

Permitting decisions

Bespoke permit

We have decided to grant the permit for Firsfield Farm operated by Mr Andrew Blenkiron.

The permit number is EPR/JP3136YG.

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. The introductory note summarises what the permit 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 installation farming permits issued after the 21st 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.

New BAT conclusions review

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

The Applicant has confirmed their compliance with all BAT conditions for the new installation in their document reference Appendix 5: Technical Standards Firsfield Farm received 28/07/17, included with application EPR/JP3136YG/A001.

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	Broilers 0.6 kg N excreted/animal place/year. Feed specifications are prepared by the feed compounder's nutritional specialist to suit the birds' needs. Nitrogen excretion levels will be met and verified and reported annually by means of either mass balance calculation or manure analysis.
BAT 4 Nutritional management Phosphorous excretion	Broilers 0.25 kg P ₂ O ₅ excreted/animal place/year. Feed specifications are prepared by the feed compounder's nutritional specialist to suit the birds' needs. Phosphorus excretion levels will be met and verified and reported annually by means of either mass balance calculation or manure analysis.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions
BAT 25 Monitoring of emissions and process parameters - Ammonia emissions	

BAT measure	Applicant compliance measure
BAT 26 Monitoring of emissions and process parameters - Odour emissions	The need for formal monitoring at the site boundary will be reviewed in the event of substantiated odour complaints as per the Odour Management Plan dated 18/09/17.
BAT 27 Monitoring of emissions and process parameters -Dust emissions	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions
BAT 32 Ammonia emissions from poultry houses - Broilers	0.08 kg NH3/animal place/year. Ammonia emissions will be reported annually through estimation using emission factors.

More detailed assessment of specific BAT measures

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.

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.

This permit implements the requirements of the European Union Directive on Industrial Emissions.

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain a condition relating to protection of soil, groundwater and groundwater monitoring. However, the Environment Agency's H5 Guidance states **that it is only necessary for the operator to take samples** of soil or groundwater and measure levels of contamination where there is evidence that there is, or could be existing contamination and:

- The environmental risk assessment has identified that the same contaminants are a particular hazard; or
- The environmental risk assessment has identified that the same contaminants are a hazard and the risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is **not essential for the Operator** to take samples of soil or groundwater and measure levels of contamination where:

- The environmental risk assessment identifies no hazards to land or groundwater; or
- Where the environmental risk assessment identifies only limited hazards to land and groundwater and there is no reason to believe that there could be historic contamination by those substances that present the hazard; or
- Where the environmental risk assessment identifies hazards to land and groundwater but there is evidence that there is no historic contamination by those substances that pose the hazard.

The site condition report (SCR) for Firsfield Farm (dated 09/05/17) demonstrates that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. **Therefore, on the basis of the risk assessment presented in the SCR, we accept**

that they have not provided base line reference data for the soil and groundwater at the site at this stage and although condition 3.1.3 is included in the permit no groundwater monitoring will be required.

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

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.

We, the Environment Agency, have reviewed and approved the Odour Management Plan (OMP) 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.

The OMP should be reviewed on a regular basis to ensure that it reflects the most up to date management practices and infrastructure.

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. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation.

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.

The NMP should be reviewed on a regular basis to ensure that it reflects the most up to date management practices and infrastructure.

Biomass boilers

The applicant is installing 2 biomass boilers with an aggregated net rated thermal input of 2.094 MW.

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 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 including building housing boiler(s) if relevant (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(s).

The aggregate boiler net rated thermal input is greater than 2 MWth (2.094 MWth) and therefore we have been unable to screen the emissions as 'not significant' using the above qualitative screening approach. As a result we have quantitatively assessed combined emissions from the two emission sources using the Environment Agency's Air Quality Modelling and Assessment Unit (AQMAU) screening tool in addition to considering the local environmental quality.

Table 1. Point source emission parameters

Emission Point Reference	Grid reference of stack	Stack height (m)	Stack Diameter (m)	Exit velocity (m/s)
1	TL 94442 76408	10	0.45	12
2	TL 94442 76408	10	0.45	12

The Air Quality Monitoring and Assessment Unit (AQMAU) screening tool has been run for emissions of NO_x, PM₁₀ and CO for the closest residential receptor points around the site. These are:

Table 2. Residential receptors

Receptor	Grid reference
Receptor 1	593992 276341

The screening tool has been run for Stacks 1 and 2 to calculate maximum process contributions (PC).

Process Contributions

The emissions were assessed in accordance with the H1 environmental risk assessment methodology. The emissions were assessed against the following Air Quality Standards (AQS):

Table 3. Air Quality Standards (AQS)

Pollutant	AQS µg/m ³ (short term)	AQS µg/m ³ (long term)
NO ₂	200	40
PM ₁₀	50	40
CO	10,000	No long term AQS

Process contribution (PC) significance thresholds are 10% of the AQS for short term and 1% for long term.

