Determination of an Application for a PPC Permit under the Pollution Prevention and Control (England and Wales) Regulations 2000 (SI 2000 No.1973)

Decision document recording the decision-making process

Note: all references to the "PPC Regulations" are to the Pollution Prevention and Control (England and Wales) Regulations 2000 (SI 2000 No.1973), as amended.

Administrative details

Duly made application date	**01/02/07**
Permit number (the "Permit")	**RP3632MU**
Applicant (the "Applicant")	**W. J. Watkins and Son Limited**
Address/location of installation (the "Installation")	**Cross Farm Pig and Poultry Unit and Beacon Farm Poultry Unit** **Cross Farm** **Holsworthy Beacon** **Holsworthy** **Devon** **EX22 7ND** **Beacon Farm** **Holsworthy Beacon** **Holsworthy** **Devon** **EX22 7ND**
Name of Authorising Officer	**S. Harry**

Contents

Introduction and summary of decision

Part A General Issues

Part B The installation and its management

Part C Operations and releases

Part D Other legal considerations

Annex 1 Consultee and public responses

Annex 2 Improvement Conditions

INTRODUCTION

Purpose of this document

The decision document explains why the specific conditions in the permit have been imposed.
The permit contains many conditions taken from our standard PPC permit template (version 3). We developed these conditions in consultation with industry having regard to the legal requirements of the PPC regulations and other relevant legislation. This decision document does not include an explanation for these standard conditions. Where they are imposed we have considered the statements and information contained in the application are sufficient. This decision document does however, provide an explanation for the use of alternate conditions where our permit template allows for two or more options. Emission and monitoring compliance levels and any additional conditions that have been imposed in order to take installation-specific factors into account are explained.

Summary of the decision

We have decided to grant a permit for the operator, subject to the conditions in the permit. Where the permit includes standard conditions (see above), these have been considered to be appropriate for the installation, in particular in ensuring that all appropriate measures will be taken against pollution and that no significant pollution will be caused. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that all appropriate measures will be taken against pollution and that no significant pollution will be caused.

PART A – GENERAL ISSUES

A1 Administration

This section includes administrative information relating to the application and information about the applicant and the installations.

The application was duly made on 1st February 2007.

The operator has not made a claim for commercial confidentiality. We have not received any information in relation to this application that appears to be confidential in relation to any party.

The application was advertised and consulted upon in accordance with the regulations. Details of the advertising and consultation are on the public register. Any responses received are summarised in Annex 1. We have taken these into consideration as described in Annex 1 when determining the application.

The requirements of PPD do not apply to this application.

A2 Description of the installation

A brief description of the installations is in the introductory note to the permit.

A3 Operator competence

We consider that the applicant (now the operator) is the person who will have control over the operation of the installations after the grant of the permit. We consider that they will be able to operate the installations so as to comply with the conditions we have included in the permit.

PART B: THE INSTALLATION AND ITS MANAGEMENT

B1 The permitted activities

Permit condition 2.1

This permit applies to a single installation comprised of Cross Farm and Beacon Farm. All the farms have the same operator and are considered to be on the same site. Both farms share a directly associated activity, the carcass incinerator.

Cross Farm and Beacon Farm carry out:

- the rearing of poultry intensively in an installation with more than 40,000 bird places,

Cross Farm carries out:

- the rearing of pigs intensively in an installation with more than 2,000 places for production pigs (over 30kg),
- the rearing of pigs intensively in an installation with more than 750 places for sows,

These are listed activities under Schedule 1 of the PCC Regulations.

We have determined that the installation comprises the following activities listed in Part 1 of Schedule 1 to the PPC Regulations and the following Directly Associated Activities.

Table S1.1 Activities		
Activity listed in Schedule 1 of the PPC Regulations	**Description of specified activity**	**Limits of specified activity**
Installation comprised of Cross Farm and Beacon Farm		
Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than: (i) 40,000 places of poultry	The rearing of poultry in a facility with a total capacity for 451,000 places for laying hens comprising: Cross Farm: 79,000 places for laying hens. Beacon Farm: 372,000 places for laying hens.	From receipt of birds, raw materials and fuels onto the site to removal of birds and associated wastes from site.
Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than: (ii) 2,000 places for production pigs (over 30kg)	Rearing of pigs intensively in an installation with a capacity for 16,500 production pig places at Cross Farm.	Keeping of production pigs (over 30kg), including from receipt of raw materials and fuels on to the site to finished pigs and associated wastes being removed from site.
Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than: (iii) 750 places for sows	Rearing of pigs intensively in an installation with a capacity for 1,500 sow places at Cross Farm.	Keeping of sows, including from receipt of raw materials and fuels onto the site, from site production of piglets, rearing of piglets to 30Kg and up to removal of pigs and associated wastes from site.

