Environment Agency Permitting decisions

We have decided to grant the permit for Wild Acre Poultry Farm, operated by Mrs Mary Diaper, Mr John Diaper, Mr David Diaper and Mr Arthur Diaper Trading as J W Diaper & Sons.

The permit number is EPR/DP3930KE

The operator is Mrs Mary Diaper, Mr John Diaper, Mr David Diaper and Mr Arthur Diaper trading as J W Diaper & Sons.

The facility is located at Wild Acre Poultry Farm, Wattisfield Road, Wattisfield, Diss, Suffolk IP22 1NZ

The decision was effective from 11/01/10

Summary of the decision

We have decided to grant a permit for the operator, subject to the conditions in the permit.

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 environment protection is provided.

The installation consists of 5 poultry houses and associated storage buildings designed for the rearing of 58,000 broilers. The installation is operated by Mrs Mary Diaper, Mr John Diaper, Mr David Diaper and Mr Arthur Diaper trading as J W Diaper & Sons (list all the partners here first as per front page of permit),. The installation is located in approximately 1.5k hectares of land between the villages of Wattisfield to the North and Walsham le Willows to the south at grid reference TM 0097 7293. The surrounding area is predominantly rural with associated farm houses. There are some areas of woodland, including Westhall wood which is both an ancient woodland and a SSSI approximately 1750m to the east. There are two further SSSI's within 5km, Stanton Woods and the Gardens. Waveney and Little Ouse Fen (SAC) and Redgrave and South Lopham Fen (Ramsar) are located within 10km of the installation.

The birds are brought in from a hatchery and removed from site at the end of the growing cycle. The average cycle is 52 days.

The poultry houses are constructed of wood and steel with a concrete base. Each house is ventilated using side inlets with roof extraction. Water is provided by nipple drinkers designed to minimise spillages. The houses are heated using an LPG fuelled heating system. Roof and yard drainage is directed to local ditches and soakaways.

Feed is purchased from a separately owned feed mill and stored on site in fully enclosed galvanised steel or fibre glass bulk bins. Diets are formulated according to the birds requirements and stage of growth with protein and phosphorus levels being reduced through the growing period to minimise ammonia production.

Birds which die during production are stored in vermin proof bins and collected using the Fallen Stock Scheme.

At the end of the growing period all birds are removed and the litter taken in covered vehicles to be spread on separately owned agricultural land. Some litter is used by local power stations as a fuel source. The empty houses are then washed and disinfected prior to the next crop. Wash water is directed to covered catch pits.

The operator has indicated that the fuel tanks on site are not provided with secondary containment.

Releases from this type of installation may include releases of ammonia and dust to air, releases to controlled water, land and groundwater and releases of odour and noise.

Purpose of this document

This decision document:

- explains how the applicant's application has been determined;
- provides a record of the decision-making process;
- shows how all relevant factors have been taken into account; and
- justifies the specific conditions in the permit.

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

Structure of this document

- Key Issues of the decision;
- Annex 1 the decision check list;
- Annex 2 the consultation responses.

Key Issues of the decision

The application was duly made on 22/05/09

A brief description of the installation is in the introductory note to the permit
The determination process has been carried out in accordance with Operational Instruction 233_08 (Environmental permitting - How We Determine or Vary an Application 09/04/08).

We have determined this application as an existing installation.

Environmental risk

We have reviewed the answers about the techniques used by the operator and compared these with the relevant guidance notes in How to Comply, V1 (Sections 3.1 and 3.2). The responses indicate the requirements are met.

We have reviewed emissions to –

Air

There are no point source emissions to air from the installation. All emissions, including the ventilation outlets from the animal housing are considered to be fugitive emissions, and are discussed and recorded in Section 'Fugitive emissions of substances' of this document.

Water

There are emissions to surface water from this installation. Roof and yard water from the installation drains to a surface water ditch running along the south eastern boundary of the installation. A standard Improvement Programme Condition has been set requiring a review of drainage from the site (IC2). As per permit comments – should there be ICs in here

Sewer

There are no emissions to sewer from this installation.

