

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Crowton Farm operated by Mr Ian Hocknell.

The permit number is EPR/GP3835RT.

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

Ammonia emissions

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites located within ten kilometres of the installation. There is one Site of Special Scientific Interest (SSSI) located within five km of the installation. There are also two Local Wildlife Site (LWS) within two km of the installation.

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 (CLe) or critical load (CLo) then the farm can be permitted with no further assessment. Where this threshold is exceeded an in combination assessment and/or detailed modelling may be required.

Initial screening using Ammonia Screening Tool v4.4 has indicated that emissions from Crowton Farm will only have a potential impact on SSSI sites with a precautionary critical level of $1 \mu\text{g}/\text{m}^3$ if they are within 2,680 m of the emission source.

Initial screening indicates that beyond 2,680 m the PC is less than $0.2 \mu\text{g}/\text{m}^3$ (i.e. less than 20% of the precautionary $1 \mu\text{g}/\text{m}^3$ critical level) and therefore beyond this distance the PC is insignificant. Wettenhall and Darnhall Woods SSSI is beyond this distance (see table below) and therefore screens out of any further assessment.

Where the precautionary level of $1 \mu\text{g}/\text{m}^3$ is used, and the process contribution is assessed to be less than 20% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the $1 \mu\text{g}/\text{m}^3$ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no damage on these sites.

Table 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Wettenhall and Darnhall Woods SSSI	2,986

Ammonia assessment - LWS

There are two Local Wildlife Sites (LWS) within two km of Crowton Farm. The following trigger thresholds have been applied for the assessment of these sites.

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

For the following sites this farm has been screened out at stage 1, as set out above, using results of the ammonia screening tool (version 4.4).

Screening using ammonia screening tool (version 4.4) has indicated that emissions from Crowton Farm will only have a potential impact on sites with a critical level of $1 \mu\text{g}/\text{m}^3$ if they are within 937 metres of the emission source. Screening indicates that beyond this distance, the PC at conservation sites is less than $1 \mu\text{g}/\text{m}^3$. $1 \mu\text{g}/\text{m}^3$ is 100% of the $1 \mu\text{g}/\text{m}^3$ CLe and therefore beyond this distance the PC is insignificant. In this case all LWSs are beyond this distance.

Table 2 – distance from source

Site	Distance (m)
Shropshire Union Canal at Brickyard Bridge LWS	1,348

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

Shropshire Union Canal Cholmondeston LWS is 703m from the installation and therefore cannot be screened out as insignificant using our ammonia screening tool. The Operator has carried out detailed dispersion modelling to assess potential impact at the site.

For the following site this farm has been screened out, as set out above, using results of the detailed modelling supplied by the applicant as part of the application (*modelling report dated 18th November 2015*).

We have audited the input parameters of the report and we have confidence that we can agree with the report conclusions.

Table 3 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
Shropshire Union Canal Cholmondeston LWS	1*	0.642	64.2

e.g. * CLe 1 applied as lichen and/or bryophytes species were found when checking easimap layer

The PC is <100% of relevant critical level and therefore no further assessment for this site is required.

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. 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 there is 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 the 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 Crowton Farm (dated 27/11/2015) demonstrates 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 base line reference data for the soil and groundwater at the site at this stage.**

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
		Yes
Consultation		
Scope of consultation	<p>The consultation requirements were identified and implemented. The decision was taken in accordance with Regulatory Guidance Note 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none"> • Health and Safety Executive • Local Authority Environment Health Department 	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
Operator		
Control of the facility	<p>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 Regulatory Guidance Note 1 Understanding the meaning of operator.</p>	✓
European Directives		
Applicable directives	<p>All applicable European directives have been considered in the determination of the application.</p> <p>The permit implements the requirements of the EU Directive on Industrial Emissions.</p>	✓
The site		
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
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</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	condition reports and baseline reporting under IED–guidance and templates (H5).	
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process – see key decisions section for further information.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant - see key issues section for further information.</p> <p>The ammonia emissions modelling report referred to free range poultry. However, the operator confirmed by email that the poultry are not free range. The emission factor for both types of rearing have an emission factor of 0.29 kg NH³/animal place/year so this does not affect our conclusions in regard to the potential impact from emissions of ammonia as outlined in the key issues section above.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The operator has proposed the following key operating techniques:</p> <ul style="list-style-type: none"> • Washdown water will be collected in dirty water storage tanks prior to being removed from the installation. • High velocity roof ventilation will be utilised. • Feed stored in sealed containers. • Water provided via nipple drinkers. 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<ul style="list-style-type: none"> • Mortalities removed from poultry houses daily and held in sealed bins prior to removal by a licensed waste contractor. • The diesel fuel tank will be bunded and maintained in line with the storage of silage, slurry and agricultural fuel oil (SAFFO). <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note 6.9 for intensive farming and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.</p>	
The permit conditions		
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Operator Competence		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with Regulatory Guidance Note 5 on Operator Competence.	✓
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 Regulatory Guidance Note 5 on Operator Competence.	✓

Annex 2: Consultation and web publicising advertising responses

Response received from
Environmental Health – Cheshire East Council
Brief summary of issues raised
No response received.
Summary of actions taken or show how this has been covered
No action required.

Response received from
Health and Safety Executive
Brief summary of issues raised
No response received.
Summary of actions taken or show how this has been covered
No action required

The application was advertised on our website for 20 working days. No consultation responses were received.