

Environment Agency permitting decisions

We have decided to grant the permit for Tredington House Farm Poultry Unit operated by Mr. Tim, Mrs Mary, Mr. Frank and Mrs Julie Juckes, who trade as T M & F Juckes.

The permit number is EPR/FP3230NX.

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, web publicising responses.

Key Issues

1) Ammonia Impacts

There is one Special Area of Conservation (SAC), Dixton Wood, the site is located within 10km of the installation. There are five Sites of Special Scientific Interest (SSSI), Coombe Hill Canal, Turvey's Piece, Chaceley Meadows, Old River Severn, Upper Lode, and Severn Ham, Tewkesbury within 5km, one Local Wildlife Sites (LWS), Coombe Hill Canal and Meadow GWT Nature Reserve within 2km of the facility.

Ammonia Assessment – SAC / SPA / Ramsar sites

The following trigger thresholds have been designated for assessment of European sites including SAC 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 overlapping in combination assessment will be completed where existing farms are identified within 10km of the application.

Initial screening using Ammonia Screening Tool v4.3 has indicated that the PC for the SAC is predicted to be less than 4% of the CLE for ammonia. In conclusion, there is no potential risk of damage at the site from this installation. The results of the ammonia screening are given in Table 1 below.

Table 1 Assessment of ammonia emissions (SAC).

Site	Critical Level Ammonia $\mu\text{g}/\text{m}^3$	Predicted Process Contribution $\mu\text{g}/\text{m}^3$	% of Critical Level
Dixton Wood	1	0.005	0.5%

* Where the precautionary level of $1\mu\text{g}/\text{m}^3$ is used and the process contribution is assessed to be <100% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In these cases the $1\mu\text{g}/\text{m}^3$ level used has not been confirmed but it is precautionary.

No further assessment is necessary.

Assessment of SSSI

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. Initial screening using Ammonia Screening Tool (AST) v4.3 has indicated that the PC for Coombe Hill Canal, Turvey's Piece, Chaceley Meadows, Old River Severn-Upper Lode, and Severn Ham, Tewkesbury SSSI's is predicted to be less than 20% CLE for ammonia.

Chaceley Meadows, Severn Ham, Tewkesbury and Old River Severn-Upper Lode SSSIs all screen out due to their distance from the site. No further assessment is necessary for

these three SSSIs. The results of the ammonia screening for Coombe Hill Canal and Turvey's Piece SSSI are given in Table 2 below.

Table 2: Assessment of ammonia emissions (SSSI)

Name	Ammonia CLe	Ammonia Contribution	Acidification	Ammonia deposition (N)	PC as % of CLe
Coombe Hill Canal	1µg/m ³	0.064ug/m ³	0.024keq/ha/yr	0.335kg/ha/yr	6.4% and 4.4% respectively.
Turvey's Piece	1µg/m ³	0.044ug/m ³	0.016keq/ha/yr	0.229kg/ha/yr	

* Where the precautionary level of 1µg/m³ is used and the process contribution is assessed to be <100% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In these cases the 1µg/m³ level used has not been confirmed but it is precautionary.

No further assessment is necessary.

Assessment of LWS

The following trigger thresholds have been applied for the assessment of non-statutory LWS:

- If PC is <100% of relevant CLe or CLo then the farm can be permitted (H1 or ammonia screening tool)
- If PEC < CLe or CLo then the farm can be permitted
- If further modelling shows PC <100%, then the farm can be permitted.

The Critical Levels and Loads used in this assessment are given in Table 3 below. For the following sites this farm has been screened out as set out above using results of the Ammonia Screening Tool version 4.3.

Table 3: Assessment of ammonia emissions (LWS)

Name	Ammonia CLe	Ammonia µg/m ³	N kg/ha/yr	PC of CLe		
				Ammonia	N	Acid
Coombe Hill Canal and Meadow GWT Nature Reserve	1ug/m ³	0.064	0.335	6.4%	-	-

* Where the precautionary level of 1µg/m³ is used and the process contribution is assessed to be <100% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In these cases the 1µg/m³ level used has not been confirmed but it is precautionary.

No further assessment is necessary.

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 IED. Amendments have been made to the conditions of this permit so that it now implements the requirements of the EU Directive on Industrial Emissions.

