

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Tagon Harbour Farm and Tamarisk Farm operated by Satinsilk Limited.

The variation number is EPR/CP3639UC/V002.

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

- Description of main features of the installation/the changes introduced by the variation
- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Description of the changes introduced by the Variation

This is a Substantial Variation.

This variation changes the name of the original farm from Straightway Farm Poultry Unit to Tagon Harbour Farm. The variation also adds a new broiler breeder layer poultry unit called Tamarisk Farm to the permit. The new poultry unit is located adjacent to the existing facility. It will be regulated under the same permit but will operate separately to the existing Tagon Harbour Farm. Tamarisk Farm will house 32,182 broiler breeder layers per crop cycle. The farm will be stocked with 'point-of-lay' breeding stock at 18 weeks of age. The production cycle is 42 weeks at which point the farm is depleted, cleared and disinfected ready to receive birds for the next cycle.

Tamarisk Farm will house the birds in 4 poultry houses which have a deep litter system on dust extracted wood shavings. Raised slats and nests are positioned along the central length of the building allowing hens to lay eggs and access feed and nipple drinkers off the deep litter floor. Ventilation is provided via side air inlets with high velocity ridge extraction fans capable of exhaust speeds of 9.5 m/s. All four houses will be constructed to Best Available Techniques (BAT) standards.

Tagon Harbour Farm houses 51,000 poultry places and is also used for broiler breeder egg production. The birds are introduced at 18 weeks old and are housed on site for approximately 42 weeks in a deep litter system. There are four poultry houses ventilated by side extraction system with associated fuel, feed and generator silos within the installation. Any mortalities during the cycle are removed and stored within covered containers within a freezer, before being removed from site by a licensed operator and rendered in accordance with the National fallen stock scheme.

At the end of each egg production cycle all birds and litter are removed from the houses. The poultry houses are then cleaned and disinfected, the wash water generated by this process is collected in two underground tanks. Both washwater and litter is spread off site on land not owned by the operator, in accordance with DEFRA'S code of good agricultural practice.

Key issues of the decision

Ammonia Assessment

There is 1 Special Area of Conservation (SAC) and 1 Special Protection Area (SPA) located within 10 kilometres of the installation. There is 1 Site of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 12 Local Wildlife Sites (LWS) and Ancient Woodlands (AW) within 2 km of the installation.

Ammonia assessment – SAC and SPA

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 (CL_e) or critical load (CL_o) 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 detailed modelling (*Proposed Development at Tamarisk Farm, Whimble, Exeter. Ammonia Concentration and Deposition Assessment. Ref 70008766-001*) has determined that the PC on the SAC and SPA for ammonia emissions, nitrogen deposition and acid 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.

Detailed modelling provided by the applicant has been checked and we have confidence that we can agree with the report conclusions.

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
SAC East Devon Pebblebed Heaths	3*	0.05	1.6
SPA East Devon Heaths	3*	0.05	1.6

**Cle 3 $\mu\text{g}/\text{m}^3$ Lower plants are a natural component of the dry and wet heaths for which the site is designated as an SAC. However, lower plants are not in general considered an important part of the conservation objectives for this site. Furthermore, the SSSI/SAC/SPA is not designated for lower plants as a feature in its own right. On this basis lower plants are not considered key to site integrity and the application of the more stringent of the two ammonia critical levels (1 $\mu\text{g}/\text{m}^3$) is not considered appropriate for this site. The heathland habitats are not naturally diverse and CSM does not have higher plant diversity as an attribute (Natural England).*

Table 2 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	Predicted PC kg N/ha/yr	PC % of critical load
SAC East Devon Pebblebed Heaths	10	0.25	2.5
SPA East Devon Heaths	10	0.25	2.5

Note [1] Critical load values given after consultation with Natural England on the most sensitive interest features of the SAC and SPA, the dwarf shrub heathland (18/01/2016). APIS identifies a more sensitive feature (coniferous woodland) with a critical load of 5 kg N/ha/yr. However, Natural England has confirmed that this does not underpin the sites' overall integrity.

