

Permitting decisions

Variation

We have decided to grant the variation for Stonham Poultry Unit operated by E C Drummond (Agriculture) Limited.

The variation number is EPR/AP3331AV/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 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
- shows how we have considered the [consultation responses](#)

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 variation notice. The introductory note summarises what the variation covers.

Key issues of the decision

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 2013. These Regulations transpose the requirements of the IED.

Amendments have been made to the conditions of this variation so that it now 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 Stonham Poultry Unit (dated 09/03/17) addresses the new area of land to be included within the site boundary. The SCR demonstrates that there are no hazards or likely pathways 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 boiler

The applicant is varying their permit to include a biomass boiler with a rated thermal input of 1.022 MW. The operator has applied to use grade A recycled waste wood for the biomass boiler. Where virgin and waste wood are mixed the fuel is all considered a waste.

As the activity does not meet the criteria of a U4 waste exemption it will fall under section 5.1 B)a)v) of the Environmental Permitting Regulations 'The incineration in a small waste incineration plant with an aggregated capacity of 50kgs or more per hour of the following waste – wood waste with the exception of waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings'.

The operator will only be permitted to accept this waste type. We are satisfied that the waste wood is from a manufacturing source and that it will not be contaminated.

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;
- the aggregate boiler net rated thermal input is less than or equal to 4 MWth, and no individual boiler has a net thermal input greater than 1 MWth, and;
- 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 point(s).

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).

For poultry sites which do not screen out through the above criteria:

- the aggregate boiler net rated thermal input is:
 - A. less than 0.5MWth, or;
 - B. less than 1MWth where the stack height is greater than 1 metre above the roof level of adjacent buildings (where there are no adjacent buildings, the stack height must be a minimum of 3 metres above ground), and there are:
 - no Special Areas of Conservation, Special Protection Areas, Ramsar sites or Sites of Special Scientific Interest within 500 metres of the emission point(s);
 - no National Nature Reserves, Local Nature Reserves, ancient woodlands or local wildlife sites within 100 metres of the emission point(s), or;
 - C. less than 2MWth where, in addition to the above criteria for less than 1MWth boilers, there are:
 - no sensitive receptors within 150 metres of the emission point(s).

This is in line with the Environment Agency's May 2013 document "Biomass boilers on EPR Intensive Farms", an assessment has been undertaken to consider the proposed addition of the biomass boilers.

The Environment Agency's risk assessment has shown that the biomass boilers **do not** meet the requirements of criteria above as there is a sensitive receptor within 50 meters of the building.

Environment Agency Modelling

An assessment has been undertaken by the Environment Agency using the Air Quality Monitoring and Assessment Unit (AQMAU) Screening Tool Version 5.2, to screen the biomass boiler.

The screening tool was run to calculate the process contribution (PC) from the boilers at the most sensitive local receptor illustrated above. The most sensitive local receptor was identified as 'Padleys Farm' to the north of the site. The biomass boilers were screened with the following input parameters:

Flue diameter	0.4 m
Stack height (from ground level)	7 m
Adjacent building height	5.5 m
Flue minimum temperature	60°C
Total thermal input capacity in MW	1.022 MW
Exit velocity in m/sec	5.01
NO _x concentration in mg/Nm ³	208.64
CO concentration in mg/Nm ³	42
PM ₁₀ (dust) concentration in mg/Nm ³	32.75
The exact co-ordinates of the stacks	610010, 258719
The exact co-ordinates of the centre of the farm	610014, 258661
The exact co-ordinates of the worst case sensitive receptor	610035, 258698

The AQMAU screening tool was used to assess the impact of carbon monoxide (CO), nitrogen dioxide (NO₂) and particulates (PM₁₀) emissions from the proposed boiler units on the nearby sensitive receptors. Sulphur dioxide (SO₂) has not been assessed due to the boiler fuel being clean woodchip which is likely to contain very little or no sulphur.

In this assessment the individual PC impact values were combined together by use of the AQMAU screening tool (to give a total cumulative PC from the sixteen boilers) and compared to the relevant environmental standards in the following way. In line with Environment Agency guidance H1 Annex F, process contributions can be considered insignificant if:

- the long term process contribution is <1% of the long term environmental standard; and,
- the short term process contribution is <10% of the short term environmental standard.

