

Permitting decisions

Bespoke permit

We have decided to grant the permit for Strawberry Poultry Farm operated by Mr John Harrington, Mrs Mary Harrington and Mr Matthew Harrington, trading as JM & ME Harrington & Son.

The permit number is EPR/JP3245QP.

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

Purpose of this document

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

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

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

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

Key issues of the decision

New Intensive Rearing of Poultry or Pigs BAT Conclusions document

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

The BAT Conclusions document is as per the following link:

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

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

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

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

New BAT Conclusions review

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

The Applicant has confirmed their compliance with all relevant BAT conditions for the installation in their permit 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. 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 - 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. Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 25 Monitoring of emissions	Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT

BAT measure	Applicant compliance measure
and process parameters - Ammonia emissions	Conclusions.
BAT 26 Monitoring of emissions and process parameters - Odour emissions	The approved odour management plan (OMP) includes the following details for on Farm Monitoring and Continual Improvement: <ul style="list-style-type: none"> • Twice daily olfactory checks coinciding with stock inspections. • In addition to the daily checks, there will also be sniff tests undertaken on a weekly basis at the installation boundary.
BAT 27 Monitoring of emissions and process parameters - Dust emissions	Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions. The Applicant has confirmed they will report the dust emissions to the Environment Agency annually by estimation by using emission factors.
BAT 32 Ammonia emissions from poultry houses - Broilers	The BAT-AEL to be complied with is 0.01 – 0.08 kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for broilers is 0.034 kg NH ₃ /animal place/year. The installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT-AEL.

More detailed assessment of specific BAT measures

Ammonia emission controls

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

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

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

Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February 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 Strawberry Poultry Farm (dated 26/10/22) 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 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:

- Livestock – management and fallen stock.
- Housing – ventilation, maintenance, clean out.
- Feed – selection, delivery and storage.
- Manure/litter – management and transport.
- Dirty water – management.
- Waste management, materials storage and management.

Odour Management Plan Review

The installation is located within 400m of 57 sensitive receptors. The Operator is required to manage activities in accordance with condition 3.3.1 of the permit and the site OMP.

The OMP includes the following key measures to minimise odour and odour risks:

- Twice daily olfactory checks coinciding with stock inspections, and any abnormalities recorded and investigated.
- No on-site milling and mixing of feed. Feed is supplied only from accredited feed mills.
- Feed delivery systems are sealed to minimise atmospheric dust, and any spillage of feed around the bins is immediately swept up. The condition of the feed bins is frequently checked so that any damage or leaks can be identified. Feed silos are checked twice weekly or prior to delivery.

- The ventilation and heating system is regularly adjusted according to the age and requirements of the flock. The ventilation system is designed to efficiently remove moisture from the poultry houses. The fans are checked prior to cycle commencement by a qualified electrician.
- Controls on feed and ventilation help to maintain litter quality. Water is provided via nipple drinkers which are designed to minimise spillage. Daily checks of drinker height and pressures to avoid capping.
- Carcasses are placed into plastic sealed bags and stored locked freezers, away from sensitive receptors. Containers checked daily for integrity, any damaged freezers are not used and either repaired or replaced. Collection at least twice weekly and increased during summer months and crop age to three times per week.
- All de-littering is carried out at the gable end of the houses furthest away from the road. Used litter is carefully placed into trailers positioned close to the doors to each poultry house, which are sheeted before leaving fill position. Houses awaiting delittering are kept sealed, minimum ventilation operated during de-littering, houses resealed awaiting washing operations.

In addition to the daily checks, there will also be sniff tests undertaken on a weekly basis at the installation boundary. In the event of elevated odour scores, contingency measures will be implemented and retesting will be conducted to ensure effectiveness.

The plan will be reviewed annually, prior to any major changes to operations or following a complaint. The OMP includes a complaints procedure and an example of the complaint report form.

Conclusion

We have reviewed the OMP in accordance with our guidance on odour management. We consider that the OMP is satisfactory. We are satisfied that the measures outlined in the plan will minimise the risk of odour pollution beyond the installation boundary.

Noise

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

Condition 3.4 of the permit reads as follows:

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

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

The risk assessment for the installation provided with the application lists key potential risks of noise pollution beyond the installation boundary. These activities are as follows: ventilation fans, feed deliveries and feeding systems, fuel deliveries, alarm systems, bird catching, clean out operations, maintenance and repairs, set up and placement, and standby generator testing.

Noise Management Plan Review

The installation is located within 400m of 57 sensitive receptors. The Operator is required to manage activities in accordance with condition 3.4.1 of the permit and the site NMP.

The NMP includes the following key measures to minimise noise and noise risks:

- Noise assessed during twice daily inspections.
- Time restrictions on certain operations, such as feed and fuel deliveries, to during daytime hours (06:00 – 19:00).

