

Permitting decisions

Variation

We have decided to grant the variation for Johnnies Farm operated by W & A C Rose (Farms) Limited.

The variation number is EPR/XP3130DC/V002.

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

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

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 will set 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 housing within variation applications** 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 for ammonia emissions which will apply to the majority of permits, as well as BAT associated levels 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 are published.

This variation determination includes a review only of BAT compliance for new housing introduced with this variation. A BAT review of existing housing compliance with BAT conclusions document is to be the subject of a sector permit review and is beyond the scope of this variation application permit determination.

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 housing, in their document titled 'Appendix 5: Technical Standards Manor Farm' received on 09/09/2022.

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

BAT measure	Applicant compliance measure
BAT 3 Nutritional management Nitrogen excretion	<p>The Applicant has confirmed it will demonstrate it 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.</p> <p>This confirmation was in response to request for further information, received 16/12/22, which has been referenced in Table S1.2 Operating Techniques of the Permit.</p> <p>Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
BAT 4 Nutritional management Phosphorous excretion	<p>The Applicant has confirmed it will demonstrate it achieves levels of Phosphorous excretion below the required BAT-AEL of 0.25 kg P₂O₅ animal place/year by an estimation using manure analysis for total Phosphorous content.</p> <p>This confirmation was in response to the request for further information, received 16/12/22, which has been referenced in Table S1.2 Operating techniques of the Permit.</p> <p>Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.</p>
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 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. Monitoring complied with via usage of standard ammonia emission factors.
BAT 26 Monitoring of emissions and process parameters - Odour emissions	Odour monitoring, complaints process and operational controls as per Odour Management Plan submitted on 09/09/2022.
BAT 27 Monitoring of emissions and process parameters - Dust emissions	<p>Table S3.3 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</p>

BAT measure	Applicant compliance measure
	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 0.08 kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for broilers is 0.034 kg NH ₃ /animal place/year. The Installation does not include an air abatement treatment facility; hence the standard emission factor complies with the BAT AEL.

More detailed assessment of specific BAT measures

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.

Industrial Emissions Directive (IED)

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

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

Groundwater and soil monitoring

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

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

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

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

The site condition report (SCR) for Johnnies Farm (received on 07/12/21) demonstrates that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. Therefore, on the basis of the risk assessment presented in the SCR, we accept that they have not provided base line reference data for the soil and groundwater at the site at this stage and although condition 3.1.3 is included in the permit no groundwater monitoring will be required.

Odour

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance (http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297084/geho0110brsb-e-e.pdf).

Condition 3.3 of the environmental permit reads as follows:

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

Under section 3.3 of the guidance an Odour Management Plan (OMP) is required to be approved as part of the permitting process, if as is the case here, sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400m of the Installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400m of the installation to prevent, or where that is not practicable, to minimise the risk of pollution from odour emissions. A staff dwelling building has been proposed to be constructed within the site boundary, however planning permission has not yet been applied for at the time of this determination. Therefore, an OMP has been requested and assessed.

The risk assessment for the Installation provided with the Application lists key potential risks of odour pollution beyond the Installation boundary.

Odour Management Plan Review

- Twice daily olfactory monitoring conducted by persons not directly involved in operations to reduce the risk of adaptation.
- Use of heat exchangers in the bird houses to reduce humidity and ammonia emissions.
- All feed deliveries are monitored for odour, and condition of the feed bins checked for damage or leaks. All feed bins are vermin-proof. All spills immediately cleaned.
- High velocity roof extraction fans in place on all houses to aid dispersion and checked by qualified electrician prior to the start of each cycle. Ventilation adjusted to remove moisture from the houses and ensure dry litter. Insulation in the walls and ceiling to prevent condensation. Vents are cleaned after each cycle.
- Bird water delivered via nipple drinkers fitted with drip cups to reduce spillage and leaks. All drinkers checked daily.
- Use of highly absorbent wood shavings or pelleted straw as litter. All used litter placed into sheeted trailers and exported from site. No used litter is stored on site.
- Fallen stock placed into sealed bags and stored in freezers. Collected a minimum of twice a week.
- Dirty water tanks monitored during wash down 3 times daily and freeboard space is maintained to ensure there are no spills.
- All working areas concreted to aid effective cleaning.

