

Permitting decisions

Variation

We have decided to grant the variation for Fiveways Poultry Farm operated by Mr David Woolley and Mrs Dianne Woolley.

The variation number is EPR/EP3737MM/V005.

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 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 Applicant has confirmed their compliance with all BAT conditions for the new housing, in Appendix 7 of the revised technical standards document, submitted as part of the Schedule 5 response dated 19/07/2018.

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 that the installation achieves levels of Nitrogen excretion below the required BAT-AEL of 0.6 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content.</p> <p>This confirmation was in response to the Schedule 5 Notice request for further information, received 19/07/2018, which has been referenced in Table S1.2 Operating Techniques of the Permit.</p> <p>Table S3.4 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
BAT 4 Nutritional management Phosphorous excretion	<p>The Applicant has confirmed it will demonstrate that the installation achieves levels of Phosphorous excretion below the required BAT-AEL of 0.25 kg P₂O₅ animal place/year by an estimation using manure analysis for total Phosphorous content.</p> <p>This confirmation was in response to the Schedule 5 Notice request for further information, received 19/07/2018, which has been referenced in Table S1.2 Operating techniques of the Permit.</p> <p>Table S3.4 of the Permit concerning process monitoring requires the Operator to</p>

BAT measure	Applicant compliance measure
	undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters <ul style="list-style-type: none"> • Total nitrogen and phosphorous excretion 	Table S3.4 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions.
BAT 25 Monitoring of emissions and process parameters <ul style="list-style-type: none"> • Ammonia emissions 	Table S3.4 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 26 Monitoring of emissions and process parameters Odour emissions	The approved OMP includes the following details for on Farm Monitoring and Continual Improvement: <ul style="list-style-type: none"> • From day 25, the operator has committed to a daily boundary walk to check for high levels of odour. This will be done in the morning by the duty manager before entering the sheds to avoid desensitisation. • Nasal inspections of potentially odorous activities will be carried out.
BAT 27 Monitoring of emissions and process parameters <ul style="list-style-type: none"> • Dust emissions 	Table S3.4 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions. The Applicant has confirmed they will report the dust emissions to the Environment Agency annually by multiplying the dust emissions factor for broilers by the number of birds on site. This confirmation was in response to the Schedule 5 Notice request for further information, received 19/07/2018, which has been referenced in Table S1.2 Operating techniques of the Permit.
BAT 32 Ammonia emissions from poultry houses <ul style="list-style-type: none"> • Broilers 	The BAT-AEL to be complied with is 0.01 – 0.08 kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for broilers is 0.034 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.

Ammonia emission controls – BAT conclusion 32

The new BAT conclusions include a set of BAT-AELs for ammonia emissions to air from animal housing for broilers. For variations all new housing on existing farms will 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 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 updated site condition report (SCR) for Fiveways Poultry Farm (dated 03/2018) 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 OMP for the Installation, submitted in support of the Application, details key sources of odour emissions at the installation, which have the capacity to cause pollution beyond the site boundary. These potential sources of risk of odour cover the following processes/activities:

- Odour from feed delivery, milling, preparation and storage;
- Odour from animal feed selection;
- Odour arising from housing ventilation and humidity;

- Odour from carcass disposal; and
- Odour arising from dirty water/manure management.

The Applicant has also detailed appropriate measures in place to reduce the risk of odour from the above sources. These measures include:

- No mixing or milling of feed onsite;
- Feed is supplied from UKASTA accredited feed mills, so that only approved raw materials are used;
- Feed delivery systems are sealed to minimise atmospheric dust. Any spillage of feed around the bin is immediately swept up;
- Use of nipple drinkers to minimise spillage and ensure that litter is never excessively wet;
- Carcass storage containers are kept covered and locked to prevent access by birds and rodents; and
- At clean out, dirty water is directed to underground tanks for storage.

Having assessed these measures against our Sector Guidance Note 6.09 for Intensive Farming, we agree that they are appropriate for the nature and scale of activities on site, hence, we have accepted the operator's odour management plan (OMP).

Noise

Intensive farming by its nature involves activities that have the potential to cause noise pollution. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance. Under section 3.4 of this guidance a Noise Management Plan (NMP) must be approved as part of the permitting determination, if there are sensitive receptors within 400m of the Installation boundary.

Condition 3.4 of the Permit reads as follows:

Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable to minimise the noise and vibration.

There are sensitive receptors within 400 metres of the Installation boundary as stated in section 4.4.2 above. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation, and further details are provided in section 4.5.2 below.

