

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

Mr Thomas Simon Powell and Mrs Claire Powell

Burlton Lane Farm
Myddle
Shrewsbury
Shropshire
SY4 3RE

Permit number

EPR/MP3032AP

Burlton Lane Farm

Permit number EPR/MP3032AP

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

Burlton Lane Farm is situated approximately one kilometre north west of the village of Myddle in Shropshire. The installation is approximately centred on National Grid Reference SJ 46325 24955.

The installation is operated by Mr Thomas Simon Powell and Mrs Claire Powell and comprises of two poultry houses, which operate a multi-tier aviary system for free range laying hens. The two poultry houses provide a combined capacity for 64,000 bird places, accommodated by extending and adapting the existing housing from the previously below threshold poultry site. Free range laying hens are brought onto the farm at approximately 16 weeks old and are depopulated around 70 to 80 weeks of age, before being replaced.

Both poultry houses are ventilated by roof fan outlets with an emission point higher than 5.5 metres above ground level and an efflux speed at or above 11 metres per second, and there will be roof mounted inlets. Both houses also have gable end fans, although these are operated infrequently to maintain temperature, typically in the summer months. Popholes in the house walls allow livestock access to the surrounding range area, covering approximately 80 acres (32 hectares).

Both houses will include litter. The multi-tier system will allow manure produced by birds on the slatted sections to be collected on a manure belt, which is removed from the poultry houses at least once each week. Manure which is deposited onto the litter will be removed at the end of each flock cycle. At the end of the cycle the houses are depopulated, litter removed, washed and disinfected ready for the next cycle. All manure is exported from the installation for spreading on land owned by the operator and also land owned by third parties. Water from the wash out of poultry houses is channelled to underground collection tanks close to the ends of the houses to await export off-site and is spread on land owned by the operator. Roof water from both houses drains via gutters to French drains running alongside the houses, and is then piped to a ditch to the north of the installation, which ultimately drain to Sleaf Brook. There are also underground gravel pits at the extended ends of the poultry houses which receive roof water via gutters from the extended roofs, and then drain via the existing piped drainage system to the ditch to the north of the installation. Water draining from the concreted yard areas at the ends of the houses (excluding periods of washout when water from the yard drains to the underground tanks) is channelled via the French drains to the piped system and onto the ditch to the north.

The land around the site is predominantly agricultural, and falls gently towards the north east, rising gently to the south west. Associated food is stored on the installation in sealed food bins. Mortalities are collected daily and stored in a secure container prior to disposal in an on-site incinerator.

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

The status log of the permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/MP3032AP/A001	Duly made 14/10/15	Application for an intensive farming poultry installation permit.

Status log of the permit		
Description	Date	Comments
Additional information received	06/11/15	Clarification of incinerator details, dust management, site drainage, chemical storage, carcass storage, bunding, livestock feeding regime, sensitive receptors poultry house ventilation.
Additional information received	30/11/15	Receipt of Odour Contingency Plan which forms part of the Odour Management Plan (OMP), and further clarification of drainage.
Permit determined EPR/MP3032AP (Billing reference: MP3032AP)	16/12/15	Permit issued to Mr Thomas Simon Powell and Mrs Claire Powell.

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2010

Permit number

EPR/MP3032AP

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010

Mr Thomas Simon Powell and Mrs Claire Powell (“the operator”),

whose principal office is

Burlton Lane Farm

Myddle

Shrewsbury

Shropshire

SY4 3RE

to operate an installation at

Burlton Lane Farm

Myddle

Shrewsbury

Shropshire

SY4 3RE

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Philip Lamb	16/12/2015

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

1.1.1 The operator shall manage and operate the activities:

- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
- (b) using sufficient competent persons and resources.

1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.

1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

1.2 Energy efficiency

1.2.1 The operator shall:

- (a) take appropriate measures to ensure that energy is used efficiently in the activities;
- (b) review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and
- (c) take any further appropriate measures identified by a review.

1.3 Efficient use of raw materials

1.3.1 The operator shall:

- (a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities;
- (b) maintain records of raw materials and water used in the activities;
- (c) review and record at least every four years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and
- (d) take any further appropriate measures identified by a review.

1.4 Avoidance, recovery and disposal of wastes produced by the activities

1.4.1 The operator shall take appropriate measures to ensure that:

- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities;
- (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
- (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.

- 1.4.2 The operator shall review and record at least every four years whether changes to those measures should be made and take any further appropriate measures identified by a review.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities").

