

Permitting decisions

Bespoke permit

We have decided to grant the permit for Taylors Wold Farm operated by Mr Richard Barlow, Mr James Barlow, and Mr George Barlow.

The permit number is [EPR/AP3947JS](#).

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 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 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 document reference 'Taylors Wold Farm', submitted with the application, 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.
BAT 4 - Nutritional management - Phosphorous excretion	The Applicant has confirmed it will demonstrate that the installation achieves levels of Phosphorous 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 Phosphorous content.
BAT 24 - Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 25 - Monitoring of emissions and process parameters - Ammonia emissions	Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 26 - Monitoring of emissions and process parameters - Odour	The approved odour management plan (OMP) includes the following details for on Farm Monitoring and Continual Improvement: <ul style="list-style-type: none">• Twice daily olfactory checks will be carried out at the monitoring points

BAT measure	Applicant compliance measure
emissions	<p>at the installation boundary, indicated on the monitoring location plan, coinciding with stock inspections (normally 07.00-10.00 hrs and 16.00-19.00 hrs) any abnormalities recorded and investigated.</p> <ul style="list-style-type: none"> • Odour monitoring will be carried out weekly at the monitoring points. Monitoring will be by means of self-assessed “Sniff Testing” by person/persons not normally working on the poultry installation. In the event of odour scores of 3, 4 or 5 being recorded, as described in the odour management plan, the site staff will be alerted to implement contingency measures. Retesting at the installation boundary will be conducted following any actions implemented to ensure the effectiveness of recorded actions implemented. • In the event of substantiated odour complaints being received the operator will review the monitoring procedure, with any changes to be agreed with the Environment Agency.
BAT 27 - Monitoring of emissions and process parameters - Dust emissions	<p>Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p> <p>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.</p>
BAT 32 - Ammonia emissions from poultry houses - Broilers	<p>The BAT-AEL to be complied with is 0.08 kg NH₃/animal place/year. The Applicant will meet this as the emission factor for broilers is 0.034 kg NH₃/animal place/year.</p> <p>The installation does not include an air abatement treatment facility; hence the standard emission factor complies with the BAT-AEL.</p>

More detailed assessment of specific BAT measures

Ammonia emission controls – BAT conclusion 32.

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

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 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 Taylors Wold Farm dated 22/02/22 (received on 11/10/22) 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/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 400 metres of the installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400 metres of the installation to prevent or, where that is not practicable, to minimise the risk of pollution from odour emissions.

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

- Manufacture and selection of feed
- Feed delivery and storage
- Housing and ventilation system
- Litter management
- Carcass disposal
- Incinerator

- House clean out

There is one sensitive receptor within 400 metres of the installation boundary, located approximately 285 metres to the south-east of the installation boundary. The Applicant has provided an OMP that has been assessed against the requirements of EPR 6.09 (version 2) Appendix 4 guidance 'Odour Management at Intensive Livestock Installations' and the 'Poultry Industry Good Practice Checklist' version 2, August 2013. We consider that the OMP is acceptable because it complies with the above guidance. The Operator is required to manage activities in accordance with condition 3.3.1 of the permit and this OMP.

The OMP sets out the preventative measures that will be taken at the installation as part of the daily management of odour risk at the site. The following key measures are included in the Applicant's OMP:

