



Consultation Response

CONSULTATION ON THE DRAFT NATIONAL AIR POLLUTION CONTROL PROGRAMME

Defra Consultation

Date: 1st September 2022

The CLA is the membership organisation for owners of land, property and businesses in rural England and Wales. We help safeguard the interests of landowners, and those with an economic, social and environmental interest in rural land. Our members own or manage around half the rural land in England and Wales and more than 250 different types of businesses.

Consultation background

Scope- England, Scotland, Wales and Northern Ireland

Response deadline: 4th September 2022

The 2018 National Emission Ceilings Regulations (NECR) committed the UK to legally binding emission reduction targets for five air pollutants: fine particulate matter (PM2.5), sulphur oxides, nitrogen oxides, ammonia and non-methane volatile organic compounds. The ambition to meet these targets is referenced in the 25 Year Environment Plan and the 2019 Clean Air Strategy. The National Air Pollution Control Programme (NAPCP) is a technical document drawn up by the UK government and the devolved administrations which assesses the emission reduction potential of a range of policies and measures. These outline policies and measures could be deployed by the UK government and the devolved administrations to limit emissions in order to comply with the UK's emission reduction commitments.

The draft NAPCP has parcelled up a range of policies and measures into seven separate packages, which aim to reduce the levels of the five air pollutants to varying degrees, and are targeted at specific industries and sectors. The proposed policies and measures are not firm government policy and will be subject to further analysis, consultation and government decision processes. The consultation seeks views on the balance of the proposals within the seven packages which aim to address each of the five target pollutants. The responses to the consultation will inform the reviewed NAPCP, due to be published in September 2022.

CLA interest

CLA members are engaged in a wide range of rural business activities and therefore could be affected by a range of the proposed policies and measures.

Of the seven packages, the most relevant to CLA members are those that have been proposed under the 'agriculture' package to tackle ammonia emissions. Agriculture is the largest

contributor to the UK's ammonia emissions¹. Updated 2022 projections highlight a risk that the UK may not meet the binding ammonia emission reduction commitment for ammonia by the 2030 deadline. A recent review of progress in March 2022 showed the UK had not met the 2020 domestic and international ceilings for ammonia, though the UK has submitted an adjusted methodology for calculating ammonia emissions to the United Nations Economic Commission for Europe. If the adjustments are accepted, then it would reduce the risk of the UK exceeding the 2030 ammonia target.

The 'solid fuels' package, which is aimed at reducing a range of the five pollutants is also of interest to CLA members who use wood and wood derived products to sustainably heat rural properties. Finally, the 'industry' package is of relevance to CLA members who use fuels to generate electricity for their rural businesses.

Consultation questions

The consultation questions refer to the impact of the seven packages on the five pollutants. The CLA response, rather than appraising this, offers commentary on the three packages of most relevance to CLA members.

Agriculture package/ Ammonia

Question 7- Do you agree or disagree with the balance of measures across the 7 NAPCP packages as set out in 2.6.1 of the NAPCP document for the abatement of ammonia?

- Agree
- Disagree
- Neither agree or disagree
- Don't know

The consultation contains a package of proposals for agriculture in England. The package contains additional measures and policies which could be implemented by various policy levers, incentives and grants, including:

- Low protein livestock diet (dairy and pig) - matching protein intake to the dietary requirements of livestock reduces the nitrogen content of excreta and subsequent losses of ammonia to air.
- Washing dairy collection yards – washing and scraping flooring and milking yards regularly reduces emissions from deposited livestock excreta.
- Drying poultry litter – with forced air or by ventilation on belts can reduce ammonia emissions.
- Manure sheeting covers - covering manure heaps with an impermeable cover reduces ammonia emissions.
- Poultry/pig acid scrubber - ammonia can be scrubbed out of air extracted from livestock housing using acid.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770715/clean-air-strategy-2019.pdf

- Cattle housing grooved floor system grooved floors enable urine to drain easily to a covered storage tank, reducing ammonia loss from flooring.
- Extending grazing period (dairy and beef) - keeping animals at pasture (rather than indoors) for longer means that a greater proportion of urine will wash straight into soil, with lower ammonia loss than from hard floors.
- Improved genetics (dairy, beef, pig and poultry) - genetic improvement can produce animals which can utilise nutrients more effectively
- Tree shelter belts around pig, poultry and dairy housing - if designed correctly using a dense layer of trees, shelter belts can recapture ammonia emissions from animal housing units.

