

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

HJ & JD Duthie Limited
Porch Farm Poultry Unit
Weston-Under-Penyard
Ross-On-Wye
Herefordshire
HR9 7PG

Permit number

EPR/KP3135AX

Porch Farm Poultry Unit

Permit number EPR/KP3135AX

Introductory note

The main features of the permit are as follows.

Porch Farm Poultry Unit is situated approximately 1 kilometre south east of the village of Kingstone and 1.5km west of Bromsash, Herefordshire. The installation is approximately centred on National Grid Reference SO 63628 24358. The land surrounding the site is predominantly farm land and the topography is relatively flat and low lying.

The installation is operated by HJ & JD Duthie Limited and comprises two poultry houses numbered one and two, which operate a multi-tier aviary system for free range laying hens. The poultry houses provide a combined capacity for 50,000 free range bird places. Birds are brought onto the farm at point of lay (approximately 16 weeks old) and are depopulated around 72 weeks of age, after the laying cycle has finished.

Poultry houses one and two are ventilated by high velocity roof fans with an emission point higher than 6.5 metres above ground level with an efflux speeds greater than 11 metres per second.

Manure is removed from poultry houses one and two via a belt system twice a week and the entire building is cleared out at the end of the crop cycles. At the end of each crop cycle both sheds are fully cleared, washed and disinfected. Manure is either exported from the site for use on operator controlled land or to land owned by third parties with Duty of Care letters held from all recipients, giving assurances of adhering to the DEFRA Codes of Good Agricultural Practices and in line with Guidance on complying with the rules for Nitrate Vulnerable Zones in England for 2013 to 2016. Wash water from both poultry houses is channelled to underground collection tanks close to the houses and spread to operator controlled land or to land owned by third parties with Duty of Care letters held from all recipients, giving assurances of adhering to the DEFRA Codes of Good Agricultural Practices. Uncontaminated roof and yard water from both houses drains via a French drain system to soakaways at the end of each shed located within the installation boundary (excluding periods of washout when water from the yard drains to the underground tanks).

Associated food is stored on the installation in sealed steel vermin proof 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 crop cycle.

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/KP3135AX/A001	Duly made 06/07/15	Application for an intensive farming poultry installation permit.
Additional information received	16/06/15	Confirmation of high velocity roof fans for both sheds
Additional information received	17/06/15	Confirmation of bird numbers.
Additional information received	18/06/15	Revised odour modelling report provided..
Additional information received	19/06/15	Revised odour modelling data provided.
Additional information received	20/06/15	Bio-aerosol / dust assessment provided.
Additional information received	30/06/07	Confirmation of litter/manure fate and storage method.
Additional information received	06/07/15	Confirmation of storage methodology (NVZ regs)
Additional information received	06/07/15	Revised Odour Management Plan.
Additional information received	07/09/15	Revised Noise and Odour Management Plans.
Additional information received	11/09/15	Confirmation that both poultry house will utilise an aviary system with manure belt removal twice weekly.
Permit determined EPR/KP3135AX	29/09/15	Permit issued to HJ & JD Duthie Limited.

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2010

Permit number

EPR/KP3135AX

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

HJ & JD Duthie Limited (“the operator”),

whose registered office is

**Porch Farm
Weston-Under-Penyard
Ross-On-Wye
Herefordshire
England
HR9 7PG**

company registration number **09564658**

to operate an installation at

**Porch Farm Poultry Unit
Weston-Under-Penyard
Ross-On-Wye
Herefordshire
HR9 7PG**

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

Name	Date
Rebecca Warren	29/09/2015

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.

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 50,000 free range layer 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
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Table S1.2 Operating techniques		
Description	Parts	Date Received
Application EPR/KP3135AX/A001	All responses to Parts B3.5 of the application form and relevant referenced supporting documentation and plans including noise management plan, as referenced within application EPR/KP3135AX/A001 supporting documents.	06/07/15
Additional information	Response to Request for Information confirming high velocity roof fan used for sheds one and two.	16/06/15
Additional information	Response to Request for Information confirming bird numbers to be permitted.	17/06/15
Additional information	Response to Request for Information providing revised odour modelling report with revised bird numbers (50,000 places)	18/06/15
Additional information	Response to Request for Information – odour modelling input data provided.	19/06/15
Additional information	Response to Request for Information providing bio-aerosol / dust risk assessment.	20/06/15
Additional information	Response to Request for Information confirming manure / slurry disposal methods.	30/06/15
Additional information	Response to Request for Information confirming manure / slurry storage methodology in line with NVZ regulations	06/07/15
Additional information	Response to Request for Information providing revised odour management plan – Porch Farm date 18/06/15.	06/07/15
Additional information	Response to Request for Information providing revised odour and noise management plans.	08/09/15
Additional information	Revised information provided Confirmation that both poultry house will utilise an aviary system with manure belt removal twice weekly.	11/09/15

Schedule 2 – Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	Specification
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Schedule 3 – Emissions and monitoring.

