

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Westhall Poultry Unit operated by E C Drummond (Agriculture) Ltd.

The variation number is EPR/RP3631AE/V002

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 the changes introduced by the variation
- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Description of the changes introduced by the Variation

This is a Substantial Variation.

This variation authorises the following changes:

- an increase in bird places to 140,000 broilers;
- replace the existing eight poultry houses with two refurbished larger poultry houses, bringing the site up to current BAT standards;
- installation of a licensed incinerator;
- Table S1.1 amended to add carcass incineration as a Directly Associated Activity;
- Table S3.1 amended to reflect the changes to ventilation for the poultry houses; and
- Table S3.2 amended to reflect the changes to the emission of roof and yard water.

The new houses will be constructed to comply with the latest BAT recommendations. The houses will be fan ventilated with a fully littered floor, well insulated and equipped with non-leaking drinking systems. Ventilation will be provided by high velocity roof extraction fans with side wall inlets for normal ventilation and gable end fans for tunnel ventilation for cooling purposes. All roof water from the poultry houses and yard water (excluding poultry house wash out periods) will discharge to a ditch to the south east of the installation via french drains. Fallen stock will be stored securely in sealed vermin proof containers awaiting incineration in the Animal Health & Veterinary Laboratories Agency (AHVLA) approved incinerator or collected by a licensed collection agent under the National Fallen Stock Scheme. All used litter and wash water will be removed from the site. There is no increase to the site boundary.

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.

Amendments have been made to the conditions of this variation so that it now implements the requirements of the European Union Directive on Industrial Emissions.

Ammonia emissions

There are seven Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites located within 10 kilometres of the installation.

There are two Sites of Special Scientific Interest (SSSI) located within 5 km of the installation.

Ammonia assessment – SAC/SPA/Ramsar

The following trigger thresholds have been designated for the assessment of European 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 in-combination assessment will be completed to establish the combined PC for all existing farms identified within 10 km of the application.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Westhall Poultry Unit will only have a potential impact on the SAC/SPA/Ramsar sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 2411 metres of the emission source.

Beyond 2411 metres, the PC is less than $0.04\mu\text{g}/\text{m}^3$ (i.e. less than 4% of the precautionary $1\mu\text{g}/\text{m}^3$ critical level) and therefore beyond this distance the PC is insignificant. In this case all SAC/SPA/Ramsars are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of $1\mu\text{g}/\text{m}^3$ is used, and the process contribution is assessed to be less than 4% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the $1\mu\text{g}/\text{m}^3$ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely significant effect.

Table 1– SAC/SPA/Ramsar Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Minsmere to Walberswick Heaths & Marshes (SAC)	9223
The Broads (SAC)	9322
Broadland (SPA)	9322
Benacre to Easton Bavents (SPA)	8513
Minsmere-Walberswick (SPA)	7722
Minsmere-Walberswick (Ramsar)	7722
Broadland (Ramsar)	9322

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 5 km of the application.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Westhall Poultry Unit will only have a potential impact on SSSI sites with a precautionary critical level of 1µg/m³ if they are within 826 metres of the emission source.

Beyond 826 metres, 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 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 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
Holton Pit (SSSI)	4566
Titsal Wood, Shadingfield (SSSI)	2578

Odour Management Plan

We, the Environment Agency, have reviewed and approved the Odour Management Plan (OMP) and consider it complies with the requirements of our H4 Odour management guidance note. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the operator.

The OMP should be reviewed on a regular basis to ensure that it reflects the most up to date management practices and infrastructure.

Incinerator

This permit allows the operator to install an Animal Health & Veterinary Laboratories Agency (AHVLA) approved incinerator, with a capacity of < 50 kg/hour for the disposal of poultry carcasses.

Incinerator ash will be removed from the site as a waste.

