

Permitting decisions

Bespoke permit

We have decided to grant the permit for Hill Farm operated by Hinch Enterprises Limited.

The permit number is EPR/RP3036JJ.

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

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 34 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 or new housing, in their document reference Technical Standards received dated 03/04/2018.

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	The Applicant has confirmed it will demonstrate it achieves levels of Nitrogen excretion below the required BAT-AEL of 0.8 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content. Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 4 Nutritional management Phosphorous excretion	The Applicant has confirmed it will demonstrate it achieves levels of Phosphorous excretion below the required BAT-AEL of 0.45kg P ₂ O ₅ animal place/year by an estimation using manure analysis for total Phosphorous content. Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions.
BAT 25 Monitoring of emissions and process parameters - Ammonia emissions	Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

BAT measure	Applicant compliance measure
BAT 26 Monitoring of emissions and process parameters - Odour emissions	The approved OMP includes the following details for on Farm Monitoring and Continual Improvement: <ul style="list-style-type: none"> • Twice daily olfactory checks coinciding with stock inspections. • Use of extraction fans on houses to aid dispersion, checked prior to cycle commencement by qualified electrician who will provide 24hr breakdown cover. • The ventilation system is regularly adjusted to match the age and requirements of the flock. • Controls on feed and ventilation (see above) help to maintain litter quality. •
BAT 27 Monitoring of emissions and process parameters - Dust emissions	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions.
BAT 31 Ammonia emissions from poultry houses - Laying hens	The BAT-AEL to be complied with is 0.13 kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for layers with non-cage housing is 0.08 kg NH ₃ /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.

The new BAT conclusions include a set of BAT-AEL's for ammonia emissions to air from animal housing for laying hens. 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 Hill Farm (dated 29th March 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:

- Feed delivery and storage
- Ventilation and dust
- Litter management
- Carcase disposal
- House clean out
- Washing operations including vehicles
- Dirty water management

Odour Management Plan Review

The odour management plan identifies the receptors within 400m of the permit boundary, with the closest receptor being 180m from the permit boundary. As the majority of the site is the range for the layers to roam, the main emissions of odour are expected to be from near to the three poultry sheds.

The operator is required to manage the installation activities in accordance with condition 3.3.1 of the permit and the OMP. Operations with the most potential to cause an odour emissions have been assessed as those listed above. The odour management plan covers control measures, in particular, procedural controls addressing feed management of used litter and dirty water.

We, the Environment Agency, have reviewed and approved the Odour Management Plan. The Operator's compliance with the OMP will minimise the risk of odour pollution beyond the installation boundary and the risk of odour pollution beyond the installation boundary and the risk of odour pollution at sensitive receptors. 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 or sufficient. That remains the responsibility of the operator.

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

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

- Ventilation fans
- Feed deliveries
- Egg collection
- Feeding systems
- Fuel deliveries
- Alarms systems
- Bird catching
- Clean out operations
- Maintenance and repairs
- Set up and placement
- Standby generator testing

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.

Noise Management Plan Review

There are sensitive receptors within 400 metres of the site boundary. The applicant has therefore submitted a Noise Management Plan (NMP), in line with Sector Guidance Note EPR 6.09 Appendix 5 'Noise management and intensive livestock installations', as part of the application and supporting documentation.

The operator is required to manage the installation activities in accordance with condition 3.4.1 of the permit and NMP. Operations with the most potential to cause noise emissions have been assessed as those listed above. The NMP covers measures, in particular, procedural controls addressing vehicle movement, feed transfer to bins and fan ventilation operation, bird and personnel noise and repair work.

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.

Dust and Bioaerosols

The use of Best Available Techniques and good practice will 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 is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

There are sensitive receptors within 100m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 5 metres to the north etc. of the installation boundary.

Guidance on our website concludes that applicants need to produce and submit a dust and bioaerosol risk assessment with their applications only if there are relevant receptors within 100 metres of their farm, e.g. the farmhouse or farm worker's houses. Details can be found via the link below:

www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols.

As there are receptors within 100m of the Installation, the Applicant was required to submit a dust and bioaerosol risk assessment in this format.

In the guidance mentioned above it states that particulate concentrations fall off rapidly with distance from the emitting source. This fact, together with the proposed good management of the Installation such as keeping areas clean from build-up of dust, and other measures in place to reduce dust and risk of spillages (e.g. litter and feed management/delivery procedures) all reduce the potential for emissions impacting the nearest receptors. The Applicant has confirmed the following measures in their operating techniques to reduce dust:

- Sealed feed delivery systems.
- Use of suitable bedding materials - not blown into the houses.
- Litter management - belt removal of manure twice weekly.
- Litter management - full trailers sheeted before leaving the installation.

