

Environment Agency permitting decisions

Variation

We have decided to issue the variation for **Scutt Mill Farm** operated by **Sun Valley Foods Limited**.

The variation number is **EPR/TP3739AF/V002**

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
- Annex 1 the decision checklist

Key issues of the decision

This application will vary the activity from the production of broiler poultry to the production of eggs for broiler hatching. The poultry houses have been refurbished to BAT standard. The variation also includes a small incinerator, incorporated as a directly associated activity (with a capacity of less than 50kg/hour) used to dispose of fallen stock.

The application type is a substantial variation, whilst the number of poultry places will be decreasing from 197,900 to 50,000 places, the broiler breeder layer (0.21) has a much higher ammonia emission factor than a broiler (0.034), resulting in an increase in ammonia emissions of approximately 36%.

To establish whether the variation will be a normal or substantial we have considered the following:-

The current permit allows 197,900 places for broilers with an emission factor of 0.034. This produces a mass balance of 6728.6 kg/NH₃/animal places/year.

The proposal (for this variation) is for 50,000 places for Broiler breeder layers with an emission factor of 0.21. This produces a mass balance of 10,500 kg/NH₃/animal places/year.

The increase in emission between the different scenarios is 3771.4 kg/NH₃/animal places/year, which is equivalent to 110,923 broilers (current permit) which would trigger a substantial variation on the basis of exceeding the 40,000 places threshold.

Therefore we have concluded that the variation type is substantial even though the number of places are decreasing.

Birds will be housed at approximately 17 weeks and depopulated at around 60 weeks of age. The poultry houses will be empty for 9 weeks and there will be one cycle per year done on an all in, all out basis. The poultry houses will be pre-warmed by gas fired blown air heater and there will be 2 cm of bulk wood /shaving /sawdust. At depletion litter will be removed and the poultry houses will be pressure washed, disinfected and dried ready for the next cycle.

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).

Amendments have been made to the conditions of this variation and a consolidated permit has been issued, so that it now implements the requirements of the EU Directive on Industrial Emissions.

Overview:

The Operator has provided summary of the technical standards to support the application.

The key permit changes are:-

- S1.1 Activities table updated to authorise layers with 50,000 places and inclusion of incineration as a directly associated activity.
- S1.2 Operating techniques table updated .
- S1.3 Point source emissions to air ,water and land have been updated.
- The improvement programme requirements (previously Table S1.3) has been removed as all improvements have been completed.

We have taken the opportunity to consolidate and update the permit to modern conditions and to include the requirements of the Industrial Emissions Directive (IED).

There are no sensitive receptors (odours or noise) within 400 metres of the installation.

Ammonia Assessment :

Scutt Mill Farm is set within a rural setting approximately two kilometres east of the village of Staunton-on-Wye.

There is one Special Area of Conservation within 10 km of the poultry unit which is also a Site of Special Scientific Interest. In addition there are also six other Sites of Special Scientific Interest within 5 km of the poultry unit. There are three Local Wildlife Site , one of which is also an Ancient Woodland within 2 km of the poultry unit. They are listed below -

Table 1:- Designated Sites with appropriate distance of the Poultry Unit.

Designation	Name of site	Distance from Poultry unit (m)
SAC	River Wye	2,126
SSSI	The Stutts	5,000
SSSI	Mornington Scar	3,221
SSSI	River Wye	2,126
SSSI	The Flits	3,715
SSSI	Moccas Park	4,513
SSSI	Bishon Meadow	4,236
LWS	Garnons Hill and Caroline Coppice	749
LWS	Land at Turnpey Ley	2,000
LWS	Kenmore Coppice	1,378
AW	Kenmore Coppice	1,378

Ammonia assessment - SAC

The River Wye is within 10 km of the farm. It is an aquatic environment. Having consulted Natural England 30/06/2014 they confirmed that there are no critical levels assigned to the River Wye SAC/SSSI for its entire length in England. This is due to the fact that give the likely dominance of other (diffuse, aquatic) sources of nitrogen the application of a critical level for atmospheric ammonia would not be appropriate. **Therefore no ammonia assessment was necessary.**

Ammonia assessment – SSSI

There are 6 SSSI's within 10 km of the farm. For SSSI's 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 in-combination assessment and/or detailed modelling may be required.