Land

There are no emissions to land from this installation.

We have reviewed the Operator's H1 Environmental Risk Assessment of emissions from the installation, and consider that this is consistent with the responses given in the application form. The proposed mitigation measures use technical measures as set out in the relevant guidance notes (How to Comply V1), and are adequate to protect the environment.

Fugitive emissions of substances

We have reviewed the answers about the techniques used by the operator and compared these with the relevant guidance notes in How to Comply V1 Section 3.3. Standard Improvement Conditions requiring the operator to review all site drainage and housing and to set out a timetable for any necessary improvements have been included in the permit to ensure that the requirements are met.

Fugitive Emissions to Air

Below is a summary of emission points and potential pollutants:

SOURCE	POLLUTANTS
Roof and gable end vents from poultry houses	ammonia and dust
LPG tanks	LPG
Vents from oil tank	VOCs
Exhaust from generator	combustion products (oxides of nitrogen, sulphur and carbon, particulate)

Standby Generator Emissions

Emissions from the standby generator exhaust are deemed insignificant, as the generators are small and will not be operated continually, they will only be operated as needed.

Fuel Storage Emissions

Emissions from fuel oil tanks and LPG tanks are deemed insignificant. The fuel oil tank vent will only release emissions on filling and therefore volume and frequency of emission will be minimal.

Dust

The nature and particle size of dust generated in poultry housing results in the majority of any emission being deposited to ground in relative close proximity to the low velocity release vents. The poultry housing has low velocity roof vent outlets, with additional vents in the gables of both houses which are used in summer to help control high temperatures.

Dust emitted from intensive livestock units may also include fine particles with a diameter of less than 10 µm, known as PM10, which are capable of being inhaled. However, there is little information on the level of releases of these fine particles from poultry housing. Advice from the Health Protection Agency (Position Statement. Intensive Farming, 2006) suggests that it is possible that large farms may make a substantial contribution to local PM10 levels but if this were the case this should have been considered by the local authority within their local air quality review and assessment. The Local Authority have not identified this farm as being under consideration.

The application of BAT and mitigation measures addressing occupational health of workers by dust reduction measures will contribute to the protection of off-site receptors. However, because of the lack of detailed information on releases of PM10, any complaints from local residents should be reported to the Environment Agency. Following these complaints the Environment Agency will if necessary seek advice on the risk to health from the local Primary Care Trust. The Environment Agency will consider any new information on the release of fine particles which may become available in future permit reviews.

Feed is not milled on site. Feed is not mixed on site. Feed management procedures in place should ensure that particulate emissions will be minimised.

Ammonia – Human Receptors

Potential adverse effects of ammonia include respiratory irritation and may also give rise to odour complaints. Levels of ammonia in ambient air will decrease rapidly with distance from a source. The Health Protection Agency has indicated (Position Statement. Intensive Farming, 2006) that it is unlikely that ammonia emissions from a well run and regulated farm would be sufficient to cause ill health.

Odour complaints, which may be an indicator of high ammonia levels, should be recorded and reported to the Environment Agency. If necessary the Environment Agency will seek advice on the risk to health from the local PCT. The Environment

Agency will consider any new information on the impact of ammonia on human health, which may become available in future permit reviews.

Ammonia – ecological receptors

The installation is within the prescribed distance of European sites or Sites of Special Scientific Interest (SSSI). The nearest European site is Waveney and Little Ouse Fens, which is designated as a SAC approximately 5.7km from the installation at the nearest point. There are three SSSI sites within 5km of the installation, the nearest being Westhall Wood and Meadow located 1.7km away. In addition there is one Ancient Woodland located within 2km of the installation called Westhall Wood which is 1.7km away. Sometimes it's better to list these in bullet points for ease of reading, but again up to you.
An assessment of the impact of the installation on the designated sites has been carried out. This has been done using the Environment Agency Air Quality Modelling Assessment Unit (AQMAU) Ammonia Screening Tool (AST) v3, and the housing emission factor has been corrected from the current H1 guidance of 0.05kgNH3/place/year to 0.034kgNH3/place/year as per the steer from Intensive Farming Process / Policy team. The emissions have been screened out by the following criteria.

