

Decision document new bespoke Permit

We have decided to grant the permit for Lockes Farm and Blackhall Farm operated by North Farm Livestock Limited.

The permit number is EPR/TP3004SS/A001.

The application is for a new bespoke Intensive Farming permit for the rearing of 4,300 >30kg production pigs at two farms operated by North Farm Livestock Limited.

Lockes and Blackhall Farm are existing pig buildings previously run on a continuous system under the 2,000 pig places threshold. North Farm Livestock Limited have acquired the farm and will change to a wean to finish system and take the farm over threshold, and therefore require a permit.

Lockes Farm has four existing pig buildings, plus a tractor shed, that will be converted to house pigs. Totalling at 3,292 pig places at Locks Farm in houses 1 to 5. Blackhall farm has one existing building holding 1,008 pigs. Taking the total pig places of the Lockes and Blackhall Farm unit to 4,300 places.

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:

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

Key issues of the decision

Ammonia emissions

There is one Special Area of Conservation (SAC) site located within 5 kilometres of each installation. There are two Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 15 Local Wildlife Site(s) (LWS), one and Ancient Woodland (AW), within 2 km of the installation.

The applicant submitted a detailed modelling report for ammonia emissions (Locks&Blackhall_Ammonia_Report_sgs170720), it did not provide an assessment against acid deposition. The justification provided is that the 'Critical Load for nitrogen deposition provides a stricter test than the Critical Load for acid deposition'. We have accepted this explanation because the Screening Tool version 4.5 identified that nitrogen and acid deposition contributions were less than 4%, and therefore detailed modelling was not a necessity.

Ammonia assessment – SAC

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 application.

Screening using Detailed modelling

[Locks&Blackhall_Ammonia_Report_sgs170720] has determined that the PC on the SAC for ammonia emissions, nitrogen deposition and acid deposition from the application site are under the 4% significance threshold and can be screened out as having no likely significant effect. See results below.

Detailed modelling provided by the applicant has been audited and we have confidence that we can agree with the report conclusions.

Table 1 – Ammonia emissions

Site	Critical level ammonia µg/m ³	Predicted PC µg/m ³	PC % of Critical level
Norfolk Valley Fens SAC	1*	0.006	0.6

Source: AS Modelling & Data Ltd, July 2020

*A precautionary critical level of 1 µg/m³ has been assigned to this site. Where the precautionary level of 1 µg/m³ is used, and the PC is assessed to be less than the 4% insignificance threshold in this circumstance it is not necessary to further consider nitrogen deposition or acid deposition critical load values.

No further assessment is necessary.

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 10km of the application.

Screening using the detailed modelling

[Locks&Blackhall_Ammonia_Report_sgs170720] has indicated that the PC for Holt Lowes SSSI and Edgefield Little Wood SSSI is predicted to be less than 20% of the critical level for ammonia emissions/nitrogen deposition/acid deposition therefore it is possible to conclude no damage. The results of the detailed modelling are given in the tables below.

The ammonia modelling assessment has been audited and we have confidence that we can agree with the report conclusions.

Table 2 – Ammonia emissions

Site	Ammonia Cle (µg/m ³)	PC (µg/m ³)	PC % critical level
Edgefield Little Wood	1*	0.113	11.3
Holt Lowes	1*	0.006	0.6

Source: AS Modelling & Data Ltd, July 2020

*A precautionary level of 1 µg/m³ has been used during the screen. Where the precautionary level of 1 µg/m³ is used, and the process contribution is assessed to be less than the 20% insignificance threshold in this circumstance it is not necessary to further consider nitrogen deposition or acid deposition critical load values. In these cases the 1 µg/m³ level used has not been confirmed, but it is precautionary.

No further assessment is required.

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 (CL_e) or critical load (CL_o) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Locks Farm and Blackhall Farm will only have a potential impact on the LWS and AW sites with a precautionary critical level of 1µg/m³ if they are within 948 metres of the emission source.

Beyond 948m the PC is less than 1µg/m³ and therefore beyond this distance the PC is insignificant. In this case all LWS and AW sites except Old Carr LWS are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 3 – LWS and AW Assessment

Name of LWS or AW	Distance from site (m)
Old Carr	814
The Belt (LWS)	2160
Grassland at Saxthorpe (LWS)	2286
New Covert (LWS)	1019
Barningham Green Plantation (LWS)	1390
Mossymere Wood (LWS)	2431
Blackwater Valley (LWS)	2398
Dismantled Railway (LWS)	1876
Small Hopes Farm (LWS)	2534
Moor Hall (LWS)	1732
Corpustry Fen (LWS)	1494
LITTLE Wood (AW)	1393

Screening using the ammonia screening tool version 4.5 has determined that the PC on the Old Carr 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.