- Twice daily olfactory checks will be carried out at the installation boundary.
- Feed specifications will be prepared by the feed compounder's nutrition specialist.
- Feed will be supplied only from UKAS accredited feed mills, so that only approved raw materials are used.
- Feed delivery systems will be sealed to minimise atmospheric dust.
- Any spillage of feed around the bins will be immediately swept up.
- The condition of feed bins will be checked frequently so that any damage or leaks can be identified.
- Feed deliveries will be monitored to avoid dust and spills.
- No milling or mixing of feeds will take place on site.
- Use of high velocity roof extraction fans to aid dispersion.
- The ventilation system will be regularly adjusted to match the age and requirements of the flock and will be designed to efficiently remove moisture from the house.
- Stock inspections will be carried out by trained staff to avoid panicking birds creating dust.
- Controls on feed and ventilation will help to maintain litter quality.
- Use of nipple drinkers with drip cups to minimise spillage.
- Daily checks of drinker height and pressures to avoid capping.
- Carcasses will be placed into plastic sealed bags, stored in sealed, shaded and vermin proof containers away from sensitive receptors. Frequent incineration of carcasses (2/3 times per week).
- Incinerator ash will be stored in sealed containers awaiting disposal with spent litter.
- De-littering will be avoided at weekends during the summer months.
- Litter will be loaded into trailers parked close to the poultry house doors, and trailers sheeted before leaving the fill position.
- Houses will be sealed immediately following destocking awaiting de-littering. Houses will be de-littered individually before moving on to the next house. Minimum ventilation rate will be in operation during de-littering.
- Houses will be sealed immediately following de-littering, awaiting washing operations.
- No storage of used litter on site at any time; removed off site immediately.
- The houses will be washed within 48 hours of de-littering.
- Working areas around houses are concreted and will be kept clean during the production cycle.
- At clean out, dirty water from houses, together with lightly contaminated yard wash, will be directed to the underground storage tanks, before being removed off site following completion of washing operations.
- No storage or production of odorous waste on site.

The OMP includes a section on odour monitoring. Odour levels at the Installation will be monitored twice daily to detect elevated levels of odour. In addition, monitoring by a person not directly involved with the poultry will be undertaken once a week at the monitoring points marked on the monitoring plan. Odour detection recorded at medium or above will result in staff being alerted to implement contingency measures; retesting at the installation boundary will be conducted following any actions implemented to ensure the effectiveness of recorded actions implemented. In the event of a substantiated odour complaint being received, the Operator will review both the OMP and the monitoring procedure, with any changes to be agreed with the Environment Agency.

The OMP includes contingency measures to minimise odour pollution during abnormal operations. A list of primary and secondary remedial measures are included in the contingency plan, including triggers for commencing and ceasing use of these measures.

The OMP also provides a suitable procedure in the event that complaints are made to the Operator and includes complaints form template.

The Operator will be required to review the OMP at least every year (as committed to in the OMP), prior to any major changes to operations (to ensure effectiveness) and/or after the Environment Agency has notified the Operator that it has substantiated a complaint and make any appropriate changes to the OMP identified by the review.

Odour Management Plan Review

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.

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 400 metres 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".

The risk assessment for the Installation provided with the Application lists key potential risks of noise pollution beyond the Installation boundary. These activities are as follows:

- Vehicles travelling to and operating on the site
- Feed transfer from lorries
- Ventilation system
- Alarm System/Standby Generator
- Chickens
- Incinerator
- Personnel
- Repairs

There is one sensitive receptor within 400 metres of the installation boundary. The Applicant has provided an NMP as part of the application supporting documentation. The following key measures are contained in the Applicant's NMP to minimise noise pollution:

- Deliveries of feed and fuel will be time restricted (07.00 -19.00hrs).
- Large capacity lorries will be used to reduce the number of deliveries/collections; lorries will be fitted with silencers and no vehicles will be left idling on site.
- Roads and tracks will be maintained to minimise noise produced.
- A 10mph speed restriction will be in place on site.
- All vehicles will be well maintained.
- Daily inspections of bin stocks to prevent augers running empty (07.00 - 10.00 hrs and 16.00 - 19.00 hrs).
- Internal feeders will be checked twice daily to ensure correct operation.
- Noise from ventilation fans will be assessed during twice daily inspections (07.00 - 10.00 hrs and 16.00 - 19.00 hrs); any noisy fans will be isolated and the electrician notified.
- Regular end of cycle maintenance for fans by qualified electrician.
- Use of pagers or mobile phones rather than audible alarms.
- Bird deliveries will take place during normal working hours (08.00-18.00 hrs).
- Catch teams will be fully trained and advised of need to keep noise to a minimum.
- Crates will be placed carefully on concrete yards prior to house entry.
- Lorries will be scheduled to minimise duration of catch and will be parked as close as possible to doors to reduce forklift travel.
- Litter removal and washing will take place during normal working hours (07.00 - 19.00 hrs).
- The incinerator will be shielded by buildings from the nearest receptor and operated 2/3 times per week, avoiding weekends.
- The standby generator will be test run during normal working hours (07.00 - 19.00hrs), and will be housed in an acoustic jacket.
- Maintenance/repairs will be carried out during normal working hours (07.00 - 1800 hrs) excepting emergencies/breakdown.

