Determination of an Application for a PPC Permit under the Pollution Prevention and Control (England and Wales) Regulations 2000 (SI 2000 No.1973)

Decision document recording the decision-making process

Note: all references to the “PPC Regulations” are to the Pollution Prevention and Control (England and Wales) Regulations 2000 (SI 2000 No.1973), as amended.

Administrative details

Duly made application date	07/02/07
Permit number (the “Permit”)	EP3330UN
Applicant (the “Applicant”)	Brooke Farm Limited
Address/location of installation (the “Installation”)	Littlebeck Poultry Farm Littlebeck Lane Brooke Norfolk NR15 1ET
Name of Authorising Officer	J R Murphy

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INTRODUCTION

Purpose of this document

The decision document explains why the specific conditions in the permit have been imposed.
The permit contains many conditions taken from our standard PPC permit template (version 3). We developed these conditions in consultation with industry having regard to the legal requirements of the PPC regulations and other relevant legislation. This decision document does not include an explanation for these standard conditions. Where they are imposed we have considered the statements and information contained in the application are sufficient. This decision document does however, provide an explanation for the use of alternate conditions where our permit template allows for two or more options. Emission and monitoring compliance levels and any additional conditions that have been imposed in order to take installation-specific factors into account are explained.

Summary of the decision

We have decided to grant a permit for the operator, subject to the conditions in the permit. Where the permit includes standard conditions (see above), these have been considered to be appropriate for the installation, in particular in ensuring that all appropriate measures will be taken against pollution and that no significant pollution will be caused. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that all appropriate measures will be taken against pollution and that no significant pollution will be caused.

PART A: GENERAL ISSUES

A1 Administration

This section includes administrative information relating to the application and information about the applicant and the installation.

The application was duly made on 07/02/07.

The operator has made a claim for commercial confidentiality. We have not received any information in relation to this application that appears to be confidential in relation to any party.

We have not accepted the claim for commercial confidentiality, considering that the inclusion of the relevant information on the public register would not prejudice the applicant's commercial interests to an unreasonable degree for the reasons given in the notice of determination.

The application was advertised and consulted in accordance with the regulations. Details of the advertising and consultation are on the public register. Any responses received are summarised in Annex 1. We have taken these into consideration as described in Annex 1 when determining the application.

The requirements of PPD do not apply to this application.

A2 Description of the installation

A brief description of the installation is in the introductory note to the permit.

A3 Operator competence

We consider that the applicant (now the operator) is the person who will have control over the operation of the installation after the grant of the permit. We consider that they will be able to operate the installation so as to comply with the conditions we have included in the permit.

PART B: THE INSTALLATION AND ITS MANAGEMENT

B1 The permitted activities

Permit condition 2.1

We have determined that the installation comprises of the following activities listed in Part 1 of Schedule 1 to the PPC Regulations and the following Directly Associated Activities.

Table S1.1 Activities		
Activity listed in Schedule 1 of the PPC Regulations	Description of specified activity	Limits of specified activity
Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than: (i) 40,000 places for poultry.	The rearing of poultry in a facility with a capacity for 90,500 broiler places.	From receipt of birds, raw materials and fuels onto the site to removal of birds and associated wastes from site.
Directly Associated Activity		
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The activity comprises a single installation because the rearing of poultry intensively in an installation with more than 40,000 bird places is a listed activity under Schedule 1 of the PPC Regulations.

The storage of raw materials such as feed, chemicals and fuel, and the storage and disposal of waste are intrinsic to the rearing of poultry and so are included in the limits of the activity.

Waste stored within the installation and disposed of from the installation is solely from the Schedule 1 activity and Directly Associated Activities.

B2 The site

Permit condition 2.2

The operator has provided a plan which we consider is satisfactory, showing the site of the installation and its extent. A plan is included in the permit at Schedule 2, and the operator is required to carry on the permitted activities within the site boundary.

PART C: OPERATIONS AND RELEASES

C1 Operating techniques

Permit condition 2.3/table S1.2

We have specified that the applicant must operate the installation in accordance with the descriptions in the application and listed in table S1.2.

Table S1.2 Operating techniques

Description	Parts	Date Received
Application	The responses to sections B2.3.1, B2.3.2, B2.3.3, B2.6.1, B2.6.2, B2.6.3, B2.7.1 and B2.7.2 in the Application.	07/02/07
Request for Information dated 09/05/07	Response to Request for Information confirming the installation boundary and the drainage facilities/ plans at the installation.	27/06/07

Permit condition 1.4

The operator has specified the use of raw materials that are on an approved list.