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

- Operation of ventilation fans
- Vehicles and use of machinery on site
- Feed and other deliveries
- Chicken noise

The Applicant has also detailed appropriate measures in place to reduce the risk of noise from the above sources. These measures include:

Timing of operations

- Deliveries of fuel are made only during the daytime (between 0700 and 2200 hours).
- Vehicles which are fitted with an audible "vehicle reversing" warning system are generally used only in the daytime

Inspection and maintenance

- Efficient extractor fans are used on site, they are maintained in good condition to avoid excessive noise.
- Vehicles are also well maintained and designed so that noise during feed transfer is minimised.

Operation

- Engines are switched off when not in use.

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 Bio aerosols

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. Guidance on our website concludes that applicants need to produce and submit a dust and bio aerosol 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 bio aerosol 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:

- There is no onsite milling of feed. Mixing will be done in sealed buildings to minimise dust;
- Feed delivery systems are sealed to minimise atmospheric dust and the condition of feed bins is checked frequently so that any damage or leaks can be identified;
- There is no storage of used litter outside the houses at any time. Litter is transported offsite in covered trailers; and
- The ventilation system is regularly adjusted according to the age and requirements of the flock. The ventilation system is designed to efficiently remove moisture from the house. The minimum ventilation is high velocity in the ridge of the sheds and therefore not directed at any receptors.

Conclusion

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

Biomass boilers

The applicant is varying their permit to include an additional biomass boiler with a net rated thermal input of 0.56 MWth. This brings the combined capacity of all biomass boilers to 1.223 MWth.

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/pig farms 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 points.

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

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

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

This initial ammonia screening assessment has considered any Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites within 5km; any Sites of Special Scientific Interest (SSSI) within 5km and also any National Nature Reserves (NNR), Local Nature Reserves (LNR), Ancient Woodlands and Local Wildlife Sites (LWS) within 2km of the farm.

The screening identified a SAC (Dee Estuary) within 5km of the installation boundary. The Dee Estuary is also designated as a SPA and a Ramsar site. Additionally, there are three SSSIs within 5km and 5 LWS' within 2km of the installation boundary. Where any of the underlisted criteria is met, we would require the operator to carry out detailed ammonia modelling:

- Emissions of ammonia or ammonia deposition (nutrient nitrogen or acid) are in excess of Z% of the relevant Critical Level (ammonia) or Critical Load (nutrient nitrogen or acid) at any particular designated site;
- There is the potential for an in-combination effect with existing farms at a SAC, SPA, Ramsar and/or SSSI if emissions are > Y% of the critical level or critical load;
- The original permit for the installation required an Improvement Condition to reduce ammonia emissions; or
- a proposal is within 250m of a nature conservation site.

Table 1 – Screening thresholds

Designation	Y%	Z%
SAC, SPA, Ramsar	4	20
SSSI	20	50
NNR, LNR, LWS, ancient woodland	100	100

Based on the results of the screening, the Operator was not required to carry out detailed modelling.

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 5 km of the SAC/SPA/Ramsar.

Screening using the ammonia screening tool version 4.5 has determined that the process contributions of ammonia emissions from the application site is over the 4% significance threshold. As such, it is not possible to conclude no adverse effect alone. Where the process contribution falls between 4% and 20%, Environment Agency guidance indicates that an in combination assessment should be undertaken.

There are no other farms acting in combination with this application. The PC is predicted to be less than 20% of the critical level / load significance threshold. It is possible to conclude no adverse effect to the site from the installation and therefore no further assessment is required. See results below.

Table 2 – Ammonia emissions

Site	Critical level ammonia µg/m ³	Predicted process contribution µg/m ³	% of critical level
Dee Estuary SAC	1*	0.076	7.6
Dee Estuary SPA	1*	0.076	7.6

Dee Estuary Ramsar	1*	0.076	7.6
--------------------	----	-------	-----

*A precautionary critical level of 1 µg/m³ has been assigned to this sites. Where the precautionary level of 1 µg/m³ is used, it is not necessary to further consider nitrogen deposition or acid deposition critical load values.

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 (CL_e) or critical load (CL_o) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required. An in combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the SSSI.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Fiveways Farm will only have a potential impact on SSSI sites with a precautionary critical level of 1µg/m³ if they are within 1420 metres of the emission source.

Beyond 1420 metres the PC is less than 0.2µg/m³ (i.e. less than 20% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case all SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 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)
Dibbinsdale	2,583
Heswall Dales	4,562
Dee Estuary	2,665

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 (CL_e) or critical load (CL_o) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Fiveways Farm will only have a potential impact on the LWS sites with a precautionary critical level of 1µg/m³ if they are within 497 metres of the emission source.