Soil and Groundwater Monitoring

As a result of the IED requirements all permits must now have condition 3.1.3 relating to soil and groundwater monitoring. However, the Environment Agency's H5 Guidance states that it is only necessary for the operator to take samples of soil and/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 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 and/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 for Tredington House Farm Poultry Unit provided within the application supporting documents dated 22 May 2014 demonstrates that there is no historic contamination on site that may present a hazard. Therefore, although this condition is included in the permit, no groundwater monitoring will be required at this installation as a result.

3) Biomass Boiler

The applicant is including two biomass boilers with an aggregated net rated thermal input of 430 kWh at their installation (215kWh each). These will be used to provide heat to the poultry houses and are therefore a directly associated activity and need to be included in Table S1.1 of the environmental permit EPR/FP3230NX.

In line with the Environment Agency's May 2013 document "Biomass boilers on EPR Intensive Farms" an assessment has been undertaken to consider the proposed addition of the biomass boilers. This guidance states that the Environment Agency has assessed the pollution risks and have concluded that air emissions from small biomass boilers are not likely to pose a significant risk to the environment or human health providing certain

conditions are met. Therefore, a quantitative assessment of air emissions will not be required where:

- the fuel will be derived from virgin timber, miscanthus or straw and
- the biomass boiler appliance and installation meets the technical criteria to be eligible for the Renewable Heat Incentive and
- the aggregate boiler net rated thermal input is:
 - A. less than 0.5MWth or
 - B. less than 1MWth where the stack height is greater than 1m above the roof level of adjacent buildings (where there are no adjacent buildings within 25m, the stack height must be a minimum of 3m above ground), and there are:
 - no Special Areas of Conservation, Special Protection Areas, Ramsar sites or Sites of Special Scientific Interest within 500m of the emission point
 - no National Nature Reserves, Local Nature Reserves, ancient woodlands or local wildlife sites within 100m of the emission point or
 - C. less than 2MWth where, in addition to the above criteria for less than 1MWth boilers, there are:
 - no sensitive receptors within 150m of the emission point.

The biomass boilers meet the requirements of criteria A above and are therefore considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

In accordance with the Environment Agency's Air Quality Technical Advisory Guidance 14: "for combustion plants under 5MW, no habitats assessment is required due to the size of combustion plant". Therefore this proposal is considered acceptable and no further assessment is required.

Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation, web publicising	The web publicising, consultation responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European Directives have been considered in the determination of the application. This permit has implemented the requirements of the Industrial Emissions Directive (IED). Please refer to the key issues section for more details.	✓
The site		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Site condition report	<p>The operator has provided a description of the condition of the site. We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED – guidance and templates (H5).</p> <p>The site condition report (SCR) for Tredington House Farm Poultry Unit (dated 22 May 2014) demonstrates that there are no significant hazards or likely pathways to land or groundwater and no historic contamination sources on site that may present a significant risk. Therefore, on the basis of the assessment presented in the SCR the Environment Agency accepts that no baseline reference data needs to be provided for the site soil and groundwater conditions as part of application EPR/FP3230NX/A001.</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
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 permitting process. We consider that the application will not affect the features of the sites for the reasons outlined in the Key Issues section.</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. 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. The operating techniques are as follows:</p> <ul style="list-style-type: none"> ➤ the fuel is derived from virgin timber and miscanthus. ➤ the biomass boiler appliance and it's installation meets the technical criteria to be eligible for the Renewable Heat Incentive. ➤ the stack is 1m or more higher than the apex of the adjacent buildings. <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.</p>	✓
The permit conditions		
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>We have specified that only virgin timber (including wood chips and pellets), straw, miscanthus or a combination of these. These materials are never to be mixed with, or replaced by, waste. Please refer to 3) in the key issues section for more details.</p>	✓
Incorporating the application	We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process. These descriptions are specified in the Operating	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Techniques table in the permit and include techniques from the previous application.		
Operator Competence		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓
Relevant convictions	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in RGN 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 RGN 5 on Operator Competence.	✓

Annex 2: Consultation, web publicising responses

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

Response received from
Local Authority Planning Department and Local Authority Environmental Health 28-Aug-14
Brief summary of issues raised
None
Summary of actions taken or show how this has been covered
N/A.

The Health and Safety Executive (HSE) were also consulted on 07 August 2014. However, consultation responses from this party was not received.

The application was advertised externally on the GOV.UK website between 17 July and 13 August 2014, to invite any responses and comments from the general public. No responses were received.