

# Permitting decisions

## Variation

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We have decided to grant the variation for Alkmonton Poultry Unit operated by Moy Park Limited.

The variation number is EPR/BP3434DM/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

## New Intensive Rearing of Poultry or Pigs BAT Conclusions document

The new Best Available Techniques (BAT) Reference Document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) was published on the 21st February 2017. There is now a separate BAT Conclusions document which will set out the standards that permitted farms will have to meet.

The BAT Conclusions document is as per the following link

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D0302&from=EN>

Now the BAT Conclusions are published **all new housing within variation applications** issued after the 21<sup>st</sup> February 2017 must be compliant in full from the first day of operation.

There are some new requirements for permit holders. The conclusions include BAT Associated Emission Levels for ammonia emissions which will apply to the majority of permits, as well as BAT associated levels for nitrogen and phosphorous excretion.

For some types of rearing practices stricter standards will apply to farms and housing permitted after the new BAT Conclusions are published.

**This variation determination includes a review only of BAT compliance for new housing introduced with this variation. A BAT review of existing housing compliance with BAT conclusions document is to be the subject of a sector permit review and is beyond the scope of this variation application permit determination.**

### New BAT conclusions review

There are 34 BAT conclusion measures in total within the BAT conclusion document dated 21<sup>st</sup> February 2017.

We have sent out a request for information requiring the Applicant to confirm that the new installation complies in full with all the BAT conclusion measures.

The Applicant has confirmed their compliance with all BAT conditions for the new housing, in their document reference Request for Further Information Response and Operator Confirmation and dated 15/12/17.

The following is a more specific review of the measures the Applicant has applied to ensure compliance with the above key BAT measures.

BAT measure	Applicant compliance measure
BAT 3 - Nutritional management Nitrogen excretion	<p>The Applicant has confirmed it will demonstrate it achieves levels of Nitrogen excretion below the required BAT-AEL of 0.6 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content.</p> <p>This confirmation was in response to the Request for Further Information, received 15/12/17, which has been referenced in Table S1.2 Operating Techniques of the Permit.</p> <p>Table S3.4 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p> <p>In order to reduce total nitrogen and phosphorus excreted and consequently ammonia emissions while meeting the nutritional needs of the animals the following will be undertaken at the Poultry Site;</p> <ul style="list-style-type: none"><li>• Diet formulation adapted to specific requirements of the production period, as detailed in the Odour Management Plan.</li><li>• Feed specifications are prepared by the feed compounder's specialist in nutrition.</li></ul>
BAT 4 Nutritional management Phosphorous excretion	<p>The Applicant has confirmed it will demonstrate it achieves levels of Phosphorous excretion below the required BAT-AEL of 0.25 kg P<sub>2</sub>O<sub>5</sub> animal</p>

BAT measure	Applicant compliance measure
	<p>place/year by an estimation using manure analysis for total Phosphorous content.</p> <p>This confirmation was in response to the Request for Further Information/ Schedule 5 Notice request for further information, received 15/12/17, which has been referenced in Table S1.2 Operating techniques of the Permit.</p> <p>Table S3.4 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p> <p>The Applicant's approach to meet this limit is detailed in BAT 3 above.</p>
<p>BAT 24 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> <li>- Total nitrogen and phosphorous excretion</li> </ul>	<p>Table S3.4 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
<p>BAT 25 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> <li>- Ammonia emissions</li> </ul>	<p>Table S3.4 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
<p>BAT 26 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> <li>- Odour emissions</li> </ul>	<p>The approved OMP includes the following details for on Farm Monitoring and Continual Improvement:</p> <p>The operator will perform olfactory tests to identify and monitor sources of odour. Any abnormalities will be investigated.</p>
<p>BAT 27 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> <li>- Dust emissions</li> </ul>	<p>Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions.</p>
<p>BAT 28 Monitoring of emissions and process parameters linked to</p> <ul style="list-style-type: none"> <li>- Ammonia, Odour and Dust emissions</li> </ul>	
<p>BAT 32 Ammonia emissions from poultry houses</p> <ul style="list-style-type: none"> <li>- Broilers</li> </ul>	<p>The BAT-AEL to be complied with is 0.08 kg NH<sub>3</sub>/animal place/year.</p> <p>The Applicant will meet this as the emission factor for broilers is 0.034 kg NH<sub>3</sub>/animal place/year.</p> <p>Ammonia emissions will be reported annually through estimation using emission factors.</p> <p>The Installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT AEL.</p>

## **More detailed assessment of specific BAT measures**

### **Ammonia emission controls**

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT.

### **Ammonia emission controls – BAT conclusion 32**

The new BAT conclusions include a set of BAT-AEL's for ammonia emissions to air from animal housing for broilers.