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 & 2 as shown on the site plan in schedule 7 & "Porch Farm site/drainage plan" in EPR/KP3135AX/A001	Poultry houses 1 & 2	---	---	---	---	---

Emission point ref. & location	Source	Parameter	Limit (incl. unit)	Reference Period	Monitoring frequency	Monitoring standard or method
French drains / soakaways from poultry houses 1 & 2 as shown on the site plan in schedule 7 & "Porch farm site/drainage plan" in EPR/KP3135AX/A001	Uncontaminated roof & yard water from poultry houses 1 & 2 (excluding poultry house wash out periods)	---	---	---	---	---

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	
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.

“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.

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

“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.

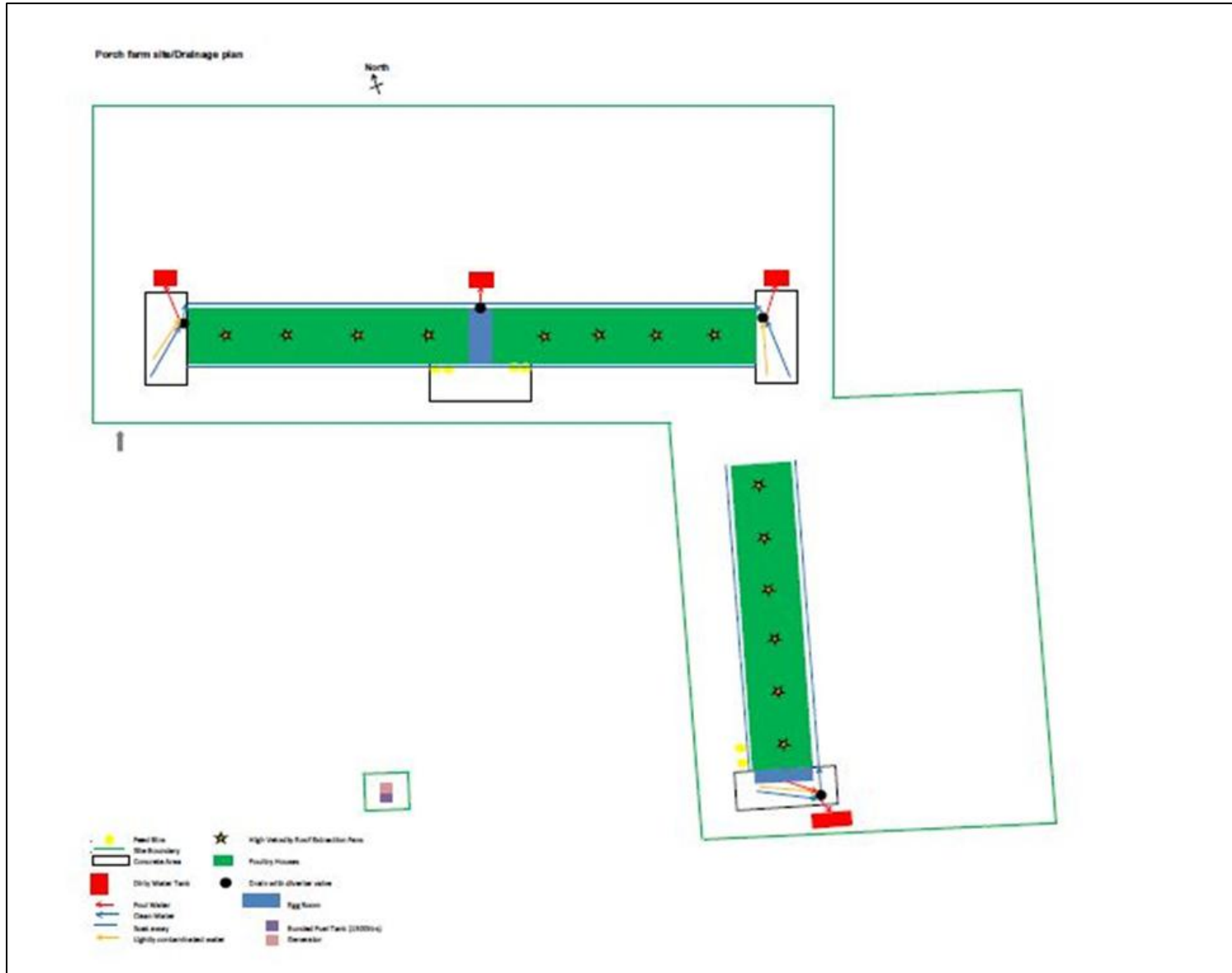
“waste code” means the six digit code referable to a type of waste in accordance with the List of Wastes (England) Regulations 2005, or List of Wastes (Wales) Regulations 2005, as appropriate, and in relation to hazardous waste, includes the asterisk.

