

Permitting decisions

Variation

We have decided to grant the variation for Morton Ley Farm operated by Morton Growers Limited.

The variation number is EPR/TP3930NH/V003.

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 and the variation notice. The introductory note summarises what the variation 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 housing within variation applications** 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 (AELs) 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.

This variation determination includes a review only of BAT compliance for new housing introduced with this variation. A BAT review of existing housing compliance with BAT Conclusions document is to be the subject of a sector permit review and is beyond the scope of this variation application permit determination.

New BAT Conclusions review

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

The Operator has confirmed their compliance with all BAT Conclusions for the new housing, in their document titled: "Appendix 7: Technical Standards," dated 10/01/18.

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

BAT measure	Applicant compliance measure
BAT 3 - Nutritional management - Nitrogen excretion	<p>The Operator has confirmed they will demonstrate that new housing at the installation will achieve 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 provided in the Operator's technical standards document titled: "Appendix 7: Technical Standards," received 10/01/18, 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 Operator has confirmed they will demonstrate that new housing at the installation will achieve 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 provided in the Operator's technical standards document titled: "Appendix 7: Technical Standards," received 10/01/18, which has been referenced in Table S1.2</p>

BAT measure	Applicant compliance measure
	<p>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>
<p>BAT 24 Monitoring of emissions and process parameters -Total nitrogen and phosphorous excretion</p>	<p>Table S3.3 Process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
<p>BAT 25 Monitoring of emissions and process parameters -Ammonia emissions</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>
<p>BAT 27 - Monitoring of emissions and process parameters - Dust emissions</p>	<p>Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT Conclusions.</p> <p>The Operator 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.</p> <p>This confirmation was provided in the Operator's technical standards document titled: "Appendix 7: Technical Standards," received 10/01/18, which has been referenced in Table S1.2 Operating Techniques of the Permit.</p>
<p>BAT 32 Ammonia emissions from poultry houses - Broilers</p>	<p>The BAT-AEL to be complied with is 0.08 kg NH₃/animal place/year.</p> <p>The Operator will meet this as the emission factor for broilers is 0.034 kg NH₃/animal place/year.</p> <p>The Installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT AEL.</p>

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

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

There is a footnote in some of the Ammonia BAT-AELs allowing a higher AEL for existing plant. 'New plant' is defined as plant first permitted at the site of the farm following the publication of the BAT Conclusions. 'Existing plant' is defined in the BREF as any plant that is not a 'new plant'. The key phrase is 'first permitted'.

For variations all new housing on existing farms will need to meet the BAT-AEL.

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 Morton Ley Farm (dated January 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 sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400 metres of the installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400 metres of the installation to prevent, or where that is not practicable, to minimise the risk of pollution from odour emissions. In this instance, there are no sensitive receptors within 400 metres of the installation however an OMP is in place.

The OMP for the installation provided with the application lists key potential risks of odour pollution beyond the installation boundary. These sources of odour include odour emissions from:

- Compound feed selection;
- Feed delivery and storage;
- Ventilation techniques;
- Litter condition and management;
- Carcass storage and disposal;
- Fluctuations in bird stocking densities;
- Drinking water systems;
- De-stocking;

- Cleanout;
- Dirty water generation and storage (wash down); and
- Dust build up.

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 400 metres 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.

In this instance, there are no sensitive receptors within 400 metres of the installation however a NMP is in place. The Operator has provided a NMP as part of the application supporting documentation, and further details are provided below.

The NMP for the installation provided with the application lists key potential risks of noise pollution beyond the installation boundary. These activities are as follows:

- Large vehicles travelling to and from the site;
- Small vehicles travelling to and from the site;
- Feed transfer from lorries to bins;
- Operation of fans;
- Alarm system on the standby generator;
- Chickens;
- Personnel; and
- Repairs.

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 applicant is varying their permit to include four additional biomass boilers giving an aggregated thermal rated input t of 2.68 MW (including the two existing biomass boilers, with an aggregated thermal rated input of 0.442 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 boilers.

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.

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.