Directly Associated Activity		
Carcass incineration (Located at Cross Farm)	Operation of an Incinerator for carcass disposal Animal Health approved < 50 kg/hr	From receipt of raw materials and receipt of fuels and input of caresses, to release of combustion products to air and associated wastes removed from site

For the purpose of simplifying Table S1.1, the storage of raw materials such as feed, chemicals and fuel, and the storage and disposal of waste are considered intrinsic to the rearing of poultry and pigs and so are included in the limits of the activity. For the purpose of establishing whether sites are united and the extent of an installation thereafter, the storage of raw materials such as feed, chemicals and fuel, and the storage and disposal of waste were also considered to be directly associated to the rearing of poultry and pigs.

The operation of an Incinerator for carcass disposal is listed as a Directly Associated Activities because its operation is to serve the listed activities. The incinerator is situated at Cross Farm and used for carcass disposal from both Cross and Beacon Farms.

Waste stored within the installations and disposed of from the installations is solely from the Schedule 1 activity and Directly Associated Activities.

B2 The site

Permit condition 2.2

The operator has provided a plan which we consider is satisfactory, showing the site of the installation and its extent. A plan is included in the permit at Schedule 2, and the operator is required to carry on the permitted activities within the site boundary.

PART C: OPERATIONS AND RELEASES

The following section applies to all the farms comprising the installation regulated under this permit unless otherwise indicated.

C1 Operating techniques

Permit condition 2.3/table S1.2

We have specified that the applicant must operate the installation in accordance with the descriptions in the application and listed in table S1.2.

Table S1.2 Operating techniques		
Description	**Parts**	**Date Received**
Application	The responses to sections B2.3.1, B2.3.2, B2.3.3, B2.5.1, B2.5.2, B2.5.3, B2.7.1 and B2.7.2 in the Application.	01/02/07
Application	The responses to sections B2.3.1, B2.3.2, B2.3.3, B2.6.1, B2.6.2, B2.6.3, B2.7.1 and B2.7.2 in the Application.	01/02/07
Request for Information dated 20/03/07	Response to Request for Information confirming site drainage and key activities to be marked on site plan.	10/08/07

Permit condition 1.4

The operator has specified the use of raw materials that are on an approved list.

C2 Off-site conditions

Permit condition 2.4

Based on the information submitted in the application, we consider that it is not necessary to impose any off-site conditions.

C3 Improvement Conditions

Permit condition 2.5

Based on the information in the application we consider that we need to set improvement conditions. These are listed in Annex 2- justifications for these are provided in Annex 2 and /or at the relevant sections of the decision document.

The current drainage and housing serving the site may not be BAT. We recognise that new techniques cannot be brought into effect overnight on existing installations however we expect industry to adopt best practices and new technologies and make continual improvements as deemed necessary. To enable us to agree a structured programme of improvements we have asked the operator to undertake a review of all site drainage at the installation (IC6) and a review of existing pig and poultry housing and management practices at the installation (IC7).

In addition the operator has identified that the slurry stores at Cross Farm are not covered. IC5 requires the operator to provide detailed proposals for replacing or covering existing slurry stores and lagoons in accordance with the requirements of section S5.3.1 and S6.3.1 of TGN How to Comply, Version 1.

C4 Pre-operational conditions

Permit condition 2.6

Based on the information on the application, we consider that we do not need to impose any pre-operational conditions.

C5 Site reference data

Permit condition 2.8

The applicant has provided an application site report which we have assessed and determined the installation's activities to show little likelihood of causing pollution with the exception of fuel storage. The Application site report identifies storage of fuel oil at both sites is not bunded. The permit includes an improvement condition (IC4) to ensure that this storage will be improved within 6 months of the permit being issued and therefore the collection of reference data is not required

The site setting has been determined as sensitive and requires protecting throughout the life of the permit through the appropriate technical measures. Improvement conditions set in the permit will ensure that pollution prevention measures are in place to a standard sufficient to minimise pollution.