Screening using the Ammonia Screening Tool (v4.4) –see table 1 above has indicated that ammonia emissions from Scutt farm will only have the potential to impact on sites with a critical level of 1 ug/m³(precautionary critical level) if they are within **1,597** metres of the emission source. Screening indicates that beyond this distance the PC at the SSSI's is less than 20 % of the critical level. **In this case all the SSSI's are beyond this distance**

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.

Where a site screens out for ammonia at a CLe of 1 µg/m³ it is not necessary to consider PCs of nitrogen and acid deposition.

Ammonia assessment – Local Wildlife Sites and Ancient Woodlands.

There are 3 Local Wildlife Sites (LWS) one of which is also an Ancient Woodlands (AW) within 2 km of the farm.

For Local Wildlife Site and Ancient Woodlands if the PC is below 100% of the relevant CLe or CLo then the farm can be permitted with no further assessment. Where this threshold is exceeded an in combination assessment and or detailed modelling may be required.

Screening using the Ammonia Screening Tool (v4.4) –see table 1 above has indicated that ammonia emissions from Scutt farm will only have the potential to impact on sites with a critical level of 1 ug/m³(precautionary critical level) if they are within **559** metres of the emission source. Screening indicates that beyond this distance the PC at the LWS/AW is less than 100 % of the critical level. **In this case all the LWS/AW are beyond this distance**

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.

Where a site screens out for ammonia at a CLe of 1 µg/m³ it is not necessary to consider PCs of nitrogen and acid deposition.

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		

Aspect considered	Justification / Detail	Criteria met
		Yes
Scope of consultation	<p>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.</p> <p>The following were consulted :</p> <p>Herefordshire Council Environmental Health Birmingham Office Health and Safety Executive</p>	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
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	<p>All applicable European directives have been considered in the determination of the application.</p> <p>This variation implements the requirements of the EU Directive on Industrial Emissions (IED) – see key issue section above for further information on IED and groundwater and soil monitoring.</p>	✓
The site		
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>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p> <p>The original plan on issue of the permit 18/01/08 was not clearly defined , we have with the agreement of the permit holder and Local Environment Agency Area officer slightly amended and clearly defined the installation boundary. The minor amendments are of no consequence.</p>	✓
Biodiversity, Heritage, Landscape	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat .	✓

Aspect considered	Justification / Detail	Criteria met Yes
and Nature Conservation	<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.</p> <p>An appendix 11 has been sent to Natural England for Information only . An appendix 4 has been completed as a record and saved onto EDRM.</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>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The technical Standards are detailed in Appendix 6 of the application supporting documents and are in-line with SGN EPR6.09.</p> <p>In summary :</p> <p>Feed:</p> <p>Selection and use of feed is in accordance with SGN EPR6.09 'How to comply with your environmental permit for intensive farming'. Protein is reduced over the growing cycle. Phosphorus levels in rations are reduced over the production cycle.</p> <p>Housing:</p> <p>Housing design and management is in accordance with SGN EPR6.09 'How to comply with your environmental permit for intensive farming'. The housing has been refurbished and is well insulated with a U-value of approximately 0.4 W/m²/°C to reduce condensation and heat loss. The poultry houses have a damp proof course and are fan ventilated with a fully littered floor with non-leaking drinking system</p> <p>Slurry and Manure :</p> <p>Slurry is not stored at the installation but exported off site by a third party for land spreading.</p> <p>Fugitive emissions:</p> <p>Appropriate measures for preventing and minimising fugitive emissions are in place in accordance with SGN 6.09 'How to comply with your environmental permit for</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>intensive farming'</p> <p>Drainage from poultry housing and water from cleaning out will be collected in underground storage tanks.</p> <p>Feed will be stored in purpose build covered feed silos and blown into the silos. Dust will be controlled through the management of litter and air quality</p> <p>Fallen stock will be disposed of in accordance with Animal By-products Regulations.</p> <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the SGN EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.</p>	
The permit conditions		
Updating permit conditions during consolidation.	<p>We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit(s).</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
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	<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 RGN 5 on Operator Competence.</p>	✓

Annex 2: Consultation and web publicising responses

No responses were received.