

Permitting decisions

Bespoke permit

We have decided to grant the permit for Hoton Farm operated by Sunrise Poultry Farms Limited.

The permit number is EPR/NP3009BZ.

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 21st February 2017 must be compliant in full from the first day of operation.

There are some new requirements for permit holders. The Conclusions include BAT-Associated Emission Levels (BAT-AELs) for ammonia emissions, which will apply to the majority of permits, as well as BAT-AELs for nitrogen and phosphorous excretion.

For some types of rearing practices, stricter standards will apply to farms and housing permitted after the new BAT Conclusions were published.

New BAT Conclusions review

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

The Applicant has confirmed their compliance with all BAT conditions for the new installation in their document reference 'Hoton Farm' received with their application supporting documents, duly made 31/01/20, 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 0.8 kg N/animal place/year by an estimation 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 Phosphorous excretion below the required BAT-AEL of 0.45kg P ₂ O ₅ animal place/year by an estimation 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.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorus excretion	Table S3. concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

BAT measure	Applicant compliance measure
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 odour management plan (OMP) includes the following details for on Farm Monitoring and Continual Improvement: Twice daily olfactory checks coinciding with stock inspections normally 07.00-10.00 hrs and 16.00-19.00hrs) (if required) with any abnormalities recorded and investigated..
BAT 27 Monitoring of emissions and process parameters - Dust emissions	Table S3.3 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 laying hens by the number of birds on site.
BAT 31 Ammonia emissions from poultry houses - Laying hens	The BAT-AEL to be complied with is 0.13 kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for laying hens with non-cage Aviary type housing is 0.08 kg NH ₃ /animal place/year. The installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT-AEL.

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 31

The new BAT Conclusions include a set of BAT-AEL's for ammonia emissions to air from animal housing for laying hens.

'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.

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 Hoton Farm (received 31/01/20) 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 are as follows:

- Odour from the manufacture and selection of feed
- Odour from feed delivery or storage
- Odours arising from problems with housing ventilation system, inadequate air movement within house leading to high humidity and wet litter. Inadequate system design, causing poor dispersal of odours
- Litter management: odours arising from wet litter. The use of insufficient or poor quality litter. Spillage of water from drinking systems. Disease outbreaks, leading to wet litter
- Housing system: litter removal
- Carcass disposal: inadequate storage of carcasses on site
- House clean out (de littering)

- House clean out (disinfection and fumigation)

The mitigation measures proposed by the Applicant, together with the location of the sensitive receptors, taking into consideration the predominant wind direction will be from the south west, should reduce the risk of odour pollution at the sensitive receptors.

Odour Management Plan review

The Installation is located within 400m of several sensitive receptors, and an OMP was received 31/01/20 in support of the application. The receptors are located to the south east of the installation boundary and comprise of most of the village of Hoton which includes more than 100 properties, with the nearest sensitive receptor (the nearest point of their assumed property boundary) approximately 20 metres from the installation boundary. These properties are more than 500m from the nearest poultry house. In addition there is a property located within the ranging area of the installation (proposed site manager's house) but excluded from the installation boundary, approximately 50m to the south east of poultry house 1. In line with our guidance properties associated with the farm are excluded from our assessment. 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 Poultry Industry Good Practice Checklist (August 2013) as well as the site specific circumstances at the Installation. We consider that the OMP is acceptable.

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, in particular, procedural controls for the manufacture and selection of feed, feed delivery and storage, ventilation and dust, litter management, carcass storage and disposal, house clean out operations, used litter storage and disposal, washing operations (including vehicles), fugitive emissions (leaks to doors, bin pipes, feed bins, fuel and chemical storage), dirty water management, waste production and storage, materials storage. It includes contingency measures to minimise odour pollution during abnormal operations including water leaks and pipe failure and bird sickness.

The OMP provides a complaints form template to be used in the event that complaints are made to the Operator. The OMP also states that it will be reviewed every year from permit issue date, prior to any major changes to operations (to ensure effectiveness) or following any complaint, and any changes to the OMP or other management plans will be documented, dated and signed and the Area Officer notified.

The Environment Agency has reviewed the OMP and consider it complies with the requirements of our H4 Odour management guidance note. We agree with the scope and suitability of key measures but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the Operator.

Although there is the potential for odour pollution from the Installation, the Operator's compliance with its OMP and permit conditions 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.

Conclusion

We have assessed the OMP and the H1 risk assessment for odour and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 4 'Odour 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 odour pollution / nuisance.

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 are as follows:

- Noise issues from large vehicles travelling to and from the farm
- Large vehicles delivering/collecting from site, litter removal, removal of dirty water
- Small vehicle movements
- Feed transfer from lorry to bins
- Ventilation Fans
- Alarm System/Standby Generator
- Chickens
- Personnel
- Repairs and Servicing

Noise Management Plan Review

An NMP should contain appropriate measures to prevent, or where that is not practicable to minimise the risk of pollution from noise emissions.

