

Permitting decisions

Variation

We have decided to grant the variation for Drove Cottage Farm Pig Unit operated by Allen Farms (Coddington) Limited.

The variation number is EPR/LP3835ZJ/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:

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

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

Read the permitting decisions in conjunction with the environmental permit 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 phosphorus 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 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 pig housing, in their document reference Appendix 9 Technical Standards, received in support of the application duly made 17/09/19, and additional information submitted in response to a not duly made request for further information, document reference 060 – EA Response, received 16/09/19 and subsequent email received 17/09/19.

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 operator is required to demonstrate they achieve levels of nitrogen excretion below the required BAT-AELs for the following pig types:</p> <p>Fattening pigs (production pigs > 30 kg): 13 kg N/animal place/year</p> <p>Sows (including piglets): 30 kg N/animal place/year</p> <p>by using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance or an estimation by using manure analysis for total nitrogen content.</p> <p>Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
BAT 4 Nutritional management phosphorus excretion	<p>The operator is required to demonstrate they achieve levels of phosphorus excretion below the required BAT-AELs for the following pig types:</p> <p>Fattening pigs (production pigs > 30 kg): 5.4 kg P₂O₅ animal place/year</p> <p>Sows (including piglets): 15 kg P₂O₅ animal place/year</p> <p>by using a mass balance of phosphorus based on the feed intake, dietary content of crude protein, total phosphorus and animal performance or an estimation by using manure analysis for total phosphorus content.</p>

BAT measure	Applicant compliance measure
	Table S3.3 of the Permit concerning process monitoring requires the operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorus excretion	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 25 Monitoring of emissions and process parameters - Ammonia emissions	Table S3.3 of the Permit concerning process monitoring requires the operator to undertake relevant monitoring that complies with these BAT Conclusions
BAT 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"> • Odour levels are assessed daily by nominated staff • Air quality within the buildings is also assessed (sensory assessment) and recorded daily • Weather monitoring/forecasting also helps to assess the risks and take additional actions to mitigate them if necessary
BAT 27 Monitoring of emissions and process parameters -Dust emissions	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions. The operator is required to report the dust emissions to the Environment Agency annually, this can be completed by calculation using standard dust emissions factors for each type of pig.
BAT 30 Ammonia emissions from pig houses	The operator is required to demonstrate they achieve levels of ammonia below the required BAT-AEL for the following pig types: Fattening pigs > 30kg: 5.65 kg NH3/animal place/year (solid floor straw system) Fattening pigs > 30kg: 2.6 kg NH3/animal place/year (fully or part slatted floor system) Farrowing sows: 5.6 kg NH3/animal place/year (fully or part slatted floor system) Mating and gestating sows: 5.2kg NH3/animal place/year (solid floor straw system) The standard emission factors do not comply with the BAT AELs for some categories of pigs, however additional measures detailed below have been incorporated to ensure compliance.

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

There is a footnote in some of the Ammonia BAT-AELs allowing a higher AEL for existing plant. 'New plant' is defined as plant first permitted at the site of the farm following the publication of the BAT conclusions. 'Existing plant' is defined in the BREF as any plant that is not a 'new plant'. The key phrase is 'first permitted'.

For variations all new housing on existing farms will need to meet the BAT-AEL, while the existing housing will be allowed the less stringent existing plant AEL. The 'existing plant' BAT-AEL will apply indefinitely to any existing housing on any site permitted before 21st February 2017 or at least until the next revision of the BREF.

More detailed assessment of AEL's

Pig housing

All housing will meet the ammonia BAT AELs with the exception of new weaner house 11, which has fully slatted flooring, and houses pigs 7 – 40kg. For the initial ammonia assessment a worst case ammonia emission factor of 3.11 kg NH₃/animal place/year was assumed (for pigs > 30 kg) and the BAT AEL for finishers > 30kg on this type of housing system is 2.6 kg NH₃/animal place/year, therefore it did not meet the BAT AEL.

However the operator has confirmed that the housing system is a fully slatted floor (FSF) and frequent slurry removal system which meets the following criteria:

- All slurry pits are to be operated with a maximum slurry liquor depth of 800 mm as defined as optimal depth in section 4.7.1.2 of the latest Intensive Farming BREF http://eippcb.jrc.ec.europa.eu/reference/BREF/IRPP/JRC107189_IRPP_Bref_2017_published.pdf, and
- Slurry removal frequency of a maximum of 12* weeks (*the operator has stated that slurry removal is every 5 weeks).

