Permitting decisions

Variation

We have decided to grant the variation for Wood Lane Farm Poultry Unit operated by Banham Poultry (2018) LTD.

The variation number is EPR/FP3409LQ/V003.

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

Purpose of this document

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

- highlights key issues in the determination
- 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 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 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 of BAT compliance for all housing at the installation.

New BAT conclusions review

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

The Operator has confirmed the installation complies in full with all the BAT conclusion measures, in their BAT document, reference Wood Lane Poultry Unit, received with the application. This has been referenced in Table S1.2 Operating Techniques of the permit.

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

BAT measure	**Operator compliance measure**
BAT 3 - Nutritional management - Nitrogen excretion	The Operator 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 calculation using a mass balance. This confirmation was in response to the Schedule 5 Notice request for further information, received 13/07/2023, which has been referenced in Table S1.2 Operating Techniques of the Permit.
BAT 4 - Nutritional management - Phosphorous excretion	The Operator has confirmed it will demonstrate that the installation achieves levels of Phosphorous excretion below the required BAT-AEL of 0.25 kg P_2O_5 /animal place/year by calculation using a mass balance. This confirmation was in response to the Schedule 5 Notice request for further information, received 13/07/2023, which has been referenced in Table S1.2 Operating techniques of the Permit.
BAT 24 - Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT conclusions.
BAT 25 - Monitoring of emissions and process	Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions. Operator will comply with this via usage of standard ammonia emission factors.

BAT measure	Operator compliance measure
parameters - Ammonia emissions	
BAT 26 - Monitoring of emissions and process parameters - Odour emissions	The approved OMP includes the following details for odour monitoring: • Daily checks to ensure no fallen stock, disease, and general housekeeping. • Weekly visit from an area manager, who does not work regularly at the farm, who will perform a 'sniff test' at Bow Street and the perimeter of the farm. If elevated levels of odour are noted, corrective action will be implemented. • Any complaints will be dealt with by staff and recorded.
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 Operator has confirmed they will report the dust emissions to the Environment Agency annually by estimation using emission factors. This confirmation was in response to the Schedule 5 Notice, received 07/07/2023, which has been referenced in Table S1.2 Operating techniques of the Permit.
BAT 32 - Ammonia emissions from poultry houses - Broilers	The BAT-AEL to be complied with is 0.08 kg NH3/animal place/year. The Operator will meet this as the emission factor for broilers is 0.034 kg NH3/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.

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. For variations all new housing on existing farms will need to meet the BAT-AEL.

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 the manufacture and selection of feed.
- Odour from the feed delivery or storage.
- Odour arising from problems with housing ventilation system.
- Litter Management.
- Carcass disposal.
- House clean out.
- Bird depletion.

There are twelve sensitive receptors withing 400m of the installation boundary; the nearest receptor is located approximately 30 metres to the west of the installation boundary. The Operator has provided an OMP that has been assessed against the requirements of EPR 6.09 (version 2) Appendix 4 guidance 'Odour Management at Intensive Livestock Installations' and the 'Poultry Industry Good Practice Checklist' version 2, August 2013. We consider that the OMP is acceptable because it complies with the above guidance. The Operator is required to manage activities in accordance with condition 3.3.1 of the permit and this OMP.

The OMP dated 14/07/2023 sets out the preventative measures that will be taken at the installation as part of the daily management of odour risk at the site. The following key measures are included in the operator's OMP:

- Daily checks are carried out to identify high housekeeping odours and monitoring is carried out weekly by means of "sniff testing" by persons not involved directly with the operations at the installation.
- No milling or mixing feeds on site. Feed is supplied only from UKAS accredited feed mills, so that only approved raw materials are used.
- Feed delivery systems are sealed to minimise atmospheric dust.
- Any spillage of feed around the bin is immediately swept up.
- The condition of feed bins is checked frequently so that any damage or leaks can be identified.
- Feed deliveries are monitored to avoid dust and spills.
- The ventilation system is regularly adjusted to match the age and requirements of the flock.
- Use of nipple drinkers with drip cups to minimise spillage.
- Three daily checks of drinker height and pressures to avoid capping.
- The farm manager checks each house three times a day to remove fallen stock.
- Carcasses are stored in sealed, shaded and vermin proof containers away from sensitive receptors. Weekly collection of carcasses. Carcasses are collected more frequently in warm weather. The containers are checked daily whilst in production for any damages or leakages and removed as necessary.
- Litter is carefully placed into trailers close to the poultry house doors. Trailers are sheeted before leaving the fill position.
- Minimum ventilation rate is in operation during de-littering. Houses are sealed when no activity is being performed.
- Plastic curtains will be used during catching to reduce the amount of odour released while doors are open.
- Clean out is carried out within 24 hours following destocking. The site is de-littered within 24 hours.
- Used litter is removed within immediately following de-littering.
- Washing and disinfection operations are completed within 48 hours of de-littering.
- At clean out, dirty water from houses is directed to the underground storage tanks via underground pipes.
- Dirty water systems are cleaned out immediately by certified contractors following house clean out.

