



North Kesteven District Council  
Major Projects Team – Planning Applications  
District Council Offices  
Kesteven Street  
Sleaford, Lincs. NG34 7EF

7 January 2011

***In re: 10/1397/FUL, Objection to renewed planning application for a mega-dairy at Nocton***

The non-governmental organisation Food & Water Europe respectfully submits the following comments on the renewed planning application for a dairy to be located North of Dunston Heath Lane and West of B1188 Nocton Heath Lincoln. This is a renewal and revision of an earlier, withdrawn application, reference 09/1040/FUL (withdrawal reported on 12 April 2010).

The waste discharged from thousands of concentrated dairy cows disproportionately negatively impacts communities and neighbours surrounding mega-dairies. In the United States, where mega-dairies are more common than in the UK, these industrial dairies have polluted local water supplies, devastated local watershed ecosystems and discharged dangerous air pollutants. The direct experience of communities in the United States living with the consequences of the industrialised dairies demonstrates imbalances in the applicants' presentation. The application and supporting documentation for the proposed mega-dairy at Nocton fail to sufficiently address the significant deleterious impact of thousands of dairy cows on the environment, public health and quality of life.

The renewed application plan calls for a greatly reduced initial herd of 3,770 dairy cows. While this is a significant reduction from the original proposal, it is commonly acknowledged and reported that the applicants plan to expand the herd within 18 months of operation to 8,100 head. (See, for example, trade publication *The Grocer* from 18 November 2010, in an article by Charlie Wright.) As such, the planning council must not only consider the problems and risks with the current proposal but also the additional burdens imposed by more than doubling the size of the dairy holding in its deliberations.

Food & Water Europe does not believe that the number of cows in this current application is economically viable. Even the applicants contend that this contention is based on the level of investment in infrastructure necessary for the success of the business. (*See*, for example, “Nocton Dairies: Willes explains decision to cut cow numbers” available online at [www.farmersguardian.com/home/hot-topics/super-dairies/nocton-dairies-willes-explains-decision-to-cut-cow-numbers/35639.article](http://www.farmersguardian.com/home/hot-topics/super-dairies/nocton-dairies-willes-explains-decision-to-cut-cow-numbers/35639.article)).

**As such, granting this application is effectively either granting permission for the expansion or knowingly granting permission for a hugely disruptive and unwanted project that cannot survive.**

With that noted, it remains the case that many of the grave problems identified in the previous application have not been resolved in this new planning application. These problems are not merely “technical issues,” as stated by the applicants at the time they withdrew their previous application, but stem from the fundamental size, scope and intensity of the proposed operation. As such, we maintain and reemphasise our objection to the planning application.

Among our most pressing concerns are:

### **1) Potential problems with the water supply**

The Supporting Statement submitted by the applicants note:

“Planning permission will be granted for development, provided that: the development does not result in a demand for water that will unacceptably deplete water resources.” (para 4.31)

We do not believe this provision has been adequately demonstrated at the time of writing.

Each dairy cow can consume about 115 litres of water daily and require an additional 350 litres to clean milking parlours and feeding areas. The current proposed 3,770 head dairy would require nearly 640 million litres of water annually – an 8,000 head dairy would use 1.4 billion litres a year. This significant additional water consumption would constrain the available water resources for the existing community’s residents, farms and businesses.

As noted in the Environmental Statement, “The availability and efficient use of water resources is critical to the sustainable operation of the proposed dairy unit, and to all other agricultural businesses in the area.” (12.5.14) This echoes concern advisors Landscape Land and Property raised in papers related to the previous application, namely that water consumption will be high, that water provision “will be absolutely crucial” to the success of the business and that “the reliability of a supply of fresh water must be absolute.”

It is therefore worrying that this renewed application is submitted before this basic issue has been resolved. No further steps should be taken before this crucial issue is addressed, and no application should be considered without these concerns being fully satisfied. Applicants state that they recognise the importance of water provision, but fail to disclose any strategy or plan to ensure water availability, both for their use and for the surrounding area.

The Groundwater Risk Assessment submitted with this application concludes that the site is “highly vulnerable to land use activities”. Yet the applicants state that negotiations with the Environment Agency to permit an alteration of abstraction licenses to permit year-round water supply are merely “ongoing”.

