

Permitting decisions

Bespoke permit

We have decided to grant the permit for Larkfield Farm Poultry Unit operated by Cobb Europe Limited.

The permit number is EPR/FP3108SJ.

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 installations or new housing in their document reference Review of best available techniques (BAT) to control emissions from houses for rearing poultry intensively and dated August 2020 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	<p>The Applicant has confirmed it will demonstrate that the installation achieves levels of Nitrogen excretion below the required BAT-AEL of 0.6 kg N/animal place/year for broilers housed in Male Broiler Houses 1 - 3 by an estimation using manure analysis for total Nitrogen content.</p> <p>[The BAT-associated total nitrogen excreted is not applicable to pullets].</p> <p>Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p> <p>The Operator will be using a combination of BAT:</p> <ul style="list-style-type: none">• Reducing crude protein content by using a N-balanced diet based on the energy needs and digestible amino acids• Multiphase feeding with a diet formulation adapted to the specific requirements of the production period• Addition of controlled amounts of essential amino acids to a low crude protein diet• Use of authorised feed additives which reduce total nitrogen excreted.
BAT 4 Nutritional	The Applicant has confirmed it will demonstrate that the installation achieves

BAT measure	Applicant compliance measure
management <ul style="list-style-type: none"> - Phosphorous excretion 	levels of Phosphorous excretion below the required BAT-AEL of 0.25 kg P ₂ O ₅ animal place/year for broilers housed in Male Broiler Houses 1 - 3 by an estimation using manure analysis for total Phosphorous content. [The BAT-associated Phosphorous excreted is not applicable to pullets]. Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions. Operator will be using a combination of BAT: <ul style="list-style-type: none"> • Multiphase feeding with a diet formulation adapted to the specific requirements of the production period • Use of highly digestible inorganic phosphates for the partial replacement of conventional sources of phosphorous in the feed.
BAT 24 Monitoring of emissions and process parameters <ul style="list-style-type: none"> - Total nitrogen and phosphorous excretion 	Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 25 Monitoring of emissions and process parameters <ul style="list-style-type: none"> - 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 <ul style="list-style-type: none"> - 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"> • Daily sniff testing on and offsite down wind of the housing and the surrounding area for high levels of odour. Checks will also be performed on the surrounding area by persons who do not regularly work on the farm. • Visual inspections of potentially odorous activities and odour-related issues will be carried out. • Informing residents (neighbours) at sensitive receptors to make them aware an odour nuisance might be expected, has been substantiated and actions are being taken to minimise the odour. • Recording in the farm diary an odour nuisance at sensitive receptors which was expected or substantiated, and actions or emergency actions taken to minimise odour as quickly as possible.
BAT 27 Monitoring of emissions and process parameters <ul style="list-style-type: none"> - 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 using the dust emissions factor for each poultry type on site.
BAT 31 Ammonia emissions from poultry houses <ul style="list-style-type: none"> - Pullets 	The BAT-AEL to be complied with is 0.02 – 0.13 kg NH ₃ /animal place/year for non-cage system pullets. The Applicant will meet this as the emission factor for pullet layers with non-cage system housing is 0.06 kg NH ₃ /animal place/year. We accept that appropriate ventilation and ensuring dry well managed litter is BAT

BAT measure	Applicant compliance measure
	to meet BAT 31b(5) requirements. The installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT-AEL.
BAT 32 Ammonia emissions from poultry houses - Broilers	The BAT-AEL to be complied with is 0.01 – 0.08 kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for broilers is 0.034 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. The BAT Conclusions document does not have a BAT-AEL for pullets and therefore an ammonia emission limit value has not been included within the permit.

Ammonia emission controls – BAT conclusion 31 & 32

The new BAT Conclusions include a set of BAT-AELs for ammonia emissions to air from animal housing for pullets (BAT31) and broilers (BAT32).

'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. Larkfield Farm, as a new bespoke installation will meet all expected BAT.

Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February and came into force on 27 February 2013. These Regulations transpose the requirements of the IED.

This permit implements the requirements of the European Union Directive on Industrial Emissions.

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain a condition relating to protection of soil, groundwater and groundwater monitoring. However, the Environment Agency's H5 Guidance states **that it is only necessary for the operator to take samples** of soil or groundwater and measure levels of contamination where there is evidence that there is, or could be existing contamination and:

- The environmental risk assessment has identified that the same contaminants are a particular hazard; or
- The environmental risk assessment has identified that the same contaminants are a hazard and the risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is **not essential for the operator** to take samples of soil or groundwater and measure levels of contamination where:

- The environmental risk assessment identifies no hazards to land or groundwater; or

- Where the environmental risk assessment identifies only limited hazards to land and groundwater and there is no reason to believe that there could be historic contamination by those substances that present the hazard; or
- Where the environmental risk assessment identifies hazards to land and groundwater but there is evidence that there is no historic contamination by those substances that pose the hazard.

The site condition report (SCR) for Larkfield Farm Poultry Unit (dated 14/08/2020) 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.

Odour Management Plan Review

There are sensitive receptors within 400 metres of the installation therefore an Odour Management Plan has been submitted.

This plan is considered acceptable having been assessed against the requirements of Integrated Pollution Prevention and Control (IPPC) SRG 6.02 (Farming): Odour Management at Intensive Livestock Installations and our 'Top Tips Guidance and Poultry Industry Good Practice Checklist' and with regard to the site specific circumstances at the installation. The operator is required to manage activities at the installation in accordance with condition 3.3.1 of the environmental permit and this Odour Management Plan.