Table 3 – Acid deposition

Site	Critical load keq/ha/yr [2]	Predicted PC keq/ha/yr	PC % of critical load
SAC East Devon Pebblebed Heaths	1.25	0.02	1.6
SPA East Devon Heaths	1.25	0.02	1.6

Note [2] Critical load values taken from APIS website (www.apis.ac.uk) – 30/11/2015

No further assessment is necessary.

Ammonia assessment – SSSI

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 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 10km of the application.

Screening using the detailed modelling (referenced above) has indicated that the PC for the SSSI is predicted to be less than 20% of the critical level for ammonia emissions, nitrogen deposition and acid deposition therefore it is possible to conclude no damage.

Detailed modelling provided by the applicant has been checked and we have confidence that we can agree with the report conclusions.

Table 4 – Ammonia emissions

Site	Ammonia Cle ($\mu\text{g}/\text{m}^3$)	PC ($\mu\text{g}/\text{m}^3$)	PC % critical level
SSSI East Devon Pebblebed Heaths	3*	0.05	1.6

*Cle $3\mu\text{g}/\text{m}^3$ Lower plants are a natural component of the dry and wet heaths for which the site is designated as an SAC. However, lower plants are not in general considered an important part of the conservation objectives for this site. Furthermore, the SSSI/SAC/SPA is not designated for lower plants as a feature in its own right. On this basis lower plants are not considered key to site integrity and the application of the more stringent of the two ammonia critical levels ($1\mu\text{g}/\text{m}^3$) is not considered appropriate for this site. The heathland habitats are not naturally diverse and CSM does not have higher plant diversity as an attribute (Natural England).

Table 5 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	PC kg N/ha/yr	PC % critical load
SSSI East Devon Pebblebed Heaths	10	0.25	2.5

Note [1] Critical load values given after consultation with Natural England on the most sensitive interest features of the SAC and SPA, the dwarf shrub heathland (18/01/2016). APIS identifies a more sensitive feature (coniferous woodland) with a critical load of 5 kg/N/ha/yr. However, Natural England has confirmed that this does not underpin the sites' overall integrity. The SSSI underpins the SAC and SPA and have therefore used the same critical level details from Natural England.

Table 6 – Acid deposition

Site	Critical load keq/ha/yr [1]	PC keq/ha/yr	PC % critical load
SSSI East Devon Pebblebed Heaths	0.516	0.02	3.8

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 30/11/2016. The operator used a less sensitive critical load within the modelling which does not consider the more sensitive habitat specified on APIS, 'Fen, Marsh and Swamp'. The process contributions are still lower than 20% of the critical load.

No further assessment is required.

Ammonia assessment – LWS and AW

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% 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 version 4.4 has indicated that emissions from Tagon Harbour Farm and Tamarisk Farm will only have a

potential impact on the LWS and AW sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 1,591 metres of the emission source.

Beyond 1,591 m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case 8 sites are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 7 – LWS/AW/LNR Assessment

Site	Distance from installation (m)
LWS Begger Roost Quarry	1,928
LWS Westhayes	2,244
LWS Big Wood, Fairmile	1,844
LWS Prickly Pear Blossoms Park	1,695
LWS Cadhay Bog	1,710
AW Cadhay Wood	1,749
AW Unknown Woodland (Cadhay Bog)	2,035
AW Unknown Woodland (Big Wood, Fairmile)	1,830

Screening using detailed modelling (referenced above) has determined that the PC on the LWSs and AWs for ammonia emissions, nitrogen deposition and acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Detailed modelling provided by the applicant has been checked and we have confidence that we can agree with the report conclusions.

Table 8 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
LWS Highlands Orchard	3*	1.00	33.2
LWS Mardles Copse	3*	0.62	20.6
LWS Cadhay Wood**	3*	1.360	45.3
AW Mardles Copse	3*	0.62	20.6

* CLe 3 applied as no protected lichen or bryophytes species were found when checking easimap layer.