While we have the applicants’ own assurance that “preliminary discussions with Environment Agency indicate that it will be possible to vary existing licenses to transfer summer abstractions to the winter period”, those license alterations have yet to be secured, and there is no clear indication of when those negotiations may be concluded or any serious contingency plans in the event permission is declined. The original licenses were presumably granted with seasonal restrictions to account for varying local water demand throughout the year.

Moreover, the negotiations for the initial current application are for over 3,800 cows, a working dairy and associated dwellings. Again, this objection is even more salient in the context of the eventual plan for an 8,100 head herd.

The suggestion that a new borehole may be dug is “subject to analysis”, but it is unclear if that analysis has been completed, or what the results were if it has, or, given the stated concern of Anglian Water about the fragility of the underlying aquifer, how the additional pressure of boreholes watering such a facility might be managed. As noted in Reading Agricultural Consultants’ Environmental Statement:

“As the resources of the Lincolnshire Limestone which underlay the proposed unit are already fully committed, the Environment Agency would be unlikely to consider any annual increase in abstraction. However, preliminary discussions suggest that there may be scope to transfer already allocated water to a new borehole on the site of the proposed development without increasing the abstraction, and that the existing license could be varied to spread abstraction evenly across the year. This would be dependent upon detailed investigation of water availability, but the operation of the proposed unit would not rely on this variation.”

We assume the “operation of the proposed unit would not rely on this variation” only if other licenses are altered to ensure year-round water. Charts and data suggesting annual excess of water supply cannot make up for the fact that as noted in the application “variations to both groundwater and surface water licenses will be required” in order to provide water in the winter. (para 12.5.6.) Suggestions in para 12.5.8 that other abstraction “could be” applied for are not sufficient, and no operation this size should be considered if sufficient water is subject to, as indicated, “a ‘hands off’ clause whereby abstraction would be restricted if the Environment Agency were unable to meet existing demands.” The impact on over 8,000 cows, or even the smaller initial herd of almost 3,800 cows, if this clause was invoked during a period when other licenses do not permit water to be supplied to the dairy is unthinkable.

Furthermore, as noted in the Environmental Statement:

“The entire western side of the Nocton Estate lies over an aquifer contained within the Lincolnshire Limestone, with most of the land also within the Source Protection Zone (SPZ) 2 of a Public Water Supply abstraction at Waneham Bridge. Although a location outside of SPZ2 would be preferable, there are no other potential sites within the applicant’s ownership that would meet enough criteria to make construction of the proposed unit financially viable or otherwise environmentally acceptable.” (para 4.3.8)

**The lack of an environmentally acceptable alternative that the applicants find financially viable is not sufficient grounds to put a sensitive public water supply at risk. Indeed the lack of suitable, environmentally acceptable, affordable locations to carry out core activities of the project may be sufficiently good grounds to reject the project outright.**

This application should not be considered, nevermind approved, until adequate supply of fresh water year-round is secured without adversely affecting existing users, including other businesses, farms, residents or the environment.

## 2) Potential for water contamination

The applicants' supporting statement points out that Local Plan Policy C11 states:

“Planning permission will be granted for developments that may be liable to pollute groundwater, a water body, a watercourse, air or soils only if:

[...]

3. The quality of water, air or soil resources will not be adversely affected.

The general amenity of the area would not be unacceptably harmed.” (para 4.25)

We do not believe these conditions have been met.

Problems can, and do, happen. These applicants, in particular, have already experienced previously a conviction in 2008, for which an order to pay £9,000 in fines and costs was issued for contaminating water near their existing dairy operation at Parkham Farms in Somerset.

Food & Water Watch, our US-based sister organization, released a report in November 2010 detailing the impact of large dairy farms. It delineates the dangers to ground water supplies and drinking water of these large dairies. (See *Factory Farm Nation: How America Turned Its Livestock Farms into Factories*, page 4-5). According to US Environmental Protection Agency figures, each dairy cow produces as much waste as 164 people. For a dairy operation of the initial size proposed at Nocton, annual waste production would exceed that of the human populations of Manchester and Derby combined. For the total planned herd, this annual waste production would exceed that of any city in the UK except London. Moreover, unlike municipal sewer systems, the manure discharge from dairy farms is untreated, so any bacteria or contaminants can easily pollute drinking water supplies.

