

Permitting decisions

Bespoke permit

We have decided to grant the permit for Downfield Farm operated by Dean William Sankey, Thomas Walter Sankey, John William Sankey and Edward Glyn Sankey.

The permit number is [EPR/PP3934YB](#).

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

Downfield Farm is an existing 19 hectare site comprising:

- Two houses (Colony Houses 1 and 2) for egg production in enriched colony systems with a combined total of 13,520 bird places.
- Two houses for free range egg production (Free Range House 1 and Free Range House 2 respectively), one with a single-tier system (6,380 places) and one with multi-tier (16,000 places).

An additional new multi-tier house for free range egg production (Free Range House 3), with a capacity of 16,000 places, will be constructed increasing the installation capacity from 35,900 to 51,900 places and over the EPR threshold of 40,000 places.

Point-of-lay pullets will be brought to the farm at around 16 weeks of age and will begin to produce eggs shortly afterwards. They will be retained in production typically until between 70 and 80 weeks of age before being replaced. Mortalities are removed from the sheds daily and the numbers recorded. Carcasses are kept in frozen storage ready for collection to be disposed of in accordance with the Animal-by-Product Regulations.

Ventilation for the four existing poultry houses is via ridge mounted fans, with Colony Houses 1 and 2 having high velocity fans and Free Range House 1 having low velocity fans. Ventilation for Free Range Houses 2 and 3 is by side and natural ventilation. No artificial heating will be provided. The site uses a diesel fuelled generator to power the forced ventilation. The generator is enclosed within a building along with the 200 litre capacity diesel storage tank.

All feed is manufactured in the on-farm feed mill and stored within bulk bins. The diets will be formulated according to the stage in the production cycle, and the protein and phosphorus content of the feed will be reduced as the flock gets older.

All of the free range houses will include litter. At the end of each production cycle, the houses will be thoroughly cleaned and disinfected. Spent litter is removed from the houses weekly and is exported from the site for spreading onto agricultural land. Dirty water is held within below-ground storage tanks before being taken off-site for land spreading. Poultry house clean water roof runoff from Free Range House 1 and Colony Houses 1 and 2 is discharged to the River Arrow via a piped system, and from Free Range Houses 2 and 3 is discharged to an unlined pond.

Manure will be stored onsite in a covered facility before being either taken offsite for landspreading, or used for landspreading on the operator's own land. Where spreading is onto the operator's own land, there are manure management plans in place. The maximum amount of manure to be stored onsite will be 300 tonnes.

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 33 BAT conclusion measures in total within the BAT conclusion document dated 21st February 2017.

We have sent out a schedule 5 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 installation, in their email received on 05/09/17, with the exception of existing poultry house 'Free Range House 1'.

Existing poultry house 'Free Range House 1' (free range layer deep litter system) will no longer be used in the current configuration once the current birds have been removed during January 2018. The BAT Conclusions BAT AEL will be included within the permit and we will issue a Regulatory Position Statement (RPS) stating that we won't take enforcement for failure to comply with the BAT AEL for ammonia in respect of the deep litter system until the end of January 2018 to allow sufficient time for a new system to be installed to meet BAT. The applicant has confirmed that the poultry house will be re-designed to a multi-tier system and a subsequent variation application will be submitted as required. An improvement condition (IC4) has been included within the permit regarding the improvements required to 'Free Range House 1'.

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	BAT-AEL for laying hens is 0.8 kg N/animal place/year
BAT 4 Nutritional management Phosphorous excretion	BAT-AEL for laying hens is 0.45 kg P2O5 animal place/year
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 26 Monitoring of emissions and process parameters - Odour emissions	Daily checks of odour and on farm monitoring of conditions
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 31 Ammonia emissions from poultry houses for laying hens	BAT-AEL for laying hens is 0.08 to 0.13 kgN/animal place/yr

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 Downfield Farm (dated March 2017) 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.

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:

- Compound feed selection and manufacture;
- Feed delivery and storage;
- Ventilation techniques;
- Litter conditions and management;
- Range condition and management;
- Carcass storage and disposal;
- Drinking water systems;

- De-stocking of houses;
- Manure removal, litter removal and cleanout;
- Dirty water generation and storage (washout);
- Used litter and manure storage;
- Dust build up.

We have reviewed the OMP in accordance with our guidance on odour management. We consider that the OMP is satisfactory.

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 section 4.4.2 above. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation, and further details are provided in section 4.5.2 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:

- Ventilation fans during conditions of low background noise.
- Feed material deliveries and manufacture.
- Mechanical noise from equipment.
- Bird noise when loading and unloading.
- Noise from forklift and other vehicles when catching birds for depopulation.
- Manure removal and clean out.

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.

Ammonia

There are 6 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 19 Local Wildlife Sites (LWS) and 20 Ancient Woodlands (AW) within 2 km of the installation.