“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.

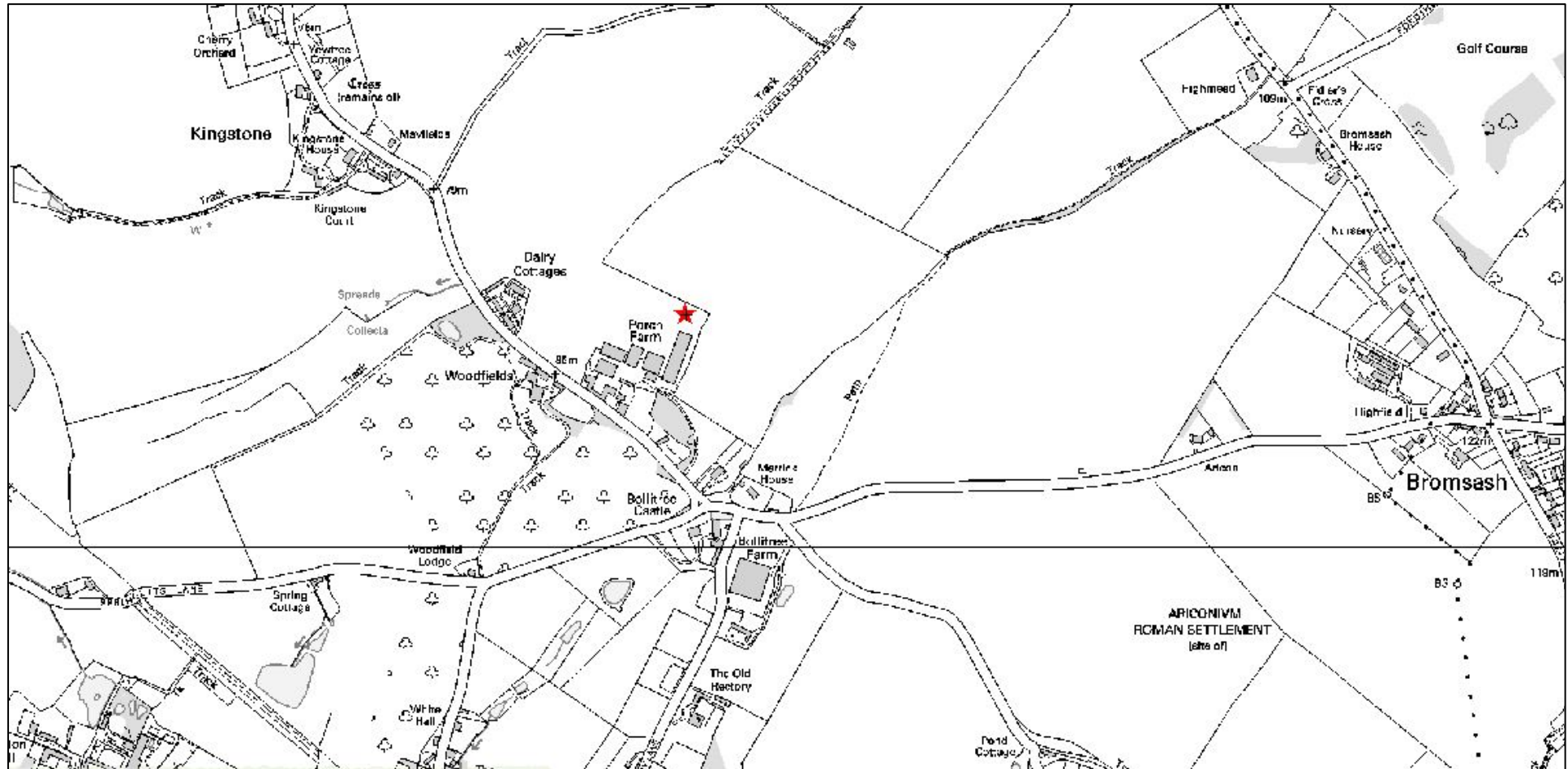
Schedule 7 – Site plan

Installation boundary plan



Permit number
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Location plan



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END OF PERMIT