

# Environment Agency permitting decisions

## Bespoke permit

We have decided to grant the permit for Holfield Grange Duck Unit operated by Mr Christopher Hill.

The permit number is EPR/UP3430AC

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
- Annex 2 the consultation and web publicising responses

# Key issues of the decision

## 1. Introduction

The installation known as Holfield Grange Duck Unit is situated approximately 1.4 kilometres to the north west of the village of Coggeshall in Essex. The installation is approximately centred on National Grid Reference TL 83503 23789.

The installation is operated by Mr Christopher Hill and will comprise four poultry houses with a combined capacity for 56,000 duck places. This will be a newly built installation, with no existing units on the land.

The facility is required to be permitted as a scheduled activity under Environmental Permitting Regulations as follows;

*Section 6.9 A (1) (a) (i) Rearing of poultry intensively in an installation with more than 40,000 places*

## 2. 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.

## 3. Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain a condition relating to protection of soil, groundwater and groundwater monitoring (in this permit condition 3.1.3 has been included). 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 (SCR) for Holfield Grange Duck Unit (received 10/02/15) demonstrated that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. **Therefore, on the basis of the risk assessment presented in the SCR, we accept that they have not provided baseline reference data for the soil and groundwater at the site at this stage.**

#### **4. Ammonia emissions – ecological assessment**

Linked to the management of odour on site is the potential impact on nearby habitat sites due to emissions of ammonia from the proposed facility. There is the potential for significant amounts of ammonia in the poultry manure to be released into the environment and have an adverse impact on nearby sensitive habitat sites.

We have completed an ammonia assessment and the details of this assessment are provided below.

##### Ammonia assessment

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA), or Ramsar sites located within the 10 kilometres (km) screening distance of the installation. There are 2 Sites of Special Scientific Interest (SSSI) located within 5 km screening distance of the installation. There are also 11 other nature conservation sites, comprising of 8 Local Wildlife Sites (LWS) and 3 Ancient Woodlands (AW), within 2 km screening distance of the installation.

Conservation sites are protected in law by legislation. The Habitats Directive provides the highest level of protection for SACs and SPAs, domestic legislation provides a lower but important level of protection for SSSIs. Finally the Environment Act provides more generalised protection for flora and fauna rather than for specifically named conservation designations. It is under the Environment Act that we assess other nature conservation sites (such as local wildlife sites and ancient woodland) which prevents us from permitting something that will result in significant pollution; and which offers levels of protection proportionate with other European and national legislation.

Critical levels and loads are set to protect the most vulnerable habitat types. Thresholds change in accordance with the levels of protection afforded by the legislation. Thus the thresholds for SAC, SPA and SSSI features are more stringent than those for other nature conservation sites.

Therefore we would generally conclude that the Installation is not causing significant pollution at these other sites if the PC is less than the relevant critical level or critical load, provided that the Applicant is using BAT to control emissions.

The nature conservation site assessment takes into account the United Nations Economic Commission for Europe (UNECE) critical levels (CLe) for ammonia, which 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<sup>3</sup>
- Other vegetation: 3µg/m<sup>3</sup>

The assessment also considers the deposition of ammonia resulting in nutrient enrichment (and acidification) against relevant critical loads (CLo). However, where a critical level of 1µg/m<sup>3</sup> is assigned, the level is protective of deposition impacts and so following our guidance no deposition assessments are necessary in this instance.

The assessment below is based on ammonia emission factor of 0.11 kgNH<sub>3</sub>/animal place/year for ducks reared in four poultry houses with gable end fan ventilation and fully littered floors. The maximum number of animal places of 56,000 has been utilised in this ammonia assessment.

#### Ammonia assessment – SSSIs

The following trigger thresholds have been applied for assessment of SSSIs. If the process contribution (PC) is below 20% of the relevant critical level (CL<sub>e</sub>) or critical load (CL<sub>o</sub>) 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 Environment Agency's Ammonia Screening Tool version 4.4 (ASTv4.4), completed on 04/03/15, has indicated that emissions from Holfield Grange Duck Unit will only have a potential impact on sites with a critical level (CL<sub>e</sub>) of 1 µg/m<sup>3</sup> (i.e. greater than 20% of the 1ug/m<sup>3</sup> CL<sub>e</sub>) if they are within 2,099 metres (m) of the emission source.

**Belcher's & Broadfield Woods SSSI** is approximately 3,532m and **Chalkney Wood SSSI** is approximately 5,032m from the installation. It is not necessary to consider these sites further. Since they screen out using the precautionary CL<sub>e</sub> of 1 µg/m<sup>3</sup>, it is not necessary to consider nitrogen and acid deposition.

No further assessment is required. An Appendix 4 has been completed for audit purposes and saved to public register.

#### Ammonia assessment - LWS/AW

There are 11 Local Wildlife Sites (LWS) and/or Ancient Woodland (AW) within 2 km of Holfield Grange Duck 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 ASTv4.4.