Ammonia

There is one Special Areas of Conservation (SAC) and one Ramsar within 10km of the installation. In addition there are six Sites of Special Scientific Interest (SSSI) within 5km of the installation, and four Local Wildlife Sites (LWS) within 2 km of the installation.

Ammonia assessment – SAC/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 (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/SPA/Ramsar.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Morton Ley Farm will only have a potential impact on the Montgomery Canal SAC site with a precautionary critical level of 1µg/m³ if they are within 4562 metres of the emission source.

Beyond 4562 metres the PC is less than 0.04µg/m³ (i.e. less than 4% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case the SAC is beyond this distance (see table below) and therefore screens 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)
Montgomery Canal	5013

Screening using the detailed modelling report titled: “A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Existing and Proposed Broiler Rearing Houses at Morton Ley Farm, near Osbaston in Oswestry,” dated 18/10/17 has determined that the process contribution of ammonia emissions from the application site are over the 4% threshold, and are therefore potentially significant. An in combination assessment has therefore been carried out. There are three other farms acting in combination with this application. A detailed assessment has been carried out as shown in table 2.

A search of all existing active intensive agriculture installations permitted by the Environment Agency has identified the following farms within 10 km of the maximum concentration point for Midland Meres and Mosses Phase 2 Ramsar.

Table 2 – In combination farms assessment for Ammonia emissions

Name of Farm	PC $\mu\text{g}/\text{m}^3$ *	Critical level $\mu\text{g}/\text{m}^3$	PC as % of critical level
Lower House Farm	0.053	1	5.3*
Llyncllys Farm	0.045	1	4.5*
Knockin Egg Farm	0.112	1	11.2*
Morton Ley Farm	0.085	1	8.5**
Total PC	0.29	1	29.4

* The predicted process contributions for each of the farms listed above, excluding Morton Ley Farm, are calculated using the Environment Agency's ammonia screening tool version 4.5. The values are conservative in their estimate of process contribution and thus predict a greater impact than would be predicted if detailed modelling was undertaken for each farm.

** The process contribution of Morton Ley Farm was calculated using detailed air dispersion modelling submitted by the applicant.

As can be seen in table 2, the upper threshold of 20% which is used to assess ammonia impacts to SPA/SAC/Ramsar sites has been exceeded by 9.4%. Based on this it is not possible to conclude that the in-combination process contributions of Lower House Farm, Llyncllys Farm, Knockin Egg Farm and Morton Ley Farm on the Midland Meres and Mosses Phase 2 Ramsar are insignificant. We therefore had to carry out simplified conservative check modelling for the three in-combination farms to see if they could be screened out. Check modelling of the three in-combination farms concluded that the individual PCs from each of the in-combination farms are less than 4% of an ammonia CLe of 1 and therefore are not considered to be significant. Based on this, Morton Ley Farm is not considered to contribute to an in-combination exceedance of the upper threshold at the Midland Meres and Mosses Phase 2 Ramsar site.

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

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 the ammonia screening tool version 4.5 has indicated that emissions from Morton Ley 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 1572 metres of the emission source.

Beyond 1572 metres the PC is less than $0.2\mu\text{g}/\text{m}^3$ (i.e. less than 20% of the precautionary $1\mu\text{g}/\text{m}^3$ critical level) and therefore beyond this distance the PC is insignificant. In this case the Montgomery Canal, Aston Locks – Keeper's Bridge, Llanymnech and Llyncllys Hills, Blodwel Marsh and Sweeney Fen SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1µg/m³ is used, and the process contribution is assessed to be less than 20% 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 damage to these sites.

Table 3 – SSSI Assessment

Name of SSSI	Distance from site (m)
Montgomery Canal, Aston Locks – Keeper’s Bridge SSSI	3035
Llanymnech and Llynclys Hills	3486
Blodwel Marsh	4691
Sweeney Fen	4046

Screening using the ammonia screening tool version 4.5 and detailed modelling “A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Existing and Proposed Broiler Rearing Houses at Morton Ley Farm, near Osbaston in Oswestry,” dated 18/10/17 has indicated that the PC for Morton Pool and Pasture and Crofts Mill Pasture SSSIs are predicted to be less than 20% of the critical level for ammonia emissions, nitrogen deposition and acid deposition therefore it is possible to conclude no damage. The results of the ammonia screening tool version 4.5 and detailed modelling are given in the tables below.