Maximum off-site ground level impacts at the most significantly impacted human receptor locations (Padleys Farm) are summarised in the tables below.

Table 1 - Predicted Short Term Impacts

Pollutant	EQS / EAL µg/m ³	Process Contribution (PC) µg/m ³ [1]	PC as % of EQS / EAL [2]	Back-ground Conc. µg/m ³	Predicted Environmental Concentration (PEC) µg/m ³	PEC as % of EQS/EAL
NO ₂ (1 hr)	200	22.3	11%	19.56	41.86	70%
PM ₁₀ (24 hr)	50	1	2%			
CO (1 hr)	10,000	9.5	0.1%			

Note [1] Representative of worst case impact.

Note [2] Where the PC is demonstrated to be less than 10% of the short term EQS/EAL, a level below which we consider to indicate insignificant impact, further consideration of the PEC is not required.

Table 2 - Predicted Long Term Impacts

Pollutant	EQS / EAL µg/m ³	Process Contribution (PC) µg/m ³ [1]	PC as % of EQS / EAL [2]	Background Conc. µg/m ³ [3]	Predicted Environmental Concentration (PEC) µg/m ³	PEC as % EQS / EAL [4]
NO ₂ (1 yr)	40	2.3	6%	9.78	12.08	70%
PM ₁₀ (1 yr)	40	0.36	1%			

- Note [1] Representative of worst case impact.
- Note [2] Where the PC is demonstrated to be less than 1% of the long term EAL, a level below which we consider to indicate insignificant impact, further consideration of the PEC is not required.
- Note [3] The background concentration is taken as twice the long term background level for Short Term Environmental Quality Standard (EQS) / Environmental Assessment Level (EAL) standards referenced to an hourly averaging value.
- Note [4] The Predicted Environmental Concentration (PEC) was calculated for substances that are not screened out for short and long term environmental impact. PEC is the PC plus background. Where the PEC is demonstrated to be greater than 70% of the long term EAL, a level below which we consider to indicate as not being a significant impact, more detailed assessment is required.

Screening out emissions which are insignificant

In accordance with Environment Agency guidance, the short term impact of PM₁₀ and CO emissions are considered insignificant as the PC from the boilers is <10% of the short term EQS/EAL.

The long term impact is also considered insignificant as the PC from the boiler is ≤1% of the short term EQS/EAL.

Emissions unlikely to give rise to significant pollution

The short term emissions NO₂ and long term NO₂ (which were not screened out as insignificant) have been assessed as being unlikely to give rise to significant pollution in that there is adequate headroom between the predicted environmental concentration (PEC) and the relevant EQS (taking expected modelling uncertainties into account) of both the long term and short term EQS/EAL. For these emissions we have considered the headroom between their PECs and the relevant EQS/EAL standards relative to the predicted PC value for the emission. From this analysis we consider that there will not be any exceedance of an EQS/EAL or any significant pollution caused by the operation of the installation.

Conclusion

This screening is based on conservative assumptions and the results are based on the maximum level impact at Padleys Farm. All emissions either screen out as being considered insignificant, or where they do not screen out as insignificant, are considered unlikely to give rise to an exceedance of any environmental standard or cause significant pollution.

Ammonia

There are no Special Area(s) of Conservation (SAC), Special Protection Areas (SPA), or Ramsar sites located within 10 kilometres of the installation. There are 5 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 5 Local Wildlife Sites (LWS) within 2 km of the 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_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 5 km of the SSSI.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Stonham Poultry Unit will only have a potential impact on SSSI sites with a precautionary critical level of 1µg/m³ if they are within 2,079 metres of the emission source.

Beyond 2,079m the PC is less than 0.2µg/m³ (i.e. less than 20% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case the SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1µg/m³ 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 1µg/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to the sites below:

Table 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Combs Wood	4,581
Gipping Great Wood	4,133
Gosbeck Wood	4,969
Creeping St. Marys Pits	2,715

Screening using the ammonia screening tool version 4.5 has indicated that the PC for Lingwood Meadows, Earl Stonham is predicted to be less than 20% of the critical level for ammonia emissions therefore it is possible to conclude no damage. The results of the ammonia screening tool version 4.5 are given in the tables below.

