

Permitting decisions

Bespoke permit

We have decided to grant the permit for Oakwood Farm operated by T L & C W Webster Ltd

The permit number is EPR/LP3438YR.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document provides a record of the decision making process. It:

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account
- shows how we have considered the [consultation responses](#).

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

Key issues of the decision

New Intensive Rearing of Poultry 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 phosphorus 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 'Housing and drainage review', and 'Technical standards' both dated 23/07/2018.

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:</p> <p>30 kg N/animal place/year for mating and gestating sows</p> <p>30 kg N/animal place/year for farrowing sows (including suckling piglets)</p> <p>13 kg N/animal place/year for fattening pigs (production pigs > 30kg)</p> <p>4 kg N/animal place/year for weaners (pigs up to 30kg)</p> <p>By using a mass balance of nitrogen based on the feed intake, dietary content of crude protein, and animal performance or estimation by using manure analysis for total nitrogen content.</p> <p>This confirmation was in response to the Request for Further Information received 03/08/18, 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 Phosphorus excretion	<p>The Applicant has confirmed it will demonstrate it achieves levels of Phosphorus excretion below the required BAT-AEL of :</p> <p>15 kg P₂O₅ animal place/year for mating and gestating sows</p> <p>15 kg P₂O₅ animal place/year for farrowing sows (including suckling piglets)</p>

BAT measure	Applicant compliance measure
	<p>2.2 kg P₂O₅ animal place/year for weaners (pigs up to 30kg)</p> <p>5.4 kg P₂O₅ animal place/year for fattening pigs (production pigs > 30kg)</p> <p>by using a mass balance of phosphorus based on the feed intake, dietary content of crude protein, and animal performance or estimation by using manure analysis for total phosphorus content.</p> <p>This confirmation was in response to the Request for Further Information received 03/08/18, 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>
<p>BAT 24 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> - Total nitrogen and phosphorus excretion 	<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</p> <ul style="list-style-type: none"> - Ammonia emissions 	<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 26 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> - Odour emissions 	<p>A Request for information was sent to the operator on 24/07/18 requesting that the operator includes measures to periodically monitor odour emissions, such as daily checks to detect abnormally high housekeeping odours. A response was received on 03/08/2018 stating that:</p> <p>“BAT 26 is only applicable to cases where an odour nuisance at sensitive receptors is expected and/or has been substantiated; this is not the case here. Due to good practice on the unit there are no reports of nuisance to date and the Operator does not expect any issues in future. Should any issues arise then the Operator will agree a suitable monitoring regime with the Environment Agency.”</p>
<p>BAT 27 Monitoring of emissions and process parameters</p> <p>-Dust emissions</p>	<p>Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions.</p> <p>Example text:</p> <p>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.</p> <p>This confirmation was in response to the Request for Further Information, received 03/08/18, which has been referenced in Table S1.2 Operating techniques of the Permit.</p>
<p>BAT 30 Ammonia emissions from pig houses</p>	<p>The Applicant has confirmed it will demonstrate it achieves levels of ammonia below the required BAT-AEL for the following pig types:</p> <p>2.7 kg NH₃/animal place/year for mating and gestating sows</p> <p>5.6 kg NH₃/animal place/year for farrowing sows (including suckling piglets)</p> <p>0.53 kg NH₃/animal place/year for weaners (pigs up to 30kg)</p> <p>2.6 kg NH₃/animal place/year for fattening pigs (production pigs > 30kg)</p> <p>0.7 kg NH₃/animal place/year for Growers (pigs up to 30kg)</p>

BAT measure	Applicant compliance measure
	5.2 NH3/animal place/year for mating and gestating sows (solid floor – straw system)

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 30

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

'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.

