

Permitting decisions

Variation

We have decided to grant the variation for Westfield Farm Poultry Unit operated by Cullingworth Commercials and Freight Services Limited.

The variation number is [EPR/GP3834TT/V006](#).

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
- 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 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 phosphorus 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 housing, in their BAT document entitled 'Westfields Farm Poultry Unit' submitted with application EPR/GP3834TT/V006 on 18/11/2022 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 they will demonstrate they can achieve levels of Nitrogen excretion below the required BAT-AEL of 0.6 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content. Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 4 Nutritional management - Phosphorus excretion	The Applicant has confirmed they will demonstrate they can achieve levels of Phosphorus excretion below the required BAT-AEL of 0.25 kg P ₂ O ₅ animal place/year by an estimation using manure analysis for total Phosphorus content. Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorus excretion	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions. This will be verified by means of manure analysis and reported annually.
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. NH ₃ emissions will be calculated using the standard emission factor and reported annually.

<p>BAT 26 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> - Odour emissions 	<p>The approved OMP includes the following details for on Farm Monitoring and Continual Improvement:</p> <ul style="list-style-type: none"> • The staff will perform twice daily checks for odour, as well as this, checks will be performed on the surrounding area by a person who does not regularly work on the farm. • Visual (and nasal) inspections of potentially odorous activities will be carried out.
<p>BAT 27 Monitoring of emissions and process parameters</p> <ul style="list-style-type: none"> - 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 for broilers by the number of birds on site.</p>
<p>BAT 32 Ammonia emissions from poultry houses</p> <ul style="list-style-type: none"> - Broilers 	<p>The BAT-AEL to be complied with is 0.01 – 0.08 kg NH₃/animal place/year.</p> <p>The Applicant will meet this as the emission factor for broilers is 0.034 kg NH₃/animal place/year.</p>

More detailed assessment of specific BAT measures

Ammonia emission controls

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT. The BAT Conclusions document does not have a BAT AEL for ammonia emissions to air from animal housing for broilers.

Industrial Emissions Directive (IED)

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

Odour

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

Condition 3.3 of the environmental permit reads as follows:

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

Under section 3.3 of the guidance an Odour Management Plan (OMP) is required to be approved as part of the permitting process, if as is the case here, sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400m of the Installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400m of the installation to prevent, or where that is not practicable, to minimise the risk of pollution from odour emissions.

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

- Odour from Broiler production
- Odour from the manufacture and selection of feed
- Odour from feed delivery or storage
- Odours arising from problems with housing ventilation/heating systems

- Litter management & used litter
- Carcase disposal
- House clean out
- Washing operations including vehicles
- Fugitive emissions
- Dirty water management
- Abnormal operations
- Waste production/storage
- Materials/storage

Odour Management Plan Review

The Installation is located within 400m of a number of sensitive receptors, as listed below (please note, the distances stated are only an approximation from the Installation boundary to the assumed boundary of the properties):

1. Residential property – approximately 30m south of the Installation boundary.
2. Residential property – approximately 360m west of the Installation boundary.
4. Rose Cottage – approximately 390m southwest of the Installation boundary.
5. Streamdyke House – approximately 290m west of the Installation boundary.

The Operator has provided an OMP (submitted 28/04/2022) and this has been assessed against the requirements of 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 (version 2), Appendix 4 guidance 'Odour Management at Intensive Livestock Installations' and our Top Tips Guidance and Poultry Industry Good Practice Checklist (August 2013) as well as the site specific circumstances at the Installation. We consider that the OMP is acceptable because it complies with the above guidance, with details of odour control measures, contingency measures and complaint procedures described below.

The Operator is required to manage activities at the Installation in accordance with condition 3.3.1 of the Permit and its OMP. The OMP includes odour control measures, in particular, procedural controls such as manufacture and selection of feed, feed delivery and storage, ventilation and dust, litter management, carcase disposal, house clean out, used litter, washing operations, fugitive emissions, dirty water management, abnormal operations, waste production storage and materials storage etc. The operator has identified the potential sources of odour (see risks bullet pointed above), as well as the potential risks and problems, and detailed actions taken to minimise odour including contingencies for abnormal operations.

The OMP also provides a suitable procedure in the event that complaints are made to the Operator. The OMP is required to be reviewed at least every year (as committed to in the OMP) and/or after a complaint is received, whichever is the sooner.

