

Permitting decisions

Bespoke permit

We have decided to grant the permit for Range Farm operated by Range Farm Limited.

The permit number is EPR/KP3939YX.

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

We have sent out a not duly made request 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 reference "Re: EPR/KP3939YX/A001 – Range Farm - application allocated to permitting officer" and dated 12/04/17.

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 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 25 Monitoring of emissions and process parameters -Ammonia emissions	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions

More detailed assessment of specific BAT measures

Ammonia emission controls

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT. The BAT Conclusions document does not have a BAT AEL for pullets and therefore an ammonia emission limit value has not been included within the permit.

Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February 2013 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 Range Farm (dated 28/12/16, received 12/04/17) 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.

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:

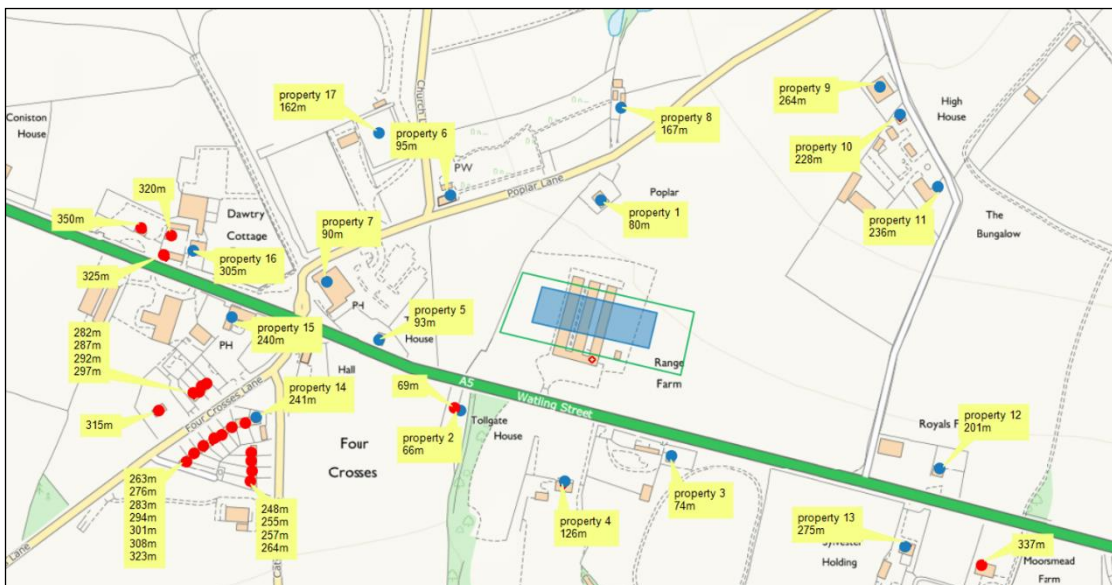
- Manufacture and selection of feed
- Feed delivery and storage

- Ventilation and heating systems/ dust
- Litter management
- Carcass disposal
- House clean out
- Used litter
- Washing operations including vehicles
- Fugitive emissions
- Dirty water management
- Abnormal operations
- Waste production/ storage
- Materials/storage

Odour Management Plan Review

The sensitive receptors that have been considered under odour and noise do not include the operator's property and other people associated with the farm operations as odour and noise are amenity issues.

There are several sensitive receptors within 400m of the site boundary. Some of the receptors and some of the distances from the receptor boundary and the site boundary, identified by the operator, differ slightly from those identified by the Environment Agency (EA). However, we have received email confirmation from the operator (received 1/07/2017) that additional receptors and approximate distances from all receptors as identified by the EA have been acknowledged and that the operator agrees receptors and approximate distances identified in the screen shot below are correct:



The closest is 'Tollgate House' (property 2) which is located approximately 66m south west of the installation boundary and is approximately 92m south west of the poultry house. '2 Four Crosses Cottages' is the second closest receptor which is located approximately 69m south west of the installation boundary and approximately 95m from the poultry house. Poplar Bungalow (property 1) is occupied by the operator. This is located approximately 80m north of the installation boundary and approximately 90m from the poultry house. There are a further 36 registered addresses (receptors) located within 400m of the installation boundary.