The site is located on sandstone solid deposit and mudstone/siltstone deposit of the Bude formation. The site is situated on a minor aquifer with a high leaching potential with five boreholes near the site. The site drainage at the Cross Farm facility discharges to a soakaway and the drainage from the Beacon Farm facility discharges to a ditch (as described in Schedule 4 of the permit).

C6 Emissions to water, air or land.

Permit condition 3.1

We have reviewed the answers about the techniques used by the operator and compared these with the relevant guidance notes in How to Comply, V1 (Sections 3.1 and 3.2). The responses indicate the requirements are not met.

Air

There are no point source emissions to air from the installation. All emissions, including the ventilation outlets from the animal housing are considered to be fugitive emissions, and are discussed and recorded in Section C7 of this document.

Water

There are emissions to surface water and groundwater from this installation. A standard Improvement Programme Condition has been set requiring a review of drainage from the site.

Sewer

There are no emissions to sewer from this installation.

Land

There are emissions to land from this installation, but they are considered to be fugitive and are discussed in section C7.

We have reviewed emissions and there are no emission limits set.

We have reviewed the Operator's Assessment of the Environmental Impact (AEI) of emissions from the installation, and consider that this is consistent with the responses given in the application form. The proposed mitigation measures use technical measures as set out in the relevant guidance notes (How to Comply V1), and are adequate to protect the environment.

C7 Fugitive emissions of substances

Permit condition 3.3

We have reviewed the answers about the techniques used by the operator and compared these with the relevant guidance notes in How to Comply V1 Section 3.3. Standard Improvement Conditions requiring the operator to review all site drainage and housing and to set out a timetable for any necessary improvements have been included in the permit to ensure that the requirements are met.

Fugitive Emissions to Air

Below is a summary of emission points and potential pollutants:

SOURCE	POLLUTANTS
Side vents from poultry houses	Ammonia and dust
Side vents from pig houses	Ammonia
Vents from pig houses	Ammonia
Chimney from carcass incinerator	Hydrocarbons, trace metals, dust
Vents from oil tanks	VOC's
Exhaust from generator	Combustion products (oxides of nitrogen, sulphur and carbon; particulates)

Incinerator Emissions

The impact of emissions for the carcass incinerator is low. The operation is an Animal Health approved activity, and is operated according to the conditions of the licence.

Standby Generator Emissions

Emissions from the standby generator exhaust are deemed insignificant, as the generators are small and will not be operated continuously. They will only be operated as needed.

Fuel Storage Emissions

Emissions from fuel oil tanks are deemed insignificant. The fuel oil tank vent will only release emissions on filling and therefore volume and frequency of emission will be minimal.

Dust

The nature and particle size of dust generated in poultry housing results in the majority of any emission being deposited to ground in relative close proximity

to the low velocity release vents. The poultry housing has low velocity side vent outlets.

Dust emitted from intensive livestock units may also include fine particles with a diameter of less than 10 μm and known as PM10, which are capable of being inhaled. However, there is little information on the level of releases of these fine particles from poultry housing. Advice from the Health Protection Agency (Position Statement. Intensive Farming, 2006) suggests that it is possible that large farms may make a substantial contribution to local PM10 levels but if this were the case this should have been considered by the local authority within their local air quality review and assessment. The Local Authority have not identified this farm as being under consideration.

The application of BAT and mitigation measures addressing occupational health of workers by dust reduction measures will contribute to the protection of off-site receptors. However, because of the lack of detailed information on releases of PM10, any complaints from local residents should be reported to the Environment Agency. Following these complaints the Environment Agency will if necessary seek advice on the risk to health from the local Primary Care Trust. The Environment Agency will consider any new information on the release of fine particles which may become available in future permit reviews.

Feed is milled on site. Feed is mixed on site. Feed management procedures in place should ensure that particulate emissions will be minimised.

Ammonia – Human Receptors

Potential adverse effects of ammonia include respiratory irritation and may also give rise to odour complaints. Levels of ammonia in ambient air will decrease rapidly with distance from a source. The Health Protection Agency has indicated (Position Statement. Intensive Farming, 2006) that it is unlikely that ammonia emissions from a well run and regulated farm would be sufficient to cause ill health.

Odour complaints, which may be an indicator of high ammonia levels, should be recorded and reported to the Environment Agency. If necessary the Environment Agency will seek advice on the risk to health from the local PCT. The Environment Agency will consider any new information on the impact of ammonia on human health, which may become available in future permit reviews.