- Time restrictions on certain operations, such as litter removal, wash out and scheduled maintenance, to during normal working hours (07:00 – 18:00).
- Vehicles are driven at low speeds (10mph speed restriction on site) and engines are switched off when not in use. Delivery lorries fitted with silencers.
- Inspection and maintenance schedule in place, undertaken during normal working hours excepting emergencies/breakdown.
- Regular end of cycle maintenance of ventilation fans by qualified electrician. Any noisy fans isolated and electrician notified.
- The generator housed in acoustic jacket.

The plan will be reviewed every year, prior to any changes to operations or following any complaint. The NMP includes a complaints procedure and an example of the complaint report form.

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 three sensitive receptors within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 10 metres to the north-west of the installation boundary.

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:

- No feed milling undertaken on-site. Sealed pipe delivery into poultry houses. Any feed spills are cleared up immediately.
- The bedding type used in the poultry houses is dust extracted, with the base layer spread inside the poultry houses with minimum ventilation running. Top up bedding is stored in sealed plastic bales.

- House cleaning – exhaust vents washed under low pressure during cleaning process to minimise both release of dust to atmosphere and escape of contaminated water
- Used litter is carefully placed into trailers positioned close to the doors to each poultry house, which are sheeted before leaving fill position.

Conclusion

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

Ammonia

The Applicant has demonstrated that the housing will meet the relevant NH₃ BAT-AEL.

There are no Special Area(s) of Conservation (SAC), Special Protection Area(s) (SPA) or Ramsar sites located within 5 kilometres of the installation. There are three Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also five Local Wildlife Site(s) (LWS) and two Ancient Woodland(s) (AW) 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 Strawberry Poultry Farm will only have a potential impact on SSSI(s) with a precautionary CL_e of 1µg/m³ if they are within 1,112 metres of the emission source.

Beyond 1,112m the PC is less than 0.2µg/m³ (i.e. less than 20% of the precautionary 1µg/m³ CL_e) 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 1µg/m³ is used and the PC is assessed to be less than 20%, the site automatically screens out as insignificant and no further assessment of CL_o 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 damage to these sites.

Table 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Aston Ingham Meadows SSSI	4,991
Collinpark Wood SSSI	1,718
Dymock Woods SSSI	3,107

Ammonia assessment – LWS and AW

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% of the relevant critical level (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 Strawberry Poultry Farm will only have a potential impact on the LWS/AW sites with a precautionary CL_e of 1µg/m³ if they are within 395 metres of the emission source.

Beyond 395m 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/AW(s) are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 2 – LWS/AW Assessment

Name of LWS/AW	Distance from site (m)
Carswalls Wood LWS	1,416
Hereford & Gloucester Canal LWS	1,643
Ell Brook Meadows LWS	905
Newent Lake Park LWS	1,133
Mantley Chase Orchard LWS	2,048
Carswalls Wood AW	1,416
Collinpark / Madams Woods AW	1,718

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. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: <ul style="list-style-type: none"> • Local Authority – Planning • Local Authority – Environmental Health • Health and Safety Executive • Director of Public Health/ Public Health England We also notified a number of local residents within close proximity to the Installation, of the application. The comments and our responses are summarised in the consultation section .
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	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility'. 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.
The site	
Extent of the site of the facility	The Operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Site condition report	The Operator has provided a description of the condition of the site, which we consider not 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	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. We have assessed the application and its potential to affect all known sites of nature

Aspect considered	Decision
	<p>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>
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	
Emission limits	<p>We have decided that emission limits are required in the permit. BAT-AELs have been added in line with the Intensive Farming sector BAT conclusions document dated 21/02/17. These limits are included in table S3.3 of the permit.</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>
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in order to ensure compliance with the Intensive Farming sector BAT conclusions document dated 21/02/17.</p>
Operator competence	
Management system	<p>There is no known reason to consider that the Operator will not have the management system to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant</p>

Aspect considered	Decision
	<p>convictions have been declared.</p> <p>No relevant convictions were found. The Operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to vary this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is 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 and 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 (UKHSA) on 10/07/23
Brief summary of issues raised
<p>The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. Furthermore, the site operations could give rise to potential odour risks to the surrounding community. The applicant concludes that the risk to surrounding public health receptors is not significant if the site is carefully managed.</p> <p>Emissions to air</p> <p>Reducing public exposures to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards has potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants and address inequalities (in exposure) and encourage their consideration during site design, operational management, and regulation.</p> <p>Bioaerosols</p> <p>The Environment Agency screen intensive livestock rearing units using a distance of 100m to the nearest sensitive receptor(s). This is based on a 2009 DEFRA report. Should it be identified by the applicant that there are sensitive receptors within 100m from the boundary of such units the applicant is required to carry out a bioaerosol risk assessment.</p> <p>UKHSA is currently updating its Intensive Farming position paper as part of wider work on the health impacts on exposure to bioaerosols from intensive farming. The evidence base for human exposure to bioaerosols from intensive livestock rearing units remains limited, compared to composting facilities. The nature of the evidence that is available however indicates that there are differences between both sources (pig or poultry). The nature of the bioaerosols (fungal or bacteriological) is also important.</p> <p>In relation to intensive farming and bioaerosols, a recent systematic review describes the evidence base which clearly demonstrated that published studies have so far detected inconsistent results with studies reporting no effect, mixed effects, harmful effects and protective effects. In addition, studies conducted to date have typically been cross-sectional in design, hindering the ability to assign effects to farming exposure.</p> <p>It is assumed by UKHSA that the installation will comply in all respects with the requirements of the permit, including the application of Best Available Techniques (BAT). This should ensure that emissions present a low risk to human health.</p>
Summary of actions taken or show how this has been covered
<p>The supporting information for the permit application included a bio-aerosol emission risk assessment, and the site has a Dust Management Plan (DMP) in place. 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. Please refer to the key issues section for further details.</p>

