

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Bradeley Farm Poultry Unit operated by Mr Peter Clifton.

The permit number is EPR/VP3530AE.

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

There is 1 Site of Special Scientific Interest (SSSI) located within 5 km of the installation. There is also 1 Local Wildlife Site within 2 km of the installation.

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 ammonia screening tool (version 4.4) has indicated that emissions from Bradeley Farm Poultry Unit will only have a potential impact on sites with a critical level of $1 \mu\text{g}/\text{m}^3$ if they are within 857 metres of the emission source. Screening indicates that beyond this distance, the PC at conservation sites is less than $1 \mu\text{g}/\text{m}^3$. $1 \mu\text{g}/\text{m}^3$ is 100% of the $1 \mu\text{g}/\text{m}^3$ CLe and therefore beyond this distance the PC is insignificant. In this case the SSSI is beyond this distance.

Table 1 – distance from source

Site	Distance (m)
Hodnet Heath SSSI	3706

The PC at these sites has been screened as insignificant. It is possible to conclude no significant pollution will occur at these sites and no further assessment is required.

Ammonia assessment - LWS

There is 1 Local Wildlife Site (LWS) within 2 km of Bradeley Farm Poultry Unit. The following trigger thresholds have been applied for the assessment of these sites.

1. If PC is <100% of relevant critical level or load, then the farm can be permitted (H1 or ammonia screening tool)
2. If further modelling shows PC <100%, then the farm can be permitted.

For the following sites this farm has been screened out at stage 1, as set out above, using results of the ammonia screening tool (version 4.4).

Screening using ammonia screening tool (version 4.4) has indicated that emissions from Bradeley Farm Poultry Unit will only have a potential impact on sites with a critical level of $1 \mu\text{g}/\text{m}^3$ if they are within 309 metres of the emission source. Screening indicates that beyond this distance, the PC at conservation sites is less than $1 \mu\text{g}/\text{m}^3$. $1 \mu\text{g}/\text{m}^3$ is 100% of the $1 \mu\text{g}/\text{m}^3$ CLe and therefore beyond this distance the PC is insignificant. In this case the LWS is beyond this distance.

Table 2 – distance from source

Site	Distance (m)
Hungry Hatton LWS	1986

The PC at these sites has been screened as insignificant. It is possible to conclude no significant pollution will occur at these sites and no further assessment is required.

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. 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 Bradeley Farm Poultry Unit (dated 07/04/2015) 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.**

Biomass boilers

The applicant is varying their permit to include 2 biomass boilers with a net rated thermal input of 0.468 MW.

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 for poultry sites 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;
 - A. the aggregate net rated thermal input is less than 0.5MW_{th}, or:
 - B. the aggregate boiler net rated thermal input is less than or equal to 4 MW_{th}, and no individual boiler has a thermal input greater than 1 MW_{th}, and;
 - the stack height must be a minimum of 5 meters above the ground (where there are buildings within 25 meters the stack height must be greater than 1 meter above the roof level of buildings within 25 meters) and;
 - there are no sensitive receptors within 50 meters 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 assessment has been undertaken to consider the proposed addition of the biomass boiler(s).

The Environment Agency's risk assessment has shown that the biomass boilers meet the requirements of criteria A above, and are therefore considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

Further to this the local site inspector was concerned about the location of the biomass boilers as they appeared to be inside of the poultry houses on the site plan. A schedule 5 was send out on 11/06/15 and the Applicant confirmed in response that each of the biomass boilers are at the end of the poultry shed building structures, and that they are not in the poultry shed spaces, but in a wall separated and segregated space with 3 outside walls.

Noise and Odour

Residential properties are more than 400 metres away from the installation boundary therefore there is no need for noise and odour management plans. However the Applicant has submitted both of these documents for completeness.

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
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. No responses were received.	✓
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. Industrial Emissions Directive (IED) permit conditions have been added – see key issues section for details.	✓
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 report	<p>The operator has provided a description of the condition of the site.</p> <p>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>	✓
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat .</p> <p>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 features of the sites.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p> <p>See key issues section for further details and an Appendix 4 has been saved onto EDRM for audit purposes only.</p>	✓
Environmental Risk Assessment and operating techniques		
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>The operating techniques are as follows:</p> <ul style="list-style-type: none"> • the fuel is derived from virgin timber, • the biomass boiler appliance and it's installation meets the technical criteria to be eligible for the Renewable Heat Incentive; and • the stacks are 1m or more higher than the apex of the adjacent buildings. <p>The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.</p>	✓
The permit conditions		
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>The fuel for the biomass boilers will consist of biomass chips or pellets comprising virgin timber, straw, miscanthus; or a combination of these. These materials are never to be mixed with or replaced by waste.</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>	✓
Operator Competence		
Environment management system	<p>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.</p>	✓

Relevant convictions	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found.	✓
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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
Web Publishing
Brief summary of issues raised
No responses received
Summary of actions taken or show how this has been covered
N/A

Response received from
Shropshire Unitary Authority Environmental Health
Brief summary of issues raised
No responses received
Summary of actions taken or show how this has been covered
N/A

Response received from
Shropshire Unitary Authority Planning
Brief summary of issues raised
No responses received
Summary of actions taken or show how this has been covered
N/A

Response received from
Health and Safety Executive
Brief summary of issues raised
No responses received
Summary of actions taken or show how this has been covered
N/A