The operator is required to manage activities at the installation in accordance with condition 3.3.1 of the permit and it's OMP (version received 11/07/17 reference 'Revised Odour management Plan').

The operator has identified the potential sources of odour (see above), as well as the potential risks and problems, detailed actions taken to minimise odour, and contingencies to minimise odour pollution during abnormal operations, such as disease outbreaks, spillages of food damage to carcass storage, leaks, bird thinning, litter removal, washing operations and dust build up.

The OMP also provides a suitable procedure in the event of complaints in relation to odour. The OMP is required to be reviewed at least every 4 years, however the operator has confirmed that it will be reviewed annually and/or if a complaint is received, whichever is sooner.

The general wind direction is predominantly from the south west. This means that the receptors that could potentially be impacted the most would be to the north east of the installation. The nearest receptors are The Stables (property 8) (~167m NE of installation boundary and ~175m from poultry house), High House (property 10) (~228m NE of installation boundary and ~258m from poultry house), property 11 (~236m NE of installation boundary and ~270m from poultry house) and a house on Poplar Lane (~264m NE of installation boundary and ~292m from poultry house).

The Environment Agency has reviewed the 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.

Odour Modelling Review

Odour modelling report “*A Dispersion Modelling Study of the Impact of Odour from the Proposed Pullet Chicken Rearing House at Range Farm, Watling Street, Cannock, Staffordshire*” was submitted with the application and was considered when determining the risk of potential odour impacts from the farm. The applicant predicted a maximum 98th percentile of hourly odour concentrations of 2.92 OU_E/m³.

However, the modelling has been audited by the Environment Agency and we cannot rule out the potential for exceedances of the 3 ou_E/m³ benchmark.

Furthermore, the applicant’s emission rates are lower than we would expect based on their review of published data and the length of the growth cycle. Using higher emission rates would likely lead to exceedances at receptors. Results could be greater than predicted, and should be mitigated through an appropriate OMP.

We have checked the following main points in the audit:

- Model version: The consultant used ADMS 5 (Version 5.1). We have carried out our check modelling using the latest version of the model, (version 5.2).
- Meteorological data: The consultant has used meteorological data obtained from Numerical Weather Prediction data for 2012 - 2015. We normally expect applicants to model 5 years of observed meteorological data. We carried out our sensitivity analysis using meteorological data observed at Coleshill approximately 30 km east of the site.
- Emission rates: We have checked the consultant’s emission rates and find that in their model, they have used a variable emission rate based on a 49 day cycle, which, in their report they describe as being based on broiler emission rates. The proposals are for a 112 day cycle, with a 30 days empty period after each crop. A comparison with published data shows that emission rates for older birds, particularly pullets or layers are likely to be higher than broilers. We can therefore assume that emission rates could be higher than those used by the applicant. We have run a series of checks based on a range of published emission rates for pullets and broilers.
- Buildings and terrain: We confirm that the applicant’s approach to modelling the effects of building downwash and terrain is consistent with our expectations.

- Receptors: The consultant has included thirty nine nearby receptors, the nearest of which is approximately 100 m from the shed. We have checked the locations and conclude that the selected receptor locations are appropriate.
- Assessment methodology: The consultant has predicted the 98th percentile of hourly average odour concentrations at sensitive receptors, and compared results with a benchmark of 3 ouE/m³. This is in line with H4¹ guidance and we consider their approach appropriate.
- Results: The consultant predicts results below the benchmark. Based on our checks, we cannot rule out the potential for predictions to exceed the benchmark. Using alternative emission rates from our literature review, impacts could be up to double the applicant's predictions, indicating the potential for odour nuisance from the site. Appropriate measures in a high risk OMP should be considered to manage the risk of odour pollution.

