

Permitting decisions

Bespoke permit

We have decided to grant the permit for Abbots Bromley Poultry Unit operated by P. D. Hook (Breeders) Limited.

The permit number is EPR/FP3606PB.

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

This decision document provides a record of the decision making process. It:

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

We sent out a not duly made request for information 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 installations in their email dated 05/09/19 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 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: <ul style="list-style-type: none">• Internal relevant humidity, temperature, litter quality and the detection of abnormally high housekeeping odours is to be monitored by farm personnel and recorded on each house card daily.• Complaints and subsequent actions are to be logged on site• Staff are to receive training regarding Environmental Permitting Regulations – which will include odour management and any new company procedures. |
| 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 in their email dated 05/09/19 that they will report the dust emissions to the Environment Agency annually by multiplying the dust emissions factor for broilers by the number of birds on site. |

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. The BAT Conclusions document does not have a BAT-AEL for broiler breeders and therefore an ammonia emission limit value has not been included within the permit.

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 Abbots Bromley Poultry Unit (dated 05/09/19) demonstrates that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. **Therefore, on the basis of the risk assessment presented in the SCR, we accept that they have not provided base line reference data for the soil and groundwater at the site at this stage and although condition 3.1.3 is included in the permit no groundwater monitoring will be required.**

Odour

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance

http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297084/geho0110brsb-e-e.pdf.

Condition 3.3 of the environmental permit reads as follows:

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

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

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

- Odour emissions from compound feed selection
- Odour emissions from feed delivery and storage
- Odour emissions from ventilation techniques
- Odour emissions from litter conditions and management
- Odour emissions from carcass storage and disposal
- Odour emissions from drinking water systems
- Odour emissions from de-stocking
- Odour emissions from cleanout (litter removal)
- Odour emissions from dirty water generation and storage (washout)

Odour Management Plan Review

The sensitive receptors that have been considered under odour and noise do not include the operator's property and other people associated with the farm operations, as odour and noise are amenity issues.

There are several sensitive receptors within 400m of the site boundary which are as follows:

- The Hatchery – directly adjacent to the south and west installation boundary
- The Old Cottage ~ 69m south of installation boundary
- 1 and 2 Townsend Cottages ~89m south west of installation boundary
- Stoneways ~ 103m south west of installation boundary
- Bankfield ~122m south west of installation boundary
- Several properties south of installation boundary, with Greenbank as closest at ~ 183m south of installation boundary
- Several properties south east of installation boundary, with Friary House as closest at ~345m south of installation boundary.

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

- **Odour emissions from compound feed selection:** No onsite milling/ mixing. Feed prepared by nutrition specialist. Protein and phosphorous content reduced throughout flock cycle. Feed supplied from UKASTA accredited mill – only approved materials used. Feed samples for every load of feed documented for quality and traceability.
- **Odour emissions from feed delivery and storage:** Feed delivery systems sealed. Cyclone dust catchment systems in place on all silos. Any spillages cleaned up immediately. Any major spillages over 500 kg – feed mill notified and will send vehicle to clear up. Any unusable spilled food will be placed in skips and removed from site within 24 hours or bagged and placed in general waste (for smaller spills). Annual condition checks carried out and documented.
- **Odour emissions from ventilation techniques:** Ventilation system regularly adjusted either automatically or manually to aid optimum internal environmental conditions. Ventilation system designed to remove humidity. Maintenance schedules in place and carried out in line with manufacturers recommendations to minimise risk of breakdowns.
- **Odour emissions from litter conditions and management:** control on feed and ventilation help maintain litter quality. Additional controls include use of nipple drinkers, use of veterinary health plan. All walls and ceiling voids have been insulated to prevent condensation and cold bridging. Continual damp proof membrane under concrete floors to prevent moisture being drawn up from the ground. Any failures will be fully investigated and rectified.
- **Odour emissions from carcass storage and disposal:** carcasses collected weekly and stored in freezers prior to collection.
- **Odour emissions from drinking water systems:** use of nipple drinkers and drip trays to minimise risk of spillages and water wastage. Systems checked daily by farm personnel and recorded any abnormalities or documented and rectified as required.
- **Odour emissions from de-stocking:** Ventilation controls used to control release of odours while maintaining optimum temperature control throughout depletion process. Machinery movements kept to

minimum to help avoid churning up of damp / wet litter. If areas are excessively high in moisture areas are to be replenished with fresh bedding before depletion.