Response received from
Forest of Dean District Council on 05/07/23
Brief summary of issues raised
<p>Comments specifically relating to the Odour Management Plan (OMP):</p> <ol style="list-style-type: none"> 1) Are the twice daily olfactory checks and checks on the integrity of the feed bins recorded? 2) Is there a contingency in place in the event a collection is cancelled or postponed for carcass disposal and litter/waste wash water disposal – do the waste water tanks have the capacity to hold wash water from more than one production cycle? 3) How is the integrity of the waste water tanks checked? 4) In the event of a fan/system failure the contingency is that an alternative ventilation fan will be used – Is this ventilation already installed in each building, and is it regularly checked to ensure it is ready for use? <p>No other concerns raised in respect to the application.</p>
Summary of actions taken or show how this has been covered
<p>The questions regarding the OMP were raised in an information request sent on 25/07/23. The responses were included within an updated OMP and summarised below:</p> <ol style="list-style-type: none"> 1) The twice daily olfactory checks are recorded. Feed silos checked twice weekly or prior to delivery, with the condition recorded. 2) There is an additional freezer for carcass storage if required, and an alternative collection can be implemented. Houses awaiting de-littering are kept sealed until collection. There is an agreement in place with neighbouring farms for removal of dirty wash water and then a licensed waste disposal contractor can be used as an additional mitigation preventing extended storage requirement. 3) Wash water tank integrity is tested annually by means of filling with clean water and measuring freeboard over a 24hr period. 4) Poultry houses have spare fan capacity installed. Fans are checked prior to cycle commencement by qualified electrician. <p>We have reviewed the OMP in accordance with our guidance on odour management, and consider that it is satisfactory. Please refer to the key issues section for further details.</p>

Representations from individual members of the public.

Brief summary of issues raised
<p>Comments primarily related to planning permission and the associated planning application documents.</p> <p>Concerns raised regarding proposed stocking densities.</p> <p>Concerns raised regarding potential impacts due to increased odour, noise and traffic, and that no appropriate odour or noise management survey has been completed.</p>
Summary of actions taken or show how this has been covered
<p>Planning – Planning and environmental permitting have been decoupled, therefore a number of the issues raised were outside of the Environment Agency’s remit in reaching its permitting decisions. Guidance on the interaction between planning and pollution control is given in the National Planning Policy Framework. It says that the planning and pollution control systems are separate but complementary. We are only able to take into account those issues, which fall within the scope of the Environmental Permitting Regulations.</p>

Stocking density – Environment Agency has responsibility to ensure Best Available Techniques are complied with for poultry placement within housing. Issues such as stocking density and health concerns linked to the birds are not part of our regulatory responsibility under the EPR regulations. Therefore review of such issues do not form part of our permit determination for this application.

Odour – The Applicant submitted a revised OMP, which is listed in Table S1.2 of the Permit and the Operator is required to comply with it as stipulated in Condition 2.3.1 of the Permit. We are satisfied that the measures outlined will minimise the potential for odour emissions from the Installation. Standard condition 3.3.1 concerning odour is contained within the permit.

We do not request odour modelling from intensive agriculture applications unless it is being used to check the efficacy of specific abatement techniques. In general, we focus on establishing whether odour management techniques represent Best Available Techniques and ensuring, as appropriate, the approval of a robust OMP.

Noise – The Applicant submitted a revised NMP, which is listed in Table S1.2 of the Permit and the Operator is required to comply with it as stipulated in Condition 2.3.1 of the Permit. We are satisfied that the measures outlined will minimise the potential for noise emissions from the Installation. Standard condition 3.4.1 concerning noise is contained within the permit.

The revised NMP includes a written commitment that should noise from the Installation (e.g. from the roof fans) lead to regular substantiated complaints, that the Operator will employ a specialist and qualified noise consultant to carry out a noise monitoring survey. With the report, results and any subsequent recommendations to be shared with the Environment Agency.

Traffic – Only vehicle movements within the Installation can be considered through environmental permitting. Off-site vehicle movements are not within our remit. The NMP includes time restrictions on certain operations, for example, for feed deliveries and fuel deliveries during daytime hours.

The environmental permit application submitted was based on 150,000 broiler places. The site has a NMP, OMP and DMP in place. The initial ammonia screening for the site was based on 150,000 broilers, and it screened out of further assessment. 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. Please refer to the [key issues](#) section for further details.

No responses were received from the following:

- Health and Safety Executive.
- Local Authority – Planning.