C2 Off-site conditions

Permit condition 2.4

Based on the information submitted in the application, we consider that it is not necessary to impose any off-site conditions.

C3 Improvement Conditions

Permit condition 2.5

Based on the information in the application we consider that we need to set improvement conditions. These are listed in Annex 2 – justifications for these are provided in Annex 2 and at the relevant section of the decision document.

The current drainage and housing on site may not be BAT. We recognise that new techniques cannot be brought into effect overnight on existing installations however we expect industry to adopt best practices and new technologies and make continual improvements as deemed necessary. To enable us to agree a structured programme of improvements we have asked the operator to undertake a review of all site drainage at the installation and a review of existing poultry housing and management practices at the installation.

C4 Pre-operation conditions

Permit condition 2.6

Based on the information on the application, we consider that we do not need to impose any pre-operational conditions.

C5 Site reference data

The applicant has provided an application site report which we have assessed and determined the installation's activities show little likelihood of pollution. No reference data is to be collected. The site setting has been determined as sensitive and requires protecting throughout the life of the permit through the appropriate technical measures. Improvement conditions set in the permit will ensure that pollution prevention measures are in place to a standard sufficient to minimise pollution.

C6 Emissions to water, air or land.

Permit condition 3.1

We have reviewed the answers about the techniques used by the operator and compared these with the relevant guidance notes in How to Comply, V1 (Sections 3.1 and 3.2). The responses indicate the requirements are met.

We have reviewed emissions to –

Air
There are no point source emissions to air from the installation. All emissions, including the ventilation outlets from the animal housing are considered to be fugitive emissions, and are discussed and recorded in Section C7 of this document.

Water
There are no emissions to surface water and groundwater from this installation. A standard Improvement Programme Condition has been set requiring a review of drainage from the site.

Sewer
There are no emissions to sewer from this installation.

Land
There are no emissions to land from this installation.

We have reviewed emissions and there are no emission limits set.

We have reviewed the Operator's Assessment of the Environmental Impact (AEI) of emissions from the installation, and consider that this is consistent with the responses given in the application form. The proposed mitigation measures use technical measures as set out in the relevant guidance notes (How to Comply V1), and are adequate to protect the environment.

C7 Fugitive emissions of substances

Permit condition 3.3

We have reviewed the answers about the techniques used by the operator and compared these with the relevant guidance notes in How to Comply V1 Section 3.3.

Surface run off from the roofs of the poultry houses is not collected and treated, but allowed to flow over a grassed area to a ditch. IC2 requires the operator to undertake a review of the drainage on site, which shall include a review of the rainwater drainage.

Standard Improvement Conditions requiring the operator to review all site drainage and housing and to set out a timetable for any necessary improvements have been included in the permit to ensure that the requirements are met.

Fugitive Emissions to Air

Below is a summary of emission points and potential pollutants:

SOURCE	POLLUTANTS
Roof vents from poultry houses	ammonia and dust
Vents from LPG tanks	LPG
Vent from oil tank	VOCs
Exhaust from generator	combustion products (oxides of nitrogen, sulphur and carbon, particulate)

Standby Generator Emissions

Emissions from the standby generator exhaust are deemed insignificant, as the generators are small and will not be operated continually, they will only be operated as needed.

Fuel Storage Emissions

Emissions from LPG tanks and fuel oil tanks are deemed insignificant. LPG vents are only pressure vent valves and therefore the volume and frequency of emissions will be minimal. The fuel oil tank vent will only release emissions on filling and therefore volume and frequency of emission will be minimal.

Dust

The nature and particle size of dust generated in poultry housing results in the majority of any emission being deposited to ground in relative close proximity to the low velocity release vents. The poultry housing has low velocity roof vent outlets.

Dust emitted from intensive livestock units may also include fine particles with a diameter of less than 10 μm (1 millionth of a metre), known as PM10, which are capable of being inhaled. However, there is little information on the level of releases of these fine particles from poultry housing. Advice from the Health Protection Agency (Position Statement. Intensive Farming, 2006)

suggests that it is possible that large farms may make a substantial contribution to local PM10 levels but if this were the case this should have been considered by the local authority within their local air quality review and assessment. The Local Authority have not identified this farm as being under consideration.