Conclusion

We have assessed the OMP and the H1 risk assessment for noise 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.

Noise

Intensive farming by its nature involves activities that have the potential to cause noise pollution. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance. Under section 3.4 of this guidance a Noise Management Plan (NMP) must be approved as part of the permitting determination, if there are sensitive receptors within 400m of the Installation boundary.

Condition 3.4 of the Permit reads as follows:

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

There are sensitive receptors within 400 metres of the Installation boundary as stated in section 4.4.2 above. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation, and further details are provided in section 4.5.2 below. A staff dwelling building has been proposed to be constructed within the site boundary, however planning permission has not yet been applied for at the time of this determination. Therefore, an NMP has been requested and assessed with this proposal in mind.

The risk assessment for the Installation provided with the Application lists key potential risks of noise pollution beyond the Installation boundary.

Noise Management Plan Review

The main sources of noise are:

- Bird housing ventilation – these have maintenance schedules and be operated intermittently. Noise assessed twice daily. Breakdowns isolated and fixed within 4 hours.
- Feed deliveries – lorries fitted with silences, roads well maintained, 10mph speed limit enforced on site.
- Feeding operations – all infrastructure inspected daily to prevent augers running empty, regular maintenance.
- Bird catching – catch-time duration minimised, crates not placed on concrete yard, catch teams trained to minimise noise, lorries parked close to the house doors to reduce forklift travel.
- Clean-out – litter removal and wash-down during 7am-7pm. Trailers parked close to the bird house doors to reduce travel.
- Standby generator – tested during 7am-7pm and housed in an acoustic jacket.

Conclusion

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution / nuisance.

Dust and Bio aerosols

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the permit (the 'Fugitive Emissions' conditions) to provide a level of protection.

Condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

There is 1 sensitive receptor within the site boundary and this will be a staff dwelling. The grid reference for this receptor is SK 96476 84385. This staff dwelling building has been proposed to be constructed within the site boundary, however planning permission has not yet been applied for at the time of this determination. Therefore, a DMP has been requested and assessed.

The Applicant has provided a dust and bio aerosol risk assessment.

In addition, guidance on our website concludes that Applicants need to produce and submit a dust and bio aerosol management plan beyond the requirement of the initial risk assessment, with their applications only if there are relevant receptors within 100 metres of their farm, e.g. the farmhouse or farm worker's houses. Details can be found via the link below: www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols.

As there are receptors within 100m of the installation, the Applicant was required to submit a dust and bio aerosol 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 following measures in their operating techniques to reduce dust:

Dust and Bioaerosol Management Plan Review

The main sources of dust are:

- Feed delivery and storage – feed silos fitted with dust cyclones to capture dust and all spillages cleaned up immediately. Deliveries are monitored for dust and silos inspected. Feed drops and hoppers are under cover. No on-site feed milling or mixing takes place.
- Use of extraction fans to aid dispersion and inspected prior to the start of each cycle. Ventilation outlets cleaned post-cycle.
- Stock inspections carried out by trained staff to avoid bird panic.
- Use of dust-extracted shavings for litter and optimum stocking levels maintained to prevent overcrowding.
- Clean-out – minimum ventilation used during de-littering and trailers placed close to house doors for careful loading. All trailers sheeted once filled and no double-handling.

Conclusion

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

Biomass boiler

The applicant is varying their permit to include one biomass boiler with a net rated thermal input of 1.79 MW. This will be fuelled using cereal straw.