- **Odour emissions from cleanout (litter removal):** All internal areas are blown down using high pressure air lances to remove areas of trapped dust which in turn helps reduce the amount of dirty water generated. This process is usually carried out within 12 hours of depletion. Litter is scraped into large heap running length of centre of buildings- this aids drying process and minimises loading time making process more efficient. Ventilation is required at all times to keep the environment clear of dust and ammonia build up. During this time ventilation is needed to run at maximum. Once all the litter is removed and the floors mechanically swept the ventilation system is the powered down. Only DEFRA approved disinfectant and detergents are used on site and are applied by trained personnel. Dilution as carried out as recommended by the supplying companies with full audited support.
- **Odour emissions from dirty water generation and storage (washout):** Areas around the houses are concreted and kept clean at all times throughout cycle. At clean-out dirty water is stored in sealed underground containment tanks compliant with SSAFO regulation. Dirty water is removed from site using vacuum tankers on a routinely and as needed basis with all removals being documented through transfer note. Routinely the storage tanks are checked before and after wash down or following any prolonged rainfall.

The OMP also provides a suitable procedure in the event of complaints in relation to odour. The OMP is required to be reviewed at least every 4 years. The operator has confirmed that it will be reviewed every 4 years or sooner if a substantiated complaint is received.

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.

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 in the odour section. 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 arising from vehicle movements into and around the site
- Noise arising from ventilation systems and operations
- Noise arising from de-populating
- Noise arising from cleanout (machines and loading of trailers)
- Noise arising from standby generators and other mobile plant

Noise Management Plan Review

Sensitive receptors as listed under 'Odour' section.

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

A noise management plan (NMP) has been provided by the operator) as part of the application supporting documentation (reference Noise Management Plan') (see 'Odour' section for distances of individual properties).

There is the potential for noise from the installation beyond the installation boundary. As long as the NMP is followed, the risk of noise beyond the installation boundary is considered unlikely to cause a nuisance.

The operator has identified the receptors and are listed above. The operator has identified the potential sources of odour (see above), as well as the potential risks and problems, detailed actions taken to minimise noise, and contingencies to minimise noise pollution. These measures include:

- **Noise arising from vehicle movements into and around the site:** 15mph speed limits in place for HGVs coming onto or leaving site. 10mph for them once on site. Revving of engines to be kept to a minimum at all times. Speed restrictions to be observed at all times.
- **Noise from feed delivers:** Request the use of modern well silenced vehicles. Delivery drivers will be requested to deliver feed under minimum pressure all silos are positioned at the furthest locations possible away from any sensitive receptor without comprising operational requirement. Silos are positioned behind the control rooms in a central location
- **Noise arising from ventilation systems and operations:** Catch team to release no more than 2 modules at a time and work in a one on one off basis to minimise movements in specific area. Machine operators to work inside buildings. No scraping of external concrete aprons – these areas are mechanically brushed only. High pressure air compressors to be positioned within building being blown down to reduce external noise through running of engines.
- **Noise arising from washing/ disinfection operations:** All fan chimney backdraft shutters are mechanically operated and sit on a tight rubber dampener to minimise movement while non-operational. All fan are inspected and maintained at the end of each cycle to maintain operational efficiencies
- **Noise arising from de-populating:** Only approved contractor trained in the catching of poultry are to be instructed to load drawers in modules. Schedule loading so that birds are quickly loaded onto trailers and removed from site once complete.
- **Noise arising from standby generators and other mobile plant:** As it is a requirement to ensure the generator is in working condition at all times, the power unit must be run and documented for two hours every week. This will be done by two single one hour test.

Following any failure in power supply to the site the generator will automatically take over the supply to the site and will therefore run for as long as required without any restriction

The NMP also provides a suitable procedure in the event of complaints in relation to noise.

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 Bio aerosols

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 3 sensitive receptors within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is adjacent to the installation boundary.

The Applicant has provided a dust and bio aerosol risk assessment.