**This site was not modelled by the operator as predicted process contributions were found to be <100% of the CLe after screening using the Environment Agency's Ammonia Screening Tool v4.4.

Table 9 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	Predicted PC kg N/ha/yr	PC % of critical load
LWS Highlands Orchard	10	2.94	29.4
LWS Mardles Copse	10	2.04	20.4
LWS Cadhay Wood**	10	6.781	67.8
AW Mardles Copse	10	2.04	20.4

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 30/11/2016

**This site was not modelled by the operator as predicted process contributions were found to be <100% of the CLo after screening using the Environment Agency's Ammonia Screening Tool v4.4.

Table 10 – Acid deposition

Site	Critical load keq/ha/yr [2]	Predicted PC keq/ha/yr	PC % of critical load
LWS Highlands Orchard	1.62	0.37	22.8
LWS Mardles Copse	1.62	0.23	14.2
LWS Cadhay Wood**	2.58	0.484	18.8
AW Mardles Copse	1.62	0.23	14.2

Note [2] Critical load values taken from APIS website (www.apis.ac.uk) – 30/11/2016. The operator used a less sensitive critical load within the modelling which does not consider the more sensitive habitat specified on APIS, 'Broadleaved/coniferous, unmanaged woodland'. The process contributions are still significantly below 100% of the critical load.

**This site was not modelled by the operator as predicted process contributions were found to be <100% of the CLo after screening using the Environment Agency's Ammonia Screening Tool v4.4.

No further assessment is required.

Industrial Emissions Directive

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 Tagon Harbour Farm and Tamarisk Farm (dated 29/10/2015) 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.

Odour

The installation and extension of the site with the addition of Tamarisk Farm will reduce the distance between the site boundary and human receptors. The most sensitive sites include Willow Park View, a residential housing estate located approximately 100 m from the new site boundary and Moor View Industrial Park (approximately 50 m from the boundary).

The operator submitted a robust Odour Management Plan (OMP) which details operational and control measures appropriate for the management and control of odour on site. These measures will ensure the risk of odour nuisance to the local amenity is minimised as far as practicable. The OMP is a flexible, live document which should be reviewed and updated over time or following a complaint as set out in the odour management plan.

The OMP details:

- An identification of odour sources.
- Odour control measures and specific backstop contingencies (per source) in the event of a substantiated odour pollution incident at the installation.

- Complaint response and investigation procedures as well as odour monitoring procedures.
- Steps to begin community engagement.

We have assessed the plan with regard to sites specific circumstances at the installation against the requirements of our H4-Odour Management guidance and the 'Poultry Industry Good Practice Checklist'. The Poultry Industry Good Practice checklist has been developed by the Environment Agency, British Egg Industry Council, British Poultry Council and the National Farmers Union. This was to ensure that the techniques being used in the Odour Management Plan for Tagon Harbour Farm and Tamarisk Farm are suitable.

Taking into account that:

- The operator is obliged to work in accordance with the odour management plan.
- The regulatory control the Environment has through condition 3.3.1 of the permit.
- There have been no previously substantiated odour complaints from the existing site.

We consider that there are satisfactory controls in place to ensure that the installation can be operated without odour pollution while adequately preventing odours from reaching unacceptable levels.