More detailed assessment of AEL's

Pig housing

BAT 3 - Nutritional management Nitrogen excretion:

Mating and gestating sows (in houses 3, 11 & 22) - 30 kg N/animal place/year by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance

Weaners (in houses 1, 6, 8 & 10) - 4.0 kg N/animal place/year by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance

Fattening pigs (production pigs over30kg) (in houses 12 – 16) - 13.0 kg N/animal place/year by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance

Farrowing sows (including suckling piglets) (in houses 2, 5, & 21) -30.0 kg N/animal place/year by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance

BAT 4 Nutritional management Phosphorus excretion:

Mating and gestating sows (in houses 3, 11 & 22) - 15 kg P₂O₅ animal place/year for mating and gestating sows by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance

Weaners (Rearing of pigs up to 30kg) (in houses 1, 6, 8 & 10) - 2.2 kg P₂O₅ animal place/year by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance

Fattening pigs (production pigs over 30kg) (in houses 12 – 16) – 5.4 kg P₂O₅ animal place/year by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance

Farrowing sows (including suckling piglets) (in houses 2, 5 & 22) – 15 kg P₂O₅ animal place/year by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance

BAT 30 Ammonia emissions from pig houses

House 1

Pigs 7 – 15kg Housed on fully slatted floor (FSF): 0.53 kg NH₃/animal place/year. Emission factor used is 0.29 NH₃/animal place/year which is below the BAT AEL 0.53 NH₃/animal place/year so is therefore compliant.

House 6, 8 & 10

Pigs 15 – 30kg (Housed on solid floor, straw system): 0.7 kg NH₃/animal place/year. We have used the emission factor 1.14 for pigs on solid floor, straw system and averaged with the emission factor 0.21 for pigs 7-15 kg NH₃/animal place/year on solid floor straw system as shown below:

Calculated a weighted average emission factor = $1.14+0.21/2=0.675$ kg NH₃/animal place/year therefore below the BAT AEL of 0.7 NH₃/animal place/year.

Houses 12-16

Pigs > 30kg (housed on FSF with frequent slurry removal (FSR): 2.6 kg NH₃/animal place/year. The emissions factor of 3.11 is not compliant. Operator has committed to FSR which meets the following criteria:

- i) All slurry pits are to be operated with a maximum slurry liquor depth of 800 mm as defined as optimal depth in section 4.7.1.2 of the latest Intensive Farming BREF http://eippcb.jrc.ec.europa.eu/reference/BREF/IRPP/JRC107189_IRPP_Bref_2017_published.pdf, and
- ii) Slurry removal frequency of a **maximum** of 10 weeks.

Therefore we can apply a 25% reduction to the BAT AEL, bringing it down to 2.33, which is below the AEL of 2.6 NH₃/animal place/year and therefore compliant.

Houses 3, 11 & 22

Sows (housed on solid floor, straw system): 5.2 kg NH₃/animal place/year. Emission factor used is 4.57 NH₃/animal place/year which is below the BAT AEL 5.2 NH₃/animal place/year so is therefore compliant.

Houses 2, 5 & 21

Farrowers (housed on FSF): 5.6 kg NH₃/animal place/year.

Emission factor of 5.84 NH₃/animal place/year is not compliant. Operator has committed to FSR which meets the following criteria:

- i) All slurry pits are to be operated with a maximum slurry liquor depth of 800 mm as defined as optimal depth in section 4.7.1.2 of the latest Intensive Farming BREF http://eippcb.jrc.ec.europa.eu/reference/BREF/IRPP/JRC107189_IRPP_Bref_2017_published.pdf, and
- ii) Slurry removal frequency of a **maximum** of 10 weeks.

Therefore, we can apply a 25% reduction to the BAT AEL, bringing it down to 4.38, which is below the AEL 5.6 NH₃/animal place/year so is therefore compliant.

The Installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT AEL.

Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February 2013 and came into force on 27 February 2013. These Regulations transpose the requirements of the IED.

This permit implements the requirements of the European Union Directive on Industrial Emissions.

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain a condition relating to protection of soil, groundwater and groundwater monitoring. However, the Environment Agency's H5 Guidance states **that it is only necessary for the operator to take samples** of soil or groundwater and measure levels of contamination where there is evidence that there is, or could be existing contamination and:

- The environmental risk assessment has identified that the same contaminants are a particular hazard; or
- The environmental risk assessment has identified that the same contaminants are a hazard and the risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is **not essential for the Operator** to take samples of soil or groundwater and measure levels of contamination where:

- The environmental risk assessment identifies no hazards to land or groundwater; or
- Where the environmental risk assessment identifies only limited hazards to land and groundwater and there is no reason to believe that there could be historic contamination by those substances that present the hazard; or
- Where the environmental risk assessment identifies hazards to land and groundwater but there is evidence that there is no historic contamination by those substances that pose the hazard.

