

Permitting decisions

Bespoke permit

We have decided to grant the permit for Lingar Hill Farm Poultry Unit operated by Crown Chicken Limited.

The permit number is EPR/YP3805LA.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

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

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

Unless the decision document specifies otherwise we have accepted the Applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

Key issues of the decision

New Intensive Rearing of Poultry or Pigs BAT Conclusions document

The new Best Available Techniques (BAT) Reference document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) was published on the 21st February 2017. There is now a separate BAT Conclusions document which sets out the standards that permitted farms will have to meet.

The BAT Conclusions document is as per the following link:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D0302&from=EN>

Now the BAT Conclusions are published, all new installation farming permits issued after the 21st February 2017 must be compliant in full from the first day of operation.

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

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

New BAT Conclusions review

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

The Applicant has confirmed their compliance with all BAT conditions for the new installation in their revised document reference B8.8a Technical Standards - Review of best available techniques (BAT) to control emissions from houses for rearing poultry intensively received in support of their application, on 17/05/22 and which has been referenced in Table S1.2 Operating Techniques of the permit.

The following is a more specific review of the measures the Applicant has applied to ensure compliance with the above key BAT measures:

BAT measure	Applicant compliance measure
BAT 3 Nutritional management - Nitrogen excretion	The Applicant has confirmed it will demonstrate that the installation achieves levels of nitrogen excretion below the required BAT-AEL of 0.6 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content. Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 4 Nutritional management - Phosphorus excretion	The Applicant has confirmed it will demonstrate that the installation achieves levels of phosphorus excretion below the required BAT-AEL of 0.25 kg P ₂ O ₅ animal place/year by an estimation using manure analysis for total phosphorus content. Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

BAT measure	Applicant compliance measure
BAT 25 Monitoring of emissions and process parameters - Ammonia emissions	Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions. The Applicant has confirmed it will report the ammonia emissions to the Environment Agency annually by multiplying the ammonia emissions factor for broilers by the number of birds on site.
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"> • Sniff testing daily when the wind is blowing from the east and southeast. Sniff testing outside the rear of house No.1 - nearest the sensitive receptors in Watton Road when excess odour might cause annoyance. In warmer weather sensitivity is likely to be increased when people are more likely to have windows open and to be outside. • In event of a complaint, sniff testing on and off-site – nearest the sensitive receptors to substantiate or not substantiate the complaint and try to identify the likely source. Check the actions and contingency actions in the OMP are being implemented and adhered to. • Inform relevant sensitive receptors (neighbours) of any extraordinary odour that might be expected, and actions are being taken to minimise the strength and duration. • Record 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 - Dust emissions	Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions. The Applicant has confirmed they will report the dust emissions to the Environment Agency annually by multiplying the dust emissions factor for broilers by the number of birds on site.
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 upper BAT-AEL.

More detailed assessment of specific BAT measures

Ammonia emission controls

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT.

Ammonia emission controls – BAT conclusion 32

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

'New plant' is defined as plant first permitted at the site of the farm following the publication of the BAT Conclusions.

All new bespoke applications issued after the 21st February 2017, including those where there is a mixture of old and new housing, will now need to meet the BAT-AEL.

Industrial Emissions Directive (IED)

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

Groundwater and soil monitoring

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

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

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

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

The site condition report (SCR) for Lingar Hill Farm Poultry Unit (received with application duly made 15/02/22) 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/geho01110brsb-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 references measures described in EPR 6.09 guidance and Best Available Techniques (BAT) Reference Document for the Intensive Rearing of Poultry or Pigs, and refers to the OMP created for mitigation and management measures.

Odour Management Plan review

The Installation is located within 400m of 5 sensitive receptors, and a revised OMP was received 17/05/22 in support of the application. The nearest receptors are located to the west of the installation boundary and are a commercial premises and an associated dwelling approximately 95m and 105m respectively to the west of the installation boundary (the nearest point of their assumed property boundaries). The other properties are to the north west and north. In addition the prevailing wind direction is from the south west and there are no properties which lie within 400m to the north east of the installation.