Ammonia – Ecological Receptors

Ammonia emissions from the farm may lead to effects on ecological receptors such as vegetation either directly as a result of the concentration of ammonia in the air or indirectly following deposition on the ground. Ammonia deposition could lead to acidification of the ecosystem or act as a fertiliser, leading to changes in the structure of the habitat.

An assessment of the potential impact of ammonia releases from the installation on ecological receptors (European sites, Sites of Special Scientific Interest and, where information was available, other non-statutory wildlife sites) was carried out following the Operational Instruction 'Assessing the impact of ammonia releases from existing intensive farms on conservation sites' and supplementary guidance 'Revised Habitats Assessments against UNECE Critical Levels', dated 1 August 2007. The assessment was undertaken using the Environment Agency AFP1 Screening Tool and AFP2 Modelling tool as appropriate.

The installation is within the prescribed distance of European sites and Sites of Special Scientific Interest (SSSI). The nearest European site is Culm Grasslands SAC approximately 5000m from the installation. The nearest SSSI is Brendon Farm (North) approximately 600m from the installation. (Beacon Farm poultry unit).

Initial screening using the AFP1 screening tool has determined that the Process Contributions of acidification and N deposition from the application site exceed the relevant Critical Load thresholds at the nearest or most sensitive European Habitat site and SSSI. Further modelling was therefore required to assess the impact of the farm on these receptors**.**

In April 2007 the ICP Task Force on Modelling and Mapping[1] adopted new Critical Levels for the effects of ammonia on vegetation. The new criteria are lower than the previous critical level and are more stringent than the equivalent deposition calculated using the AFP2 model for comparison with critical loads. The new critical levels represent the best available scientific advice on the sensitivity of vegetation to ammonia and were therefore used in the remaining stages of the assessment.

Critical levels (Cle) have been applied as follows:

- Sites with sensitive Lichen or Bryophyte interest and habitats for which sensitive lichens and bryophytes are an integral part, 1µg/m^3; and
- Other vegetation, 3µg/m^3.

The assessment considered the farm process contributions as a percentage of the new critical levels. The following trigger thresholds were applied:

- For European sites (and Ramsar) if the Process Contribution (PC) is below 4% of the relevant Cle then the installation can be permitted without habitats-related improvement conditions; and
- For SSSIs or other conservation sites if the PC is below 20% of the relevant Cle then the installation can be permitted without conservation site related improvement conditions.

Habitats Impact Assessment History

[1] The United Nations Economic Commission for Europe (UNECE) Convention on Long-Range Transboundary Air Pollution (CLRTAP) sets targets for reductions in acid rain and the effects of nitrogen on sensitive ecosystems for European Countries. The International Cooperative Programme (ICP) on Mapping and Modelling is an expert group established under the CLTRAP to agree techniques to be used for the assessment of effects, including environmental criteria.

Separate application documentation was originally submitted for Cross Farm and Beacon Farm. However the Agency subsequently agreed that as the two farm units shared the same site and operator and had a common directly associated activities, then the units could be united within a single application and final permit issue. The separate farm units were originally modelled individually through AFP1 and AFP2. The activities of the united installation were re-modelled on 27/07/08, and a corresponding AFP2 Report produced. However as a result of discussions with the applicant on 07/04/08, it was identified that the animal numbers and categories used in this model run were not correct. Emissions from the united installation were therefore re-modelled a further time, and a corresponding AFP2 Report produced on 19/04/08. The data in the tables that follow are taken from this most recent AFP2 Report and are considered to be the most relevant information to conclude the assessment.

The following wildlife sites were considered (on the basis of criteria of distance from the farm and an initial assessment of the critical load):

Name of European site/SSSI/Non-statutory site	Critical level (µg/m^3 of ammonia)	Predicted annual average air concentrations of ammonia (µg/m^3) due to emissions from the installation (PC)	Process contribution as a % of the critical level
UK0012679, Culm Grasslands SAC	1	0.4	40
1001065, Brendon Farm (North) SSSI (Woodland Section)	1	9.1	910
1001065, Brendon Farm (North) SSSI (Grassland Section)	1	3.8	380
1001076, Small Brook SSSI	1	0.3	30

Note: Modelling concentrations have been rounded to 1 decimal place.

