

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Cratfield Hall Farm operated by Mr John Laurie Knox and Mrs Christine Anne Knox.

The permit number is EPR/VP3537NA.

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: Ammonia emissions; Site Conditions Report; Industrial Emission Directive
- 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 10km of the installation. There are two Sites of Special Scientific Interest (SSSI) located within 5 kilometres of the installation. There is also one Local Wildlife Site (LWS) and one Ancient Woodland (AW) site within 2km of the installation.

Ammonia Assessment – SSSI's

The following trigger thresholds have been applied for assessment of SSSI's. 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.

Screening using the Ammonia Screening Tool v4.4 has indicated that the PC for Metfield Meadow SSSI is predicted to be less than 20% Critical Level for ammonia, acid and N deposition therefore it is possible to conclude no damage. The results of the ammonia screening tool v4.4 are given in the tables below.

Table 1 - Ammonia Emissions

Name of SSSI	Ammonia Cle ($\mu\text{g}/\text{m}^3$)	PC ($\mu\text{g}/\text{m}^3$)	PC as % of Critical level
Metfield Meadow SSSI	$1\mu\text{g}/\text{m}^3$ *	0.137	13.7%

* A precautionary level of $1\mu\text{g}/\text{m}^3$ has been used during the screen. Where the precautionary level of $1\mu\text{g}/\text{m}^3$ is used, and the process contribution is assessed to be less than the 20% insignificance threshold in this circumstance it is not necessary to further consider Nitrogen Deposition or Acidification Critical Load values. 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 required.

Initial modelling using the Ammonia Screening Tool v4.4 has determined that the process contributions of ammonia and acid deposition from the application site are over the 20% threshold, and therefore may cause damage to features of the SSSI. An in-combination assessment has therefore been carried out. No further assessment is required for nitrogen deposition as it was below the 20% threshold from the application site.

There are no other farms acting in-combination with this application. The PC is predicted to be 50% Critical Level / Load significance threshold. Under Environment Agency guidelines it is therefore possible to conclude no damage to the site from the installation, no further assessment is required.

Table 2 - Ammonia Emissions

Site	Critical Level Ammonia $\mu\text{g}/\text{m}^3$	Predicted Process Contribution $\mu\text{g}/\text{m}^3$	% of Critical Level
Chippenhall Green SSSI	$3\mu\text{g}/\text{m}^{3**}$	0.992	33.1%

**CLE value of 3 used following consultation with Natural England on appropriate Critical Level (03/12/2009).

Table 3 - Nitrogen deposition

Site	Critical Load kg N/ha/yr	PC Kg N/ha/yr	PC % Critical Load
Chippenhall Green SSSI	20	5.152	25.8 %

Critical load values taken from APIS website (www.apis.ac.uk) - 27/05/14

Table 4 - Acid deposition

Site	Critical Load keq/ha/yr	PC Kg N/ha/yr	PC % Critical Load
Chippenhall Green SSSI	5.071	0.368	7.3 %

Critical load values taken from APIS website (www.apis.ac.uk) - 27/05/14

No further assessment is required.

Ammonia assessment - LWS/AW

There is one Local Wildlife Site (LWS) and one Ancient Woodland (AW) site within 2km of Cratfield Hall Farm. The following 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, as set out above, using results of the Ammonia Screening Tool version 4.4. The Process Contribution on the LWS and AW for ammonia, acid and N deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect.

Table 5 - Ammonia Emissions LWS and AW

Site	Critical Level Ammonia $\mu\text{g}/\text{m}^3$	PC $\mu\text{g}/\text{m}^3$	PC % Critical Level
Bush Wood LWS	1*	0.350	35.0%
Bush Wood AW	1*	0.350	35.0%

* Precautionary CLe of $1\mu\text{g}/\text{m}^3$ has been used. 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 required.

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 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 for Cratfield Hall Farm (submitted with permit application EPR/VP3537NA/A001) 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,**

although this condition is included in the permit, no groundwater or soil monitoring is required at this installation as a result of this condition at this time.

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 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	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). See key issues section for further information.	✓
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	Justification / Detail	Criteria met
		Yes
Conservation	<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 section above for further information.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance. A Countryside Rights of Way Act (CRoW) 2000 Appendix 4 form dated 27/05/14 has been completed for information only and saved to EDRM.</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>See key issues section above for further information.</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 measures:</p> <ul style="list-style-type: none"> • Dirty water storage facilities on site; • Infrastructure monitoring and maintenance programme in place; • Safety system in place to block discharge to surface water drain if required. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in Sector Guidance Note EPR6.09 'How to comply with your environmental permit for intensive farming (version 2)' Technical Guidance Note and we consider them to represent appropriate techniques for the facility.</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>	✓
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <p>Two poultry houses located on the installation, numbered 5 and 6, are not currently used to house ducks. A pre-</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	operational measure requires that the operator demonstrate that the additional houses meet BAT prior to stocking.	
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.	✓

Annex 2: Consultation and web publicising

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process. (Newspaper advertising is only carried out for certain application types, in line with our guidance.)

Response received from
Suffolk Coastal Planning Department
Brief summary of issues raised
No response received
Summary of actions taken or show how this has been covered
No further action required

Response received on 05/06/14 from
Suffolk Environmental Health Department
Brief summary of issues raised
No complaints regarding noise have been received within the last three years.
Summary of actions taken or show how this has been covered
No further 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 further action required