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

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

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

Odour Management Plan Review

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

Noise

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

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 system.
- Feed deliveries.
- Feeding systems.
- On-site traffic.
- Alarms systems.
- Bird catching.
- Clean out operations.
- Maintenance and repairs.
- Standby generator testing.

There are twelve sensitive receptors within 400 metres of the Installation boundary. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation.

The following key measures are contained in the Operator's NMP dated 03/08/2023 to minimise noise pollution:

- Site maintained in good working order and equipment is checked regularly to ensure no issues.
- Ventilation fans are checked daily and issues rectified by staff or contractors.
- Drivers required to maintain low speeds (10mph). No idling of engines is permitted on site.
- Feed and fuel deliveries are time restricted (07.00 - 20.00hrs). Must be completed by 21:00hrs.
- Feed is stored in silos which are situated close to the poultry houses, which minimises noise from feed traversing the pipeline.
- Staff and contractors do not raise their voices or make unnecessary noise during unsociable hours.

- Bird deliveries take place during normal working hours (07.00 - 20.00hrs).
- Litter removal and washing operations are completed during normal working hours (07.00 - 20.00hrs).
- Maintenance and repairs are carried out during normal working hours (07.00 - 20.00hrs), excepting emergencies/breakdown.
- The standby generator is test run during normal working hours (08.00 - 17.00hrs Monday- Thursday). It is screened by buildings as it is positioned between houses 3 & 4 and the office building.

The NMP provides a suitable procedure in the event of complaints in relation to noise.

The NMP will be reviewed annually or following a substantiated complaint, and any appropriate changes made to the NMP, as identified by the review.

Conclusion

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Operator 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 Bioaerosols

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 two sensitive receptors within 100m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 30 metres to the west of the installation boundary.

Guidance on our website concludes that applicants need to produce and submit a dust and bioaerosol 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 Operator was required to submit a dust and bioaerosol 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 Operator has confirmed the following measures in their operating techniques to reduce dust, which will inherently reduce bioaerosols in their Dust and Bioaerosol Management Plan dated 13/07/2023:

- Silo vents are fitted with dust cyclones preventing dust release to atmosphere.
- Feed delivery systems are sealed to minimise atmospheric dust emissions.
- Any spillages around the bins are immediately swept up by farm or delivery staff.
- Feed is in pellet form. No milling or mixing takes place on-site.
- Exhaust of the auger/feed system is covered to prevent dust release to atmosphere.
- Feeding systems are checked by farm staff regularly to ensure no spillages.
- Bedding is checked for quality to ensure dust levels are acceptable. No storage of 'loose' used or new bedding outside the poultry houses at any time. Topping up of litter is carried out by opening sealed packages inside the house. Catching curtains are used.
- Ventilation is provided by wither rood fans or side fans.
- Visual checks for air quality within the houses is carried out at least three times daily.

- Stock inspections are carried out by trained staff to avoid panicking birds creating dust.
- All trailers are sheet before leaving fill position.

The DMP will be reviewed every year from permit issue date, prior to any major changes to operations (to ensure effectiveness) or following any complaint.

Conclusion

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

Standby Generator

The standby generator has a net thermal rated input of 0.477MWth for use in the event of mains power failure. The generator will not be tested more than 52 hours per annum and will not be used more than 500 hours per annum, averaged over a 3 year period. The generator falls outside of the requirements of the Medium Combustion Plant Directive.

Ammonia

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

Ammonia assessment – SAC

The following trigger thresholds have been designated for the assessment of European sites:

- If the process contribution (PC) is below 4% of the relevant critical level (CLe) or critical load (CLo) 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.