Operations with the most potential to cause noise nuisance have been assessed and control measures put in place, as described in the revised NMP (received 31/01/20), for all the activities with greatest potential to generate noise, including:

- Ventilation fans
- Feed deliveries
- Egg collection
- Feeding systems
- Fuel deliveries
- Alarm systems
- Bird catching
- Clean out operations
- Maintenance and repairs
- Set up and placement
- Standby generator testing

The NMP also contains a noise complaint form to record complaints received. The Applicant has stated in their Review Schedule submitted with the application that the NMP will be reviewed at least every year or after a complaint is received.

There is the potential for noise from the Installation beyond the Installation boundary. The risk of noise beyond the Installation boundary has been assessed as unlikely to cause a nuisance, in part because the majority of the noise sources are located on and around the poultry houses, which are more than 500m from the nearest sensitive receptor.

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.

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.

There are 4 sensitive receptors within 100m of the installation boundary, the nearest being located within the ranging area of the installation (proposed site manager's house) but excluded from the installation boundary, approximately 50m to the south east of poultry house 1. The other receptors are located close to the south east point of the installation boundary, part of Hoton Village, with the nearest sensitive receptor (the nearest point of their assumed property boundary) approximately 20 metres from the installation boundary. These properties are more than 500m from the nearest poultry house.

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) 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:

- Feed
- Bedding
- Litter system
- Ventilation
- Bird catching
- House cleaning operations
- Free range egg production

Conclusion

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

Ammonia

There are 3 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 14 Local Wildlife Sites (LWS), and 1 Ancient Woodland (AW) 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 Hoton Farm will only have a potential impact on SSSIs with a precautionary CLe of $1\mu\text{g}/\text{m}^3$ if they are within 1,305 metres of the emission source.

Beyond 1,305m 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 all SSSIs are beyond this distance (see table below) and therefore screen 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

Name of site	Distance from site (m)
Cotes Grassland SSSI	2,812
Loughborough Meadows SSSI	3,180
Rushcliffe Golf Course SSSI	4,912

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 Hoton Farm will only have a potential impact on the LWS and AW sites with a precautionary CLe of $1\mu\text{g}/\text{m}^3$ if they are within 456 metres of the emission source.

Beyond 456m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case the LWS and AW listed in the table below are beyond this distance and therefore screen out of any further assessment.

Table 2 – LWS/AW Assessment

Name of site	Distance from site (m)
Wymeswold, Hoton Road Verges LWS	2,526
New Covert LWS	1,611
Hedgerow near the old sewage works LWS	2,600
Wymeswold, grassland LWS	2,542
Fields off Rempstone Road - Field 2 LWS	2,046

Field off Rempstone Road LWS	2,281
Fish Pond Spinneys LWS	1,642
Mere Hill Spinney LWS	2,384
Prestwold Park Plantations LWS	1,677
Black A Moors Spinney LWS	1,305
Manor Farm, East Leake Spinney LWS	2,124
Sheepwash Brook Wetlands LWS	1,568
Black A Moors Spinney ancient woodland	1,305

Screening using the ammonia screening tool version 4.5 has determined that the PCs at Stanford Park LWS for ammonia emissions, nitrogen deposition and acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 3 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
Stanford Park LWS	3*	1.495	49.8

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

Table 4 – Nitrogen deposition

Site	Critical load kg N/ha/yr	Predicted PC kg N/ha/yr	PC % of critical load
Stanford Park LWS	10*	7.766	77.7

* Critical load values taken from APIS website (www.apis.ac.uk) – 15/02/20

Table 5 – Acid deposition

Site	Critical load keq/ha/yr	Predicted PC keq/ha/yr	PC % of critical load
Stanford Park LWS	0.555	2.748	20.2

* Critical load values taken from APIS website (www.apis.ac.uk) – 15/02/20

King's Brook and Spinneys LWS is located along the northern boundary of the installation therefore does not screen out for any of the above criteria. However we have assessed information submitted by the applicant ('Atmospheric Ammonia and Nitrogen Deposition on King's Brook and Spinneys Local Wildlife Site', December 2019), together with information gathered from the Senior Ecological Officer at Charnwood Borough Council, the Natural Environment Manager for the Conservation Team at Nottinghamshire County Council, Leicestershire and Rutland Environmental Records Centre, and the Environment Agency's Fisheries, Biodiversity and Geomorphology Team, and conclude that this LWS does not need to be considered further in an ammonia assessment. The site is designated as a watercourse, is not actively managed and the risk of ammonia deposition to the water course is negligible.