The draft NAPCP does not include additional proposals for Wales, though provides an overview of recent action in Wales:

Welsh Government recently introduced legislation to control agricultural pollution, including ammonia, and published a Code of Good Agricultural Practice (CoGAP) on reducing ammonia losses from agriculture. Welsh Government will continue to support farm businesses to implement nutrient efficiency measures through the Rural Development Programme 2014-20 (RDP), which runs until the end of March 2023. On 1 April, plans were announced to provide a package of support for farmers, foresters, land managers and food businesses worth over £227 million over the next three financial years to support the resilience of the rural economy. Interventions which will be supported as part of this programme include investments that will enhance the technical and environmental performance of farm businesses and support for infrastructure investments through a Yard Coverings scheme and a new Nutrient Management Investment scheme. The Sustainable Farming Scheme (SFS), planned to be launched in 2025, aims to reduce ammonia emissions from agricultural practices which includes interception from source by strategic tree planting. The Welsh Government is actively considering whether additional measures are necessary to achieve further reductions in ammonia emissions, taking account of uptake of relevant SFS measures and results of the Control of Agricultural Pollution Regulations.

CLA response:

The CLA is generally supportive of the high level package of policies and measures outlined in the agriculture package proposed for England, but a regulatory impact assessment is essential to understand the effect on the sector and individual farming businesses. How the options are supported and implemented by government will be key. The range of measures identified will require investment, either in on-farm infrastructure, or in research and development. There needs to be consideration of the adoption time for these measures, as on farm-infrastructure is rarely upgraded more than once every 25-30 years.

There should be recognition of the time lag between innovative practices identified in research and development and widespread adoption, which will require further support through advice and infrastructure grants. There also needs to be scrutiny of the cost: benefit and technical feasibility of each measure to identify the most cost effective actions in the short and long term, and understand potential conflicts or win: wins with

other policy objectives such as water quality and climate change. For example, variable weather conditions may mean extending the grazing period for livestock is not always practical or desirable and can result in soil compaction and erosion that affects water quality and productivity. Consultation regarding each of the proposed measures ahead of implementation will be important in identifying these practical issues as well as the most appropriate means of incentive.

There are multiple policy levers that are being deployed to improve air quality, which are well summarised in section 2.3.1 of the consultation document. The key for Defra will be maintaining oversight over the impact the different levers are having on achieving the overall targets. We are in the midst of a period of considerable change in agricultural policy on top of a general long term trend towards reduced livestock numbers and nitrogen fertiliser use ². However, Defra should also be aware that some farmers may have legitimate future business plans which focuses on increasing livestock numbers. The statistics should be closely monitored to gauge the likely impact of industry wide changes on ammonia emissions and the target.

Solid fuels package/ PM2.5

Question 6- Do you agree or disagree with the balance of measures across the 7 NAPCP packages as set out in section 2.6.1 of the NAPCP document, for the abatement of fine Particular Matter (PM2.5)?

- Agree
- Disagree
- Neither agree or disagree
- Don't know

The proposed package of additional measures and policies for England, which could be implemented by various policy levers, incentives and grants are:

- Look to extend the domestic solid fuels legislation to pubs, restaurants, holiday lets etc - The Domestic Fuels Regulations introduce restrictions on the sale of wet wood in smaller volumes, limits on the emission of sulphur and smoke from manufactured solid fuels and phase out the sale of bituminous coal (traditional house coal) for use in domestic burning only. We plan to develop this policy further to consider extending this legislation to wider commercial properties such as pubs, restaurants and holiday lets.
- Look to consider further restrictions on emissions limits for Manufactured Solid Fuel across England – The Domestic Fuels Regulations introduced emission limits from manufactured solid fuels across all of England. We introduced emissions limits of 5g smoke per hour, in the future it may be feasible to reduce emissions of smoke from 5g to 3g per hour across England.
- Look at the option of extending the solid fuels legislation to fuels burnt outside - this would provide consistency in the market making it easier for consumers, improve

² https://uk-air.defra.gov.uk/assets/documents/reports/cat07/2103191000_UK_Agriculture_Ammonia_Emission_Report_1990-2019.pdf



compliance with legislation and improve air quality. This would not introduce new requirements for traditional fuels used for BBQs, such as charcoal.

In Wales:

The Welsh Government will reconsider the introduction of necessary legislation to restrict sales of wet wood and coal in 2023/4, with any resulting restrictions commencing no earlier than 2024/5.