The application of BAT and mitigation measures addressing occupational health of workers by dust reduction measures will contribute to the protection of off-site receptors. However, because of the lack of detailed information on releases of PM10, any complaints from local residents should be reported to the Environment Agency. Following these complaints the Environment Agency will if necessary seek advice on the risk to health from the local Primary Care Trust. The Environment Agency will consider any new information on the release of fine particles, which may become available in future permit reviews.

Feed is not milled on site. Feed is not mixed on site. Feed management procedures in place should ensure that particulate emissions will be minimised.

Ammonia – Human Receptors

Potential adverse effects of ammonia include respiratory irritation and may also give rise to odour complaints. Levels of ammonia in ambient air will decrease rapidly with distance from a source. The Health Protection Agency has indicated (Position Statement. Intensive Farming, 2006) that it is unlikely that ammonia emissions from a well run and regulated farm would be sufficient to cause ill health.

Odour complaints, which may be an indicator of high ammonia levels, should be recorded and reported to the Environment Agency. If necessary the Environment Agency will seek advice on the risk to health from the local PCT. The Environment Agency will consider any new information on the impact of ammonia on human health, which may become available in future permit reviews.

Ammonia – Ecological Receptors

The installation is within the prescribed distance of European sites or Sites of Special Scientific Interest (SSSI). The nearest European site is Broadland SPA approximately 7332 m from the installation. The nearest SSSI site is Shotesham-Woodton Hornbeam Woods approximately 3146 m from the installation.

An assessment of the impact of the installation on the designated site(s) has been carried out. This has been done using the Environment Agency AFP1 Screening Tool, as approved by the conservation agencies. The emissions have been screened out by the following criteria.

Initial screening using the AFP1 screening tool has determined that the Process Contributions of acidification and N deposition from the application

site are less than the relevant Critical Load thresholds, and the impact on these receptors can therefore be screened out as insignificant.

Emissions to Water
There are no fugitive emissions to water.

Emissions to Land
There are fugitive emissions to land.
The surface water run off from the roofs of the poultry houses is allowed to flow over a grassed area at the side of the poultry houses to a ditch.

The operator is required by conditions in the permit to review all site drainage and to set out a timetable for any necessary improvements to ensure that the requirements of the relevant guidance note are met.

The proposed techniques for preventing and minimising fugitive emissions are considered sufficient.

The operator is required by improvement condition IC1 in the permit to review all site drainage and to set out a timetable for any necessary improvements to ensure that the requirements of the relevant guidance note are met. Within this review the operator is required to make specific reference to the prevention of diffuse emissions to ground arising from the contamination of rainwater by the roof ventilation outlets.

C8 Conditions relating to Odour

Permit condition 3.4

The site is located within 400m of sensitive receptors and an Odour Management Plan was submitted with the application. This Plan is considered acceptable having regard to the site specific circumstances at the installation. The operator is required to manage activities at the Installation in accordance with this Odour Management Plan as specified in Schedule 1, Table S1.4 of the Permit.

C9 Noise and vibration

Permit condition 3.5

The site is located within 400m of sensitive receptors and a Noise Management Plan was submitted with the application. This Plan is considered acceptable having regard to the site specific circumstances at the installation. The operator is required to manage activities at the Installation in accordance with this Noise Management Plan as specified in Schedule 1, Table S1.5 of the Permit.

C10 Monitoring

We have decided that no monitoring of emissions is required.

C11 Reporting

We have decided reporting of monitoring data is not required.

C12 Miscellaneous

There are no miscellaneous issues.

PART D: OTHER LEGAL REQUIREMENTS

Groundwater Regulations 1998

The installation does not make a direct discharge of List 1 substance(s) to groundwater. The Agency considers that technical measures included within the permit will give adequate protection of groundwater.

The operation of the installation will not cause the direct or indirect discharge of List II substances.

Waste Management Licensing Regulations (WMLR 1994) - (pursuit of the relevant objectives where there is the disposal or recovery of waste)

The installation includes no activities for the disposal or recovery of waste.

Conservation

The Conservation (Natural Habitats etc) Regulations 1994

The proposed installation will not have “a significant effect on a European site” because the nearest habitats site Broadland SPA has been screened out from further assessment using the AQMAU AFP1 screening tool.