Habitat Type	Habitat Name	Distance from Emission Source (m)	Ammonia Screening Tool Predicted Ammonia ug/m^3 Total
SAC	Waveney & Little Ouse Fen	5700	0.006
Ramsar	Redgrave & South Lopham Fens	6500	0.006
SSSI	Stanton Woods	3500	0.014
SSSI	The Gardens	4800	0.009
SSSI	Westhall Wood and Meadow	1700	0.043
Ancient Woodland	Westhall Wood	1700	0.043

Initial screening using the Ammonia Screening Tool has determined that the Process Contributions of ammonia and N deposition from the application site are less than the relevant Critical Level and Critical Load thresholds, and the impact on these receptors can therefore be screened out as insignificant.
It can therefore be concluded that there is no adverse effect from the installation on any of the designated sites identified above.

Emissions to Water

There are fugitive emissions to water.

The roof water from the poultry house and yard surface water can drain to a surface water ditch which is a tributary of the Little Ouse

The operator is required by conditions in the permit to review all site drainage and to set out a timetable for any necessary improvements to ensure that the requirements of the relevant guidance note are met.

Emissions to Land

There are no fugitive emissions to land.

The operator is required by conditions in the permit to review all site drainage and to set out a timetable for any necessary improvements to ensure that the requirements of the relevant guidance note are met.
The proposed techniques for preventing and minimising fugitive emissions are considered sufficient.

Operational techniques

We have specified that the applicant must operate his installation in accordance with the descriptions in his application and listed in table S1.2.

Table S1.2 Operating techniques		
Description	Parts	Date Received
Application	Sections 5a , 5b, 5e, 8, 9b, 9d, 9e, 9f and appendix 1 of the application document in response to section 5a – technical standards , Part B of the application form	22/05/09
Application	Odour management plan in response to section 5B, Table 3 – General Requirements, Part B of the application form	22/05/09
Request for Information dated 03/11/09	Response to Request for Information confirming ventilation systems, wash water containment, secondary containment of fuel and site drainage.	11/12/09

Based on the information in the application we consider that we need to set improvement conditions.

The current drainage and housing on site may not be BAT. We recognise that new techniques cannot be brought into effect overnight on existing installations however we expect industry to adopt best practices and new technologies and make continual improvements as deemed necessary. To enable us to agree a structured programme of improvements we have asked the operator to undertake a review of all site drainage at the installation and a review of existing poultry housing and management practices at the installation.
In addition the operator has indicated that the fuel tank on site is not provided with secondary containment. IC1 has been included in the permit to address this issue.

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IC1	The operator shall bund the Agricultural fuel oil storage facilities to comply with the requirements of S3.3 of TGN How to Comply, Version 1.	11/07/10
IC2	A written plan shall be submitted to the Agency for approval, following a review of all site drainage at the installation. The plan should take into account the appropriate measures for the management of drainage systems and run-off in S3.3 of TGN How to Comply, Version 1 and include a timetable for any improvements to the drainage system. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Agency subject to such amendments or additions as notified by the Agency.	11/01/11
IC3	A written plan shall be submitted to the Agency for approval following a review of existing poultry housing and management practices at the installation. The plan shall take into account the appropriate measures in S6.2.1 & S6.2.2 of TGN How to Comply, Version 1. The plan shall identify measures to reduce emissions to all media, the likely cost of such measures and a proposed timetable for their implementation The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Agency subject to such amendments or additions as notified by the Agency.	11/01/11

Operator

We consider that the applicant (now the operator) is the person who will have control over the operation of the installation after the grant of the permit. We consider that they will be able to operate the installation so as to comply with the conditions we have included in the permit

The facility

We have determined that the installation comprises of the following activities listed in Part 1 of Schedule 1 to the PPC Regulations and the following Directly Associated Activities.

