

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Bradkirk Hall Poultry Unit operated by Mr Robert George Towers, Mr Richard George Towers, Mrs Jane Marjorie Towers and Mr Benjamin Richard Towers (trading as R G & J M Towers).

The permit number is EPR/MP3735ZY.

The permit was duly made on 14/05/2014.

The permit was applied for and determined as a new bespoke.

The installation is operated by Mr Robert George Towers, Mr Richard George Towers, Mrs Jane Marjorie Towers and Mr Benjamin Richard Towers (trading as R G & J M Towers) and comprises two poultry houses which provide a combined capacity for 100,000 broilers.

The installation is approximately centred on National Grid Reference SD 40330 34020.

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

- Key issues - Ammonia Emissions Assessment, Biomass Boilers, Industrial Emissions Directive (IED)
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Key issues of the decision

Ammonia Emissions

There are two Special Protection Areas (SPA) and Ramsar sites located within 10km of the installation. There are also four Local Wildlife Sites (LWS) within 2km of the installation.

Ammonia Assessment – SAC / SPA / Ramsar sites

The following trigger thresholds have been designated for assessment of European sites including Ramsar sites.

- If the Process Contribution (PC) is below 4% 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 overlapping in combination assessment will be completed where existing farms are identified within 10km of the application.

Screening using Ammonia Screening Tool version 4.3 has indicated that emissions from Bradkirk Hall Poultry Unit will only have a potential impact on sites with a critical level of $1 \mu\text{g}/\text{m}^3$ if they are within 2,188 metres of the emission source. Screening indicates that beyond this distance the PC at conservations sites is less than $0.04 \mu\text{g}/\text{m}^3$. $0.04 \mu\text{g}/\text{m}^3$ is 4% of the $1 \mu\text{g}/\text{m}^3$ critical level and therefore beyond this distance the PC is insignificant. In this case all the SPAs and Ramsars listed below are beyond this distance.

Table 1 – distance from source

Site	Distance (m)
Ribble & Alt Estuaries SPA and Ramsar	6,219
Morecambe Bay SPA and Ramsar	6,129

The PC at these sites has been screened as insignificant. It is possible to conclude no significant pollution will occur at these sites and no further assessment is required.

Ammonia assessment – LWS

There are four Local Wildlife Sites (LWS) within 2 km of Bradkirk Hall Poultry Unit. The following trigger thresholds have been applied for the assessment of these sites.

1. If PC is < 100% of relevant Critical Level or Load, then the farm can be permitted (H1 or ammonia screening tool)
2. If further modelling shows PC <100%, then the farm can be permitted.

For the following sites this farm has been screened out at Stage 1, as set out above, using results of the Ammonia Screening Tool version 4.3.

Screening using Ammonia Screening Tool version 4.3 has indicated that emissions from Bradkirk Hall Poultry Unit will only have a potential impact on sites with a critical level of $1 \mu\text{g}/\text{m}^3$ if they are within 268 metres of the emission source. Screening indicates that beyond this distance the PC at conservation sites is less than $1\mu\text{g}/\text{m}^3$. $1\mu\text{g}/\text{m}^3$ is 100% of the $1\mu\text{g}/\text{m}^3$ critical level and therefore beyond this distance the PC is insignificant. In this case all local wildlife sites listed below are beyond this distance.

Table 2 – distance from source

Site	Distance (m)
Great Plumpton Sidings; Westby-with-Plumpton	1,435
St. George's Park Swamp; Kirkham	1,865
Wesham Marsh; Medlar-wth-Wesham	1,486
Medlar Meadows; Medlar-with-Wesham	1,920

The PC at these sites has been screened as insignificant. It is possible to conclude no significant pollution will occur at these sites and no further assessment is required.

Biomass Boilers

The applicant is installing two biomass boilers with a net rated thermal input of 398 kilowatts to assist the heating of the poultry houses.

In line with the Environment Agency's May 2013 document "Biomass boilers on EPR Intensive Farms", an assessment has been undertaken to consider the proposed addition of the biomass boilers.