The ammonia modelling assessment has been audited in detail and we have confidence that we can agree with the report conclusions.

Table 4 – Ammonia emissions

Site	Ammonia CLe (µg/m ³)	PC (µg/m ³)	PC % critical level
Morton Pool and Pasture SSSI	1*	0.085	8.5
Crofts Mill Pasture SSSI	3**	0.226	7.5

* Natural England were consulted and advised that a CLe of 1 for ammonia should be applied across the Midland Meres and Mosses Phase 2 Ramsar and underlying Morton Pool and Pasture SSSI (12/04/18)

**APIS was used to obtain CLe for ammonia

Table 5 – Nitrogen deposition

Site	Critical load kg N/ha/yr*	PC kg N/ha/yr.	PC % critical load
Crofts Mill Pasture SSSI	15	1.173	7.8

* Critical load values taken from APIS website (www.apis.ac.uk) – 29/08/17

Table 6 – Acid deposition

Site	Critical load keq/ha/yr*	PC keq/ha/yr.	PC % critical load
Crofts Mill Pasture SSSI	1.63	0.084	5.2

* Critical load values taken from APIS website (www.apis.ac.uk) – 29/08/17

No further assessment is required.

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 Morton Ley 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 542 metres of the emission source.

Beyond 542 metres the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case all LWSs are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 7 – LWS Assessment

Name of LWS	Distance from site (m)
The Meadows, Crickheath	1730
Morton Pool and Pasture (non-SSSI area)	1423
Montgomery Canal at Maesbury Marsh	1437
Shropshire Union Canal Field	1446

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.
Consultation/Engagement	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • Local authority – Planning; • Local authority – Environmental Health; • Public Health England (PHE); and • The Director of Public Health. <p>The comments and our responses are summarised in the consultation section.</p>
The facility	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 ‘Understanding the meaning of regulated facility.’</p> <p>The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p>
The site	
Extent of the site of the facility	The Operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Site condition report	The Operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports 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> <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>Natural England were consulted during the determination to clarify an appropriate critical level for ammonia to be used in the ammonia assessment in relation to the Midland Meres and Mosses Phase 2 Ramsar. On 12/04/18 Natural England</p>

Aspect considered	Decision
	<p>confirmed that a critical level of 1 should be used.</p> <p>See key issues for further details.</p>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the Operator's assessment of the environmental risk from the facility.</p> <p>The Operator's risk assessment is satisfactory.</p>
Operating techniques	
General operating techniques	<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 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>
Odour management	<p>We have reviewed the odour management plan (OMP) in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p> <p>The site has an odour management plan in place despite there not being any sensitive receptors within 400 metres of the site boundary. We have therefore not asked the Operator to incorporate daily olfactory checks into their OMP as stipulated in BAT 26 Monitoring of emissions and process parameters – odour emissions as part of this variation.</p> <p>See key issues for further details.</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>The site has a noise management plan in place despite there not being any sensitive receptors within 400 metres of the site boundary.</p> <p>See key issues for further details.</p>
Permit conditions	
Updating permit conditions during consolidation	<p>We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit(s).</p>
Use of conditions other than those from the template	<p>Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.</p>
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>The specifications of the fuels to be combusted by the site's biomass boilers are</p>

Aspect considered	Decision
	specified in table 2.1 of the permit.
Emission limits	<p>ELVs based on BAT have been set for the following substances:</p> <ul style="list-style-type: none"> • Nitrogen; • Phosphorous; and • Ammonia <p>See key issues for further details.</p>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to comply with the relevant BAT measures. See key issues for further information.</p>
Reporting	<p>We have specified reporting in the permit. We have made these decision in accordance with the relevant BAT measures. See key issues 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>
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 grant 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 (PHE)
Brief summary of issues raised
PHE commented saying that conditions should be included in the permit which minimise dust and odour emissions from impacting public health.
Summary of actions taken or show how this has been covered
Standard permit conditions, 3.2.1, 3.2.2 and 3.3.1, concerning fugitive emissions and odour, have been included in the permit.