The site condition report (SCR) for Oakwood Farm (dated 26/02/2018) 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:

- **Delivery, storage and use of feed:**
 - Dust may be generated during deliver and cause odour
 - Spilt feed could be odorous
 - Feed composition can affect the amount of odour generated by the pigs
- **Feed distribution**
 - Distribution around the unit could lead to odour, dust and spillage
- **Livestock in buildings**

- Pig buildings can generate odour emissions
- **Carcass storage**
 - Stored carcasses could give rise to odours
- **Cleaning out straw-bedded buildings**
 - Odour from manure movement when cleaning out buildings
- **Storing and spreading slurry**
 - Odour emissions increase at times of slurry stirring, movement and spreading

Odour Management Plan Review

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

There are several sensitive receptors within 400m of the site boundary. The operator has identified these receptors.

The closest property to the site boundary is Little Oak which is located ~11m south of the installation boundary and ~23m from the nearest poultry house. Other close receptors to the south of the installation include Acorn Cottage (~17m from boundary) and Oakview (~75m from boundary). There are other receptors both north east of the farm and North West of the farm. These include: 'Castle Farm (~225m NE rom boundary), Windmill Cottage (~345m NW of boundary), Langthorn House (~356m NW of boundary), Windmill Barn (~359m NW of boundary), Woodview Cottage (~377m NW of boundary) and Roadside Cottage (~379m NW of boundary).

The operator is required to manage activities at the installation in accordance with condition 3.3.1 of the permit and its OMP (version received 03/08/2018) reference 'Odour Management Plan'.

The OMP includes odour control measures, in particular, procedural controls such as feed delivery, storage and distribution, carcass storage, cleaning out of livestock, and the storing and spreading of manure and slurry.

The operator has identified the potential sources of odour (see risks bullet pointed above), as well as the potential risks and problems, and detailed actions taken to minimise odour.

A request for information was sent to the operator on 24/07/2018 requesting that the operator includes measures to periodically monitor odour emissions, such as daily checks to detect abnormally high housekeeping odours. A response was received on 03/08/2018 stating that:

"BAT 26 is only applicable to cases where an odour nuisance at sensitive receptors is expected and/or has been substantiated; this is not the case here. Due to good practice on the unit there are no reports of nuisance to date and the Operator does not expect any issues in future. Should any issues arise then the Operator will agree a suitable monitoring regime with the Environment Agency."

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

The general wind direction is predominantly from the south west. This means that the receptors that could potentially be impacted the most would be to the north east of the installation.

The Environment Agency has reviewed the OMP and consider it complies with the requirements of our H4 Odour management guidance note. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the Operator.

We have included our standard odour condition 3.3.1 in the permit, which required that the emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an

authorised officer of the Environment Agency, unless the operator has appropriate measures, including, but not limited to, those specified in any approved OMP (which is captured through condition 2.3 and Table S1.2 of the permit), to prevent or where that is not practicable, to minimise odour.

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

Whilst there is potential for odour pollution from the installation, the overall risk can be minimised by complying with the permit conditions, careful management and compliance with the OMP and reviewing the OMP when required. We are satisfied that operations carried out on the Installation will minimise the risk of odour pollution.

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 the 'Odour' section above. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation, and further details are provided in 'Noise Management Plan Review' 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:

- **Feed distribution**
 - Feeding time can lead to noise where pigs are fed intermittently
- **Feed delivery**
 - Delivery lorries could be noisy when arriving on the unit or when offloading feed
- **Pig moving**
 - Pigs can be noisy if handled badly or stressed when loaded into lorries
- **Bedding down pens**
 - Adding straw to pens to ensure that pigs always have adequate straw for comfort and cleanliness
- **Cleaning out solid floored pens/ buildings**
 - Cleanout can generate noise from machinery moving around the unit
- **Slurry transfer pump and separator**
 - Slurry is pumped into the separate slurry store by diesel pumps
- **Slurry tanker filling**
 - Slurry is taken off the unit by tractor and vacuum tanker or used on the arable area of the farm by umbilical
- **Other machinery used on the unit**

- Other vehicles and machinery may be used on the unit including small deliveries, veterinary services and rodent control
- **Ventilation fans**
 - Fans could give rise to noise and have to be able to operate at all times

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

Sensitive receptors have been listed under 'Odour' section.