Screening using ASTv4.4 has indicated that emissions from Holfield Grange Duck Unit will only have a potential impact on sites with a critical level of 1 µg/m<sup>3</sup> if they are within 877m of the emission source. Screening indicates that beyond this distance, the PC at conservation sites is less than 1 µg/m<sup>3</sup>. 1 µg/m<sup>3</sup> is 100% of the 1 µg/m<sup>3</sup> CL<sub>e</sub> and therefore beyond this distance the PC is insignificant. In this case the following LWS/AW are beyond this distance.

**Table 1 – distance from source**

| Site                        | Distance (m) |
|-----------------------------|--------------|
| Blackwater Plantation LWS   | 1,468        |
| Great Monks Wood LWS        | 1,504        |
| Markshall Woodlands LWS     | 1,500        |
| Tilkey Road, Coggeshall LWS | 1,028        |
| Raynor's Wood LWS           | 1,880        |
| The Squire's Plantation     | 1,497        |
| Blackwater Plantation Wes   | 2,027        |
| Little Monks Woods AW       | 1,321        |
| Un-named woodland AW        | 1,880        |

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. Since they screen out using the precautionary CLe of 1 µg/m<sup>3</sup>, it is not necessary to consider nitrogen and acid deposition.

For the following sites this farm has been screened out, using ASTv4.4. The predicted PC on the LWS/AW for ammonia, acid and nitrogen deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect.

**Table 2 - Ammonia emissions**

| Site             | Critical level ammonia µg/m <sup>3</sup> | Predicted PC µg/m <sup>3</sup> | PC % of critical level |
|------------------|--|--------------------------------|------------------------|
| Bungate Wood LWS | 3*                                       | 1.514                          | 50.5                   |
| Bungate Wood AW  | 3*                                       | 1.514                          | 50.5                   |

\* CLe 3 applied as no protected lichen or bryophytes species were found when checking easimap layer

**Table 3 – Nitrogen deposition**

| Site             | Critical load kg N/ha/yr [1] | Predicted PC kg N/ha/yr | PC % of critical load |
|------------------|------------------------------|-------------------------|-----------------------|
| Bungate Wood LWS | 10**                         | 7.862                   | 78.6                  |
| Bungate Wood AW  | 10**                         | 7.862                   | 78.6                  |

\*\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 04/03/15

**Table 4 – Acid deposition**

| Site             | Critical load keq/ha/yr [1] | Predicted PC keq/ha/yr | PC % of critical load |
|------------------|-----------------------------|------------------------|-----------------------|
| Bungate Wood LWS | 8.65***                     | 0.562                  | 6.5                   |
| Bungate Wood AW  | 8.65***                     | 0.562                  | 6.5                   |

\*\*\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 04/03/15

No further assessment is required.

## 5. Odour

There are two sensitive receptor within 400 metres of the installation and therefore an odour management plan has been prepared, as required in chapter 3, section 3.3 of guidance SGN How to comply – Intensive Farming - The EPR Sector Guidance Note 6.09 for intensive pig and poultry farmers, Version 2, published January 2010 (SGN EPR 6.09). The residential properties are as follows:

1. Park Lodge located to the south of the installation adjacent to the installation boundary, at approximate grid reference 583614, 223651. This property is owned by the operator with the intention of housing a farm worker.
2. Gate House Farm is located approximately 370m to the east of the installation boundary at approximate grid reference 584117 223776, and at least 400m from the proposed location of the poultry houses.

An Odour Management Plan (OMP) has been submitted as part of the application supporting documentation, reference Appendix IV. An abbreviated version can be found in Appendix V of the Appendix II Written Management System.

This plan is considered acceptable having been assessed against the requirements of IPPC SRG 6.02 (Farming): Odour Management at Intensive Livestock Installations plus our Top Tips Guidance and Poultry Industry Good Practice Checklist and with regard to the site specific circumstances at the installation. The operator is required to manage activities at the installation in accordance with condition 3.3.1 and this odour management plan. The odour management plan includes odour control measures, in particular, procedural controls such feed selection, feed delivery, storage and containment, ventilation design, poultry litter management, carcass storage and disposal (later amended in responses to request for information received 31/03/15 and 08/04/15 regarding no longer incinerating on site), poultry house clean out operations, dirty water management, manure management, abnormal operations, and a complaints procedure. The odour management plan is required to be reviewed at least every 4 years and/or after a complaint is received, whichever is the sooner.

In addition an odour risk assessment has been completed as part of the environmental risk assessment (reference 9 table 4) submitted with application supporting documentation.

