Permitting decisions

Variation

We have decided to grant the variation for Park Farm operated by R H Price Limited.

The variation number is EPR/VP3638YT/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 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
- 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.

Description of the main features of the Installation

Park Farm is situated approximately 3 kilometres north of Wem, Shropshire. The installation is approximately centred on National Grid Reference SJ 51928 32740.

This variation authorises the use of grade A recycled wood as a fuel for the 2 biomass boilers on site. The aggregated thermal rated input has also been updated to not exceeding 0.442 MWth within this variation, this is to correct an error in the previous permits.

The rest of the installation is unchanged and continues to be operated as follows.

The installation is operated by R H Price Limited and comprises five poultry houses, numbered 1 to 5. The five poultry houses provide a combined capacity for 138,000 broiler places. Day old chicks are housed for a period of 42 days.

Poultry houses 1, 4 and 5 are ventilated by high velocity roof fans with an emission point higher than 5.5 meters above ground level and an efflux speed greater than 7 meters per second. Poultry houses 2 and 3 are naturally ventilated by roof vents with side inlets. All five houses also have gable end fans, although these are operated infrequently to maintain temperature, typically in the summer months.

Associated food is stored on the installation in sealed food bins. Mortalities are collected daily and stored in a secure container on site for removal under the National Fallen Stock Scheme. At the end of the cycle the houses are depopulated, washed and disinfected ready for the next cycle.

On completion of the cycle used litter is removed from the poultry houses for spreading on land owned by the Operator in accordance with a manure management plan. Dirty water from the wash out of the poultry houses is channelled to underground storage tanks to await spreading on land. Roof and yard water from poultry houses 1, 2, 3 and 5 drain to soakaways present within the installation boundary, and poultry house 4 discharges to a field drain which overflows into the surface water ditch at SJ 51995 32173.

The facility is required to be permitted as a scheduled activity under Environmental Permitting Regulations as follows;

Section 6.9 A (1) (a) (i) Rearing of poultry intensively in an installation with more than 40,000 places

Key issues of the decision

Grade A Wood Burning

The operator previously only used virgin wood as fuel for the biomass boilers and this was included in the permit as a directly associated activity.

The operator has applied to use grade A recycled waste wood as fuel for 2 biomass boilers with a net rated thermal input of 0.442 MW. Where virgin and waste wood are mixed the fuel is all considered a waste.

The biomass boilers are to be fed by a mixture of Grade A wood and virgin.

Grade A wood definition

“grade A waste wood” means visibly ‘clean’ recycled waste wood mainly originating from packaging waste, pallets, packing cases and process off-cuts from the manufacture of untreated wood products. As defined in BSI PAS 111: 2012.

The total capacity of the installation biomass boilers using Grade A wood is 92 kgs/hour.

As the activity does not meet the criteria of a U4 waste exemption it will fall under a directly associated activity or 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’.

A site specific description of waste source, and procedure have been reviewed and accepted as satisfactory to ensure that only grade A waste wood will be accepted.

The operator will only be permitted to accept this waste type. Table S2.2 of the permit includes relevant waste wood and descriptions. We are satisfied that the waste wood is from a manufacturing source and that it will not be contaminated.

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 (farm house owned by the Operator) is located to the south of the installation boundary and south to poultry house 1 and approximately 90 metres away from the poultry house. There are no further residential properties within 100 metres of the installation.

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 Appendix 10 Dust Management Plan), 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.

Decision checklist

Aspect considered	Decision
Receipt of application	
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.
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: Public Health England (PHE) Director of Public Health (DPH) The comments and our responses are summarised in the consultation section.

Aspect considered	Decision
The site	
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. 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.
Environmental risk assessment	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.
Operating techniques	
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The operating techniques include the following: • For the biomass boiler the fuel is derived from grade A woodchip (see key issues for more details). • The biomass boiler appliance and its installation meets the technical criteria to be eligible for the Renewable Heat Incentive. • The biomass boiler stack is 1m or more higher than the apex of the adjacent buildings. • Poultry houses 1, 4 & 5 are ventilated by high velocity fans with roof outlets and houses 2 & 3 are naturally ventilated, all sheds have gable end fans. • A waste management plan is in place so the operator can spread used litter and dirty water on own land. • The water draining from the yard (excluding poultry house wash out periods) and roof water from poultry houses 1, 2, 4 & 5 discharge to soakaways and poultry house 4 discharges to a field drain which overflows into the surface water ditch at SJ 51995 32173. • All wash waters will be collected in sealed underground tanks. 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.
General operating techniques	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. The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

Aspect considered	Decision
Permit conditions	
Updating permit conditions during consolidation	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 permits.
Raw materials	We have specified limits and controls on the use of raw materials and fuels. We have specified that only virgin timber (including wood chips and pellets), straw, miscanthus, grade A waste water; or a combination of these. These materials are never to be mixed with or replaced by, waste.
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. We are satisfied that the operator can accept these wastes for the following reasons: • they are suitable for the proposed activities • the proposed infrastructure is appropriate; and • the environmental risk assessment is acceptable.
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme. The improvement conditions have been carried over from previous permits, all have been completed.
Emission limits	No emission limits have been added, amended or deleted as a result of this variation.
Operator competence	
Management system	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.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	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. Paragraph 1.3 of the guidance says: “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.”

Aspect considered	Decision
	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. 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.

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 (Received 31/05/2017)
Brief summary of issues raised
PHE has no significant concerns regarding risk to health of the local population from the proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.
Summary of actions taken or show how this has been covered
No further action required.

Reponses not received

The Director of Public Health (DPH) was also consulted; however, a consultation response was not received.

The application was also advertised on the www.gov.uk website, from the 02/05/2017 until 31/05/2017, but no comments were received.