

Permitting decisions

Bespoke permit

We have decided to grant the permit for Staunton Field Farm operated by E & S Mayman Limited.

The permit number is EPR/XP3830WY.

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. The introductory note summarises what the permit covers.

Key issues of the decision

New Intensive Rearing of Poultry 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 installations in their email dated 20/07/17.

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	0.6 kg N/animal place/year (BAT associated total nitrogen excreted). Feed specifications are prepared by the feed compounder's nutrition specialist. Protein is reduced in accordance with SGN EPR6.09 'How to comply with your environmental permit for intensive farming'.
BAT 4 Nutritional management Phosphorous excretion	0.25 kg P2O5 animal place/year (BAT associated total nitrogen excreted). Feed specifications are prepared by the feed compounder's nutrition specialist. Protein is reduced in accordance with SGN EPR6.09 'How to comply with your environmental permit for intensive farming'.
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	

BAT measure	Applicant compliance measure
process parameters - Ammonia emissions	
BAT 26 Monitoring of emissions and process parameters - Odour emissions	Daily olfactory checks of any abnormal housekeeping odours with any abnormalities recorded and investigated, appropriate plans reviewed and updated to prevent reoccurrence, this entails recording and detection of odour and severity. This will increase in frequency during the final two weeks of crop cycle (twice daily) and during littering out. Condition of feed bins is checked frequently so that any damage or leaks can be identified. Feed deliveries are monitored to avoid dust and spills. Routine checks of feed storage and fill pipes as per maintenance schedule. Humidity recorded and maintained in the range of 55-65% keeping a balance of dry litter. Daily checks of drinker height and pressures. Wash water tank levels monitored during washing and emptied as required to prevent overflow.
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 NH ₃ /animal place/year (BAT associated total nitrogen excreted).

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.

All new bespoke applications issued after the 21st February, including those where there is a mixture of old and new housing, will now need to meet the BAT-AEL.

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 Staunton Field Farm (31/03/2017) 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.**

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:

- Feed Delivery and Storage
- Ventilation Techniques
- Litter Conditions and Management
- Carcass Disposal
- Management of Drinking Water Systems
- Destocking of Live Stock
- Cleanout

Odour Management Plan Review

There is a sensitive receptor within 100 metres and other receptors are within 400 metres of the installation boundary. The applicant has therefore submitted an Odour Management Plan as part of the application supporting documentation.

Operations with the most potential to cause an odour emissions have been assessed as those listed above. The Odour Management Plan covers control measures, in particular, procedural controls addressing ventilation and heating, litter condition and management, bird destocking/restocking, clean out operations, management of used litter and dirty water, and abnormal operations. The operator has also considered that they will undertake

a BAT review following any substantiated odour complaints and provided a list of contingency measures that they will consider to reduce the odour emissions from site and meet BAT requirements. Following the BAT review the Operator has confirmed that they will select a suitable contingency measure from those listed in the odour management plan which will be agreed to by the agency.

There is the potential for odour emissions from the installation beyond the installation boundary, however the operator's compliance with the Odour Management Plan, submitted with this application, should minimise the risk of odour pollution beyond the installation boundary. We, the Environment Agency, have reviewed and approved the Odour Management Plan. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the operator.

Noise

There is the potential for noise pollution from the installation. There are seven sensitive receptors within 400 metres of the installation and therefore an Noise Management Plan (NMP) has been prepared, as required in chapter 3, section 3.4 of EPR 6.09 Sector Guidance Note, *How to comply with your environmental permit for intensive farming*, Version 2, published January 2010 (EPR 6.09 SGN).

The risk assessment for the Installation provided with the Application lists key potential risks of noise and vibration pollution beyond the Installation boundary. These activities are as follows:

- Large vehicle movement to and from farm
- Small vehicle movement on site
- Transfer of feed from lorry to bins
- Operation of ventilation fans
- Standby generator
- Birds and personal on site
- Repair and maintenance work

There is a sensitive receptor within 100 metres and other receptors are within 400 metres of the installation boundary. The applicant has therefore submitted a Noise Management Plan as part of the application supporting documentation.

Operations with the most potential to cause a noise emissions have been assessed as those listed above. Noise Management Plan covers those involving delivery vehicles travelling to and from the farm, vehicles on site, feeding system, operation of ventilation fans, noise from birds, bird restocking, bird removal and loading on to vehicles and clean out operations. The Noise Management Plan covers control measures, in particular, procedural controls addressing ventilation fans, feed deliveries, feeding systems, bird restocking, and clean out operations.

There is the potential for noise from the installation beyond the installation boundary, however the operator's compliance with the Noise Management Plan, submitted with this application, should minimise the risk of noise pollution beyond the installation boundary. The risk of noise pollution at sensitive receptors beyond the installation boundary is therefore not considered significant. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the operator.