An AHDB Pork Trial emission factor of 2 kg NH₃/animal place/year can be applied in this case. This is based on the results from AHDB Pork trials report titled: 'Establishing ammonia emission factors for shallow pit, fully-slatted finisher buildings' (September 2017) and it has been agreed that a conservative emission factor of 2 kg NH₃/animal place/year can be applied for production pigs over 30kg, on fully slatted finisher buildings with shallow pit systems which meet the above criteria.

The rest of the housing types, relevant emission factors and appropriate BAT AELs are confirmed in the spreadsheet received in the Request for Further Information response received 06/11/19, and listed in table S1.2 Operating Techniques in the consolidated permit.

Please note, pig houses 5.1, 5.2 and 11 house 3,900 pigs from 7kg up to 40kg. The applicant has confirmed the maximum number of these that will be over 30kg at any one time as 1,530 which have been included in the permit table S1.1 under the listed activity of production pigs > 30kg. The remaining 2,370 have been included in the table as a directly associated activity of pigs up to 30kg. However for BAT AEL purposes the housing will need to achieve the BAT AELs for pigs > 30kg.

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 revised site condition report (SCR) which adds the additional small area of land incorporated into the installation boundary for Drove Cottage Farm Pig Unit (reference Appendix 6, dated May 2019, received with the supporting information for the application duly made on 17/09/19) demonstrates that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. **Therefore, on the basis of the risk assessment presented in the SCR, we accept that they have not provided base line reference data for the soil and groundwater at the site at this stage and although condition 3.1.3 is included in the permit no groundwater monitoring will be required.**

Odour

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance (http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297084/geho0110brsb-e-e.pdf).

Condition 3.3 of the environmental permit reads as follows:

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

Under section 3.3 of the guidance an Odour Management Plan (OMP) is required to be approved as part of the permitting process, if as is the case here, sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400m of the Installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400m of the installation to prevent, or where that is not practicable, to minimise the risk of pollution from odour emissions.

The risk assessment for the Installation provided with the Application lists key potential risks of odour pollution beyond the Installation boundary. These activities include potential for odour from the following: manure and slurry storage, cleaning out operations, animal carcass storage and disposal, manure and slurry spreading, dust. These and further risks are also assessed in the OMP detailed below, which includes control measures for these.

Odour Management Plan Review

The Installation is located within 400m of 4 sensitive receptors as detailed in the OMP, including two properties within 25m of the installation boundary, a property more than 320m to the south southeast, and a business more than 390m to the north northwest. The closest two properties are occupied solely by the owner of the site and a herdsman for the pig unit and therefore not considered in this assessment as it is unlikely that odour complaints would be received from these properties. There has been no history of odour complaints for the current

operation. In addition the prevailing wind direction is from the south west and there are no properties which lie within 400m to the north east of the installation.

The OMP has been assessed against the requirements of 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 (version 2), Appendix 4 guidance 'Odour Management at Intensive Livestock Installations' and our Top Tips Guidance and Pig Industry Good Practice Checklist (August 2013) as well as the site specific circumstances at the Installation. We consider that the OMP is acceptable because it complies with the above guidance, and includes details of odour control measures, contingency measures and complaint procedures.

The operator is required to manage activities at the Installation in accordance with condition 3.3.1 of the Permit and its OMP. The OMP includes odour control measures for effects of diet, manure and slurry storage, cleanliness of yard areas, all housing and management, emissions from housing (both straw based and slurry systems), cleaning out, ventilation, carcass storage and removal, feed delivery and storage, slurry and manure spreading and dust (as an odour vector). It also includes a contingency plan for abnormal scenarios including damage to building, significant disease situation, storage tank failure, failure of containment of food, carcass disposal route failure, spillages, fan failure, pipework damage and slurry store damage.

The OMP also provides a suitable procedure in the event that complaints are made to the operator. The OMP is required to be reviewed at least every 4 years and/or after a complaint is received, whichever is the sooner. In addition, the OMP states that the effectiveness of odour control measures will be reviewed at least once a year or sooner in the event of any complaint or relevant changes to operations.

The Environment Agency has reviewed the OMP and considers 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.

Conclusion

Although there is the potential for odour pollution from the Installation, the operator's compliance with the permit and its OMP will minimise the risk of odour pollution beyond the Installation boundary. The risk of odour pollution at sensitive receptors beyond the Installation boundary is therefore not considered significant.