Additional details regarding clean out operations were received on 22/04/15 in a response to further information requested. Poultry houses will be de-stocked consecutively and that this will take approximately five hours per house. It has also been advised that a best case scenario for de-stocking and de-littering will be four houses in two days, worst case four houses in four days. Washing out is expected to take a minimum of 1 house per day (minimum 10 hours per house, houses washed consecutively) and 1 additional day for yards and roadways, therefore 5 days for a high standard wash. It is difficult to provide a precise length of time between de-stocking, de-littering and washing as this is dependent on other factors. However, the optimum position is to start de-littering as soon as the de-stocking is complete and washing as soon as the de-littering is complete, the aim being to empty, clean and refill as soon as possible.

We are satisfied that operations carried out on the farm will minimise the risk of odour pollution from the installation.

Park Lodge is not considered as a sensitive receptor in that it is owned by the operator for the purpose of providing accommodation for an employee of the farm, therefore it is unlikely that odour will be perceived as a nuisance.

Gate House Farm is located over 400m from the fan ventilated gable end outlets of the poultry houses, which will be the main outlet of emissions which may cause odour, and in the opposite direction of the fan outlets.

Overall there is the potential for odour pollution from the installation. The operator compliance with their Odour Management Plan, submitted with this application, will minimise the risk of odour pollution beyond the installation boundary.

However the risk of odour pollution beyond the installation boundary is considered not significant.

## **6. Noise**

There are sensitive receptors within 400 metres of the installation boundary as stated above in the odour section 4. The applicant has provided a noise management plan (NMP) as part of the application supporting documentation, reference Appendix IV of the Appendix II Written Management System.

Operations with the most potential to cause noise nuisance have been assessed as those involving large vehicles travelling to and from the farm, large vehicles on site, feed transfer from lorry to bins, operation of ventilation fans, alarm system, noise from ducks, personnel

and repairs. The noise management plan covers control measures for each of these potential noise hazards.

The management plan includes actions to prevent or minimise the noise, and a complaints procedure.

As for odour, Park Lodge is not considered as a sensitive receptor in that it is owned by the operator for the purpose of providing accommodation for an employee of the farm, therefore it is unlikely that noise will be perceived as a nuisance.

Gate House Farm is located approximately 370m from the installation boundary. Given the Environment Agency's experience of similar sized farms and distances to local receptors, it does not consider noise to be an issue from the farm operations.

Overall there is the potential for noise from the installation beyond the installation boundary. However the risk of noise beyond the installation boundary is considered insignificant.

## **7. Site Drainage**

We have considered the nature of the site drainage and the threat of pollution entering local watercourses including Robin's Brook.

During clean out of the poultry houses at the end of a cycle, all dirty wash water, including yard surface water from the concrete pad at the west end of the poultry houses, is directed to 2 underground sealed storage tanks, designed to collect the dirty water. Dirty wash water is then removed from the installation and spread on operator owned land, in accordance with a manure management plan, written in line with guidance in section 2.3 of SGN How to comply – Intensive Farming - The EPR Sector Guidance Note 6.09 for intensive pig and poultry farmers, Version 2, published January 2010.

Poultry house roof water is considered to be clean as there are no ventilation outlets on the roofs. This water drains to two soakaways within the north corners of the installation. Each soakaway has an overflow drainage path to a ditch to the north of the installation, which ultimately drains to the River Blackwater, via Robin's Brook.

During normal operations, yard surface water from the concrete area surrounding the houses has the potential to be lightly contaminated at the west end of the houses from dust collecting from the gable end fan outlets, and dust from feed storage bins at the east end of the houses. However good management of these areas, keeping the yard area clean from build up of dust, together with drainage via two soakaways as mentioned above, will provide adequate interception prior to drainage entering the ditch.

The site is not within a Source Protection Zone and we do not consider that there will be any significant pollution of the environment or harm to human health.

The installation is not within 250 metres of any well, spring or borehole used for the supply of water for human consumption, including private water supplies.

Overall there is negligible potential for lightly contaminated water to enter the drainage system from the installation beyond the installation boundary.

## **8. Risk of contamination to groundwater and local water supply**

Concerns were raised by a local resident regarding contamination of groundwater and the water supply from their well. The Environment Agency's Groundwater & Contaminated Land team were consulted to obtain advice on groundwater in that specific location (Squirrel's Hall).

The advice received is as follows:

The local area is underlain by boulder clay, over sand and gravel, over London Clay, over chalk. For a deep well into the chalk, the well is at no risk. If the well goes into the sand and gravel, it's possible that there may be a risk, assuming any of the activities at the duck farm pose a significant risk\*. This aquifer has a reasonable clay content so should retard contaminant transport to some extent. Natural groundwater flow in the sand and gravel aquifer is likely to follow the topography and could be to the north east/ east/south east in the area of the proposed duck farm, but is probably towards the north east/east and therefore probably not towards the abstraction at Squirrel's Hall. The degree to which the abstraction will draw in water and change local flow will depend on the abstraction rate, but given that it's a de minimus abstraction taking  $\leq 20 \text{ m}^3/\text{d}$ , it's unlikely to have any significant affect on flow direction. We believe that, given the distance of around 450 m to the abstraction (estimated), there should be adequate time for retardation of any contamination.