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.

The NMP will be reviewed annually or following a substantiated noise complaint.

Ammonia

There are no European/Ramsar sites within 5 km of the installation.

There are two Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also eight Local Wildlife Site(s) (LWS) within 2 km of the installation.

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 (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 SSSI.

Initial screening using the ammonia screening tool version 4.6 has indicated that emissions from Taylors Wold Farm will only have a potential impact on SSSI with a precautionary CLe of $1\mu\text{g}/\text{m}^3$ if they are within 975 metres of the emission source.

Beyond 975 metres, 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 SSSI 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 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Normanton Pastures	3,736
Kinoulton Marsh and Canal	3,528

Ammonia assessment - LWS

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 Taylors Wold Farm will only have a potential impact on the LWS sites with a precautionary CLe of $1\mu\text{g}/\text{m}^3$ if they are within 337 metres of the emission source.

Beyond 337 metres, 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 are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 2 – LWS Assessment

Name of LWS	Distance from site (m)
Fishpond Plantation, Owthorpe	1,131
Cropwell Bishop Relict Pasture	1,596
Herrywell Lane	840
Cropwell Bishop Gypsum Spoil II	1,625
Borders Wood	407
Gypsum Quarry, Cropwell Bishop	1,661
Grantham Canal (Hollygate Bridge to Kinoulton)	1,334
Cotgrave Forest	1,329

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"> - Environmental Health – Rushcliffe Borough Council - The Health and Safety Executive <p>The comments and our responses are summarised in the consultation section.</p>
Operator	
Control of the facility	We are satisfied that the Applicant (now the Operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility'.</p> <p>The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p>
The site	
Extent of the site of the facility	The Applicant has provided plans which we consider are satisfactory, showing the extent of the site of the facility. The plans are included in the permit.
Site condition report	The Applicant 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	<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</p>

Aspect considered	Decision
	<p>accordance with our guidance.</p> <p>See key issues section.</p>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the Applicant's assessment of the environmental risk from the facility.</p> <p>The Applicant's risk assessment is satisfactory.</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques proposed by the Applicant 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 Operator must use are specified in table S1.2 in the environmental permit. Key measures include:</p> <ul style="list-style-type: none"> • The houses will be ventilated by high velocity roof fan outlets, with emission points higher than 5.5 metres above ground level, with an efflux speeds of 12 metres per second, and additional gable end fans for summer cooling. • The houses will be insulated, have a damp proof course and will be equipped with non-leaking nipple drinking systems. • Drainage from animal housing and water from cleaning out will be collected in underground storage tanks, pending export off-site for spreading on third party land. Clean drainage systems will not be contaminated. • Roof water from the poultry houses and yard surface water (excluding all times yards are contaminated e.g. catching, mucking out or washing) will be directed to an unlined attenuation pond, with outlet to ditch. • Litter will be placed in trailers following clean out after crop depletion. Once full, trailers will be covered and litter removed from site by a third party to be sold. Used litter will not be stored at the installation. • Mortalities will be collected daily and stored in sealed, vermin-proof containers prior to incineration on site in a licensed incinerator. • All working areas around the poultry houses will be concreted to prevent emissions to ground. <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> <p>See key issues section.</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>

Aspect considered	Decision
	See key issues section.
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	<p>ELVs based on BAT have been set for the following substances:</p> <ul style="list-style-type: none"> • 0.6 kg N excreted/animal place/year • 0.25 kg P₂O₅ excreted/animal place/year • 0.08 kg NH₃/animal place/year <p>See key issues section.</p>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to implement the IRPP BAT Conclusions dated 21/02/17.</p>
Reporting	<p>We have specified reporting in the permit for emissions of nitrogen, phosphorus, ammonia and dust.</p> <p>We made these decisions in accordance with the IRPP BAT Conclusions dated 21/02/17.</p> <p>See key issues section.</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</p>

Aspect considered	Decision
	<p>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
Rushcliffe Borough Council
Brief summary of issues raised
The council note that the site is in a rural location, with a number of offsite residential premises within several hundred metres of the poultry buildings, and conclude that if managed in accordance with the supporting assessments, noise and odour emissions from the proposed operation of the site should not have any unacceptable adverse effects on the neighbouring residential properties and businesses.
Summary of actions taken or show how this has been covered
The Installation will be operated in accordance with best available techniques and the NMP and OMP submitted on 11/10/22 and 28/12/22 respectively. No further action required.