For variations all new housing on existing farms will need to meet the BAT-AEL.

## **Odour**

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance ([http://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/297084/geho0110brsb-e-e.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297084/geho0110brsb-e-e.pdf)).

Condition 3.3 of the environmental permit reads as follows:

“Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.”

Under section 3.3 of the guidance an Odour Management Plan (OMP) is required to be approved as part of the permitting process, if as is the case here, sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400m of the Installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400m of the installation to prevent, or where that is not practicable, to minimise the risk of pollution from odour emissions.

The risk assessment for the Installation provided with the Application lists key potential risks of odour pollution beyond the Installation boundary. These activities are as follows: feed selection, delivery and storage; potential problems with ventilation systems resulting in high humidity and wet litter; litter management; carcass disposal; house cleaning at the end of the production cycle.

### **Odour Management Plan Review**

This variation is to add 63,000 broiler places to the permit, a new broiler shed to the north of the site, add an additional biomass boiler to heat the new shed and increase the site boundary to the north accordingly.

The closest building is Bentley Cottage Farm, which adjoins the installation boundary on the east side. This building is not considered as a sensitive receptor to odour as it is occupied by the site manager for the installation, therefore it is unlikely that odour will be perceived by them as a nuisance.

There are 5 sensitive receptors for odour within 400 metres of the installation site boundary. The closest of these are Bentley Fields Cottage, which is approximately 200 metres south of the site, and Leapley Lodge, which is approximately 250 metres north east of the site.

It is noted that no substantiated odour complaints have been received about the installation to date.

The odour management plan provided upon application 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 the NFU '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.

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**

Intensive farming by its nature involves activities that have the potential to cause noise pollution. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance. Under section 3.4 of this guidance a Noise Management Plan (NMP) must be approved as part of the permitting determination, if there are sensitive receptors within 400m of the Installation boundary.

Condition 3.4 of the Permit reads as follows:

Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable to minimise the noise and vibration.

There are sensitive receptors within 400 metres of the Installation boundary as stated in the Odour section above. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation, and further details are provided below.

The risk assessment for the Installation provided with the Application lists key potential risks of noise pollution beyond the Installation boundary. These activities are as follows: noise from large vehicles travelling to and from the farm and also on site delivering feed, catching birds, litter and dirty water removal; small vehicles travelling to and from the farm; feed transfer from lorry to bins; ventilation and heating systems and building work and repairs. The Applicant has also identified that potential noise sources include the alarm system, standby generator, chickens and personnel.

### Noise Management Plan Review

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 neighbouring properties, which are over 200 metres away from the installation, is therefore not considered significant.

### Conclusion

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution / nuisance.

## **Dust and Bioaerosols**

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the Permit (the 'Fugitive Emissions' conditions) to provide a level of protection. 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.

There is one sensitive receptor within 100m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 35 metres to the East of the installation boundary.

Guidance on our website concludes that Applicants need to produce and submit a dust and bioaerosol risk assessment with their applications only if there are relevant receptors within 100 metres of their farm. Details can be found via the link below:

[www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols](http://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols).

As there are receptors within 100m of the Installation, the Applicant was required to submit a dust and bioaerosol risk assessment in this format.

In the guidance mentioned above it states that particulate concentrations fall off rapidly with distance from the emitting source. This fact, together with the proposed good management of the installation such as keeping areas clean from build-up of dust, and other measures in place to reduce dust and risk of spillages of litter. Good feed management practices, delivery procedures and operating a shorter growing cycle all reduce the potential for emissions impacting the nearest receptors. The Applicant has confirmed the following measures in their operating techniques to reduce dust:

Feed is stored in purpose-built covered feed silos located close to the poultry houses and is pelleted to reduce dust. No milling or mixing of feed takes place at the farm and feed is delivered to the farm by lorry from the feed supplier. Feed is blown directly from the lorry into the storage silos and then piped from the silos into the houses to minimise dust emissions. Dust is controlled through the management of litter and air quality. No used litter is stored on the farm. There will be no incinerator ash on site.

### Conclusion

We are satisfied that the measures outlined in the Application will minimise the potential for dust and bioaerosol emissions from the Installation.

## **Biomass boilers**

The Applicant is varying their permit to include a total of 11 biomass boilers with a net rated thermal input of 2.634 MWth. There is one new biomass boiler being added to the installation, which previously had 10 biomass boilers. The new biomass boiler has a thermal input of 0.531 MWth.

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 boiler.

The Environment Agency's risk assessment has shown that the biomass boilers do not meet the requirements of the criteria above as there is a sensitive receptor within 100 metres of the biomass boilers. Also, due to the accumulated thermal input exceeding 2MWth, further assessment is required.

