

- **Planning Law**

The NFU's Legal Assistance scheme successfully supported a case (Murrell v Secretary of State for Communities and Local Government and, Broadland District Council) considering the issue of how much information a local authority could require to support a 'Prior Notification' application to erect an agricultural building. The Court held that only details of siting, design and external appearance are needed for a valid application. This has stopped the increasing practice of many local authorities in asking for increasing amounts of information for what is a straight forward procedure.

- The NFU also successfully supported the case of the Wye Valley Action Group v Herefordshire Council. The issue here was whether land that had been cultivated for arable and soft fruit production was 'semi-natural' because of its location in an Area of Outstanding Natural Beauty and the presence of several nationally important sites in the area. If it was semi natural then an Environmental Impact Assessment would be required as part of a planning application for polytunnels. The NFU acted in its own capacity as a third party 'Intervener' supporting Herefordshire Council. The Court decided the land in question was not semi-natural.

- **Private water supplies**

The NFU successfully argued that on-farm milking units on dairy farms should be excluded from the Private Water supplies legislation. This means that these farms will not have to undertake a risk assessment and water quality testing at a cost of £500 for water that is only being used to wash down yards on milking units.

- **Abstraction licensing**

NFU successfully worked with the Environment Agency to get a relaxation of the abstraction 'daily returns' rules. This means that a farmer with a water abstraction licence (with the requirement for recording every 24 hours the quantity of water taken)

will not get penalised for appearing to over abstract because they have not recorded the meter at the exactly the same time every day.

- **Unharvested sugar beet**

Worked with the EA to clarify that unharvested sugar beet should not be regarded as a waste. This saved unnecessary paperwork for sugar beet growers and stopped a decision that could have had read across to other unharvested crops.

- **Low risk waste positions**

Worked with the Environment Agency to obtain "low risk waste positions" for materials (e.g. hemp chaff) where no waste exemption exists but that pose a low risk to the environment. This avoided the cost of obtaining a standard rules permit for making use of the waste.

- **IPPC**

Following extensive lobbying by the NFU, proposals to extend the provisions of the Integrated Pollution Prevention Control Directive, to small pig and poultry units and the protected edibles sector were scrapped.

- **NVZs**

Following the completion of the NVZ appeal process, Defra has published revised maps of NVZs. These show a reduction of some 9% in the area of England designated, comprising 62% of the country. This is a major success which has lifted a heavy burden from many thousands of farms, for which the NFU can take much credit.

- **Supplementary feeding restrictions in agri-environment schemes**

The NFU successfully lobbied Natural England in December 2010 for a derogation to the supplementary feeding restrictions for livestock farmers in agri-environment schemes adversely affected by the severe winter conditions. This meant that agri-environment scheme payments were not jeopardised by the supplementary feeding of

## NFU Successes

## Environment, Climate Change and Renewables

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grazing stock when ground is snow covered or frozen.

- **New Coastal access appeals procedure**  
The NFU has been successful in making key changes to the new Coastal Access appeals procedures. Representations and objections by landowners and tenants can now be made in a period of 8 weeks rather than the 6 weeks originally proposed.
- **Anaerobic digestion**  
Successfully lobbied DECC to review the Feed-in Tariffs for farm-scale AD.
- **Campaign for the Farmed Environment**  
Over the last eighteen months farmers and growers across England have supported the Campaign for the Farmed Environment (CFE) by voluntarily adopting important land practices that replicate the environmental benefits formerly provided by set-aside. Overall, the current figures for key target option uptake in ELS are showing an improvement and now stand at 49,050 ha which equates to an increase of almost 24% above 2009 baseline. On the ground a network of over 70 beacon farms has been established which demonstrate the initiative worked in practice and are venues for events held across the key target counties in England for local farmers and advisers. Wider industry continue to show their support for the Campaign which will be showcased at the Cereals event in June this year.

**March 2011**