CLA response

Biomass heat is well suited to rural areas, where the wood fuel often comes from the nearby woodland, which is entirely sustainable as part of a local woodland economy. Using locally grown firewood to heat rural homes is wholly sustainable, and drives a circular economy, incentivising woodland management, which has significant rural economic, biodiversity and climate change mitigation benefits. 41% of England's broadleaf woodlands are unmanaged and Defra's [England Trees Action Plan](#) aims to ensure more woodlands are brought under favourable management. A sustained rural biomass heat market can help achieve this as wood-fuel income improves the viability of woodland management. Any new policies and measures must not impair the ability of rural businesses to access sustainably sourced wood affordably.

Operations like thinning and removal of diseased trees generates low grade wood, local sales of which as firewood logs or wood chip generates income to help fund ongoing woodland management. In addition to biomass boilers, wood burners are also an important heating type in many rural homes and businesses. Not only is firewood sustainable, but it is critical for rural homes and businesses to have some form of heating, which is not reliant on electricity, as demonstrated by storm events such as Storm Arwen, where many rural buildings in northern England were without electricity for up to 10 days during the winter.

Incentivising the replacement of old stoves in Wales with eco-design stoves to meet 2022 regulations should be encouraged and should focus on a funding mechanism. Any funding must be sufficient and accessible for rural homes and businesses. There should not be restrictions on where fuel must be sourced from if funding has been received as this makes funding inaccessible for rural homes and businesses who supply their own fuel.

Industry package/ NOx

Question 8- Do you agree or disagree with the balance of measures across the 7 NAPCP packages as set out in section 2.6.1 of the NAPCP document, for the abatement of Nitrogen Oxides (NOx)?

Proposed package of additional measures and policies for England, which could be implemented by various policy levers, incentives and grants are:

UK Best Available Techniques (UKBAT) (UKG, Welsh Government, DAERA, Scottish Government)

- The UKBAT regime will enable industry and regulators to work together collaboratively to raise standards and reduce emissions over time. Due to the regulator-led, collaborative, evidence-based and transparent process for setting BAT, it is not possible for the NAPCP to identify in advance the specific technologies BAT will deliver by 2030 therefore we have used historical data on the impacts of previous BAT reviews on emissions to identify trends and project emissions savings from future BAT reviews.

Sectors outside of UKBAT In England:

- **Combustion: This measure explores the potential introduction of a cap on operating hours for generators (combustion plant which generate electricity) under 50 megawatts thermal (MWth) unless they comply with tightened emission limits. This could align with the proposed policy for generators over 50 MWth, correcting a market distortion and reducing NOx emissions from this source.**
- Crematoria: A review of the guidance is underway, and the final standards will be agreed as part of the BAT-style standards setting process through the Technical Working Group. For the purpose of this NAPCP process, the government has considered what magnitude of abatement might be possible both through a less ambitious and a more ambitious approach for both NOx and PM2.5 abatement.
- Minerals and aggregate: A review of standards for this sector is currently underway, and therefore this measure has used EEA guidebook figures and applied them to the relevant parts and processes within the sector.
- Metals: A review of standards for this sector will be underway in due course. To estimate this measure we have modelled alignment with BAT conclusions for larger installations. • There are additional policies in the pipeline for industry (e.g., medium combustion plants) which we have not been able to quantify for inclusion in the draft NAPCP for consultation, however, will provide additional abatement.

In Wales:

- By way of the 'Sectors outside of UKBAT', through governance arrangements established through the BAT Common framework, the Welsh Government is working in close collaboration with UKG on industrial emissions related to combustion, crematoria, minerals and aggregate and metals sectors as set out above.

CLA response

The CLA has concerns that the proposal regarding the capping of the operating hours for electricity generating combustion units under the 50 megawatts thermal (MWth) limit, will have implications for rural businesses. There is no information on what the capped operating hours might be and there is a danger that a blanket policy will mean that farm based projects are swept up in the changes.

There is potential for such a measure to have an impact on:

- **Pig and poultry units that use boilers for heating livestock buildings.**
- **Cereal growers that use boilers for grain drying.**
- **Horticultural farms that use boilers for glasshouse heating.**



- **Larger dairy units that use boilers to heat water**

The relatively small contribution this measure makes to nitrogen oxides emissions compared with the measures contained in packages 6 and 7 (transport and net zero) means that there could be a disproportionate impact on rural businesses compared to any gains made.

We would argue for an exemption for rural based plants supplying microbusinesses, or an exemption for plants under an agreed threshold to better target the mitigating action at the areas where there will be most impact.

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