

Permitting decisions

Bespoke permit

We have decided to grant the permit for Holygate Farm Pig Unit operated by Lord John Gretton and Lady Jennifer Gretton.

The permit number is EPR/SP3501PS.

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; and
- 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

Intensive Rearing of Poultry or Pigs BAT Conclusions document

The 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 sets 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>

All new installation farming permits issued after the 21st February 2017 must be compliant with the BAT Conclusions in full from the first day of operation.

The BAT Conclusions include BAT-Associated Emission Levels (BAT-AELs) for ammonia emissions, as well as BAT-AELs for nitrogen and phosphorous excretion.

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 Conclusions for the new installations in their document reference 'Appendix 2(a) BAT-AEL Review' within the Non-Technical Summary document, received on 28/06/19, which has been referenced in Table S1.2 Operating Techniques of the permit.

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 13.0 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content. |
| 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 ₂ O ₅ /animal place/year by an estimation using manure analysis for total Phosphorous content. |
| BAT 24 - Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion | Table S3.3 of the permit concerning 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 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 broilers by the number of pigs on site. |

| BAT measure | Applicant compliance measure |
|--|---|
| BAT 30 - Ammonia emissions from pig houses | <p>The Applicant has confirmed it will demonstrate that the installation achieves levels of ammonia below the required BAT-AEL for the following pig types:</p> <p>Pigs > 30kg: 2.6 kg NH₃/animal place/year.</p> <p>The installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT-AEL.</p> |

More detailed assessment of specific BAT measures

Ammonia emission controls - BAT 30

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT. The 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 2017, including those where there is a mixture of old and new housing, will now need to meet the BAT-AEL.

Pig housing

The standard emission factor for 'fattening pigs' (production pigs over 30kg) on fully slatted floors is 4.14 which is higher than the BAT AEL of 2.60. However, in accordance with AHDB Pork monitoring data an emission factor of 2.0 kg NH₃/animal place/year can be applied to fully slatted finisher buildings, operating with frequent slurry removal (maximum of 12 weeks) and a maximum slurry liquor depth of 800 mm, ensuring compliance with the BAT AEL.

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 Holygate Farm Pig Unit (submitted on 28/06/19) 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 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 Installation is located within 400 metres of six receptors, as detailed in the OMP; the two nearest receptors are within 40 metres of the installation boundary. All six receptors are owned and managed by the Operator and are therefore not considered in this assessment as it is unlikely that odour complaints would be received from these properties.

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 mixing, delivery and storage
- Ventilation system
- Manure and slurry management
- Carcass disposal
- Pig housing

Odour Management Plan Review

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:

- Feed composition closely matched to pigs' requirements.
- Under slat slurry storage emptied frequently.
- Slurry piped in enclosed systems from underground pits.
- Wind direction observed when the slurry store is out-loaded.
- Slurry spreading co-ordinated with local weather forecasts.
- Drainage system works effectively to prevent ponding of water.

- Pens and stock checked for cleanliness as part of daily welfare checks and cleaned out in accordance with written cleaning plan.
- Cleaning out occurs as soon as possible after destock.
- Spillages (e.g. feed ingredients) cleaned up promptly.
- Buildings ventilated by high speed roof fans.
- Carcasses kept in covered storage and disposed of promptly.

Conclusion

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.

The OMP will be reviewed at least once a year to assess the effectiveness of odour control methods and procedures.

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 six receptors within 400 metres of the installation boundary, including two properties within 40 metres of the installation boundary. All six receptors are owned and managed by the Operator and are therefore not considered in this assessment as it is unlikely that noise complaints would be received from these properties. The Operator has provided an 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 are as follows:

- Vehicles
- Feed transfer
- Ventilation fans
- Alarm system/standby generator
- Pigs
- Personnel
- Repairs
- Slurry spreading

Noise Management Plan Review

The NMP sets out the preventative measures that will be taken on the installation as part of the daily management of noise risk at the site. Preventative measures have been specified for all of the potential noise sources from the installation. The following key measures are contained in the Operator's NMP to prevent noise pollution:

- Pig feeding uses an ad-lib system to avoid spikes in noise and pig activity.
- Feed delivery vehicles fitted with low noise units.
- Pig only moved during the day.
- Slurry tanker filling and emptying uses high output equipment which reduces working hours.
- Slurry store location not in direct line of sight of residential housing.
- Efficient, quiet, ventilation fans selected, along with regular maintenance.
- Typically small deliveries during normal working hours.
- Vehicles operating on site mainly during normal working hours.
- Alarm system rings key personnel as well as emitting audible alarm on site to avoid continual sounding of alarms when staff are not present on site e.g. overnight.

Conclusion

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

Dust and Bioaerosols

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

There are two sensitive receptors within 100 metres of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 40 metres north-east of the installation boundary.

