Permitting decisions

Bespoke permit

We have decided to grant the permit for Burrowton Farm Pig Unit operated by C R Down Farming Limited.

The permit number is EPR/FP3833JD.

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 (BAT-AELs) for ammonia emissions, which will apply to the majority of permits, as well as BAT AELs 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 were published.

New BAT Conclusions review

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

We sent out Schedule 5 #2 notice (dated 09/10/18) requiring the Applicant to confirm that the new installation complies in full with all the BAT Conclusion measures.

The Applicant has confirmed their compliance with all BAT conditions for the new installation, in their response to the Schedule 5 #2 notice dated 01/11/18.

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 that the installation achieves levels of Nitrogen excretion below the required BAT-AEL of 0.13 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content. This confirmation was in response to the Schedule 5 #2 Notice, received on 01/11/18, which has been referenced in Table S1.2 Operating Techniques of the Permit. 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 that the installation achieves levels of Phosphorous excretion below the required BAT-AEL of 5.4 kg P_2O_5/animal place/year by an estimation using manure analysis for total Phosphorous content. This confirmation was in response to the Schedule 5 #2 Notice, received on 01/11/18, which has been referenced in Table S1.2 Operating Techniques of the Permit. 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	Table S3.3 of the permit concerning process monitoring requires the Operator to

BAT measure	Applicant compliance measure
parameters - Total nitrogen and phosphorous excretion	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 26 - Monitoring of emissions and process parameters - Odour emissions	The approved OMP includes the following details for on Farm Monitoring and Continual Improvement: • The staff will perform a daily boundary walk to check the surrounding area for high levels of odour. • Visual (and nasal) inspections of potentially odorous activities will be carried out.
BAT 27 - Monitoring of emissions and process parameters -Dust emissions	Table S3.3 of the permit concerning 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 production pigs > 30kg by the number of pigs on site. This confirmation was in response to the Schedule 5 #2 Notice received on 01/11/18, which has been referenced in Table S1.2 Operating techniques of the Permit.
BAT 28 - Monitoring of emissions and process parameters linked to - Ammonia, Odour and Dust emissions	Table S3.3 of the permit concerning processing monitoring requires the Operator either to pursue Ammonia, Odour and Dust emission monitoring in line with BAT 25,26 and 27 criteria as detailed above The operator will monitor operational parameters in relation to the biofilters, to ensure effective abatement. These are moisture content, temperature, pressure, fan speed and pH.
BAT 30 - Ammonia emissions from pig houses	The Applicant has confirmed it will demonstrate that the installation achieves levels of ammonia below the required BAT-AEL for the following pig types: Pigs > 30kg: 2.6 kg NH3/animal place/year. In order to comply with the BAT-AEL and the requirements of BAT 30 the operator will adopt a frequent slurry removal system and will feed the pigs a low protein diet.

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

In order to comply with the BAT Conclusion AEL's the Operator proposed to adopt a frequent slurry removal system. Slurry will be removed from the site every 12 weeks or sooner to ensure that a slurry depth of 800mm will be maintained. A Fully Slatted Floor (FSF) with a vacuum system and frequent slurry removal has an emission factor of 3.11 kg NH3/animal place/year.

The Operator is also using a low protein diet. Pigs <80kg are fed a diet with 17.41% crude protein and pigs>80kg are fed a diet with 16.70% crude protein. The pigs were previously fed a diet with a crude protein level of 19.41%.and 18.70% respectively. Feed sheets have been provided from the feed supplier showing the nutritional breakdown of the two diets (dated 25/01/19).

Based on research by Ajinomoto Animal Nutrition a 1% reduction in crude protein equates to a 10% reduction in nitrogen excretion and up to a 2% crude protein reduction. There is a 2% reduction in crude protein between the 2 diets which based on this research equates to a 20% reduction in ammonia emissions.

Therefore, taking into account the 20% reduction the ammonia emissions factor will be 2.488 kg NH3/animal place/year, which is less than the BAT-AEL for ammonia emissions of 2.6 kg NH3/animal place/year. The installation is in compliance with the BAT AEL and the requirements of BAT30.

As detailed in the BAT Reference Document for the Intensive Rearing of Poultry or Pigs section 4.9.1 and table 4.129; bio filters are not considered as being suitable for removal of ammonia when installed in isolation. Only when they are operated as part of a multi-stage air cleaning system with other abatement equipment such as acidification would are they deemed suitable. Therefore, it has not been considered as an ammonia reduction technical for compliance with the BAT AELs and BAT30.