The Process contribution exceeds the relevant criteria at Culm Grasslands SAC, Brendon Farm (North) SSSI and Small Brook SSSI, therefore the impact of the installation together with contributions from all sources was considered at these sites. Although two other farms have the potential to have a minor impact on Brendon Farm North SSSI, in common with the approach taken with other high impacting sites, only the process contribution from this installation is considered in this assessment.

Name of European site/SSSI/Non-statutory site	Critical Level (µg/m^3 of ammonia)	Predicted annual average air concentrations of ammonia (µg/m^3) due to emissions	Background annual averaged air concentration of ammonia	Predicted Environmental Contribution (PEC)

		from the installation (PC)	(µg/m^3)	(µg/m^3)
UK0012679, Culm Grasslands SAC	1	0.4	3	3.4
1001065, Brendon Farm (North) SSSI (Woodland Section)	1	9.1	2.5	11.6
1001065, Brendon Farm (North) SSSI (Grassland Section)	1	3.8	2.5	6.3
1001076, Small Brook SSSI	1	0.3	2.3	2.6

The Predicted Environmental Concentration (PEC) exceeds the Critical Level at Culm Grasslands SAC, Brendon Farm (North) SSSI and Small Brook SSSI, therefore a more detailed assessment was undertaken.

The conservation agencies have advised us that in order to assess the impact of the farm(s) the following thresholds should be applied in the more detailed assessment:

- For European sites (and Ramsar sites), if the Process Contribution (PC) or sum of the PCs is below 20% of the relevant Cle then the installation can be permitted without habitats-related improvement conditions;
- For SSSIs if the PC or sum of the PCs is below 50% of the relevant Cle then the installation can be permitted without conservation site related improvement conditions.
- For non-statutory conservation sites if the PC is less than 100% of the relevant Cle the installation can be permitted without conservation site related improvement conditions.

The table below shows the process contribution from farms which contribute to European sites or SSSIs where the total ammonia contribution from all sources is greater than the appropriate critical level.

Name of European site/SSSI/Non-statutory site	Critical Level (µg/m^3 of ammonia)	Predicted annual average air concentrations of ammonia (µg/m^3) due to emissions from the installation (PC)	Concentration of ammonia due to emissions from the installation(s) as a % of the critical level
UK0012679, Culm Grasslands SAC	1	0.4	40
1001065, Brendon Farm (North) SSSI (Woodland Section)	1	9.1	910
1001065, Brendon Farm (North) SSSI (Grassland Section)	1	3.8	380

Name of European site/SSSI/Non-statutory site	Critical Level (µg/m^3 of ammonia)	Predicted annual average air concentrations of ammonia (µg/m^3) due to emissions from the installation (PC)	Concentration of ammonia due to emissions from the installation(s) as a % of the critical level
1001076, Small Brook SSSI	1	0.3	30

The PC is predicted to exceed 20% of the Critical Level at the Culm Grassland SAC and to exceed 50% of the Critical Level at Brendon Farm (North) SSSI. Therefore it is not possible to conclude that there will be no adverse effect to the SAC. The farm is also considered to be an operation likely to damage the SSSI. Improvement conditions have been included in the permit requiring the operator to implement measures which will, over time, enable this threshold to be achieved and thus meet the requirement for the activities to not cause an adverse effect on the SAC or to cause damage to the SSSI site.

The PC is also predicted to exceed the appropriate critical level without contributions from other sources at Brendon Farm (North) SSSI. Prompt action is therefore required in order to minimise the impact on this conservation site. The improvement conditions are therefore in two parts ;

i) the development of an initial plan within three months to reduce the contribution from the farm to below the critical level within 12 months of approval for the plan being given by the Environment Agency;
ii) the development of a second plan within 12 months of the permit issue to reduce the contribution from the farm below 20% of the critical level at the SAC and to below 50% of the Critical Level at the SSSI. The plan should be implemented within 4 years of issuing the permit unless agreed in writing with the Environment Agency.

The timescale for action is a balance between the need to minimise the effects of ammonia on conservation sites and time required to develop and implement a plan including any further studies that may be necessary.

Although the main assessment carried out by us considers the direct impact of the farm in relation to Critical Levels it is also important that indirect effects on the soil through acid rain or the fertilising effect of nitrogen are considered. These are assessed by considering the deposition of nitrogen in relation to critical loads for acidification and nutrient nitrogen.