Screening using the ammonia screening tool version 4.6 dated 28/02/2023 has determined that the process contributions of ammonia emissions from the application site are over the 4% significance threshold at Norfolk Valley Fens SAC, and are therefore potentially significant. However, comparison between the impacts on the SAC from the existing installation scenario and the proposed installation scenario indicates that the impacts from the proposed installation scenario are significantly lower than those of the existing installation scenario. On this basis we agree that the permit can be granted based on a reduction of impacts on the SAC. There are no special measures used to reduce the proposed impact below the baseline.

No further assessment is required.

Existing Scenario.

Table 1 –Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted process contribution µg/m^3	% of critical level
Norfolk Valley Fens SAC	1*	0.098	9.8

*a precautionary critical level of 1 µg/m^3 has been assigned to this site.

Table 2 – Nitrogen deposition

Site	Critical load kg N/ha/yr*	Predicted PC kg N/ha/yr.	PC % of critical load
Norfolk Valley Fens SAC	10	0.511	5.1

* Critical load values taken from APIS website (www.apis.ac.uk) – 09/03/2023

Table 3 – Acid deposition

Site	Critical load keq/ha/yr*	Predicted PC keq/ha/yr.	PC % of critical load
Norfolk Valley Fens SAC	0.606	0.037	6.1

* Critical load values taken from APIS website (www.apis.ac.uk) – 09/03/2023

Proposed Scenario.

Table 4 –Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted process contribution µg/m^3	% of critical level
Norfolk Valley Fens SAC	1*	0.065	6.5

*a precautionary critical level of 1 µg/m^3 has been assigned to this site.

Table 5 – Nitrogen deposition

Site	Critical load kg N/ha/yr*	Predicted PC kg N/ha/yr.	PC % of critical load
Norfolk Valley Fens SAC	10	0.337	3.4

* Critical load values taken from APIS website (www.apis.ac.uk) – 28/02/2023

Table 6 – Acid deposition

Site	Critical load keq/ha/yr*	Predicted PC keq/ha/yr.	PC % of critical load
Norfolk Valley Fens SAC	0.606	0.024	4.0

* Critical load values taken from APIS website (www.apis.ac.uk) – 28/02/2023

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 (CLe) or critical load (CLo) 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 dated 28/02/2023 has indicated that emissions from Wood Lane Farm Poultry Unit will only have a potential impact on SSSI sites with a precautionary critical level of 1µg/m^3 if they are within 2,589 metres of the emission source.

Beyond 2,589 metres, the PC is less than 0.2µg/m^3 (i.e. less than 20% of the precautionary 1µg/m^3 critical level) and therefore beyond this distance the PC is insignificant. In this case, all SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1µg/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 1µg/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 7 – SSSI Assessment

Name of SSSI	Distance from site (m)
Swangey Fen, Attleborough	4,871
Sea Mere, Hingham	3,173
Scoulton Mere	3,378

Ammonia assessment - LWS

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

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Screening using the ammonia screening tool version 4.6 has determined that the PC on the LWS for ammonia emissions/nitrogen deposition/acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 8 - Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted PC µg/m^3	PC % of critical level
Goose Common LWS	3*	1.106	36.9

* CLe 3 applied as no protected lichen or bryophytes species were found when checking Easimap layer

Table 9 – Nitrogen deposition

Site	Critical load kg N/ha/yr. *	Predicted PC kg N/ha/yr.	PC % of critical load
Goose Common LWS	10	5.742	57.4

* Critical load values taken from APIS website (www.apis.ac.uk) – 28/02/2023

Table 10 – Acid deposition

Site	Critical load keq/ha/yr*	Predicted PC keq/ha/yr.	PC % of critical load
Goose Common LWS	2.068	0.41	19.8

* Critical load values taken from APIS website (www.apis.ac.uk) – 28/02/2023

No further assessment is required.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
Consultation/Engagement	
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: Director of Public Health - Norfolk UK Health Security Agency (UKHSA) Health & Safety Executive Local Authority - Environmental Health - Breckland Council The comments and our responses are summarised in the consultation section.
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.
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 conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process. We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified, with the exception of one SAC for which an assessment has been carried out and the impact is considered acceptable. We have not consulted Natural England on the application. The decision was taken in accordance with our guidance. See key issues section.

