

# Permitting decisions

## Bespoke permit

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We have decided to grant the permit for Farfields operated by Mr Stephen Richard Ulliyott, Mr John Mark Ulliyott, Mrs Rachel Phyllis Ulliyott and Mrs Lindsey Frances Ulliyott.

The permit number is EPR/WP3736QP.

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

## 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 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>

Now the BAT Conclusions are published, all new installation farming permits issued after the 21<sup>st</sup> 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 21<sup>st</sup> February 2017.

We sent out a not duly made request for information (NDM RFI) 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 NDM RFI response received 14/10/19 as part of the duly made application dated 21/10/19 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 kg N/animal place/year 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.  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 - Phosphorus excretion	The Applicant has confirmed it will demonstrate that the installation achieves levels of phosphorus excretion below the required BAT-AEL of 5.4 kg P <sub>2</sub> O <sub>5</sub> animal place/year 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.  Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

<b>BAT measure</b>	<b>Applicant compliance measure</b>
<p>BAT 24 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> <li>- Total nitrogen and phosphorus excretion</li> </ul>	<p>Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
<p>BAT 25 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> <li>- Ammonia emissions</li> </ul>	<p>Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p> <p>The Applicant has confirmed they will report the ammonia emissions to the Environment Agency annually by estimation using emission factors.</p>
<p>BAT 26 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> <li>- Odour emissions</li> </ul>	<p>The approved odour management plan (OMP) includes the following details for monitoring odour emissions:</p> <ul style="list-style-type: none"> <li>• Odour levels will be monitored on site by all staff. The source of abnormal odours will be identified and appropriate action will be taken to reduce odour levels back to normal levels</li> <li>• The site manager will identify the source of the odour issue and will monitor odour levels at the site boundary as part of the investigation</li> </ul>
<p>BAT 27 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> <li>- Dust emissions</li> </ul>	<p>Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p> <p>The Applicant has confirmed they will report the dust emissions to the Environment Agency annually by estimation using emission factors.</p>
<p>BAT 30 Ammonia emissions from pig houses</p>	<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 &gt; 30kg: 5.65 kg NH<sub>3</sub>/animal place/year (house 1, solid floor straw system)</p> <p>Pigs &gt; 30kg: 2.6 kg NH<sub>3</sub>/animal place/year (houses 2 and 3, fully slatted floor, frequent slurry removal)</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**

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 21<sup>st</sup> February 2017, 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 the initial pre-application screening the applicant proposed an emission factor for fully slatted floor (FSF) pig houses 2 and 3 of 4.14 kg NH<sub>3</sub>/animal place/year for a deep pit system, which does not meet the required BAT AEL of 2.6 kg NH<sub>3</sub>/animal place/year.

The operator has since confirmed that the housing systems with FSF and frequent slurry removal systems meet 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](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.

Therefore an emission factor of 2 kg NH<sub>3</sub>/animal place/year can be assigned, based on AHDB Pork trials for finisher pigs on fully slatted floors with frequent slurry removal (2017).

House 1 with solid floor straw litter system meets the ammonia BAT AEL of 5.65 kg NH<sub>3</sub>/animal place/year with the standard emission factor 2.97 kg NH<sub>3</sub>/animal place/year, however an emission factor of 2 kg NH<sub>3</sub>/animal place/year was assigned for updated ammonia screening, based on AHDB Pork trials for finisher pigs on straw based systems (2017).

### **Industrial Emissions Directive (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 Farfields (reference ULYSCR005, dated 25/02/19 and received in support of the application duly made on 21/10/19) 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](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: feed mixing, delivery and storage, housing ventilation system, manure and slurry management (muck and slurry collection, insufficient or poor quality straw, spillage of water from drinking systems) , animal carcass storage and disposal, buildings (cleaning and disinfection, emptying slurry pits, removal of manure), manure and slurry spreading and storage. 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 2 sensitive receptors as detailed in the OMP (received 25/01/20) , Farfields Farm which is more than 40m to the west of the installation boundary and more than 70m from the nearest pig house, and Middleton Lodge which is more than 160m to the west of the installation boundary, and more than 190m from the nearest pig house. The closest property is associated with the farm and therefore not considered in this assessment as it is unlikely that odour complaints would be received from this property. There has been no history of odour complaints for the current operation. In addition the prevailing wind direction is likely to be 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, dust (as an odour vector) and out loading of pigs to slaughter. It also includes contingencies for abnormal scenarios including ventilation failure, diet problems, storage tank failure, spillages, failure of containment of food, carcass disposal route failure and disease outbreak.

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.