In addition the Environment Agency, under permit condition 2.3.2, may review the OMP at any time if it considers changes are necessary to ensure odour is minimised beyond the installation boundary.

Noise

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

Condition 3.4 of the Permit reads as follows:

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

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

The risk assessment for the Installation provided with the Application lists key potential risks of noise pollution beyond the Installation boundary. These activities include potential for noise from the following: vehicle movements during delivery of feed or collection of product, milling and delivery of feed from vehicles to bins, animals and ventilation fans. These and further risks are also assessed in the NMP detailed below, which includes control measures for these.

Noise Management Plan Review

A noise management plan (NMP) has been provided by the operator as part of the application supporting documentation.

The NMP also provides a suitable procedure in the event of complaints in relation to noise. The NMP is required to be reviewed at least every 4 years, however the operator has confirmed that it will be reviewed in light of any building and management changes, and on the outcome of investigations into causes of complaints, if any occur.

Operations with the most potential to cause noise nuisance have been assessed and control measures put in place for feeding pigs, feed delivery and preparation, pigs movements on site, pig loading in and out, bedding pens, mucking out, slurry tanker filling, manure loading, transport of manure and spreading, delivery of supplies and materials, ventilation fans, and vehicles operating within the installation boundary.

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

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

Conclusion

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution / nuisance.

In addition the Environment Agency, under permit condition 2.3.2, may review the NMP at any time if it considers changes are necessary to ensure odour is minimised beyond the installation boundary.

Dust and Bioaerosols

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the Permit (the 'Fugitive Emissions' conditions) to provide a level of protection. Condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the Permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the Installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

There are 2 sensitive receptors within 100m of the Installation boundary, one adjacent to the northwest corner of the installation boundary, the other adjacent to the southwest corner of the installation boundary.

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

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

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

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

extraction in feed mill areas, dust from feed storage, feed spill control, feeding method and spilled feed; Bedding material – application, systems in use; Type of slurry system; Ventilation systems; House cleaning – general management; Building layout and design; and Dry Filters – for collecting dust from milling systems.

Conclusion

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

Ammonia

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

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites or Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are five other nature conservation sites within 2 km of the installation, comprising of four Local Wildlife Sites (LWS) and one Ancient Woodland (AW).

Ammonia assessment - LWS/AW

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Drove Cottage Farm Pig Unit will only have a potential impact on the LWS/AW sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 1,221 metres of the emission source.

Beyond 1,221m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case two of the LWS and the AW are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 1 – LWS/AW Assessment

Name of LWS/AW	Distance from site (m)
Langford Moor Area LWS	1,344
Stapleford Wood LWS	1,824
Stapleford Wood AW	1,490

Screening using the ammonia screening tool version 4.5 has determined that the PCs on the LWS for ammonia emissions, nitrogen deposition and acid deposition from Drove Cottage Farm are under the 100% significance threshold and can be screened out as having no likely significant effect. See the results in tables 1 – 3 below.

Table 2 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
Coddington Hall Grassland LWS	3*	1.907	63.6
Moor Brats Drain, Coddington LWS	3*	1.915	63.8

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

Table 3 – Nitrogen deposition

Site	Critical load kg N/ha/yr. *	Predicted PC kg N/ha/yr.	PC % of critical load
Coddington Hall Grassland LWS	20	9.903	49.5
Moor Brats Drain, Coddington LWS	10	9.945	99.5

* Critical load values taken from APIS website (www.apis.ac.uk) – 30/10/19

Table 4 – Acid deposition

Site	Critical load keq/ha/yr*	Predicted PC keq/ha/yr.	PC % of critical load
Coddington Hall Grassland LWS	1.174	0.707	60.2
Moor Brats Drain, Coddington LWS	1.287	0.710	55.2

* Critical load values taken from APIS website (www.apis.ac.uk) – 30/10/19

No further assessment is required.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
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'. The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
The site	
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified 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.

Aspect considered	Decision
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 for the new housing are as follows:</p> <ul style="list-style-type: none"> • Fully slatted floors with frequent slurry removal every 5 weeks • Depth of slurry < 800mm • Ventilation is medium velocity roof fans at a height 3.5m or greater and an efflux velocity at 2m/s or greater
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 permits.</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>
Emission limits	<p>We have decided that emission limits are required in the permit. BAT AELs have been added in line with the Intensive Farming sector BAT conclusions document dated 21/02/17. These limits are included in permit table S3.3.</p>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17.</p>
Operator competence	
Management system	<p>There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.</p>

Aspect considered	Decision
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>