**In the US, despite regulation of waste, we have found numerous instances of lagoon failure and seepage into groundwater and town water supplies (see *Factory Farm***

**Nation, page 5 for examples). In one case, a spill forced a town to shut off water supply for two months in 2008.**

Similar concerns have been voiced in the area of the proposed dairy. Anglian Water said of the previous application it had “serious concerns regarding the potential impact on the underlying aquifer and would not wish to see any activity in the catchment area of the Dunston source that would result in a further deterioration of the water quality.” Worse still, the Environment Agency position was to “object to the application as submitted because the applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed.” In the current Environmental Statement the Environment Agency rating for the vulnerability of the groundwater underlying the site is “Very High.” (para 1.4.7) Every effort must therefore be made to protect this environmentally sensitive critical public water supply. Granting permission to site such an operation over the aquifer is not sufficiently cautious, as any accidents could well have disproportionate impacts compared to less fragile sites.

Dangerous impacts can occur even in the absence of an identifiable incident or accident. Since the previous application key partners have pulled out due to adverse publicity, cutting the available land on which to spread digestate to below manageable levels. Indeed the applicants have said in the farming press that this was a reason for their cutting the number of cows on the site (see “Nocton Dairies: Willes explains decision to cut cow numbers” at above url).

**We are now concerned that permission is sought for an operation with stated intention to double in size when it is far from clear how the inevitable waste will be spread or stored. Hoping that local farmers will come around and agree to join in is not enough. The waste will have to go somewhere, and experience shows it will end up in local water.**

Finally, while it may be difficult to work into considerations of this planning application, it must surely be of concern to local authorities that the applicants have a history of activity that could put the aquifer, and therefore the public water supply, at grave risk. At Sedborough Farm in Devon, the applicants constructed a slurry lagoon at a dairy in excess of the granted planning permission and then applied for retrospective planning permission (which was denied). It may be important for local authorities to monitor any construction on the site to

ensure that any new infrastructure has approved permits *before* such problems arise. During the current period of budgetary austerity, it may be difficult to adequately monitor the facility.

### 3) Erosion of quality of life for local people

The strong, diverse concerns and reservations expressed by local people raise urgent questions about impacts on their lives from a mega-dairy. These are well-founded and serious concerns about potentially significant impacts on human health that will stretch into the future. These must be faced by local authorities. Odour and noise are significant in themselves, but they are not the only potential health problems.

We continue to wonder if the local residents have been made fully aware of the impacts felt by other communities living near industrial farms, which include:

- Babies who drink nitrate-contaminated water run a greater risk of developing the potentially fatal “blue baby” syndrome, where their blood cells lose their ability to carry oxygen.
- Several studies have linked nitrates in the drinking water to birth defects, disruption of thyroid function, and various types of cancers.
- The long list of other water contaminants including arsenic and other toxic metals, antibiotics, pesticides, and bacterial pathogens lead to an increased risk of *E. coli* and *Campylobacter* infections in areas where manure from nearby livestock operations is applied to farm fields.
- Impacts on health from dust particles and toxins from animal feces, hair, feed, and dander, capable of traveling about six miles from industrial animal operations, which can affect white cell blood counts and cause fever and respiratory illness in humans.
- Ammonia, methane, and hydrogen sulphide also emanating from animal factories, increasing the risk of skin and eye irritation, coughing and wheezing, diarrhoea, asthma, nausea, headaches, depression, and sleep loss. In the United States, one dairy was temporarily shuttered and local residents were evacuated because of hydrogen sulphide emissions caused a public health hazard (*Factory Farm Nation* page 23).



Much of the success of the proposed project in preventing environmental damage relies on the effective application and use of so-called “best practices”. Food & Water Europe is skeptical that any “best practices” can sufficiently ameliorate the significant risks posed by a dairy of this size. Moreover, the applicants have already demonstrated a lack of forthrightness and transparency with local residents in the application that give rise to worries of a repetition of previous failures to abide by best practice by these applicants, as noted by other objectors in detail.