Using the AQMAU screening tool, all emissions from the biomass boilers can be screened out as not significant for CO. However, for PM₁₀ (long term) and NO₂ (short and long term), process contributions were found to be higher than the relevant AQS significance thresholds.

Where process contributions exceed the specified thresholds, we must consider the additional impact of background concentrations. PC plus background is referred to as 'predicted environmental concentration (PEC).

The background maps held by DEFRA were used to obtain relevant background concentrations.

Long term emissions are considered unlikely to give rise to an exceedance of an AQS where:

$PC_{\text{long term}} + \text{background concentration} < 70\% \text{ of the AQS.}$

Short term emissions are considered unlikely to give rise to an exceedance of an AQS where:

$PC_{\text{short term}} < 20\% (\text{standard}_{\text{short term}} - 2 \times \text{background}_{\text{long term}})$

We have reviewed the background concentrations from the DEFRA background maps. These are concentrations across a 1km by 1km grid square. In this case the maps indicate that the background concentration is 17.62 µg/m³ for PM¹⁰ and 13.09 µg/m³ for NO₂.

The PEC value for long term PM¹⁰ emissions are well below 70% of the AQS at the sensitive receptor and therefore screen out with no further assessment required.

The PEC value for long term NO₂ emissions are well below 70% of the AQS at the sensitive receptor and therefore screen out with no further assessment required.

The PC value for short term NO₂ emissions is less than 20% of the air quality standard (short term) – 2 x background concentration at the sensitive receptor and therefore we are confident that there is not likely to be any exceedance of the AQS.

We can therefore conclude that the emissions from the biomass boilers pose such a sufficiently low risk of a significant affect at human receptors that a detailed assessment is not required.

Ammonia

There are two Special Areas of Conservation (SACs), one Special Protected Area (SPA) and one Ramsar site located within 10 kilometres of the installation. There are five Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There is also one Local Wildlife Site (LWS) and two Ancient Woodlands (AW) within 2 km of the installation.

Ammonia assessment – SAC/SPA/Ramsar

The following trigger thresholds have been designated for the assessment of European sites:

- If the process contribution (PC) is below 4% of the relevant critical level (CLE) or critical load (CLo) 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 10 km of the SAC/SPA/Ramsar.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Firsfield Farm will only have a potential impact on the SAC/SPA/Ramsar sites with a precautionary critical level of 1µg/m³ if they are within 4,002 metres of the emission source.

Beyond 4,002 metres the PC is less than 0.04µg/m³ (i.e. less than 4% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case the SAC/SPA/Ramsars 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 4% 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 significant effect

Table 1 – SAC/SPA/Ramsar Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Breckland SAC	8,709
Breckland SPA	5,257
Redgrave & South Lopham Fens Ramsar	9,893

Screening using the ammonia screening tool version 4.5 has determined that the PC on the SAC for ammonia emissions/nitrogen deposition/acid deposition from the application site are under the 4% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 2 – Ammonia emissions

Site	Critical level ammonia µg/m ³	Predicted PC µg/m ³	PC % of Critical level
Waveney & Little Ouse Valley Fens SAC	3*	0.048	1.6

* Natural England advised that a CLe of 3 for ammonia should be applied as Lower plants are not important for this site (Nov 2016).

Table 3 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	Predicted PC kg N/ha/yr.	PC % of critical load
Waveney & Little Ouse Valley Fens SAC	15	0.247	1.6

Note [1] Critical load values taken from Air Pollution Information System (APIS) website (www.apis.ac.uk) – 26/07/16

Table 4 – Acid deposition

Site	Critical load keq/ha/yr. [1]	Predicted PC keq/ha/yr.	PC % of critical load
Waveney & Little Ouse Valley Fens SAC	0.549	0.018	3.2

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 26/07/16

No further assessment is necessary.

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 (CLe) or critical load (CLo) 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 Firsfield Farm will only have a potential impact on SSSI sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 1,372 metres of the emission source.

Beyond 1,372 metres the PC is less than $0.2\mu\text{g}/\text{m}^3$ (i.e. less than 20% of the precautionary $1\mu\text{g}/\text{m}^3$ 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 $1\mu\text{g}/\text{m}^3$ is used, and the process contribution is assessed to be less than 20% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the $1\mu\text{g}/\text{m}^3$ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

Table 5 – SSSI Assessment

Name of SSSI	Distance from site (m)
Stanton Woods SSSI	3,858
Weston Fen SSSI	3,569
Bangrove Wood, Ixworth SSSI	4,250
Knettishall Heath SSSI	3,523

Initial modelling using the ammonia screening tool version 4.5 has determined that the PCs of ammonia emissions from the application site are over the 20% threshold, and therefore may cause damage to features of the SSSI. An in combination assessment has therefore been carried out.