Aspect considered	Decision
Environmental risk assessment	
Environmental impact assessment	In determining the application we have considered the Environmental Statement.
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.
Operating techniques	
General operating techniques	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. The operating techniques include the following: • Houses 1, 2, 5 & 6 are ventilated by side fans with gable end fans for use in hot weather. • Houses 3 & 4 are ventilated by high velocity roof fans with gable end fans for use in hot weather. • Water is provided by nipple and cup drinkers. • Litter is removed from site and taken to nearby power stations or spread to third party owned land. Records are kept of quantities and dates of transfer. No used litter is stored on site. • Fallen stock during the production cycle will be collected and recorded three times daily. Carcasses are placed into locked vermin proof containers, awaiting collection by a licensed collection agent. • Roof water is not expected to be contaminated and will fall on to ground adjacent to the houses. French drains have been installed to allow the water to percolate to the surrounding ground. Clean yard water is piped to the discharge ditch. • Underground pipes take all dirty water from the poultry houses during wash out to the designated dirty water storage tank at the northern boundary of the site, as shown on the drainage diagram. When the storage tank is full, it will be emptied by a licensed contractor and disposed of under all relevant legislation and spread to third party land. 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.
Odour management	We have reviewed the odour management plan in accordance with our guidance on odour management. We consider that the odour management plan is satisfactory. See the key issues section.
Noise management	We have reviewed the noise management plan in accordance with our guidance on noise assessment and control. We consider that the noise management plan is satisfactory.

Aspect considered	Decision
	See the key issues section.
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 permit.
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Emission limits	ELVs based on BAT have been set for the following substances: • Ammonia • Nitrogen • Phosphorus BAT-AELs have been added in line with Intensive Farming BAT conclusions document dated 21/02/2017. These limits are included in table S3.3 of the permit.
Monitoring	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. These monitoring requirements have been imposed in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17.
Reporting	We have specified reporting in the permit. We made these decisions in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/17.
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-

Aspect considered	Decision
	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 on 08/08/23 from
UK Health Security Agency (UKHSA)
Brief summary of issues raised
The main emissions of potential public health significance are emissions to air of bioaerosols, dust, including particulate matter, and ammonia. 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.
Summary of actions taken or show how this has been covered
The Operator has confirmed that the Installation will be operated and managed in accordance with BAT. As there are relevant sensitive receptors within 100 metres and 400 metres of the Installation boundary, the Operator was required to submit a dust and bioaerosols risk assessment and dust management plan, and an OMP. Appropriate measures have been proposed to manage fugitive emissions, including ammonia, bioaerosols and particulates, and odour emissions, in accordance with our technical guidance note for intensive farming, and we are satisfied that the proposed measures will minimise the potential for emissions from the Installation. Standard conditions 3.2.1 and 3.3.1 concerning fugitive emissions and odour have been included in the permit. The Operator will be required to operate this Installation in full compliance with these conditions and its dust management plan and OMP.

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

Response received on 27/07/23 and 01/08/23 from
Breckland Council
Brief summary of issues raised
Concerns raised regarding ammonia emissions and impact in terms of odour and human health and recommending that odour and dust dispersion modelling are undertaken. Concerns raised regarding impact of additional vehicle movements on air quality. Questioning whether cumulative impact of odour and dust from other farms has been considered, and whether the Environment Agency permit or are aware of other sites in the area which could collectively affect the community in terms of ammonia, odour, dust etc. Identifies the farms manager's dwelling is within 10m of the unit. Questioning how the poultry houses are ventilated. Requested that feed delivery times are restricted to ensure completion by 21:00 hours. Commented that collection of litter and other deliveries could be undertaken earlier to prevent disturbance to nearby residents. Highlighted that noise from feed deliveries and fans can be intrusive to sensitive receptors. Recommend that only white noise or broadband reversing alarms are used on vehicles operating onsite between the hours of 23:00 and 07:00, and that a noise boundary level should be considered to restrict the impact of noise from fans and any mechanical cleaning out. Concerned about fly nuisance on site, and recommend that monitoring, prevention measures and treatment strategies should be in place.
Summary of actions taken or show how this has been covered
As there are relevant sensitive receptors within 100 metres and 400 metres of the Installation boundary, the Operator was required to submit a dust management plan, and an OMP. Appropriate measures have been proposed to manage fugitive emissions, including ammonia, bioaerosols and particulates, and odour emissions, in accordance with our technical guidance note for intensive farming, and we are satisfied that the

proposed measures will minimise the potential for emissions from the Installation. Standard conditions 3.2.1 and 3.3.1 concerning fugitive emissions and odour have been included in the permit. The Operator will be required to operate this Installation in full compliance with these conditions and its dust management plan and OMP.