Most significantly, the applicants have played up the new, smaller number of dairy cows in the proposal, although it is clear from their own documents and media reporting that the applicants plan to rapidly expand the operation to double the initial proposed size. For example, the non-technical summary submitted refers to “the proposal is for a 3,700-cow dairy unit” as does the applicants’ website (“The plan, which involves a brand new development, includes facilities for 3,770 dairy cows...” see [www.noctondairies.co.uk](http://www.noctondairies.co.uk)). They’ve even give interviews in the farming press to “explain” the “reduction” in numbers (see “Nocton Dairies: Willes explains decision to cut cow numbers” at [prior url](#), “Nocton super dairy cow numbers to be cut at [www.bbc.co.uk/news/uk-england-lincolnshire-11747601](http://www.bbc.co.uk/news/uk-england-lincolnshire-11747601), “Nocton super dairy to be cut in half” at [www.farmersguardian.com/home/livestock/livestock-news/nocton-super-dairy-to-be-cut-by-half/35586.article](http://www.farmersguardian.com/home/livestock/livestock-news/nocton-super-dairy-to-be-cut-by-half/35586.article) and so on).

There is every intention that this unit will expand to hold the originally proposed number of animals (some 8,100 cows and 650 calves) - indeed the viability of the project relies on it and environmental impact assessments are based on it. The repeated suggestion in public and on paper that the original plans have been scaled down for this application, indeed for “less than half” the cows, is disingenuous at best.

This deceptive public communication cannot be dismissed as mere public relations. The applicants are relying on public support for the project while simultaneously not fully disclosing their long-term plans for the project. This goes to the issue of both information to and engagement with current local residents.

Another extraordinary suggestion is that the visual impact of the proposed domestic dwellings is said to be “reduced” because they will be “viewed against the backdrop of the proposed unit” (ie, it will be harder to see because it would be viewed against the backdrop of the bigger, brighter imposition of larger buildings in the unit and, presumably, overwhelmed by it).

It is this type of gloss that raises questions about the kind of engagement local people will enjoy, particularly noting recent threats of legal action against local campaigners asking pertinent questions and raising awareness among local residents.

Furthermore, negative impacts “mitigated” or “minimised” are still negative for those living with them. For example, much is made of the use of landscaping to “mitigate” the visual impact of the unit, but it will take decades for trees and landscape to grow to maturity and obscure the eyesore that local residents will be forced to endure for years.

We continue to have concerns about the quality of life for the workers housed in the project. Comments from the conservation officer on the previous application noted the proposed new “workers dwellings” “are to be constructed in an isolated countryside location and will not form part of any community or existing group of buildings.” This clearly underscores that neither the dairy nor its workers are likely to be an integrated part of Nocton or its environs. Given the level of public objection to the plan, we wonder if this division between the community and the dairy operation and its workforce is wise. Much is made in the application of the efforts made to reduce impact by using dormitory dwellings, shuttle buses and so on for workers, but it is not clear what will happen if those hired do not wish to live this way (for instance, if they have families so cannot live in dorms or wish to own a car). While it is interesting that the applicants take account of the fact that their workers will need such accommodation because they will not be able to afford to operate within the local housing market, this doesn’t say much about the level of pay to be offered, and Britain already has a patchy reputation for use of very low paid agricultural workers, including gangs, that Nocton surely does not wish to contribute to in order for the applicants to maintain a “profitable” business. If the cows deserve better, and they do, so do those attending to them.

The application implies that the applicants are hoping for a leniency in regards to application of regulations that is not, and ought not to be, forthcoming. For example their Supporting

Statement says of the plans for on-site dwellings, “However it is important to take into consideration the exceptional scale and nature of investment at dairy (sic), which is far in excess of most agricultural developments. As such, this application cannot be judged in the same way as a ‘normal’ agricultural dwelling.” (para 5.39) It is unclear why it cannot and should not be judged exactly like any other agricultural dwelling. We fear there is an implicit suggestion here that there should be one set of rules for proposed businesses with large sums to “invest” and another for smaller operations. This is a worry for the future operation of the unit.

Detailed analysis of how economic, health and animal welfare realities have played out for farms in the US, including full references, can be found in our publications *Dairy 101* and *Factory Farm Nation: How America Turned its Livestock Farms into Factories* available at our website or from the contact above.

#### **4) Wider impacts**

As the applicants’ supporting statement points out Local Plan Policy C18 says of building design:

“Planning permission will be granted for development only if it will:

1. reinforce local identity
  2. not adversely affect the character or appearance of its surrounding and ...
  5. the proposal has a cohesive character, adds interest and vitality to its surroundings.”
- (para 4.13)

We believe the proposal fails all these requirements.