There are no other farms acting in combination with this application as the predicted process contributions for each of the farms is less than the 20% threshold. The PC is predicted to be less than 50% of the critical level significance threshold. Under Environment Agency guidelines it is therefore possible to conclude no likely damage to the site from the installation, no further assessment is required.

Table 6 – Ammonia emissions

Name of Farm	PC $\mu\text{g}/\text{m}^3$	Critical Level $\mu\text{g}/\text{m}^3$	PC as % of Critical level
Firsfield Farm	0.386	1*	38.6

*a critical level of $1\mu\text{g}/\text{m}^3$ has been assigned to this site as bryophytes and lichens present.

No further assessment is required.

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 (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 Firsfield Farm will only have a potential impact on the LWS/AW sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 470 metres of the emission source.

Beyond 470 metres the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case all LWS/AWs are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 7 – LWS/AW Assessment

Name of LWS/AW	Distance from site (m)
Bardwell Acid Grassland LWS	1,911
Fakenham Wood AW	1,271
Great Grove AW	886

Incinerator

The operator is proposing to install an incinerator (Animal and Plant Health Agency (APHA) approved), with capacity of <50 kg/hr for the disposal of poultry carcasses.

The ash will be stored securely and spread on operator owned land with used litter at the end of the cycle.

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. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
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"> • Public Health England • The Director of Public Health • The Health and Safety Executive • Environment Protection - St Edmundsbury Borough Council - Suffolk County Council <p>The comments and our responses are summarised in the consultation section.</p>
Operator	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
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>
The site	
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</p>

Aspect considered	Decision
	<p>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>A Stage 1 Habitats Regulations Assessment (HRAS 1) was completed and sent to NE on 21/08/17 'for information only'.</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>We have also carried out an ammonia risk assessment and air quality screening assessment on behalf of the operator.</p> <p>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"> • Housing design and management is in accordance with SGN EPR6.09 'How to comply with your environmental permit for intensive farming. • Ventilation is provided by roof ridge extraction fans with side wall inlets for normal ventilation, and gable end fans for summer cooling; • Poultry houses have a fully littered floor, are well insulated and equipped with nipple drinking systems; • Dirty wash water is collected in underground tanks and then exported off site for spreading on owner controlled land. Clean drainage systems are not contaminated; • the fuel is derived from virgin timber, • 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>

Aspect considered	Decision
	See Key Issues for further information.
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 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>See Key Issues for further information.</p>
Permit conditions	
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>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.</p>
Emission limits	<p>ELVs and/or equivalent parameters or technical measures based on BAT have been set for the following substances:</p> <ul style="list-style-type: none"> • Nitrogen (kg N excreted/animal place/year) • Phosphorus (kg P₂O₅ excreted/animal place/year) • Ammonia (Kg NH₃/animal place/year) <p>See Key Issues for further information.</p>
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 meet the requirements of the relevant BAT Conclusions.</p> <p>We made these decisions in accordance with the IRRP BAT Conclusions.</p> <p>See Key Issues.</p>
Reporting	<p>We have specified reporting in the permit. This is in line with the relevant BAT Conclusions.</p> <p>We made these decisions in accordance with the IRRP BAT Conclusions.</p> <p>See Key Issues.</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> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared.

Aspect considered	Decision
	No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
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> <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 and 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 on 26/09/17 from
Public Health England (PHE)
Brief summary of issues raised
<p>PHE recommend that the permit should contain conditions to ensure that the following potential emissions do not impact upon public health:</p> <ul style="list-style-type: none">• Emissions to air from the biomass boilers (i.e. particulates, nitrogen dioxide, carbon monoxide)• Other emissions to air including bioaerosols, ammonia and fugitive dust; and• Odour emissions from activities on site. <p>PHE note that little detail on the assessment of potential emissions from the biomass boilers have been provided and that appropriate assessments should have been undertaken. They also note that there are limited details provided with regard to bio-aerosol emissions and query whether a risk assessment for bio-aerosols is required. Finally they state that an accident management plan should be in place.</p> <p>In conclusion, PHE has no significant concerns regarding this proposed activity, providing it is operated in accordance with the relevant sector specific technical guidance or industry best practice.</p>
Summary of actions taken or show how this has been covered
<p>Using the AQMAU screening tool, all emissions from the biomass boilers have been screened out as not significant and no further assessment is required.</p> <p>As per our guidance, a dust (including bio-aerosols) risk assessment is not required as there are no sensitive receptors within 100 metres of the installation boundary.</p> <p>The applicant has confirmed that an accident management plan is in place.</p> <p>Standard conditions concerning odour, noise and dust have been included in the permit.</p> <p>See Key Issues for further explanation.</p>

The following organisations were consulted, however no responses were received:

- Environmental Protection – St Edmundsbury Borough Council/Suffolk County Council
- The Health and Safety Executive
- The Director of Public Health

This proposal was also publicised on the Environment Agency's website between 16/08/17 and 14/09/17, but no representations were received during this period.