

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Bank House Farm operated by Mr Peter Williams, Mrs Margaret Williams and Mr Paul Williams.

The variation number is EPR/RP3334CW/V003.

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 consultations and web publicising responses.

Key issues

1) Ammonia Impacts

There is one Special Area of Conservation (SAC) within 8.2km, one Site of Special Scientific Interest (SSSI) within 4.2km and one Ancient Woodland (AW) within 990m of the installation.

Assessment of SAC

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. Initial screening using Ammonia Screening Tool (AST) v4.4 has indicated that the PC for The Stiperstones and The Hollies SAC screens out to below 4% within a 10km distance. Therefore, it is possible to conclude no damage to the designated site from this installation and that further consultation with Natural England is not required.

No further assessment is necessary.

Assessment of SSSI

If the PC is below 20% of the relevant CLe or CLo then the variation can be permitted with no further assessment. Initial screening using AST v4.4 has indicated that the PC for River Severn at Montford SSSI screens out to below 20% within a 5km distance. Therefore, it is possible to conclude no damage to the designated site from this installation and that further consultation with Natural England is not required.

No further assessment is necessary.

Assessment of AW

The following trigger thresholds have been applied for the assessment of non-statutory AW:

- If PC is <100% of relevant CLe or CLo then the farm can be permitted (H1 or ammonia screening tool)
- If PEC < CLe or CLo then the farm can be permitted
- If further modelling shows PC <100%, then the farm can be permitted.

Initial screening using AST v4.4 has indicated that the PC for Pecknall Coppice screens out to below 100% within a 2km distance. No further assessment is necessary.

2) Odour Assessment

Resource and Environmental Consultants Ltd undertook an Odour Assessment on behalf of the operator to address comments raised by the Environment Agency and to quantify the impact of the proposed development on the sensitive receptors in the vicinity of the site. Potential odour releases were defined based on the size and nature of the proposed poultry sheds and impacts at sensitive receptors quantified using dispersion modelling. Within this report the results were compared with the relevant odour benchmark level

including consideration of cumulative impacts associated with the proposals. The report concluded that the predicted odour concentrations were below the relevant benchmark level at all sensitive receptors. Based on the assessment results odour impacts are not anticipated as a result of normal operation of the proposed development.

3) Biomass Boilers

The applicant is including a 550kWth biomass boiler at this installation in addition to four existing 235kWth biomass boilers already at the installation. Please note that in the previous permit variation (EPR/RP3334CW/V002) these were wrongly stated as being 199kWth – this is their net thermal output rating.

The aggregated net rated thermal input of all five biomass boilers will be 1,490kWth. These will be used to provide heat to the poultry houses and are therefore a directly associated activity and need to be included in Table S1.1 of the environmental permit EPR/RP3334CW.

The Environment Agency has assessed the pollution risks and has concluded that air emissions from small biomass boilers are not likely to pose a significant risk to the environment or human health providing certain conditions are met. Therefore, a quantitative assessment of air emissions will not be required where:

- the fuel will be derived from virgin timber, miscanthus or straw and
- the biomass boiler appliance and installation meets the technical criteria to be eligible for the Renewable Heat Incentive and
- the aggregate boiler net rated thermal input is:
 - A. less than 0.5MWth or
 - B. less than or equal to 4MWth and no individual boiler has a thermal input greater than 1MWth where
 - the stack height must be a minimum of 5 metres above the ground (where there are buildings within 25 metres the stack height must be greater than 1 metre above the roof level of buildings within 25 metres) and
 - there are no sensitive receptors within 50 metres of the emission points.

This is in line with the Environment Agency's document "Air Quality and Modelling Unit C1127a - Biomass firing boilers for intensive poultry rearing".

