

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for **Aerodrome Site** operated by **Heal Eggs Limited**.

The permit number is **EPR/DP3535EF**.

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 and web publicising responses

Key issues of the decision

Introduction

The two poultry houses provide a combined capacity for **64,000 bird places**. A 32,000 capacity poultry house has been utilised since 2010 and there is a new 2014 poultry house with additional 32,000 poultry capacity. Hence the facility is required to be permitted as a Section 6.9 A (1) (a) (i) Rearing of poultry intensively in an installation with more than 40,000 places schedule activity.

Birds are brought onto the farm at 16 weeks old and depopulated between 70 and 80 weeks of age.

The birds are laying hens and producing eggs for human consumption only; the birds are not broiler breeder hens.

Poultry house 1 is an existing building with ventilation extraction fans in one gable end wall. Poultry house 2 will be a new building with high velocity extraction fans without gable end fans.

The immediate surrounding area to the installation is largely agricultural land with only small isolated areas of woodland, the nearest being at Hoo Coppice between 2 and 3 kilometres to the south west of the installation. There are also scattered dwelling houses within 400 metres of the installation boundary.

Both poultry houses will include litter and will utilise a 'multi-tier' system. Manure produced by birds on the slatted sections is collected on a manure belt and removed from the house on at least a weekly basis to land owned by the operator.

All feed is brought onto the farm and it will be stored in one of four bulk bins (each with 18 tonnes storage capacity). Diets are formulated according to the bird's requirements and the stage of the production cycle. The protein and phosphorus content of the feed is reduced as the flock gets older. Water is provided by nipple drinkers which are designed to minimise spillage, consumption levels are monitored daily. The design of the houses and equipment in use is expected to maintain good litter condition and to reduce ammonia and the likelihood of odours and fly problems. Low energy lighting systems are used throughout.

Birds which die during the production cycle are removed from the houses each day and the numbers are recorded. The carcasses are disposed of on-site using an approved incinerator which is fuelled by calor gas.

The manure which is removed weekly is exported from the site for spreading onto agricultural land beyond the installation boundary on operator's land.

Releases from this type of installation may include releases of ammonia and dust to air, releases to land via soakaways and releases of odour and noise.

The installation is not situated within the relevant screening distance of any statutory or non-statutory sites.

An assessment of the installation environmental impacts has been carried out and the installation is considered to have no significant impacts.

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 3.2.4 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 Aerodrome Site is within Appendix 1 of the supplementary application documentation.

It includes completion of H5 template plus an installation boundary, facilities location plan and site drainage plan.

The nearest named water course is Lakemore Brook which is around 400 metres to the north of the farm houses.

The land has been utilised as a farm since at least 1962 when the current owners purchased the land.

It is understood that prior to this, the land was under the ownership of the Ministry of Defence (MOD) for non-agricultural purposes

The current owners are not aware of any existing contamination within installation boundary since 1962 due to agricultural activities.

Our technical review of this specific former land usage is as follows.

- The land usage and any potential contaminants when under MOD usage are clearly distinguishable from agricultural usage.
- There is high likelihood of degradation of any potential former contaminants due to MOD usage resulting in negligible residual ground water and land contamination.

As such it is considered overall likelihood of ground water and land contamination because of MOD land usage is negligible. This is combined with no history of contamination during over 50 years of agricultural usage.

Therefore the conclusion is there is a low risk of historic groundwater and land contamination due to former activities within installation boundary.

Therefore, although condition 3.1.3 is included in the permit, no groundwater monitoring will be required at this installation as a result.

Odour

There are four sensitive receptors within 400 metres of the installation and therefore an odour management has been prepared. These consists of residential properties to the west at Osbaston (NGR SJ60356 19033) and to the east at residential properties with NGR SJ 61501 18594.

There is no history of odour complaints linked to the existing poultry house facility. The new poultry house enhanced ventilation high velocity roof fans will minimise risk of potential odour beyond installation boundary.

This consists of appendix 9 table reflecting our template application odour management plan. Additional information was received in the request for information response dated 18/03/14 on details to contain dirty water management and hence reduce potential risk of odour.

The applicant has also provided an odour risk assessment with control measures in appendix 11 of their application supplementary documentation.

