

## **Environment Agency permitting decisions**

### **Bespoke permit**

We have decided to grant the permit for Woodside Farm operated by Woodside Farming Limited.

The permit number is EPR/CP3432VR/A001.

This was applied for and determined as a new bespoke application.

The application was duly made on 05/06/2014.

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; Industrial Emissions Directive
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

## Key issues of the decision

### Ammonia Emissions

There are 3 Sites of Special Scientific Interest (SSSI) located within 5 kilometres of the installation. There are 4 Local Wildlife Sites (LWS), 2 of which are also designated as Ancient Woodlands (AW), within 2 km of Woodside Farm.

### Ammonia Assessment – SSSIs

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 in-combination assessment and/or detailed modelling may be required.

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 4.4.

Screening using Ammonia Screening Tool 4.4 has indicated that emissions from Woodside 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 1994m of the emission source. Screening indicates that beyond this distance, the PC at conservation sites is less than  $0.2 \mu\text{g}/\text{m}^3$ .  $0.2 \mu\text{g}/\text{m}^3$  is 20% of the  $1 \mu\text{g}/\text{m}^3$  critical level and therefore beyond this distance the PC is insignificant. In this case all SSSIs below are beyond this distance.

**TABLE 1 – distance from source**

Site	Distance (m)
Mather Wood SSSI	2,627
Redgate Woods and Mansey Common SSSI	4,485
Roe Wood SSSI	2,580

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 and AW

There are 4 Local Wildlife Sites (LWS), 2 of which are also designated as Ancient Woodlands (AW) within 2 km of Woodside Farm:

- Park Spring's Wood LWS and AW
- Gorse Hill Lane LWS
- Cheveral Wood LWS and AW
- Glebe Farm Pasture, Hockerton LWS

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 4.4.

Screening using Ammonia Screening Tool 4.4 has indicated that emissions from Woodside Farm will only have a potential impact on sites with a critical level of 1 µg/m<sup>3</sup> if they are within 797m of the emission source. Screening indicates that beyond this distance, the PC at conservation sites is less than 1ug/m3. 1ug/m3 is 100% of the 1ug/m3 critical level and therefore beyond this distance the PC is insignificant. In this case all local wildlife sites below are beyond this distance.

**TABLE 2 – distance from source**

Site	Distance (m)
Park Spring's Wood LWS and AW	1499
Gorse Hill Lane LWS	1475

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.

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 PC on the LWS 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 3 - Ammonia Emissions LWS's and AW**

Site	Critical Level Ammonia µg/m <sup>3</sup>	PC µg/m <sup>3</sup>	PC % Critical Level
Cheveral Wood LWS and AW	3*	1.043	34.8%

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

**Table 4 - Nutrient enrichment**

Site	Critical Load nutrient enrichment kg N/ha/yr	PC Kg N/ha/yr	PC % Critical Load
Cheveral Wood LWS and AW	10*	5.416	54.2%

\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 08/05/14

**Table 5 - Acidification**

Site	Critical Load acidification keq/ha/yr	PC keq/ha/yr	PC % Critical Load
Cheveral Wood LWS and AW	2.7*	10.98	3.5%

\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 08/05/14

No further assessment is required.

For the following sites this farm has been screened out, as set out above, using results of the detailed modelling supplied by the applicant as part of the application (Document Reference: “A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Existing and Proposed Egg Laying Units at Woodside Farm, Newark Road, Hockerton in Nottinghamshire” dated 2<sup>nd</sup> June 2014).

**Table 6 - Ammonia Emissions**

Site	Critical Level Ammonia µg/m <sup>3</sup>	PC µg/m <sup>3</sup>	PC % Critical Level
Glebe Farm Pasture, Hockerton LWS	3*	1.106	36.9%

e.g. \* CLe 3 applied as no protected lichen or bryophytes species were found when checking easimap layer

**Table 7 - Nutrient enrichment - nitrogen**

Site	Critical Load nutrient enrichment kg N/ha/yr	PC Kg N/ha/yr	PC % Critical Load
Glebe Farm Pasture, Hockerton LWS	10*	8.619	86.2%

\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 08/05/14

**Table 8 - Acidification**

Site	Critical Load acidification keq/ha/yr	PC Kg Keq/ha/yr	PC % Critical Load
Glebe Farm Pasture, Hockerton LWS	4.75*	1.484	31.2%

\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 08/05/14

No further assessment for these sites 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 (SCR) for Woodside Farm (dated 26/04/14) 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.**

## 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
<b>Consultation</b>		
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.	✓
<b>Operator</b>		
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.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.  This permit meets the requirements of the Industrial Emissions Directive (IED) – see Key Issues section for details.	✓
<b>The site</b>		
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	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).	
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>We have not formally consulted on the application. The decision was taken in accordance with our guidance 84_07.</p> <p>An Appendix 4 was saved to file for audit only on 12/06/14.</p> <p>An other sites proforma was saved to file for audit only on 12/06/14.</p>	✓
<b>Environmental Risk Assessment and operating techniques</b>		
Environmental risk	<p>We have carried out a risk assessment on behalf of the operator.</p> <p>The operator considers this risk assessment is satisfactory.</p> <p>See key issues ‘Ammonia Emissions’ section above for more information.</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 Operating Techniques:</p> <ul style="list-style-type: none"> <li>• housing will be well insulated and have a damp proof course;</li> <li>• litter will be kept loose and friable;</li> <li>• associated food is stored on the installation in sealed food bins;</li> <li>• carcasses will be disposed of off-site as part of the</li> </ul>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>National Fallen Stock Scheme;</p> <ul style="list-style-type: none"> <li>• drinkers are designed to prevent leakage (wastage); and</li> <li>• ventilation will match the health and welfare needs for the age and number of birds.</li> </ul> <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. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions.</p>	
<b>The permit conditions</b>		
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>	✓
<b>Operator Competence</b>		
Environment management system	<p>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.</p>	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
Financial provision	<p>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.</p>	✓



## 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
Public Health England, dated 27/06/14
Brief summary of issues raised
Based on the information contained in the application supplied to us, Public Health England has no significant concerns regarding the risk to the health of the local population from this facility. This consultation response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance and industry best practice.
Summary of actions taken or show how this has been covered
No further action necessary

Response received from
Local Authority Environmental Health team, dated 24/06/14
Brief summary of issues raised
Public Health Nottinghamshire County is not aware of any public health information about the local population to suggest an exceptional vulnerability amongst people likely to be affected by any emissions from the proposed process(es). Our response is based on an assumption that the permit holder/applicant will comply with all relevant best practice and industry guidelines.
Summary of actions taken or show how this has been covered
No further action necessary

The Local Authority Planning department and the Health and Safety Executive were all consulted on this application, but neither provided any response.

This application was publicised on the Environment Agency website between 20-06/14 and 17/07/14, but no representations were received during this period.