\*The risk from the duck farm will be controlled by site infrastructure and site management systems. Potential sources of emissions include: manure, wash-water, fuel and chemicals. Manure will remain inside poultry houses until the birds are removed and will be taken away from the installation for use as fertiliser. The poultry house construction has been assessed against Best Available Techniques (BAT) to ensure potential emissions are contained and the areas outside the houses will be made up of concrete aprons. Underground tanks will be installed to collect wash-water during the house clean out process and the resulting effluent removed from site for use on land. Fuel will be stored within secondary containment to reduce the risk of loss of fuel to the ground. Chemicals will be stored within secondary containment and kept in a fire-resistant, frost free location. All of these points will be checked during routine inspections of the installation and the operator will be required to notify us in the event of a significant environmental incident.

## 9. Dust

There is potential for dust to collect at the gable end fan outlets from emissions from the poultry housing, and dust from feed storage bins at the east end of the houses. However good management of these areas, keeping the yard area clean and regular inspections, will prevent the build of dust.

In addition, feed is not milled or mixed on site and on site and feed management procedures in place should ensure that particulate emissions will be minimised.



## Annex 1: decision checklist

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

| Aspect considered                             | Justification / Detail   | Criteria met<br>Yes |
|---|--|---------------------|
| <b>Consultation</b>                           |  |                     |
| 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 application was sent for consultation with Braintree District Council Environmental Health Department HSE</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>  | ✓                   |
| <b>Operator</b>                               |  |                     |
| 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.  | ✓                   |
| <b>European Directives</b>                    |  |                     |
| Applicable directives                         | <p>All applicable European directives have been considered in the determination of the application.</p> <p>This permit implements the requirements of the EU Directive on Industrial Emissions.</p>  | ✓                   |
| <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>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>   | ✓                   |
| Site condition report                         | <p>The operator has provided a description of the condition 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>  | ✓                   |

| Aspect considered   | Justification / Detail   | Criteria met<br>Yes |
|---|--|---------------------|
| 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 original permitting process. We consider that the application will not affect the features of the sites. <b>Please refer to section 'Ammonia Assessment' in Key Issues above.</b></p> <p>In addition an Appendix 4 (dated 17/03/15) was completed for audit purposes.</p> <p>All documents have been saved on EDRM.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>  | ✓                   |
| <b>Environmental Risk Assessment and operating techniques</b> |  |                     |
| 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> <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 operating techniques are as follows:</p> <ul style="list-style-type: none"> <li>• Poultry housing is ventilated by gable end fan outlets on all 4 houses</li> <li>• All houses are heated by means of LPG heaters</li> <li>• Litter is exported off site and is spread on operator owned land</li> <li>• Dirty wash water is exported off site and spread on operator owned land</li> <li>• Roof water and yard surface water drains to soakaways, which have overflows to a surface water ditch</li> <li>• Sealed and collision-protected feed storage bins</li> <li>• Carcasses are collected daily and stored in a secure container on site prior to removal off site by authorised contractors under the National Fallen Stock Scheme</li> <li>• Phosphorous and protein levels are reduced over the production and growing cycle by providing different feeds</li> </ul> <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</p> | ✓                   |

| Aspect considered             | Justification / Detail   | Criteria met |
|-------------------------------|--|--------------|
|                               |  | Yes          |
|                               | conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.   |              |
| <b>The permit conditions</b>  |  |              |
| 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> | ✓            |
| <b>Operator Competence</b>    |  |              |
| 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.</p> <p>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

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

### 1. Consultation Responses from Statutory and Non-Statutory Bodies

|  |
|--|
| Response received from   |
| Braintree District Council Environmental Services Department (received 14/04/15)   |
| Brief summary of issues raised   |
| <p>The key points raised were:</p> <p>Noise:</p> <ul style="list-style-type: none"> <li>• Park Lodge to be considered as a sensitive receptor as the premises may in future years be occupied by a sensitive receptor, and satisfy expected criteria such as BS8233 and BS41421 and to comply with health related criteria.</li> <li>• No quantitative assessment for noise or odour has been provided.</li> <li>• Carrying work out at night is not recommended and should be controlled by time conditions to prevent noisy activities. There is allegation that the houses are insulated but no evidence to support this.</li> <li>• Reverse beeper may be particularly intrusive at night and the application does not provide details of noise management of this source.</li> <li>• Noise emissions from extraction units have potential to be audible at a significant distance from source so a full assessment report should be provided to allow noise levels to be appropriately assessed. It is recommended noise does not give rise to an increase in background noise level (LA90) at any residential property.</li> <li>• Daily alarm tests mentioned but no mention of noise control procedures and duration of the test.</li> </ul> <p>Other matters:</p> <ul style="list-style-type: none"> <li>• Advised of private water supply 550m to the south east of site, and spreading of litter and wash water to land therefore the applicant should consider the impact of waste management activities on this receptor.</li> <li>• Significant amount of waste to be disposed of to land, and poultry litter can be particularly odorous and no specific information on odour control is provided.</li> <li>• The incinerator will have a burn capacity of 50kg/hr which would technically fall to Braintree District Council to issue a Part B permit (50kg/hr and over). Confirmation that the EA would agree to a direction under section 33 of the Environmental Permitting Regulations 2010 (as amended) to regulate the incineration activity.</li> </ul> |
| Summary of actions taken or show how this has been covered   |
| <p>Noise:</p> <p>Park Lodge is owned by the operator as accommodation for a farm worker at the installation therefore is not considered as a sensitive receptor for noise/odour at the permitting stage. Potential uses of the property at a future date cannot be considered at permit application stage.</p> <p>The nearest residential receptor is approximately 370m to the east of the proposed site boundary (and more than 400m from the poultry houses) which is adequate distance to consider the potential for impact from noise as low risk and therefore we wouldn't require a detailed noise assessment to be carried out. The application contains a noise management plan which has been assessed against our guidance.</p> <p>The poultry houses will be highly insulated as confirmed in the application supporting documents (Energy Efficiency section 8.1) and this is considered to be Best Available</p>   |