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	<p>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.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none"> • Natural England • Public Health England • Environmental Health – East Devon District Council • Local Planning Authority – East Devon District Council • Health and Safety Executive 	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
The site		
Extent of the site of the facility	<p>The operator has provided plans which we consider to be satisfactory, showing the extent of the site of the facility.</p> <p>A 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.</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 site.</p> <p>Formal consultation has been carried out with Natural England. The consultation responses (Annex 2) were taken into account in the permitting decision.</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>Increased risks in odour, noise and dust have been addressed by the operator by producing robust</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	management plans for each pollutant. For more information, see key issues.	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The proposed techniques for control are in line with the benchmark levels contained in the Sector Guidance Note EPR 6.09 'How to comply with your environmental permit for intensive farming (version 2)' Technical Guidance Note 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, ventilation and management will be in accordance with BAT (EPR 6.09). High velocity roof extraction fans >10 m/s. • The sheds are fan ventilated with a fully littered floor equipped with non-leaking drinking systems. • Feed selection and use is in accordance with BAT (EPR 6.09). • All dirty water will be collected by a dirty water drainage system and collected in a storage tank and removed from site. <p>We, the Environment Agency, have reviewed and approved the Odour Management Plan and consider it complies with the requirements of our H4 Odour management guidance note. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the operator.</p>	✓
The permit conditions		
Updating permit conditions during consolidation.	<p>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.</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
Financial provision	<p>There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓

Annex 2: Consultation and web publicising

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
East Devon District Council – Environmental Health
Brief summary of issues raised
<p><i>I have raised serious concerns about the acceptability of this development throughout this process. There is an existing poultry farm adjacent which has in the past been responsible for complaints about fine dusts, and in reading the letters of local residents it appears they are often affected by odour and plagued by high levels of flies which, from our considerable expertise in this area of work, will undoubtedly have arisen from the poultry operations. We will be following this matter up independently. An Environmental Statement has been submitted but it contains little in the way of detail regarding dust, odour and noise. Various management controls are suggested but no fundamental abatement measures. We know from our consideration of previous applications that poultry units sited within 200m of non-beneficial residences are likely to impact upon them, even with the highest standards of management.</i></p> <p><i>Poultry houses are the inevitable source of fine dust and the proposed extract system would seem to distribute this around the local community. There is no detail of the internal dust abatement system (if any) and the provision of high level fans would serve to give the dust and odour laden air velocity to discharge over nearby residential properties. The best ventilation systems extract air at low level into bag filter units which are easily accessible for maintenance and emptying. High level fans themselves are usually the source of low frequency noise and this has not been evaluated. A quoted figure of 81dB is extremely noisy and the building envelope cannot mitigate this to near background levels. In any case the flues themselves act as a conduit for noise.</i></p> <p><i>The applicant states that the pressure washing system is extremely noisy at 108dB and that this would be used internally and externally for 5 weeks in every cycle. The building envelope could be expected to mitigate this noise by 20dB at best (doors would be open) and therefore the residual noise is likely to be 45-50dB above the underlying background noise - this is a very intrusive level of noise (complaints would be likely if the difference were 10dB or more), which would be completely unacceptable. It is not the case that the background traffic noise from the A30 would disguise this as suggested. The report has clearly not been written by a competent noise consultant.</i></p> <p><i>We specifically requested an assessment of the potential for fly nuisance. This has been addressed in one sentence in the Environmental Statement</i></p>

and this is inadequate. We know that there is a likelihood for fly nuisance from these types of units and the information from local residents suggests that there is already a problem at times. We would need to be persuaded that the applicant had identified the source of the problem on their existing site and designed out the potential for fly nuisance in any new units.

We have established twice at planning enquiries that new broiler and egg producing poultry units must not be built within 200m of non-beneficial residents. The details of this are available. In this case residents already report impacts from the adjacent 50,000 bird unit so the cumulative impact of another 28,000 birds can only make the existing situation worse.

In the absence of evidence to satisfy us that these dust, fly and noise issues particularly can be overcome I recommend that the application is refused because the applicant has not demonstrated that the operation will comply with the requirements of policy EN15 in the existing local plan, or policy EN14 in the emerging local plan.

Summary of actions taken or show how this has been covered

The site is located within close proximity to nearby sensitive receptors as outlined in the key issues section of the permit. Due to the increasing levels of bird places closer to the sensitive receptors, we consider the risk to odour, noise and dust to be increased. We have therefore required the operator to develop detailed and site specific management plans for each of these pollutants.