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

Conclusion

We have assessed the OMP and the H1 risk assessment for odour and conclude that the Applicant has followed the guidance set out in H4 Odour management guidance note. Although there is the potential for odour pollution from the Installation, the Operator's compliance with the Permit and its OMP will minimise the risk of odour pollution beyond the Installation boundary. The risk of odour pollution at sensitive receptors beyond the Installation boundary is therefore not considered significant.

Noise

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

Condition 3.4 of the Permit reads as follows:

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

There are sensitive receptors within 400 metres of the Installation boundary as stated 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.

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:

- Ventilation fans
- Feed deliveries
- Feeding systems
- Fuel deliveries
- Vehicle movements
- Alarm systems
- Bird catching
- Clean out operations
- maintenance/repair
- Setup/placement
- Standby generator
- Noisy operations

Noise Management Plan Review

Sensitive receptors have been listed under 'Odour' section.

The sensitive receptors that have been considered under odour and noise do not include the operator's property and other people associated with the farm operations as odour and noise are amenity issues.

A noise management plan (NMP) has been provided by the operator as part of the application supporting documentation (submitted with the application).

The NMP also provides a suitable procedure in the event of complaints in relation to noise. The NMP is required to be reviewed at least every year (as committed to in the NMP), however the operator has confirmed that it will be reviewed if a complaint is received, whichever is sooner.

Operations with the most potential to cause noise nuisance have been assessed and control measures put in place for all vehicles accessing the site and manoeuvring around, vehicles and machinery carrying out operations on site. This includes the delivering of feed and birds, and to remove used litter and dirty water. Other operations with the potential to cause noise nuisance for which control measures have been put in place include; ventilation fans, feeding equipment, alarm system and stand-by generator, building works and repairs, animal noise etc.

We have included our standard noise and vibration condition 3.4.1 in the Permit, which requires that 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

(which is captured through condition 2.3 and Table S1.2 of the Permit), to prevent or where that is not practicable to minimise the noise and vibration.

We are satisfied that the manner in which operations are carried out on the Installation will minimise the risk of noise pollution.

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 are 3 sensitive receptors within 100m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is within the installation boundary (the staff farm cottage).

Guidance on our website concludes that applicants need to produce and submit a dust and bio aerosol 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 risk assessment 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 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:

- Feed delivery and storage
- Manufacture and selection of feed
- Ventilation and heating systems
- Litter management
- Carcase disposal
- House clean up
- Used litter
- Fugitive emissions

Conclusion

We are satisfied that the measures outlined in the Application will minimise the potential for dust and bio aerosol emissions from the Installation.

Biomass boilers

The applicant is varying their permit to include 1 additional biomass boiler, resulting in 3 biomass boilers on site with an aggregated net rated thermal input of 0.645 MW.

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 fuel will be derived from virgin timber, miscanthus or straw, and;
- the biomass boiler appliance and installation meets the technical criteria to be eligible for the Renewable Heat Incentive, and;
- the aggregate boiler net rated thermal input is less than or equal to 4 MWth, and no individual boiler has a net thermal input greater than 1 MWth, and;
- the stack height must be a minimum of 5 metres above the ground (where there are buildings within 25 metres the stack height must be greater than 1 metre above the roof level of buildings within 25 metres (including building housing boilers if relevant) and;
- there are no sensitive receptors within 50 metres of the emission points.

This is in line with the Environment Agency's document "Air Quality and Modelling Unit C1127a Biomass firing boilers for intensive poultry rearing", an assessment has been undertaken to consider the proposed addition of the biomass boiler.

Our risk assessment has shown that the biomass boilers will meet the requirements of the criteria above, and are, therefore, considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

In accordance with the Environment Agency's Air Quality Technical Advisory Guidance 14: For combustion plants with a combined rated thermal input < 1 MW, Special Protection Areas (SPA's) and Sites of Special Scientific Interest (SSSI's) screen out if not within 500m of the installation, and other local nature sites screen out if not within 100m of the installation. The biomass boilers are positioned more than this distance from any of the habitat sites, so no detailed modelling or habitat assessment is required. Therefore this proposal is considered acceptable, and no further assessment is required.

Heat Exchangers

Heat exchangers are being fitted on all five poultry houses with this application. These heat exchangers will be of sufficient capacity to provide minimum ventilation requirements for the first 19 days of the bird cycle, well beyond the normal brooding period.