Dust/bioaerosol

There is the potential for dust and bioaerosol emissions from the installation. There is a sensitive receptor within 100 metres of the installation boundary. The applicant has therefore submitted a Bioaerosol Risk Assessment and Dust Management Plan have been prepared as required in chapter 3, section 3.2 of EPR 6.09 Sector Guidance Note, *How to comply with your environmental permit for intensive farming*, Version 2, published January 2010 (EPR 6.09 SGN).

All other sensitive receptors are greater than 100 m from the installation boundary.

The use of Best Available Techniques and good practice will ensure minimisation of emissions. Furthermore, condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

Operations with the most potential to cause a dust emissions have been assessed as those involving delivery vehicles travelling to and from the farm, vehicles on site, feed selection, operation of ventilation fans, litter condition and management, bird restocking, bird removal and clean out operations. The Dust Management Plan covers control measures, in particular, procedural controls addressing ventilation fans, feed deliveries, feeding types, bird restocking, and clean out operations.

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

Biomass boiler

The applicant is applying for a new permit which includes 1 biomass boiler with a net rated thermal input of 1.047 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 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.

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.

Our risk assessment has shown that the biomass boilers does meet the requirements of the criteria above, and are, therefore, considered likely to pose a significant risk to the environment or human health and further assessment is required.

- 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(s).

The Environment Agency's risk assessment has shown that the biomass boiler(s) meet the requirements of criteria C above, and are therefore considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

Grade A Wood Burning

The operator has applied to use grade A recycled waste wood as fuel for 1 biomass boiler with a net rated thermal input of 1.047 MW. Where virgin and waste wood are mixed the fuel is all considered a waste.

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

Grade A wood definition

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

The total capacity of the installation biomass boilers using Grade A wood is 427 kgs/hour.

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

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

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

Ammonia

There are no Special Area(s) of Conservation (SAC), /Special Protection Area(s) (SPA), /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 twelve Local Wildlife Site(s) (LWS) within 2 km of the installation.

Ammonia assessment - LWS

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

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Staunton Field Farm will only have a potential impact on the LWS sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 417 metres of the emission source.

Beyond 417m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case eleven LWS sites are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 1 – LWS Assessment

Name of LWS	Distance from site (m)
Kilvington Lakes	936
River Devon, Staunton	1,080
Cotham Road Verge	1,138
Staunton Quarry	1,138
Cotham Station	1,207
River Devon, Wensor Bridge	1,222
Long Bennington Grassland	1,350
Mineral Line, Cotham	1,576
Folly Hill Grassland and Pond	1,816
Staunton Park Pastures	1,854
Kilvington Railway	1,909

Screening using the ammonia screening tool version 4.5 has determined that the PC on the LWS for ammonia emissions/nitrogen deposition/acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 2 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
Staunton Works	3**	1.006	33.5

** CLe 3 applied as no protected lichen or bryophytes species were found when checking Easimap layer

Table 3 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	Predicted PC kg N/ha/yr.	PC % of critical load
Staunton Works	20	5.226	26.1

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 27/08/2014

Table 4 – Acid deposition

Site	Critical load keq/ha/yr. [1]	Predicted PC keq/ha/yr.	PC % of critical load
Staunton Works	4.7	0.373	7.9

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 27/08/2014

No further assessment is required.

For Staunton Railway LWS we only had limited information about why the site was designated and its current management. Therefore, the operator consulted with the Local Authority in order to determine:

- the key features for which the site was proposed as a LWS;
- whether the LWS is actively managed to maintain the designated features;
- conservation status of the LWS;
- whether ammonia emissions and/or nitrogen deposition will affect the conservation status of the LWS;
- whether the LWS is likely to be de-designated.

Based upon this consultation we have determined that the site is being actively managed and has conservation objectives in place. The site is a “disused railway line supporting butterfly species of high conservation priority.” There is no information about other species on the site.

The foodplants of this butterfly species include higher (or vascular) plants. It is the lower (non-vascular) plants which are most at risk from atmospheric ammonia and nitrogen deposition, and not the vascular plants which are present at this LWS. Therefore, it is highly unlikely that there will be any detrimental effects on the site from atmospheric ammonia and nitrogen deposition due to the activity. Therefore, ammonia emissions from the farm will not affect the conservation status of the local wildlife site.

An assessment of ammonia emissions and/or deposition is not necessary for Staunton Railway LWS.

No further assessment is necessary.