In addition guidance on our website concludes that Applicants need to produce and submit a dust and bio aerosol 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 100m of the installation, the Applicant was required to submit a dust and bio aerosol 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 the following measures in their operating techniques to reduce dust:

- **Emissions from compound feed selection:** No on-site milling or mixing. Feed specifications are prepared by the feed compounder's nutrition specialist. The nutritionist ensures that protein and phosphorous content is reduced as the rations change throughout the flock cycle. Feed is only supplied by a UKASTA accredited feed mill, so that only approved raw materials are utilised in production. A feed sample for every load of feed delivered to the site is left and documented for both quality assessment and traceability. Samples are kept on site for a minimum of three months.
- **Emissions from feed delivery and storage:** Feed delivery systems are sealed to minimise atmospheric dust. Cyclone / dust catchment systems will be in place on all silos. Any and all spillages are cleaned up immediately. For major spillages over 500kg the feed mill would be notified who will send a vehicle out to clear the feed up and move to another on site silo. This process is carried out with a few hours if the food is still in a condition to be used. For any major spillage greater than 500kg that is unfit for animal consumption the spillage will be cleared up into skips and removed from site for disposal via the appointed waste contractor within 24 hours of the incident. For any minor spillage less than 500kg feed would be cleared up using bags and placed in the onsite general waste container for disposal.
- **Emissions from ventilation techniques:** The ventilation system is regularly adjusted either automatically or manually to aid optimum internal environmental conditions, as explained in the EMS. The ventilation system is designed to efficiently control the exchange of air from inside the building with that of clean air outside. Maintenance schedules are in place and are carried out in line with manufactures recommendation and guidance as stated in the EMS. This is to minimise the risk of any breakdowns during the flock cycle. High velocity ridge mounted fan allow the air to be exhausted at a greater rate upwards of 11m/s which allowing a better dispersion higher up in the natural air streams. Where large summer times gable fans are only used in times of warm weather the risk is minimal as 85% of the air is still controlled via the normal fans.
- **Emissions from litter conditions and management:** Dust extracted virgin wood shavings or chopped straw are both used as initial bedding and top up / replacement. Both products are quality checked at the production plant and routinely audited by internal / external auditing bodies. Initial bedding is supplied in either loose bulk form (shavings) and blown into the buildings via an enclosed pipe through a hole in the main doors. Other than bulk bedding litter is supplied wrapped in plastic wrapping which are transported into the houses before being spread.

- **Emissions from bird depletion:** Ventilation controls to be used to control the release of dust while still maintaining optimum temperature control throughout the depletion process. Machinery movements to be kept to a minimum to help reduce bird excitement breaking up of litter which in turn reduces the airborne particles, allowing for a consistent even dispersal of air / dust through the ventilation systems.
- **Emissions from cleanout (litter removal):** All internal area are blown down using high pressure air lances before the litter is removed so areas of trapped dust are minimised. Where practically possible fans are blown inwards to the buildings (gable and side mounted) roof mounted fans are blown outwards with the fan running to aid dispersion while dust is being released. This process usually happens within 12 hours of the birds being depleted. Litter is scraped into a large heap running the length of the centre of the buildings, this in turn help aid the drying process and minimises loading time and help make the process more efficient throughout. As this process carries a lot of hazards for operators working within the buildings, ventilation is required at all times to keep the environment clear of dust and ammonia build up. During this time ventilation is needed to run at maximum. Once all the litter is removed and the floors mechanically swept the ventilation system is the powered down.
- **Emissions and fine vapours generated from high pressure washing/disinfecting:** A process known as pre-soaking is carried out to dry buildings before high pressure washing commences. In this methodology a low pressure rinse is carried out to all internal areas of the building allow any dust deposits to be dampened and allows heavy debris to “pre-soak”. This process allows a cooler environment to apply detergents to allowing them long cling activity help to break down any fat’s and heavy staining which in turn reduces the amount of aerosol effect created from using high pressure. As disinfectants can be hazardous in use all buildings are sealed as best as practically possible before disinfection is carried out. The use of a fan assisted sprayer is routinely used to ensure full coverage to all internal areas is maximised within a controlled environment Products are only applied to a point of run to avoid excessive use. Once the building is disinfected buildings are left closed up allowing any mist, dust or vapours to settle / dry off before ventilation fans are used to assist drying of larger areas. Only DEFRA approved disinfectant and detergents are used on site and are applied by trained personnel.
- **Emissions from dust build up around extraction fans/ gravelled/ concrete areas:** Dust build up is to routinely be swept up where left on concrete / hardstanding’s. Where dust fall’s gravel areas the gravel is to be routinely raked over to ensure blinding of areas does not occur. If heavy deposits accumulate over time the area of gravel is to be removed and replenished as required.

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 is 1 Special Area of Conservation (SAC), 1 Ramsar site and 3 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 5 Local Wildlife Sites (LWS), and 3 Ancient Woodlands (AW) within 2 km of the installation.

