Permitting Decisions - Variation

We have decided to grant the variation for Dunnimere Farm operated by Richard Myles Calcott and Deborah Catheryn Calcott.

The variation application number is EPR/FP3607PL/V002

The permit number is EPR/FP3607PR

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 considerations section to show how the main 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.

Key issues of the decision

Intensive Rearing of Poultry or Pigs BAT Conclusions document

The 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 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 and redeveloped housing within variation applications issued after 21st February 2017 must be compliant in full from the first day of operation. Existing housing BAT compliance has been subject to a sector review, however for some reviewed permits, only generic limits have been included and individual housing should now be considered. Existing housing if redeveloped with changes to housing location or expansion beyond existing footprint is classed as new plant.

There are some additional requirements for permit holders. The BAT 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 phosphorus excretion.

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

BAT Conclusions review

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

The Applicant has confirmed their compliance with all BAT conditions for the new housing in their document reference '2022 08 24 Dunnimere Farm BAT Responses' received 03/05/2023 as part of the supporting documents for the variation application duly made on 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 3 Nutritional management - Nitrogen excretion

The Applicant has confirmed they will demonstrate they can achieve levels of nitrogen excretion below the required BAT-AEL of 0.6 kg N/animal place/year

and will use BAT 3 b technique - multiphase feeding with a diet formulation adapted to the specific requirements of the production period.

BAT 4 Nutritional management - Phosphorus excretion

The Applicant has confirmed they will demonstrate they can achieve levels of phosphorus excretion below the required BAT-AEL of 0.25 kg P_2O_5 animal place/year and will use BAT 4 a technique - multiphase feeding with a diet formulation adapted to the specific requirements of the production period.

BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorus excretion

Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

This will be verified by means of manure analysis and reported annually or using a mass balance of nitrogen and phosphorus based on the feed intake, dietary content of crude protein and animal performance and reported annually.

BAT 25 Monitoring of emissions and process parameters – Ammonia emissions

Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

The applicant has confirmed it will report the ammonia emissions to the Environment Agency annually by utilising estimation by using emissions factors.

BAT 26 Monitoring of emissions and process parameters - Odour emissions

The approved odour management plan (OMP) includes the following details:

- Twice daily checks coinciding with bird inspections, normally between 07:00 – 10:00 and 16:00 – 19:00. Any abnormalities to be recorded and investigated
- Daily boundary walks to check the surrounding area for high levels of odour, and visual (and nasal) inspection of potentially odorous activities and recorded in the Daily Inspection Report.

• In the event of odour complaints being received the Operator will notify the Environment Agency and make a record of the complaint. The Operator will undertake necessary odour contingency as required.

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 utilising estimation by using emissions factors.

BAT 32 Ammonia emissions from poultry houses - Broilers

The BAT-AEL to be complied with is 0.08 kg NH_3/animal place/year. The Applicant will meet this as the emission factor for broilers is 0.034 kg NH_3/animal place/year.

The installation does not include an air abatement treatment facility; hence the standard emission factor complies with the BAT-AEL.

More detailed assessment of specific BAT measures

Ammonia emission controls – BAT conclusion 32 (broilers)

The BAT Conclusions include a set of BAT-AELs for ammonia emissions to air from animal housing for broilers.

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

For variations all new housing on existing farms will need to meet the BAT-AEL. Existing housing BAT compliance has been subject to a sector review.

Industrial Emissions Directive (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 Dunnimere Farm (submitted with variation application duly made on 27/09/2023) 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 management

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 and storage
- Ventilation and dust (inadequate air movement, poor design)
- Litter management (poor quality litter, spillage of water, disease outbreaks)
- Carcass storage and disposal
- Poultry house clean out (delittering, disinfection, fumigation)

Odour Management Plan Review

There are 17 sensitive receptors located within 400m of the installation boundary, as listed below (please note, the distance stated is only an approximation from the installation boundary to the assumed boundary of the property):

- Two residential properties approximately 170m to the west of the installation boundary (Dunnimere Cottages 1 and 2)
- Five residential properties, the nearest approximately 175m south of the installation boundary (The Farmhouse, The Swallows, The Dutch Barn, The Forge and The Corn Barn).
- One residential property (White Post End) approximately 245m to the west of the installation boundary.
- Six residential properties approximately 235m to the northwest of the installation boundary (Council Houses 1 – 6)
- Three residential properties, the nearest approximately 330m to the southwest of the installation boundary (Portway House, Portway Farm and Ponderosa)