Overall there is the potential for odour pollution from the installation. However the risk of odour pollution beyond the installation boundary is considered insignificant.

Noise

There are sensitive receptors within 400 metres of the installation boundary as stated above in odour review. The applicant has hence provided a noise management plan in appendix 10 of their supplementary application information and an associated risk assessment in appendix 11.

Operations with most potential to cause have been assessed as those involving vehicle engine movement eg. feed delivery, transport of birds onto and off site, transport of eggs, manure, litter and dirty water off-site

To minimise associated noise from these activities the management plan includes usage of dedicated modern well maintained vehicles and minimisation of deliveries at anti-social hours. The management plan includes a commitment to assess noise levels during such activities and optimise vehicles and procedures to minimise noise/

There is no history of noise complaints linked to the existing poultry house.

Overall there is the potential for noise from the installation beyond the installation boundary. However the risk of noise beyond the installation boundary is considered insignificant.

Annex 1: decision checklist

Aspect considered	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	<p>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.</p> <p>The application was sent for consultation with</p> <ul style="list-style-type: none"> • Telford and Wrekin Planning Department • Telford and Wrekin Environmental Health Department • HSE • Public Health England /Director of Public Health England 	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>2 consultations responses were received. The decision was taken in accordance with our guidance.</p>	✓
Operator		
Control of the facility	<p>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.</p>	✓
European Directives		
Applicable directives	<p>All applicable European directives have been considered in the determination of the application. This permit meets IED requirements.</p>	✓
The site		
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. This plan was finalised with a revised version sent as a duly making response.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition of the site. We consider this description is satisfactory. Please refer to key issues, section 'Groundwater and soil monitoring'. As a result of further assessment, baseline data is not required.</p> <p>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 not within the relevant distance criteria of any nature conservation sites. As such installation environmental impact on the surrounding habitat sites is considered insignificant.</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. The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment all emissions may</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	be categorised as environmentally insignificant.	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p><u>The Operator has proposed the following techniques:</u></p> <ul style="list-style-type: none"> • Both poultry houses are built on a concrete base and the walls and roofs are insulated. • Existing poultry house 1 has gable end fan outlet ventilation and the new poultry house 2 has high velocity roof extraction fans to further maximise extract air dispersion. • Delivery of feed into storage bins and from bins to the birds are contained utilising enclosed conveyor systems. • Dirty water storage from both poultry houses is contained within a single shared below ground storage tank. The tank is purpose built (25 m capacity) and sized for maximum poultry capacity. Procedures are in place to minimise risk of overfilling and cleanout will stop. • Roof water is transferred via above ground drain gutters to a series of 12 soakaways; six per poultry house .They are on either side of each poultry house. • Sealed and collision-protected feed storage bins • Carcasses are disposed of on-site using an approved incinerator which is fuelled by calor gas. • Feed selection is carefully selected with reference to bird type and stage of production cycle. Phosphorous and protein levels are reduced over the production and growing cycle by providing different feeds. <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, and ELVs deliver compliance with BAT-AELs.</p>	✓
The permit conditions		
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 Techniques table in the permit.	✓
Operator Competence		
Environment management system (EMS)	<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 applicant has chosen to utilise their own management system without external certification.</p> <p>Appendix 3 of the supporting information gives the detail of their EMS covering normal operation, maintenance schedules and records, incidents and abnormal operations, complaints system, accident management, training and provision of competent staff plus site security. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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. To support this Heal Eggs Limited have been operating a permitted intensive farm (EPR/UP3938UH) since 2007. The decision was taken in accordance with RGN 5 : 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
Public Health England (received 26/03/14)
Brief summary of issues raised
The response covered overall risk assessment ammonia impacts and odour without raising particular concerns
Summary of actions taken or show how this has been covered
Odour management provided by applicant and reviewed within our determination Ammonia impacts from installation are assessed as not significant. No action required.

Response received from
Telford and Wrekin Council Planning (received 11/03/14)
Brief summary of issues raised
No issues raised linked to planning or noise
Summary of actions taken or show how this has been covered
No action required.

Note : Planning permission for this site was granted in November 2013.

The Director of Public Health and HSE were also consulted but no responses were received.

This proposal was also publicised on the Environment Agency's website for 4 weeks but no representations were received during this period.