Each of the five heat exchangers will be positioned adjacent to one of the five poultry houses, centrally along the length of each house with air being drawn from the poultry houses and passing through a matrix of pipes of a high thermal conductivity material before being exhausted to atmosphere by a high velocity extraction fan at the end of the machine. Clean air is drawn into the machine passing around the pipe matrix allowing heat transference to occur from the warm air drawn out of the poultry houses. This air is then blown back centrally into the poultry houses and then evenly distributed along the length of poultry houses by means of circulation fans to ensure even distribution of air and temperature. Typically this will reduce the consumption of LPG and in turn lead to reduced humidity levels and gasses caused by combustion. Each heat exchanger will have the capacity to provide minimum ventilation for approximately 19 days of bird age for the number of birds and size of house.

The heat exchangers will be of the type and operated to the same conditions as per the trials document submitted with this application (reference Clima Unit Heat Exchanger 2 Environmental Report dated 29/05/2016 and submitted for this application 11/11/2022), this has demonstrated an accepted 35% reduction in emissions.

Standard Broiler Emission Factor 0.034 kg NH₃/ bird place/year.

0.034 x 65% = 0.0221 kg NH₃/ bird place/year (factor used in ADAS modelling report supplied).

All condensate from the heat exchangers will be directed to dirty water tanks. The operation and maintenance of the heat exchangers will be in accordance with manufacturer's instructions.

Ammonia

There is one Special Protection Area (SPA) site located within 5 kilometres of the installation boundary. There are two Sites of Special Scientific Interest (SSSI) located within 5 km of the installation boundary. There are also three Local Wildlife Sites (LWS) within 2 km of the installation boundary.

Ammonia assessment – SAC/SPA/Ramsar

The following trigger thresholds have been designated for the assessment of SAC, SPA and Ramsar sites:

- The ammonia screening tool indicates that the process contribution is <4% critical level and critical load.
- Detailed modelling indicates the process contribution plus contributions from other permitted intensive farms is <20% critical level and critical load, and additional checks* during determination are acceptable.
- Detailed modelling indicates the process contribution plus contributions from other relevant sources plus background is below the relevant critical level or critical load.

*Following receipt of an application, determination may require an additional, more detailed assessment of the installation's impact on SACs, SPAs and Ramsar sites including, if appropriate, consideration of impacts of other local plans, projects, and non-permitted farms which could act in-combination. It may also include consideration of the condition of the SAC, SPA or Ramsar site and the background concentrations at the sites for ammonia, nitrogen deposition and acid deposition. This potential additional assessment is required to take into consideration recent case law. The trigger level for completing the additional assessment during determination will be if the process contribution exceeds 1% of the critical level/loads. Following further detailed assessment, we may require the applicant to ensure ammonia emissions do not result in a process contribution at any SAC, SPA or Ramsar that exceeds 1%.

Initial screening using ammonia screening tool version 4.6 has indicated that emissions from Westfield Farm Poultry Unit will only have a potential impact on the SPA site with a precautionary critical level of 1µg/m³ if within 3305 metres of the emission source.

Beyond 3305m the PC is less than 0.04µg/m³ (i.e. less than 4% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case the SPA is beyond this distance (see table below) and therefore screens out of any further assessment.

Where the precautionary level of 1µg/m³ is used, and the process contribution is assessed to be less than 4% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the 1µg/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely significant effect.

Table 1 – SPA Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Hornsea Mere SPA	3449

Screening using detailed modelling

Further to this the detailed modelling provided by the applicant shows a decrease in impact at Hornsea Mere SPA, using the worst case highest figures from the modelling report. The reduction in emissions from the installation, as described above (increase in broilers by 54,684 places, additional poultry house added, offset by a change in ventilation to high velocity fans to poultry house 3 and the addition of heat exchangers to all 5 poultry houses) is demonstrated by a reduction in PCs as follows:

Table 2 - Hornsea Mere SPA

Hornsea Mere SPA	Process contribution Ammonia ($\mu\text{g}/\text{m}^3$)	Process contribution Nitrogen deposition (kg N/ha/yr)	Process contribution acid deposition (keq/ha/yr) [2]
Before [1]	0.015	0.075	0.0054
After	0.011	0.059	0.0042
Percentage reduction	26.67%	21.3%	22.2%

Notes

[1] The maximum numbers of broilers listed in the detailed ammonia modelling report is 170,000 for the existing scenario. This is an error and should be 170,316 broilers (as stated in table S1.1 in permit EPR/GP3834TT/V004). The figures listed in table 2 use 170,000 broilers for the before scenario. We have audited the modelling and completed some sensitivity testing around this issue and have confirmed that as the increase is so small, the difference is very minor in relation to the results presented above.

