

Environment Agency permitting decisions

Bespoke permit

We have decided to issue the permit for The Wood Farm operated by Mr Richard Preece, Mr Ian Preece and Mrs Janet Preece trading as I&J Preece & Son.

The permit number is EPR/SP3537RR

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

- Description of main features of the installation/the changes introduced by the variation
- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation, web publicising responses

Description of the main features of the Installation

The Wood Farm is situated off the B4364, with Bridgnorth to the north and Ludlow to the south. The installation is approximately centred on National Grid Reference SO 59006 81363. The land surrounding the site is steeply undulating hills, feeding major streams. The surrounding land comprises farms, mainly arable but also some livestock.

The installation is operated by Mr Richard Preece, Mr Ian Preece and Mrs Janet Preece and comprises three poultry houses, numbered one to three, which operate a multi-tier aviary system with litter removal 3 times per week, for free range laying hens. The three poultry houses provide a combined capacity for 48,000 bird places. Birds are brought in from a rearing farm, and are transported to a slaughter plant at the end of the egg laying period. The average cycle length is 65 weeks.

All 3 poultry houses are ventilated via gable end fans, with ridge inlet fans. The ventilation to the houses will be automated and varied according to weather conditions. Manure is removed by belts from all three poultry houses three times each week. All litter is exported from the installation for spreading on land. Some litter and all dirty water are spread to land owned by the same business. The operator has a Manure Management Plan and only spreads to land in line with the Code of Good Agricultural Practice. Some litter will be exported for spreading to land under the control of a separate farming business. This will be done in line with the Code of Good Agricultural Practice.

Water from the wash out of all 3 poultry houses is channelled to underground collection tanks close to the houses to await export off site. Roof water from all three houses drain to an open ditch before entering Ledwyche Brook. Dust from the gable end fans will be cleared regularly to prevent dust build up. Associated food is mill on site and stored on the installation in sealed food bins. Mortalities are collected daily and stored in a secure container on site for removal under the National Fallen Stock Scheme. At the end of the laying period the birds are removed from the houses. The empty houses are then washed and disinfected ready for the next cycle.

This permit implements the requirements of the European Union Directive on Industrial Emissions.

Key issues of the decision

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 2013. These Regulations transpose the requirements of the IED.

This permit implements the requirements of the European Union 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 The Wood Farm (dated 26/02/2016) 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.**

Ammonia assessment – SAC/SPA/Ramsar

There are none of the above sites within the distance criteria.

Ammonia assessment – SSSI

The following trigger thresholds have been applied for assessment of SSSIs:

- If the process contribution (PC) is below 20% of the relevant critical level (CL_e) or critical load (CL_o) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required. An in combination assessment will be completed to establish the combined PC for all existing farms identified within 5km of the application.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from The Wood Farm will only have a potential impact on SSSI sites with a precautionary critical level of 1µg/m³ if they are within 1066 metres of the emission source.

Beyond 1066m the PC is less than 0.2µg/m³ (i.e. less than 20% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case all of the SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1µg/m³ is used, and the process contribution is assessed to be less than 20% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the 1µg/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

Table 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Hill Houses & Crumpsbrook Meadows	4885
Cuckoopen Coppice	4778
Clee Hill Quarries	4487
Catherton Common	4469
Titterstone Clee	2034
Green Farm Quarry	1827

Ammonia assessment – LWS/AW

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from The Wood Farm will only have a potential impact on the LWS sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 385 metres of the emission source.

Beyond 385m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case all but 1 LWS/AW sites are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 2 – LWS & AW Assessment

Name of LWS/AW	Distance from site (m)
AW - Unknown	1944
LWS – Clee Liberty, Brown Clee	1759
LWS – North West of the Gore –Ext	1413
LWS – North West of the Gore	1336
AW - Unknown	1286
LWS - Newton Dingle	1276
AW - Unknown	1258
LWS - The Gore	1205
LWS - Coldgreen Dingle	1099
AW – Unknown	574
AW - Unknown	521

For the 1 AW at 317m from the poultry unit that did not screen out on distance further assessment was carried out. Screening using the ammonia screening tool version 4.5 has determined that the PC on the AW (unknown) for ammonia emissions, nitrogen deposition and acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 3 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level

AW – (unknown)	3*	0.123	12.3
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* CLe 3 applied as no protected lichen or bryophytes species were found when checking easimap layer

Table 4 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	Predicted PC kg N/ha/yr	PC % of critical load
AW – (unknown)	10	6.258	62.5

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 09/05/2016

Table 5 – Acid deposition

Site	Critical load keq/ha/yr [1]	Predicted PC keq/ha/yr	PC % of critical load
AW – (unknown)	1.79	0.447	25

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) -09/05/2016

No further assessment is required.

Annex 1: decision checklist

This document should be read in conjunction with the application, supporting information and permit/notice.

Aspect considered	Justification / Detail	Criteria met
Receipt of submission		
Confidential information	A claim for commercial or industrial confidentiality has not been made.	✓
Identifying confidential information	<p>We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on commercial confidentiality.</p> <p>Do not refer to the nature of material excluded.</p> <p>Use this row for all applications and add the word, “not” if no confidential information has been identified.</p>	✓
Consultation		
Scope of consultation	<p>The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none"> • LA Shropshire (Unitary Authority) Planning and Environment • HSE • PHE and Director of PHE 	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
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 our guidance on what a legal operator is.	✓
The facility		
The regulated	The extent/nature of the activities and operations taking	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
facility	place at the site required clarification.	
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 plans which we consider are satisfactory, showing the extent of the site of the facility A plan 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).	✓
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat . A full assessment of the application and its potential to affect the site/species/habitat has been carried out as part of the permitting process. We consider that the application will not affect the features of the site/species/habitat. We have not formally consulted on the application. The decision was taken in accordance with our guidance.	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.	✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>The Operator has submitted and Odour Management Plan, Noise management Plan and a dust Management Plan within the application.</p> <p>Emissions of Ammonia have been previously screened out as insignificant, and so the Environment Agency agrees that the Applicant's proposed techniques are BAT for the installation.</p>	
The permit conditions		
Improvement conditions	<p>Based on the information on the application, we consider that we need to impose improvement conditions.</p> <p>We have imposed improvement conditions</p> <p>IC1 The operator shall replace all existing areas named "Impermeable Hardcore Yard" referred to in the legend of the drainage plan and shown within the drainage plan, submitted in application EPR/SP3537RR/A001 with impermeable concrete areas in line with Intensive Farming EPR6.09 SGN</p> <p>And</p> <p>IC2 The operator shall ensure permanent collision barriers are in place to protect all feed silos on site in line with Intensive Farming EPR6.09 SGN</p> <p>to ensure that:</p> <ul style="list-style-type: none"> ➤ the appropriate measures are in place to prevent fugitive emissions. 	✓
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		

Aspect considered	Justification / Detail	Criteria met
		Yes
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 our guidance on what a competent operator is.	✓
Relevant convictions	The Case Management System and National Enforcement Database has/have been checked to ensure that all relevant convictions have been declared. No relevant convictions were found.	✓
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 our guidance on what a competent operator is.	✓

Annex 2: External 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
Brief summary of issues raised
Satisfied ammonia emission are insignificant
Summary of actions taken or show how this has been covered
Standard conditions applied.