The table below shows the estimated deposition on conservation sites where the ammonia concentration exceeds the critical level and the contribution from the farm exceeds the relevant significance criteria. There are very significant uncertainties in estimating ammonia deposition and so the amount of ammonia deposited as a result of emissions from the farm is shown as a range. The lower end of the range is based on the output from the

Environment Agency's AFP2 tool and the upper end a simple concentration/deposition velocity calculation.

Name of site	Critical load		Predicted deposition of N due to emissions from the installation (PC)		Estimated Background deposition of N (from the model FRAME)	
	Eutrophication (kgN/ha/yr)	Acidification (keq/ha/yr)	Eutrophication (kgN/ha/yr)	Acidification (keq/ha/yr)	Eutrophication (kgN/ha/yr)	Acidification (keq/ha/yr)
UK0012679, Culm Grasslands SAC	15	0.8	0.3 to 2.08	0.0 to 0.15	15.3	1.1
1001065, Brendon Farm (North) SSSI (Woodland Section)	15	1.5	7.6 to 70.90	0.5 to 5.06	45.1	3.54
1001065, Brendon Farm (North) SSSI (Grassland Section)	15	0.75	3.1 to 19.74	0.2 to 1.41	25.5	2.7
1001076, Small Brook SSSI	15	1.5	0.3 to 1.56	0.0 to 0.11	23.7	1.95

The estimated total nitrogen deposition from all sources exceeds the critical load(s) for acidification/nutrient N and the contribution from the farm is greater than the assessment thresholds at Brendon Farm (North) SSSI. Therefore indirect effects of nitrogen deposition may be occurring on the conservation site as a result of emissions from the farm. Because the assessment carried out in relation to critical levels is expected to be more stringent than that for critical loads, improvement conditions intended to minimise impacts against critical levels will also deliver the necessary reductions in deposition.

In summary, the critical level assigned for Brendon Farm North SSSI is 1µg/m^3 and we require the process contribution from this farm impacting on this site to reduce to 50% of the critical level within four years of permit issue. There are two improvement conditions included in the permit to achieve this reduction in a staged approach. The first requires a reduction to 100% of the critical level (1µg/m^3) within 12 months of permit issue (IC1) and the second requires a reduction to 50% of the critical level (0.5µg/m^3) within four years of permit issue (IC2). The percentage reductions required to achieve these values are 89% and 95%, and it is these values that are are stated in the improvement conditions (IC1 and IC2) of the permit. IC3 also requires the process contribution impact from this installation to reduce by 50% to 0.2 µg/m^3 at Culm Grasslands SAC within four years of permit issue.

Emissions to Water
There are fugitive emissions to water.
The surface water run off from the roofs of the poultry house at Beacon Farm is collected by guttering and is released to a ditch. During clean out, dirty water from wash out operations is collected in the dirty water lagoon system.

The operator is required by conditions in the permit to review all site drainage and to set out a timetable for any necessary improvements to ensure that the requirements of the relevant guidance note are met.

Emissions to Land
There are fugitive emissions to land.
The surface water run off from the roofs of the pig and poultry houses at Cross Farm is collected by guttering and directed to soakaways. During clean out, dirty water from wash out operations is collected in the dirty water lagoon system.

The operator is required by conditions in the permit to review all site drainage and to set out a timetable for any necessary improvements to ensure that the requirements of the relevant guidance note are met.

The proposed techniques for preventing and minimising fugitive emissions are considered sufficient.

C8 Conditions relating to Odour

Permit condition 3.4

The site is located within 400m of sensitive receptors and an Odour Management Plan was submitted with the application. This Plan is considered acceptable having regard to the site specific circumstances at the installation. The operator is required to manage activities at the Installation in accordance with this Odour Management Plan as specified in Schedule 1, Table S1.4 of the Permit.

C9 Noise and vibration

Permit condition 3.5

The site is located within 400m of sensitive receptors and a Noise Management Plan was submitted with the application. This Plan is considered acceptable having regard to the site specific circumstances at the installation. The operator is required to manage activities at the Installation in accordance with this Noise Management Plan as specified in Schedule 1, Table S1.5 of the Permit.

C10 Monitoring

Permit condition 3.6

We have decided that no monitoring of emissions is required.

C11 Reporting

We have decided reporting of emissions is not required.

C12 Miscellaneous

Not Applicable.