Detailed modelling provided by the applicant and we have confidence that we can agree with the report conclusions.

Table 4 - Ammonia emissions

Site	Critical level ammonia µg/m ³	Predicted PC µg/m ³	PC % of critical level
Old Carr LWS	3*	1.33	44.4

*CL_e 3 applied as no protected lichen or bryophytes species were found when checking easimap layer

Table 5 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	Predicted PC kg N/ha/yr	PC % of critical load
Old Carr LWS	10	6.923	69.2

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 19 June 2020

Table 6 – Acid deposition

Site	Critical load keq/ha/yr [1]	Predicted PC keq/ha/yr	PC % of critical load
Old Carr LWS	1.825	0.494	27.1

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 19 June 2020

No further assessment is required.

Operational Techniques

We compared the submitted management plans initially provided with the application against the following guidance:

- EPR 6.09 Sector Guidance Note “How to comply with your environmental permit for intensive farming”, (How to Comply)
- Best Available Techniques (BAT) Reference Document for the Intensive Rearing of Poultry or Pigs. Industrial Emissions Directive 2010/75/EU
 - BAT conclusions 9, 10 , 11, 12, 13 and 26
- Horizontal Guidance Notes
 - H4 Odour Management
 - H3 (part 2) Noise Management
- Pig Industry Good Practice Checklist, Reducing Odours from Pig Production through the Application of Best Available Techniques, Version 2 August 2013

We identified aspects of the Odour, Noise and Dust Management Plans which needed to be improved to make them more robust before we accepted them as part of the permit. The amended Management Plans were provided following a Schedule 5 notice and are specified in table S1.2 in the environmental permit.

The key areas that required further information to ensure the Management Plans met operational technique requirements included:

Odour Management Plan

- Justification was not provided for removing manure 3 times a year as rather than more frequently, as per best practice.
- The OMP did not state whether or not the solid manure storage is covered.
- The OMP did not state the method/techniques used to minimise surface agitation of the slurry lagoon during emptying.
- It was not clarified whether the storage containers are designed to prevent leakage and whether this is monitored
- Further detail needed regarding the daily olfactory checks to ensure they were sufficient and monitor implementation:
 - undertaken by whom
 - the method which will be followed
 - points which will be tested
 - what they will do with this information

Noise Management Plan

- Explanation of the background noise levels at each receptor day and night
- The NMP did not include a protocol for conducting noise monitoring (BAT 9ii). The plan should include a trigger for conducting noise monitoring, and should consider whether there will be additional monitoring undertaken on the back of complaints.

Dust Management Plan

- The weekly inspection of dust did not state what action will be taken if a build-up of dust is observed.
- The plan did not state what the operator will do if fungal spores or dust is produced by operator during weekly inspection of straw bedding being added within the shed houses.
- It was not clear whether the site is to place screens/ barriers to reduce dust emissions and what form this will take.

All Management Plans

- The introduction to each Management Plan needed to include the following:

- Management Plan version number (as well as the date)
 - Description of site operations
 - A list of other potential sources of odour/noise/dust in the area and how in the event of an odour/noise/dust report you will be able to differentiate between those off site and on site at the time of a report
 - A statement that the Management Plan will be reviewed in the event of any complaint and any revised plan will be sent to the local EA Officer for review
- A section on abnormal operation and emergency measures to state the processes to be followed and what measures will be put in place in routine, and occasional odorous / noisy/ dusty activities as well as what to do in the event of abnormal situations.
 - Complaints procedure to state the trigger for investigating additional management techniques should complaints arise, including both low tech management options and high tech management options.

Following the Schedule 5 notice, the amended plans now address the above and are satisfactory. Each now include the complaints procedure, information on management of risks during abnormal conditions and have contingency measures in place in circumstances where the operator's proposed methods may need to be adapted when noise, odour and/or dust concerns are raised.

Decision considerations

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

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The comments and our responses are summarised in the [consultation responses](#) section.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

Food Standards Agency, North Norfolk Council- Environmental Health, Health and Safety Executive, Director of Public Health England

The comments and our responses are summarised in the [consultation responses](#) section.

Operator

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 regulated facility

We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility' and Appendix 2 of RGN 2 'Defining the scope of the installation'.

The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

The site

The operator has agreed to amended plans which we consider to be satisfactory.

These show the extent of the site of each facility (Lockes Farm and Blackhall Farm).

The plans show the location of the parts of the installations to which this permit applies on each site.

The plans are 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.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified, see Key Issues for Determination.