Countryside and Rights of Way Act 2000 (CROW 2000)

Section 85 Duty concerning Areas of Outstanding Natural Beauty (AONB)

There is no AONB which could be affected by the Installation.

Section 28G Wildlife and Countryside Act 1981 (WCA 1981) Duty concerning SSSIs

The proposed installation will not have “a significant effect on a SSSI” because the predicted impact on the nearest SSSI Shotesham-Woodton Hornbeam Woods, 3146 metres from the installation, and any other SSSIs within 5 Km has been screened out from requiring further assessment by use of the AQMAU AFP1 screening tool.

Section 28 I WCA 1981 Duty to consult Natural England/CCW

Natural England were informed by letter on receipt of the application as there are Habitat sites located within 10km or CROW sites located within 5km of the installation.

Consultation with Natural England is not required, as the impact of the installation on the nearest Habitat/Crow site has been screened out from further assessment using the AQMAU AFP1 screening tool. However, an abbreviated Appendix 11 form has been forwarded to Natural England for information.

Environment Act 1995 – Section 7 (Pursuit of Conservation Objectives)

Consideration has been given to whether any additional requirements should be imposed in terms of the Agency's duty to have regard to the various conservation objectives set out in S 7 EA 1995, but it is felt that existing requirements are sufficient in this regard and no other appropriate requirements have been identified.

ANNEX 1: CONSULTEE AND PUBLIC RESPONSES

Advertising and statutory consultation

Summary of responses to advertising and statutory consultation and the way in which we have taken these into account in the determination process:

Brief summary of issues raised	Response received from	Summary of actions taken or show how this has been covered
Intensive farms may cause pollution but provided they comply with modern regulatory requirements any pollutants to air, water and land are unlikely to cause serious or lasting ill health in local communities.	Norfolk Primary Care Trust & Health Protection Agency	The application of Best Available Techniques and mitigation measures addressing the occupational health of workers should minimise any potential health impacts of releases from the farm on local communities. (Measures for the protection of occupational health are a matter for the operator and appropriate health and safety regulator and are not covered by this permit). Complaints from local residents will be required to be reported to the Environment Agency. Following these complaints the Environment Agency will, if necessary, seek advice on the risk to health from the local Primary Care Trust/Local Health Board. The Environment Agency will take into account any new information on emissions or the health effect of pollutants in future permit reviews
No issues raised.	South Norfolk District Council	No action required.

Provided the operator complies with ‘How to comply’ for the farming sector it is unlikely that there will be unacceptable effects on the human food chain as a result of the operations at the installation.	Food Standards Agency	Conditions are set in the permit to ensure the operator complies with ‘How to comply’ for the farming sector.
Requested that the operator install wash water tanks.	Environment Agency	Wash water tanks were installed in 2005 and 2007.

ANNEX 2: IMPROVEMENT CONDITIONS

Ref no	Condition	Date	Reason
IC1	A written plan shall be submitted to the Agency for approval, following a review of all site drainage at the installation. The plan should take into account the appropriate measures for the management of drainage systems and run-off in S3.3 of TGN How to Comply, Version 1, including specific reference to the prevention of diffuse emissions to ground arising from the contamination of rainwater by the roof ventilation outlets' as per permit, and include a timetable for any improvements to the drainage system. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Agency subject to such amendments or additions as notified by the Agency.	30/09/08	The current drainage on site may not be BAT. We recognise that new techniques cannot be brought into effect overnight on existing installations however we expect industry to adopt best practices and new technologies and make continual improvements as deemed necessary. To enable us to agree a structured programme of improvements we have asked the operator to undertake a review of all site drainage at the installation.
IC2	A written plan shall be submitted to the Agency for approval following a review of existing poultry housing and management practices at the installation. The plan shall take into account the appropriate measures in S6.2.1 & S6.2.2 of TGN How to Comply, Version 1. The plan shall identify measures to reduce emissions to all media, the likely cost of such measures and a proposed timetable for their implementation. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Agency subject to such amendments or additions as notified by the Agency.	30/09/08	The current housing on site may not be BAT. We recognise that new techniques cannot be brought into effect overnight on existing installations however we expect industry to adopt best practices and new technologies and make continual improvements as deemed necessary. To enable us to agree a structured programme of improvements we have asked the operator to undertake a review of existing poultry housing and management practices at the installation.