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

A noise management plan (NMP) has been provided by the operator) as part of the application supporting documentation (reference 'Noise Management Plan' (Revised and received 03/0/2018).

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

Operations with the most potential to cause noise nuisance have been assessed and control measures put in place for all vehicles accessing the site and manoeuvring around, vehicles and machinery carrying out operations on site, feed delivery and transfer from lorry to storage, bird movements on site, waste collections, general deliveries and staff vehicles, stocking and destocking of poultry houses, operation of ventilation systems, personnel, bird noise, clean out and manual washing and cleaning of equipment.

We have included our standard noise and vibration condition 3.4.1 in the Permit, which requires that emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the Installation, as perceived by an authorised officer of the Environment Agency, unless the Operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan (which is captured through condition 2.3 and Table S1.2 of the Permit), to prevent or where that is not practicable to minimise the noise and vibration.

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

Conclusion

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 4 sensitive receptors within 100m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is Little Oak and is approximately 11 metres to the south of the installation boundary. The other receptors are Acorn Cottage which is ~17m south of the boundary, Oakview which is ~75m south of the boundary and Oakwood Farm which is ~100m south of the boundary.

Guidance on our website concludes that applicants need to produce and submit a dust and bioaerosol management plan 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 management plan 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:

- General
 - Weekly inspection of the site by the operator, including potentially dusty roofs.
- Pig feed
 - Hopper designed for minimal dust emissions
- Control of spilt feed
 - Any spilt feed is collected promptly
- Feeding method
 - All feed in pelleted
 - Most pigs are fed ad-lib
 - Pig feeders are designed to reduce the risk of dust by feeding little and often
- In solid floored housing, straw is added regularly as bedding material
 - Straw is added from big bales, which are split and distributed within the building to reduce dust outdoors.
 - Straw is spread carefully to minimise the amount of dust generated
 - The majority of bedding is sorted under cover to maintain quality. Any poor quality straw is rejected.
 - Slatted floor buildings are inherently less dust than solid floors.
- Slatted and straw-based systems in use. Dust could be generated when cleaning out solid floor buildings with straw bedding
 - Manure is removed by loader bucket, which reduces the risk of dust and odour, outside them.
 - Straw bedding is left in the pens with fresh straw added regularly, until the pens are cleaned out between groups of pigs.
- General management of ventilation system
 - Staff make a daily check of room temperature and conditions to ensure optimum ventilation
 - Monthly inspection by the operator: any visible dust on fans, vents, etc. is removed.
- General management of building cleaning
 - Ongoing cleaning of buildings is carried out to reduce the volume of dust and potential for air contamination within buildings and via exhaust systems

- Operator takes care to avoid dust accumulation around exhaust vents
- Natural and artificial ventilation
 - Specification of design to provide good air quality for the animals and staff
 - Yorkshire boarding is installed as a wind break on naturally ventilated buildings

Conclusion

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

Ammonia

There are 3 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There is also 1 Local Wildlife Site (LWS), within 2 km of the installation.

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 Oakwood 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 2749 metres of the emission source.

Beyond 2749m 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 two 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 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Birkham Wood	3053
Farnham Mires	4645

Screening using the ammonia screening tool version 4 has indicated that the PC for Hay-a-Park is predicted to be less than 20% of the critical level for 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 2 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	PC kg N/ha/yr.	PC % critical load
Hay-a-Park SSSI	20	3.213	16.1

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 17/04/2018

Table 3 – Acid deposition

APIS indicates that SSSI Hay-a-Park is not sensitive to acidity (April 2018).

No further assessment is required.

Screening using the ammonia screening tool version 4.5 has determined that the process contributions of ammonia emissions 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 2 other farms acting in combination with this application. A detailed assessment has been carried out as shown below.

A search of all existing active intensive agriculture installations permitted by the Environment Agency has identified the following farms within 5 km of the maximum concentration point for Hay-a-Park SSSI.

Table 3 – In combination 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
Fox Holes Poultry Unit	0.04	3	1.3
Farm 1	0.122	3	4.1
Oakwood Farm	0.619	3	20.6
Total PC	1.141		26

NOTE – The predicted process contributions for each of the farms listed above 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 greater than would be the case if detailed modelling was undertaken for each farm.