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	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: <ul style="list-style-type: none"> • Environmental Health; • Health and Safety Executive; • Director of Public Health; and • Public Health England. The comments and our responses are summarised in the consultation section .
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	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation'. The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
The site	
Extent of the site of the facility	The operator has provided 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

Aspect considered	Decision
	<p>consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.</p> <p>See <i>Key issues of the decision</i> section of this decision document for further information.</p>
<p>Biodiversity, heritage, landscape and nature conservation</p>	<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 in accordance with our guidance.</p> <p>See <i>Key issues of the decision</i> section for further information.</p>
Environmental risk assessment	
<p>Environmental risk</p>	<p>We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant.</p> <p>See <i>Key issues of the decision</i> section for further information.</p>
Operating techniques	
<p>General operating techniques</p>	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> • the use of nipple drinkers to keep litter dry; • the use of high velocity roof extraction fans; • the biomass boiler appliance and its installation meets the technical criteria to be eligible for the Renewable Heat Incentive; and • the use of grade A recycled waste wood as fuel.

Aspect considered	Decision
	<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>The operator has confirmed the name of two potential grade A waste wood providers, namely Intervate Limited and RJT & AR Ainsworth, and provided certificate of Wood Chip Specification and Biomass Quality Manual document respectively. The proposed providers and evidence submitted for burning of grade A waste wood are representative and appropriate to ensure that the waste is the specified grade of waste wood.</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 <i>Key issues of the decision</i> section 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 <i>Key issues of the decision</i> section for further information.</p>
Permit conditions	
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels. We have specified that only biomass chips or pellets comprising virgin timber, straw, miscanthus, grade A waste wood; or a combination of these, are acceptable.</p> <p>The following Grade A waste wood types to be used as fuels on their own or in combination with other virgin timber:</p> <ul style="list-style-type: none"> • 03 01 05, 15 01 03 and 19 12 07. <p>See <i>Key issues of the decision</i> section for further information.</p>
Emission limits	<p>Numeric limits or equivalent parameters have been set for the following substances in accordance with relevant BAT.</p> <ul style="list-style-type: none"> • Nitrogen • Phosphorus • Ammonia

Aspect considered	Decision
	See <i>Key issues of the decision</i> section for further information.
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 <i>Key issues of the decision</i> section for further information.</p>
Reporting	<p>We have specified reporting in the permit. We made these decisions in accordance with the relevant BAT measures.</p> <p>See <i>Key issues of the decision</i> section for further information.</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	<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>
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</p>

Aspect considered	Decision
	<p>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 on 14/06/2017 and on 05/07/2017
Brief summary of issues raised
The response to our consultation request for comment only included that the noise from deliveries bird catching, bedding removal and restocking could be an issue depending on the time of the day it is carried out. The consultee is not aware of any noise or amenity issues at the site, or any enforcement action to make us aware of.
Summary of actions taken or show how this has been covered
There is the potential for noise from the installation beyond the installation boundary, however the operator's compliance with the Noise Management Plan, submitted with this application, should minimise the risk of noise pollution beyond the installation boundary. The risk of noise pollution at sensitive receptors beyond the installation boundary is therefore not considered significant. See the <i>Noise section of the Key issues of the decision</i> for further information.

Response received from
Public Health England and Director of Public Health on 03/07/2017
Brief summary of issues raised
The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. The applicant has indicated that there are sensitive receptors within 100m of the proposed poultry houses. The application indicates that measures will be in place in order to control emissions and as such residual risks are likely to be insignificant. <u>Bioaerosols</u> The Environment Agency screen intensive livestock rearing units using a distance of 100m to the nearest sensitive receptor(s). This is based on a 2009 DEFRA report. Should it be identified by the applicant that there are sensitive receptors within 100m from the boundary of such units the applicant is required to carry out a bioaerosol risk assessment. PHE is currently updating its Intensive Farming position paper as part of wider work on the health impacts on exposure to bioaerosols from intensive farming. The evidence base for human exposure to bioaerosols from intensive livestock rearing units remains limited, compared to composting facilities. The nature of the evidence that is available however indicates that there are differences between both sources (pig or poultry). The nature of the bioaerosols (fungal or bacteriological) is also important. A systematic review of the evidence for adverse human health effects of bioaerosol emissions from intensive farming is currently underway and should be completed by the end of 2017. It is assumed by PHE that the installation will comply in all respects with the requirements of the permit, all relevant domestic and European legislation, and will use Best Available Techniques (BAT). This should ensure that emissions present a low risk to human health.
Summary of actions taken or show how this has been covered
We have requested the applicant on the 26/05/2017 to submit a bioaerosol assessment in order to support their application and enable us to complete a fully assess of the application. We have requested this additional document because we identified sensitive human receptors within 100m of the site boundary. The operator has provided the bioaerosol assessment on the 30/05/2017.

There is the potential for dust from the installation beyond the installation boundary, however the operator's compliance with the Dust Management Plan, submitted with this application, should minimise the risk of dust pollution beyond the installation boundary. The risk of dust pollution at sensitive receptors beyond the installation boundary is therefore not considered significant. We can conclude that the dust and bioaerosol assessment is satisfactory to reduce exposure to bioaerosols from the installation and to protect human health.

See the *Dust/Bioaerosol section of the Key issues of the decision* for further information.

Response not received from

Health and Safety Executive