Whilst Bradnor Hill Quarry SSSI is located within 5 km of the installation, the site is designated on the grounds of geological importance and has therefore been scoped out from requiring any further assessment.

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.

Screening using detailed modelling (report reference number: PA/JG11) has indicated that the PC for all the SSSI's are predicted to be less than 20% of the CLe for ammonia emissions and of the CLo for nitrogen deposition therefore it is possible to conclude no damage. The results of the detailed modelling are given in the tables below.

Table 1 – Ammonia emissions (SSSI)

Site	Ammonia CLe ($\mu\text{g}/\text{m}^3$)	PC ($\mu\text{g}/\text{m}^3$)	PC % CLe
Flintsham & Titley Pools SSSI	3	0.0478	1.6
		0.0324	1.1
		0.0147	0.5
		0.0125	0.4
Birches SSSI	3	0.0021	0.1
		0.0020	0.1
Queestmoor Meadow SSSI	3	0.0014	0
Stanner Rocks SSSI	1	0.0014	0.1
Burfa Boglands SSSI	1	0.0011	0.11

A review of the APIS website was undertaken in order to identify the most suitable habitat descriptions and associated CLe for the area of each designation considered within the assessment. At sites where lichens, bryophytes or rare sphagnum mosses or other rare plants are present a lower CLe of $1.0 \mu\text{g}/\text{m}^3$ has automatically been applied. For all other sites a CLe $3.0 \mu\text{g}/\text{m}^3$ has been applied.

Table 2 – Nitrogen deposition (SSSI)

Site	CLo kg N/ha/yr. [1]	PC kg N/ha/yr.	PC % CLo
Flintsham & Titley Pools SSSI	10	0.25	2.5
		0.17	1.7
		0.08	0.8
		0.06	0.6
Birches SSSI	20	0.01	0.1
		0.01	0.1
Queestmoor Meadow SSSI	20	0.01	0
Stanner Rocks SSSI	5	0.01	0.1
Burfa Boglands SSSI	5	0.01	0.1

A review of the APIS website was undertaken in order to identify the most suitable habitat descriptions and associated CLo for the area of each designation considered within the assessment. The CLo range for woodland, obtained from APIS, is 10 kg-N/ha/yr to 15 kg-N/ha/yr and for low and medium altitude meadows/grasslands 20 kg-N/ha/yr to 30 kg-N/ha/yr. Whereas for the sites where sphagnum mosses, lichens or bryophytes or other rare plants are present a CLo of 5 kg-N/ha/yr has been applied.

No further assessment is required.

Ammonia assessment – LWS and AWs

The following trigger thresholds have been applied for the assessment of these sites:

- If the PC is below 100% of the relevant CLe or CLo then the farm can be permitted with no further assessment.

Screening using detailed modelling (report reference number: PA/JG11) has determined that the PC on the LWS's and AW's for ammonia emissions and nitrogen deposition from the application site are under the 100%

significance threshold and can be screened out as having no likely significant effect. The assessment results are provided in Tables 3 and 4 below.

Detailed modelling provided by the applicant has been audited and we have confidence that we can agree with the report conclusions.

Table 3 - Ammonia emissions (LWS and AW)

Site	CLe ammonia µg/m ³	Predicted PC µg/m ³	PC % of CLe
Disused railway, Kington to Leominster LWS	3	0.1367	4.6
		0.5556	18.5
		0.5089	17
		0.4473	14.9
		0.3933	13.1
Land at Mill Farm LWS	3	0.5177	17.3
Piers Grove Wood LWS / AW	3	0.3508	11.7
		0.1966	6.6
Land at Bullocks Mill LWS	3	0.3036	10.1
Lyonshall Park Wood LWS / AW	1	0.2097	21.0
		0.6133	61.3
		0.3139	31.4
		0.1872	18.7
		0.1245	12.5
Lyonshall Churchyard LWS	3	0.0282	0.9
Land at Lyonshall LWS	3	0.0154	0.5
Rodds Penrhos, Oxpasture & Greenwoods LWS / AW	3	0.0076	0.3
		0.0113	0.4
		0.0188	0.6
Land at Rodds Farm (1 & 2) LWS	3	0.0064	0.2
		0.0078	0.3
Land at Sunset LWS	3	0.0665	2.2
River Arrow LWS	1	0.0904	9.0
Land at Rhue Ville LWS	3	0.0154	0.5
Bradnor Hill & Holywell Wood LWS	3	0.085	0.3
Rushock Common LWS	3	0.0064	0.2
Tinkers Wood LWS	3	0.0059	0.2
Land at Rushock Farm LWS	3	0.0332	1.1
Titley Pools LWS	3	0.0450	1.5
		0.0247	0.8
		0.0157	0.5
Land near Hunton Bridge LWS	3	0.0182	0.6
Pool near Shawl Farm LWS	3	0.0118	0.4
Orles Wood AW	3	0.2038	6.8
		0.1740	5.8
Smith Bank Wood AW	3	0.0430	1.4