This guidance states that the Environment Agency has assessed the pollution risks and have concluded that air emissions from small biomass boilers are not likely to pose a significant risk to the environment or human health providing certain conditions are met. Therefore a quantitative assessment of air emissions will not be required where:

- (i) the fuel will be derived from virgin timber, miscanthus or straw, and;
- (ii) the biomass boiler appliance and installation meets the technical criteria to be eligible for the Renewable Heat Incentive, and;
- (iii) the aggregate boiler net rated thermal input is:
 - A. less than 0.5MWth, or;
 - B. less than 1MWth where the stack height is greater than 1 metre above the roof level of adjacent buildings (where there are no adjacent buildings, the stack height must be a minimum of 3 metres above ground), and there are:

- no Special Areas of Conservation, Special Protection Areas, Ramsar sites or Sites of Special Scientific Interest within 500 metres of the emission point(s);
 - no National Nature Reserves, Local Nature Reserves, Ancient Woodlands or Local Wildlife Sites within 100 metres of the emission point(s), or;
- C. less than 2MWth where, in addition to the above criteria for less than 1MWth boilers, there are:
- no sensitive receptors within 150 metres of the emission point(s).

The biomass boilers meet the requirements of criteria A above, and are therefore considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February and came into force on 27 February. These Regulations transpose the requirements of the Industrial Emissions Directive (IED).

This permit implements the requirements of the EU Directive on Industrial Emissions.

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain condition 3.1.3 relating to groundwater monitoring. However, the Environment Agency's H5 Guidance states that it is only necessary for the operator to take samples of soil or groundwater and measure levels of contamination where the evidence that there is, or could be existing contamination and:

- The environmental risk assessment has identified that the same contaminants are a particular hazard; or
- The environmental risk assessment has identified that the same contaminants are a hazard and your risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is not essential for the Operator to take samples of soil or groundwater and measure levels of contamination where:

- The environmental risk assessment identifies no hazards to land or groundwater; or
- Where the environmental risk assessment identifies only limited hazards to land and groundwater and there is no reason to believe that

there could be historic contamination by those substances that present the hazard; or

- Where the environmental risk assessment identifies hazards to land and groundwater but there is evidence that there is no historic contamination by those substances that pose the hazard.

The site condition report for Bradkirk Hall Poultry Unit (dated January 2014) demonstrated that the hazards to land or groundwater have been mitigated/minimised such that there is little likelihood of pollution and there is no evidence of historic contamination on site. Therefore, although this condition is included in the permit, no groundwater or soil monitoring will be required at this installation as a result.

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation and web publicising	The web publicising and consultation responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. This permit implements the requirements of the EU Directive on Industrial Emissions. See key issues 'Industrial Emissions Directive' section above for further information.	✓
The site		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Site condition	The operator has provided a description of the condition	✓

Aspect considered	Justification / Detail	Criteria met Yes
report	<p>of the site.</p> <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>	
Biodiversity, Heritage, Landscape and Nature Conservation	<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 sites for the reasons outlined in the Key Issues section above.</p> <p>Natural England were consulted in the construction of the Environment Agency’s May 2013 document “Biomass boilers on EPR Intensive Farms”. This proposal screened out based on the criteria within that paper and as such is considered acceptable in terms of potential to impact sites of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>See key issues ‘Ammonia Emissions Assessment’ and ‘Biomass Boiler’ sections above for further information.</p> <p>An Appendix 11 was completed and sent to Natural England on 20/05/2014 ‘For Information Only’.</p> <p>Formal consultation has been carried out with the relevant bodies in accordance with our Operational Instruction 84_07, and as such no responses were required to be taken into account in the permitting decision.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<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>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment all emissions may be categorised as environmentally insignificant.</p>	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The operator has proposed the following key techniques:</p> <ul style="list-style-type: none"> • dirty water storage facilities are in place on site; • nipple drinkers are used to reduce wastage of water and maintain dry litter; • chemical storage is within a purpose-built store on site that is fully bunded; • all fuels are stored in bunded fuel stores; • emergency generator on site in case of power failure; • carcasses stored in sealed bins before being sent for incineration by an approved contractor; • the fuel for the biomass boiler is derived from virgin timber; • the biomass boiler appliances and their installation meets the technical criteria to be eligible for the Renewable Heat Incentive; and • the stacks are 1m or more higher than the apex of the adjacent buildings. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the SGN EPR6.09 'How to comply with your environmental permit for intensive farming (version 2)' and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions.</p>	✓
The permit conditions		
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>We have specified that only virgin timber (including wood chips and pellets), straw, miscanthus or a combination of these. These materials are never to be mixed with, or</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	replaced by, waste.	
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Operator Competence		
Environment management system	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 RGN 5 on Operator Competence.	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓

Annex 2: Consultation and web publicising responses

Response received from
Brief summary of issues raised
Summary of actions taken or show how this has been covered

The following organisations were consulted, however no responses were received:

- Environmental Health - Fylde Borough Council
- Local Planning Authority - Fylde Borough Council
- Health and Safety Executive

This proposal was also publicised on the Environment Agency's website between 20/05/2014 and 18/06/2014, but no representations were received during this period.