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OUR REF: PLY/AL

TO: ALL NI COUNCIL CHIEF EXECUTIVES

12 September 2019

FROM THE PRESIDENT

Dear Sir or Madam

CHANGES TO PLANNING RULES FOR FARMS AND SHARED ENVIRONMENTAL SERVICES

I wish to inform you of our major concerns around a recent change to the assessment of planning applications for agricultural development on farms in Northern Ireland and would ask that you raise this at the next Council meeting.

On 30 July 2019, Shared Environmental Services (SES) introduced new guidance for assessing the impact of ammonia from agricultural developments on some designated habitats. This new guidance considerably changed the existing operational policy that had been in place and we believe it could force some farmers out of business and therefore has major implications for the wider agri-food industry and the NI economy.

As you are aware, Shared Environmental Services are contracted by Councils in Northern Ireland to carry out Habitats Regulations Assessments and therefore it is vitally important that Councils are aware of their role in assessing ammonia emissions from any proposed agricultural development and the impact the recent change to the SES position will have on the agricultural sector and the wider economy in Northern Ireland.

Ammonia emissions from agriculture are an issue in Northern Ireland and the UFU accepts that action is required to address this. The Union along with other stakeholders have been meeting with DAERA (the lead Department on this issue) over the past couple of years to discuss this and DAERA are in the process of developing an Ammonia Action Plan for NI. In recent years, ammonia emissions have been assessed in planning applications and while the existing operational policy was far from ideal and was creating hurdles for many farmers, it did allow some development to proceed.

The new guidance for assessment adopted by SES will make it virtually impossible for most farm businesses to be granted planning approval for livestock related developments on farm

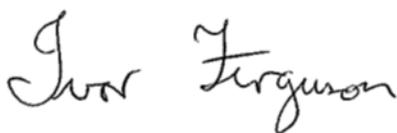
regardless of the type or size of farm. Farmers need to develop their businesses and replace existing buildings to meet new standards, to improve health and safety and to increase efficiencies to allow them to compete in the market place. This change is already causing a huge amount of stress and strain for many local farmers who are now worrying about their futures. The new rules put local farmers at a competitive disadvantage as our closest neighbour and biggest competitor in the GB market, the Republic of Ireland, does not have the same ammonia restrictions. Farmers there are largely free to expand their businesses while this is now severely restricted in NI. It therefore has huge implications for agriculture here, will stifle investment, prevent farm business efficiencies and has the potential to threaten jobs given the importance of the agri-food sector in the wider NI economy. The impact of this change is a major concern to the UFU and we are seeking advice on how we should proceed.

It should also be noted that there are farm businesses within the planning system who have applied for planning in good faith, showed compliance with the previous NIEA operational policy for ammonia, spent thousands of pounds on planning fees and consultants to now find the policy has changed following months and in some cases years of being held up and stalled within the planning process. There are others who have already spent many thousands of pounds in preparation for submission who find they are unable to meet these new criteria. This is totally unacceptable.

In addition to the impacts briefly outlined above, we would also have concerns about the way this change was made. In our view, it is incomprehensible that a decision that has huge implications for the wider economy and the farming sector can be made by an organisation that seems to have limited, if any accountability without any formal consultation with stakeholders.

I trust that you will make your Council aware of our concerns and would be happy to discuss further if required.

Yours faithfully

A handwritten signature in black ink that reads "Ivor Ferguson". The signature is written in a cursive, slightly slanted style.

IVOR FERGUSON

cc
Colum Eastwood MLA, SDLP
Arlene Foster MLA, DUP
Naomi Long MEP, Alliance Party
Michelle O'Neill MLA, SF
Robin Swann MLA, UUP