Environment Agency permitting decisions

Variation

We have decided to issue the variation for Cross and Beacon Farm operated by W. J. Watkins and Son Limited

The variation number is EPR/RP3632MU/V003

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

- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Annex 1: decision checklist

This document should be read in conjunction with 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.	✓
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 report	The operator has provided a description of the condition of the site. We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5).	✓

Aspect considered	Justification / Detail	Criteria met Yes
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a nature conservation site 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. Formal consultation has been carried out with Natural England. The consultation responses (Annex 2) were taken into account in the permitting decision.	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.	✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility.	✓
The permit conditions		
Incorporating the application	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. These descriptions are specified in the Operating Techniques table in the permit.	✓
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Relevant convictions	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared. Relevant convictions were found and declared in the application. The operator satisfies the criteria in RGN 5 on Operator Competence.	✓

Annex 2: Consultation and web publicising responses

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process.

Response received from
Health Protection Agency 20/01/12
Brief summary of issues raised
The above installation has the potential to cause pollution such as fugitive emissions (ammonia, bio-aerosols and particulates) and pollution to ground and surface water in the form of leachate and spillages. Furthermore, potential exists to cause nuisance in respect of flies, odour and noise from the operation itself and any variation being granted needs to ensure these are managed. Provided the installation complies with the Regulatory requirements, there is unlikely to be any significant adverse impact upon public health.
Summary of actions taken or show how this has been covered
There are neighbours within 400m of the installation and therefore the permit holder is required to operate in accordance with their odour and noise management plans. The Operator is required to report complaints caused by fugitive emissions (including dust and flies) as a condition of their permit. Intensive livestock farms above a certain size were first brought into the pollution prevention and control regulatory regime in 2007. As part of the preparation for this move the potential for impacts on human health as a result of pollutants released from pig and poultry farms were considered by the Health Protection Agency. The Health Protection Agency concluded that whilst intensive farms may cause pollution, provided they comply with modern

regulatory requirements any pollutants to air, water and land are unlikely to cause serious or lasting ill health in local communities (HPA Position statement 2006). DEFRA's Local Air Quality Management Technical Guidance (Technical Guidance LAQM TG(09) February 2009) identifies potential pollutant sources for local authorities to consider when deciding whether there is the potential for air quality objectives in a particular area to be breached and a need for more detailed assessment. This document does not require local authorities to consider intensive poultry farms. Plans are in place to ensure that all dirty water will be contained at Cross Farm. If poultry houses at Beacon Farm are used in the future, then changes will be made to dirty water collection facilities.
Response received from
Torridge District Council 23/01/12
Brief summary of issues raised
Environmental Protection have a received a number of complaints in the area regarding flies and allegations that these arise from manure spreading. Therefore I would recommend that procedures are in place to ensure that any manure leaving the site is free of lavae and flies and that records are kept of where any manure is going and that it is adequately dealt with (ie ploughed in adequately) to prevent any possible fly infestation.
Summary of actions taken or show how this has been covered
We are aware of an historical fly problem that arose at a nearby poultry farm. Weekly manure clean-out of the poultry houses has been introduced partly to reduce the risk of fly nuisance problems at Beacon Farm. The Operator has stated that additional actions (e.g. treatment using insecticides) will be used should a potential problem be identified. Records are kept of the quantities of manures produced and where they are taken to. Permit condition 2.3.3 requires that the operator shall take appropriate measures in off-site disposal or recovery of solid manure or slurry to prevent, or where this is not practicable to minimise, pollution.

No responses were received from the Food Standard Agency or the Primary Care Trust.