Potentially the benchmark of 3 ouE/m³ (which is considered appropriate for this assessment) could be exceeded, indicating the potential for odour pollution.

Many assumptions are made when modelling odour, and therefore model predictions are associated with a number of uncertainties. Predictions therefore are indicative only, and it is necessary to consider wider odour management at any site when making permitting decisions. A robust OMP, together with an H1 odour risk assessment, submitted by the Applicant, has been assessed as described above.

In this case, as the modelling indicates there may be potential for odour pollution, we would expect a detailed odour management plan (OMP) to be implemented which sets out measures to ensure the site is managed in such a way that the risk of odour nuisance to the local amenity is minimised as far as practicable. The applicant has submitted an odour management plan with additional contingency measures which we have reviewed, as part of the application process. We are satisfied with the measures set out in the OMP; however we also require that it is periodically reviewed by the operator to ensure its continued suitability for this installation.

We have included our standard odour condition 3.3.1 in the permit, which required that the 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 appropriate measures, including, but not limited to, those specified in any approved OMP (which is captured through condition 2.3 and Table S1.2 of the permit), to prevent or where that is not practicable, to minimise odour.

The operator must operate the installation in line with the operating techniques set out in the application supporting documents and the OMP. Once the operation of the installation commences, there is a requirement to review and record (as soon as practicable after a complaint) whether changes to the OMP should be made and make any appropriate changes to the OMP identified in the review.

We have included measures in The Limits of Specified activity, in TableS1.1, stipulating that:
The poultry house shall be constructed to allow for staggering of bird cycles.

If odour complaints are substantiated:

Stocking will be split in two with a maximum of 66,500 will be placed in half of the house which is segregated internally into two rearing houses. The odour management plan to be reviewed and amended as necessary and written approval given by area officer, following approval the second half of house can be placed with a maximum of 66,500 pullets no less than five weeks following the initial half house placement, a minimum of 5 weeks between staggered cycles shall be maintained at all times, or alternative for effective odour reduction, as determined by discussion between the Environment Agency and the Operator.

In addition to this, we have included the following improvement condition:

After the first cycle of stocking, the operator shall review the OMP and make any amendments and necessary. This shall be agreed in writing with the Environment Agency (i.e. the local Area Officer). Stocking shall not increase until this has been completed and agreed with the Environment Agency.

¹ Environment Agency – How to Comply with your Permit – H4 Odour Management

Whilst there is potential for odour pollution from the installation, the overall risk can be minimised by complying with the permit conditions, careful management and compliance with the OMP and reviewing the OMP when required.

Noise

Sensitive receptors as listed under 'Odour' section.

The sensitive receptors that have been considered under odour and noise do not include the operator's property and other people associated with the farm operations as odour and noise are amenity issues.

A noise management plan (NMP) has been provided by the operator) as part of the application supporting documentation (reference Noise Management Plan') (see 'Dust and Bioaerosols' section for distances of individual properties).

There is the potential for noise from the installation beyond the installation boundary. The prevailing wind is from the south west indicating the receptors located to the north east of Range Farm would potentially be at the highest risk. However as long as the NMP is followed, the risk of noise beyond the installation boundary is considered unlikely to cause a nuisance.

The operator has identified the receptors and identified ways in which to minimise the risk of noise disturbance. These include:

- fans operated intermittently
- time restricted deliveries of fuel and feed
- no audible alarms on site
- lorries routed away from village for bird catching and use of plastic bird crates, as well as level loading operating areas
- clean out operations carried out during normal working hours (07:00- 19:00)
- birds to be housed within insulated buildings
- generator test runs in normal working time (07:00-19:00)

The operator has also noted that a walk around assessment will be conducted to establish possible sources of noise emissions, and consideration given to different operations occurring during the whole of the production cycle.

The NMP will be reviewed annually by the site manager from the permit issue date, prior to any major changes to operations (to ensure effectiveness) or following any complaint, and changes to the NMP, or other management plans to be documented, dated, signed and Area Officer notified.

