

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Townshend Poultry Unit operated by Townshend Poultry Limited.

The permit number is EPR/DP3933VK.

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

Ammonia emissions

There is one Special Area of Conservation (SAC) and one Ramsar site located within ten kilometres of the installation. There are two Sites of Special Scientific Interest (SSSI) located within five km of the installation. There are also three Local Wildlife Site (LWS) and two sites of Ancient Woodland (AW) within two km of the installation.

Ammonia assessment – SAC/Ramsar sites (European sites)

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 (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 10 km of the application.

Waveney and Little Ouse Valley Fens SAC is located 5,286 metres from the farm. Redgrave and South Lopham Fens Ramsar is located 5,286 m from the farm.

Initial screening using Ammonia Screening Tool v4.4 has indicated that emissions from Townshend Poultry Unit will only have a potential impact on European sites with a precautionary critical level of 1 µg/m³ if they are within 3,211 m of the emission source.

Initial screening indicates that beyond 3,211 m the PC is less than 0.04 µg/m³ (i.e. less than 4% of the precautionary 1 µg/m³ critical level) and therefore beyond this distance the PC is insignificant. Waveney and Little Ouse Valley Fens SAC and Redgrave and South Lopham Fens Ramsar are located beyond this distance (see table below) and therefore screen out for any further assessment.

Where the precautionary level of 1 µg/m³ 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 µg/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no adverse effect on these sites.

Table 1 – European Site Assessment

Name of European Site	Distance from site (m)
Waveney and Little Ouse Valley Fen SAC	5,286
Redgrave and South Lopham Fens Ramsar	5,286

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.

Westhall Wood and Meadow SSSI is located 3,042 m from Townshend Poultry Unit and Burgate Wood SSSI is located 1,765 m from the farm.

Initial screening using Ammonia Screening Tool v4.4 has indicated that emissions from Townshend Poultry Unit will only have a potential impact on SSSI sites with a precautionary critical level of 1 µg/m³ if they are within 1,123 m of the emission source.

Initial screening indicates that beyond 1,123 m the PC is less than 0.2 µg/m³ (i.e. less than 20% of the precautionary 1 µg/m³ critical level) and therefore beyond this distance the PC is insignificant. Westhall Wood and Meadow SSSI and Burgate Wood SSSI are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1 µg/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 1 µg/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no damage on these sites.

Table 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
Westhall Wood and Meadow SSSI	3,042
Burgate Wood SSI	1,765

Ammonia assessment - LWS/AW/LNR

There are three Local Wildlife Sites (LWS) and two sites of Ancient Woodland within two km of Townshend Poultry Unit. 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 (version 4.4) has indicated that emissions from Townshend Poultry Unit will only have a potential impact on sites with a critical level of $1 \mu\text{g}/\text{m}^3$ if they are within 393 metres of the emission source. Screening indicates that beyond this distance, the PC at conservation sites is less than $1 \mu\text{g}/\text{m}^3$. $1 \mu\text{g}/\text{m}^3$ is 100% of the $1 \mu\text{g}/\text{m}^3$ CLe and therefore beyond this distance the PC is insignificant. In this case all LWS/AW are beyond this distance.

Table 3 – distance from source

Site	Distance (m)
Burgate Little Green LWS	1,230
Stubbing's Wood LWS	1,327
Jacobites Wood LWS	1,607
Burgate Wood AW	1,763
Stubbing's Wood AW	1,327

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.

Combustion emissions

A standby generator will be maintained on the site. The generator is less than 5 megawatts in size. In accordance with the Environment Agency's Air Quality Technical Advisory Guidance 14: "for combustion plants under 5 MW, no habitats assessment is required due to the size of combustion plant". Therefore this proposal is considered acceptable and no further assessment 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 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 Townshend Poultry Unit (received 26/03/2015) 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.**

Noise and odour

There are two residential receptors, Stubbings Entry and Nan Hazel Lodge, located within 400 metres of the installation boundary. However, the operator confirmed (email dated 30/04/2015) that both these properties are owned by the operator and therefore odour and noise management plans were not required at the permit determination stage. Standard permit conditions 3.3 and 3.4 are included within the permit that specify that either an odour or noise management plan may be requested from the operator during the operational phase of the permit in the event that any odour or noise pollution occurs.

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
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with Regulatory Guidance Note 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.	✓
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 EPR Regulatory Guidance Note 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. The permit implements the requirements of the EU Directive on Industrial Emissions. See key issues 'IED section above for further information.	✓
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. 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 was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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 – see key decisions section for further information.</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>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant - see key issues section for further information.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The operator has proposed the following key operating techniques:</p> <ul style="list-style-type: none"> • Poultry houses of insulated metal construction with concrete bases. • Washdown water will be collected in dirty water storage tanks prior to being removed from the installation. • High velocity roof ventilation will be utilised. • Heat exchangers will be installed for each poultry house. • Feed stored in sealed containers. • Reduction in protein and phosphorous levels in feed over the growing period. • Water provided via nipple drinkers. • Mortalities removed from poultry houses daily and held in sealed bins prior to removal by a licensed waste contractor. • The diesel fuel tank will be bunded and maintained in line with the storage of silage, slurry and agricultural fuel oil (SAFFO). <p>The proposed techniques for priorities for control are in</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	line with the benchmark levels contained in the Sector Guidance Note 6.9 for intensive farming and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.	
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	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 Regulatory Guidance Note 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. The decision was taken in accordance with Regulatory Guidance Note 5 on Operator Competence.	✓

Annex 2: Consultation and web publicising advertising responses

1) Local Authority Environmental Health

Response received on 18/05/2015 from
Environmental Health – Mid Suffolk Council
Brief summary of issues raised
The response indicated that the local authority Environmental Protection Officer has no significant concerns regarding noise or other amenity issues from the site. The Officer recommended that the gable end fans from the poultry houses should be included in the noise management plan.
Summary of actions taken or show how this has been covered
The nearest sensitive receptor which is not associated with the farm is situated over 400m away from the installation and therefore a noise management plan is not a requirement for submission at the application stage for this permit. In the event that any noise issues did arise, standard condition 3.4 is included in the permit and gives provision for us to request that a noise management plan is submitted and revised in the future as necessary.

2) Health and Safety Executive

Response received from
Health and Safety Executive
Brief summary of issues raised
No response received.
Summary of actions taken or show how this has been covered
No action required

The application was advertised on our website for 20 working days. No consultation responses were received.