The Operator has provided a revised OMP (submitted 19/03/2024), and this has been assessed against the requirements of ‘How to Comply with your Environmental Permit for Intensive Farming’ EPR 6.09 (version 2), Appendix 4 guidance ‘Odour Management at Intensive Livestock Installations’ and our Top Tips Guidance and Poultry Industry Good Practice Checklist (August 2013) as well as the site specific circumstances at the Installation. We consider that the OMP is acceptable because it complies with the above guidance, with details of odour control measures, contingency measures and complaint procedures described below.

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

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

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

Although there is the potential for odour pollution from the Installation, the Operator's compliance with its OMP and permit conditions will minimise the risk of odour pollution beyond the Installation boundary. The risk of odour pollution at sensitive receptors beyond the Installation boundary is therefore not considered significant.

Conclusion

We have assessed the OMP and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 4 'Odour management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of odour pollution/nuisance.

Noise and vibration management

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 under the ‘Odour’ section. 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 within the NMP for the application, lists key potential risks of noise pollution beyond the installation boundary. These activities are as follows:

- Noise from large and small vehicles (including delivering/collecting from site, litter removal, removal of dirty water)
- Feed transfers from lorry to bins
- Ventilation fans
- Alarm system/standby generator
- Chickens
- Personnel
- Repairs and Servicing

Noise Management Plan Review

A revised NMP was provided by applicant and assessed below was received as part of the application supporting documentation on 19/03/2024.

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

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

Operations with the most potential to cause noise nuisance have been assessed as ventilation fans, broiler noise and HGV movements, and control measures have been put in place for these. Other operations with the potential to cause noise nuisance for which control measures have been put in place include feeding equipment, alarm system and standby generator, repairs and servicing, and personnel.

We have included our standard noise and vibration condition, condition 3.4.1, in the Permit, which requires that emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the Operator has used appropriate measures, including, but not limited to, those specified in any approved NMP (which is captured through condition 2.3 and Table S1.2 of the Permit), to prevent or where that is not practicable to minimise the noise and vibration.

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

Conclusion

We have assessed the NMP 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 Bioaerosols management

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.

In addition, guidance on our website concludes that applicants need to produce and submit a dust and bioaerosol management plan beyond the requirement of the initial risk assessment, with their applications only if there are relevant receptors within 100 metres including 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.

There are no receptors within 100m of the installation, therefore the Applicant was not required to submit a dust and bioaerosol management plan in this format, however they have submitted one with the application duly made on 27/09/2024, therefore we have assessed it.

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 measures in their dust and bioaerosol management plan to reduce dust (which will inherently reduce bioaerosols) for the following potential risks:

- Feed systems
- Bedding
- Litter system
- Ventilation
- House cleaning
- Bird numbers

Conclusion

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

Standby Generator

There is one standby generator with a net thermal rated input of 0.2 MWth and it will not be tested more than 50 hours per year or operated for more than 500 hours per year (averaged over 3 years) for emergency use only as a temporary power source if there is a mains power failure.

Ammonia

There is one Special Area of Conservation (SAC) and one Site of Special Scientific Interest (SSSI) located within 5 kilometres of the Installation boundary. There are also five Local Wildlife Sites (LWS), within 2 km of the Installation boundary.

Ammonia assessment – SAC/SPA/Ramsar

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

- If, using the Ammonia Screening Tool (AST v4.6), the process contribution (PC) is below 4% of the relevant critical level (Cle) or critical loads (Clo) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded, detailed ammonia modelling is required, and if the PC from such modelling is below 1% of the relevant critical level (Cle) or critical loads (Clo) then the farm can be permitted with no further assessment.
- Where the PC (after modelling) exceeds 1%, further detailed assessment is required, taking into consideration the ammonia, nitrogen deposition and acid deposition background concentrations and may also require an in-combination assessment.
- Where an in-combination assessment is required, the combined PC for all existing permitted installations identified within 5 km of the SAC/SPA/Ramsar will be considered, together with impacts from other local plans, projects, and non-permitted farms which could act in-combination. The in-combination assessment is limited to those impacts not already included in the relevant background emission baseline.