We have included our standard noise and vibration condition 3.4.1 in the Permit, which requires that emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the Installation, 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 (which is captured through condition 2.3 and Table S1.2 of the Permit), to prevent or where that is not practicable to minimise the noise and vibration.

We are satisfied that the manner in which operations are carried out on the Installation will minimise the risk of noise pollution.

Dust and bioaerosols

The use of Best Available Techniques and good practice is intended to ensure minimisation of emissions. There are measures included within the Permit (the 'Fugitive Emissions' conditions) to provide a level of protection. Condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the Permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the Installation, the Operator must undertake a review of site

activities, provide an emissions management plan and undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

Sensitive receptors as listed under 'Dust and bioaerosol section' section.

The sensitive receptors that have been considered under odour and noise do not include the operator's property and other people associated with the farm operations as odour and noise are amenity issues. However, with dust and bioaerosols, all sensitive receptors are considered as dust and bioaerosols have the potential to affect human health.

Sensitive receptors listed under odour and noise may be subject to amenity issues (from odour and noise), whereas sensitive receptors listed under dust and bioaerosols could be subject to health issues (from dust and bioaerosols), which would include people associated with the farm.

The general wind direction is usually predominantly from the south west. This means that the majority of the sensitive receptors are generally not downwind of the installation.

All distances listed below are from the installation boundary to the boundary of the sensitive receptor. The properties downwind of the installation would most likely be affected. These are:

The closest receptors (within 100m) are:

- Poplar Bunglaow (property 1, operator's property) at ~80m N

Receptors between 100m-200 include:

- property 17, ~162m NE
- property 8, ~167m N

Receptors between 200-300m from the site boundary include:

- High House (property 10), ~228m NE
- Property 9, ~264m NE
- Property 11, ~236m NE

The operator has submitted a Dust Management Plan (reference 'Dust Management Plan'). The plan identified the potential sources of dust and identifies methods to minimise the risk of dust becoming an issue. These steps include:

- Feed – vents from silos covered to prevent release to atmosphere, no milling undertaken, use of pelleted feed, oil coating on pellet, some use of maize within diets, sealed pipe delivery into poultry house, free fall of feed into hoppers minimised, pan feeding system on timed feeding preventing over feeding, any feed spills to be cleared up immediately.
- Bedding – use of dust extracted shaving, sufficient layer to absorb moisture produced during crop cycle, base layer spread inside houses with minimum ventilation running, top up bedding in sealed plastic bales.
- Litter management – use of misting systems to control humidity, computer controlled environment.
- Stock inspections – carried out by trained personnel.
- Ventilation – use of high velocity roof extraction fans.
- House cleaning – no double handling of litter, trailers parked close to doors, litter tipped carefully into trailers, trailers sheeted prior to leaving site, care taken during cleaning to minimise both release of dust to atmosphere and escape of contaminated water.
- Bird numbers – stocking rate determined by integrator.

The operator has also noted that the Dust Management Plan is to be reviewed every four years or following a substantiated complaint, whichever is sooner, with the Environment Agency being notified of any changes for approval. This, together with good management of the installation, keeping areas clean from build-up of dust, other measures in place to reduce dust and risk of spillages, such as manure and feed management/delivery procedures all reduce the potential for emissions impacting the nearest receptors.

Ammonia

There are 2 Special Areas of Conservation (SAC) sites located within 10 kilometres of the installation. There are 2 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 6 other

nature conservation sites within 2 km of the installation, comprising of 4 Local Wildlife Sites (LWS), 1 Ancient Woodland (AW) and 1 Local Nature Reserve (LNR).

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.

Initial screening using ammonia screening tool version 4.5 (ASTv4.5) has indicated that emissions from Range Farm will only have a potential impact on the SAC sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 3399 metres of the emission source.