Ammonia assessment – SAC/SPA/Ramsar

The following trigger thresholds have been designated for the assessment of European sites:

- If the process contribution (PC) is below 4% of the relevant critical level (CL_e) or critical load (CL_o) 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 SAC and Ramsar.

Screening using the ammonia screening tool version 4.5 has determined that the process contributions of ammonia emissions from the application site is over the 4% significance threshold. As such, it is not possible to conclude no adverse effect alone. Where the PC falls between 4% and 20%, Environment Agency guidance indicates that an in-combination assessment should be undertaken.

There are no other farms acting in combination with this application. The PC is predicted to be less than 20% of the CLe / load significance threshold. It is possible to conclude no adverse effect to the site from the installation and therefore no further assessment is required. See results below.

Table 1 – Ammonia emissions

| Site | Critical level ammonia $\mu\text{g}/\text{m}^3$ | Predicted process contribution $\mu\text{g}/\text{m}^3$ | % of critical level |
|---|---|---|---------------------|
| West Midlands Mosses SAC | 1* | 0.05 | 5 |
| Midland Meres & Mosses – Phase 1 Ramsar | 1* | 0.05 | 5 |

*A precautionary CLe of $1 \mu\text{g}/\text{m}^3$ has been assigned to this site.

No further assessment is required.

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 Abbots Bromley Poultry Unit will only have a potential impact on SSSIs with a precautionary CLe of $1 \mu\text{g}/\text{m}^3$ if they are within 2133 metres of the emission source.

Beyond 2133m 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 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 2 – SSSI Assessment

| Name of SSSI | Distance from site (m) |
|---------------|------------------------|
| Chartley Moss | 4774 |
| Forest Banks | 4621 |

Initial modelling using the ammonia screening tool version 4.5 has determined that the PCs of ammonia emissions and nitrogen deposition from the application site are over the 20% threshold, and therefore may cause damage to features of the SSSI. An in-combination assessment has therefore been carried out.

There are no other farms acting in combination with this application. The PC is predicted to be less than 50% of the critical level / load significance threshold. Under Environment Agency guidelines it is therefore possible to conclude no likely damage to the site from the installation, no further assessment is required.

Table 3 – Ammonia emissions

| Site | Critical level ammonia $\mu\text{g}/\text{m}^3$ | Predicted process contribution $\mu\text{g}/\text{m}^3$ | % of critical level |
|----------------------|---|---|---------------------|
| Blithfield Reservoir | 3* | 0.91 | 30.3 |

*APIS advised that a CLe of 3 for ammonia should be applied to Blithfield Reservoir due to habitat type being stand open water and canals.

Table 4 – Nitrogen deposition

| Site | Critical load kg N/ha/yr. [1] | Predicted PC kg N/ha/yr. | PC % of critical load |
|----------------------|-------------------------------|--------------------------|-----------------------|
| Blithfield Reservoir | 20 | 4.728 | 23.6 |

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 10/07/2019

Acid deposition was not assessed as there are no critical loads assigned for acidity on APIS.

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 Abbots Farm Poultry Unit will only have a potential impact on the LWS/AW sites with a precautionary CLe of $1\mu\text{g}/\text{m}^3$ if they are within 846 metres of the emission source.

Beyond 846m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case all LWS and AW's are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 5 – LWS/AW Assessment

| Name of SAC/SPA/Ramsar | Distance from site (m) |
|-------------------------|------------------------|
| Bagot Forest LWS | 1229 |
| Radmore Farm LWS | 1570 |
| Bagot's Bromley LWS | 1052 |
| Little Dunstal Farm LWS | 926 |
| Lee's Pits LWS | 1058 |
| Cook's Coppice AW | 991 |
| Bagot's Wood AW | 1124 |
| Stansley Wood AW | 1822 |