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 Burrowton Farm Pig Unit (dated 26/03/18) 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 400 metres of the installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400 metres of the installation to prevent, or where that is not practicable, to minimise the risk of pollution from odour emissions.

The OMP lists the key processes with the potential for odour pollution beyond the installation boundary. The OMP sets out the mitigation measures for these processes that are in place at the installation:

- feed delivery and storage, carcass storage and disposal, pig housing and ventilation, slurry and manure storage and movement, manufacture and selection of compound foods, dirty open yard areas and biofilter.

Odour Management Plan Review

A contingency plan has been included in the OMP, which includes contingency measures (primary and secondary) for all of the key potentially odorous processes at this installation. Each contingency measure includes the trigger point to implement it, a description of how it will be put into place and the trigger point for ceasing it. The contingency measures are worked through sequentially, if odour is not controlled following implementation of the primary measure then the secondary measure will be put into place.

In the event that odour is detected, as a result of daily monitoring at the site or due to an odour complaint being received, the relevant contingency measures associated with that source and /or process will be implemented.

An emergency plan is also included in the OMP. This would be put into place following the full implementation of both primary and secondary contingency measures. The emergency plan is triggered if six substantiated complaints are received at different locations over a forty eight hour period, from the same odour source that the operator has been trying to bring under control. If the odours are arising from a different odour source, then the related primary and secondary measures would be implemented. If following third party monitoring a solution cannot be identified, then pig numbers would be reduced to 2000 until such time as one or more of the mitigation measures outlined below are implemented.

Measures that would be implemented in agreement with the EA including:

- Implement a different rearing regime:
  a. Use a batch system
  b. grow pigs to a lower weight
  c. Reduce stock numbers
- Use of feed additives
- Install biofilter to reduce odour produced from the exhaust pipe when vacuum removing slurry and manage in accordance with existing biofilters

If these do not work then additional high technology solutions could be implemented in agreement with the EA including:

- Installation of a stack above the biofilter to improve dispersion
- Use of an acid scrubber

- Cooling of slurry stored under the sheds.

Noise

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

Condition 3.4 of the Permit reads as follows:

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

There are sensitive receptors within 400 metres of the installation boundary. The Operator has provided a NMP as part of the application supporting documentation, and further details are provided below.

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

- feeding the pigs, feed delivery, moving the pigs, pig loading in and out of sheds, delivery of supplies, slurry tanker filling and emptying, vehicles operating within installation boundary, ventilation system, unexpected problems (flooding, loss of fuel, staff absences).

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

As a method of control the Operator has limited hours of operation of potentially noisy activities to within working hours (e.g. 8am -8pm). Operation of any potentially noisy activities outside of this period are those which are required for operation of the business. Controls are set out in the NMP for those potentially noisy activities outside of working hours.

A contingency plan has been included in the NMP, which specify contingency measures (primary and secondary) for all of the key potentially noisy processes at this installation. Some of the contingency measures specified in the OMP in relation to ventilation are in the NMP. This is because issues with the ventilation could cause the pigs to become irritable, potentially increasing noise levels. Each contingency measure includes the trigger point to implement it, a description of how it will be put into place and the trigger point for it to stop. The contingency measures are worked through sequentially, if noise is not controlled following implementation of the primary measure then then the secondary measure will be put into place.

In the event that a noise is detected, as a result of daily monitoring at the site or due to a noise compliant being received, the relevant contingency measures associated with that source and /or process will be implemented.

An emergency plan is also included in the NMP. This would be put into place following the full implementation of both primary and secondary contingency measures. The emergency plan is triggered if six substantiated complaints are received at different locations over a forty eight hour period, from the same noise source that the operator has been trying to bring under control. If the noise is arising from a different odour source, then the related primary and secondary measures would be implemented. If following third party monitoring a solution cannot be identified then within 72 hours pig numbers would be reduced to 2000 until a reduction technique as agreed with the Environment Agency and is fully implemented.

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 is one sensitive receptor within 100 metres of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 30 metres to the south 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 100 metres 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. feed management/delivery procedures) all reduce the potential for emissions impacting the nearest receptors. Measures have been put in place in relation to the following dust sources:

- feed delivery and storage, carcass storage and disposal, pig housing and ventilation, selection of feed and yard areas during stocking and destocking of pigs.

The pigs are housed on Fully Slatted Floors. There is no straw or bedding material used at the installation. This limits the amount of dust that can be generated from the sheds. In addition, all air from the sheds is sent through a biofilter which removes any dust. The potential for dust generation at this site is not considered to be a significant issue.

