

# Environment Agency permitting decision

## Bespoke permit

We have decided to grant the permit for The Old Airfield, Eaton upon Tern operated by Avonfinch Limited.

The permit number is EPR/ZP3430WE.

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

A pre-application ammonia assessment was made in September 2014 and the application was submitted in June 2015. The application was submitted more than 6 months after the pre-application assessment so the ammonia assessment was reassessed to check if there had been any changes.

There are two relevant nature conservation sites. These include one Ramsar site located within 10 kilometres of the installation and one Site of Special Scientific Interest (SSSI) located within 5 km of the installation.

#### Ammonia assessment – SAC/SPA/Ramsar 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 (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.

Screening using the ammonia screening tool (version 4.4) has determined that the PC on the Ramsar for ammonia, acid and nitrogen deposition from the application site are under the 4% significance threshold and can be screened out as having no likely significant effect. See results below.

**Table 1 – Ammonia emissions**

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of Critical level
Midland Meres and Mosses Phase 2 Ramsar	1*	0.008	0.08

\*A precautionary critical level of  $1 \mu\text{g}/\text{m}^3$  has been assigned to this site. Where the precautionary level of  $1 \mu\text{g}/\text{m}^3$  is used, and the PC is assessed to be less than the 4% insignificance threshold in this circumstance it is not necessary to further consider nitrogen deposition or acid deposition critical load values.

No further assessment is necessary.

### **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.

Screening using the ammonia screening tool (version 4.4) has indicated that the PC for Hodnet Heath SSSI is predicted to be less than 20% critical level for ammonia, acid and nitrogen deposition therefore it is possible to conclude no damage. The results of the ammonia screening tool (version 4.4) are given in the tables below.

**Table 2 – Ammonia emissions**

Name of SSSI	Ammonia CLe ( $\mu\text{g}/\text{m}^3$ )	PC ( $\mu\text{g}/\text{m}^3$ )	PC as % of Critical level
Hodnet Heath SSSI	1*	0.027	2.7

\*A precautionary level of  $1 \mu\text{g}/\text{m}^3$  has been used during the screen. Where the precautionary level of  $1 \mu\text{g}/\text{m}^3$  is used, and the process contribution is assessed to be less than the 20% insignificance threshold in this circumstance it is not necessary to further consider nitrogen

deposition or acid deposition critical load values. In these cases the 1  $\mu\text{g}/\text{m}^3$  level used has not been confirmed, but it is precautionary.

No further assessment is necessary.

An Appendix 11 was completed and sent to Natural England for information. In line with current procedures an Appendix 4 was not completed as the installation is deemed unlikely to have any significant effect and therefore no consultation is required.

## 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
<b>Consultation</b>		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 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.	✓
<b>Operator</b>		
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 RGN 1 Understanding the meaning of operator.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.  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).  The requirements of the Industrial Emissions Directive (IED) have been implemented in this permit.	✓
<b>The site</b>		
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–	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	guidance and templates (H5).	
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of two nature conservation sites.</p> <p>A full assessment of the application and its potential to affect the nature conservation sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites.</p> <p>All sites screened out. An Appendix 11 was completed and sent to Natural England for information. An Appendix 4 was not required.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	✓
<b>Environmental Risk Assessment and operating techniques</b>		
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.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>How to comply with your Environmental Permit for Intensive Farming.</p> <p>This facility meets BAT in the following ways:</p> <ul style="list-style-type: none"> <li>• non-leaking drinkers are used</li> <li>• houses have a concrete base</li> <li>• manure is removed regularly for spreading on nearby land</li> <li>• odour is reduced by keeping the poultry houses as clean as possible. Manure trucks are covered when they leave the site.</li> </ul> <p>The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the TGN, SGN EPR 6.09 V.2, and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.	
<b>The permit conditions</b>		
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <p>The operator will use the existing drainage infrastructure on the site which is located on a principal aquifer. The site is not located within a Source Protection Zone for public water supply but local residences are not on mains water supply and have private wells or boreholes. Groundwater flow direction is west-south-west towards the village of Eaton upon Tern.</p> <p>We have included a pre-operational condition that requires the operator to leak test the dirty water storage system and all bulk liquid storage tanks, pipelines and bunded fuel tanks.</p>	✓
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>	✓
<b>Operator Competence</b>		
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 RGN 5 on Operator Competence.	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓

## 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. (Newspaper advertising is only carried out for certain application types, in line with our guidance.)

Response received from
Shropshire County Council
Brief summary of issues raised
No prior noise issues raised and no further comments to make
Summary of actions taken or show how this has been covered
N/A

Response received from
Public Health England
Brief summary of issues raised
We recommend that any Environmental Permit issued for this site should contain conditions to ensure that the following potential emissions do not impact upon public health: odour, fugitive emissions of ammonia and dust to air from feed and litter. Based solely on the information contained in the application provided, PHE has 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 technical guidance or industry best practice
Summary of actions taken or show how this has been covered
Conditions concerning noise, odour and fugitive emissions are included in the permit. Likely emissions from the site have been assessed during the determination and are unlikely to have a significant impact. Standard conditions have been included which require the operator to action any emissions management plan if any negative impact be notified.

### **Responses not received**

The Health and Safety Executive (HSE) and Food Standards Agency (FSA) were also consulted, no consultation responses were received from these parties. No representations were received in response to our web publication.