a point where the farm cannot contract to have ANY of its milk collected for processing. That would lead to the closure of the business entirely.

Loss of grazing and spreading land

7. There is a compounding issue relating to either the temporary or permanent loss of any land. The farm operates by collecting the organic manure from the stock, as slurry, at one time of the year and then spreading it on land at other times of the year as a fertilizer to support the grass crop that feeds the herd. It is a circular economy.
8. At present, regulations limit the amount of slurry that can be spread with a threshold of 190kg/Ha. That is already expected to be lowered to 170kg/Ha.
9. Any loss of land reduces the number of animals that can be fed from what remains. The other side of the equation is that there also needs to be a sufficient area of land on which to spread the resultant slurry. With the expected lowering of the Nitrogen limit, this issue becomes more pressing. A loss of slurry spreading capacity will necessarily require a reduction in the stock numbers (thus reducing the amount of slurry that is generated in the first place). A loss of 50 acres would require a reduction of 25% in adult stock numbers (and thereafter a reduction of 15% in young stock numbers).

Yours faithfully,

Duncan Tilney
Partner
For and on behalf of STEPHENS SCOWN LLP



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Gwledig: Ewrop yn Buddsoddi
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The European Agricultural Fund for
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Llywodraeth Cymru
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Ffurflen Cais Sengl Single Application Form

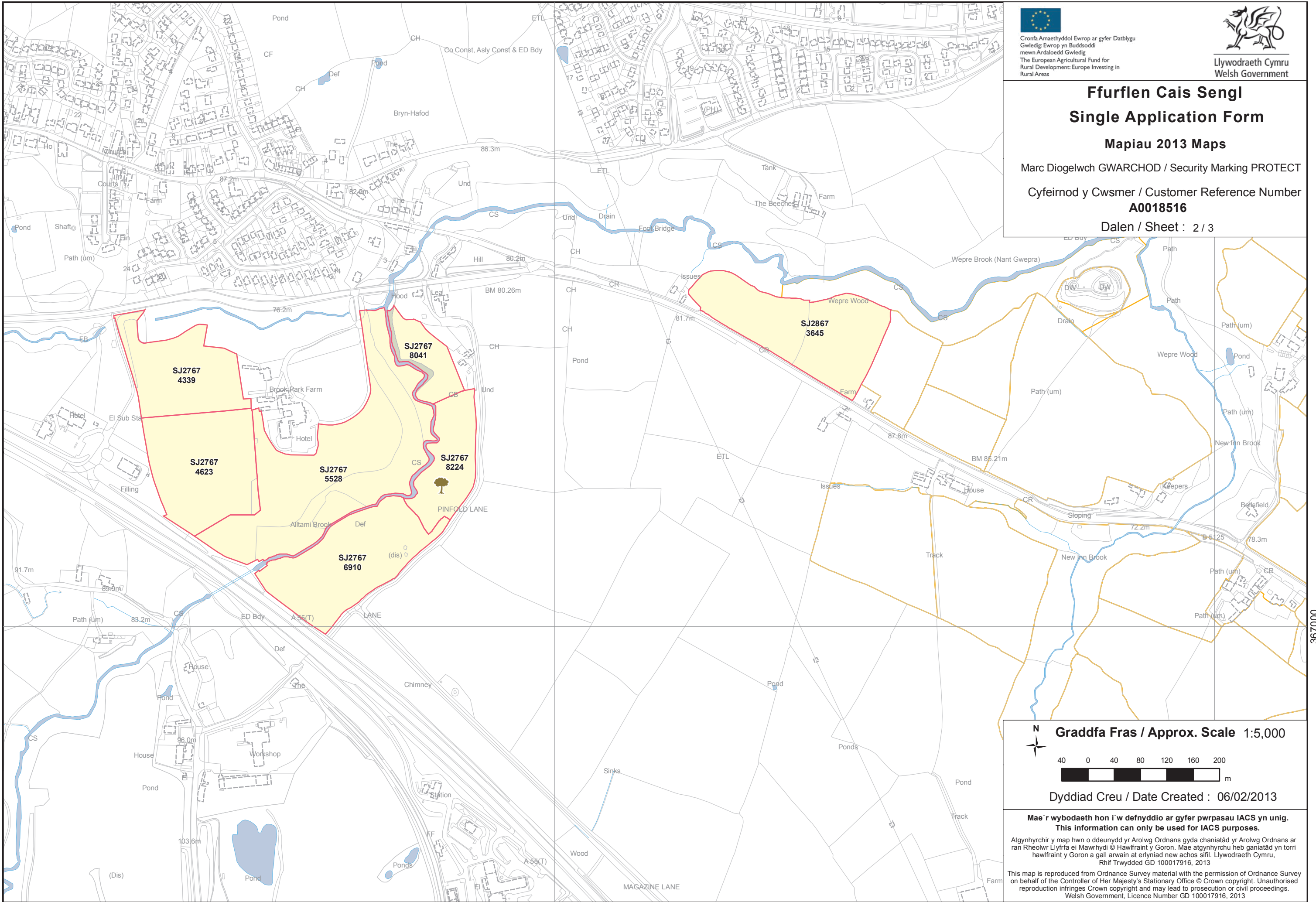
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