UKHSA was consulted on the application and concluded that provided the installation will comply in all respects with the requirements of the permit, including the application of Best Available Techniques (BAT), emissions present a low risk to human health.

Cumulative impact of other permitted sites would only be considered as part of an ammonia screening assessment if an in-combination assessment were required, in-line with our process. In this case, an in-combination assessment was not required as the proposal represents a reduction in ammonia emissions. Consideration of cumulative impact from other permitted sites in terms of noise and odour is not considered as part of the permitting process. The focus of our responsibility under EPR is a review of odour and noise sources and impacts linked to the specific installation. This has been completed via an OMP and NMP, which have been reviewed and validated by ourselves.

Odour modelling for the intensive farming sector has high uncertainties associated with it. These uncertainties increase when considering receptors near to an Installation. This is due to a number of reasons including variability of odour concentrations being high for this sector. This, along with the uncertainties inherent in any modelling, makes predictions made by the model unreliable for making permit determination decisions. Our current stance is that intensive farming units should be required to produce an OMP, to minimise any significant odour pollution at sensitive receptors beyond the installation boundary. For this application a satisfactory OMP has been produced and odour modelling has not been requested from the Operator'.

We are satisfied that the measures outlined in the Application and the dust management plan will prevent, and where that is not practicable minimise, dust and bioaerosol emissions from the Installation and prevent significant pollution or harm to human health. UKHSA and the Director of Public health were consulted on the Application and they did not raise any concerns with regards to dust and bioaerosols and their impact on human health. PHE concluded that provided 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'. The dust management plan will ensure all installation dust sources are taken into account and relevant control measures applied, including point source and fugitive emissions. Any modelling would be incomplete as this would only address point source emissions. As a result, it was not considered necessary for the Operator to submit dust dispersion modelling and no further assessment was considered to be required.

Poultry houses are ventilated by either high velocity roof or side fans.

As there are relevant sensitive receptors within 400 metres of the Installation boundary, the Operator was required to submit an NMP. Appropriate measures have been proposed to manage noise emissions, in accordance with our technical guidance note for intensive farming, and we are satisfied that the proposed measures will minimise the potential for emissions from the Installation. Standard condition 3.4.1 concerning noise has been included in the permit. The Operator will be required to operate this Installation in full compliance with this condition and its NMP. The Operator has confirmed that raw material deliveries (feed, gas, shavings) and waste collections (litter, fallen stock, general waste) are only permitted between the hours of 07:00 and 20:00, and raw material deliveries will be completed by 21:00 hours. It may however be necessary for bird deliveries to occur outside these times to preserve bird welfare.

The Operator has also confirmed that no reversing alarms will be utilised after these hours.

The technical standards document submitted by the Operator details pest control measures. Fly control is performed by a certified contractor who visits site every 6 to 8 weeks, or more frequently if an issue arises. Flies are monitored as part of the routine pest control visits, and areas around the farm are cleaned thoroughly to discourage the build-up of flies. Red Top fly traps are placed at strategic places around the site to catch flies. As there has been no history of fly nuisance at the site, the Operator was not required to submit a pest management plan. However, standard conditions 3.6.1 and 3.6.2 concerning pest management have been included in the Permit, and the Operator will be required to submit and implement a pest management plan if notified by the Environment Agency.

Response received on 03/07/23 from
Little Ellingham Parish Council
Brief summary of issues raised
Disappointed that the Parish Council was not consulted directly, and that the incorrect address for the installation was supplied on the application form by the Operator.

Concern over dirty water and litter spread to farmland within the local area, and recommendation that the Environment Agency applies a condition for dirty water from this unit to be dispersed to a greater number of farms in the neighbourhood and monitor disposal from this unit and from others in the locality.

Concerns regarding odour from the installation.

Concerns that the Local Wildlife site (LWS) 'Goose Common' has not been mentioned in the fugitive emissions risk assessment.