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

Ammonia

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

There is 1 Site of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 3 Local Wildlife Sites (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 Burrowton Farm Pig Unit will only have a potential impact on SSSIs with a precautionary critical level of 1µg/m^3 if they are within 2723 metres of the emission source.

Beyond 2723 metres the PC is less than 0.2µg/m^3 (i.e. less than 20% of the precautionary 1µg/m^3 critical level) and therefore beyond this distance the PC is insignificant. In this case the SSSI is beyond this distance (see table below) and therefore screens out of any further assessment.

Where the precautionary level of 1µg/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 1µg/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)
Killerton	3896

Ammonia assessment - LWS/AW/LNR

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 Burrowton Farm Pig Unit will only have a potential impact on the LWS site with a precautionary critical level of 1µg/m^3 if they are within 1137 metres of the emission source.

Beyond 1137 metres the PC is less than 1µg/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 screens out of any further assessment.

Table 2 – LWS Assessment

Name of LWS	Distance from site (m)
Oak Lodge	1742
Burrow Orchard Farm	1662

Screening using the ammonia screening tool version 4.5 has determined that the PC on the LWS 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 3 - Ammonia emissions

Name of LWS	Critical level ammonia µg/m^3	Predicted PC µg/m^3	PC % of critical level
Addlehole Copse	3*	1.899	63.3

* CLe 3 applied as no protected lichen or bryophytes species were found when checking Easimap layer

Table 4 – Nitrogen deposition

Name of LWS	Critical load kg N/ha/yr. [1]	Predicted PC kg N/ha/yr.	PC % of critical load
Addlehole Copse	10	9.862	98.6

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 14/09/18

Table 5 – Acid deposition

Name of LWS	Critical load keq/ha/yr. [1]	Predicted PC keq/ha/yr.	PC % of critical load
Addlehole Copse	2.55	0.704	27.6

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 14/09/18

No further assessment is required.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
Consultation	
Consultation	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: -Department of Public Health -Public Health England -Health and Safety Executive -Local Planning Authority – East Devon -Environmental Health – East Devon 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'. 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 and baseline reporting under the Industrial Emissions Directive.
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
	in the nature conservation screening report as part of the permitting process. We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified. We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.
Environmental risk assessment	
Environmental risk	We have reviewed the Operator's assessment of the environmental risk from the facility. The Operator's risk assessment is satisfactory.
Operating techniques	
General operating techniques	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. 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.
Odour management	We have reviewed the odour management plan in accordance with our guidance on odour management. We consider that the odour management plan is satisfactory. See Key Issues.
Noise management	We have reviewed the noise management plan in accordance with our guidance on noise assessment and control. We consider that the noise management plan is satisfactory. See Key Issues.
Permit conditions	
Improvement programme	Based on the information in the application, we consider that we need to impose an improvement programme. We have imposed an improvement programme in the form of IC1 to ensure that: - the proposed use of the product referred to as 'microaid' will provide effective control of odour at this installation. If this is not the case then an alternative measure will be required. The use of 'microaid' is one of a number of measures to control odour form the sheds, hence this matter can be dealt with through an improvement condition.
Reporting	We have specified reporting in the permit. This is in line with BAT Conclusions 24, 25 and 27 of the IRPP BAT Conclusions. We made these decisions in accordance with the IRPP BAT Conclusions. See Key Issues.
Operator competence	
Management system	There is no known reason to consider that the Operator will not have the

Aspect considered	Decision
	management system to enable it to comply with the permit conditions. The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The Operator satisfies the criteria in our guidance on operator competence.
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. Paragraph 1.3 of the guidance says: "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." 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. 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 on 04/06/18
Brief summary of issues raised
Concerns raised with regards to fugitive emissions to air of odour, dust and bioaersols from the installation. The proximity of the receptors is noted. It is stated that the pig unit has been operating for a number of years and there is no record of complaints. It is noted that the biofilters will help to reduce odour and dust emissions. It is recommended that the control measures are sufficient to keep air emissions to a minimum.
Summary of actions taken or show how this has been covered
The Noise, Odour and Dust Management Plans have been reviewed and updated documents have been submitted which address the questions we raised in our Schedule 5 Notice. These documents have been reviewed against the relevant guidance and are considered to have addressed the risks at this installation. The Odour Management Plan (OMP) includes procedures for the operation of the biofilter and contingency measures in the event that the biofilter fails. Primary and secondary contingency measures are also specified for all odour sources at the installation in the event that preventative measures/odour mitigation undertaken as part of normal procedures fail. The OMP also complies with the requirements of the 'Pig Industry Good Practice Checklist' and our 'H4 odour management' guidance. The Noise Management Plan (NMP) has been produced in accordance with Appendix 5 of 'How to comply with your environmental permit for intensive farming' and The Dust Management Plan (DMP) has been produced in accordance with the requirements of Appendix 11 of' 'How to comply with your environmental permit for intensive farming'.