As noted elsewhere in the supporting statement, the area is one of “small villages with high house prices.” (para 5.11) An industrial dairy cannot “reinforce” this identity since the planned increase in population, traffic, and other activity will necessarily compromise the identity of the small village. The village character will be irreparably replaced with a new reputation for hosting Europe’s biggest mega-farm, more of a black eye than a plaudit for many. This cannot be considered the type of “interest and vitality” the policy intends to protect, and even the applicants admit, “Due to the unit’s large size, there would inevitably be

a degree of impact on the surrounding landscape resulting from the new buildings and associated infrastructure.” (para 4.14)

We also have ongoing concerns about the protection of potentially important archaeological remains at the proposed site. The EIS says, “On the basis of the available information, groundworks or the construction of the proposed Nocton Heath dairy unit would present a *potentially major negative impact on regionally significant archaeological remains...*” It is also notable that “excavation of the lagoons would remove the recorded archaeological features and may impact additional remains not sampled by the evaluation trenches”, which contained iron age and Roman artefacts and human remains, potentially indicating a burial site. (para 7.8.7 and para 11.3 of Appendix 7.2) It remains unclear how these losses will be prevented.

## 5) Protected Species

Previous concerns about environmental impacts have not been addressed by the application, including impact on protected species like:

**Bats:** The Environmental Impact Statement (EIS) says there will be no loss of habitat to bats, and the tree survey suggests there were no bats present at the time of the survey. However, we are not convinced this tells the whole story.

Bats are renowned for being highly mobile and highly sensitive. We reiterate what the Bat Conservation Trust has already submitted, namely that:

“Artificial lighting can also impact bats by affecting their foraging grounds, as insects are attracted to lights that include the ultra violet part of the spectrum. Those species of bat which utilise this food source (Noctules, Leislars, serotine and pipistrelle bats) have an increased chance of being predated. All other species of bat will avoid illuminated areas and therefore lose foraging grounds and may also experience a further reduction in available prey which is drawn from surrounding dark areas towards the light. These light avoiding species include all the UKs rarest bat species. Lighting can be particularly harmful if used where bats not only forage but also have their commuting routes through the countryside such as river corridors, woodland edges and hedgerows.“

We cannot find any mention of investigation of wider impacts on bats in the lighting document submitted does not mention bats. The Environmental Statement appears to assume that if the trees are not lit, the bats are not affected. However there is still apparent conflict between applicants' suggestion they will be planting new hedges or other areas of "potential" for roosting bats and police requests for adequate security lighting, which may well eliminate that potential, particularly coupled with the increased noise and movement caused by the unit.

The belief that existing roosts may not be affected does not rule out impact on bats, and this is, as noted by the applicants themselves, a large development. The applicants have in places pointed out that there are already other large industrial operations in the wider area, but rather than justifying another we feel this means what quiet, dark places are left are more precious.

**Birds:** during environment assessment, "two Schedule species, barn owl and redwing, and four UK BAP species, skylark, dunnoek, linnnet and yellowhammer... Two marsh harriers (also a Schedule 1 species) were noted flying over the dairy site during the August 2010 visit." (EIS para 4.8.1) Furthermore, "several BAP Priority species" and other rare birds were recorded, noted as "unusual on a site under intensive arable production and it is therefore likely to have a moderate to high local value for its breeding bird community." (EIS para 5.6)

Responsibility for ensuring that no construction occurs during the breeding season (March-April) and/or enforcing searches are made for nests and eggs in order to protect them remains unclear and should be addressed urgently.

**Newts:** We note the Appendix say unmitigated AND MITIGATED risk is "Red: offence highly likely" in relations to newts, and that, "There must be compliance with the method statement otherwise its value is undermined leading to activities that could result in the commission of an offence. To prevent infringement an Ecological Clerk of Works with a current National England great crested newt scientific license must be appointed to oversee relevant works and provide advice through the project." (Para 7.3) We also note the EIS states normal practice to look for the animals in Spring/Summer, which was not possible due to the timing of the application.

**Amphibians are especially vulnerable to manure spills. In the United States, spills from mega-dairies or over application of dairy manure has so polluted local waterways that in some cases hundreds of thousands of fish and other aquatic animals have been killed (*Factory Farm Nation* page 22).**

Responsibility for enforcing the recommended “detailed method statement to minimise harm” remains unclear but is important as this is a fully protected species.