The Environment Agency has assessed the pollution risks and has concluded that air emissions from small biomass boilers are not likely to pose a significant risk to the environment or human health providing certain conditions are met. Therefore, a quantitative assessment of air emissions will not be required for poultry sites where:

- the aggregate boiler net rated thermal input is:
 - a) less than 0.5MWth, or;
 - b) less than 1MWth where the stack height is greater than 1 metre above the roof level of adjacent buildings including building housing boiler(s) if relevant (where there are no adjacent buildings, the stack height must be a minimum of 3 metres above ground), and there are:
 - no Special Areas of Conservation, Special Protection Areas, Ramsar sites or Sites of Special Scientific Interest within 500 metres of the emission point(s);
 - no National Nature Reserves, Local Nature Reserves, ancient woodlands or local wildlife sites within 100 metres of the emission point(s), or;
 - c) less than 2MWth where, in addition to the above criteria for less than 1MWth boilers, there are:
 - no sensitive receptors within 150 metres of the emission point(s).

This is in line with the Environment Agency's May 2013 document "Biomass boilers on EPR Intensive Farms", an assessment has been undertaken to consider the proposed addition of the biomass boiler(s).

Although the boiler for this site did meet the above conditions, we decided to conduct a quantitative assessment of the emissions because it is expected to release over 250mg/m³ of NO_x (this value is higher than that used as a basis of our screening for biomass boilers). We used the Environment Agency's Air Quality Modelling and Assessment Unit (AQMAU) screening tool in addition to considering the local environmental quality.

Table 1. Point source emission parameters

Emission Point Reference	Grid reference of stack	Stack height (m)	Stack Diameter (m)	Exit velocity (m/s)
1	SK 96654 84411	10.5	0.40	12.5

The Air Quality Monitoring and Assessment Unit (AQMAU) screening tool has been run for emissions of NO_x, PM₁₀ and CO for the closest residential receptor points around the site. These are:

Table 2. Residential receptors

Receptor	Grid reference
Receptor 1	SK 96476 84385

The screening tool has been run for the stack to calculate maximum process contributions (PC) in the emissions.

Process Contributions

The emissions were assessed in accordance with the H1 environmental risk assessment methodology. The emissions were assessed against the following Air Quality Standards (AQS):

Table 3. Air Quality Standards (AQS)

Pollutant	AQS µg/m ³ (short term)	AQS µg/m ³ (long term)
NO ₂	200	40
PM ₁₀	50	40
CO	10,000	No long term AQS

Process contribution (PC) significance thresholds are 10% of the AQS for short term and 1% for long term.

Using the AQMAU screening tool, all CO and PM₁₀ emissions for short term process contributions can be screened out as insignificant at this stage. However, NO₂ under the short term PC screening was found to be higher than the relevant AQS significant threshold, therefore the next stage of screening was conducted on this pollutant.

Where process contributions exceed the specified thresholds, we must consider the additional impact of background concentrations. PC plus background is referred to as 'predicted environmental concentration' (PEC).

The background maps held by DEFRA were used to obtain relevant background concentrations.

Guidance regarding the second stage of screening is found on [Air emissions risk assessment for your environmental permit - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit) and states the following:

“Screen out PECs from detailed modelling

In the second stage of screening if you meet both of the following requirements you do not need to do any further assessment of that substance. You'll need to do detailed modelling of emissions that do not meet both of the following requirements:

- *the short term PC is less than 20% of the short term environmental standards minus twice the long term background concentration*

- *the long term PEC is less than 70% of the long term environmental standards".*

We have reviewed the background concentrations from the DEFRA background maps. These are concentrations across a 1km by 1km grid square. In this case the maps indicate that the long term background concentration is 15.93 µg/m³ for PM₁₀, 7.49 µg/m³ for NO₂ and, multiplied by two, is 14.98 µg/m³ for short term NO₂.

In adherence to this guidance, the short-term PC for NO₂ is under 20% of the AQS of 200 µg/m³ minus twice the long term background concentration. The long term PEC (predicted environmental concentration) for NO₂ is well below 70% of the AQS at the sensitive receptor. Therefore, the NO₂ figures meet the above guidance and can be deemed as not significant and no further assessment is required. We are confident that there is not likely to be any exceedance of the AQS.

We can therefore conclude that the emissions from the biomass boiler pose a sufficiently low risk of a significant effect at human receptors that a detailed assessment is not required.