Table S1.1 activities		
Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
Section 6.9 A(1)(a)(i) Rearing of poultry or pigs intensively in an installation with more than: (i) 40,000 places of poultry	The rearing of poultry in a facility with a capacity for 58,000 broiler places	From receipt of birds, raw materials and fuels onto the site to removal of birds and associated wastes from site
Directly Associated Activity		
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The storage of raw materials such as feed, chemicals and fuel, and the storage and disposal of waste are intrinsic to the rearing of poultry and so are included in the limits of the activity.

The activities comprise a single installation because rearing of poultry intensively in an installation with more than 40,000 bird places is a listed activity under Schedule 1 of the PPC Regulations.

The operator has provided a plan which we consider is satisfactory, showing the site of the installation and its extent. A plan is included in the permit at Schedule 2, and the operator is required to carry on the permitted activities within the site boundary.

Annex 1: decision checklist

Activity	Justification / Detail	Determination criteria met	
		No	Yes
Receipt of submission			
Application fee	The application fee is correct Charge table reference – Tier 2 fixed charge for non-accredited farming installation		✓
Commercial confidentiality	The operator has not made a claim for commercial confidentiality. We have not received any information in relation to this application that appears to be confidential in relation to any party.		✓
Consultation			
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with Regulatory Guidance Series No EPR 6: Determinations involving sites of high public interest. The consultation took place on 25/07/09 and 02/07/09 and comprised of advertising and consulting the public and appropriate statutory consultees (including the Local Authority, Primary Care Trust and Food Standards Agency). The advertisement was placed in the Diss Express on 17/07/09.		✓
Consultation responses	The consultation responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance Operational Instruction 233_08.		✓
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 Regulatory Guidance Series No EPR 1: understanding the meaning of operator		✓
European Directives			
Applicable Directives	The European Directives that apply are as follows: ▪ Integrated Pollution Prevention and Control (IPPC) Directive, Part A(1). ▪ The Environmental Permitting (England and Wales) Regulations 2007 ▪ Habitats Directive (92/43/EEC) ▪ Groundwater regulations 1998 and the European Groundwater directive (80/68/EEC) ▪ European air quality framework directive (96/62/EC) and daughter directives		✓
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 at Schedule 2, and the operator is required to carry on the permitted activities within the site boundary.		✓
Site condition report	The operator has provided a description of the condition of the site which we consider is satisfactory. The decision was taken in accordance with our guidance The decision was taken in accordance with our guidance on site condition reports – EPR H5 guidance and templates		✓
Environmental Risk Assessment and operating techniques			
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility as a satisfactory assessment. In addition the Agency carried out an ammonia screening assessment. The assessments show that, applying the conservative criteria in our guidance on Environmental Risk Assessment all emissions may be categorised as environmentally insignificant.		✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.		✓

Annex 2: consultation responses

Advertising and consultation

Summary of responses to advertising and consultation and the way in which we have taken these into account in the determination process:

Response received from
Food Standards Agency (response dated 10/11/09)
Brief summary of issues raised
The response raised concerns that: • the control measures are adequate to minimise risk of contamination of agricultural land and water courses used for fishing or irrigation; • solid waste is disposed of appropriately; • wash water should not contaminate ground or surface water; • water and energy use to achieve benchmarks do not compromise the microbiological status of the animal products entering the food chain. Concluded that provided the operator complies with the Agency's guidance then it is unlikely that there will be any unacceptable effects on the food chain.
Summary of actions taken or show how this has been covered
In determining the application and setting conditions we ensure that measures are taken to protect the environment and the standard permit conditions ensure adequate protection of the environment. Therefore, no additional action is required.

Response received from
Suffolk Primary Care Trust (response dated 11/11/09)
Brief summary of issues raised
No concerns raised
Summary of actions taken or show how this has been covered
No action required.

Response received from
Mid Suffolk Council (response dated 05/11/09)
Brief summary of issues raised
No concerns raised from Environmental Health. No response received from planning.
Summary of actions taken or show how this has been covered
No action required.

No responses received in relation to advertising.