**Flora:** In addition to protected animals, we note the EIS states, “the calcareous verge vegetation found at Crossing Point 7 is a very good example of the BAP Priority Habitat.” (para 4.5.2) It is unclear what measures are being taken to protect it.

It is clear that this development, should it go ahead, risks possible legal infringements and other impacts on several protected species. Approval of the application cannot be granted until (and should be contingent upon) appropriate ringfenced plans, budgets and personnel are in place, as well as local authority monitoring plans.

The application process is not meant to be punitive, but to identify potential negative project impacts and investigate how to mitigate them. The applicants fail to expressly address their responsibilities in these areas and how they intend to meet them. Without that attention, the project cannot move forward, and should be rejected.

#### **6) Economic viability of the project**

We have grave concerns that all this disruption and risk is being initiated for an enterprise that is not clearly financially viable. Even if it does survive, it has huge potential to adversely affect a large number of businesses well away from Nocton, which may not have to be accounted for in this application but means Nocton’s “gain” would be spreading pain elsewhere. It is clearly the wrong solution to a poorly identified problem.

**The applicants cite the Government’s principle objective for rural areas that “planning policies should provide a positive framework for facilitating sustainable development that supports traditional land-based activities”. This goes to the heart of the difficulty we have with this application – industrial-scale dairying is not a “traditional” activity. Far from it.**

**Much is made of the “necessity” of larger dairies for the “survival” of the UK dairy sector. We maintain this is a fundamental misrepresentation of the situation, or a misunderstanding at best, that not only masks the real reasons for the crisis on dairy farms but threatens to contribute significantly to it.**

The model of industrialised dairy production originated in the United States, where the dairy industry has been transformed from small and mid-sized operations to mega-dairies with as many as 10,000 cows. Industrial sized dairies crowd cows into high-density feedlots with no access to grass and milk them in round-the-clock shifts. The waste from these animals ends up polluting local waterways and creates a stench that diminishes the quality of life for the entire community.

The shift to mega-dairies has, in the long run, not benefited rural communities economically. The trend towards larger operations has caused family farms to disappear. In the United States, the rise of industrial dairies has contributed to the loss of 5,000 dairy farms annually between 1997 and 2007, for a total loss of more than 53,000 dairies in a decade.

At the same time that small dairies were being closed, milk production remained constant, with the majority of US milk being produced on large dairies. As a result of consolidation in processing and distribution, the price that dairy farmers receive for their milk over the last decade has fluctuated widely. For most years, the price has been near or even below the cost of production for the milk, while the cost of fuel, labour and veterinary services has continued to rise.

**Similar trends are already apparent in the UK, yet the numbers underlying this application and presented as its justification simply do not add up. We strongly urge care and attention to these matters as they affect us all, not just the people in and around Nocton.**

UK dairies are struggling to stay in business as supermarkets take an increasingly large share of the proceeds of milk sales. A conservative estimate is that three dairies per week go out of business (some say one per day, see “Tesco is no champion of the poor” at [www.guardian.co.uk/lifeandstyle/wordofmouth/2010/jun/10/tesco-terry-leahy-supermarkets](http://www.guardian.co.uk/lifeandstyle/wordofmouth/2010/jun/10/tesco-terry-leahy-supermarkets)).

MPs heard in a Parliamentary debate on 14 December that in 2010 there were 23,286 registered dairy production holdings in England and Wales, but only 11,233 remain.

Those that survive are not getting a fair share of the profits, as everyone seems to agree. Supermarket profits have risen dramatically from 6-7p per litre ten years ago to 23-24p per litre today, yet the consumer price has not really changed as supermarkets use cheap milk to draw customers, often, reprehensibly in our view, as a “loss leader” (selling at less than cost). This inevitably means the share going to those responsible for producing the milk has collapsed – farmers are now losing around 1-2.5/p per litre of milk they produce.

**The answer is not, as this application claims and others follow, to simply feed the beast with milk from larger operations and try to use economies of scale to keep up.** Indeed, the addition of mega-dairy operations is likely to increase the supply of milk and collapse the price farmers receive. This will drive more medium- and small-scale dairies out of business and replace these beneficial rural “traditional land-based activities” with the ill-behaved factory farm neighbours. This is deeply flawed logic. The problem is not a lack of milk, nor a lack of farmers willing to produce it, but exploitation of those farmers by stronger players in the market unchecked for too long. If farmgate prices do not enable smaller farms to succeed, it is because their buyers (notably supermarkets) have so badly distorted the market that they are no longer serving either producers or consumers. If supermarkets ceased selling milk as a loss leader, consumers would have a truer idea of the value of what they consume, and farmers would not be under pressure to sell at less than the cost of production.

