

Permitting decisions

Bespoke permit

We have decided to grant the permit for Far Leys Poultry Unit operated by Mr Robert Clough & Mr John Clough.

The permit number is EPR/RP3436DP/A001.

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.

The Applicant has confirmed their compliance with all BAT conditions for the new installations in the request for further information dated 29/05/2018.

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

BAT measure	Applicant compliance measure
BAT 3 - Nutritional management Nitrogen excretion	<p>The Applicant has confirmed it will demonstrate it achieves levels of Nitrogen excretion below the required BAT-AEL of 0.6 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content.</p> <p>This confirmation was in their application, which has been referenced in Table S1.2 Operating Techniques of the Permit.</p> <p>Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
BAT 4 Nutritional management Phosphorous excretion	<p>The Applicant has confirmed it will demonstrate it achieves levels of Phosphorous excretion below the required BAT-AEL of 0.25 kg P₂O₅ animal place/year by an estimation using manure analysis for total Phosphorous content.</p> <p>This confirmation was in their application, which has been referenced in Table S1.2 Operating techniques of the Permit.</p> <p>Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
BAT 24 Monitoring of emissions and process parameters	<p>Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions</p>

BAT measure	Applicant compliance measure
- Total nitrogen and phosphorous excretion	
BAT 25 Monitoring of emissions and process parameters - Ammonia emissions	Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 26 Monitoring of emissions and process parameters - Odour emissions	The approved OMP includes the following details for on Farm Monitoring and Continual Improvement: Olfactory checks of potentially odorous activities will be carried out on a regular basis.
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. The Applicant has confirmed they will report the dust emissions to the Environment Agency annually by multiplying the dust emissions factor for broilers by the number of birds on site. This confirmation was in their email dated 29/05/2018 which has been referenced in Table S1.2 Operating techniques of the Permit.
BAT 32 Ammonia emissions from poultry houses - Broilers	The BAT-AEL to be complied with is 0.01 – 0.08 kg NH3/animal place/year. The Applicant will meet this as the emission factor for broilers is 0.034 kg NH3/animal place/year. The Installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT AEL.

More detailed assessment of specific BAT measures

Ammonia emission controls

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

Ammonia emission controls – BAT conclusion 32 (broilers)

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

'New plant' is defined as plant first permitted at the site of the farm following the publication of the BAT conclusions.

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 Far Leys Poultry Unit (dated 22/01/2018) 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:

Broiler production

Manufacture and selection of feed

Feed delivery and storage

Ventilation and heating systems/Dust

Litter management

Carcase disposal

House clean out

Used litter
Washing operations including vehicles
Fugitive emissions
Dirty water management
Abnormal operations
Waste production/storage

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:

Vehicle noise, on and offsite
Feed transfer, Lorries to bins, bins to birds
Fans
Alarms
Standby generators
Birds on site/during depletion
Personnel
Repairs and servicing

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.

Biomass boilers

The application includes 2 biomass boilers with a net rated thermal input of 1.9 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 (including building housing boiler(s) if relevant) and:
- there are no sensitive receptors within 50 metres of the emission point(s).

This is in line with the Environment Agency’s document “Air Quality and Modelling Unit C1127a Biomass firing boilers for intensive poultry rearing”, an assessment has been undertaken to consider the proposed addition of the biomass boiler(s).

Our risk assessment has shown that the biomass boilers should meet the requirements of the criteria above, and are, therefore, considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

Ammonia

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

There is 1 Special Area(s) of Conservation (SAC), no Special Protection Area(s) (SPA), and no Ramsar sites located within 10 kilometres of the installation. There are 4 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 7 Local Wildlife Sites (LWS), 1 of which is also an Ancient Woodland (AW), within 2 km of the installation.

Ammonia assessment – SAC, Birklands & Bilhaugh

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 (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 10 km of the SAC.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Far Leys Poultry unit will only have a potential impact on the SAC site with a precautionary critical level of 1µg/m³ if they are within 4518 metres of the emission source.

Beyond 4518 m the PC is less than 0.04µg/m³ (i.e. less than 4% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case the SAC is beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1µg/m³ is used, and the process contribution is assessed to be less than 4% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the 1µg/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely significant effect

Table 1 – SAC Assessment

Name of SAC	Distance from site (m)
Birklands & Bilhaugh	6599

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.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Far Leys Poultry Unit will only have a potential impact on SSSI site(s) with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 1549 metres of the emission source. Beyond 1549 m 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 3 of the SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

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

Table 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
Wellow Park	3712
Kirton Wood, Notts	2226
Laxton Sykes	3549

Screening using the operators detailed modelling “A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed broiler chicken rearing Houses a Far Leys Farm, Tuxford Newark, Nottinghamshire”, has indicated that the PC for Beavercotes Park SSSI is predicted to be less than 20% of the critical level for ammonia emissions therefore it is possible to conclude no damage. The results of the ammonia modelling are given in the tables below.

The ammonia modelling assessment has been audited and we have been advised by Natural England that Broadleaved, Mixed and Yew Woodland habitat as Beavercotes Park is, should be designated Cle 3 confirmed by Susan Zappala NE 17/10/2013.

Table 3 – Ammonia emissions

Site	Ammonia Cle ($\mu\text{g}/\text{m}^3$)	PC ($\mu\text{g}/\text{m}^3$)	PC % critical level
Beavercotes Park	3*	0.436	14.5

NE advised: Broadleaved, Mixed and Yew Woodland habitat Cle 3 confirmed by Susan Zappala NE 17/10/2013.