#### 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 11 biomass boilers.

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 'Bentley Cottage Farm' to the East of the site. The biomass boilers were screened with the input parameters in Table 1. The locations of the boilers is shown on the site plan 'AG2 Site Plan' dated 11/08/2017, and the grid references have been recorded in the document 'Updated Biomass Boiler Information' dated 03/10/2017.

**Table 1: Input parameters for biomass boiler modelling**

<b>Biomass Boiler Number</b>	<b>1</b>	<b>2-4</b>	<b>5-10</b>	<b>11</b>
Thermal input in kW per hour of each boiler	194	194	221.1	531.1
Adjacent Building heights (m)	4.56	4.685	4.685	4.685
Stack height (from ground level) (m)	5.5	5.5	5.5	6.5
Flue minimum temperature (mm)	250	250	250	300
Exit velocity in m/sec Flue diameter	2.37	2.37	2.37	2.89
NO <sub>x</sub> concentration in mg/Nm <sup>3</sup>	142	142	142	187
CO concentration in mg/Nm <sup>3</sup>	193	193	193	344
PM <sub>10</sub> (dust) concentration in mg/Nm <sup>3</sup>	27	27	27	42
O <sub>2</sub> concentration %	4.5-7	4.5-7	4.5-7	6.5-8.9
Flue nominal load temperature	190	190	190	190
The exact grid reference of the centre of the farm	SK 18218 39088			

The AQMAU screening tool was used to assess the impact of carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>) and particulates (PM<sub>10</sub>) emissions from the proposed boiler units on the nearest sensitive receptor. Sulphur dioxide (SO<sub>2</sub>) 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 by use of the AQMAU screening tool (to give a total cumulative PC from the eleven 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 (Bentley Cottage Farm) are summarised in the tables below.

**Table 2: Short term impacts on Bentley Cottage Farm**

Pollutant	EQS / EAL µg/m <sup>3</sup>	Process Contribution (PC) µg/m <sup>3</sup> [1]	PC as % of EQS / EAL	Is PC <10% of EQS / EAL [2]	Back-ground Conc. µg/m <sup>3</sup> [3]	Predicted Environmental Concentration (PEC) µg/m <sup>3</sup>	PEC as % of EQS/EAL	Is PEC <70% of EQS / EAL
NO <sub>2</sub> (1 hr)	200	43.4	22%	No	19.23	62.59	31%	Yes
PM <sub>10</sub> (24 hr)	50	4.19	8%	Yes				
CO (1 hr)	10000	135.7	1%	Yes				

Note 1: Representative of worst case impact at Bentley Cottage Farm.

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.

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.

**Table 3: Long term impacts on Bentley Cottage Farm**

Pollutant	EQS / EAL µg/m <sup>3</sup>	Process Contribution (PC) µg/m <sup>3</sup>	PC as % of EQS / EAL	Is PC <1% of EQS / EAL [2]	Back-ground Conc. µg/m <sup>3</sup>	Predicted Environmental Concentration (PEC) µg/m <sup>3</sup>	PEC as % of EQS/EAL	Is PEC <70% of EQS / EAL
NO <sub>2</sub>	40	9.09	23%	No	9.62	18.71	47%	Yes
PM <sub>10</sub>	40	1.73	4%	No	12.60	14.32	36%	Yes

Note 1: Representative of worst case impact at Bentley Cottage Farm.

Note 2: Where the PC is demonstrated to be less than 1% of the short term EQS/EAL, a level below which we consider to indicate insignificant impact, further consideration of the PEC is not required.

### Screening out emissions which are insignificant

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

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.

### Conclusion

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.

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.



## Ammonia

The Applicant has demonstrated that the new housing will meet the relevant NH3 BAT-AEL.

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites located within 10 kilometres of the installation. There are no Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are 3 Local Wildlife Sites (LWS) and 3 Ancient Woodlands (AW) within 2 km of the installation.

### **Ammonia assessment – LWS & 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 (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 Alkmonton Poultry Unit will only have a potential impact on the LWS and AW sites with a precautionary critical level of 1µg/m<sup>3</sup> if they are within 496 metres of the emission source.

Beyond 496m the PC is less than 1µg/m<sup>3</sup> and therefore beyond this distance the PC is insignificant. In this case all but one LWS/AWs are beyond this distance (see table below) and therefore screen out of any further assessment.

Leaplymount Pond LWS is less than 496 metres from the installation. However, the LWS is designated for aquatic features related to the pond, which will not be impacted by increase in bird numbers as a result of this application. Therefore no further assessment is required.