The Environment Agency has not received any substantiated complaints in relation to this site regarding odour, dust and noise. Therefore, there was no requirement to consider detailed modelling for these pollutants. The operator's management plans aim to ensure that they perform control measures to prevent emissions extending beyond the site boundary. Each plan contains the following sections:

- Odour, noise and dust source inventory
- Measures to reduce odorous, noise and dust emissions from sources identified
- Routine and backstop contingency measures
- Odour, noise and dust monitoring
- Complaints procedures and monitoring
- Community and engagement with external stakeholders

In addition to the management plans developed by the operator, the permit has specific conditions which require the operator to ensure that emissions from activities are free from odour, noise and substances not controlled by emission limits outside the site boundary (Conditions 3.2, 3.3 and 3.4).

The operator has committed to a number of preventative measures (as part of normal site operations) to prevent the impact of pests, in particular flies from causing nuisance. For example, carcasses are stored in sealed containers

and placed in freezers to eliminate attraction of flies. Should flies become a problem, the operator will implement contingency measures. For example, application of adulticide and larvicide pest control substances to reduce flies from emerging from poultry houses. Furthermore, condition 3.6 in the permit required the operator to ensure that the site activities do not give rise to pests which are likely to cause pollution or annoyance outside the boundary of the site.

Based on these management practices and plans, we consider that the impact from fugitive emissions at Tagon Harbour Farm and Tamarisk Farm will be below acceptable levels.

Response received from

Public Health England

Brief summary of issues raised

The installation has the potential to cause pollution such as fugitive emissions (ammonia, bio-aerosols and particulates) and pollution to ground and surface water in the form of leachate and spillages. Furthermore, potential exists to cause nuisance in respect of odour and noise from the operation itself and any application being granted needs to ensure these are managed.

The applicant has submitted risk assessments and management plans to manage fugitive emissions and odours from this site which have been reviewed and accepted to be in accordance with the Environment Agency guidance document however we are concerned about the number of residential/commercial properties that are within close proximity of the boundary of this site.

We note that the applicant mentions a system to capture complaints and we would ask that the regulator ensures the system includes a process for identifying and mitigating the source of any odour following substantiated complaints, and this could include details of any monitoring which might be undertaken.

The Regulator needs to be satisfied that the risk assessment has been completed satisfactorily and the odour management plan is sufficient to minimise off site statutory nuisance and have the ability to capture and deal with complaints. The HPA position statement on intensive farming (which has been adopted by Public Health England) describes the main public health risks from this type of activity, which we would expect to be appropriately managed and regulated.

Summary of actions taken or show how this has been covered

The site is located within close proximity to nearby sensitive receptors as outlined in the key issues section of the permit. Due to the increasing levels of bird places closer to the sensitive receptors, we consider the risk to odour, noise and dust to be increased. PHE have also raised concerns about the

close proximity of these sites. We have therefore required the operator to develop detailed and site specific management plans for each of these pollutants. These have been assessed against the relevant guidance and promote a preventative approach to managing fugitive emissions.

The operator has also committed to daily monitoring of each of the pollutants; odour noise and dust. We therefore consider the operator to be sensitive to any polluting scenarios. Their management plans demonstrate that they have site specific measures capable of returning the site to normal operations if a pollution incident occurs.

In addition to the management plans developed by the operator, the permit has specific conditions which require the operator to ensure that emissions from activities are free from odour, noise and substances not controlled by emission limits outside the site boundary (Conditions 3.2, 3.3 and 3.4).

The Local Authority Local Planning Authority and Health and Safety Executive were also consulted however, consultation responses from these parties were not received (deadline for comments to be received by 26th January 2016). A second consultation period was given to the Local Planning Authority (13th January 2016 – 10th February 2016) however no comments were received. No relevant comments or representations were received during the web consultation period (24th December 2015 – 26th January 2016).