

Permitting decisions

Variation

We have decided to grant the variation for Flordon Poultry Unit operated by Hook 2 Sisters Limited.

The variation number is EPR/NP3932YR/V002.

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 summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

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

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.

Odour

There is no new housing included in this variation, therefore no requirement for BAT assessment.

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.

We have required an updated Odour Management Plan to be submitted in support of this application due to the addition of broilers to the installation. Whilst emissions will be lower stocking broilers in pace or turkeys (see ammonia section in this document), there is still potential for increased odour emissions due to the bird type, as experienced historically on other sites of a similar nature.

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

- **Feed and feeding systems** including poultry diets, delivery of feed to silos, delivery of feed to poultry
- **Ventilation system and rates**
- **Litter** including litter conditions/ management
- **Carcass removal/disposal**
- **Destocking of live poultry**
- **Dust**
- **House clean out** including litter removal, washing of houses and wash water
- **General site hygiene**
- **Buildings and infrastructure**
- **Abnormal operations** including disease, wet litter, high humidity, power failure, gas failure, water failure, house failure

Odour Management Plan Review

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

There are several sensitive receptors which the operator has identified in the revised OMP (dated 29/01/19), with the closest receptor being a property approximately 40m to the south of the installation boundary. Receptors have been identified on a site map which has been incorporated into the OMP.

The OMP outlines the following procedures in order to mitigate possible odour sources:

- **Feed and feeding systems:** Diets are formulated to provide the best diet for the health and welfare of the bird and protein and phosphorous levels decrease throughout the growing cycle which aids the reduction of ammonia emissions and odour. The birds are also fed whole wheat which reduces dust emissions and potential from odour through dust.

All feed is delivered to silos in sealed bulk trailers and delivered into sealed silos. And spillages are cleaned up immediately.

Feed is delivered to houses via an enclosed auger system. Feeding systems are checked daily and any faults are reported to the farm manager who arranges repairs.

- **Ventilation system and rates:** ventilation is determined by the needs of the birds and heating is controlled by a thermostat in each house. Equipment failure alarms are fitted to alert the farm manager of any equipment failure 24 hours a day.

- **Litter:** litter conditions are checked daily for signs of capping and excess moisture. As and when required, fresh wood shavings are added. Nipple and cup drinkers are used to provide drinking water to birds which reduces spillage and litter moisture.
- **Carcass removal/disposal:** Dead birds are removed from houses on a twice daily basis and stored in temporary containers outside each house before being collected by a licenced contractor for disposal. Carcass containers are placed away from neighbouring properties and in a shaded area when possible. Should odour occur, i.e. during hot weather, more collections are made.
- **Destocking of live poultry:** catching is carried out inside the houses with doors closed curtains are closed on trailers to minimise bird exposure and reduce odour/dust/noise emissions. Any litter that is removed from the houses during catching and either placed back inside the houses or in a waste skip.
- **Dust:** extraction fans are enclosed to contain dust releases and are cleaned at the end of each cycle.
- **House clean out** including litter removal, washing of houses and wash water.
- **General site hygiene:** all outside areas of the site are maintained in a clean and tidy condition. Areas around the house entrances are swept daily and any rubbish is cleared and placed in appropriate disposal skips. Daily checks of all areas are carried out by stockmen and the farm manager.
- **Buildings and infrastructure:** all buildings and equipment are checked on a daily basis for any faults or breakdowns which are reported to the farm manager who will arrange for issues to be rectified. Records of checks and faults are kept. Outside areas are checked at least twice weekly to ensure they are clean and tidy. During downtime, all buildings, yard areas, equipment, and drainage is checked and repaired where necessary.
- **Abnormal operations:** in the case of disease, where there are higher mortality rates, extra carcass storage is provided and more frequent collections. If litter is wet or humidity is high, ventilation rates are adjusted. In case of power failure, a standby generator is available. In case of gas failure, gas supply vessels are linked. In case of water failure, outside storage tanks are kept full. In case of house failure, birds may be moved to another house. There is an incident response plan in place.

The operator has provided a key responsibilities section, and detailed the odour complaint procedure as well as supplied an example blank complaint form. There have currently been no known odour complaints in regards to this site.