The Health and Safety Executive were also consulted but a response was not received.

Representations from local MP, councillors and parish/town community councils

Response received from
Councillor T Combella - Borough Councillor for Nevile & Langar Ward
Brief summary of issues raised
<ol style="list-style-type: none"> 1. The application has not been publicised to allow for both public and planning consultee consultation. 2. This will contribute to increasing levels of cumulative ammonia in the area. 3. Using receptors in such close proximity does not take into account variations in wind direction and climate. Pollution is carried on the wind - note sand from the Sahara travels great distance. 4. The application is incorrect - it uses a receptor 400 metres from the site rather than the nearest dwelling which is 300 metres away. 5. Mention is made of an incinerator but as you point out this is contradicted. No incinerator has been mentioned in the Borough Planning Application. 6. A bore hole is mentioned - again this is not mentioned in the environmental impact statement and should be a matter for consultation with Severn & Trent and the Drainage Board. 7. Environmental consequences 8. The entire application is self-authored with no apparent checks and balances.
Summary of actions taken or show how this has been covered
<ol style="list-style-type: none"> 1. The Application was publicised in accordance with the Permitting Regulations and our statutory Public Participation Statement (PPS). In response to feedback, following the initial standard 20 working days (4 weeks) consultation on the application, we reopened the consultation on Citizens Space for a further 8 working days to provide time for any additional people who wished to comment to do so, which the Borough Councillor for Nevile & Langar Ward was made aware of. 2. 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. Furthermore, we consider that the proposed best available technique measures to ensure there will be no significant impacts on habitat sites will in

turn protect human health.

3. The Applicant has correctly identified relevant sensitive receptors in accordance with our guidance.
4. The table of sensitive receptors provided within the OMP has been amended by the Applicant during determination. We are satisfied, that in-line with our guidance, all relevant sensitive receptors within 400 metres of the Installation boundary have been correctly identified and listed in the revised OMP.
5. The Applicant has confirmed that carcasses will be incinerated on site and that a collection agent will be used in the event of incinerator failure. The Permitting Regulations allow us to issue an environmental permit irrespective of whether planning permission is in place. Where we have issued an environmental permit, this does not mean that the Operator can carry out the activity without the relevant planning consent. The Operator has to comply with both the environmental permit and the planning permission.
6. The Applicant has confirmed that a borehole abstraction license will be obtained once the location of the borehole has been decided.
7. We have assessed the impact of the proposed Installation, in accordance with our guidance, and the Installation is considered to have no adverse effect on the environment.
8. The Application has been submitted and assessed in accordance with our guidance for installations under the Environmental Permitting Regulations (England and Wales) 2016.

Response received from

Ruth Edwards - Member of Parliament for Rushcliffe

Brief summary of issues raised

A number of constituents have raised concerns and objections echoing Cllr Combellack's comments of 7th September. Clarification on the environmental issues that are being raised, particularly in relation to air quality, should be fully addressed before any permission is given for this licence.

Summary of actions taken or show how this has been covered

Points addressed above, linked to the response from Councillor T Combellak - Borough Councillor for Nevile & Langar Ward.

Representations from community and other organisations

Response received from

Nottingham Astronomical Society

Brief summary of issues raised

1. Heat haze rising continuously from the warm sheds will make long-exposure astrophotography impossible: the ability to do this is critical for the Society.
2. Light pollution will severely degrade any astronomical observations made, to the point where its Observatory could be rendered completely unusable.
3. Dust and other particulates will degrade atmospheric transparency and cause damage to the delicate optics of any instruments stored at the Observatory.
4. Objectionable odours will put Society members and visitors off from visiting the Observatory.
5. The proposed development is positioned too close to and directly south of the Observatory, in exactly the worst position that could possibly have been chosen, thus maximising the above detrimental effects.