Decision checklist

| Aspect considered | Decision |
|---|--|
| Receipt of application | |
| Confidential information | A claim for commercial or industrial confidentiality has not been made. |
| Identifying confidential information | We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality. |
| Consultation | |
| Consultation | <p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • Public Health England /Director of Public Health. • Local Authority (East Staffordshire Borough Council & Staffordshire County Council) • 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. |
| 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 consulted Natural England on our assessments, and taken their comments into account in the permitting decision.</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> <ul style="list-style-type: none"> • Poultry houses 1 and 2 are naturally ventilated by inlets mounted along the ridge of the houses and air is then extracted via side fans. Houses 3 – 5 also have inlets mounted along the ridge of the houses but also utilise high velocity roof fans with an emission point higher than 5.5 metres above ground level and an efflux speed greater than 9 metres per second. • All litter is exported from the installation for spreading on land owned by third parties. • Water from the wash out of all poultry houses is channelled to underground collection tanks close to the houses to await export off site. There are French drains running alongside each of the poultry houses which lead to an attenuation pond which ultimately discharges to a ditch located alongside the south east boundary of the site. Water draining from the yard (excluding periods of washout when water from the yard drains to the underground tanks) drains via a series of open drains on the concrete apron to the attenuation pond before discharging to the ditch. |
| 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 | |
| Emission limits | <p>We have decided that emission limits are not required in the permit.</p> <p>There is no BAT AEL for Broiler Breeder Layers.</p> |
| Monitoring | <p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17.</p> |
| Reporting | <p>We have specified reporting in the permit.</p> |

| Aspect considered | Decision |
|---|--|
| | We made these decisions in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17 |
| 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 |
| Public Health England (received 30/09/19) |
| Brief summary of issues raised |
| <p>a) PHE has not been supplied with an ammonia assessment and are therefore not in a position to comment on this application. The Environment Agency should therefore satisfy themselves that the ammonia assessment is appropriate for the site.</p> <p>b) PHE note that for similar installations elsewhere, where manure is only cleared out once per year, complaints have been received. Therefore, it is recommended that the Environmental Agency satisfy themselves that odour issues have been addressed to their satisfaction.</p> <p>c) The supporting document states <i>“Waste poultry litter can either [sic] recovered to generate power for the national grid by an AD plant or spread to land in accordance with COGAP.”</i> It is stated that the spread to land would be off-site but details are not provided with the application; the Environment Agency should satisfy themselves as to whether waste litter may be spread in the vicinity of the site, and, if so, whether this would affect the applicant’s odour assessment.</p> <p>d) (In relation to the Dust and Bioaerosol risk assessment). There is no mention of filtration of the air from the ventilation system. PHE recommends that the Environment Agency should satisfy themselves as to whether this constitutes a suitable bioaerosol risk assessment for the sensitive receptors mentioned within the application.</p> <p>e) The Environment Agency should satisfy themselves that BAT has been adhered to.</p> |
| Summary of actions taken or show how this has been covered |
| <p>a) See Ammonia Assessment section to this document. An ammonia assessment has been carried out for this installation. Whilst sensitive sites could not be screened out on distance alone, there were no other permitted farms to act in combination, therefore the sites screened out and no further assessment was required.</p> <p>b) See Odour Assessment section to this document. The operator has provided an Odour Management Plan (OMP) that addresses odour emissions. The OMP also provides a suitable procedure in the event of complaints in relation to odour. The OMP is required to be reviewed at least every 4 years. The operator has confirmed that it will be reviewed every 4 years or sooner if a substantiated complaint is received.</p> <p>Condition 3.3 of the permit requires the activities to be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency.</p> <p>c) Field storage of manure and land spreading outside of the Installation boundary, or the treatment of waste at treatment sites are not matters that may be controlled by the Permit and are therefore not part of our assessment. Nevertheless the Operator has responsibilities to ensure that it is dealt with appropriately. Condition 2.3.5 of the Permit states that the Operator shall take appropriate measures in disposal or recovery of solid manure or slurry to prevent, or where this is not practicable to minimise pollution. Please refer to sections ‘Slurry spreading and manure management planning - on-site activity’ and ‘Slurry spreading and manure management planning – off-site activity’ of EPR 6.09 ‘How to comply with your environmental permit for intensive farming’, version 2.</p> <p>Condition 2.3.5 has been included in the Permit for slurry spreading and manure management. It states that the Operator shall take appropriate measures in disposal or recovery of solid manure or slurry to prevent, or where</p> |

this is not practicable to minimise pollution.

d) We are satisfied that the appropriate measures will be taken to minimise the production and emissions of dust/ bioaerosols to the local area and that there will be no significant impact on health. As such, we do not consider it is appropriate or necessary for abatement measures such as filters to be utilised. That being said, emissions of dust are regulated through the environmental permit by condition 3.2.1. In the unlikely event of dust causing pollution the Operator is required to undertake a review of site activities, provide an emissions management plan and undertake any mitigation recommended as part of that report, once approved in writing by the Environment Agency – this is required under condition 3.2.2.

e) The Applicant has confirmed their compliance with all BAT conditions for the new installations in their email dated 05/09/19 which has been referenced in Table S1.2 Operating Techniques of the permit.