The Applicant has provided a dust and bioaerosol risk assessment.

In addition, guidance on our website concludes that Applicants need to produce and submit a dust and bioaerosol management plan beyond the requirement of the initial 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 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 the 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:

- Feed silos and pipework covered/enclosed.
- Free fall of meal in to internal feeders at a small drop height.
- Open surface of troughs/feeders kept to a minimum.
- Waste feed removed and not allowed to accumulate and collection of any spilt feed.

- Mobile mill and mix machine uses a pneumatic cleaning system with integrated self-cleaning dust extraction system.

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 2 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 23 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 Holygate Farm Pig Unit will only have a potential impact on SSSI with a precautionary CLe of 1µg/m³ if they are within 1,234 metres of the emission source.

Beyond 1,234 metres the PC is less than 0.2µg/m³ (i.e. less than 20% of the precautionary 1µg/m³ CLe) and therefore beyond this distance the PC is insignificant. In this case, the SSSI is 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 PC is assessed to be less than 20%, the site automatically screens out as insignificant and no further assessment of CLo 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 1 – SSSI Assessment

| Name of SSSI | Distance from site (m) |
|--------------|------------------------|
| River Eye | 2,680 |

Screening using the ammonia screening tool version 4.5 has indicated that the PC for Wymondham Rough SSSI is predicted to be less than 20% of the CLe for ammonia emissions/nitrogen deposition/acid deposition therefore it is possible to conclude no damage. The results of the ammonia screening tool version 4.5 are given in the tables below.

Table 2 – Ammonia emissions

| Name of SSSI | Ammonia Cle (µg/m ³) | PC (µg/m ³) | PC % critical level |
|-----------------|----------------------------------|-------------------------|---------------------|
| Wymondham Rough | 3* | 0.24 | 8 |

* Critical level value taken from APIS website (www.apis.ac.uk) – 05/08/19

Table 3 – Nitrogen deposition

| Name of SSSI | Critical load kg N/ha/yr. [1] | PC kg N/ha/yr. | PC % critical load |
|-----------------|-------------------------------|----------------|--------------------|
| Wymondham Rough | 20 | 1.246 | 6.2 |

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 05/08/19

Table 4 – Acid deposition

| Name of SSSI | Critical load keq/ha/yr. [1] | PC keq/ha/yr. | PC % critical load |
|-----------------|------------------------------|---------------|--------------------|
| Wymondham Rough | 2.028 | 0.089 | 4.4 |

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 05/08/19

No further assessment is required.

Ammonia assessment - LWS

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

- If the process contribution (PC) is below 100% of the relevant critical level (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 Holygate Farm Pig Unit will only have a potential impact on the LWS sites with a precautionary CL_e of 1µg/m³ if they are within 433 metres of the emission source.

Beyond 433 metres the PC is less than 1µg/m³ and therefore beyond this distance the PC is insignificant. In this case the LWSs are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 5 – LWS Assessment

| Name of LWS | Distance from site (m) |
|--|------------------------|
| Dismantled Railway | 1,713 |
| Stapleford, pond at The Grange | 1,835 |
| Laxton's Covert | 1,101 |
| Stapleford Hall | 1,653 |
| Pond, situated in arable field | 1,355 |
| Pond, situated in improved grassland | 1,116 |
| Pond, situated on edge of arable field | 912 |
| Pond, situated in corner of arable field | 1,142 |
| Pond | 1,657 |
| Pond, in improved grassland | 652 |
| Stream, flowing over gravel and silt substrate | 938 |
| Pond, situated within ridge and furrow grassland | 1,098 |
| Whissendine Brook | 1,214 |
| Wymondham, Wayfaring tree hedgerow N of Glebe Rd | 1,415 |
| Pond on the edge of arable field | 1,591 |
| Pond, situated in arable field | 1,703 |
| Crossing Covert, plantations and stream | 861 |
| Wymondham Rough Mature Black Poplar 1 | 1,339 |
| Wymondham Rough Mature Black Poplar 2 | 1,392 |
| Wymondham Rough Mature Ash 3 | 1,306 |
| Wymondham Rough Mature Ash 1 | 1,187 |

| | |
|------------------------------|-------|
| Wymondham Rough Mature Ash 2 | 1,208 |
|------------------------------|-------|

If proposals are located within 250 metres of a LWS, detailed modelling may be required to assess the impact of ammonia or ammonia deposition at the site. Stapleford Park and River Eye LWS is located within 114 metres of the Installation. As a result, the Applicant contacted Leicestershire County, the responsible organisation for the LWS, for advice as to whether further assessment of the potential impact on the LWS would be required. Leicestershire County Council advised that the LWS was not actively managed but were unable to advise whether further assessment was needed. Based on available information, the Environment Agency have concluded that the site is not actively managed and that the potential environmental risk is minimal. Therefore we do not require any further assessment of potential impact on the site.

