

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for **Allotment Farm Poultry Unit** operated by **Devonshire Poultry Limited**.

The permit number is **EPR/TP3038ZD**.

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.

Description of the main features of the Installation

The main features of the installation are as follows.

Allotment Farm Poultry Unit is situated approximately 500 metres to the South of the village of Kentisbeare village. The installation is approximately centred on National Grid Reference ST 06815 07627. The existing poultry farm is operating at 39,000 broiler places, which is below the threshold for an Environmental Permitting Regulation Permit.

The installation is operated by Devonshire Poultry Limited and comprises four poultry houses, which operate a broiler facility. The installation will have a maximum of 125,000 broiler places. The chicks will be brought in as day old chicks and the average crop cycle being up to 42 days. The number of cycles per annum is estimated at seven crops, with a turn round of a maximum of 7 days between cycles.

Poultry houses 1 and 2 will include side exhaust ventilation fans and the two new poultry houses (houses 3 and 4) will include high velocity roof exhaust fans. All houses also have gable end fans, although these are operated infrequently to maintain temperature, typically in the summer months. Heating of poultry houses is by propane and kerosene heaters and there are no biomass boilers.

No manure is stored within the installation boundary. All manure is exported from the installation for spreading on land owned by third parties. Water from the wash out of poultry houses is directed to underground collection tanks (six in total) to await export off site. Roof and yard water (excluding periods of washout when water from the yard drains to the underground tanks) from all houses drain to soakaways present within the installation boundary. There are no discharges to surface water from this installation.

The land around the site is predominantly agricultural and the surrounding area is a mixture of arable and grassland. Associated food is 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 cycle the houses are depopulated, washed and disinfected ready for the next cycle.

There are no European Sites and no Ramsar sites within the relevant 10km screening distance of the installation boundary. There are no Sites of Special Scientific Interest within the 5 km screening criteria. There are three other conservation sites within 2 km of this installation.

The Applicant has not pursued a planning application with the local council at the time of permit determination and hence there is no Environmental Impact Assessment for review as part of this determination.

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 2013 and came into force on 27 February 2013. These Regulations transpose the requirements of the Industrial Emissions Directive (IED).

This permit implements the requirements of the EU Directive on Industrial Emissions.

Environmental Impacts

Ammonia Emissions

There are no European sites and no Ramsar sites within the relevant screening distance 10km of the installation boundary.

There are no Sites of Special Scientific Interest within 5 km screening criteria. There are three other conservation sites within 2 km of this installation.

All the habitat sites screen out based on data in our Ammonia Screening Tool version 4.4 (ASTv4.4) ammonia screening assessment, dated 25/08/15.

Ammonia assessment - LWS/AW/LNR/NNR.

There are three local wildlife sites (LWS) within 2 km of this installation. The following trigger thresholds have been applied for the assessment of these sites.

1. If Process Contributions (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, as set out above, using results of the Ammonia screening Tool 4.4 dated 28/08/15. The PCs on these sites for ammonia, acid and nitrogen deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. A precautionary CLe of 1µg/m³ for ammonia has been used during the screen.

Screening indicates that beyond **471 m** distance, the PC's at conservation sites are less than 100 % of the 1µg/m³ critical level for ammonia. In this case all the other conservation sites listed below in Table 1 are beyond this distance.

Table 1 – distance from source

Site	Distance (m)
Dulford LWS	1,603
Maddock's Farm LWS	1,851
Kentisbeare LSW	605

Conclusion

The PCs for ammonia at these sites listed above have been screened as insignificant. It is therefore possible to conclude that no significant pollution will occur at these sites and no further assessment is required.

Where a CLe of 1µg/m³ is used, and the process contribution is assessed to be less than the 100% insignificance threshold in this circumstance it is not necessary to consider nitrogen deposition or acidification critical load values. In these cases the 1µg/m³ level used has not been confirmed, but it is precautionary.

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain condition 3.1.3 relating to groundwater monitoring. However, the Environment Agency's Guidance states **that it is only necessary for the Applicant 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 Applicant** 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 is within the application EPR/TP3038ZD/A001; supplementary information under document reference number 4.

It includes completion of an application site condition report plus an installation site plan with locations of farm buildings, drains, diesel tank and dirty water tanks.

The surrounding land is predominantly used for arable farming. There are some small villages in the area. There is no record of historic land contamination. The site is not within a flood zone.

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

- There is no record of installation area land contamination. The site has been a poultry site since 1970. Previous to this the installation area was used as general arable land.
- The site is not within a Source Protection Zone.

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, and 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.

Odour

There are sensitive receptors within 400 metres of the installation (excluding the farmers own residential property). The closest sensitive receptor is approximately 150 metres to the north of the installation boundary at National Grid Reference ST 06765 07823

In accordance with our guidance EPR 6.09, an Odour Management Plan is required when sensitive receptors are beyond 400 metres.