Concerns regarding light pollution from the installation.

Concerns about noise from feed deliveries and the ventilation system.

Concerns over vehicles travelling to the installation.

Concerns over flies and insects at the installation due to an infestation at a separate site owned by the Operator.

Summary of actions taken or show how this has been covered

We carried out consultation on the Application in accordance with the Permitting Regulations and our statutory Public Participation Statement (PPS).

The Operator submitted a revised application form Part C3.5 with the correct address for the installation on 27/03/2023.

The consideration of the impacts of off-site spreading of manure and slurry is outside the remit of EPR Regulations. Furthermore, we do not require details of the land which will be used for manure and slurry spreading as part of the permit determination; this is assessed during compliance visits. The use of poultry slurries and manures on land in England is regulated through The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 (commonly known as the Farming Rules for Water) and, in designated areas, The Nitrate Pollution Prevention Regulations 2015 (NVZ regulations). Both regulations seek to prevent pollution through restricting when, where and how much manure or slurry can be applied. Farming Rules for Water require good farming practice, so that farmers manage their land both to avoid water pollution (from run-off) and to benefit their business. Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate pollution.

If an operator wishes to spread this material to their own land, in addition to complying with the above legislation, they must also have a manure management plan in place. This is required when manure or, slurry or wash water from the installation is spread on an operator's own land. The operator must also comply with Condition 2.3.5 of the Permit, which requires that all appropriate measures be used to prevent or where that is not practicable minimise pollution.

The operator has confirmed that dirty water will be collected by a licenced contractor and spread to third party land under all relevant legalisations.

There is no history of odour complaints from the installation. The Operator has submitted an odour risk assessment and management plan in accordance with our guidance. Appropriate measures have been proposed to manage odour emissions, in accordance with our technical guidance note for intensive farming, and we are satisfied that the proposed measures will minimise the potential for emissions from the Installation. Standard condition 3.3.1 concerning odour has been included in the permit. The Operator will be required to operate this Installation in full compliance with this condition and its OMP.

The Operator has submitted a revised fugitive emissions risk assessment which includes reference to Goose Common LWS. The impact on the LWS from the installation has also been considered during the ammonia assessment and has been screened out as having no likely significant effect (see ammonia section).

Light pollution is a matter for consideration during the planning process. However, the Operator has measures in place to minimise light pollution from the Installation.

As there are relevant sensitive receptors within 400 metres of the Installation boundary, the Operator was required to submit an NMP. Appropriate measures have been proposed to manage noise emissions, in accordance with our technical guidance note for intensive farming, and we are satisfied that the proposed measures will minimise the potential for emissions from the Installation. Standard condition 3.4.1 concerning noise has been included in the permit. The Operator will be required to operate this Installation in full compliance with this condition and its NMP. The Operator has confirmed that feed deliveries are only permitted between the hours of 07:00 and 20:00, and that they will be completed by 21:00 hours, and that feed is stored in silos which are situated close to the poultry houses, which minimises noise from feed traversing the pipeline. The Operator has also confirmed that daily checks of the ventilation system are carried out and maintenance undertaken if necessary to minimise noise emissions. General maintenance of the ventilation system is also carried out between flock cycles and fans are tested to ensure they are in good working order.

Consideration of traffic is not within the remit of the Environment Agency. It is a matter for the Local Planning Authority to consider in relation to any planning application.

As there has been no history of fly nuisance at the site, the Operator was not required to submit a pest management plan. However, standard conditions 3.6.1 and 3.6.2 concerning pest management have been

included in the Permit, and the Operator will be required to submit and implement a pest management plan if notified by the Environment Agency. However, the technical standards document submitted by the Operator provides details of pest control measures. Fly control is performed by a certified contractor who visits every 6 to 8 weeks, or more frequently if an issue arises. Flies are monitored as part of the routine pest control visits, and areas around the farm are cleaned thoroughly to discourage the build-up of flies. Red Top fly traps are placed at strategic places around the site to catch flies.

Representations from individual members of the public.