Techniques (BAT) for duck housing systems together with fan ventilation and consideration of house drainage for the proposed fully littered floor system, and is outlined in the permit application which is referenced in the permit operating techniques table S1.2, which the operator is required to comply with. No further detailed information would be required at permit application stage.

Other matters:

The spreading of waste isn't covered under the permit, nor are odour control measures for land spreading outside the installation boundary. However the operator is required to have a manure management plan (condition 2.3.6) which would need to be maintained. Relevant appropriate measures for spreading of duck litter and wash water are listed in section 2.3 of SGN How to comply – Intensive Farming - The EPR Sector Guidance Note 6.09 for intensive pig and poultry farmers, Version 2, published January 2010, which the operator has consulted for the purpose of completing the supporting documentation to the application. In addition area is in a Nitrate Vulnerable Zone, therefore any spreading will have to adhere to The Nitrate Pollution Prevention Regulations 2008

A carcass incinerator operating at less than 50kg/hr would be regulated by the Animal and Plant Health Authority (APHA) and not the local authority. However the applicant has subsequently amended their application to remove the incinerator and will dispose of fallen stock by exporting off site in accordance with the Animal By-product Regulations under the National Fallen Stock Scheme.

No further action is required.

The Health and Safety Executive (HSE) was also consulted, however, no consultation response was received.

## **2. Representations from Individual Members of the Public**

5 responses were received from individual members of the public, one from a local charity run organisation and one from the Coggeshall Parish Council. We have identified from the representations received common issues raised, as well as specific issues, and these are summarised in the following table together with our response.

| <b>Brief summary of issues raised</b>  | <b>Agency response</b>  |
|--|---|
| <p><u>Location/Visual Impact</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- proximity to residential area</li> <li>- public footpaths on 3 sides of the installation have not been considered. Walkers, joggers, dog walkers, families with babies and children as well as horse riders and cyclists regularly use the footpaths and unrestricted byway.</li> <li>- visual impact of the proposed installation.</li> </ul> | <p>Location or visual impact is not an issue under the Agency's remit. The Agency is responsible for ensuring that the activities at the installation do not have an unacceptable impact on the environment.</p> <p>A sensitive receptor is considered to be a place where people are likely to be for prolonged periods of time such as dwellings and their associated gardens, schools, hospitals, care homes etc.</p> <p>This is a matter for consideration during the planning process and does not form part of the Environmental Permit decision.</p> |

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| <p><u>Odour</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- odour nuisance downwind and also when wind occurs in other directions</li> <li>- odour assessment not taken into account dispersion rates based on wind speed, direction, air temperature, with no map or contours of odour included</li> <li>- applicant anticipates potential difficulties by drafting a complaints procedure</li> <li>- significant odour risk at the cleaning out operation</li> <li>- odour from manure storage in heaps on land between the proposed site and sensitive receptors downwind</li> <li>- odour arising from manure being moved from field heaps to be spread.</li> <li>- exposed location and in one of the highest areas of the local topography creating the increased possibility of odour dissemination to near and more distant receptors by even moderate wind action.</li> <li>- the ventilation system will continuously pumping out odour and siting of the extractor fans in the north west part of the rearing sheds unlikely to mitigate odour annoyance because of the exposed nature of the site.</li> </ul> | <p>Odour has been considered in Annex 1 Key Issues Section 5 of this decision document</p> <p>In addition:</p> <ul style="list-style-type: none"> <li>- odour modelling would not routinely be required to be submitted with an application and is only indicative of odour impact at sensitive receptors. The applicant has submitted an acceptable odour management plan (OMP). The operator is required to manage activities at the installation in accordance with condition 3.3.1 and this OMP.</li> <li>- the operator is required to include a complaints procedure within the OMP, and the OMP is required to be reviewed at least every 4 years and/or after a complaint is received, whichever is the sooner.</li> <li>- field storage of manure and land spreading outside of the installation boundary are outside the remit of the Environmental Permit and are therefore not part of our assessment. The surrounding land where manure may be stored and spread is not part of the installation. If manure is exported from the site then we cease to have any powers over it concerning odour. Odour nuisance arising from land spreading would be dealt with by the Local Authority Environmental Health Department who may exercise their statutory nuisance powers where necessary.</li> </ul> |
| <p><u>Noise</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- noise from the birds</li> <li>- noise from increased traffic to and from the site including heavy goods vehicles (HGVs)</li> <li>- noise effects on site from</li> </ul>  | <p>Noise has been considered in Annex 1 Key Issues Section 6 of this decision document.</p> <p>The local planning authority is responsible for determining land use through the planning application process, and this includes transport. Consideration of increased traffic outside of the installation boundary does not form part of the Environmental Permit decision, as this is beyond the responsibility of the Environment Agency as the relevant regulator.</p>  |