Table 3 shows that the total process contribution at Hay-a-Park SSSI from all farms is 26% for ammonia emissions. In line with Environment Agency guidelines, where the total PC is less than 50% of the critical level/load, in combination impacts can be considered as not being likely to damage the features of the SSSI for which it has been designated. Therefore we have concluded no likely damage from in combination impacts at the SSSI.

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 Oakwood Farm will only have a potential impact on the LWS site with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 1078 metres of the emission source.

Beyond 1078m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case the LWS is beyond this distance (see table below) and therefore screen out of any further assessment.

Table 4 – LWS Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Hay-a-Park Meadow	1598

Decision checklist

Aspect considered	Decision
Receipt of application	

Aspect considered	Decision
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: <ul style="list-style-type: none"> • Environmental Health • Health and Safety Executive • Department of Public Health • Public Health England (Nottingham) The comments and our responses are summarised in the consultation section .
Operator	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
The regulated facility	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits. The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
The site	
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. 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

Aspect considered	Decision
	<p>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. See 'Ammonia' section earlier in this document 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 operating techniques are as follows:</p> <ul style="list-style-type: none"> • Pig houses numbered 2, 12, 13, 14 and 21 are ventilated by roof fans with an emission point higher than 5.5 metres above ground level and an efflux speed greater than 7 metres per second. • Pig houses numbered 1, 5 and 15 and 16 are ventilated by roof fans with an emission point higher than 3.5 metres above ground level and an efflux speed greater than 2 metres per second. • Pig houses 3, 6, 8, 10, 11 and 22 are naturally ventilated by roof vents with side inlets. • Manure is exported off site and is spread on land farmed by the operator or on land owned by third parties. • Dirty wash water is exported off site. • Mortalities are incinerated on site using an AHPA-approved low capacity incinerator (<50 kg/hr) which is registered with the local authority. Ash is mixed with manure and spread on operator owned land. • The areas immediately surrounding the pig houses at the installation are concreted. Roof water and uncontaminated yard run off from all pig houses (excluding periods of washout when water from the yard drains to the lagoon) from both farms is piped into a land drain adjacent to the site and discharged into an unnamed ditch which drains to an unnamed tributary of the River Nidd. Run off from the manure store is kept separate from yard and roof water and is directed to the slurry storage system.
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p>

Aspect considered	Decision
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p>
Permit conditions	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Emission limits	We have decided that emission limits are required in the permit. BAT AELs have been added in line with the Intensive Farming sector BAT conclusions document dated 21/02/17. These limits are included in permit table S3.3.
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 ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17.</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 and National Enforcement Database have been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	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.

Aspect considered	Decision
	<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
Environmental Health - Harrogate Borough Council (email dated 22/06/2018)
Brief summary of issues raised
No issues raised – “Harrogate Borough Council are not aware of any noise or other amenity issues at the site and I confirm that no enforcement action is pending or has taken place.”
Summary of actions taken or show how this has been covered
No action needed as no issues raised.

Response received from
Public Health England (received 10/07/2018)
Brief summary of issues raised
“We note that there are four residential receptors within 100m of the installation which include the farmhouse and 3 other residential receptors. The applicant’s dust and bio-aerosol risk assessment and management plan (on page 49 of the supporting information) states that the most likely source of bioaerosol and dust generation will be from the proposed pig rearing buildings, that the prevailing wind direction is south-westerly and since the houses within 100m are all to the south of the pig buildings, therefore, dust emissions should be predominantly blown away from them. The potential risk from dust and bioaerosol sources has been assessed as low when considering the control measures proposed and the prevailing wind direction. The applicant may want to consider whether working practices require any change when the wind direction is towards the properties.”
Summary of actions taken or show how this has been covered
The operator submitted a revised DMP dated 03/08/2018 which notes that: “Wind direction will be considered when planning work and as far as possible we will avoid undertaking work that might generate higher levels of dust when the wind direction could lead to a nuisance.” No further action required

The Director of Public Health and the Health and Safety Executive were also consulted, with a deadline for responses of 13/07/2018, but no responses were received.

In addition, the application was publicised on the www.gov.uk website, but no comments were received by the deadline of 13/07/2018.