Brief summary of issue raised	Summary of actions taken or show how this has been covered
1. Concern that the installation is operating before the consultation period has closed.	The Operator is currently permitted to stock 130,000 ducks under permit EPR/FP3409LQ.
2. Concern regarding the possible increase in flies.	Standard conditions 3.6.1 and 3.6.2 concerning pest management have been included in the Permit, and the Operator will be required to submit and implement a pest management plan if notified by the Environment Agency. The technical standards document submitted by the Operator details pest control measures. Fly control is performed by a certified contractor who visits every 6 to 8 weeks, or more frequently if an issue arises. Flies are monitored as part of the routine pest control visits, and areas around the farm are cleaned thoroughly to discourage the build-up of flies. Red Top fly traps are placed at strategic places around the site to catch flies. Details regarding carcass storage and clean out of poultry houses are included in the updated Odour Management plan. Carcasses are stored in covered, locked containers at all times. Any containers found to be leaking are taken out of use and replaced. Carcasses are normally removed from site on a weekly basis, and more frequently during warm weather. The carcass containers are washed at the end of each flock cycle by a specialist cleaning company. The site is regularly inspected during the crop cycle and cleanout and kept in a good condition. At the end of the cycle, litter is removed from the houses and the houses are washed and disinfected.
3. Concerns over odour.	There is no history of odour complaints from the installation. The Operator has submitted an odour risk assessment and management plan in accordance with our guidance. Appropriate measures have been proposed to manage odour emissions, in accordance with our technical guidance note for intensive farming, and we are satisfied that the proposed measures will minimise the potential for emissions from the Installation. Standard condition 3.3.1 concerning odour has been included in the permit. The Operator will be required to operate this Installation in full compliance with this condition and its OMP.
4. Concerns over increased traffic.	Consideration of traffic is not within the remit of the Environment Agency. It is a matter for the Local Planning Authority to consider in relation to any planning application.
5. Concern over siting of unit in close proximity to rural developments	Decisions over land use are a matter for consideration during the planning process. The location of the Installation is a relevant consideration for Environmental Permitting in so far as it has the potential to have an adverse environmental impact on communities or sensitive environmental receptors. We have considered the impact of the Installation on sensitive receptors and conclude that it will have no significant effect.

Brief summary of issue raised	Summary of actions taken or show how this has been covered
6. Concern over burden of water usage and waste disposal	The operator has submitted a Waste Minimisation document on 08/03/2023 and a Water Minimisation document on 19/09/23 detailing measures to minimise their usage. Standard conditions 1.3.1 and 1.4.1 concerning water usage and waste disposal have been included in the Permit. The Operator will be required to operate this Installation in full compliance with this condition and in accordance with our technical guidance note for intensive farming.
7. Concerns over noise from ventilation fans	As there are relevant sensitive receptors within 400 metres of the Installation boundary, the Operator was required to submit an NMP. Appropriate measures have been proposed to manage noise emissions, in accordance with our technical guidance note for intensive farming, and we are satisfied that the proposed measures will minimise the potential for emissions from the Installation. Standard condition 3.4.1 concerning noise has been included in the permit. The Operator will be required to operate this Installation in full compliance with this condition and its NMP. The Operator has also confirmed that daily checks of the ventilation system are carried out and maintenance is undertaken if necessary to minimise noise emissions. General maintenance of the ventilation system is also carried out between flock cycles and fans are tested to ensure they are in good working order.
8. Concerns about an increase in bird flu in the area.	UKHSA have been consulted and have concluded that emissions from the installation represent a low risk to public health provided that the installation will comply in all respects with the requirements of the permit, including the application of Best Available Techniques (BAT).
9. Objections to the way the animals are reared	Animal welfare is not within the remit of the Environment Agency and does not form part of the permit decision making process. The Environment Agency is responsible for ensuring that the activities at the Installation do not have an unacceptable impact on the environment or human health.
10. Visual impact	Design and visual impact is a matter for consideration during the planning process. It is not a matter within our remit.
11. Request for provision of screening along the frontage of the Installation.	The Operator has confirmed that the site is screened with trees, conifers and fences.
12. Concern over dirty water entering ditches and drains.	The Operator has confirmed that all dirty water will be collected in a designated dirty water storage tank. This will be emptied by a licensed contractor and spread to third party land under relevant legislation.
13. Concern over light pollution.	Light pollution is a matter for consideration during the planning process. However, the Operator has measures in place to minimise light pollution from the Installation. Lights will be angled down so as not to shine outside of the farm. The farm also operates a black out period.

No other responses were received.