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
		Yes
Receipt of submission		
Confidential information	A claim for commercial or industrial confidentiality has not been made.	✓
Identifying confidential information	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.	✓
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">• The Health & Safety Executive• Environmental Health – Mid Suffolk District Council• The Local Planning Authority – Mid Suffolk District Council• The Director of Public Health• 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>The decision was taken in accordance with our guidance.</p>	✓
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	
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 site.</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 27/06/16 'For Information Only'.</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 for further explanation.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> • refurbished poultry houses constructed to comply with the latest BAT recommendations. The houses will be fan ventilated with high velocity roof extraction fans with gable end fans for cooling purposes. Houses will have a fully littered floor, be well insulated and equipped with a nipple drinking system fitted with cups to reduce leakage and spills; • carcasses stored securely in sealed vermin proof containers awaiting incineration in an Animal 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>Health & Veterinary Laboratories Agency (AHVLA) approved incinerator or collected by a licensed collection agent under the National Fallen Stock Scheme; and</p> <ul style="list-style-type: none"> all used litter and wash water is removed from site. <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' 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		
Updating permit conditions during consolidation.	<p>We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit.</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template, which was developed in consultation with industry having regard to the relevant legislation.	✓
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>	✓
Emission limits	No emission limits have been added as a result of this variation.	✓
Operator Competence		
Environment management	There is no known reason to consider that the operator will not have the management systems to enable it to	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
system	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 on 19 July 2016
Brief summary of issues raised
<p>PHE have examined the potential health implications of the proposed application and highlighted that the main potential issues of relevance from a health perspective relate to sources of dust, bio-aerosols, odours and ammonia.</p> <p>PHE noted that there are limited details provided with regard to bio-aerosol emissions and that the EA should ensure that the Accident Management Plan adequately considered the potential for fire.</p> <p>PHE recommended that the EA also consult the Food Standards Agency (FSA), where there is the potential for deposition on land used for the growing of food crops or animal rearing, the Director of Public Health for matters relating to wider public health impacts and the local authority for matters relating to impact upon human health of contaminated land; noise, odour, dust and other nuisance emissions.</p> <p>PHE concluded that they have no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector specific technical guidance or industry best practice.</p>
Summary of actions taken or show how this has been covered
<p>The operator has submitted an odour management plan and a dust (including bio-aerosols) risk assessment, both of which have been reviewed and approved by the Environment Agency.</p> <p>Likely impacts have been assessed during the determination as unlikely to have a significant impact and therefore we have included standard conditions which require the operator to action any emissions management plan should a substantiated negative impact be notified. Conditions 3.1.1, 3.2.1 and 3.3.1, concerning odour and fugitive emissions are included in the permit.</p> <p>Condition 1.1.1 concerning the written management system, including accidents, is included in the permit. An accident management plan is held on site.</p> <p>PHE and Mid Suffolk District Council were consulted as part of the standard consulting process however, a risk based approach is used when consulting the FSA and in this instance it was not deemed necessary to consult them.</p>

Response received from
Environmental Health – Mid Suffolk District Council on 12 July 2016
Brief summary of issues raised
EH confirmed that they have no detail or record of any noise or other amenity issues at this site. EH queried the noise level of the high velocity roof extraction fans and whether the applicant had submitted a noise assessment using BS4124.
Summary of actions taken or show how this has been covered
The refurbished poultry houses will meet current Best Available Techniques (BAT) standards and the ventilation fans will have to meet BAT in terms of design, location, operation and inspection/maintenance. The fans have been selected so that they are the appropriate power and size for the poultry houses and ventilation rates will be computer controlled for maximum efficiency. The fans will be regularly maintained and cleared of debris. The operator has submitted a noise management plan which has been reviewed and approved by the Environment Agency. Condition 3.4.1 concerning noise is included in the permit. A BS4142 assessment is not routinely required as part of an intensive farming permit application and in this case noise modelling has not been requested as there have been no noise complaints at the site. Although an actual noise level for the fans to be installed at the installation cannot be provided, the refurbishment of the poultry houses to meet current BAT standards, including newer, more efficient high velocity roof fans, represents an improvement and as such could reduce noise at the site.

The following organisations were consulted, however no responses were received:

- Local Planning Authority – Mid Suffolk District Council
- The Director of Public Health
- The Health and Safety Executive

This proposal was also publicised on the Environment Agency’s website between 30/06/16 and 28/07/16, but no representations were received during this period.