Beyond 3399m the PC is less than $0.04\mu\text{g}/\text{m}^3$ (i.e. less than 4% of the precautionary $1\mu\text{g}/\text{m}^3$ critical level) and therefore beyond this distance the PC is insignificant. In this case all SACs 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 4% 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 significant effect

Table 1 – SAC/SPA/Ramsar Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Cannock Chase SAC	5791
Cannock Extension Canal SAC	6737

No further assessment is required.

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 ASTv4.5 has indicated that emissions from Range 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 1165 metres of the emission source.

Beyond 1165m 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 all 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 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
Four Ashes Pit	4391

Stowe Pool and Walk Mill Clay Pit	1956
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No further assessment is required.

Ammonia assessment - LWS/AW/LNR

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

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

Initial screening using ASTv4.5 has indicated that emissions from Range Farm will only have a potential impact on the LWS/AW/NNR sites with a precautionary critical level of 1µg/m³ if they are within 400 metres of the emission source.

Beyond 400m the PC is less than 1µg/m³ and therefore beyond this distance the PC is insignificant. In this case all LWS/AW/LNRs are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 3 – LWS/AW/LNR Assessment

Name of LWS/AW/LNR	Distance from site (m)
Shoal Hill Common LNR	1523
Hatherton Hall LWS	906
Shoal Hill LWS	1861
Gailey Reservoirs LWS	1650
Gailey Old Reservoir LWS	1632
Unknown AW	1944

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	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"> • Public Health England (Birmingham and Manchester) • Director of Public Health Staffordshire County Council • Health and Safety Executive • Local Authority – South Staffordshire District Council 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', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits. 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 consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

Aspect considered	Decision
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p> <p>See Key Issues of the decision, section Ammonia emissions for further information</p> <p>We have not formally consulted on the application but completed and submitted (29/04/17) an Appendix 11 to Natural England for information only. 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> <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>
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"> • The poultry house is ventilated by high velocity roof fans (efflux velocity 11 m/s) • Each house also has gable end fan outlets used infrequently for temperature control in hot weather • Litter is exported off site and is spread either on land owned by third parties • Dirty wash water is spread on operator controlled land. • Roof water drains via French drains along houses to a lagoon, which then outlets to a surface water ditch • Sealed and collision-protected feed storage bins • Carcasses are collected daily and stored in a secure container on site prior to removal off site by authorised contractors under the National Fallen Stock Scheme • Phosphorous and protein levels are reduced over the production and growing cycle by providing different feeds

Aspect considered	Decision
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 received 19/02/2018, reference 'revised Odour management Plan Range Farm' is satisfactory.</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>
Permit conditions	
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 risks of odour nuisance are minimised:</p> <p>After the first cycle of stocking, the operator shall review the OMP and make any amendments and necessary. This shall be agreed in writing with the Environment Agency (i.e. the local Area Officer). Stocking shall not increase until this has been completed and agreed with the Environment Agency.</p>
Emission limits	We have decided that emission limits are not required in the permit.
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in accordance with BAT 25 and BAT 27</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>Monitoring has been updated in line with Table S3.3 Process monitoring.</p> <p>We made these decisions in accordance with BAT 25 and BAT 27. Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions</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 and National Enforcement Database 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, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from
Public Health England (received 08/06/17)
Brief summary of issues raised
PHE recommend that any Environmental Permit issued for this site should contain conditions to ensure that the following potential emissions do not impact upon public health: Bioaerosols. No other comments were received.
Summary of actions taken or show how this has been covered
The initial response (received 25/05/2017) stated that there were no residential receptors within 400m, which there are, so we contacted PHE on 30/05/17 to advise accordingly, and the revised response which has been recorded above, was received 08/06/2017. Dust and Bioaerosols have been assessed as part of this application (see section 'Dust and bioaerosols' in the Decision Document). Conditions 3.2.1 and 3.2.2 in the permit are included as measures to provide a level of protection, and the operator must also comply with the Dust management plan submitted with the application.

The Health and Safety Executive (HSE), Director of Public Health (Staffordshire County Council), the Local Authority (South Staffordshire District Council) and Environmental Health were also consulted, however no responses were received.