The operator is required to manage activities at the installation in accordance with condition 3.3.1 of the permit and it's OMP (version received 29/01/19 reference 'Odour management Plan'.

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

The operator has also confirmed that the OMP will be reviewed annually, or following an EA substantiated complaint, whichever is sooner.

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.

Ammonia

The operator was previously permitted to stock up to 110,000 male turkeys on the installation at any one time. The application was to be permitted to stock either 110,000 male turkeys or 282,200 broilers on the installation at any one time (with approximately 6 months of the year stocking male turkeys and 6 months of the year stocking broilers).

The mass balance calculation below shows a reduction in emissions when broilers are stocked on the installation:

Currently permitted:

110,000 male turkeys X 0.66 (EF*) = 72,600 kg NH3/year

Proposed:

To have 282,200 broilers on site 6 months of the year instead of the turkeys. So:

$72,600 \text{ kg NH}_3/\text{year} / 2$ (as will only be on site 6 months of the year) = 36,300 kg NH₃/year

$282,200 \text{ broilers} \times 0.034 \text{ (EF)} = 9594.8 \text{ kg NH}_3/\text{year}$

$9594.8 \text{ kg NH}_3/\text{year} / 2 = 4797.4 \text{ kg NH}_3/\text{year}$

$36,300 \text{ kg NH}_3/\text{year} + 4797.4 \text{ kg NH}_3/\text{year} = 41,097.4 \text{ kg NH}_3/\text{year}$

If the operator was to stock 282,200 broilers for 6 months of the year, and 110,000 male turkeys for 6 months of the year, this would bring the emissions down by 31,502.6 kg NH₃/year.

*EF = emission factor

Conclusion

As the calculations show a reduction in emissions, no further assessment is necessary.

The biomass boilers have not been included in this assessment as they were permitted under variation EPR/RP3834LC/V003 and there have been no changes to the boilers as a result of this variation.

Decision checklist

| Aspect considered | Decision |
|--------------------------------------|--|
| Receipt of application | |
| Confidential information | A claim for commercial or industrial confidentiality has not been made. |
| Identifying confidential information | We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality. |
| Consultation/Engagement | |
| Consultation | <p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • Public Health England • Local Authority (Norfolk) • 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 | |

| Aspect considered | Decision |
|---|--|
| 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>See 'ammonia' section in this document. Emissions will reduce when broilers are stocked, as opposed the already/previously permitted male turkeys.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p> |
| 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 | <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"> • The poultry houses are all ventilated by side extraction fans and roof inlets. • Litter is exported off site and is spread on land owned by third parties or sent to electricity stations for burning. • Dirty wash water is collected in tanks for offsite disposal. • Roof water and lightly contaminated yard water drains to a pond/soakaway • Sealed and collision-protected feed storage bins • Carcasses are collected daily and stored in a secure container on site prior to removal off site by a licensed contractor. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility.</p> |
| Odour management | <p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We have required the operator to submit an updated plan to include the following:</p> <ul style="list-style-type: none"> • Contingency plans for abnormal operations • A list of sensitive receptors, with distances from boundary (or receptor) to boundary (of installation) • Additional sources of odour and preventative measures • Complaints procedure and an example complaints form • Key responsibilities <p>We consider that the odour management plan is satisfactory.</p> |
| Noise management | We have reviewed the noise management plan (06/12/18) in accordance with our guidance on noise assessment and control. |

| Aspect considered | Decision |
|---|---|
| | We consider that the noise management plan is satisfactory. |
| Permit conditions | |
| Updating permit conditions during consolidation | 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). |
| Emission limits | We have decided that emission limits are required in the permit. BAT AEL's 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 | 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> <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 and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

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| Response received from |
| Public Health England |
| Brief summary of issues raised |
| <ul style="list-style-type: none">• Ensure operator has supplied Environmental Risk Assessments including Odour, noise and dust.• The operator should comply with all requirements of the permit, including the application of BAT. |
| Summary of actions taken or show how this has been covered |
| <p>The operator has supplied relevant risk assessments under previous applications. However, we have required the operator to provide a more detailed OMP due to the proposed bird type (see main body of this document for further details).</p> <p>No new housing so no new BAT requirements. However, table S3.3 of the permit includes new BAT requirements which will come into effect from 21/02/2021.</p> |