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| <p>engines and audible vehicle reversing warning systems.</p> <p>- noise 24 hours a day, 7 days a week having a significant affect on the people's health due to lack of sleep from lorries, bird catchers, the birds and the fact that grade 2 listed properties cannot install double glazing.</p> <p>-loss of amenity - gardens will no longer be peaceful havens to relax and enjoy.</p> <p>-local wildlife unlikely to come out of the woodland</p>   |  |
| <p><u>Ammonia:</u></p> <p>Concerns that the ammonia from the litter will be impossible to contain.</p>   | <p>An ammonia assessment has been completed in Annex 1 Key Issues Section 4 of this decision document.</p> <p>Odour arising from ammonia has been considered in Annex 1 Key Issues Section 5 of this decision document</p>   |
| <p><u>Site drainage</u></p> <p>Concerns over:</p> <p>- with the site located at the highest point, contamination from soakaways, waste water, waste urine and accidental leakage will affect the ditches around the site. Associated poisons, not limited to ammonia, and damaging chemicals and antibiotics would result in damage to the environment, to local ditches, Robins Brook and into Coggeshall and its water table.</p> <p>-the EA has no systematic inspection system in place to detect pollutants and the applicant hasn't considered these consequences.</p> | <p>Site drainage has been considered in Annex 1 Key Issues Section 7 of this decision document.</p> <p>In addition:</p> <p>- all contaminated water will be collected in tanks, removed from the installation and spread on land owned by the operator.</p> <p>- any chemicals stored on site will be stored in an area capable of retaining spillage, resistant to fire, frost-free and secure.</p> <p>- the risk of the installation leading to pollution of local surface water courses is considered insignificant, as assessed in Annex 1 Key Issues Section 7 of this decision document</p> <p>- with the controls in place we have assessed that no monitoring of the installation clean water discharges is required</p> |
| <p><u>Contamination of water</u></p> <p>Concerns over:</p> <p>– spreading of manure on adjoining land could cause contamination to neighbouring properties drinking water obtained via a well as they are not on</p>   | <p>Manure is removed from site at the end of each cycle and spread on land owned by the operator in accordance with a manure management plan.</p> <p>Site drainage has been considered in Annex 1 Key Issues Section 6.</p> <p>The risk to groundwater and hence the water supply from a local resident's well has been considered in</p>  |

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| <p>mains water.</p> <ul style="list-style-type: none"> <li>- concerns that land drains to Robin's Brook which run into Coggeshall Village could cause issues with contamination</li> <li>- concern over contamination from the installation of residents' only supply of water via a well.</li> <li>- mentioned that the applicant had to install mains water into one of his own cottages as a result of e-coli levels in the drinking water being unacceptable. Fear this could happen to local residents particularly as their water source is very likely to come from the direction of the proposed site and comes from a shallow well.</li> </ul> | <p>Annex 1 Key Issues Section 8 of this decision document.</p> <p>The site is not within a Source Protection Zone and we do not consider that there will be any significant pollution of the environment or harm to human health.</p> <p>The installation is not within 250 metres of any well, spring or borehole used for the supply of water for human consumption, including private water supplies.</p> <p>We have not consulted Public Health England (PHE) and the Director of Public Health on the application in line with our guidance. However, they have been consulted previously for similar applications and they have not raised any concerns with regards to e-coli.</p>                          |
| <p><u>Dust</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- airborne pollution from dust, known to be a significant health hazard in poultry farming, whether it be from feed, litter, faecal material, skin and feathers etc, causing asthma and bronchitis.</li> <li>-the land is very exposed and gets significant winds. This will mean the dust pollution will affect many including inhabitants of Coggeshall as well as properties to the east, North, west and south of the proposed development.</li> </ul>  | <p>Dust arising from operations at the farm has been considered in Annex 1 Key Issues Section 5 of this decision document.</p> <p>The operator is required by the permit to prevent or minimise fugitive emissions (condition 3.2).</p>  |
| <p><u>Litter:</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- where litter is disposed of</li> <li>- how litter is transported</li> <li>- how often and when will it be spread on fields.</li> <li>- litter spreading affecting the residents nearby and also walkers and users of Ambridge Road will be affected</li> </ul>   | <p>Used litter is removed from site at the end of each cycle (approximately every 7 weeks) and spread on land owned by the operator.</p> <p>The spreading of waste isn't covered under the permit, nor are odour control measures for land spreading outside the installation boundary. However the operator is required to have a manure management plan (condition 2.3.6) which would need to be maintained. Relevant appropriate measures for spreading of duck litter and wash water are listed in section 2.3 of SGN How to comply – Intensive Farming - The EPR Sector Guidance Note 6.09 for intensive pig and poultry farmers, Version 2, published January 2010, which the operator has consulted for</p> |



