

# Environment Agency permitting decisions

## Bespoke permit

We have decided to grant the permit for Hockerwood Park operated by Hockerwood Eggs Limited.

The permit number is EPR/VP3638RS.

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
- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

## Description of the main features of the Installation

Hockerwood Park is situated approximately 770 metres (m) to the north west of the town of Southwell in Nottinghamshire. The installation is approximately centred on National Grid Reference SK 71715 55180.

The installation is operated by Hockerwood Eggs Limited and comprises three poultry houses for free range laying hens. The three poultry houses provide a combined capacity for 48,000 bird places. Hens are brought onto the farm at 16 weeks old and are depopulated at approximately 72 weeks of age, after the laying cycle has finished.

Houses 1 and 3 are ventilated with high velocity roof fan outlets and side inlets, and also have gable end fan outlets which are operated infrequently to maintain temperature, typically in the summer months. House 2 is ventilated

with gable end fan outlets and roof inlets. Poultry house 1 is a flat-deck system where litter remains in the house for the duration of cycle, houses 2 and 3 are multi tier systems with twice weekly belt removal of litter. Litter from houses 2 and 3 is collected in a covered trailer in a covered, concreted area located between houses 2 and 3 and exported from site weekly.

At the end of the cycle the houses are depopulated, washed and disinfected ready for the next cycle. All manure is exported from the installation for spreading on land owned by third parties. Water from the wash out of poultry houses and the concreted yard area between houses 2 and 3 (where the belt removed manure is collected in a trailer) is channelled to underground collection tanks close to the houses to await export off site and spread on land owned by the operator. Roof water from all three houses drain to land drains to the east of the installation, and ultimately drain to Car Dyke. Yard surface water from concreted areas around the houses drains to adjacent hard core areas acting as soakaways, excluding periods of washout when water from the yard drains to the underground tanks.

## Key issues of the decision

### Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February 2013 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 Hockerwood Park (reference Annex 4 - H5 Site Condition Report, received as part of application EPR/VP3638RS/A001 duly made 01/03/16) 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, and although condition 3.1.3 is included in the permit it is unlikely groundwater monitoring will be required.**

The installation is not in a Source Protection Zone (SPZ) or a Groundwater Vulnerability Zone (GWVZ) (there is a GWVZ to the east of the installation, on a minor aquifer). It is in a surface water Nitrate Vulnerable Zone (NVZ).

## **Ammonia emissions**

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites located within 10 kilometres of the installation boundary\*. There are 4 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation boundary. There are also 13 other nature conservation sites comprising of 9 Local Wildlife Sites (LWS), 2 Ancient Woodland(s) (AW) and 1 Local Nature Reserve (LNR) within 2 km of the installation boundary.

\*Please note, for ammonia screening purposes, the distances of the nature conservation sites from the installation have been calculated from the approximate centre of the installation. A buffer of 560m has been included to account for nature conservation sites within the relevant distances (10km, 5km and 2km respectively) from the installation boundary (this is a large free range installation).

## **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 (CL<sub>e</sub>) or critical load (CL<sub>o</sub>) 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.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Hockerwood Park will only have a potential impact on SSSI sites with a precautionary critical level of 1µg/m<sup>3</sup> if they are within 2381 metres (m) of the emission source.

Beyond 2381m the PC is less than 0.2µg/m<sup>3</sup> (i.e. less than 20% of the precautionary 1µg/m<sup>3</sup> critical level) and therefore beyond this distance the PC

is insignificant. In this case all SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of  $1\mu\text{g}/\text{m}^3$  is used, and the process contribution is assessed to be less than 20% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the  $1\mu\text{g}/\text{m}^3$  levels used have not been confirmed by Natural England, but are precautionary. It is therefore possible to conclude no likely damage to these sites.

**Table 1 – SSSI Assessment**

<b>Name of SSSI</b>	<b>Distance from site (m)</b>
Roe Wood	3639
Newhall Reservoir Meadow	5511
Redgate Woods and Mansey Common	5356
Mather Wood	3980

No further assessment is required.

### **Ammonia assessment - LWS/AW/LNR**

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 (CL<sub>e</sub>) or critical load (CL<sub>o</sub>) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Hockerwood Park will only have a potential impact on the LWS/AW/LNR sites with a precautionary critical level of  $1\mu\text{g}/\text{m}^3$  if they are within 936m of the emission source.

Beyond 936m the PC is less than  $1\mu\text{g}/\text{m}^3$  and therefore beyond this distance the PC is insignificant. In this case all LWS/AW/LNRs are beyond this distance (see table below) and therefore screen out of any further assessment.