The OMP has been assessed against the requirements of 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 (version 2), Appendix 4 guidance 'Odour Management at Intensive Livestock Installations' and our Top Tips Guidance and Poultry Industry Good Practice Checklist (August 2013) as well as the site specific circumstances at the Installation. We consider that the OMP is acceptable.

The Operator is required to manage activities at the Installation in accordance with condition 3.3.1 of the Permit and its OMP. The OMP includes odour control measures, in particular, procedural controls for the manufacture and selection of feed, feed delivery and storage, ventilation systems, litter management, drinking water systems, destocking chickens, removal of litter, house clean out operations, dirty water management, carcass storage and disposal, biosecurity (disease outbreaks/increase in droppings) and waste management. It includes contingency measures to minimise odour pollution during abnormal operations including ventilation failure and bird sickness.

The OMP provides a complaints form template to be used in the event that complaints are made to the Operator. The Applicant has stated in their OMP that it will be reviewed at least annually or sooner following complaints or relevant changes to operation or infrastructure.

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

Conclusion

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

We have assessed the OMP and risk assessment for odour and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 4 'Odour management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of odour pollution / nuisance.

Although there is the potential for odour pollution from the Installation, the Operator's compliance with its OMP and permit conditions will minimise the risk of odour pollution beyond the Installation boundary. The risk of odour pollution at sensitive receptors beyond the Installation boundary is therefore not considered significant.

Noise

Intensive farming by its nature involves activities that have the potential to cause noise pollution. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance.

Under section 3.4 of this guidance, a Noise Management Plan (NMP) must be approved as part of the permitting determination if there are sensitive receptors within 400m of the installation boundary.

Condition 3.4 of the permit reads as follows:

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

There are sensitive receptors within 400 metres of the installation boundary as stated above. The Operator has provided an NMP as part of the application supporting documentation, and further details are provided below.

The risk assessment for the installation provided with the application references measures described in EPR 6.09 guidance and Best Available Techniques (BAT) Reference Document for the Intensive Rearing of Poultry or Pigs, and refers to the NMP created for mitigation and management measures.

Noise Management Plan Review

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

Operations with the most potential to cause noise nuisance have been assessed and control measures put in place, as described in the revised NMP received 17/05/22 in support of the application, for all the activities with greatest potential to generate noise, including:

- Large delivery vehicles to and from the farm
- Feed, fuel and other deliveries
- Ventilation fans
- Vehicles and machinery on site (including testing of alarms and standby generator)
- Inspection and maintenance
- Feeding equipment
- Removal of litter
- Noise from livestock

The NMP also contains a noise complaint form to record complaints received. The Applicant has stated in their NMP that it will be reviewed at least annually or sooner following complaints or relevant changes to operation or infrastructure.

There is the potential for noise from the Installation beyond the Installation boundary. The risk of noise beyond the Installation boundary has been assessed as unlikely to cause a nuisance.

Conclusion

We have assessed the NMP and the risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution / nuisance.

Dust and Bioaerosols

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the permit (the 'Fugitive Emissions' conditions) to provide a level of protection. Condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

In addition guidance on our website concludes that Applicants need to produce and submit a dust and bioaerosol management plan beyond the requirement of the initial risk assessment, with their applications only if there are relevant receptors within 100 metres of their farm, including the farmhouse or farm workers' houses. Details can be found via the link below:

www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols.

There are two sensitive receptors within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is within 5 metres of the south west part of the installation boundary, a dwelling for the farm manager, and the other is approximately 95m to the west of the installation, and more than 100m from the nearest poultry house. As there are receptors within 100m of the installation, the Applicant was required to submit a dust and bioaerosol management in this format.