PART D: OTHER LEGAL REQUIREMENTS

Groundwater Regulations 1998

The installation does not make a direct discharge of List I substances to groundwater. The Agency considers that technical measures included within the permit will give adequate protection to groundwater.

The operation of the installation will not cause the direct or indirect discharge of List II substances.

Waste Management Licensing Regulations (WMLR 1994) - (pursuit of the relevant objectives where there is the disposal or recovery of waste)

The installation includes no activities for the disposal or recovery of waste.

Conservation

The Conservation (Natural Habitats etc) Regulations 1994

The proposed installation was considered to have the potential to have a significant effect on European sites and an “appropriate assessment” within the meaning of the Regulations has been undertaken and in order to be satisfied in the light of the appropriate assessment that the proposals will not “adversely affect the integrity of any European site” the following additional condition has been imposed - IC3.

Countryside and Rights of Way Act 2000 (CROW 2000)

Section 85 Duty concerning Areas of Outstanding Natural Beauty (AONB)

There is no AONB which could be affected by the Installation

Section 28G Wildlife and Countryside Act 1981 (WCA 1981) Duty concerning SSSIs

Consideration has been given in terms of the Agency's duty under section 28G WCA 1981 (as amended by Schedule 9 of CROW 2000) to take reasonable steps to further the conservation and enhancement of the SSSI, and the following requirements have been identified. Improvement Conditions IC1 and IC2 have been included within the permit to further the conservation of Brendon Farm (North) SSSI and other relevant SSSIs.

Section 28 I WCA 1981 Duty to consult Natural England/CCW

Natural England were informed by letter on receipt of the application as there are Habitat sites located within 10km or CROW sites located within 5km of the installation.

The advice received from Natural England, following its consultation as required under s28 I WCA 1981 (as amended by Schedule 9 CROW 2000), has been taken into account when deciding to grant the Permit and in determining its conditions and the following conditions have been added as a result: Improvement Conditions IC1, IC2 and IC3.

Environment Act 1995 – Section 7 (Pursuit of Conservation Objectives)

Consideration has been given to whether any additional requirements should be imposed in terms of the Agency's duty to have regard to the various conservation objectives set out in S 7 EA 1995, but it is felt that existing requirements are sufficient in this regard and no other appropriate requirements have been identified.

ANNEX 1: CONSULTEE AND PUBLIC RESPONSES

Advertising and statutory consultation

Summary of responses to advertising and statutory consultation and the way in which we have taken these into account in the determination process:

Brief summary of issues raised	Response received from	Summary of actions taken or show how this has been covered
Ensure that through the use of BAT dust is minimised. Ensure there is no reasonable cause for annoyance from noise or odour. Ensure through operational and permit conditions that Fugitive emissions to air and water are minimised. Ensure through standard permit conditions that the design, construction and management of manure and slurry stores prevents or minimises emissions.	Health Protection Agency Received 23 March 2007	The application of Best Available Techniques and mitigation measures addressing the occupational health of workers should minimise any potential health impacts of releases from the farm on local communities. (Measures for the protection of occupational health are a matter for the operator and appropriate health and safety regulator and are not covered by this permit). Complaints from local residents will be required to be reported to the Environment Agency. Following these complaints the Environment Agency will, if necessary, seek advice on the risk to health from the local Primary Care Trust/Local Health Board. The Environment Agency will take into account any new information on emissions or the health effect of pollutants in future permit reviews.
Manure or litter disposal should be managed to ensure there is no risk of pathogens entering the food chain. Wash water should not be allowed to contaminate surface or ground water. Any changes to processing should not compromise the microbiological status of the animals/products entering the food chain.	Food Standards Agency Received 12 March 2007	Manure is exported off the site by a contractor and spread on separately owned land. Dirty water is diverted to storage tanks. Refer to C3 and IC2. Not applicable to PPC.
No comments for consideration.	Torridge District Council Received 29 May 2007	No action required
Concurred with revised assessments submitted December 07, which ascertained that it was not possible to conclude no adverse affect on the SAC or that their would be no damage to the SSSI. Also that any incombination impact should be checked to ensure that only overlapping impacts were considered.	Natural England Received 01/10/07 and 17/03/08	No further action required.
No responses received	Response to Public Notification	No action required