**Table 2 – LWS/AW/LNR Assessment**

<b>Site</b>	<b>Distance (m)</b>
Southwell Trail LNR	1326
Potwell Dyke Grasslands LWS	2100
Gorse Hill Lane LWS	1858
Spring Wood, Kelham LWS	2278
Southwell Cemetery LWS	2228
Cheveral Wood LWS	1753
Glebe Farm Pasture, Hockerton LWS	1483
Brinkley Pond LWS	2549
Shady Lane Pasture LWS	1543
Southwell Racecourse Grassland LWS	2377
Cheveral Wood AW	1753
Spring Wood AW	2278

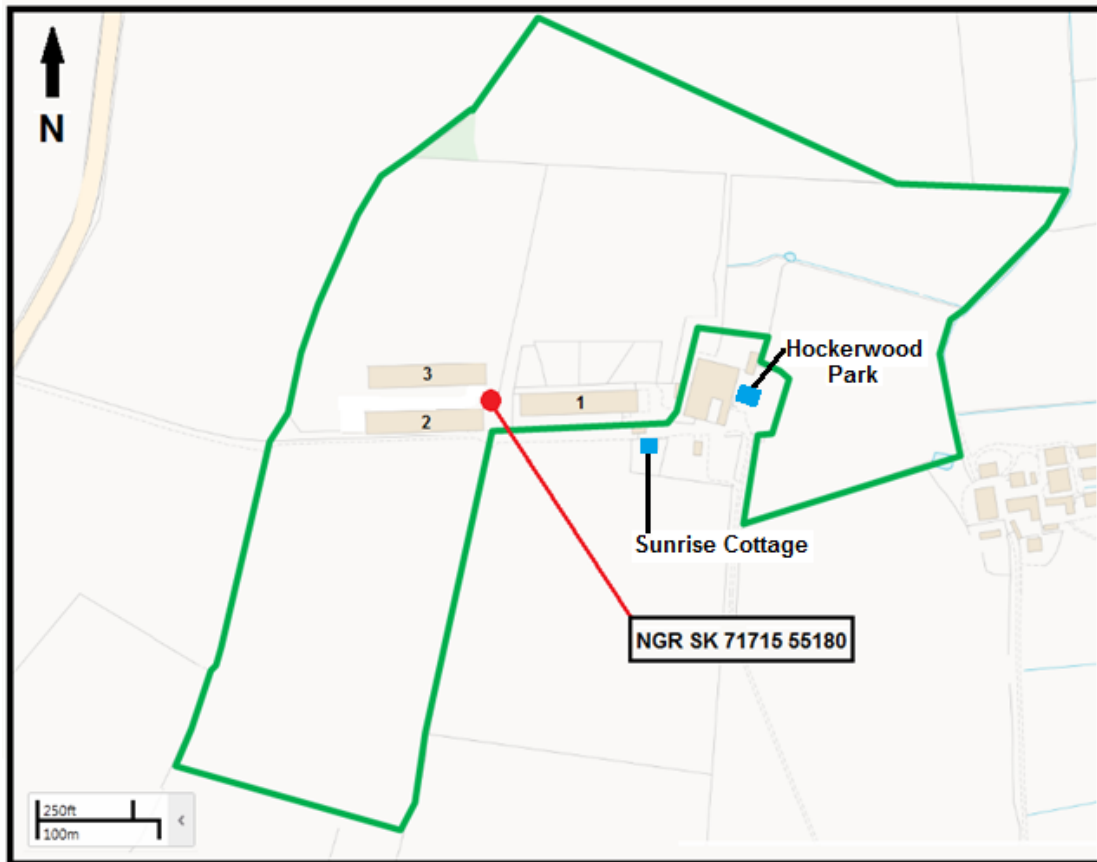
No further assessment is required.

## **Odour**

There are sensitive receptors within 400 metres of the installation and therefore an odour management plan has been prepared, as required in chapter 3, section 3.3 of guidance SGN How to comply – Intensive Farming - The EPR Sector Guidance Note 6.09 for intensive pig and poultry farmers, Version 2, published January 2010 (SGN EPR 6.09). The nearest residential properties are as follows:

1. Sunrise Cottage, occupied by people associated with the farm, located immediately to the south of the installation boundary nearest to poultry house 1 (see plan below).
2. Hockerwood Park, occupied by people associated with the farm, located immediately to the east of the installation boundary nearest to poultry house 1 (see plan below).
3. Two properties located to the east at Hopyard Farm, approximately 80m and 110m respectively from the installation boundary and approximately 340m and 360m respectively from the nearest poultry house.
4. Five properties located to the south of the boundary on Galley Hill Road. The nearest of these properties is Braefield House which is approximately 185m from the installation boundary, and over 500m from the nearest poultry house.