The closest sensitive receptors to odour are houses on Hall Road, Bedingfield, the closest of which is approximately 355 metres to the northeast of the closest poultry house and is a residential dwelling.

There are seven sensitive residential receptors for odour within 400 metres of the installation, and one further agricultural premise.

The Odour Management Plan includes odour control measures, in particular, procedural controls addressing odours by bird housing; carcass storage and disposal; litter removal; washing operations and house clean-out; feed storage and delivery; ventilation systems; and dirty water management. The Applicant will perform olfactory testing for odour daily to monitor any odour emissions. There is also a robust complaints and recording procedure in place. The Odour Management Plan will be reviewed annually and/or after a complaint is received, whichever is the sooner.

There is the potential for odour pollution from the installation, however the operator's compliance with their Odour Management Plan, submitted with this application, should minimise the risk of odour pollution beyond the installation boundary. The risk of odour pollution at sensitive receptors beyond the installation boundary is not considered significant. We, the Environment Agency, have reviewed and approved the Odour Management Plan

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 in the odour section 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.

Noise Management Plan Review

Operations with the most potential to cause noise nuisance have been assessed as those involving delivery vehicles travelling to and from the farm; feed, fuel and other delivery vehicles on site; ventilation fans; other machinery onsite; feeding equipment; removal of litter and animal noise. The Noise Management Plan covers control measures, including, but not limited to: the design and preventative maintenance programs of ventilation fans, buildings and equipment; and working times restricted to normal working hours within the working week of testing of alarm systems, feed deliveries, on-site vehicle movements and destocking.

There is the potential for noise from the installation beyond the installation boundary, however the operator's compliance with the Noise Management Plan, submitted with this application, should minimise the risk of noise pollution beyond the installation boundary. The risk of noise pollution at sensitive receptors beyond the installation boundary is therefore not considered significant. We, the Environment Agency, have reviewed and approved the Noise Management Plan and the H1 risk assessment for noise. We 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. We agree with the scope and suitability of key measures addressed, but this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the operator.

Conclusion

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 is one sensitive receptor within 100m of the installation boundary, approximately 10 metres to the northeast of the installation boundary. This is the dwelling for the Farm Manager on Hall Road, Bedingfield.

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.

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:

Feed is supplied from certified mills and delivered in pellet form to reduce dust. There is no mixing or milling on site. The feed silos are fully enclosed with all equipment installed to minimise spillages and dust. Dust separators are installed on exhaust pipes from the silos and will be checked and emptied after every delivery. A preventive maintenance programme and full record keeping is in place for all buildings and equipment.

Forced ventilation in the houses will optimise discharge conditions of exhaust air, maximised outlet heights will exhaust air above roof level and disturb birds and litter as little as possible. Build up of dust deposits around the vents will happen at the end of each cycle.

Dust is mainly controlled through the management of litter at stocking and destocking. No used litter is stored on the farm. This reduces the potential for emissions impacting the nearest receptor.

In addition, there will be vegetation, shrubs, and high trees planted around the housing. This should help create turbulence and possibly some dilution, trapping some of the dust near to ground level.

Conclusion

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

Ammonia

Ammonia assessment – Local Wildlife Sites (LWS) and Ancient Woodland (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 Larkfield 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 250m metres of the emission source.

Beyond 250m 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 are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 1 – LWS & AW Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Southolt Church LWS	1,264m
Aspall Wood LWS and AW	2,200m
Little Wood LWS and AW	2,480m

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	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: <ul style="list-style-type: none"> • Public Health England • Director Public Health Mid Suffolk Council • Planning Department Mid Suffolk Council • Health and Safety Executive The comments and our responses are summarised in the consultation section .
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	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility'. 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	
Extent of the site of the facility	The Operator has provided plans which we consider are satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Site condition report	The Operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. 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

Aspect considered	Decision
	<p>the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p> <p>See Ammonia assessment in Key Issues for further information.</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> <p>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be categorised as environmentally insignificant.</p>
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 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	
Emission limits	<p>ELVs and equivalent parameters or technical measures based on BAT have been set for the following substances for all broilers housed in the Male Broiler Houses 1 - 3:</p> <ul style="list-style-type: none"> • Nitrogen: 0.6 kg N/animal place/year • Phosphorus: 0.25 kg P₂O₅ animal place/year • Ammonia: 0.08 kg NH₃/animal place/year
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 comply with the relevant BAT measures.</p> <p>See the key issues of the decision section of this decision document for further information. We made these decisions in accordance with BAT conclusion document dated 21st February 2017.</p> <p>Based on the information in the application we are satisfied that the Operator's techniques, personnel and equipment have either MCERTS certification or MCERTS</p>

Aspect considered	Decision
	accreditation as appropriate.
Reporting	<p>We have specified reporting in the permit.</p> <p>These reporting requirements on monitoring data and performance parameters have been imposed in order to comply with the conditions of the permit.</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 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
Babergh and Mid Suffolk District Councils – Environmental Management Officer 15/12/2020
Brief summary of issues raised
Confirmed that there are no records of any complaints logged against Bedingfield Poultry Unit.
Summary of actions taken or show how this has been covered
No action necessary.

Response received from
Public Health England 18/12/2020
Brief summary of issues raised
Should it be identified by the applicant that there are sensitive receptors within 100m from the boundary of such units the applicant is required to carry out a bioaerosol risk assessment. 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
No action necessary. The Operator has provided a Dust and Bioaerosol Risk Assessment and Management Plan in accordance with SGN EPR6.09 'How to comply', which demonstrates any risks are low. In addition, they have confirmed the installation will comply with all relevant BAT standards.