Permitting any endeavour that claims to be able to operate in such a system will clearly exacerbate the problem, not alleviate it. It will assist supermarkets in driving more farms to the wall more quickly before coming under pressure itself from even bigger operators and imports subject to less stringent regulations that UK farmers adhere to. These calculations of job losses and economic harm to farming communities across the UK are not included in this application but must be considered for the greater good.

**It is the applicants who have raised such far-reaching questions and argued that ever bigger dairies are “needed”, so it is only fair to ensure the full facts are brought to bear on any such arguments, particularly when they demonstrate that the reverse is true and the solution is to insist that supermarkets divert a minority portion (around 20%) of**

**their current profit back to producers, which would still leave them with double the profit they had ten years ago, but would enable real British dairies to thrive and produce what the public wants.**

Not that the proposed dairy at Nocton is demonstrably viable. It certainly won't be at the initial stocking level, which is why we know there will be pressure for it to rise, as they admit in the fine print of the application.

As noted above, the new proposal's "cut" in numbers of animals in the application is clearly not the full operational intention necessary to recoup the investment in recycling and CHP technology.

**If the number of cows in this application is not economically viable, as the applicants themselves have previously stated given the level of investment in infrastructure (see "Nocton Dairies: Willes explains decision to cut cow numbers" at url above), and expansion is therefore necessary for the success of the business, then granting this application is effectively either granting permission for the expansion or knowingly granting permission for a hugely disruptive and unwanted project that cannot survive.**

Even with more than 8,000 cows, the viability of the unit is questionable. The applicants' Supporting Statement says their milk will go to the "retail liquid milk sector" with a particular focus on reducing the "distinct lack of local milk". When questioned, one applicant is reported to have told a local meeting that they will have "no issues" in selling their milk. (See "Nocton Dairies confident it can sell its milk" at [www.farmersguardian.com/home/hot-topics/super-dairies/nocton-dairies-confident-it-can-sell-its-milk/35742.article](http://www.farmersguardian.com/home/hot-topics/super-dairies/nocton-dairies-confident-it-can-sell-its-milk/35742.article)).

Despite the applicants' confidence, this assessment seems highly over optimistic. It is based on "informal" discussions with processors, but there are clearly no deals in place. Moreover, a number of supermarkets have already said they will not stock milk from this or similar facilities. Waitrose, Ocado, Asda, Marks and Spencer, Tesco, Morrison's and Sainsbury have all been cited in the farming press as avoiding milk from the mega-dairy, as well they might with talks of consumer boycotts in the wind. Given that the vocal opposition to the project locally, and the Ipsos Mori poll showing 61% of UK adults would never knowingly buy milk

from such a unit, it is unclear where this milk will be sold, as supermarkets are highly protective of their brands and sensitive to public criticism.

Answering these questions is of critical importance in establishing the economic viability of the endeavour in order to prevent large amounts of disruption and environmental damage to construct a facility that ends up standing empty after the damage is done because of a basic lack of a market for what it intends to produce.

Looking more widely, the decision on this application should be suspended while pending parliamentary action is being considered for the dairy sector. The results of the Ten Minute Rule Motion lodged by local MP Stephen Phillips QC MP on minimum pricing to farmers for milk on 12 January and the anticipated vote on the Dairy Farming Bill seeking to set minimum distances between large, intensive dairy operations and settlements are not finished. It is difficult to see what how this project could be amended to accommodate the requirement of such a Bill if it comes into force after construction has commenced, and it would be an unfair burden on the villages around Nocton to have to withstand the results of planning permission granted in the full knowledge that such legislation is under consideration.