In the guidance mentioned above it states that particulate concentrations fall off rapidly with distance from the emitting source. This fact, together with the proposed good management of the installation (such as keeping areas clean from build-up of dust and other measures in place to reduce dust and the risk of spillages e.g. litter and feed management/delivery procedures) all reduce the potential for emissions impacting the nearest receptors. The Applicant has confirmed the measures in their operating techniques to reduce dust (which will inherently reduce bioaerosols) for the following activities:

- Feed manufacture and selection
- Feed delivery and storage
- Ventilation fans
- Litter quality and management
- Bird activity
- Destocking chickens
- Litter removal
- Cleaning

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 one Special Area of Conservation (SAC) and one Special Protection Area (SPA) and 5 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 22 Local Wildlife Sites (LWS) and one Ancient Woodland (AW) within 2 km of the installation.

Ammonia assessment – SAC and SPA

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

- Where the Environment Agency's Ammonia Screening Tool (AST v4.6) predicts 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 screening threshold is exceeded detailed ammonia modelling is required. Where the PC is less than 1% of the CL_e and/or CL_o no further assessment is required. If the detailed modelling predicts a PC at or above 1% of the CL_e and/or CL_o, an additional assessment will be required and an in-combination assessment may also be required to establish the combined PC for all existing permitted farms and/or other plans and permissions identified within 5 km of the SAC/SPA/Ramsar.

Initial screening using AST v4.6 has indicated that emissions from Lingar Hill Farm Poultry Unit will only have a potential impact on the SAC and SPA with a precautionary CL_e of 1µg/m³ if they are within 1,795 metres of the emission source.

Beyond 1,795m the PC is less than $0.04\mu\text{g}/\text{m}^3$ (i.e. less than 4% of the precautionary $1\mu\text{g}/\text{m}^3$ CLe) and therefore beyond this distance the PC is insignificant. In this case both the SAC and SPA 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 4%, 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 significant effect

Table 1 – SAC and SPA Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Norfolk Valley Fens SAC	3,791
Breckland SPA	2,508

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 4.6 has indicated that emissions from Lingar Hill Farm 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 616m of the emission source.

Beyond 606m the PC is less than $0.2\mu\text{g}/\text{m}^3$ (i.e. less than 20% of the precautionary $1\mu\text{g}/\text{m}^3$ CLe) and therefore beyond this distance the PC is insignificant. In this case all SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of $1\mu\text{g}/\text{m}^3$ is used and the PC is assessed to be less than 20%, the site automatically screens out as insignificant and no further assessment of CLo is necessary. In this case the $1\mu\text{g}/\text{m}^3$ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

Table 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
Cranberry Rough Hockham SSSI	3,640
Breckland Forest SSSI	2,508
Thompson Water, Carr and Common SSSI	4,554
East Harling Common SSSI	4,847
Swagney Fen, Attleborough	3,791

No further assessment is required.

Ammonia assessment – LWS and 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 4.6 has indicated that emissions from Lingar Hill Farm Poultry Unit 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 less than 250m from 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 the AW sites are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 3 – LWS and AW Assessment

Name of LWS/AW	Distance from site (m)
Larling Fen LWS	1,955
Heater Plantation LWS	2,048
South of Hills & Holes LWS	1,441
Tuzzy Muzzy LWS	1,315
North of Baker's Farm LWS	1,558
Adjacent River Thet LWS	1,965
Land near Linger Hill LWS	457
Woodland in Great Hockham LWS	908
Lakes & River in Shropham LWS	2,066
Thet Valley LWS	1,963
Shropham Grove LWS	694
Lake in Shropham LWS	1,022
Shropham Hall Grounds LWS	1,161
South of Shropham Hall LWS	824
Near Stow Bedon Hall LWS	1,850
Lower Stow Bedon LWS	1,837
Pond in Shropham LWS	2,120
Hills and Holes LWS	919
Breckles Moor LWS	1,893
Breckles Wood/Hockham Common LWS	1,842
The Spinney LWS	1,706
The Crescent & Fish Pond Wood LWS	2,138
Unnamed ancient woodland	741