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 | <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"> • Planning and Environmental Health - Melton Borough Council • Public Health England • Director of Public Health • The Health and Safety Executive <p>The comments and our responses are summarised in the consultation section.</p> |
| 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 | <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 | 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 | <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,</p> |

| Aspect considered | Decision |
|--|---|
| | <p>landscape and heritage, and/or protected species or habitats identified.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p> |
| Environmental risk assessment | |
| Environmental impact assessment | In determining the application we have considered the Environmental Statement. |
| Environmental risk | <p>We have reviewed the Operator's assessment of the environmental risk from the facility.</p> <p>The Operator's risk assessment is satisfactory.</p> |
| Operating techniques | |
| General operating techniques | <p>We have reviewed the techniques used by the Operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the Applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> • Buildings are insulated and ventilated by high velocity roof fans. • All contaminated water directed to slurry storage; clean water drainage systems are not contaminated. • Slurry removed from pits by frequent vacuum removal (< 10 week intervals). • The working area where vehicles operate is concreted. • Areas around buildings are kept free from the build-up of slurry and spilt feed. • Feed stored in covered feed silos. • Nipple drinkers are used to prevent leakage. |
| 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> <p>See key issues section</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> <p>See key issues section</p> |
| Permit conditions | |
| Use of conditions other than those from the template | Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template. |
| Emission limits | ELVs [based on BAT] have been set for the following substances. |

| Aspect considered | Decision |
|---|---|
| | <p>13.0kg N/animal place/year</p> <p>5.4kg P₂O₅/animal place/year</p> <p>2.6kg NH₃/animal place/year</p> <p>See key issues section</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 implement the IRPP BAT Conclusions as published on 21st February 2017.</p> <p>See key issues section.</p> |
| Reporting | <p>We have specified reporting in the permit.</p> <p>We made these decisions in accordance with the IRPP BAT Conclusions as published on 21st February 2017.</p> <p>See key issues section.</p> |
| Operator competence | |
| Management system | <p>There is no known reason to consider that the Operator will not have the management system to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p> |
| Relevant convictions | <p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The Operator satisfies the criteria in our guidance on operator competence.</p> |
| Financial competence | <p>There is no known reason to consider that the Operator will not be financially able to comply with the permit conditions.</p> |
| 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 vary 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</p> |

| Aspect considered | Decision |
|--------------------------|--|
| | 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 on 09/12/19 from |
| Public Health England (PHE) |
| Brief summary of issues raised |
| <p>PHE identified the main emissions of potential public health significance as emissions to air of bioaerosols, odour, dust including particulate matter and ammonia, and noted that if there are sensitive receptors within 100m from the boundary the applicant is required to carry out a bioaerosol risk assessment.</p> <p>It is assumed by PHE that the installation will comply in all respects with the requirements of the permit, including the application of Best Available Techniques (BAT). This should ensure that emissions present a low risk to human health.</p> |
| Summary of actions taken or show how this has been covered |
| <p>As there are sensitive receptors within 100 metres of the Installation, the Applicant was required to submit a dust and bioaerosols risk assessment and management plan. Appropriate measures have been proposed to manage fugitive emissions, in accordance with our technical guidance note for intensive farming, including ammonia, bioaerosols and particulates. These measures include the use of appropriate ventilation systems, appropriate housing design and management, and containment of feedstuff. We are satisfied that these measures will mitigate emissions to prevent a significant impact from the site.</p> <p>The Health Protection Agency (now Public Health England (PHE)) has stated (Position Statement, Intensive Farming 2006) that it is unlikely that ammonia emissions from a well-run and regulated farm would be sufficient to cause ill health.</p> <p>In addition, we have carried out an ammonia impact assessment for habitat sites using the ammonia screening tool version 4.5 and have concluded that all ammonia emissions from the site are insignificant. Assessments completed at habitat sites are protective for human health due to the low critical level values. Therefore assessments completed at habitat sites within the same distance from the site as human receptors can be considered conservative for human health.</p> <p>We conclude that ammonia will not cause a problem to human receptors from the installation, given the conditions imposed by the permit.</p> <p>The Applicant submitted an odour management plan and we are satisfied that the measures outlined will minimise the potential for odour emissions from the Installation. In addition, the only sensitive receptors within 400 metres of the Installation are all owned and managed by the operator and it is unlikely that odour complaints would be received from these properties.</p> <p>Standard conditions concerning fugitive emissions and odour, 3.2.1, 3.2.2 and 3.3.1, are contained within the permit.</p> |

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

- The Director of Public Health;
- The Health and Safety Executive: and
- Planning and Environmental Health – Melton Borough Council.

The application was also publicised on the GOV.UK website; no responses were received.