Summary of actions taken or show how this has been covered

1. Heat haze is a matter for consideration during the planning process and does not form part of the Permit decision.
2. Light pollution is a matter for consideration during the planning process. However, the Applicant has proposed appropriate measures to minimise light pollution from the Installation. The poultry houses will be fitted with windows in the side walls to allow the ingress of natural light to the birds; the windows will be fitted with automatic shutters to prevent light pollution during darkness hours. Low energy light bulbs will be utilised and all external lights will be fitted with motion sensors.
3. The use of Best Available Techniques and good practice will ensure minimisation of emissions. Furthermore, particulate concentrations fall off rapidly with distance from the emitting source. This fact, together with the proposed good management of the Installation will reduce the potential for emissions impacting receptors.
4. The Installation will be operated in accordance with the revised OMP submitted on 28/12/22. The Environment Agency is satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise odour and to prevent pollution from odour outside the site.
5. Decisions over location and land use are a matter for consideration during the planning process and do not form part of the Permit decision. The location of the Installation is a relevant consideration for Environmental Permitting in so far as it has the potential to have an adverse environmental impact on communities or sensitive environmental receptors. We have considered the impact of the installation on sensitive receptors and conclude that it will have no significant effect.

Representations from individual members of the public.

Brief summary of issue raised	Summary of actions taken or show how this has been covered
<p><u>Odour</u></p> <ol style="list-style-type: none"> 1. Impact on community 2. The odour assessment is inadequate, flawed and unreliable 3. Inconsistencies in the OMP 4. OMP doesn't meet H4 guidance and measures are inadequate. 	<p>The Environment Agency is satisfied following a review of the information provided in the Application, that the appropriate measures will be in place to prevent or where that is not practicable to minimise odour and to prevent pollution from odour outside the site and that activities will not give rise to significant pollution or harm to human health.</p> <p>The Applicant has provided a revised odour risk assessment, submitted on 11/10/22, which meets the requirements of the guidance Intensive farming risk assessment for your environmental permit - GOV.UK (www.gov.uk). This type of assessment does not involve measuring or predicting odour levels (odour modelling for such farms we have concluded as having too high a level of uncertainty to be used in odour assessment) - instead it relies upon a subjective assessment of the odour. The overall risk takes into account the control measures which will be used to manage the risks. We have reviewed the risk assessment and are satisfied that the Applicant has identified all risks relevant to the activity and has proposed appropriate measures to manage the risks.</p> <p>A revised OMP was submitted on 28/12/22, to correct any inconsistencies or errors which have been identified by the Environment Agency. We have assessed the revised OMP and are satisfied that the measures outlined will minimise the potential for emissions from the Installation. These measures are listed in Table S1.2 of the Permit and the Operator is required to comply with them as stipulated in Condition 2.3.1 of the Permit.</p> <p>The Applicant has provided a revised OMP that complies with the requirements of EPR 6.09 (version 2) Appendix 4 guidance 'Odour Management at Intensive Livestock Installations' the 'Poultry Industry Good Practice Checklist' version 2, August 2013 and H4 Odour management guidance.</p>

