

Permitting decisions

Bespoke permit

We have decided to grant the permit for Painsbrook Farm Poultry Unit operated by Mr Andrew Brisbane, Mrs Isobel Brisbane and Mr Peter Brisbane (trading as PR Brisbane & Son).

The permit number is EPR/CP3028SR.

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 in their document reference Application Bespoke Painsbrook Farm BAT HP3307LR A001 and dated 19/07/23.

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 0.8kg 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 0.45kg 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 and process parameters - Ammonia emissions	Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

BAT measure	Applicant compliance measure
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"> The staff will perform twice daily olfactory checks to coincide with stock inspections, with any abnormalities recorded and investigated. Additionally, weekly sniff testing at the installation boundary will be undertaken.
BAT 27 Monitoring of emissions and process parameters - Dust emissions	Table S3.3 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 multiplying the dust emissions factor for free range layers (aviary housing) by the number of birds on site.
BAT 31 Ammonia emissions from poultry houses - Laying hens	The BAT-AEL to be complied with is 0.13kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for layers with aviary housing is 0.08kg 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 – BAT conclusion 31

The new BAT Conclusions include a set of BAT-AEL's for ammonia emissions to air from animal housing for laying hens.

'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 Painsbrook Farm (dated 19/07/23) 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:

- Manufacture and selection of feed.
- Feed delivery or storage.
- Housing ventilation system.
- Dirty water management.
- Litter management.
- Used litter.
- Waste production and storage.
- Use of materials and storage.
- Washing operations.
- Fugitive emissions.
- Abnormal operations.
- Carcass disposal.
- House clean out (De-littering and disinfection)

Odour Management Plan Review

The installation is located within 400m of 16 sensitive receptors. The closest receptor (353214,321245) is 6m from the installation boundary. The receptor is commercial and the distance from the closest poultry house (poultry house 1) is 220m which is where most of the free-range bird activity will occur. The generator is less than 1MWth and not within 50m of the 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 carried out by staff to coincide with stock inspections, and additional weekly sniff testing to be undertaken at the installation boundary.
- Feed specifications are prepared by the feed compounder's nutrition specialist. Feed is supplied only from UKAS accredited feed mills. No milling or mixing feeds on site.
- Feed delivery systems are sealed to minimise atmospheric dust. Any spillage of feed around the bin is immediately swept up. Weekly checks to feed storage and fill pipes. Feed deliveries are monitored to avoid dust and spills.
- Use of high velocity roof extraction fans to aid dispersion with summer cooling gable fans, checked prior to cycle commencement by qualified electrician who will provide 24hr breakdown cover.
- The ventilation system is regularly adjusted to match the age and requirements of the flock. The ventilation system is designed to efficiently remove moisture from the house. Humidity is recorded daily and maintained in the range of 55 - 65% keeping a balance of dry litter and avoiding dust production.
- Nipple drinkers with drip cups are used to minimise spillage. Drinker height and pressures are checked daily to avoid capping. Insulated walls and ceilings to prevent condensation. Concrete floors to prevent ingress of water. Stocking levels at optimum to prevent overcrowding.
- Carcasses are placed into plastic sealed bags and stored in sealed, locked and vermin proof freezers away from sensitive receptors. Carcass collection will be carried out weekly by a licensed agent.
- Clean out is carried out as soon as possible following destocking (1 week per house). Houses sealed immediately following bird depletion awaiting de littering.
- Litter is removed from litter belts twice weekly with a covered trailer to avoid double handling. A small amount of litter is stored at the installation in sheeted trailers (maximum 36t). All trailers sheeted before leaving fill position. The area under the litter belt/ trailer is swept after each operation preventing any contaminated run off. Litter used on operator-controlled land and sold to third parties.
- Wash water tank levels are monitored during washing and emptied as required to prevent overflow.
- Site is washed by specialist contractors. Vehicle washing at designated wash point. All sediment traps and drains cleaned both before and after washing operations.
- Abnormal events are documented, dated and signed, appropriate plans are also reviewed and updated to prevent reoccurrence.

In the event of a substantiated odour complaint the cause would be investigated, and actions taken listed in the odour/contingency plans to cease the release. Area officer would be notified immediately, a review of the OMP conducted at the earliest opportunity with any changes communicated to Area officer for approval. A complaints report would be filled out and retained on site.