Response received from
Environmental Health – East Devon District Council on 25/05/18
Brief summary of issues raised
The Environment Officer has visited the farm and the biofilter was working effectively with minimal off-site odour at the time of the visit. No substantiated complaints have been received relating to unreasonable off-site odour.
Summary of actions taken or show how this has been covered
The Odour Management Plan (OMP) includes procedures for the operation of the biofilter and contingency measures in the event that the biofilter fails. Primary and secondary contingency measures are also specified for all odour sources at the installation in the event that preventative measures/odour mitigation undertaken as part of normal procedures fail. The OMP also complies with the requirements of the 'Pig Industry Good Practice Checklist' and our 'H4 odour management' guidance.

Representations from individual members of the public.

Common responses can be considered and summarised together.

Brief summary of issues raised
Two responses have been received, the concerns raised in both responses are summarised below: 1. Concerns raised with regards to odour. 2. Concern regarding impact of flies. 3. Additional vehicle deliveries occurring during unusual hours of the day following the operation of the new pig house. 4. Additional light pollution following operation of the new pig house. 5. Concern about installation of a further slurry pit located closer to the property. 6. There are a number of springs in the area and there is concern about the large number of animals located close to a watercourse. 7. Concern regarding constant low level noise from the installation. 8. Concern about large vehicles using the access road and around the local area.
Summary of actions taken or show how this has been covered
The Noise, Odour and Dust Management Plans have been reviewed and updated documents have been submitted which address the questions we raised. These documents have been reviewed against the relevant guidance and are considered to have addressed the risks at this installation. 1. The Odour Management Plan (OMP) includes procedures for the operation of the biofilter and contingency measures in the event that the biofilter fails. Primary and secondary contingency measures are also specified for all odour sources at the installation in the event that preventative measures/odour mitigation undertaken as part of normal procedures fail. The OMP also complies with the requirements of the 'Pig Industry Good Practice Checklist' and our 'H4 odour management' guidance. 2. The Environmental Health Officer has not identified flies as an issue arising from the farm during the time that it was under local authority control. The Environment Agency has visited the site during the determination of this permit and flies were not evident. The operator has outlined the pest management procedures that are in place at the installation should flies become an issue. This permit also allows us to request a fly management plan should it be required. 3. The Noise Management Plan (NMP) has been produced in accordance with Appendix 5 of the 'How to comply with your environmental permit for intensive farming' guidance document. Time restrictions have been included in the NMP to ensure that deliveries and vehicle movements on site only occur during normal working hours (8am- 8pm), where ever this is feasible. If delivers are necessary outside normal working hours then measures are outlined in the NMP to minimise the potential for noise pollution during these periods. 4. The Operator has outlined the steps that will be taken to minimise the impact of light pollution on nearby residents. These include the use of LED lights throughout the installation, lights only to be used as required outside of normal working hours (6am – 6pm), lights on machinery to be checked annually to ensure they are positioned correctly. 5. The three pig sheds have/will have a Fully Slatted Floor (FSF) was a vacuum system for frequent slurry removal. The slurry is stored underneath the sheds in a concrete bunker. The location of shed 3 is further away from the nearest sensitive receptor. All air from the sheds is drawn through the biofilters and treated before it is emitted. 6. Slurry is stored in an underground concrete bunker. All faeces and urine from the pigs pass through the FSF directly into the concrete bunker. Every 12 week or when slurry is greater than 800mm in depth, slurry is evacuated from the pits and exported off-site. The slurry is thus contained preventing it from entering the environment. It is a requirement of the 'How to comply with your environmental permit for intensive farming' document, which this installation will be run in accordance with, to keep roofs and yard areas clean. Any surface water will be clean and will not result in contamination of the environment. 7. The Noise Management Plan considers the key sources of noise at the site that have the potential for noise

pollution. Mitigation measures are in place to address noise from the installation.

8. We only regulate activities within the installation boundary. Vehicle movements around the local community and anywhere outside the boundary are not under the jurisdiction of this permit.