<p>5. Concern over who will carry out the odour checks and that the proposal for odour monitoring is inadequate.</p> <p>6. No effective odour contingency measures have been identified</p> <p>7. The Applicant confirms there will be no milling or mixing of feeds onsite, but planning application includes feed blending rooms.</p> <p>8. The Environment Agency has a duty of care to review the concern regarding odour in an unbiased and meaningful way.</p>	<p>It is a well-established practise in this sector to use frequent perimeter tours of the installation and sniff checks as satisfactory odour monitoring. This is typically undertaken daily or weekly and carried out by independent people who are not desensitised to the farm smell. This provides a robust approach to alert the operator to any potential odour from the installation and allows the ability to detect odours from all potential sources. Formal odour monitoring will be carried out weekly, conducted by means of "sniff testing" at specific monitoring points, as shown on the monitoring points location map, received on 11/10/22. This will be carried out by a person not directly involved with operations at the installation to ensure they are not desensitised to the poultry smell, in accordance with guidance. The monitoring procedure and frequency will be reviewed annually or in the event of a substantiated complaint.</p> <p>The OMP submitted by the Applicant includes contingency measures to minimise odour pollution during abnormal operations. A list of primary and secondary remedial measures are included in the contingency plan, including triggers for commencing and ceasing use of these measures, in-line with our guidance.</p> <p>The Applicant has stated that there will be no on-site milling or mixing of feed. Their operating techniques, as defined by their application, are included in Table S1.2 of the Permit and the Operator is required to comply with this as stipulated in Condition 2.3.1 of the Permit. Should the Operator not comply with the Permit conditions, it would be in breach of the Permit, and appropriate enforcement action taken, in accordance with our Enforcement and Sanctions Policy.</p> <p>We consider in reaching our decision that we have taken into account all relevant considerations and legal requirements and that the Permit will ensure that a high level of protection for the environment and human health is provided.</p>
<p><u>Noise</u></p> <p>1. Impact on community</p> <p>2. Noise impact assessment fails to address the impact of the proposed facility.</p> <p>3. No mitigation for night time operations</p>	<p>Based upon the information in the Application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise noise and vibration and to prevent pollution from noise and vibration outside the site and that activities will not give rise to significant pollution or harm to human health.</p> <p>The Applicant has provided a revised noise risk assessment, submitted on 23/11/22, which meets the requirements of the guidance Intensive farming risk assessment for your environmental permit - GOV.UK (www.gov.uk). This type of assessment does not involve measuring or predicting noise levels - instead it relies upon a subjective assessment of whether the noise is audible or not, how loud it sounds and if it has any noticeable characteristics. The overall risk takes into account the control measures which will be used to manage the risks. We have reviewed the risk assessment and are satisfied that the Applicant has identified all risks relevant to the activity and has proposed appropriate measures to manage the risks.</p> <p>The Applicant has provided a revised NMP, received on 11/10/22, that complies with the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that the measures outlined in the NMP will minimise the potential for noise</p>

	emissions from the Installation. The Operator will be required to operate the Installation in compliance with the NMP and is required to review the plan at least every year and/or after the Environment Agency has notified the operator that operations are giving rise to noise pollution, and make any appropriate changes to the NMP identified by the review. Standard condition 3.4.1 concerning noise is contained within the permit.
<u>Ammonia</u>	
<ol style="list-style-type: none"> 1. Concern raised that an in-combination ammonia assessment has not been undertaken considering the effects of a number of nearby farming operations 2. Air scrubbers should be installed 	<p>We consider contributions from other sources by including background concentrations in our assessments. We do assess other recently permitted farming operations and, where we are aware of them, other potential sources that may not be accounted for in the background concentrations.</p> <p>In accordance with our current ammonia screening process, an in-combination assessment is only required for SSSI where the process contribution (PC) exceeds 20% of the relevant critical level (CLe) or critical load (CLo). An in-combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the SSSI. In this case, the PC was below 20% of the relevant critical level (CLe) or critical load (CLo) for all SSSI and no further assessment was required.</p> <p>The impact of ammonia has been assessed as satisfactory without the requirement for air scrubbers, as is highlighted in the key issues section of this document.</p>
<u>Risk to human health</u>	
<ol style="list-style-type: none"> 1. Health impacts associated with particulates, odour, pathogens and ammonia 	<p>The Health Protection Agency (UK Health Security Agency (UKHSA)) has stated (Position Statement, Intensive Farming 2006) that intensive farms may cause pollution but provided they comply with modern regulatory requirements any pollutants to air, water and land are unlikely to cause serious or lasting ill health in local communities.</p> <p>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 risk of spillages (e.g. litter and feed management/delivery procedures) all reduce the potential for emissions impacting the nearest receptors.</p>
<u>Wildlife</u>	
<ol style="list-style-type: none"> 1. Impact on habitat and protected species during both construction of, and operation of, the site. 	<p>We have carried out an assessment of the impact from this proposal on nature conservation sites from ammonia emissions. This has considered any Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar sites and Sites of Special Scientific Interest (SSSIs) within 5km of the Installation boundary and any other nature conservation sites (including National Nature Reserves (NNR), Local Nature Reserves (LNNs), Ancient Woodlands (AW) and Local Wildlife Sites (LWS)), within 2km of the Installation boundary. Screening using the ammonia screening tool version 4.6 has concluded that the Installation is considered to have no adverse effect on the nature conservation sites.</p> <p>Decisions over the construction phase are a matter for consideration during the planning process and do not form part of the Permit decision. We are only able to take into account those issues, which fall within the scope of our regulatory powers.</p>
<u>Inaccuracies and omissions in the application</u>	
<ol style="list-style-type: none"> 1. The application 	The Applicant submitted a revised non-technical summary, in-line with our guidance, on 26/08/22, which we consider to be adequate. More