Plan to be reviewed every year from permit issue date, prior to any major changes to operations (to ensure effectiveness) or following any complaint, any changes to OMP or other management plans to be documented dated and signed and Area Officer notified. Monitoring procedure/frequency to be reviewed annually or in the event of a complaint.

Conclusion

We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of odour pollution/ nuisance.

Noise

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

Condition 3.4 of the permit reads as follows:

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

There are sensitive receptors within 400 metres of the installation boundary as stated 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 systems and operations.
- Feed deliveries.
- Fuel delivery.
- Feeding systems.
- Alarms/ standby generators.
- Bird catching.
- Personnel.
- Clean out operations.
- Maintenance and repairs.

Noise Management Plan Review

The installation is located within 400m of 16 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 (07.00-10.00 hrs and 16.00-19.00 hrs).
- Large capacity roof mounted fans with summer cooling gable fans, reducing number of fans required. Fans operated on an intermittent programme. Regular end of cycle maintenance by qualified electrician. Any noisy fans isolated and electrician notified.
- Time restricted (07.00-19.00hrs) delivery lorries fitted with silencers. Road/ track is maintained.
- Daily inspections of bin stocks to prevent augers running empty (07.00-10.00 hrs and 16.00-19.00 hrs).
- Fuel deliveries are time restricted to 07.00-19.00hrs.
- Use of pagers or mobile phones on site.
- Bird catching teams are fully trained and advised of need to keep noise to a minimum (i.e. no shouting or playing of loud music). Lorries parked as close as possible to doors to reduce forklift travel. Screen curtains fitted to lorries.
- Litter removal during normal working hours (07.00-19.00 hrs). Trailers parked as close as possible to doors to reduce loader travel. Large trailers used to reduce traffic. Washing done during normal working hours 07.00hrs - 19.00hrs.
- Standby generator is tested weekly during normal working hours 07.00hrs -19.00hrs. Generator will not be tested more than 50hrs per annum. Housed in an acoustic jacket.

In the event of a substantiated noise complaint the cause would be investigated, and actions taken listed in the NMP plan to cease the release. Area officer would be notified immediately, a review of the NMP conducted at the earliest opportunity with any changes communicated to Area officer for approval. A complaints report would be filled out and retained on site. Noise Management Plan to be reviewed annually or following a substantiated noise complaint.

In the event of substantiated complaints, the operator will initiate a Noise Monitoring Survey by Matrix Acoustic Consultants. With findings and recommendations shared with the Environment Agency. Full details of the protocol to be initiated given in the document from noise consultants.

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 5 sensitive receptors within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 6 metres to the north 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 mixing or milling is undertaken onsite. Feed is supplied only from UKAS accredited feed mills.
- A sealed system delivers feed into the poultry houses. Sealed pipe delivery into poultry houses and feed is piped down into hoppers minimising dust. Chain feeding system on timed feeding preventing over feeding. Feed spills are cleared up immediately.
- The ventilation system is regularly adjusted to match the age and requirements of the flock.
- Humidity is recorded daily and maintained in the range of 55 - 65% to keep a balance of dry litter and avoid dust production.
- Stock inspections are carried out by trained staff to avoid panicking birds creating dust.
- During cleaning out the litter is not double handled. Litter is tipped carefully into trailers parked close to the poultry house doors which are then sheeted prior to leaving the site.
- Exhaust vents are washed under low pressure during the cleaning process to minimise both release of dust to atmosphere and escape of contaminated water.
- Dust extracted shavings or green sawdust is used for bedding.

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 Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsars within 5km of the installation. In addition, there is 1 Site of Special Scientific Interest (SSSI) within 5km of the installation. There are other nature conservation sites within 2km comprising of 2 ancient woodlands.

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 has indicated that emissions from Painsbrook Farm will only have a potential impact on the SSSI with a precautionary CLe of $1\mu\text{g}/\text{m}^3$ if they are within 1,327 metres of the emission source.