[2] for acid deposition based on 1/14th of the maximum nitrogen deposition PC provided in Tables 5a and 5c of the ammonia modelling report (A report of the modelling of the dispersion and deposition of ammonia from the existing and proposed broiler chicken rearing houses at Westfield Farm Poultry Unit, Hornsea Road, near Sigglesthorne in East Riding of Yorkshire dated 03/04/2022).

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 Westfield Farm Poultry Unit will only have a potential impact on SSSI sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 1133 metres of the emission source.

Beyond 1133m the PC is less than $0.2\mu\text{g}/\text{m}^3$ (i.e. less than 20% of the precautionary $1\mu\text{g}/\text{m}^3$ critical level) and therefore beyond this distance the PC is insignificant. In this case all SSSI's 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 process contribution is assessed to be less than 20% the site automatically screens out as insignificant and no further assessment of critical load 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 3 – SSSI Assessment

Name of SSSI	Distance from site (m)
Hornsea Mere SSSI	3449
Leven Canal SSSI	3348

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 ammonia screening tool version 4.6 has indicated that emissions from Westfield Farm Poultry Unit will only have a potential impact on the LWS sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 388 metres of the emission source.

Beyond 388m the PC is less than 1µg/m³ and therefore beyond this distance the PC is insignificant. In this case the one LWS is beyond this distance (see table below) and therefore screens out of any further assessment.

Table 4 – Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Rise – Huddlecross LWS	2227

Screening using detailed modelling

A report of the modelling of the dispersion and deposition of ammonia from the existing and proposed broiler chicken rearing houses at Westfield Farm Poultry Unit, Hornsea Road, near Sigglesthorne in East Riding of Yorkshire dated 03/04/2022, has determined that the PC on the following LWS's for ammonia, nitrogen deposition and acid deposition from the installation are lower than those from the current scenario. See results below (table 4).

Detailed modelling provided by the applicant has been audited in detail by our air quality modelling team and we have confidence that we can agree with the report conclusions.

Catwick – Seaton Road LWS is within 250m of this installation so must be considered in the ammonia assessment.

Detailed modelling provided by the applicant shows a reduction in the impact at Catwick – Seaton Road LWS, using the worst case highest figures from the modelling report. The change to the site, as described above (increase in broilers by 54,684 places, additional poultry house added, offset by a change in ventilation to high velocity fans to poultry house 3 and the addition of heat exchangers to all 5 poultry houses) can be demonstrated as follows:

Table 5 - Catwick – Seaton Road LWS

Catwick – Seaton Road LWS	Process contribution Ammonia (µg/m ³)	Process contribution Nitrogen deposition (kg N/ha/yr)	Process contribution acid deposition (keq/ha/yr) [2]
Before [1]	1.892	9.828	0.702
After	0.924	4.798	0.343
Percentage change	51.2%	51.2%	51.2%

Notes

[1] The maximum numbers of broilers listed in the detailed ammonia modelling report is 170,000 for the existing scenario. This is an error and should be 170,316 broilers (as stated in table S1.1 in permit EPR/GP3834TT/V004). The figures listed in table 5 use 170,000 broilers for the before scenario. We have audited the modelling and completed some sensitivity testing around this issue and have confirmed that as the increase is so small, the difference is very minor in relation to the results presented above.

[2] for acid deposition based on 1/14th of the maximum nitrogen deposition PC provided in Tables 5a and 5c of the ammonia modelling report (A report of the modelling of the dispersion and deposition of ammonia from the existing and proposed broiler chicken rearing houses at Westfield Farm Poultry Unit, Hornsea Road, near Sigglesthorne in East Riding of Yorkshire dated 03/04/2022).

For Catwick and Brandesburton Pits LWS we only had limited information about why the site was designated and its current management. Therefore, the Environment Agency consulted with the Local Authority in order to determine:

- the key features for which the site was proposed as an LWS;
- whether the LWS is actively managed to maintain the designated features;
- conservation status of the LWS;
- whether ammonia emissions and/or nitrogen deposition will affect the conservation status of the LWS;
- whether the LWS is likely to be de-designated.