An Environment Agency risk assessment has been undertaken to consider the proposed addition of the biomass boiler. This assessment has shown that the biomass boiler meets the requirements of criteria B above and is therefore considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

In accordance with the Environment Agency's Air Quality Technical Advisory Guidance 14, "for combustion plants under 5MW, no habitats assessment is required due to the size of combustion plant". Therefore this proposal is considered acceptable and no further assessment 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
Receipt of submission		
Identifying confidential information	We have not identified any 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, web publicising	The web publicising consultation responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. This permit has implemented the requirements of the Industrial Emissions Directive (IED).	✓
The site		
Extent of the site of the facility	<p>The operator has provided plans which we consider are satisfactory showing the extent of the site of the facility.</p> <p>The site boundary has been extending as part of the permit variation to allow for one additional 550kWth biomass boiler and two additional poultry sheds at the installation to house an additional 120,000 broiler places.</p> <p>An amended site plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>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 – guidance and templates (H5).</p> <p>The site condition report (SCR) for Bank House Farm (dated 01 May 2015) and the original decision document</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>(dated 18 December 2012) demonstrates that there are no significant hazards or likely pathways to land or groundwater and no historic contamination sources on site that may present a significant risk.</p> <p>Therefore, on the basis of the assessment presented in the SCR and the original decision document the Environment Agency accepts that no baseline reference data needs to be provided for the site soil and groundwater conditions as part of application EPR/RP3334CW/V003.</p>	
<p>Biodiversity, Heritage, Landscape and Nature Conservation</p>	<p>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 site has therefore been carried out as part of the permit variation application EPR/RP3334CW/V003. Please refer to the key issues section for more details.</p> <p>Natural England were consulted in the construction of the Environment Agency's May 2013 document "Biomass boilers on EPR Intensive Farms". This proposal screened out based on the criteria within that paper and as such is considered acceptable in terms of potential to impact sites of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>In accordance with the Environment Agency's Air Quality Technical Advisory Guidance 14: "for combustion plants under 5MW, no habitats assessment is required due to the size of combustion plant". Therefore this proposal is considered acceptable and no further assessment is required.</p>	✓
Environmental Risk Assessment and operating techniques		
<p>Environmental risk</p>	<p>We have reviewed the operator's assessment of the environmental risk from the facility. 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. Please refer to the key issues section for more details.</p>	✓
<p>Operating techniques</p>	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> ➤ the fuel is derived from virgin timber and miscanthus. ➤ the biomass boiler appliance and it's installation meets the technical criteria to be eligible for the Renewable Heat Incentive. ➤ the stack is 1m or more higher than the apex of the adjacent buildings. <p>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. The operating techniques have not changed significantly at the installation. Please refer to the key issues section for more details.</p>	
The permit conditions		
Raw materials	We have specified limits and controls on the use of raw materials and fuels. We have specified that only virgin timber (including wood chips and pellets), miscanthus or a combination of these. These materials are never to be mixed with, or replaced by, waste. Please refer to the key issues section for more details.	✓
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose a pre-operational condition. Whilst we have received confirmation that the biomass boiler will be operated as per the requirements of the renewable heat incentive (RHI) we have not been provided with a copy of the relevant RHI certification as requested.</p> <p>Therefore, at least two weeks prior to commissioning and before operation the operator shall submit the RHI Certificate for the new boiler to the Environment Agency.</p>	✓
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 and include techniques from the previous application.	✓
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, web publicising

Summary of responses to consultation, web publication and the way in which we have taken these into account in the determination process.

Response received from
Technical Specialist Planning Officer - Development Management, Shropshire Council date 04 June 2015.
Brief summary of issues raised
Planning permission for an additional two poultry sheds was granted in May 2014 (ref. 14/00328/EIA). There has not been any particular noise or other amenity issues at the site and there has been no planning enforcement action taken in respect of the poultry operation.
Summary of actions taken or show how this has been covered
No further action by NPS required in accordance with permitting guidance.

The Local Authority Environmental Health Officer and the Health and Safety Executive was also consulted. However, a consultation response from them was not received during the statutory consultation period.

This application was publicised in the Environment Agency publications section within the gov.uk website between 09 June and 07 July 2015. However, no responses were received from the public during this period.