

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Landshire Poultry Unit operated by M.B. Crocker Limited.

The variation number is EPR/FP3939UY/V004

This was applied for and determined as a substantial variation.

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.

This variation authorises the following changes:

- To increase the number of birds from the existing 600,000 to 750,000 places. This will consist of a new multi-tier barn type system with 118,000 places, a new shed with 32,000 free range places and the existing 600,000 unchanged enriched cage places.
- A new free range laying shed will be built within the existing installation boundary, housing 32,000 birds. Wash out water will be stored within a sealed tank system, uncontaminated roof and surface water will drain via French drains via field drains into the River Cale.
- Half of an existing building (poultry unit 1), which is currently not in use (previously cage egg production), will be re-equipped internally to accommodate the barn system, with a maximum of 118,000 bird places.
- All systems will have appropriate feed / water regimes.
- For both of these new developments, multi-tier systems with belt clean-out will be used.
- The majority of manure is air dried on site and is either sold as manure pellet fertiliser or land-spread.
- The combination of the new housing systems and revised emission rates will lead to a reduction in ammonia emissions from the farm when compared with the original permit despite the increase in bird numbers, thus demonstrating an environmental improvement.
- Manure, noise and odour management plans have been updated to reflect the above changes.

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 Impacts and mass balance

The permit has been varied to increase layer numbers from 600,000 to 750,000, an increase of 150,000 birds. An emission factor of 0.12 was originally used when the permit was issued in 2007. We have agreed to assess the proposed bird numbers using the most recent emission factors. These are 0.035 for birds housed in houses which use an enriched cage system and 0.08 for birds housed in houses using a Barn multi tier & Free range multi tier system. The latest emission factors have been compared against the previous 0.12 emissions factor.

Table 1.

Category of livestock	Housing system	Ammonia emission factor (kg/NH3/animal place/year)
Layers	Enriched cages system with manure belt	0.035
Layers	Barn multi tier & Free range multi tier	0.08

Table 2.

Permit	Animal/ Housing Type	Emission factor	Bird Places	Ammonia Emissions (Kg NH3/year)	Ammonia Emissions (g NH3/s)
Existing Permit V003	Enriched cage	0.12	600,000	72,000	2.283
			Total	72,000	2.283
Proposed Permit V004	Enriched cages system with manure belt	0.035	600,000	21,000	0.666
			Barn multi tier 118,000 & Free range multi tier 32,000	0.08	150,000
			Total	33,000	1.046
Predicted 2015 emissions as a percentage of original emissions		45.83%			
Percentage Reduction		54.17%			

Even though bird numbers are increasing from 600,000 to 750,000, the improvements made to the existing and proposed sheds have resulted in a reduction of **54.17%** in ammonia emissions. Therefore, permitting the proposed changes will result in an environmental improvement (Table 2).

There will be no changes to the emission characteristics and the location of existing sheds / orientation of the emission points remain the same, apart from the new shed.

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 2013. 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 Landshire Poultry Unit (dated 04/09/07) 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.**

Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Confidential information	A claim for commercial or industrial confidentiality has not 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 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. The Health and Safety Executive (HSE), Food Standard Agency (FSA), Director of Public Health, Public Health England (PHE), Environmental Health (South Somerset) were consulted.	✓
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 RGN 1 Understanding the Meaning of Operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. The variation incorporates the requirements of the Industrial Emissions Directive.	✓
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	The Operator has provided a description of the condition of the site. We consider this description is satisfactory.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
report	The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED - guidance and templates (H5).	
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the sites. We have not formally consulted on the application. The decision was taken in accordance with our guidance.	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	We have carried out a risk assessment on behalf of the Operator. The Operator considers this risk assessment is satisfactory - see Key Issues section for further explanation.	✓
Operating techniques	<p>We have reviewed the techniques used by the Operator and compared these with the relevant guidance notes. The proposed techniques for priorities for control are in line with the benchmark levels contained in the SGN EPR6.09 and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques are as follows::</p> <ul style="list-style-type: none"> • Housing design and management will be in accordance with the sector guidance note (SGN) EPR6.09. • Feed selection and use will be in accordance with the sector guidance note (SGN) EPR6.09. • Nipple drinkers are used to reduce wastage of water and maintain dry litter; • All dirty water is collected in concrete channels and removed from site. • The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs. 	✓
The permit conditions		
Updating permit conditions during consolidation.	We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permits. The Operator has agreed that the new conditions are acceptable.	✓

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.	✓
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 RGN 5 on Operator Competence.	✓

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.

Response received from
None
Brief summary of issues raised
None
Summary of actions taken or show how this has been covered
No further action. See comment below.

The Health and Safety Executive (HSE), Food Standard Agency (FSA), Director of Public Health, Public Health England (PHE), Environmental Health (South Somerset) were consulted. However, no responses were received

The permit application was also published on the Environment Agency's website from 15/01/16 to 12/02/16); no comments / representations were received during the web consultation period.