Cave Wood AW	3	0.0220	0.7
Little Coppice AW	3	0.0147	0.5
Kennel Wood AW	3	0.0110	0.4
Slade Coppice, Mins Rough AW	3	0.0109	0.4
Unnamed Woodland (3) AW	3	0.0045	0.1
Unnamed Coppice (2) AW	3	0.0062	0.2
Quarry Wood, Gorsty Piece AW	3	0.0041	0.1
Unnamed Woodland (1) AW	3	0.0853	2.8
Yadon Wood AW	3	0.0590	2.0
Tack Barn Wood AW	3	0.0147	0.5
Grove Orles Coppice (1 & 2) AW	3	0.0099 0.0092	0.3 0.3
Unnamed Coppice (1) AW	3	0.0254	0.8
Unnamed Woodland (2) AW	3	0.0384	1.3
Ash Bed AW	3	0.0172	0.6
Stocking Wood AW	3	0.0094	0.3

A review of the APIS website was undertaken in order to identify the most suitable habitat descriptions and associated CLe for the area of each designation considered within the assessment. At sites where lichens, bryophytes or rare sphagnum mosses or other rare plants are present a lower CLe of 1.0 µg/m³ has automatically been applied. For all other sites a CLe 3.0 µg/m³ has been applied.

Table 4 – Nitrogen deposition (LWS and AW)

Site	CLo kg N/ha/yr. [1]	Predicted PC kg N/ha/yr.	PC % of CLo
Disused railway, Kington to Leominster LWS	10	1.06	10.6
		4.33	43.3
		3.96	39.6
		3.49	34.9
		3.06	30.6
Land at Mill Farm LWS	20	2.69	13.4
Piers Grove Wood LWS / AW	10	2.73	27.3
		1.53	15.3
Land at Bullocks Mill LWS	20	1.58	7.9
Lyonshall Park Wood LWS / AW	5	1.63	32.7
		4.78	95.6
		2.45	48.9
		1.46	29.2
		0.97	19.4
Lyonshall Churchyard LWS	20	0.15	0.7
Land at Lyonshall LWS	20	0.08	0.4
Rodds Penrhos, Oxpasture & Greenwoods LWS / AW	10	0.06	0.6
		0.09	0.9
		0.15	1.5
Land at Rodds Farm (1 & 2) LWS	20	0.03	0.2
		0.04	0.2

Land at Sunset LWS	20	0.35	1.7
River Arrow LWS	5	0.47	9.4
Land at Rhue Ville LWS	20	0.08	0.4
Bradnor Hill & Holywell Wood LWS	10	0.07	0.7
Rushock Common LWS	10	0.05	0.5
Tinkers Wood LWS	10	0.05	0.5
Land at Rushock Farm LWS	20	0.17	0.9
Titley Pools LWS	10	0.23	2.3
		0.13	1.3
		0.08	0.8
Land near Hunton Bridge LWS	20	0.09	0.5
Pool near Shawl Farm LWS	10	0.06	0.6
Orles Wood AW	10	1.59	15.9
		1.36	13.6
Smith Bank Wood AW	10	0.33	3.3
Cave Wood AW	10	0.17	1.7
Little Coppice AW	10	0.11	1.1
Kennel Wood AW	10	0.09	0.9
Slade Coppice, Mins Rough AW	10	0.09	0.9
Unnamed Woodland (3) AW	10	0.03	0.3
Unnamed Coppice (2) AW	10	0.05	0.5
Quarry Wood, Gorsty Piece AW	10	0.03	0.3
Unnamed Woodland (1) AW	10	0.66	6.6
Yadon Wood AW	10	0.46	4.6
Tack Barn Wood AW	10	0.11	1.1
Grove Orles Coppice (1 & 2) AW	10	0.08	0.8
		0.07	0.7
Unnamed Coppice (1) AW	10	0.20	2.0
Unnamed Woodland (2) AW	10	0.30	3.0
Ash Bed AW	10	0.13	1.3
Stocking Wood AW	10	0.07	0.7

A review of the APIS website was undertaken in order to identify the most suitable habitat descriptions and associated CLo for the area of each designation considered within the assessment. The CLo range for woodland, obtained from APIS, is 10 kg-N/ha/yr to 15 kg-N/ha/yr and for low and medium altitude meadows/grasslands 20 kg-N/ha/yr to 30 kg-N/ha/yr. Whereas for the sites where sphagnum mosses, lichens or bryophytes or other rare plants are present a CLo of 5 kg-N/ha/yr has been applied.

No further assessment is required.