Table 2 – Ammonia emissions

Site	Ammonia Cle (µg/m ³)	PC (µg/m ³)	PC % critical level
Lingwood Meadows, Earl Stonham	3	0.361	12.0

Critical level and Critical load information for this habitat was found on the Air Pollution Information System (APIS) website. It is advised that a CLe of 3 for ammonia should be applied across the Lingwood Meadows, Earl Stonham SSSI (May 2017).

Table 3 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	PC kg N/ha/yr	PC % critical load
Lingwood Meadows, Earl Stonham	20	1.876	9.4

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – May 2017

Table 4 – Acid deposition

Site	Critical load keq/ha/yr [1]	PC keq/ha/yr	PC % critical load
Lingwood Meadows, Earl Stonham	4.425	0.134	3

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – May 2017

No further assessment is required.

Ammonia assessment - LWS

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 4.5 has indicated that emissions from Stonham Poultry Unit will only have a potential impact on the Local Wildlife Sites (LWS) with a precautionary critical level of 1µg/m³ if they are within 846 metres of the emission source.

Beyond 846m the PC is less than 1µg/m³ and therefore beyond this distance the PC is insignificant. In this case the following LWSs are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 5 – LWS Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Creeping St Mary Churchyard	2,057
Creeping St Mary Meadows	1,829
RNR 190	1,742
RNR 179	1,942

Screening using the ammonia screening tool version 4.5 has determined that the PC on the LWS for ammonia emissions/nitrogen deposition/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.

Table 6 - Ammonia emissions

Site	Critical level ammonia µg/m ³	Predicted PC µg/m ³	PC % of critical level
RNR 70	3	2.761	92

Critical level 3 was applied after checking Easimap.

Table 6 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	Predicted PC kg N/ha/yr	PC % of critical load
RNR 70	20	14.341	71.7

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – May 2017

Table 7 – Acid deposition

Site	Critical load keq/ha/yr [1]	Predicted PC keq/ha/yr	PC % of critical load
RNR 70	4.76	1.024	21.5

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – May 2017

No further assessment is required.

Odour

The variation is to add 100,000 broiler places in two new buildings located to the west of the site.

There are sensitive receptors within 400 metres of the installation therefore an updated Odour Management Plan has been submitted as required in chapter 3, section 3.3 of guidance Sector Guidance Note (SGN) 6.09 How to comply – Intensive Farming - Version 2, published January 2010.

This plan is considered acceptable having been assessed against the requirements of Integrated Pollution Prevention and Control (IPPC) SRG 6.02 (Farming): Odour Management at Intensive Livestock Installations and 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 of the environmental permit and this Odour Management Plan. The Odour Management Plan includes odour control measures, in particular, procedural controls addressing odours by broiler production housing, carcass storage and disposal, litter removal, washing operations and house clean-out, stored litter, litter/slurry spreading, manufacture and selection of feed, feed storage and delivery, ventilation system, and dirty water management. 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.

The closest Padleys Farm, which is within 50 metres of the installation permit boundary. As the residence is occupied by the operator and their family it is not considered as sensitive receptor for odour as it is unlikely that odour will be perceived by them as a nuisance.

There are 12 sensitive receptors for odour within 400 metres of the installation site boundary. The closest of these are Pear Tree Farm and Rookery Farm, which are within 100 metres of the site. As the receptors are mainly to the east of the site, the additional broiler buildings on the west of the site are expected to have less of an impact on these receptors.

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

Noise

There are sensitive receptors within 400 metres of the installation boundary as stated above in the odour section. The applicant has therefore submitted an updated Noise Management Plan as part of the application supporting documentation.

The closest sensitive receptors for noise are Pear Tree Farm and Rookery Farm, which are within 100 metres of the site.

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, feeding system, operation of ventilation fans, testing of alarm system and standby generator, noise from birds, bird restocking, bird removal and loading on to vehicles, clean out operations, staff and contractors, and repairs. The Noise Management Plan covers control measures, in particular, design and frequent maintenance of ventilation fans, feed deliveries, alarm systems, broiler removal and re-stocking, on-site vehicle movements, maintenance and repair, and standby generators.