ANNEX 2 Improvement conditions

Ref no	Condition	Date	Reason
IC1	The operator shall provide written proposals to reduce the emission from the permitted installation by 89% or such other measures so that the contribution to the ammonia concentration in air at Brendon Farm North SSSI is no more than 1 $\mu g/m^3$ as an annual average. The proposals should include timescales for implementation not exceeding 12 months. The proposals shall be implemented by the operator from the date of approval in writing by the Environment Agency, subject to such amendments, timescales or additions as notified by the Environment Agency.	31/07/08	The process contributions from the installation exceeds the relevant Critical Level set for the Brendon Farm (North) SSSI site, IC1 has been included to reduce the concentration at this SSSI site. Please refer to Section C7 for detail
IC2	The operator shall provide written proposals to reduce the emission from the permitted installation by 95% or such other measures so that the contribution to the ammonia concentration in air at Brendon Farm North SSSI is no more than 0.5 $\mu g/m^3$ (50% of 1 $\mu g/m^3$) as an annual average. The proposals shall be implemented by the operator by 30 October 2011 subject to such amendments, timescales or additions as notified by the Environment Agency.	30/04/09	The process contributions from the installation exceeds the relevant thresholds set for the Brendon Farm (North) SSSI site, IC2 has been included to reduce the concentration at this SSSI site. Please refer to Section C7 for detail.
IC3	The operator shall provide written proposals to reduce the emission from the permitted installation by 50% or such other measures so that the contribution to the ammonia concentration in air at Culm Grasslands SAC is no more than 0.2 $\mu g/m^3$ (20% of 1 $\mu g/m^3$) as an annual average. The proposals shall be implemented by the operator by 30 October 2011 subject to such amendments, timescales or additions as notified by the Environment Agency.	30/04/09	The process contribution from the installation exceeds the relevant thresholds set for the Culm Grasslands SAC. IC3 has been included to reduce the concentration at this Habitats Directive site. Please refer to Section C7 for detail.
IC4	The operator shall bund the Agricultural fuel oil storage facilities to comply with the requirements of S3.3 of TGN How to Comply, Version 1.	31/10/08	The Application site report identifies that the storage of fuel oil and chemicals is not bunded. This IC has been included to ensure that this storage will be bunded within 6 months of the permit being issued. The 6 month date is so that reference data for the site is not required.
IC5	A written plan shall be submitted to the Agency for approval detailing proposals for replacing or covering existing uncovered slurry stores and lagoons at Cross Farm to comply with the requirements of section 5.3.1 and 6.3.1 of TGN How to Comply, Version 1. The proposals shall include a timetable for the replacement and refurbishment work. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Agency subject to such amendments or additions as notified by the Agency.	31/10/08	This is a standard improvement on all farming installations, which will reduce emissions to air. We recognise that all operators need to review their existing structures and to make proposals for improvements. Proposals will need to be checked for compliance with Control of Pollution (Silage Slurry and Fuel Oil) Regulations 1991 (as amended 1997) before improvements are put in place, and some structures will require planning permission.
IC6	A written plan shall be submitted to the Agency for approval,	30/04/09	The current drainage on site may

	following a review of all site drainage at the installation. The plan should take into account the appropriate measures for the management of drainage systems and run-off in S3.3 of TGN How to Comply, Version 1, including specific reference to soakaways and include a timetable for any improvements to the drainage system. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Agency subject to such amendments or additions as notified by the Agency.		not be BAT. We recognise that new techniques cannot be brought into effect overnight on existing installations however we expect industry to adopt best practices and new technologies and make continual improvements as deemed necessary. To enable us to agree a structured programme of improvements we have asked the operator to undertake a review of all site drainage at the installation.
IC7	A written plan shall be submitted to the Agency for approval following a review of existing pig and poultry housing and management practices at the installation. The plan shall take into account the appropriate measures in S5.2.1 & S5.2.2 and S6.2.1 & S6.2.2 of TGN How to Comply, Version 1. The plan shall identify measures to reduce emissions to all media, the likely cost of such measures and a proposed timetable for their implementation. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Agency subject to such amendments or additions as notified by the Agency.	30/04/09	The current housing on site may not be BAT. We recognise that new techniques cannot be brought into effect overnight on existing installations however we expect industry to adopt best practices and new technologies and make continual improvements as deemed necessary. To enable us to agree a structured programme of improvements we have asked the operator to undertake a review of existing pig and poultry housing and management practices at the installation.