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"> • Local Authority – Environmental Health • Local Authority – Planning • Health and Safety Executive <p>The application was also advertised externally on the GOV.UK website between 6 September 2017 and 8 October 2017 to invite any responses and comments from the general public.</p> <p>The comments and our responses are summarised in the consultation responses section.</p>															
Operator																
Control of the facility	<p>We are satisfied that the applicants (now the operator) are the people 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.</p> <p>The details of all the individuals on the permit are as follows:</p> <table border="1"> <thead> <tr> <th>Full Name of Individual</th> <th>Position</th> <th>Main Address</th> </tr> </thead> <tbody> <tr> <td>Dean William Sankey</td> <td>Partner</td> <td>Downfield Farm, Kington, Hereford, HR5 3SD</td> </tr> <tr> <td>Thomas Walter Sankey</td> <td>Partner</td> <td>Newhouse Farm, Rushock, Kington, Hereford, HR5 3RZ</td> </tr> <tr> <td>John William Sankey</td> <td>Partner</td> <td>Downfield Farm, Kington, Hereford, HR5 3SD</td> </tr> <tr> <td>Edward Glyn Sankey</td> <td>Partner</td> <td>Newhouse Farm, Rushock, Kington, Hereford, HR5 3RZ</td> </tr> </tbody> </table> <p>We are satisfied that all individuals will exercise joint control over the facility.</p>	Full Name of Individual	Position	Main Address	Dean William Sankey	Partner	Downfield Farm, Kington, Hereford, HR5 3SD	Thomas Walter Sankey	Partner	Newhouse Farm, Rushock, Kington, Hereford, HR5 3RZ	John William Sankey	Partner	Downfield Farm, Kington, Hereford, HR5 3SD	Edward Glyn Sankey	Partner	Newhouse Farm, Rushock, Kington, Hereford, HR5 3RZ
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Edward Glyn Sankey	Partner	Newhouse Farm, Rushock, Kington, Hereford, HR5 3RZ														
The facility																

Aspect considered	Decision
The regulated facility	<p>We considered the extent and nature of the facility/facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.</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 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	<p>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.</p> <p>The site condition report (SCR) for Downfield Farm (dated March 2017) demonstrates that there are no significant hazards or likely pathways to land or groundwater and no historic contamination sources on site that may present a significant risk. Therefore, on the basis of the assessment presented in the SCR the Environment Agency accepts that no baseline reference data needs to be provided for the site soil and groundwater conditions as part of application EPR/PP3934YB/A001.</p>
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of 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 and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process. A detailed ammonia modelling report was submitted by the applicant and has been reviewed by the Environment Agency as part of the determination process.</p> <p>We consider that the application will not affect any sites of nature conservation and/or protected species or habitats identified.</p> <p>Please refer to the key issues section for the relevant sites and the detailed modelling results.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</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>
Operating techniques	
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.
Odour management	We have reviewed the odour management plan in accordance with our guidance on

Aspect considered	Decision
	<p>odour management. Please refer to the key issues section.</p> <p>We consider that the odour management plan is satisfactory.</p>
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control. Please refer to the key issues section.</p> <p>We consider that the noise management plan is satisfactory.</p>
Permit conditions	
Raw materials	We have specified limits and controls on the use of diesel fuel.
Improvement programme	<p>Based on the information on the application, we consider that we need to impose an improvement programme.</p> <p>We have imposed an improvement programme to ensure that:</p> <ul style="list-style-type: none"> • A written plan is submitted following a review of the existing site drainage • A written plan is submitted following a review of the existing poultry house management and practices. • A site specific closure plan is produced for the installation. • Poultry house 'Free Range 1' will be able to meet the BAT Conclusions.
Emission limits	<p>BAT-AELs based on the recently published BAT Conclusions have been set in the permit for the following substances:</p> <ul style="list-style-type: none"> • ammonia • nitrogen • phosphorus.
Monitoring	<p>With the publication of the IRPP BAT Conclusion Document, we have included monitoring 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 IRPP BAT Conclusion Document and are not related to any perceived issues with the operation of the installation.</p>
Reporting	We have specified reporting in the permit. These reporting requirements have been added in order to comply with the IRPP BAT Conclusion Document and are not related to any perceived issues with the operation of the installation.
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	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>

Aspect considered	Decision
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, 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: Environmental Health & Trading Standards, Herefordshire Council dated 18 October 2017.
Brief summary of issues raised
No adverse comments to make in relation to air quality issues.
Summary of actions taken or show how this has been covered
No action required.

The Local Authority Planning Department as well as the Health and Safety Executive were also consulted on this application. However, consultation responses from them were not received.

The application was advertised externally on the GOV.UK website between 6 September 2017 and 8 October 2017 to invite any responses and comments from the general public. No responses were received.