We have no recorded odour complaints linked to this farm, for current operation at 39,000 poultry places.

An Odour Management Plan (OMP) is included within the application supporting information. It includes an odour risk assessment, details of odour control measures and complaints procedure. The Applicant revised their OMP within a duly making response.

The revised OMP includes a map giving locations of all sensitive receptors within 400 metres of the installation boundary plus a commitment to daily site boundary odour checks additional and contingency plans with remedial actions to minimise odour pollution for each of these potential abnormal scenarios.

We have formally assessed the OMP with respect to our Intensive Farming EPR 6.09 guidance, our Top Tips guidance and Poultry Code of Practice Checklist.

We, the Environment Agency, have reviewed and approved the Odour Management Plan 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 Applicant.

Overall, there is the potential for odour pollution from the installation beyond the installation boundary. However, the risk of odour beyond the installation boundary is not considered significant.

Noise

There are sensitive receptors within 400 metres of the installation (excluding the farmers own residential property). *In accordance with our guidance EPR 6.09, a Noise Management Plan is required when sensitive receptors are beyond 400 metres.*

We have no recorded noise complaints linked to this farm, for current operation at 39,000 poultry places.

A Noise Management Plan (NMP) is included within the application supporting information. It includes a noise risk assessment, details of noise control measures and complaints procedure.

Operations with the most potential to cause noise nuisance have been assessed as those involving vehicle movements, ventilation fans, biomass boiler flue, feeding systems and broiler catching, building clean outs plus noise emissions from the standby generator, alarm systems and repair work.

We have assessed the NMP and have accepted it as satisfactory to minimise noise pollution beyond the installation boundary.

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 not significant.

Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Confidential information	A claim for commercial or industrial confidentiality has <i>not</i> 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	The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements. The application was sent for consultation with <ul style="list-style-type: none"> • Mid Devon District Council Environmental Health Department • Health and Safety Executive (HSE). There are no sensitive receptors within 100 metres from the installation boundary. As such a dust assessment and associated consultation with Public Health England/Director of Public Health is not required.	✓
Responses to consultation and web publicising	The web publicising and consultation responses (Annex 2) were taken into account in the decision. No points of concern were received from the consultation responses. 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 our guidance on what a legal Operator is.	✓
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 Applicant 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 Applicant is required to carry on the permitted activities within the site boundary.	✓
Site condition report	The Applicant has provided a description of the condition of the site. We consider this description is satisfactory. Please refer to key issues,	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	section 'Groundwater and soil monitoring'. As a result of further assessment, baseline data is not required. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED – guidance and templates.	
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant screening 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 site has been carried out as part of the permitting process. The key issues section provides a list of these sites. In addition an ammonia emissions review is included in key issues section of this document.</p> <p>In conclusion installation environmental impacts on the surrounding habitat sites are considered not significant.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	We have carried out a risk assessment on behalf of the Applicant	✓
Environmental risk	<p>We have reviewed the Applicant's assessment of the environmental risk from the facility. The Applicant's risk assessment is satisfactory. The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment all emissions may be categorised as environmentally insignificant.</p> <p>The critical details of the assessment, including biomass boiler assessment, are covered in the key issues section of this decision document.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The Applicant has confirmed that all farm facilities and operating techniques will be in compliance with our sector guidance EPR 6.09.</p> <p>General operating procedures include:</p> <ul style="list-style-type: none"> • All poultry buildings will be well insulated for optimum animal health and the houses will use side ventilation (houses 1 and 2) plus high velocity roof fan extraction fans (houses 3 and 4) complete with back up gable end fans to optimise odour dispersion. The poultry buildings will be thoroughly washed and disinfected between batches. • Fugitive Emission controls include building maintenance, routine building wash downs, usage of separate clean and water drainage. Feed is stored within enclosed feed bins. • Storage facilities: there is one diesel tank which is bunded. • Roof water and lightly contaminated yard water is transferred to on-site soak aways. There is no discharge to surface watercourses beyond the installation boundary. • Dirty water is contained in 2 of underground tank (each of 20 m3 volume) <p>A review of the odour and noise management plans for this installation is covered in the key issues section of this document.</p> <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the SGN EPR 6.09 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		
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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.	✓
Emission limits	We have decided that emission limits should be not set in the permit.	✓
Applicant Competence		
Environment management system (EMS)	There is no known reason to consider that the Applicant 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. There is a summary of the EMS in application supporting documentation (document reference 2). This gives the detail of their EMS normal operations, maintenance schedules, abnormal operations, complaints system, training, site security and accident management. The decision was taken in accordance our guidance on what a competent operator is.	✓
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found.	✓

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.

No consultation responses were received.

This proposal was also publicised on the Environment Agency's website for 4 weeks (deadline for responses 06/06/16) but no representations were received during this period.