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

2.3 Operating techniques

- 2.3.1 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.
- 2.3.2 If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan or other documentation ("plan") specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 2.3.3 The operator shall maintain and implement a system to record the number of animal places and animal movements.
- 2.3.4 Any raw materials or fuels listed in schedule 2 table S2.1 shall conform to the specifications set out in that table.
- 2.3.5 The operator shall take appropriate measures in off-site disposal or recovery of solid manure or slurry to prevent, or where this is not practicable, to minimise pollution.
- 2.3.6 The operator shall:
- (a) maintain and implement a manure management plan;
 - (b) review and record at least every four years whether changes to the plan should be made; and
 - (c) make any appropriate changes to the plan identified by the review.
- 2.3.7 The operator shall ensure that where waste produced by the activities is sent to a relevant waste operation, that operation is provided with the following information, prior to the receipt of the waste:
- (a) the nature of the process producing the waste;
 - (b) the composition of the waste;
 - (c) the handling requirements of the waste;
 - (d) the hazardous property associated with the waste, if applicable; and
 - (e) the waste code of the waste.
- 2.3.8 The operator shall ensure that where waste produced by the activities is sent to a landfill site, it meets the waste acceptance criteria for that landfill.

2.4 Pre-operational conditions

- 2.4.1 The activities shall not be brought into operation until the measures specified in schedule 1 table S1.3 have been completed.

3 Emissions and monitoring

3.1 Emissions to water, air or land

- 3.1.1 There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1 and S3.2.
- 3.1.2 The limits given in schedule 3 shall not be exceeded.
- 3.1.3 Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

3.2 Emissions of substances not controlled by emission limits

- 3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.2.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits; and
 - (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 3.2.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.3 Odour

- 3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

3.4 Noise and vibration

- 3.4.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

3.5 Monitoring

- 3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit:
- (a) point source emissions specified in tables S3.1 and S3.2.

3.6 Pests

- 3.6.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.
- 3.6.2 The operator shall:
- (a) if notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a pests management plan which identifies and minimises risks of pollution, hazard or annoyance from pests;
 - (b) implement the pests management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

4 Information

4.1 Records

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of the land and groundwater.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 The operator shall, unless notice under this condition has been served within the preceding four years, submit to the Environment Agency, within six months of receipt of a written notice, a report assessing whether there are other appropriate measures that could be taken to prevent, or where that is not practicable, to minimise pollution.

4.3 Notifications

- 4.3.1 In the event:
- (a) that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—
 - (i) inform the Environment Agency,

- (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
- (iii) take the measures necessary to prevent further possible incidents or accidents;
- (b) of a breach of any permit condition the operator must immediately—
 - (i) inform the Environment Agency, and
 - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
- (c) of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.

4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.

4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.

4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

In any other case:

- (a) the death of any of the named operators (where the operator consists of more than one named individual);
- (b) any change in the operator's name(s) or address(es); and
- (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) the Environment Agency shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

4.3.6 The Environment Agency shall be given at least 14 days notice before implementation of any part of the site closure plan.

4.4 Interpretation

4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.

4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made “immediately”, in which case it may be provided by telephone.

Schedule 1 – Operations

Table S1.1 activities		
Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
Section 6.9 A(1)(a)(i) Rearing of poultry intensively in an installation with more than 40,000 places	The rearing of poultry in a facility with a capacity for 64,000 layer hen places.	From receipt of birds, raw materials and fuels onto the site to removal of birds and associated wastes from site.
Directly Associated Activity	Description of specified activity	Limits of specified activity
Carcass incineration	Operation of an Incinerator for carcass disposal Animal and Plant Health Agency (APHA) approved < 50 kg/hr.	From receipt of raw materials, fuels and input of carcasses to release of combustion products to air and associated wastes removed from site.

Table S1.2 Operating techniques		
Description	Parts	Date Received
Application EPR/MP3032AP/A001	Responses to Parts B2 and B3 of the application form and referenced supporting documentation.	14/10/15
Additional information requested 23/10/15	Response to Request for Information clarifying incinerator details, dust management, site drainage, chemical storage, carcass storage, bunding, livestock feeding regime, sensitive receptors poultry house ventilation.	06/11/15
Additional information requested 16/11/15	Response to Request for Information, receipt of Odour Contingency Plan which forms part of the Odour Management Plan (OMP), and further clarification of drainage.	30/11/15

Table S1.3 Pre-operational measures	
Reference	Pre-operational measures
1	At least 1 calendar month prior to the stocking of livestock over the 40,000 listed activity threshold the Operator shall submit a report to the Environment Agency demonstrating that the dirty water (wash water) drainage system and wash water tanks have been leak-tested and no contaminated water can enter the clean drainage system.

