

Permitting decisions

Variation

We have decided to grant the variation for Woodsetts Poultry Farm operated by Potters Poultry Limited.

The variation number is EPR/HP3104SV/V003.

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

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

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

Key issues of the decision

Ammonia

There are four Sites of Special Scientific Interest (SSSI) within 5km of the installation, and thirty-two other nature conservation sites within 2km comprising of twenty-four Local Wildlife Sites (LWS), seven ancient woodlands (AW) and one Local Nature Reserve (LNR).

The change in livestock category and number, from 80,000 pullets to 113,000 broilers, will result in a reduction in ammonia emissions from the installation, as can be seen from the mass balance calculation below:

Broilers: $113,000 \times 0.034 = 3842\text{kgNH}_3/\text{year}$

Pullets: $80,000 \times 0.06 = 4800\text{kgNH}_3/\text{year}$

Additional gable end fans have been added to poultry houses 1 to 6, as part of this variation. The fans will only be used infrequently for summer cooling. The fans are located on the eastern gable end of the poultry houses and will discharge parallel to the adjacent LWS/AW, located to the south-east of the installation, and not directly at it. With prevailing winds from the south-west, emissions will be predominantly to the north-east. An assessment of the impact of emissions has been carried out and the installation is considered to have no adverse effect on the nature conservation sites.

No further assessment is required.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
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.
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, landscape and heritage, and/or protected species or habitats identified.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques include the following:</p> <ul style="list-style-type: none"> • Houses operate a litter-based system, with non-leaking drinkers. • All houses are fitted with high velocity roof extraction fans and additional gable end fans for summer cooling.

Aspect considered	Decision
	<ul style="list-style-type: none"> • Litter is exported off site for spreading on third party owned land. • Wash water and yard water is directed to the below ground dirty water tank, awaiting export from the site for spreading on third party owned land. • Clean roof-water and yard water drains to an off-site ditch. • Deadstock are removed daily and stored in sealed storage, awaiting collection in accordance with current Animal By-Products legislation.
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	
Updating permit conditions during consolidation	<p>We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit(s).</p>
Use of conditions other than those from the template	<p>Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.</p>
Improvement programme	<p>Based on the information in the application, we consider that we need to impose an improvement programme.</p> <p>IC4 requires the operator to review the management of lightly contaminated surface water drainage from yard areas at the installation and make any necessary improvements to ensure compliance with the relevant guidance.</p> <p>IC5 requires the operator to review the condition of impermeable surfacing at the installation and make any necessary improvements to ensure compliance with the relevant guidance.</p>
Emission limits	<p>ELVs based on BAT have been set for the following substances:</p> <ul style="list-style-type: none"> • Nitrogen • Phosphorus • Ammonia
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 implement the IRPP BAT Conclusions as published on 21 February 2017.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in accordance with the IRPP BAT Conclusions as published on 21 February 2017.</p>

Aspect considered	Decision
Operator competence	
Management system	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.
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 grant 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>