

Permitting decisions

Bespoke permit

We have decided to grant the permit for Medley Farm operated by Robert Oliver Johnson and Nigel Thomas Johnson.

The permit number is EPR/DP3936YW.

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 provides a record of the decision making process. It:

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account
- shows how we have considered the [consultation responses](#).

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

Key issues of the decision

New Intensive Rearing of Poultry or Pigs BAT Conclusions document

The new Best Available Techniques (BAT) Reference Document (BREF) for the Intensive Rearing of poultry or pigs (IRPP) was published on the 21st February 2017. There is now a separate BAT Conclusions document which will set out the standards that permitted farms will have to meet.

The BAT Conclusions document is as per the following link

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D0302&from=EN>

Now the BAT Conclusions are published all new installation farming permits issued after the 21st February 2017 must be compliant in full from the first day of operation.

There are some new requirements for permit holders. The conclusions include BAT Associated Emission Levels for ammonia emissions which will apply to the majority of permits, as well as BAT associated levels for nitrogen and phosphorous excretion.

For some types of rearing practices stricter standards will apply to farms and housing permitted after the new BAT Conclusions are published.

New BAT conclusions review

There are 34 BAT conclusion measures in total within the BAT conclusion document dated 21st February 2017.

We sent out a request for information requiring the Applicant to confirm that the new installation complies in full with all the BAT conclusion measures.

The Applicant has confirmed their compliance with all BAT conditions for the new installation in their application document 'Existing Housing and Drainage' and email dated 28/12/17.

The following is a more specific review of the measures the Applicant has applied to ensure compliance with the above key BAT measures.

BAT measure	Applicant compliance measure
BAT 3 Nutritional management Nitrogen excretion	The applicant will implement a multiphase feeding strategy that ensures compliance with these BAT conclusions.
BAT 4 Nutritional management Phosphorous excretion	The applicant will implement a multiphase feeding strategy that ensures compliance with these BAT conclusions.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions.
BAT 25 Monitoring of emissions and process parameters - Ammonia emissions	
BAT 26 Monitoring of emissions and process parameters - Odour emissions	Twice daily olfactory checks to be carried out.
BAT 27 Monitoring of emissions and process parameters - Dust emissions	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions
BAT 31 Ammonia emissions from poultry houses - Laying hens	Emissions to air from each house will be below 0.13 kg NH ₃ /animal place/year.

More detailed assessment of specific BAT measures

Ammonia emission controls – BAT conclusion 31 laying hens.

The new BAT conclusions include a set of BAT-AEL's for ammonia emissions to air from animal housing for laying hens.

There is a footnote in some of the Ammonia BAT-AELs allowing a higher AEL for existing plant. 'New plant' is defined as plant first permitted at the site of the farm following the publication of the BAT conclusions. 'Existing plant' is defined in the BREF as any plant that is not a 'new plant'. The key phrase is 'first permitted'.

All new bespoke applications issued after the 21st February, including those where there is a mixture of old and new housing, will now need to meet the BAT-AEL.

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 2013. These Regulations transpose the requirements of the IED.

This permit implements the requirements of the European Union Directive on Industrial Emissions.

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 Medley Farm (dated 20/08/17) 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 and although condition 3.1.3 is included in the permit no groundwater monitoring will be required.**

Odour

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance (http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297084/geho0110brsb-e-e.pdf).

Condition 3.3 of the environmental permit reads as follows:

“Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.”

Under section 3.3 of the guidance an Odour Management Plan (OMP) is required to be approved as part of the permitting process, if as is the case here, sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400m of the Installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400m of the installation to prevent, or where that is not practicable, to minimise the risk of pollution from odour emissions.