Conclusion

We are satisfied that the measures outlined in the Application will minimise the potential for dust and bioaerosol emissions from the Installation.

Ammonia

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

There is a Special Protection Area (SPA), and a Ramsar site located within 10 kilometres of the installation. There are 6 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 14 Local Wildlife Sites (LWS), and Ancient Woodland(s) (AW) within 2 km of the installation.

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 (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 SPA and Ramsar.

Screening using the ammonia screening tool version 4.5 has determined that the PC on the SPA/Ramsar for ammonia emissions/nitrogen deposition/acid deposition from the application site are under the 4% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 1 – Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$ [1]	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of Critical level
Rutland Water SPA	3	0.046	1.5
Rutland Water RAMSAR	3	0.044	1.5

Note [1] Critical level values taken from Air Pollution Information System (APIS) website (www.apis.ac.uk) – 17th March 2018.

Table 2 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	Predicted PC kg N/ha/yr.	PC % of critical load
Rutland Water SPA	20	0.240	1.2
Rutland Water RAMSAR	20	0.228	1.1

Note [1] Critical load values taken from Air Pollution Information System (APIS) website (www.apis.ac.uk) – 17th March 2018. APIS does not provide details for RAMSAR sites we therefore based the critical load values on those for Rutland Water SPA.

Table 3 – Acid deposition

Site	Critical load keq/ha/yr. [1]	Predicted PC keq/ha/yr.	PC % of critical load
Rutland Water SPA	0.673	0.017	2.5
Rutland Water RAMSAR	0.673	0.016	2.4

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 17th March 2018. APIS does not provide details for RAMSAR sites we therefore based the critical load values on those for Rutland Water SPA.

No further assessment is necessary.

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 Hill 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 2257 metres of the emission source.

Beyond 2257m 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 a number 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 4 – SSSI Assessment

Name of SSSI	Distance from site (m)
Rutland Water	4998
Burley and Rushpitt woods	4681
Empingham Marshy Meadows	4656
Bloody Oaks Quarry	5050
Clipsham Old Quarry and Pickworth Great Wood	4806

Screening using the ammonia screening tool version 4.5 has indicated that the PC for Greetham Meadows SSSI is 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 are given in the tables below.

Table 5– Ammonia emissions

Site	Ammonia Cle ($\mu\text{g}/\text{m}^3$) [1]	PC ($\mu\text{g}/\text{m}^3$)	PC % critical level
Greetham Meadows SSSI	3	0.266	8.9

Note [1] Critical level values taken from Air Pollution Information System (APIS) website (www.apis.ac.uk) – 17th March 2018.

Table 6 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	PC kg N/ha/yr.	PC % critical load
Greetham Meadows SSSI	20	1.380	6.9

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) - 17th March 2018.

Table 7 – Acid deposition

Site	Critical load keq/ha/yr. [1]	PC keq/ha/yr.	PC % critical load
Greetham Meadows SSSI	4.528	0.099	2.2

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) - 17th March 2018.

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 Hill Farm will only have a potential impact on the LWS/AW sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 942 metres of the emission source. Beyond 942m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case a number of the LWS/AW are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 8– LWS/AW Assessment

Name of LWS/AW	Distance from site (m)
Greetham, Lay-by Hedgerow (LWS)	1989
Greetham Roadside Vege Nature Reserve (LWS)	1770
Greetham Verge (LWS)	1761
Verge NE of Greetham Wood (N Side) (LWS)	1335
Verge NE of Greetham Wood (S Side) (LWS)	1306
Hedgerow(Exton/Greetham Parish Boundary (E) (LWS)	1034
Great Lane Hedgerow (LWS)	1034
Woolfox Wood (AW)	2296
Greetham Wood (AW)	1540
Tunnely Wood (Compartment One) (AW)	1487
Tunnely Wood (Compartment Two) (AW)	1307
Cottesmere/Westfield	1093

Screening using the ammonia screening tool version 4.5 has determined that the PC on the 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.

Table 9 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$ [1]	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
Hedgerow (Exton/Greetham Parish Boundary West) (LWS)	3	1.239	41.3
Unnamed Woodland (AW)	3	1.220	40.7

Note [1] CLe 3 applied as no protected lichen or bryophytes species were found when checking Easimap layer - 17th March 2018.