Schedule 2 – Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	Specification

Schedule 3 – Emissions and monitoring

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (including unit)	Reference Period	Monitoring frequency	Monitoring standard or method
High velocity roof fan outlets on poultry houses 1 and 2 shown on the site plan as shown on the site plan in schedule 7	Poultry houses 1 and 2	---	---	---	---	---
Gable end fan outlets on poultry houses 1 and 2 as shown on the site plan in schedule 7	Poultry houses 1 and 2	---	---	---	---	---
Chimney from carcass incinerator as shown on the site layout plan reference 'Appendix 1 Site Layout Plan, August 2015' in application EPR/MP3032AP/A001	Carcass incinerator	---	---	---	---	---
Exhaust from standby generator as shown on the site layout plan reference 'Appendix 1 Site Layout Plan, August 2015' in application EPR/MP3032AP/A001	Standby Generator	---	---	---	---	---
Vent from oil tank as shown on the site layout plan reference 'Appendix 1 Site Layout Plan, August 2015' in application EPR/MP3032AP/A001	Diesel tank	---	---	---	---	---

Table S3.2 Point Source emissions to water (other than sewer) and land – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (incl. unit)	Reference Period	Monitoring frequency	Monitoring standard or method
Outlet to surface water ditch to the north of the installation as indicated on the revised site location plan received 30/11/15 in support of application EPR/MP3032AP/A001, which ultimately drains to Sleaf Brook.	Roof water from poultry houses 1 and 2 and yard surface water (excluding poultry house wash out periods)	---	---	---	---	---
French drains, acting as soakaways, running along sides of poultry houses 1 and 2, as shown on the revised site drainage plan reference 'Appendix 1 Site Drainage Plan, November 2015' received 06/11/15 in support of application EPR/MP3032AP/A001	Roof water from extended roofs of poultry houses 1 and 2	---	---	---	---	---
Underground gravel pits, acting as soakaways, at the extended ends of the poultry houses 1 and 2, as described on the revised site drainage plan reference 'Appendix 1 Site Drainage Plan, November 2015' received 06/11/15 in support of application EPR/MP3032AP/A001	Roof water from extended roofs of poultry houses 1 and 2	---	---	---	---	---

Schedule 4 – Reporting

There is no reporting under this schedule.

Schedule 5 – Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution	
To be notified within 24 hours of detection	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 – Interpretation

“accident” means an accident that may result in pollution.

“Animal and Plant Health Agency (APHA)” is the government agency that licences small on farm incinerators; formerly known as the Animal Health and Veterinary Laboratories Agency.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“building” means a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter.

“emissions to land” includes emissions to groundwater.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission limit.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2010 No.675 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

‘Hazardous property’ has the meaning in Annex III of the Waste Framework Directive.

“Industrial Emissions Directive” means DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions.

‘List of Wastes’ means the list of wastes established by Commission Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, as amended from time to time.

“Manure and slurry” have the following meaning:

- Manures may be either slurries or solid manures.
- Slurries consist of excreta produced by livestock whilst in a yard or building mixed with rainwater and wash water and, in some cases, waste bedding and feed. Slurries can be pumped or discharged by gravity.
- Slurry includes duck effluent, seepage from manure and wash water.
- Solid manures include farmyard manure (FYM) and comprise material from straw-based housing systems, excreta with lots of straw/sawdust/woodchips in it, or solids from mechanical separators.
- Most poultry systems produce solid manure (litter).
- Solid manure can generally be stacked.

“manure management plan” means the requirements described in Section 2.3 of SGN 6.09 How to Comply – Intensive Farming.

“pests” means Birds, Vermin and Insects.

“SGN How to comply – Intensive Farming” The EPR Sector Guidance Note 6.09 for intensive pig and poultry farmers, Version 2 published January 2010.

‘Waste code’ means the six digit code referable to a type of waste in accordance with the List of Wastes and in relation to hazardous waste, includes the asterisk.

“Waste Framework Directive” or “WFD” means Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste.

“year” means calendar year ending 31 December.

Schedule 7 – Site plan

Installation boundary plan



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END OF PERMIT