Beyond 497 metres the PC is less than 1µg/m³ and therefore beyond this distance the PC is insignificant. In this case all LWS/AW/LNR(s) are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 4 – LWS/AW/LNR Assessment

Name of LWS	Distance from site (m)
Lloyd's Hay Meadow	1,551
Wirral Way (east)	1,900
Cherry Farm Wood	696
Willaston Copse, Raby	1,921

Benty Heath Lane Ponds, Raby	1,906
------------------------------	-------

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. The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> - Cheshire West and Cheshire Council Environmental Health - Public Health England Birmingham - Director of Public Health - Cheshire West and Cheshire Council Local Planning Authority - Health and Safety Executive <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	We have 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>We have consulted Natural England and Natural Resources Wales on our Habitats Regulations assessments, no responses were received.</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	

Aspect considered	Decision
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> <p><u>Appropriate measures for housing design and management</u></p> <ul style="list-style-type: none"> - Houses are fan ventilated with fully littered floors and equipped with non-leaking drinking systems; - Non-leaking drinking systems will be used to minimise water spillage and ensure that litter does not become excessively wet. <p><u>Litter management</u></p> <ul style="list-style-type: none"> - Used litter will not be stored at the installation. Used litter will be exported from site and spread on separately owned agricultural land in accordance with the Defra Code of Good Agricultural Practice. <p><u>Temperature control</u></p> <ul style="list-style-type: none"> - All houses are fully insulated to reduce energy consumption. <p>This operation is in line with the requirements of the Renewable Heat Incentive (RHI) and demonstrates compliance with the right emission limits to ensure that air quality standards are not breached.</p>
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>
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	
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 specified fuels for the biomass boilers are detailed in table S2.1 of the variation notice.</p>
Emission limits	<p>ELVs and/or equivalent parameters or technical measures based on BAT have been set for the following substances:</p> <ul style="list-style-type: none"> • kg N excreted/animal place/year • kg P₂O₅ excreted/animal place/year • Kg NH₃/animal place/year <p>This variation is for the addition of a biomass boiler unit and the construction of 2 new poultry houses. The existing poultry houses have not been altered as a result of this variation.</p> <p>The 2 new houses are expected to comply with the emission limits from permit issue.</p>

Aspect considered	Decision
	Existing housing does not need to comply with these emission limits until 21/02/21. Details with regards to how the operator will comply with these BAT requirements will be the subject of a future sector permit review.
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 meet the requirements of BAT Conclusions 24, 25 and 27 of the IRPP BAT Conclusions.</p> <p>We made these decisions in accordance with the IRPP BAT Conclusions.</p> <p>This variation is for the addition of a biomass boiler unit and the construction of 2 new poultry houses. The existing poultry houses have not been altered as a result of this variation.</p> <p>The 2 new houses are expected to comply with the emission limits from permit issue.</p> <p>Existing housing does not need to comply with these emission limits until 21/02/21. Details with regards to how the operator will comply with these BAT requirements will be the subject of a future sector permit review.</p>
Reporting	<p>We have specified reporting in the permit. This is in line with BAT Conclusions 24, 25 and 27 of the IRPP BAT Conclusions.</p> <p>We made these decisions in accordance with the IRPP BAT Conclusions.</p> <p>This variation is for the addition of a biomass boiler unit and the construction of 2 new poultry houses. The existing poultry houses have not been altered as a result of this variation.</p> <p>The 2 new houses are expected to comply with the emission limits from permit issue.</p> <p>Existing housing does not need to comply with these emission limits until 21/02/21. Details with regards to how the operator will comply with these BAT requirements will be the subject of a future sector permit review.</p>
Operator competence	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
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>

Aspect considered	Decision
	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.

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 Birmingham
Brief summary of issues raised
Public Health England, Birmingham did not raise any significant concerns
Summary of actions taken or show how this has been covered
N/A

Response received from
Cheshire West and Cheshire Council Environmental Health
Brief summary of issues raised
Cheshire West and Cheshire Council Environmental Health did not raise any significant concerns
Summary of actions taken or show how this has been covered
N/A

The following organisations were consulted, however, no responses were received:

- Health and Safety Executive
- Director of Public Health
- Cheshire West and Cheshire Council Local Planning Authority

This proposal was also publicised on the Environment Agency's website between 17/04/2018 and 16/05/2018, but no representations were received during this period.