

# Permitting decisions

## Part surrender

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We have decided to accept the surrender of part of the permit for Northwoods Farm operated by S. & B. M. Lawrenson and Son.

The permit number is EPR/BP3035CY.

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

### Purpose of this document

This decision document provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

This decision document provides a record of the decision making process. It:

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the surrender notice. The introductory note summarises what the notice covers.

### Key issues of the decision

#### 1. Reason for part surrender application

Currently, there are three poultry houses with a capacity for 93,000 pullets. The operator has applied for planning permission to build a new poultry house that will hold 40,000 birds. This poultry house will replace one of the existing houses that currently can hold up to 15,000 birds.

The three houses on site consist of House 1 which is of wooden construction and over 30 years old. The house is becoming out-dated and difficult to maintain to a high standard and is going to be decommissioned once the new house has been built. This house has been unused since August 2016. Full clean out and wash down took place at the time and the building has remained empty since. The future plans for the building are to remove all cages, feed silos and ancillary equipment before the house is demolished and the site levelled. Any waste that is produced will be disposed of by approved contractors or recycled.

All services to the building will be isolated and turned off. This includes mains electricity, mains water supply and LPG tanks supplying the shed. Additionally, feed bins will be emptied and cleaned.

Any waste water from washing down will be/ has been removed from the site and disposed of and the dirty water tank will be filled in.

The unit will be left secure from unauthorised access.

The operator wishes to surrender part of the permit, as House 1 will be decommissioned, therefore the installation boundary surrounding this house will no longer be needed. The new poultry House will be situated close to Houses 2 and 3, and the operator has applied separately for a variation to increase the site boundary and bird numbers. A revised Site Condition Report has been submitted to reflect the partial surrender.

Poultry house 1 ceased to be used for raising pullets with the last crop removed in August 2016. Full clean out and wash down took place at the time and the building has remained empty since. The future plans for the building are to remove all cages, feed silos and ancillary equipment before the house is demolished.

The land to be surrendered has housed Poultry House 1 for over 30 years. Roof water from the house was directed to a soakaway. Wash-down water was collected in a sealed effluent tank located in the site plan submitted with application A001, reference "Site drainage plan for Northwoods Farm, new Lane, Eangland Hill, Pilling, PR3 6BA" (saved to EDRM under "Drawings", dated 30/04/2012).

The only pollution incident on record is a large fire in the hay barn and potato shed in November 2007. As a result of the fire, a kerosene tank ruptured and approximately 100 gallons was lost, which, along with the firewater, polluted Pilling Water, but did not have a significant impact. Detailed remedial work was carried out following the fire. Buildings were demolished, and burnt asbestos roof and old debris was removed from the site by a waste disposal contractor. There has been no lasting impact from the fire within the site boundary or at the rest of the farm (this has been confirmed by Area Officer Simon Boocock).

A site plan is included below to illustrate the land to be surrendered:



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## Decision checklist

Aspect considered	Decision
<b>Receipt of application</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 confidentiality.
<b>The facility</b>	
The regulated facility	The permitted regulated facilities have changed as a result of the partial surrender.  The land around House 1 has been surrendered. All other boundaries remain the same, and Houses 2 and 3 shall continue to operate as set out in permit version EPR/BP3035CY/V002.  The site was permitted to hold up to 95,000 birds, with House 1 having the capacity to hold 15,000 birds. The site will now have the capacity to hold up to 80,000 birds in total.
<b>The site</b>	
Extent of the surrender application	The operator has provided a plan showing the extent of the site of the facility that is to be surrendered.  We consider this plan to be satisfactory.
Pollution risk	We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.
Satisfactory state	We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state.  In coming to this decision we have had regard to the state of the site before the facility was put into operation.
<b>Permit conditions</b>	
Changes to permit conditions as a consequence of the surrender	The permit conditions have changed as a result of the partial surrender. <ul style="list-style-type: none"> <li>Table S3.3 Point Source emissions to land- emission limits and monitoring requirements – deleted. This has been deleted because the table applied only to the discharge to the soakaway from Poultry house 1.</li> <li>Conditions 3.1.1 and 3.5.1 and Table S3.1 have been amended to remove reference to Poultry house 1.</li> </ul>

Aspect considered	Decision
	<ul style="list-style-type: none"> <li>• No conditions have been added</li> <li>• The site plan under schedule 7 of the permit has been amended to reflect the reduced installation boundary.</li> </ul>
<b>Growth Duty</b>	
<p>Section 108 Deregulation Act 2015 – Growth duty</p>	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit surrender.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p>