5. One property to the south west, approximately 340m from the boundary and over 500m from the nearest poultry house.



The residences occupied by people associated with the farm (properties described above in 1 and 2) are not considered as sensitive receptors for odour as it is unlikely that odour will be perceived by them as a nuisance. The next two nearest properties to the east (described in point 3 above) are over 300m from the nearest poultry house. The gable end fan emissions from all 3 poultry houses are at the western ends of the houses pointing away from these properties and poultry houses 1 and 3 have high velocity roof fans which will aid the dispersion of odorous emissions. In addition the general wind direction is from the south west therefore emissions from the farm will not generally be dispersed in the direction of these properties. The other properties (described in points 4 and 5) are over 500m from the nearest poultry house and in addition, they are located to the south or south west of the installation and therefore upwind of the poultry house emissions.

A revised Odour Management Plan (OMP), received 30/03/16 (reference Odour Management Plan Hockerwood Eggs Ltd March 2016), is considered acceptable having been assessed against the requirements of IPPC SRG 6.02 (Farming): Odour Management at Intensive Livestock Installations plus our Top Tips Guidance and Poultry Industry Good Practice Checklist and with regard to the site specific circumstances at the installation. The operator is required to manage activities at the installation in accordance with condition

3.3.1 and this odour management plan. The odour management plan includes odour control measures, in particular, procedural controls such feed selection, feed delivery and storage, ventilation system and dust, used litter management, carcass storage and disposal, poultry house clean out operations, dirty water management, washing operations and contingency plans for abnormal operations. The odour management plan is required to be reviewed at least every 4 years and/or after a complaint is received, whichever is the sooner.

We are satisfied that operations carried out on the farm will minimise the risk of odour pollution from the installation.

There is the potential for odour pollution from the installation. The operator's compliance with their Odour Management Plan, submitted with this application, will minimise the risk of odour pollution beyond the installation boundary and the risk of odour pollution at sensitive receptors beyond the installation boundary is not considered significant.

## **Noise**

There are sensitive receptors within 400 metres of the installation boundary as stated above in the odour section. The applicant has provided a noise management plan (NMP) as part of the application supporting documentation, reference Annex 7.

Operations with the most potential to cause noise nuisance have been assessed as those involving delivery vehicles travelling to and from the farm, vehicles on site, feed transfer from lorries to bins, testing of the alarm system and standby generators, operation of ventilation fans, noise from birds on site, staff and contractors, and repairs. The noise management plan covers control measures for each of these potential noise hazards.

As for odour, the residences occupied by people associated with the farm are not considered as a sensitive receptors as it is unlikely that noise will be perceived as a nuisance. The other eight residences within 400m of the boundary are located over 300m from the poultry houses and main operations.

There is the potential for noise from the installation beyond the installation boundary. However the risk of noise beyond the installation boundary is considered unlikely to cause a nuisance.



## Dust and bioaerosols

There are measures included within the permit (the 'Fugitive Emissions' conditions) to provide a level of protection. The use of Best Available Techniques and good practice will ensure minimisation of emissions. Furthermore, condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

The closest residential receptor (Sunrise Cottage) is located adjacent to the installation boundary to the south of poultry house 1 and approximately 20m away from the poultry house. The next closest receptor (Hockerwood Park) is located to the east of the installation boundary and approximately 90m to the east of the nearest poultry house. Two properties are located to the east at Hopyard Farm, approximately 80m and 110m respectively from the installation boundary and approximately 340m and 360m respectively from the nearest poultry house.

The general wind direction in the area is from the south west. This means that the nearest receptors are generally not downwind of the installation. This, together with good management of the installation, keeping areas clean from build up of dust, other measures in place to reduce dust and risk of spillages, such as litter and feed management/delivery procedures all reduce the potential for emissions impacting the nearest receptor.

The applicant has also submitted a dust and bioaerosol risk assessment (reference Bioaerosol Assessment), written in accordance with Environment Agency's EPR 6.09 How to Comply with your Environmental Permit for Intensive Farming Appendix 11 guidance. We consider this acceptable as a bioaerosol risk assessment and that the measures outlined in the plan will minimise the potential for dust and bioaerosol emissions from the installation.

## Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
		Yes
<b>Receipt of submission</b>		
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.	✓
<b>Consultation</b>		
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"> <li>• Health and Safety Executive (HSE)</li> <li>• Newark and Sherwood District Council Environmental Health</li> <li>• Public Health England (PHE)</li> <li>• Director of Public Health (DoPH) Nottinghamshire County Council</li> </ul> <p>We have consulted with PHE and DoPH because there are sensitive receptors within 100m of the installation boundary.</p>	✓
Responses to consultation and web publicising	<p>The web publicising and responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
<b>Operator</b>		
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.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
<b>The site</b>		
Extent of the site of the facility	<p>The operator has provided a plan which we consider is 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><b>Please refer to Key Issues section Ammonia Assessment for further information.</b></p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	✓
<b>Environmental Risk Assessment and operating techniques</b>		
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. 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. The operating techniques are as follows:</p> <ul style="list-style-type: none"> <li>• Poultry housing is ventilated by high velocity fans</li> </ul>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>(efflux velocity &gt; 7m/s) in houses 1 and 3, and gable end fans in poultry house 2</p> <ul style="list-style-type: none"> <li>• In addition houses 1 and 3 have gable end fans used infrequently for temperature control in hot weather</li> <li>• Litter is exported off site and is spread on land owned by third parties</li> <li>• Dirty wash water is exported off site and spread on third party owned land</li> <li>• Roof water and yard surface water drains to land drains to the east of the installation, and ultimately drain to Car Dyke</li> <li>• Sealed and collision-protected feed storage bins</li> <li>• Carcasses are collected daily and stored in a secure container on site prior to disposal under the National Fallen Stock Scheme</li> <li>• Phosphorous and protein levels are reduced over the production and growing cycle by providing different feeds</li> <li>• No artificial heating is provided</li> </ul> <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 permit conditions ensure compliance with relevant BREFs and BAT Conclusions.</p> <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>	
<b>The permit conditions</b>		
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	These descriptions are specified in the Operating Techniques table in the permit.	
Emission limits	We have decided that emission limits should be not set in the permit.	✓
<b>Operator Competence</b>		
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.	✓
Relevant convictions	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.  No relevant convictions were found. The operator satisfies the criteria in RGN 5 on Operator Competence.	✓
Financial provision	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.	✓

## 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
Newark and Sherwood District Council Environmental Health (received 07/03/16)
Brief summary of issues raised
Stated that they confirmed, having searched their records, they do not appear to be taking any enforcement activity in respect of this site. Therefore they had no comments to make upon the application.
Summary of actions taken or show how this has been covered
No action required

Response received from
Director of Public Health, Nottinghamshire County Council (received 11/03/16)
Brief summary of issues raised
Stated that they are not aware of any public health information about the local population to suggest an exceptional vulnerability amongst people likely to be affected by any emissions from the proposed process(es). Their response was based on an assumption that the permit holder/applicant will comply with all relevant best practice and industry guidelines.
Summary of actions taken or show how this has been covered
The operator is required by the permit to prevent or minimise emissions, in condition 3.2 for fugitive emissions ('Emissions of substances not controlled by an emission limit'), which includes dust, and also conditions 3.3 for odour and 3.4 for noise and vibration, and also has an odour management plan and noise management plan in place.  The use of Best Available Techniques and good practice will ensure minimisation of emissions. Furthermore, condition 3.2.1 used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.  The above conditions should ensure potential emissions do not impact on public health.  No action required.

Response received from
Public Health England (received 23/03/16)
Brief summary of issues raised
<p>Stated that the main emissions of public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. The site is located in a predominantly rural area. The application indicates that measures will be in place in order to control emissions and has assessed residual risks to be insignificant.</p> <p>It is assumed by PHE that the installation will comply in all respects with the requirements of the permit, all relevant domestic and European legislation, and will use Best Available Techniques (BAT). This should ensure that emissions present a low risk to human health.</p>
Summary of actions taken or show how this has been covered
<p>The operator is required by the permit to prevent or minimise emissions, in condition 3.2 for fugitive emissions ('Emissions of substances not controlled by an emission limit').</p> <p>The use of Best Available Techniques and good practice will ensure minimisation of emissions. Furthermore, condition 3.2.1 used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.</p> <p>The above conditions should ensure potential emissions do not impact on public health.</p> <p>No action required.</p>

The Health and Safety Executive (HSE) was also consulted, however, no consultation response were received.

The application was also advertised on the [www.gov.uk](http://www.gov.uk) website, with a deadline of 05/04/16 for comments, but none were received.