## **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 above. 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 include potential for noise from the following: vehicles travelling to and from the farm (including deliveries, loading pigs, removal of manure and slurry), feed transfers, ventilation fans, pigs, personnel, repairs and manure/slurry spreading. 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, pigs movements on site, pig loading in and out, bedding pens, slurry tanker filling, manure loading, transport of manure and spreading, delivery of supplies and materials, ventilation fans, and vehicles operating within the installation boundary, clean out operations, personnel, repairs and testing of the alarm system and standby generator.

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.

## **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 is 1 sensitive receptor within 100m of the installation boundary, which is more than 40m to the west of the installation boundary, and more than 70m from the nearest pig house.

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, 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](http://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 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 measures to in their dust and bioaerosol management plan to reduce dust, which will inherently reduce bioaerosols, for the following sources:

- General day-to-day activity
- Pig feed – dust from silo pipes, storage of feed, spillage of feed, feeding method (hoppers and auger pipes)
- Straw based and fully slatted slurry housing systems
- Bedding materials
- Ventilation
- House cleaning operations
- Building layout and design

## 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), or Ramsar sites located within 5 kilometres of the installation. There is one Site of Special Scientific Interest (SSSI) located within 5 km of the installation. There are no other nature conservation sites, such as Local Wildlife Sites (LWS), Ancient Woodlands (AW) or Local Nature Reserves (LNR) 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 Farfields will only have a potential impact on SSSIs with a precautionary CLe of  $1\mu\text{g}/\text{m}^3$  if they are within 1,834 metres of the emission source. Please note, this screening included manure and slurry storage, which has been later confirmed to be stored off-site therefore screening is over-precautionary.

Beyond 1,834 m the PC is less than  $0.2\mu\text{g}/\text{m}^3$  (i.e. less than 20% of the precautionary  $1\mu\text{g}/\text{m}^3$  CLe) 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  $1\mu\text{g}/\text{m}^3$  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  $1\mu\text{g}/\text{m}^3$  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**

<b>Name of SSSI</b>	<b>Distance from site (m)</b>
Enthorpe Railway Cutting SSSI	3,899

No further assessment is necessary



# Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
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.
<b>Consultation</b>	
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"> <li>• Health and Safety Executive</li> <li>• East Riding of Yorkshire Council Environmental Health</li> <li>• Public health England</li> <li>• Director of Public Health</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>Operator</b>	
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.
<b>The facility</b>	
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>
<b>The site</b>	
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	<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</p>

Aspect considered	Decision
	<p>the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p>
<b>Environmental risk assessment</b>	
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> <p>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be categorised as environmentally insignificant.</p>
<b>Operating techniques</b>	
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"> <li>• House 1 operates a solid floor, straw system and is naturally ventilated</li> <li>• Houses 2 and 3 operate a fully slatted, frequent slurry removal system with high velocity roof fans at a height greater than or equal to 5.5m, and an efflux velocity greater than 7 m/s</li> <li>• Carcasses are incinerated on site in an APHA approved incinerator operating at &lt; 50kg/hour</li> <li>• All manure is stored off-site in field heaps</li> <li>• All slurry is exported and stored off-site by a third party in both a slurry tank and slurry bag</li> </ul> <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. The permit conditions ensure compliance with relevant BREFs.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p>
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p>

Aspect considered	Decision
<b>Permit conditions</b>	
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
Pre-operational conditions	Based on the information in the application, we consider that we do not need to impose pre-operational conditions.
Improvement programme	Based on the information on the application, we consider that we do not need to impose an improvement programme.
Emission limits	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.
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>
<b>Operator competence</b>	
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	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
<b>Growth Duty</b>	
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</p>

<b>Aspect considered</b>	<b>Decision</b>
	<p>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, 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

<b>Response received from</b>
East Riding of Yorkshire Council Environmental Health (received 01/11/19)
<b>Brief summary of issues raised</b>
No comments to make.
<b>Summary of actions taken or show how this has been covered</b>
No action required

<b>Response received from</b>
Public Health England (received 28/11/19)
<b>Brief summary of issues raised</b>
No issues raised.  PHE stated that the main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter, and ammonia. Potential sources of emissions include pigs and pig buildings, land spreading of manure and slurry, feed delivery, mixing and storage, and pig carcasses. We note that the diets fed to the pigs are formulated to minimise emissions of ammonia, odours, and dusts. There is frequent slurry removal and all slurry is exported off-site. All feed delivery and storage systems are covered to minimise dust emissions. The site has odour and dust management plans. The site is situated in a rural location and there are two properties within 250 metres of the application site.  PHE mentioned that it is currently updating its Intensive Farming position paper as part of wider work on the health impacts on exposure to bioaerosols from intensive farming.  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.
<b>Summary of actions taken or show how this has been covered</b>
No action required.

The Health and Safety Executive and the Director of Public Health were also consulted, with a deadline for responses of 28/11/19, but no responses were received.

In addition, the application was publicised on the [www.gov.uk](http://www.gov.uk) website, but no comments were received by the deadline of 27/11/19.