Based upon this consultation we have determined that the site is a candidate LWS and has never been completely surveyed and therefore never formally assessed, so has always had the candidate LWS status. It was confirmed by our Biodiversity Specialist Team that Catwick and Brandesburton Pits candidate LWS did not

need to be considered in this ammonia assessment because this is consistent with North and East Yorkshire Ecological Data Centre that do not consider candidate LWS in their planning application assessments.

No further assessment is necessary.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
Consultation	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>No responses were received.</p> <p>We consulted the following organisations:</p> <p>Health and Safety Executive</p> <p>East Riding Local Authority Environmental Health</p> <p>The UK Health Security Agency</p> <p>Director of Public Health</p> <p>The comments and our responses are summarised in the consultation section.</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. The plans are 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 are as follows:</p> <ul style="list-style-type: none"> • All 5 poultry houses are ventilated via high velocity roof fans. The poultry houses also have gable end fans which are computer controlled in turn with the roof fans to maintain the temperature. • Roof water from the poultry house drains to french drains acting as soakaways adjacent to the poultry houses. These french drains overflow to a soakaway northeast of the installation. • Water draining from the yard will be separated and facilitated towards either the dirty water tanks or the french drain soakaways, using a divertor valve. • At the end of the growing period the houses are depopulated, the litter is removed, the houses and equipment washed and disinfected before being restocked. • Litter is exported in covered trailers and wash water is conveyed to one dirty water tank for temporary storage before being exported off-site • There will be one stand-by generator with an integrated diesel storage tank and another bunded fuel tank on site. • There are 5 heat exchangers positioned next to each of the 5 poultry houses, the condensate drains via a sealed pipe to the dirty water tanks. • Mortalities are removed daily and stored in secure containers for removal under the Fallen Stock Scheme. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p>
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p>

Permit conditions	
Updating permit conditions during consolidation	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 permits.
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.
Raw materials	We have specified limits and controls on the use of raw materials and fuels. Biomass chips or pellets comprising virgin timber, straw, miscanthus; or a combination of these for use in the Biomass boilers.
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme. The improvement conditions are carried over from previous permit and are all completed.
Emission limits	We have decided that emission limits are required in the permit. BAT-AELs have been added in line with the Intensive Farming sector BAT conclusions document dated 21/02/2017. These limits are included in table S3.3 of the permit.
Monitoring	Monitoring requirements have been imposed in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/2017.
Reporting	We have decided that reporting should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified. We made these decisions in order to ensure compliance with the Intensive Farming sector BAT conclusions document dated 21/02/2017.
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	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. Paragraph 1.3 of the guidance says: “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.” 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.

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.

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
Health and Safety Executive
Brief summary of issues raised
No response received
Summary of actions taken or show how this has been covered
No further action required

Response received from
East Riding Local Authority Environmental Health
Brief summary of issues raised
No response received
Summary of actions taken or show how this has been covered
No further action required

Response received from
The UK Health Security Agency (responded on 23/12/2022)
Brief summary of issues raised
The applicant indicates qualitatively that emissions to air are likely to be low risk. It is recommended that the Environment Agency satisfies itself that the applicants approach to, findings and conclusions drawn from dispersion modelling are reasonable and do not show evidence of emissions posing a risk to environmental and or human health. The EMS summary document states that the applicant holds a copy of the site accident/emergency plan on site. However a copy was not provided to review. It is therefore recommended that the Environment Agency assesses appropriately by the applicant and that clear and appropriate mitigation and response measures are in place. It is assumed by UKHSA that the installation will comply in all respects with the requirements of the permit, including the application of Best Available Techniques (BAT). This should ensure that emissions present are low risk to human health.
Summary of actions taken or show how this has been covered
The detailed ammonia modelling report was audited by AQMAU and included an ammonia human health assessment. This assessment found that it was highly unlikely that the annual or 1 hour ammonia environmental standard of 180 µg/m ³ and 2500 µg/m ³ , respectively, for human health would be exceeded at the nearby residential properties to the South and Southwest of the site. We do not need to see a copy of the full site accident and emergency plan during the permit application process, a copy will be kept on site so will be checked during future Environment Agency compliance visits. We have checked the accident assessment document submitted with this application and this contains all the information we require. The Applicant has confirmed they will comply with BAT and there is no reason to suspect they will not comply with their permit.

Response received from
Director of Public Health
Brief summary of issues raised
No response received
Summary of actions taken or show how this has been covered
No further action required