

# **Intensive Farming example Decision Document text**

## **Variation**

We have decided to issue the variation for The Leen Poultry Unit operated by Mr Richard Norman, Mr Christopher Norman, Mr Anthony Norman, Ms Barbara Norman, Ms Sarah Norman and Ms Phillipa Norman (trading as Norman Partnership).

The permit number is EPR/CP3233EP.

The variation number is EPR/CP3233EP/V002.

This was applied for and determined as a substantial variation.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

## **Purpose of this document**

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

## **Structure of this document**

- Description of the changes introduced by the Variation
- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

## **Description of the changes introduced by the Variation**

This is a Substantial Variation, which authorises the following changes.

Two additional poultry houses, which increase the combined capacity of bird places at the Leen Poultry Unit from 250,000 to 300,000 broilers. The site boundary is also increased to accommodate two additional poultry houses.

## **Key Issues**

### **Ammonia emissions**

There are 3 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 5 Local Wildlife Sites (LWS), and 5 Ancient Woodlands (AW) within 2 km of the installation.

### **Ammonia assessment – SSSI**

The following trigger thresholds have been applied for assessment of SSSIs:

- If the process contribution (PC) is below 20% of the relevant critical level (CLE) or critical load (CLo) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required. An in combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the SSSI.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from The Leen Poultry Unit will only have a potential impact on SSSI sites with a precautionary critical level of  $1\mu\text{g}/\text{m}^3$  if they are within 1,372 metres of the emission source.

Beyond 1,372m the PC is less than  $0.2\mu\text{g}/\text{m}^3$  (i.e. less than 20% of the precautionary  $1\mu\text{g}/\text{m}^3$  critical level) and therefore beyond this distance the PC is insignificant. In this case two of the SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of  $1\mu\text{g}/\text{m}^3$  is used, and the process contribution is assessed to be less than 20% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the  $1\mu\text{g}/\text{m}^3$  level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

**Table 1 – SSSI Assessment**

Name of SSSI	Distance from site (m)
River Lugg	4,883
Byton & Combe Moors	4,300

Screening using the ammonia screening tool version 4 has indicated that the PC for Moseley Common, Pembridge is predicted to be less than 20% of the critical level for ammonia emissions, nitrogen deposition and acid deposition therefore it is possible to conclude no damage. The results of the ammonia screening tool version 4.5 are given in the tables below.

**Table 2 – Ammonia emissions**

Name of SSSI	Ammonia Cle ( $\mu\text{g}/\text{m}^3$ )	PC ( $\mu\text{g}/\text{m}^3$ )	PC % critical level
Moseley Common, Pembridge	3	0.218	7.3

Natural England confirmed that no lichens or bryophytes of interest were at Moseley Common SSSI and therefore a CLe of 3 for ammonia should be applied across the Robin's Wood SSSI (23/09/16)

**Table 3 – Nitrogen deposition**

Site	Critical load kg N/ha/yr [1]	PC kg N/ha/yr	PC % critical load
Moseley Common, Pembridge	15	1.132	7.5

Note [1] Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 26/09/16

**Table 4 – Acid deposition**

Site	Critical load keq/ha/yr [1]	PC keq/ha/yr	PC % critical load
Moseley Common, Pembridge	1.53	0.081	5.3

Note [1] Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 26/09/16

No further assessment is required.

## **Ammonia assessment - LWS/AW**

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from The Leen Poultry Unit will only have a potential impact on the LWS and AW sites with a precautionary critical level of  $1\mu\text{g}/\text{m}^3$  if they are within 470 metres of the emission source.

Beyond 470m the PC is less than  $1\mu\text{g}/\text{m}^3$  and therefore beyond this distance the PC is insignificant. In this case all LWS and AWs are beyond this distance (see table below) and therefore screen out of any further assessment.

**Table 5 – LWS/AW Assessment**

<b>Name of SAC/SPA/Ramsar</b>	<b>Distance from site (m)</b>
Land adjacent to Moseley Common	1,199
Pinsley Brook	1,907
Moseley Common	1,297
Disused railway, Kington to Leominster	472
River Arrow	539
Unnamed woodland	1,696
Ashbed	2,073
Vallet Coppice	1,477
Stocklow Croos Wood	1,933
Rough Grove, Coppice	1,986

## Annex 1: decision checklist

Aspect considered	Justification / Detail	Criteria met
		Yes
<b>Receipt of submission</b>		
Confidential information	A claim for commercial or industrial confidentiality has not been made.	✓
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on commercial confidentiality.	✓
<b>Consultation</b>		
Scope of consultation	<p>The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none"> <li>• Director of Public Health (DPH)</li> <li>• Health and Safety Executive</li> <li>• Environmental Health</li> </ul>	✓
Responses to consultation and web publicising	<p>The consultation and web publicising responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
<b>The site</b>		
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>Plans are included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	The operator has provided a description of the condition of the site.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).</p>	
<p>Biodiversity, Heritage, Landscape and Nature Conservation</p>	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance. An Appendix 4 has also been saved to file for information only.</p>	<p>✓</p>
<b>Environmental Risk Assessment and operating techniques</b>		
<p>Environmental risk</p>	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>See key issues for further information</p>	<p>✓</p>
<b>Operator Competence</b>		
<p>Environment management system</p>	<p>There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with our guidance on what a competent operator is.</p>	<p>✓</p>

## **Annex 2: Consultation and web publicising advertising responses**

### **1) Public Health England**

Response received on 14/02/17 from
Public Health England (PHE) – Dr Manjit Singh (Environmental Public Health Scientist) and Dr Toby Smith (Specialist Environmental Public Health Scientist) dated 08/02/17
<b>Brief summary of issues raised</b>
We recommend that any Environmental Permit issued for this site should contain conditions to ensure that the following potential emissions do not impact upon public health: fugitive emissions and odour.  Based solely on the information contained in the application provided, PHE has no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.
<b>Summary of actions taken or show how this has been covered</b>
The Noise Management Plan and Odour Management Plan have both been deemed appropriate.

### **2) Local Authority Environmental Health**

Response received on 16/02/17 from
Environmental Health - Herefordshire Council Philippa Hargraves (Senior Technical Officer)
<b>Brief summary of issues raised</b>
In the response, the Environmental Health Officer drew attention to the screening criteria for PM10, provided in the DEFRA, LAQM Technical Guidance 2016, Chapter 7, table 7.3. For poultry farms housing in excess of 400,000 birds (if mechanically ventilated) / 200,000 birds (if naturally ventilated) / 100,000 birds (if turkey unit) - Exposure within 100m from the poultry units, for which further calculations are required.
<b>Summary of actions taken or show how this has been covered</b>
The units are mechanically ventilated and now house 300,000 birds; therefore the farm screens out for these criteria, and no further analysis is required. Also the permit contains a condition (condition 3.2.2), which permits us to request an emissions management plan for substances such as dust if necessary.

**Reponses not received**

The Director of Public Health was also consulted; however, no consultation response was received.

The variation was publicised on our website between 13/01/17 and 13/02/17. No representations were received in response.