The risk assessment for the Installation provided with the Application lists key potential risks of odour pollution beyond the Installation boundary. Odour pollution has the potential to arise from:

- the manufacture and selection of feed
- feed delivery or storage
- poor or poorly designed ventilation leading to high humidity, wet litter and poor dispersal of odours
- the use of insufficient or poor quality litter
- the spillage of water from drinking systems and disease outbreaks leading to wet litter
- the housing system installed relating to retention times and depth of litter
- inadequate storage of carcasses on site
- the de-littering, disinfection and fumigation of the houses

The OMP includes odour control measures, specifically but not limited to:

- Twice daily olfactory checks
- No milling of feed on site
- Feed supplied only from UK Agricultural Supply Trade Association (UKASTA)
- Feed delivery systems are sealed to minimise release
- Appropriately designed, flexible ventilation (for age and requirements of stock) with regular maintenance programme
- Daily monitoring of humidity within houses
- Use of nipple drinkers with drip cups to minimise spillage
- Daily checks of drinker height and pressures to avoid capping
- Insulated walls and ceilings to prevent condensation
- Stocking levels retained at optimum to prevent overcrowding
- Carcasses placed into plastic sealed bags, stored in sealed, shaded and vermin proof containers away from sensitive receptors
- Clean out carried out as soon as possible following destocking
- No storage of litter on site at any time, belt removal twice weekly with covered trailer/skip removed off site immediately.
- All litter is sold to third parties all amounts (no spreading to land within the installation boundary)
- Dirty water tanks monitored during wash down to maintain freeboard
- All sediment traps and drains cleaned both before and after washing operations
- Checks to feed storage and fill pipes as part of routine maintenance schedule
- Working areas around houses are concreted and kept clean during production cycle.
- At clean out dirty water from houses together with lightly contaminated yard wash is directed to the underground storage tanks, before being removed off site and spread to land under control of a 3rd party.

Odour Management Plan Review

There is the potential for odour pollution from the installation, however the operator's compliance with their Odour Management Plan, submitted with this application, should minimise the risk of odour pollution beyond the installation boundary. The risk of odour pollution at sensitive receptors beyond the installation boundary is not considered significant. We, the Environment Agency, have reviewed and approved the Odour Management Plan and consider it complies with the requirements of our H4 Odour management guidance note. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the operator.

Noise

Intensive farming by its nature involves activities that have the potential to cause noise pollution. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance. Under section 3.4 of this guidance a Noise Management Plan (NMP) must be approved as part of the permitting determination, if there are sensitive receptors within 400m of the Installation boundary.

Condition 3.4 of the Permit reads as follows:

Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable to minimise the noise and vibration.

There are sensitive receptors within 400 metres of the Installation boundary as stated in section 4.4.2 above. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation, and further details are provided in section 4.5.2 below.

The risk assessment for the Installation provided with the Application lists key potential risks of noise pollution beyond the Installation boundary. Noise pollution has the potential to arise from:

- vehicle movement going to and within the installation,
- feed transfer from lorry to feed bins,
- ventilation fans,
- alarm system and standby generator tests,
- the chickens; heightened during periods of chicken movement and disturbance
- personnel on site
- general repairs and servicing

The NMP includes noise control measures, specifically but not limited to:

- Twice daily checks of ventilation fans
- Large capacity fans, reducing number of fans required
- Fans operated on an intermittent programme
- Any noisy fans isolated and electrician notified
- Delivery lorries fitted with silencers
- Large capacity of feed delivery and bird lorries / trailers to reduce number of movements
- Daily inspections of bin stocks to prevent augers running empty
- Internal feeders checked twice daily to ensure correct operation
- Catch teams fully trained and advised of need to keep noise to a minimum
- Lorries scheduled to minimise duration of catch
- Screen curtains fitted to lorries containing birds
- Litter removal and washdown carried out during normal working hours (07.00-19.00 hrs)
- Routine end of cycle servicing of ventilation and feed systems

Noise Management Plan Review

There is the potential for noise from the installation beyond the installation boundary, however the operator's compliance with the Noise Management Plan, submitted with this application, should minimise the risk of noise pollution beyond the installation boundary. The risk of noise pollution at neighbouring properties, is therefore not considered significant.

Conclusion

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution / nuisance.

Dust and Bio aerosols

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the Permit (the 'Fugitive Emissions' conditions) to provide a level of protection. 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.

There are 4 sensitive receptors within 100m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 10 metres to the north-west of the installation boundary.

Guidance on our website concludes that applicants need to produce and submit a dust and bio aerosol risk assessment with their applications only if there are relevant receptors within 100 metres of their farm, e.g. the farmhouse or farm worker's houses. Details can be found via the link below:

www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols.