Table 10 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	Predicted PC kg N/ha/yr.	PC % of critical load
Hedgerow (Exton/Greetham Parish Boundary West) (LWS)	10	6.435	64.3
Unnamed Woodland (AW)	10	6.337	63.4

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) - 17th March 2018.

Table 11 – Acid deposition

Site	Critical load keq/ha/yr. [1]	Predicted PC keq/ha/yr.	PC % of critical load
Hedgerow (Exton/Greetham Parish Boundary West) (LWS)	10.85	0.460	4.2
Unnamed Woodland (AW)	8.622	0.453	5.2

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) - 17th March 2018.

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"> • Local Authority Planning Authority (Rutland) • Health and Safety Executive (Northampton) • Director of Public Health Local Authority Environmental Health (Rutland) The above organisations did not provide a response. We also consulted the following organisations: <ul style="list-style-type: none"> • Local Authority Environmental Health (Rutland) • Public Health England The comments and our responses are summarised in the consultation section
Operator	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
The regulated facility	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1'. 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

Aspect considered	Decision
	<p>site condition reports and baseline reporting under the Industrial Emissions Directive.</p> <p>The report the Site Condition Report provided by the operator confirms that the sites previous uses have been related to general agriculture. The Environment Agency have concluded that the site is therefore unlikely to be polluted at the time this permit is issued (EPR/RP3036JJ/A001).</p>
<p>Biodiversity, heritage, landscape and nature conservation</p>	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p> <p>Further details can be read in the key issues section in this document.</p>
<p>Environmental risk assessment</p>	
<p>Environmental risk</p>	<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>Due to the proximity of local receptors the operator provided detailed Odour and Noise Risk Assessments and detailed management plans. Further information on how we assessed the risk of these emission can be read in the relevant sections of the Key Issues Section in this document.</p>
<p>Operating techniques</p>	
<p>General operating techniques</p>	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit. Some of the key operating techniques are as follows:</p> <ul style="list-style-type: none"> • the use of nipple drinkers with drip trays to keep litter dry; • dirty water storage facilities are in place; and • mortalities removed daily and kept in sealed bins. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.</p>
<p>Odour management</p>	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p> <p>See key issues for further information.</p>
<p>Noise management</p>	<p>We have reviewed the noise management plan in accordance with our guidance on</p>

Aspect considered	Decision
	<p>noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p> <p>See key issues for further information.</p>
Permit conditions	
Emission limits	<p>Emission Limit Values (ELVs) or equivalent have been set for the following substances in accordance with relevant BAT:</p> <ul style="list-style-type: none"> • Nitrogen • Phosphorus • Ammonia
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 conditions.</p>
Reporting	<p>We have specified reporting in the permit. We made these decisions in accordance with the relevant BAT measures.</p>
Operator competence	
Management system	<p>There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	<p>There is no known reason to consider that the operator will not be financially able 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 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</p>

Aspect considered	Decision
	<p>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
Local Authority Environmental Health (Rutland)
Brief summary of issues raised
The Local Authority Environmental Health (Rutland) raised concerns in regards to problems with flies. The Local Authority requested that the EA consider whether a Fly Management Plan would be beneficial for this site prior to permit issue. The Local Authority Environmental Health did not provide a basis for these concerns but did confirm that they had not received any complaints about this site about dust, noise or similar.
Summary of actions taken or show how this has been covered
<p>The Environment Agency have considered the comments raised alongside the risk of their being a problem with flies from the site and have concluded that a Fly Management Plan is not necessary for this site at the time of permit issue. In reaching this decision we have considered:</p> <ul style="list-style-type: none"> - That there is no evidence of flies currently causing an issue at the site. This is confirmed by Environmental Health in their consultation response. - That the measures that the Operator is already proposing are appropriate. These measures include regular checks of any temporary field heaps for flies/maggots, covering any heaps and treating with pesticide should flies be present. This was pointed out by Local Authority Environmental Health (Rutland) in their consultation response. - That should there be an issue with flies (or other pest) permit condition 3.6 will ensure protection for local receptors from pollution, hazard or annoyance. It will require the Operator if notified by the Environment Agency submit a Pest Management Plan which clearly identifies and minimises the risks of pollution, hazard or annoyance from pests. <p>The Environment Agency considers that all of the above, along with the Environment Agency compliance site visits will ensure adequate protection for receptors.</p>

Response received from
Public Health England
Brief summary of issues raised
Public Health England (PHE) considers the main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. PHE also stated that the applicant proposes controls such that residual impacts should not be significant to public health.
Summary of actions taken or show how this has been covered
None required.