No further assessment is necessary

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
Consultation	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • Health and Safety Executive (HSE) • Breckland District Council Environmental Health • UK Health Security Agency (UKHSA) • Director of Public Health, Norfolk County Council <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 sent Natural England a Stage 1 Habitats Regulations Assessment for information only, on 26/04/22.</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>
Climate change adaptation	<p>We have assessed the climate change adaptation risk assessment.</p> <p>We consider the climate change adaptation risk assessment is satisfactory.</p> <p>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.</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the Operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the Applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> • Poultry houses 1 – 3 are ventilated by high velocity roof fans with an emission point higher than 5.5 metres above ground level and an efflux speed greater than 11 metres per second • Litter is exported off site and is spread on land owned by third parties, or supplied as fuel to a local power station • Dirty wash water is exported off site and spread on land owned by third parties • Roof and uncontaminated yard water drains via French drains to offsite ditch to the south west • Feed is stored on the installation in purpose built, covered feed silos • Mortalities are collected daily and stored in a secure container on site for removal under the National Fallen Stock Scheme <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</p>

Aspect considered	Decision
	<p>noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p>
Permit conditions	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Emission limits	We have decided that emission limits are required in the permit. BAT AELs have been added in line with the Intensive Farming sector BAT conclusions document dated 21/02/17. These limits are included in permit table S3.3.
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to ensure compliance with the Intensive Farming BAT conclusions document dated 21/02/17.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in order to ensure compliance with the Intensive Farming BAT conclusions document dated 21/02/17.</p>
Operator competence	
Management system	<p>There is no known reason to consider that the Operator will not have the management system to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The Operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to vary this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is</p>

Aspect considered	Decision
	<p>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
UK Health Security Agency received 17/05/22
Brief summary of issues raised
<p>Thy included the following:</p> <p><i>'The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. These emissions have been assessed within ammonia screening, odour and bioaerosol emission plans and proposed mitigation measures are proposed that should protect public health. However, within these assessments we did identify the following issues:-</i></p> <ul style="list-style-type: none"><i>• There appeared to be no reference to the risk to public health of exposure to airborne particulate matter. We recommend the assessments are updated to account for the risk of particulate matter from emission sources.</i><i>• The Accident Management Plan and Drainage Assessment did not account for the risk of fire at the site and the public health impacts, for example the risk of contaminated fire water run off. We recommend this is considered in the relevant management plans.'</i> <p>They also included a section on bioaerosols and concluded:</p> <p><i>'It is assumed by UKHSA 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.'</i></p>
Summary of actions taken or show how this has been covered
<p>With regard to particulate matter, we have an agreed approach with Public Health England (now UK Health Security Agency) that an assessment of the dust and bioaerosol management plan as satisfactory would be acceptable, rather than a quantitative assessment for particulate matter. Please refer to the Dust and Bioaerosol section in the Key Issues section of this document for further details of this.</p> <p>The applicant has updated their H1 risk assessment to include consideration of fire and fire water containment, received 17/05/22.</p> <p>No further action required.</p>

Response received from
Breckland District Council Environmental Health (received 13/05/22)
Brief summary of issues raised
<p>They stated: <i>'We have received a consultation on the above. It appears that we have had odour complaints back in 2020 but these were not substantiated. We have no further comments to make as it is understood that the permit will cover environmental matters.'</i></p>

Summary of actions taken or show how this has been covered

Please refer to the Odour section in the Key Issues section of this document.

The applicant has provided an odour management plan (OMP) and condition 3.3 is included in the permit with regards to odour. The Applicant has stated in their OMP that it will be reviewed at least annually or sooner following complaints or relevant changes to operation or infrastructure.

The Environment Agency has reviewed the OMP and considers it satisfactory, and this, together with mitigation measures proposed by the Applicant and the location of the sensitive receptors, taking into consideration the predominant wind direction will be from the south west, should reduce the risk of odour pollution at the sensitive receptors.

Although there is the potential for odour pollution from the Installation, the Operator's compliance with its OMP and permit conditions will minimise the risk of odour pollution beyond the Installation boundary. The risk of odour pollution at sensitive receptors beyond the Installation boundary is therefore not considered significant.

No further action required.

The Health and Safety Executive and the Director of Public Health were also consulted, with a deadline for responses of 19/05/22, but no responses were received.

In addition, the application was publicised on the www.gov.uk website, with a deadline for comments of 19/05/22, but no comments were received.