As there are receptors within 100m of the Installation, the Applicant was required to submit a dust and bio aerosol risk assessment in this format.

In the guidance mentioned above it states that particulate concentrations fall off rapidly with distance from the emitting source. This fact, together with the proposed good management of the Installation such as keeping areas clean from build-up of dust, and other measures in place to reduce dust and risk of spillages (e.g. litter and feed management/delivery procedures) all reduce the potential for emissions impacting the nearest receptors. The Applicant has confirmed the following measures in their operating techniques to reduce dust (Table 1):

Table 1 – Bio aerosol mitigation measures

Dust source	Mitigation measures
Feed	Feed delivered in sealed systems.
	Dust socks fitted to silo exhaust pipes.
	Closed system delivery of feed from silo to poultry house.
	Feed spills dealt with promptly.
Bedding	Use of suitable bedding materials, not blown into poultry house.
Litter System	Belt removal of litter twice weekly into covered trailer.
	Aviary housing system in place
Ventilation	Use of high velocity roof extraction fans on all houses

	Use of gable end fans on all houses for summer cooling.
House Cleaning	Litter removed carefully during cleanout minimising dust.
	Full trailers sheeted before leaving installation.

Conclusion

We are satisfied that the measures outlined in the Application will minimise the potential for dust and bio aerosol emissions from the Installation.

Ammonia

There are three Special Areas of Conservation (SAC), one Special Protection Areas (SPA) and one Ramsar within 10km of the installation. In addition there are five Sites of Special Scientific Interest (SSSI) within 5km of the installation, and four other nature conservation sites within 2km, all of which are Local Wildlife Sites (LWS).

Ammonia assessment – SAC/SPA/Ramsar

The following trigger thresholds have been designated for the assessment of European sites:

- If the process contribution (PC) is below 4% 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 assessment alone and in combination is required.
- An in combination assessment will be completed to establish the combined PC for all existing farms

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Medley Farm will only have a potential impact on the SAC/SPA/Ramsar sites with a precautionary critical level of 1µg/m³ if they are within 2,369 metres of the emission source.

Beyond 2,369 metres the PC is less than 0.04µg/m³ (i.e. less than 4% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case all SAC/SPA/Ramsars are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1µg/m³ is used, and the process contribution is assessed to be less than 4% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the 1µg/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely significant effect.

Table 2 – SAC/SPA/Ramsar Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Hatfield Moor (SAC)	3,406
Thorne Moor (SAC)	6,830
Humber Estuary (SAC)	8,343
Thorne & Hatfield Moors (SPA)	3,482
Humber Estuary (Ramsar)	8,343

Ammonia assessment – SSSI

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 assessment alone and in combination is required. An in combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the SSSI.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Medley 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 828 metres of the emission source.

Beyond 828 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. In this case the following SSSIs are beyond this distance (see table below) and therefore screen 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 likely damage to these sites.

Table 3 – SSSI Assessment

Name of SSSI	Distance from site (m)
Crowle Borrow Pits	4,223
Epworth Turbary	2,840
Belshaw	951
Hatfield Moors	3,408

Hatfield Chase Ditches SSSI is located within 305m of Medley Farm. However, following communication with Natural England (on 23/06/18) it has been confirmed to the Environment Agency that a critical level or load cannot be applied to the notified features. Hatfield Chase Ditches therefore screens out from the need for further assessment.

Ammonia assessment - LWS

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% of the relevant critical level (CLE) or critical load (CLO) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Medley Farm will only have a potential impact on the LWS sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 290 metres of the emission source.

Beyond 290m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case the following LWS are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 4 – LWS Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Belton Turbary	1,298
Belshaw Heath	772
River Torne	585

One LWS (Folly Drain North) is within 217m of the application site, and therefore required detailed modelling.

Screening using detailed modelling ('A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Free Range Egg Laying Chicken Houses at Land West of Medley Farm, near Belton in Doncaster') has determined that the PCs on the Folly Drain North LWS for ammonia emissions and acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Detailed modelling provided by the applicant has been audited in detail by our Air Quality Modelling and Assessment Unit (AQMAU) and we have confidence that we can agree with the report conclusions.