There is the potential for noise from the installation beyond the installation boundary, however the operator's compliance with the Noise Management Plan, submitted with this application, should minimise the risk of noise pollution beyond the installation boundary. The risk of noise pollution at sensitive receptors beyond the installation boundary is therefore not considered significant. We, the Environment Agency, have reviewed and approved the Noise Management Plan. 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.

Dust and bioaerosols

There is a sensitive receptor for bioaerosols within 100 metres of the installation boundary, which is Padleys Farm, occupied by the Operator and their family.

As there is a sensitive receptor within 100 metres of the installation; Dust, Fugitive Emissions and Bioaerosol Emissions Risk Assessments have been prepared, as required in chapter 3, section 3.2 of EPR 6.09 Sector Guidance Note, How to comply with your environmental permit for intensive farming, Version 2, published January 2010 (EPR 6.09 SGN).

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, 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 applicant has also addressed dust by submitting a Dust Risk Assessment, Dust Management Plan and Fugitive Emissions Risk Assessment with the application; these are 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 that the measures outlined in the Fugitive Emission Risk Assessment and Bioaerosol Emissions Risk Assessment will help to minimise the potential for bioaerosol emissions from the installation.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made. The decision was taken in accordance with our guidance on confidentiality.
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.
Consultation/Engagement	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: <ul style="list-style-type: none"> - Local Planning Authority - Environmental Health - Health and Safety Executive (HSE) - Public Health England (PHE) - Director of Public Health The comments and our responses are summarised in the consultation section .
The facility	
The regulated facility	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation'. The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
The site	
Extent of the site of the facility	The operator has provided plans which we consider are satisfactory, showing the extent of the site of the facility. The plans are included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports. The additional area of land to the west of the site that has been included within the permit boundary has been confirmed as having no history of pollution as detailed in the Site Condition Report (dated 09/03/17).
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.

Aspect considered	Decision
	<p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</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> <p>We have not consulted Natural England delete as appropriate on the application. The decision was taken in accordance with our guidance.</p> <p>Please see key issues for further information.</p>
Environmental risk assessment	
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> <p>Please see key issues for further information.</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> • the new poultry sheds have roof mounted ventilation and are fitted with nipple drinkers; • the fuel is derived from Grade A waste wood; • 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 for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p>

Aspect considered	Decision
	<p>We consider that the odour management plan is satisfactory.</p> <p>Please see key issues for further information.</p>
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p> <p>Please see key issues for further information.</p>
Permit conditions	
Updating permit conditions during consolidation	<p>We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit.</p>
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>We have specified that only biomass chips or pellets comprising virgin timber, straw, miscanthus, grade A waste wood; or a combination of these, are acceptable.</p> <p>Wood chip and wood seasoning for chipping plus wood shavings are used.</p>
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons:</p> <ul style="list-style-type: none"> • they are suitable for the proposed activities • the proposed infrastructure is appropriate • the environmental risk assessment is acceptable.
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions for the following reason:</p> <p>We require the operator to submit evidence that the carcass incinerator, installed as part of this substantial variation, is approved by the Animal and Plant Health Agency (APHA) before it is used.</p>
Emission limits	<p>No emission limits have been added, amended or deleted as a result of this variation.</p>
Operator competence	
Management system	<p>There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.</p>
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<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 vary this permit.</p>

Aspect considered	Decision
	<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> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from
Public Health England (PHE) dated 28/06/2017.
Brief summary of issues raised
As there is a sensitive receptor within 100m of the site the main issues identified by PHE are emissions to air of bioaerosols, particulate matter and ammonia, which have been addressed in the application.
Summary of actions taken or show how this has been covered
A Fugitive Emissions, Dust and stand-alone bioaerosol risk assessments have been completed by the applicant as part of the application to address. Condition 3.2 has been included in the permit to ensure that emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. Ammonia was assessed and screened out using the ammonia screening tool version 4.5 and further modelling. See key issues for further information.

Response received from
Babergh and Mid Suffolk District Councils Partnership dated 16/06/2017.
Brief summary of issues raised
No issues raised. Confirmation given that the Local Authority are not aware of noise or amenity issues relating to the site.
Summary of actions taken or show how this has been covered
Not applicable, no concerns raised.