Ammonia

There is one Local Wildlife Site(s) (LWS) within 2 km of the installation. There are no SSSIs or European/Ramsar sites within 5km of this site.

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

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Johnnies Farm will only have a potential impact on the LWS site with a precautionary critical level of 1µg/m³ if they are within 602 metres of the emission source.

Beyond 602m the PC is less than 1µg/m³ and therefore beyond this distance the PC is insignificant. In this case the LWS is beyond this distance (see table below) and therefore screen out of any further assessment.

Table 1 – LWS Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Ermine Street, Cammeringham LWS	1,805

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/Engagement	
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> <p>Environmental Health – West Lindsey District Council – no response received</p> <p>Health and Safety Executive – no response received</p> <p>United Kingdom Health Security Agency – response received dated 17/1/2023.</p> <p>See consultation section below for details.</p>
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 plans which we consider are satisfactory, showing the extent of the site of the facility including the drainage details. 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 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>

Aspect considered	Decision
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. Key measures include:</p> <ul style="list-style-type: none"> • The houses are ventilated by high velocity roof fan outlets, with emission points higher than 5.5 metres above ground level, with an efflux speed of 11 metres per second, with side inlets. The houses are insulated, have a damp proof course and are equipped with non-leaking nipple drinking systems. • Drainage from animal housing and water from cleaning out is collected in underground storage tanks which are emptied and exported by contractors as soon as house washing is completed. Clean roof water is directed into a rainwater harvesting lagoon which has an overflow pipe into a soakaway which will be used during periods of heavy rainfall. Other clean yard waters are also directed into the soakaway. Clean and contaminated waters are kept separate using diverter bungs. • Heat exchangers are fitted to all 8 houses, and the temperature and humidity of the houses are computer controlled and monitored daily to maintain optimum dry litter content and bird welfare conditions. Water for the birds is delivered via a nipple drinking system fitted with cups to reduce leaks and spills onto the litter. • Litter is placed in trailers following clean out after crop depletion. Once full, trailers are covered and litter is removed from site. Used litter is not stored at the installation. • Carcasses are recorded and collected daily by a licensed collection agent. • All working areas around the poultry houses are concreted to prevent emissions to ground. • Fuel for the biomass boiler is derived from cereal straw and the stack is 1m or higher than the apex of adjacent buildings. The appliance will meet the requirements under the Medium Combustion Plant Directive. <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.</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> <p>See key issues.</p>
Permit conditions	
Updating permit conditions	<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</p>

Aspect considered	Decision
during consolidation	protection as those in the previous permit(s).
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>ELVs based on MCPD regarding emissions from the boiler have been set for the following pollutants:</p> <ul style="list-style-type: none"> • NO^x – 500mg/Nm³ • SO² – 300mg/Nm³ • Dust – 50mg/Nm³ <p>Please note there are no ELVs available for CO².</p> <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> <p>In addition, we have included monitoring of Nitrogen, Sulphur Dioxide, Carbon Monoxide and dust in relation to the emissions from the stack, as per the Medium Combustion Plant Directive. Sulphur Dioxide requirement included subject to a review specific to Intensive Farming biomass boilers.</p>
Reporting	<p>We have specified reporting in the permit for emissions of ammonia, dust, nitrogen and phosphorus. We made these decisions in accordance with IRPP BAT Conclusions dated 21/02/17.</p> <p>In addition, we have included monitoring of Nitrogen, Sulphur Dioxide, Carbon Monoxide and dust in relation to the emissions from the stack, as per the Medium Combustion Plant Directive. See key issues section.</p>
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</p>

Aspect considered	Decision
	<p>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
UK Health Security Agency
Brief summary of issues raised
The installation should comply with all BAT requirements to ensure that emissions in relation to dust, bioaerosols and ammonia pose a low risk to human health.
Summary of actions taken or show how this has been covered
See key issues section above for details regarding assessment of the Dust & Bioaerosol Management Plan, air emissions from the boiler and confirmation that the operator will construct and manage the site according to BAT. Upon our assessments of these documents, we find the operation of this installation poses a low risk to human health.