Table 5 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
Folly Drain North	3*	1.643	54.8

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

Table 6 – Acid deposition

Site	Critical load keq/ha/yr. [1]	Predicted PC keq/ha/yr.	PC % of critical load
Folly Drain North	1.063	0.914	86.0

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 31/01/18

Screening using detailed modelling ('A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Free Range Egg Laying Chicken Houses at Land West of Medley Farm, near Belton in Doncaster') has determined that the PC on the Folly Drain North LWS for nitrogen deposition from the application site is over the 100% significance threshold. See results below:

Table 7 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	Predicted PC kg N/ha/yr.	PC % of critical load
Folly Drain North	10	12.80	128

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 31/01/18

The area of land in exceedance of the threshold is approximately 0.4ha, with approximately half of this area of exceedance being a watercourse.

Folly North Drain covers, in total, approximately 46.16ha therefore the area of the LWS affected by the modelled exceedance totals 0.87% of the total LWS area. Additionally, aquatic habitats do not require screening for ammonia emissions (and therefore nitrogen deposition).

Given the small percentage of the total LWS land area modelled to exceed 100%, and with approximately half of the area of land modelled to exceed 100% being aquatic habitats, it is concluded that the impact of nitrogen deposition on Folly Drain North is not likely to be significant.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: <ul style="list-style-type: none"> • Public Health England • Local Planning Authority • Director of Public Health • Environmental Health • Food Standards Agency We only received comments from Public Health England. The comments and our responses are summarised in the consultation section .
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 our guidance on legal operator for environmental permits.
The facility	
The regulated facility	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility'. The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
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. The plan is included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition.
Biodiversity, heritage, landscape and nature	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.

Aspect considered	Decision
conservation	<p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p> <p>A Habitats Directive HRAS assessment was sent to Natural England for information only on 30/01/18. An Appendix 4 form has been saved on our internal database for the SSSI sites.</p>
Environmental risk assessment	
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	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> • the operator has confirmed that they will be able to meet all requirements of the new Best Available Techniques (BAT) Reference Document (BREF) for the Intensive Rearing of poultry or pigs (IRPP) was published on the 21st February 2017 • all housing will be constructed to Best Available Technique (BAT), • all housing is to have high velocity ventilation, • drainage from animal housing and water from cleaning out will be collected in underground storage tanks. The tanks will be built to specification as detailed in SGN EPR6.09, • diverter bungs will be used during wash down periods to prevent the contamination of surface water systems and to divert the wash water to the dirty water tanks. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory – see the Key Issues</p>

Aspect considered	Decision
	section above.
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory – see the Key Issues section above.</p>
Permit conditions	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Emission limits	<p>Technical measures [based on BAT] have been set for the following substances:</p> <ul style="list-style-type: none"> • Nitrogen • Phosphorus • Ammonia <p>See key issues for further information.</p>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to comply with the relevant BAT measures. See key issues for further information.</p>
Reporting	We have specified reporting in the permit. We made these decisions in accordance with the relevant BAT measures. See key issues for further information.
Operator competence	
Management system	<p>There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to vary this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these</p>

Aspect considered	Decision
	<p>regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

Consultation

The following summarises the responses to consultation with other organisations and our notice on GOV.UK (published between 15/11/2017 and 13/12/17) for the public and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received on 4th December 2017
Public Health England (PHE)
Brief summary of issues raised
<p>PHE noted that the main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. PHE reviewed the application documentation and noted the locations of nearest residential receptors, and then stated that they were satisfied that this site is unlikely to pose a public health risk from emissions to air.</p> <p>It was assumed by PHE that the installation will comply in all respects with the requirements of the permit, all relevant domestic and European legislation, and will use Best Available Techniques (BAT). It was stated that these measures should ensure that emissions present a low risk to human health.</p>
Summary of actions taken or show how this has been covered
<p>Refer to Bioaerosols and dust section within 'Key Issues' above.</p> <p>In addition, the following standard permit conditions will sufficiently address the concerns of Public Health England:</p> <ul style="list-style-type: none">3.1 Emissions to water, air or land3.2 Emissions of substances not controlled by emissions limits3.5 Monitoring <p>Please also refer to the operating techniques section of the key issues above, which outlines how the proposal meets BAT.</p>