Finally, much is made of the economic “benefits” the scheme would provide to the local area. We note the Economic Development team supports the application, accepting claims it will create jobs in a deprived area and so on, but it fails to look at what will be lost or to assess the reality of these promises and appears to be based on some doubtful assumptions like:

- “A significant proportion of the company’s £11m annual turnover will be spent locally on goods, services and maintenance and supporting the local agricultural services sector.” It is unclear how this intention can be delivered. Larger-scale partnerships are more likely to source inputs and supplies from further afield than local entities. It remains uncertain what will happen if the applicants sidestep local suppliers in favour of potentially lower-cost national or international suppliers.

and

- “Hosting the UK’s largest dairy will have a positive impact on the district’s agricultural infrastructure and reputation.” As we’ve seen it will certainly have an impact, but it

far from clear how positive it will be.

Several claims are made in the application itself about opportunities for local ancillary suppliers and businesses (from beef to fodder to electricians). Statements include, “In addition, the construction of the unit would require local electricians, plumbers, steel fabricators, wood suppliers, brick layers etc.” (Environmental Statement, para 16.5.1) Yet the next paragraph admits, “Although these workers would probably be drawn from a wider area than the North Kesteven district, most would probably come from a geographically small area.” (para 16.5.2) Later it is admitted that the employment benefit is “minor” and, “The impact of the development is reduced as the receiving environment already enjoys relatively high employment rates, and because some of the jobs would be sourced from outside the area.” (Environmental Statement paras 16.7.2 and .3)

So previous promises of local jobs do appear to have been tempered, but big numbers are still tossed about, but much of it is potential rather than actual:

- “Once in operation, the proposed development also has the potential to increase the number of jobs in the related services, such as transport, dairy engineers, consultants and veterinary care. Unfortunately detailed statistics on employment in these sectors are unavailable.” (Environmental Statement para 16.4.4)
- “The unit’s annual turnover would be in the region of £11m, with a payroll of £1.2m and a feed bill of £4.4m - much of which would be spent with neighbouring farm businesses and regional processors. Other local spends would include: sundries (£640k); and repairs (£230k).” (Environmental Statement para 1.2.12)

We do not see how the applicants intend to, or lawfully can, restrict tendering to local operations and recall that the previous economic case was based not on increased business, but the increased “opportunity to compete” for contracts.

Overall, we do not see why the people and businesses in the Nocton area should feel confident that they would necessarily benefit economically from the dairy. We also wonder how robust any such relationships will be if Nocton Dairies decides not to restrict its procurement to local suppliers, particularly if their business plan does not play out as

predicted and they must look for ways to make savings elsewhere. We think it unlikely the Council can either make these conditions of granting planning permission or enforce them in the future, so there is little reassurance in such promises.

More widely, the confinement technologies employed in industrial animal production progressively decrease the need for workers. They contribute to *loss* of agricultural jobs and consolidate ownership into the hands of increasingly large companies away from farmers and their communities.

Overall, any such proposal risks creating a ghost town, regardless of any economic “gains” that may appear on paper for the company.

Additionally, building a giant dairy farm in Lincolnshire will set a precedent for developing other industrial style dairies. This trend will not benefit family farmers or consumers. Consumers want to know that their milk has been produced using the most environmentally and humane methods possible. Large dairies by definition do not meet this standard of sustainability. Large dairies are not what Lincolnshire, or the UK as a whole, should be moving towards.

Detailed analysis of how economic, health and animal welfare realities have played out for farms in the United States, including full references, can be found in our publications *Dairy 101* and *Factory Farm Nation*, available at our website or directly from the contacts below.

## **7) Animal welfare concerns**

In addition, we also strenuously object to such plans on animal welfare grounds. While we recognise such issues may fall outside the scope of the consideration of planning authorities, judging from the large number of objections lodged to the planning process on these grounds they are clearly of considerable public concern and must be addressed somewhere.

We are also extremely concerned at reports (supported by information from Defra) that one of the applicants in this initiative pled guilty in 2005 to four charges related to administering unlicensed veterinary medicines illegally imported from Ireland. This does not reflect well on assurances that animal welfare and “best practice” in the business will receive the highest consideration. At the time of the previous application, 172 MPs signed EDM 1037 opposing



the plan and at the time of writing 127 MPs have signed EDM 942 rejecting mega-dairies. Opposition to this project is unlikely to evaporate. We also note the formal objection to this planning application from local MP Stephen Philips QC.

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This proposed mega-dairy at Nocton is not needed, nor is it wanted. There are better, less risky alternatives that provide higher quality milk with a better quality of life for all involved. We urge the rejection of this planning application on any of the above grounds.