No further assessment is required.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
Consultation	
Consultation	<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> <p>Health and Safety Executive</p> <p>Charnwood Borough Council Environmental Health</p> <p>Public Health England</p> <p>Director Public Health</p> <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.
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 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> <ul style="list-style-type: none"> • Poultry houses 1 – 3 are ventilated by high velocity roof fans with an emission point higher than 5.5 metres above ground level and an efflux speed greater than 7 metres per second • Litter is exported off site and is spread on land owned by the Operator, with surplus sold to third parties for spreading on land • Dirty wash water is exported off site and spread on land owned by third parties • Roof water drains via gutters to attenuation ponds acting as soakaways within the installation boundary, with outlets to watercourse to the north • Feed is stored on the installation in purpose built, covered feed silos • Mortalities are collected daily and stored in a secure container on site for incineration on site, in an incinerator which is Animal and Plant Health Agency (APHA) approved and less than 50kg/hr capacity • Phosphorus and protein levels are reduced over the laying period <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>
Permit conditions	
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>

Aspect considered	Decision
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>
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	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to 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 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

Response received from
Charnwood Borough Council Environmental Health (received 18/02/20)
Brief summary of issues raised
<p>Confirmation that they are unaware of any noise or other amenity issues at this site or any current enforcement action that we should be aware of.</p> <p>The proposed unit incorporates a manure removal system that should minimise the opportunity for fly breeding/development by limiting the amount of time waste is stored on site. In view of this the potential for fly/odour nuisance to nearby residents is likely to be minimised.</p> <p>Any permission should be conditioned to prevent the stockpiling of manure onsite and to require its removal on a weekly basis. This should be by covered trailer. Spreading of poultry manure in the vicinity of the unit should also be prohibited.</p> <p>Flies arising on free range units are likely to be in relation to poor management and pest control practices. I would expect that the poultry operation will be in accordance with an approved Fly Monitoring and Management Plan.</p>
Summary of actions taken or show how this has been covered
<p>The applicant has confirmed that no litter is stored on site. Manure is removed twice weekly by belts to trailers which are covered immediately prior to removal from the installation. This is documented in the application supporting documentation which is referenced in permit table S1.2 Operating Techniques, and condition 2.3.1 states <i>'The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency'</i>.</p> <p>We are satisfied that the measures outlined in the application will minimise the potential for flies to cause pollution, hazard or annoyance outside the boundary of the site and therefore we have not requested a Fly Monitoring and Management Plan at this stage, however under condition 3.6 Pests, should we require it, the operator will be notified to submit a pests management plan for approval by the Environment Agency, and implement the plan on approval.</p> <p>No further action required.</p>

Response received from
Public Health England (received 17/03/20)
Brief summary of issues raised
<p>The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia.</p> <p>The applicant has identified receptors within 100m and undertaken a qualitative bioaerosol risk assessment which considers the potential impact on human receptors. It is noted that dust, bioaerosol and odour</p>

management plans for the installation have been prepared, which outline the control measures proposed. Together with good on-site management and choice of poultry shed location (i.e. away from receptors) these should ensure that these emissions will be minimised. Given the potential close proximity to residential receptors, we recommend the Regulator ensures they are satisfied with the risk assessments undertaken and that the management plans are robust and appropriate.

An incinerator has been identified as a point source of emissions on site. However, there is no information about the incinerator, emissions, abatement or what waste materials are being incinerated. It is recommended that further details are provided in relation to emissions from this and the regulators ensure that the appropriate documentations are submitted in support of the application.

Bioaerosols - PHE is currently updating its Intensive Farming position paper as part of wider work on the health impacts on exposure to bioaerosols from intensive farming. The evidence base for human exposure to bioaerosols from intensive livestock rearing units remains limited, compared to composting facilities. The nature of the evidence that is available however indicates that there are differences between both sources (pig or poultry). The nature of the bioaerosols (fungal or bacteriological) is also important.

In relation to intensive farming and bioaerosols, a recent systematic review describes the evidence base which clearly demonstrated that published studies have so far detected inconsistent results with studies reporting no effect, mixed effects, harmful effects and protective effects. In addition studies conducted to date have typically been cross-sectional in design, hindering the ability to assign effects to farming exposure.

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.

Summary of actions taken or show how this has been covered

We are satisfied that the measures outlined in the application will minimise the potential for ammonia and dust emissions (which will inherently minimise bioaerosols and particulate matter emissions) to impact public health outside the boundary of the site, and we are satisfied with the risk assessments and management plans in place.

The incinerator is considered low risk as it has a capacity of less than 50kg/hr and is approved by the Animal and Plant Health Agency (APHA), therefore further assessment is not required.

No further action required.

The Health and Safety Executive and the Director of Public Health were also consulted, with a deadline for responses of 17/03/20, but no responses were received.

In addition, the application was publicised on the www.gov.uk website, with a deadline for comments of 17/03/20, but no comments were received.