

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Strangways Farm operated by M. B. Crocker Limited.

The permit number is EPR/BP3330NM.

This was applied for and determined as a new bespoke.

The duly made date is 28/04/2014.

The installation comprises of one poultry house which operates a multi-tier cage system for pullets; providing capacity for 150,000 bird places.

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 – Industrial Emissions Directive (IED); Ammonia Emissions Assessment
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Key Issues

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.

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain condition 3.1.3 relating to 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 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 for Strangways Farm (dated November 2013) demonstrated that the hazards to land or groundwater have been mitigated/minimised such that there is little likelihood of pollution and there is no evidence of historic contamination on site. Therefore, although this condition is included in the permit, no groundwater or soil monitoring will be required at this installation as a result.

Ammonia Emissions Assessment

There are two Special Areas of Conservation (SAC) located within 10km of the installation. There are also two Local Wildlife Sites (LWS) and two Ancient Woodlands (AW) within 2km of the installation.

Ammonia Assessment – SAC sites

The following trigger thresholds have been assigned for the assessment of European sites including Ramsar 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.

Screening using Ammonia Screening Tool version 4.3 has indicated that emissions from Strangways 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 6,176 metres of the emission source. Screening indicates that beyond this distance the PC on the SACs for ammonia, acid and nitrogen deposition from the application site are under the 4% ($<0.04 \mu\text{g}/\text{m}^3$) significance threshold and can be screened out as having not likely significant effect. In this case the two SACs are beyond this distance as shown below.

Table 1 – distance from source

SAC	Distance (m)
Fontmell & Melbury Downs	9,305
Rooksmoor	7,396

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.

Ammonia assessment – LWS & AW

There are two Local Wildlife Sites (LWS) and two Ancient Woodlands (AW) within 2 km of Strangways 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 4.3.

Screening using Ammonia Screening Tool version 4.3 has indicated that emissions from Strangways 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 1,077 metres of the emission source. Screening indicates that beyond this distance the PC on the LWSs and AWs for ammonia, acid and nitrogen deposition from the application site are under the 100% ($1\mu\text{g}/\text{m}^3$) significance threshold and can be screened out as having not likely significant effect. In this case all local wildlife sites and ancient woodlands are beyond this distance as shown below.

Table 2 – distance from source (LWS & AW)

Site	Distance (m)
Fifehead Wood LWS	1,230
Great Moor LWS	1,700
Unnamed Woodland AW	1,230
Fifehead Wood AW	1,288

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.

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 and web publicising	The web publicising and 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. The permit implements the requirements of the EU Directive on Industrial Emissions. See key issues 'IED' section above for further information.	✓
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	The operator has provided a description of the condition	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
report	<p>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>	
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.</p> <p>See key issues ‘Ammonia Emissions Assessment’ section above for further information.</p> <p>An Appendix 11 was completed and sent to Natural England on 29/04/2014 ‘For Information Only’.</p> <p>Formal consultation has been carried out with the relevant bodies in accordance with our Operational Instruction 84_07.</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.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The operator has proposed the following key techniques:</p> <ul style="list-style-type: none"> • Dirty water storage facilities are in place on site; 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<ul style="list-style-type: none"> Nipple drinkers are used to reduce wastage of water and maintain dry litter; Chemical storage is within a purpose-built store on site that is fully bunded; All fuels are stored in bunded fuel stores; Emergency generator on site in case of power failure; and Carcasses stored in sealed bins before being sent for incineration by an approved contractor. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the SGN EPR6.09 'How to comply with your environmental permit for intensive farming (version 2)' and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions.</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 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>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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 responses

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

Response received from
Environmental Health – North Dorset District Council (14/05/2014)
Brief summary of issues raised
Fly management – The Operator has had issues with house flies around the site and Environmental Health requests that this is addressed in the permit conditions.
Summary of actions taken or show how this has been covered
With regards to previous fly issues at the site, this should now be addressed by the site now operating a multi-tier cage system whereby manure is removed by a belt-clean system. This replaces the deep pit system where the manure remained in the house for extended periods of time which is likely to have caused/contributed to the fly nuisance issue. However, should this continue to be a problem in the future the permit has a specific pest condition (3.6) that allows enforcement officers to request fly management plans.

Response received from
Local Planning Authority – North Dorset District Council (21/05/2014)
Brief summary of issues raised
Fly management – The Operator has had issues with house flies around the site and Environmental Health requests that this is addressed in the permit conditions.
Summary of actions taken or show how this has been covered
As above summary of actions.

The following organisation was also consulted, however no responses were received:

- Health and Safety Executive

This proposal was also publicised on the Environment Agency's website between 02/05/2014 and 02/06/2014, but no representations were received during this period.