**Table 4: LWS/AW Assessment**

Name of LWS/AW	Distance from site (m)
Cubley Covert LWS	2,095
Leaplymount Pond LWS	306
Yeavely Churchyard LWS	1,272
Unnamed AW	2,096
Alkmonton Wood AW	1,273
Unnamed AW	1,996

## 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.
<b>Consultation</b>	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> <li>• Local Planning Authority</li> <li>• Environmental Health</li> <li>• Health and Safety Executive</li> <li>• Director of Public Health</li> <li>• Public Health England</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>The facility</b>	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility'.</p> <p>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.</p>
<b>The site</b>	
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. The plan is 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.
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>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>We have not consulted Natural England on the application. The decision was taken</p>

Aspect considered	Decision
	<p>in accordance with our guidance.</p> <p>See the ammonia section of <a href="#">Key Issues</a> for further information.</p>
<b>Environmental risk assessment</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.</p> <p>Please see <a href="#">key issues</a> for further information on odour, noise, boiler emissions and ammonia emissions.</p>
<b>Operating techniques</b>	
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"> <li>• the fuel is derived from virgin timber,</li> <li>• the biomass boiler appliance and its installation meets the technical criteria to be eligible for the Renewable Heat Incentive;</li> <li>• the stacks are 1m or more higher than the apex of the adjacent buildings; and</li> <li>• the sheds have roof mounted ventilation and nipple drinkers.</li> </ul> <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> <p>Please see <a href="#">key issues</a> for further information on the New Intensive Rearing of Poultry or Pigs BAT Conclusions document.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p> <p>See the odour section of <a href="#">key issues</a> 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>See the noise section of <a href="#">key issues</a> for further information.</p>
<b>Permit conditions</b>	
Use of conditions other than those from the template	<p>Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.</p>
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p>

Aspect considered	Decision
	We have specified that only virgin timber (including wood chips and pellets), straw, miscanthus or a combination of these, are acceptable. These materials are never to be mixed with or replaced by waste.
Emission limits	<p>ELVs and equivalent parameters or technical measures based on BAT have been set for the following substances.</p> <ul style="list-style-type: none"> <li>• Nitrogen: 0.6 kg N/animal place/year</li> <li>• Phosphorus: 0.25 kg P2O5 animal place/year</li> <li>• Ammonia: 0.08 kg NH3/animal place/year</li> </ul>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to comply with the relevant BAT measures.</p> <p>See the key issues of the decision section of this decision document for further information. We made these decisions in accordance with BAT conclusion document dated 21st February 2017.</p>
Reporting	We have specified reporting in the permit. These reporting requirements on monitoring data and performance parameters have been imposed in order to comply with the conditions of the permit.
<b>Operator competence</b>	
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.
<b>Growth Duty</b>	
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 grant this permit.</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> <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

<b>Response received from</b>
Environmental Health, dated 31/10/2017.
<b>Brief summary of issues raised</b>
No comments or objections to this permit variation.
<b>Summary of actions taken or show how this has been covered</b>
No action required.

<b>Response received from</b>
Health and Safety Executive, dated 27/10/2017.
<b>Brief summary of issues raised</b>
No comments or objections to this permit variation.
<b>Summary of actions taken or show how this has been covered</b>
No action required.

<b>Response received from</b>
Public Health England, dated 13/11/2017.
<b>Brief summary of issues raised</b>
1) Bioaerosols and nearest receptor 2) Odour, dust and proximity to the nearest receptor 3) Biomass Boilers
<b>Summary of actions taken or show how this has been covered</b>
<p><u>Bioaerosols and nearest receptor</u> PHE identified bioaerosols as a concern as there is a sensitive receptor within 100 metres of the site boundary. A bioaerosol and dust risk assessment has been completed by the Applicant. (Reference: "Alkmonton Poultry Unit Bioaerosol Risk Assessment" dated 3<sup>rd</sup> October 2017). The closest sensitive receptor to bioaerosols is Bentley Cottage Farm, which is occupied by the Site Manager for the installation. 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. We consider the Applicant's approach to be satisfactory. Our approach to bioaerosol emissions is outlined in the <a href="#">Key issues</a> section above.</p> <p><u>Odour, dust and proximity to the nearest receptor</u> As stated above, the closest property to the installation is Bentley Cottage Farm, which is occupied by the Site Manager for Alkmonton Poultry Unit. Bentley Cottage Farm is therefore not considered as a sensitive receptor in terms of odour, as the occupant is running the farm so will not be affected by any odour from the installation.</p>

We have assessed the Applicant's Dust Management Plan and consider it to be robust. See the dust and bioaerosols section of [key issues](#) for further information. There are no other receptors within 100 metres of the installation.

#### Biomass Boilers

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 11 biomass boilers.

The screening tool was run to calculate the process contribution (PC) from the boilers at Bentley Cottage 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.