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|   | <p>the purpose of completing the supporting documentation to the application. In addition area is in a Nitrate Vulnerable Zone, therefore any spreading will have to adhere to The Nitrate Pollution Prevention Regulations 2008.</p> <p>Dirty water arising from the houses from the cleanout operation would be spread on land using irrigation techniques, which are listed as a suitable method in the EPR SGN 6.09 guidance document.</p>  |
| <p><u>Hygiene Issues/Potential Disease</u></p> <ul style="list-style-type: none"> <li>- hygiene issues with the potential of disease from the bird faeces as well as possibility of bird flu infection close to the residential area.</li> <li>- concerns over faecal waste from ducks being a potential bio-hazard.</li> </ul> | <p>Public Health England and the Director of Public Health have not been consulted for this application in line with our guidance. However, the Environment Agency has previously consulted Public Health England for similar applications and it has not raised any concerns with regards to bird flu and transmission to humans. The primary regulator for animal health is the Animal and Plant Health Agency (APHA), whose primary purpose is to help safeguard animal health and welfare and public health. Therefore they are primarily responsible for ensuring the farming industry has measures in place to effectively deal with any disease outbreaks on site.</p> <p>Faecal waste (manure) from the ducks will be removed with the litter at the end of each cycle and spread on land in accordance with the operator's manure management plan. The nearest receptor, Park Lodge, is owned by the operator for the purpose of providing accommodation for an employee of the farm. The health of workers on the Farming Installation itself is the responsibility of the Health and Safety Executive, and therefore does not need to be considered by the Environment Agency at permit determination stage. The Environment Agency is required to consider the effects of bioaerosols on human receptors in the proximity of the installation. A study on bioaerosols from intensive farms indicated bioaerosols were reduced to background levels within 100m of the site.</p> <p>There are measures already within the permit (the 'Fugitive Emissions' conditions) to provide a level of protection. The use of Best Available Techniques and good practice will ensure minimisation of emissions. Furthermore, condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.</p> <p>For receptors over 100m from the installation, these conditions provide a sufficient level of protection from the impacts of bioaerosols.</p> |

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| <p><u>Traffic/Access</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- A120 traffic congestion and accidents, with more slow and heavy lorries turning directly on to carriageway in a limited time frame likely to add to these.</li> <li>- the byway and footpaths needing to be closed in the case of avian flu or similar and the possibility of an exclusion zone.</li> </ul> | <p>The local planning authority is responsible for determining land use through the planning application process, and this includes transport. Consideration of increased traffic congestion does not form part of the Environmental Permit decision.</p>   |
| <p><u>Flooding:</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- run off from the installation adding to existing problems with flooding of the local ditches, roads, residents' gardens, houses and septic tanks.</li> </ul>   | <p>Site drainage has been considered in Annex 1 Key Issues Section 7 of this decision document.</p> <p>The installation itself is not in a flood zone area. Wash water from clean out operations will be collected in tanks and removed from site to be spread on land owned by the operator. Roof and yard surface water during normal operation will drain to two soakaways within the installation boundary. Overflow from these soakaways will drain to the local ditch.</p>  |
| <p><u>Animal Welfare</u></p> <ul style="list-style-type: none"> <li>- Factory farming is objectionable to many people locally, and nationally.</li> </ul>   | <p>Animal welfare is not an issue under the Agency's remit. It does not form part of the Environmental Permit decision making process. The Agency is responsible for ensuring that its legislative obligations are met and that the activities at the installation do not have an unacceptable impact on the environment.</p> <p>The primary regulator for animal health is the Animal and Plant Health Agency (APHA), whose primary purpose is to help safeguard animal health and welfare and public health. Therefore they are primarily responsible for ensuring the farming industry has measures in place to effectively deal with any disease outbreaks on site.</p> |
| <p><u>Waste storage</u></p> <ul style="list-style-type: none"> <li>- concerns over storage of carcasses</li> </ul>  | <p>Carcasses will be stored in sealed containers immediately after they are removed from the house, prior to removal off site by authorised contractors under the National Fallen Stock Scheme.</p>   |
| <p><u>Package Treatment Plant</u></p> <ul style="list-style-type: none"> <li>- concerns that there is not enough information regarding a package treatment plant</li> </ul>   | <p>This is in relation to the sewage treatment plant treating domestic sewage from the small office unit on site, prior to release to the ditch, and is not considered in the permit application.</p>   |
| <p><u>Incinerator</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- by-products of incineration</li> </ul>   | <p>The applicant has subsequently amended their application to remove the incinerator and will dispose of fallen stock by exporting off site in accordance with the Animal By-product Regulations under the National</p>  |