<p>fails to provide an appropriate non-technical summary and makes no reference to the key technical standards which are applicable.</p> <p>2. The fugitive emissions risk assessment is too vague.</p> <p>3. Incinerator not mentioned in the planning application</p>	<p>detailed information with regards to technical standards, is provided elsewhere in the Application supporting documents.</p> <p>The Applicant has provided a revised fugitive emissions risk assessment, submitted on 11/10/22, which meets the requirements of the guidance Intensive farming risk assessment for your environmental permit - GOV.UK (www.gov.uk).</p> <p>The Permitting Regulations allow us to issue an environmental permit irrespective of whether planning permission is in place. Where we have issued an environmental permit, this does not mean that the Operator can carry out the activity without the relevant planning consent. The Operator has to comply with both the environmental permit and the planning permission.</p>
<p><u>General</u></p> <p>1. Revised documents should be made available as part of the consultation</p> <p>2. Concern over the carcass incinerator</p> <p>3. Impact from traffic on the village</p> <p>4. Addition of nitrates in a nitrate vulnerable zone</p> <p>5. An increase in the presence of flies will also be significant</p> <p>6. Impact from the site on flooding</p> <p>7. Impact on quality</p>	<p>Although we extended the consultation following feedback, we did not consider that the permit application was designated to be a site of high public interest hence we followed the normal permit determination process and weren't obliged to include additional documents. All documents relevant to our determination are available to view on our Public Register.</p> <p>We do not consider small incinerators with a capacity of <50kg/hr to have any significant environmental risk. Carcass incinerators below 50kg/hr capacity are regulated by the Animal and Plant Health Agency APHA. They have their own application and assessment process for the operation of the incinerator. The Environment Agency check the incinerator is below 50kg/hr and assess the measures for storing carcasses and associated fuel.</p> <p>Consideration of traffic routes and volume is not within the remit of the Environment Agency. It is a matter for the Local Planning Authority to consider in relation to any planning application.</p> <p>We are satisfied that the risk to the Nitrate Vulnerable Zone (NVZ) has been assessed and that the risk is low</p> <p>We consider the presence of pests at the Installation to be a low risk and therefore the Applicant was not required to submit a Pest Management Plan with the Application. However, the Applicant has confirmed in their technical standards document that pest control will be undertaken by trained company staff, and that appropriate actions will be put into place to prevent and control flies should a nuisance arise. The permit includes the standard pest conditions, 3.6.1 and 3.6.2, and the Operator will be required to submit a pest management plan if notified by the Environment Agency.</p> <p>Flooding impact is a matter for consideration during the planning process. However, the Applicant has confirmed that the drainage system and attenuation pond have been sized to take into account potential increases in rainfall in the future</p> <p>Decisions over location and land use are a matter for consideration during the planning process and do not form part of the Permit decision.</p>

<p>of life and well-being</p> <p>8. The footprint of the new poultry farm is nearly as large as the village itself</p> <p>9. Not made aware of consultation</p>	<p>The location of the Installation is a relevant consideration for Environmental Permitting in so far as it has the potential to have an adverse environmental impact on communities or sensitive environmental receptors. We have considered the impact of the Installation on sensitive receptors and there will be no significant pollution of the environment or harm to human health from emissions.</p> <p>The scale of the Installation is a matter for consideration during the planning process and does not form part of the Permit decision.</p> <p>The Application was publicised in accordance with the Permitting Regulations and our statutory Public Participation Statement (PPS). In response to feedback, following the initial standard 20 working days (4 weeks) consultation on the application, we reopened the consultation for a further period to provide time for any additional people who wished to comment to do so.</p>
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