We have not consulted Natural England. Details of the application were sent for information only.

The decision was taken in accordance with our guidance.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

Climate change adaptation

We have assessed the climate change adaptation risk assessment.

We have decided to include a condition in the permit requiring the operator to review and update their climate change risk assessment over the life of the permit.

Operating techniques

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit, which include the amended management plans requested through a Schedule 5 notice. See Key Issues for Determination.

General operating techniques

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes (How to comply with your environmental permit for

intensive farming and Best Available Techniques (BAT) conclusions for the intensive rearing of poultry or pigs) and we consider them to represent appropriate techniques for the facility.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

Operating techniques for emissions that screen out as insignificant

Emissions of ammonia have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

Odour management

We have reviewed the amended odour management plan (received 1 February 2021) in accordance with our guidance on odour management.

We consider that the odour management plan is satisfactory and we approve this plan.

We have approved the odour management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

The plan has been incorporated into the operating techniques S1.2.

Noise and vibration management

We have reviewed the amended noise and vibration management plan (received 20 January 2021) in accordance with our guidance on noise assessment and control.

We consider that the noise and vibration management plan is satisfactory and we approve this plan.

We have approved the noise and vibration management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

The plan has been incorporated into the operating techniques S1.2.

Dust management

We have reviewed the amended dust and emission management plan (received 1 February 2021) in accordance with our guidance on emissions management plans for dust.

We consider that the dust and emission management plan is satisfactory and we approve this plan.

We have approved the dust and emission management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

The plan has been incorporated into the operating techniques S1.2.

Improvement programme

Based on the information on the application, we consider that we need to include an improvement programme.

We have included an improvement programme to ensure that the operator covers their slurry stores and lagoons as per BAT 16 and 17.

The two farms are deemed as existing sites and therefore are required by the BAT conclusion (Best Available Techniques (BAT) conclusions for the intensive rearing of poultry or pigs published in February 2017) to cover slurry stores (BAT 16) and slurry lagoons (BAT 17) within four years of the BAT conclusion publication.

The operator must comply with the Regulatory Position Statement 'Slurry stores on permitted pig and poultry farms with less than 1% dry matter' (November 2020). The slurry lagoons must be covered by August 2022.

The operator is required to provide a written plan within 6 months of the issue of the permit to the Environment Agency for approval detailing proposals for replacing or covering existing uncovered slurry stores and lagoons to comply with the requirements of BAT Conclusion.

Emission Limits

We have decided that emission limits to air and water are not required in the permit. BAT AELs are listed in Table 3.3 Process monitoring requirements:

- kg N excreted/animal place/year- 13.0kg N
- kg P₂O₅ excreted/animal place/year- 5.4kg P₂O₅
- kg NH₃/animal place/year- 5.65kg NH₃

Monitoring

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:

- process monitoring specified in table S3.3.
 - kg NH₃/animal place/year
 - kg N excreted/animal place/year
 - kg P₂O₅ excreted/animal place/year
 - Dust atmospheric mass emission

These monitoring requirements have been included in order to ensure operation of the installation are within BAT limits.

We made these decisions in accordance with EPR 6.09 sector guidance note. How to comply with your environmental permit for intensive farming.

Based on the information in the application we are not fully satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.

The operator stated within the BAT assessment that they are aware of the need to analyse manure on a yearly basis, however description of the method was not provided. Therefore the requirement for estimation by using manure analysis is included in Table S3.3 Process monitoring requirements as well as condition 2.9.3 to ensure adequate measure for manure analysis is achieved by the operator.

Reporting

We have specified reporting in the permit. The operator will be required to report annual process monitoring of the ammonia emission (kg NH₃) per animal, the quantity of nitrogen and phosphorus excreted per animal.

We made these decisions in accordance with 'How to comply with your environmental permit for intensive farming'.

Management System

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

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

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.

Paragraph 1.3 of the guidance says:

“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.”

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.

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.

Consultation Responses

The following summarises the responses to consultation with other organisations, and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section:

Response received from North Norfolk District Council, Environmental Protection

Brief summary of issues raised: The Council have no objections to the proposal. North Norfolk District Council confirmed they have not received complaints for Lockes Farm. The most recent complaint relating to Blackhall Farm regarded odour in 2012 following land spreading activities. No enforcement action was undertaken.

North Norfolk District Council consider the complaints procedure referenced within the operator's Environmental Management System to be sufficient to deal with any arising complaints. It is considered that complaints are unlikely to arise provided that the Management Plans are complied with to ensure best practices are undertaken.

Summary of actions taken: No further action required. The Management Plans have been amended to ensure best practices are undertaken.