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| <p>- large number of duck stock perish each cycle, and the applicant does not provide any risk assessment of the nature or scale of odour production or dissemination that will be produced by the incineration process.</p> <p>- the footpath running from Park Lodge to Peg's Folly would run alongside the perimeter of the sheds and past the incinerator.</p>   | <p>Fallen Stock Scheme.</p>  |
| <p><u>Local wildlife</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- local grazing deer, wild hare, badgers and rabbits.</li> <li>- the introduction of an industrial unit with associated lights, machinery sounds, operating continuously, destroying the existing natural wildlife environment over a large area.</li> </ul>   | <p>An assessment on the impact of ammonia emissions from the installation on ecological receptors was carried out as part of the permitting process. We consider that the application will not affect the habitats identified within the relevant screening distances of the installation. An explanation of the assessment can be found in section 4 (Ammonia emissions – ecological receptors) of the Key issues part of this document.</p> <p>Location is not an issue under the Environment Agency's remit. The Environment Agency is responsible for ensuring that the activities at the installation do not have an unacceptable impact on the environment.</p> <p>This is a matter for consideration during the planning process and does not form part of the Environmental Permit decision.</p> |
| <p><u>Staffing levels and competence</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- contracted staff not adequately trained and behavioural standards not monitored</li> <li>- contractors ensuring vehicles attending the site should be in good condition</li> <li>- staff ensuring operations are carried out as quietly as possible particularly at night.</li> <li>- proposed permanent staffing level is minimal with the risk of contracted staff monitoring becoming ineffective over time.</li> </ul> | <p>The operator is required to ensure all staff receive adequate training in all aspects of the farm operations, and adhere to the written management plans associated with the permit.</p>  |
| <p><u>Objections to planning application</u></p> <p>Advised that a petition of over 200 signatures from regular users of the road and footpaths stating that it would affect their enjoyment of</p>  | <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 application was sent for consultation with</p>  |

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| <p>the countryside etc can be seen on the Braintree Planning Portal together with up to 30 letters of objection to this proposal.</p>  | <p>Braintree District Council Environmental Health Department and the Health and Safety Executive (HSE).</p> <p>We advertised the application by a notice placed on our website, which contained all the information required by the IED, including telling people where and when they could see a copy of the Application.</p> <p>We have taken into consideration all representations received as a result of the consultation and advertising of the permit application.</p> |
| <p><u>Road maintenance:</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- large vehicles travelling to and from the farm will cause damage to the local road, and maintenance responsibility lies with the local authority and outside the control of the Applicant.</li> <li>- to maintain this public road to a correct standard for continuous use by many HGVs will create a monetary burden on the local authority who may not be able to fund a continuous maintenance operation.</li> </ul>  | <p>The local planning authority is responsible for determining land use through the planning application process, and this includes traffic outside the installation boundary. Consideration of road maintenance does not form part of the Environmental Permit decision.</p>   |
| <p><u>Light Pollution</u></p> <p>Concerns over:</p> <ul style="list-style-type: none"> <li>- the impact of light pollution at night on local residents' health.</li> <li>- no details of extent or design of any artificial lighting provided, or any mitigation measures</li> <li>- the high location of the farm in the local topography, artificial lights will be highly visible over considerable distances presenting an uncharacteristic object in this rural environment and a considerable irritation to both nearby and more distant residents.</li> </ul> | <p>Light pollution is not an issue under the Environment Agency's remit. The Environment Agency is responsible for ensuring that its legislative obligations are met and that the activities at the installation do not have a significant impact on the environment.</p>   |
| <p><u>Consideration of application</u></p> <ul style="list-style-type: none"> <li>- request that as much consideration to this proposal be given as to the Foston pig farming proposal which was finally</li> </ul>  | <p>The Environment Agency is responsible for ensuring that the activities at the installation do not have an unacceptable impact on the environment, and each bespoke application is assessed individually against the site specific information received with the relevant application.</p>  |

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| rejected. | If a permit is granted, the operator is required to comply with the permit conditions. Given the conditions in the permit, we are satisfied that the measures in place will ensure that emissions from this specific installation activities will not have a significant impact on the environment. |
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