Beyond 1,327m the PC is less than $0.2\mu\text{g}/\text{m}^3$ (i.e. less than 20% of the precautionary $1\mu\text{g}/\text{m}^3$ CLe) and therefore beyond this distance the PC is insignificant. In this case the SSSI is beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of $1\mu\text{g}/\text{m}^3$ is used and the PC is assessed to be less than 20%, the site automatically screens out as insignificant and no further assessment of CLo is necessary. In this case the $1\mu\text{g}/\text{m}^3$ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

Table 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Grinshill Quarries SSSI	2,647

Ammonia assessment - 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 (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.6 has indicated that emissions from Painsbrook Farm will only have a potential impact on the AW sites with a precautionary CLe of $1\mu\text{g}/\text{m}^3$ if they are within 457 metres of the emission source.

Beyond 457m 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 AW s are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 2 – AW Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Actonlea/ Ash Coppices AW	2,219*
Crifton Coppice AW	2,586*

*These sites are included at >2km because the screening is based on an approximate centre point of the emissions and includes a buffer distance calculated from this centre point to the furthest point of the boundary to ensure all nature conservation sites within the threshold distance from the installation boundary have been included in the assessment.

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. 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 – Environmental Health. • Local Authority – Planning. • Health and Safety Executive. • Director of Public Health & UKHSA (formerly PHE). 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 is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.

Aspect considered	Decision
	<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>
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	
Use of conditions other than those from the template	<p>Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.</p>
Emission limits	<p>ELVs and/ or equivalent parameters or technical measures based on BAT have been set for the following substances.</p> <ul style="list-style-type: none"> • Ammonia. • Nitrogen. • Phosphorous
Monitoring	<p>ELVs and/ or equivalent parameters or technical measures based on BAT have been set for the following substances.</p> <ul style="list-style-type: none"> • Ammonia. • Nitrogen. • Phosphorous.
Reporting	<p>We have decided that monitoring should be carried out for the parameters listed in</p>

Aspect considered	Decision
	<p>the permit, using the methods detailed and to the frequencies specified.</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>
Financial competence	<p>There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.</p>
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, 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 14/11/23.
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. The point source emissions listed by the applicant are roof fan outlets on Layer Houses, a vent from a fuel oil tank and exhaust from a Standby generator.</p> <p>Bioaerosols</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> <p>Public health Risk Assessment</p> <p>There is insufficient information contained within the permit application to be able to fully assess the impact of the installation on public health. Justification for this assessment is outlined below:</p> <ul style="list-style-type: none">• Point source emissions abatement is not considered at all.• The H1 assessment has not been included. As such, we are unable to comment on whether the operator has assessed the potential emissions to air against the relevant air quality standards, and the potential impact upon human health. <p>Given that there are residential areas closer than 100m from the installation, the Environment Agency may wish to obtain clarification on the above issues and satisfy themselves that the risk is calculated and thus managed appropriately.</p> <p>We would also recommend inclusion of a wind rose chart showing the distribution of wind speed and wind direction around the site over a period of time (with details of where the weather data for the site has been obtained from).</p> <p>It is outside the scope of our review to comment on the spreading of litter on operator-controlled land which may be in the vicinity of the installation. However, the Environment Agency might wish to satisfy themselves that appropriate arrangements are in place to mitigate against any resulting accumulation of odours, which might affect nearby sensitive receptors.</p>
Summary of actions taken or show how this has been covered
<p>BAT Review document received to show compliance to the BAT conclusion document dated 21st February 2017. DMP and bioaerosols risk assessment and management plan received. 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 closest receptor (353214,321245) is 6m from the installation boundary. The receptor is commercial and the distance from the closest poultry house (poultry house 1) is 220m which is where most of the free-range bird activity will occur. The generator is less than 1MWth, test runs will not exceed 50hrs per annum, emergency use will not exceed 500 hrs per annum, and it's not sited within 50m of the receptors. The generator falls outside of the requirements of the Medium Combustion Plant Directive. We have undertaken a full ammonia assessment which can be viewed in the 'key issues of the decision' section above. All habitat sites screen out with no significant effect. No further assessment required.</p> <p>See the key issues section for more details.</p>

No responses were received from the following:

- Members of the public via web publication.
- Local Authority – Environmental Health.
- Local Authority – Planning.
- Health and Safety Executive.