Table 4 – Acid deposition

Site	Critical load keq/ha/yr. [1]	PC keq/ha/yr.	PC % critical load
Beavercotes Park	2.7	0.384	14.2

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 27/04/2017

Initial modelling using the modelling “A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed broiler chicken rearing Houses a Far Leys Farm, Tuxford Newark, Nottinghamshire”, has determined that the PC of nitrogen deposition from the application site are over the 20% threshold, and therefore may cause damage to features of the SSSI. An in combination assessment has therefore been carried out.

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

Table 5 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	PC kg N/ha/yr.	PC % critical load
Bevercotes Park	15	3.4	22.6

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 27/04/2017

No further assessment is required.

Ammonia assessment – LWS & AW

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

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

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Far Leys Poultry Unit will only have a potential impact on the LWS & AW sites with a precautionary critical level of 1µg/m³ if they are within 531 metres of the emission source.

Beyond 531m the PC is less than 1µg/m³ and therefore beyond this distance the PC is insignificant. In this case 6 LWS & AW are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 6 – LWS & AW Assessment

Name of LWS & AW	Distance from site (m)
Willoughby Hill Roadside Verge	1319
Priors Park Woodland	1311
Goosemoor Dyke	1831
Collingridge Wood	1609
Goosemoor Dyke Woodland	1868
Leys Lane Verge	801

Using operators detailed modelling “A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed broiler chicken rearing Houses a Far Leys Farm, Tuxford Newark, Nottinghamshire” has determined that the PC on the above LWS & AW 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.

The ammonia modelling assessment has been audited and we have been advised by Natural England that Broadleaved, Mixed and Yew Woodland habitat as Bevercotes Park is, should be designated Cle 3 confirmed by Susan Zappala NE 17/10/2013.

Table 5 - Ammonia emissions

Site	Critical level ammonia µg/m ³	Predicted PC µg/m ³	PC % of critical level
Bevercotes Park	3*	0.436	14.5

Table 6 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	PC kg N/ha/yr.	PC % critical load
Bevercotes Park	15	5.376	35.8

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 27/04/2017

Table 7 – Acid deposition

Site	Critical load keq/ha/yr. [1]	PC keq/ha/yr.	PC % critical load
Bevercotes Park	2.7	0.392	14.5

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 27/04/2017

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.
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> <p>Health & Safety Executive</p> <p>Bassetlaw District Council – Planning and Environmental Health.</p> <p>The comments and our responses are summarised in the consultation section.</p>
Operator	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', 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 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.
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>

Aspect considered	Decision
	<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 with Natural England. The decision was taken in accordance with our guidance.</p> <p>Biomass Boilers on site.</p> <p>In accordance with the Environment Agency's Air Quality Technical Advisory Guidance 14: "for combustion plants under 5MW, no habitats assessment is required due to the size of combustion plant". Therefore this proposal is considered acceptable and no further assessment is required.</p>
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, such as: _</p> <p>Use of nipple drinkers with drip cups to minimise spillage Feed delivered into sealed vermin proof silos. Feed sealed delivery system into poultry houses with no milling or mixing on site. Use of roof extraction fans to aid dispersion, checked prior to cycle commencement by qualified electrician who will provide 24hr breakdown cover Stocking levels at optimum to prevent overcrowding. Carcasses placed into plastic sealed bags, stored in sealed, locked, shaded and vermin proof containers away from sensitive receptors, with a removal frequency of 3/5 times per week. No storage of litter on site, all litter removed immediately. All trailers sheeted before leaving fill position.</p> <p>Biomass Boilers</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 fuel is derived from virgin timber, • the biomass boiler appliance and it's installation meets the technical criteria to be eligible for the Renewable Heat Incentive; and • the stacks are 1m or more higher than the apex of the adjacent buildings. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure</p>

Aspect considered	Decision
	compliance with relevant BREFs.
Odour management	We have reviewed the odour management plan in accordance with our guidance on odour management. We consider that the odour management plan is satisfactory.
Noise management	We have reviewed the noise management plan in accordance with our guidance on noise assessment and control. We consider that the noise management plan is satisfactory.
Permit conditions	
Raw materials	We have specified limits and controls on the use of raw materials and fuels. We have specified that only virgin timber (including wood chips and pellets), straw, miscanthus or a combination of these, are acceptable. These materials are never to be mixed with or replaced by, waste.
Emission limits	ELVs and/or equivalent parameters or technical measures based on BAT have been set for the following substances. Ammonia, Dust, Nitrogen and Phosphorous
Monitoring	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. These monitoring requirements have been imposed in order to ensure compliance with BAT. We made these decisions in accordance with BAT conclusion document dated 21 st February 2017 Based on the information in the application we are fully satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.
Reporting	We have specified reporting in the permit. These reporting requirements have been imposed in order to ensure compliance with BAT. We made these decisions in accordance with BAT conclusion document dated 21 st February 2017
Operator competence	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions. The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.
Relevant convictions	The Case Management System and National Enforcement Database have been checked to ensure that all relevant convictions have been declared. 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.

Aspect considered	Decision
Growth Duty	
<p>Section 108 Deregulation Act 2015 – Growth duty</p>	<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
Health and Safety Executive
Brief summary of issues raised
No comment
Summary of actions taken or show how this has been covered
Standard conditions applied.

Response received from
Bassetlaw District Council
Brief summary of issues raised
No response
Summary of actions taken or show how this has been covered
Standard conditions applied.

This application was advertised on our web page, (<https://consult.environment-agency.gov.uk/psc/ng22-0pg-robert-clough-and-john-clough>) between the dates of 05/03/2018 and 04/04/2018.