Detailed modelling ('Ammonia Assessment, Dunnimere Farm, Tamworth reference 5293r1, dated 7th March 2022, and received with application duly made on 27/09/2023) been audited by our air quality modelling assessment team and we have confidence that we can agree with the report's results, factoring up the PCs as the report was based on 240,000 broilers, and the application is for 260,000 broilers. This has determined that the process contributions of ammonia emissions from the installation are >1% and are therefore potentially significant.

A more detailed assessment has therefore been carried out.

PEC (Predicted Environmental Concentration) assessment.

A 'simple' in-combination PEC calculation of background concentration plus installation PC indicated that this was < Cle of 3 µg/m^3 therefore below 100% of the Cle. In line with our process, we can therefore conclude no likely significant effect alone but are obliged to carry out more detailed ('complex') in-combination assessment.

The overall assessment is to confirm that the worst case PEC linked to this installation needs to be below the relevant Cle for the River Mease SAC, by considering other potential sources of ammonia which may act in-combination with the proposal.

A search of the Environment Agency permit application queue and recently issued permits (post APIS background data, which is currently based on years 2019 – 2021, and therefore we consider anything beyond the end of the mid-year of data i.e. anything after 31/12/2020) was conducted on 29/02/2024 for any

intensive farming installations or other relevant proposed sites which would have the potential to act in-combination with the PPP being assessed. No live applications were found within 5km of the site.

In addition, consultation with local planning authorities and a search on local planning authority records has not identified any other plans or projects which are not already included in relevant background concentration from APIS website (www.apis.ac.uk) within 5 km of the maximum concentration point for the River Mease SAC.

'Complex' PEC calculation
The predicted environmental concentration (PEC) impact on the River Mease SAC is summarised below. As no additional sites were found for the in-combination assessment it is essentially the same as the 'simple PEC' used in the alone assessment above.

PEC = Background concentration + installation PC + other installation farms acting in combination + other non-installation plans or projects acting in-combination.
The installation PC is the maximum process contribution at the River Mease SAC.

Table 1 – PEC calculation for ammonia

Contribution description	**Concentration in µg/m3**	**Critical level* µg/m^3**	**PEC calculation: PCs as % of critical level**
Background*	2.1	3	70
Installation PC	0.09	3	3
Total installation in combination PC	n/a	3	0
Total non-installation in combination PC	n/a	3	0
TOTAL PEC	**2.19**	**3**	**73**

* Background ammonia at maximum impact from installation under determination from APIS website (www.apis.ac.uk) 31/10/2023
**Critical level value advised by Natural England by email dated 13/11/2023

Natural England also confirmed that the River Mease SAC does not have any critical loads assigned for nitrogen or acid deposition therefore no assessment has been carried out for these.

Conclusion
Table 1 shows that the total 'complex' in-combination PEC at the River Mease SAC is less than 100% of the relevant critical level, therefore it can be concluded

that there is no likely significant effect in-combination, and no further ammonia assessment is required.

No further assessment is required.

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 11/07/2023 has indicated that emissions from Dunnimere Farm will only have a potential impact on SSSIs with a precautionary CLe of 1µg/m^3 if they are within 1,247 metres of the emission source.

Beyond 1,247m the PC is less than 0.2µg/m^3 (i.e. less than 20% of the precautionary 1µg/m^3 CLe) 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 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 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 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
River Mease SSSI	1,424

No further assessment is required.

Ammonia assessment - LWS/AW/LNR

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 dated 11/07/2023 has indicated that emissions from Dunnimere Farm will only have a potential impact on the LWS sites with a precautionary CLe of 1µg/m^3 if they are within 428m of the emission source.

Beyond 428m the PC is less than 1µg/m^3 and therefore beyond this distance the PC is insignificant. In this case all LWS are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 3 – LWS Assessment

Name of LWS	Distance from site (m)
Willow Bottom Lane (hedge 2) LWS	1,084
Willow Bottom Lane (hedge 1) LWS	1,398
Twizles Lane Hedgerows LWS	1,445
Birdsley Farm (hedge 5) LWS	1,723
Birdsley Farm (hedge 6) LWS	1,757

No further assessment is required.

Decision considerations

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

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Lichfield District Council Environmental Health
- Health and Safety Executive (HSE)
- UK Health Security Agency (UKHSA)
- Staffordshire County Council Director of Public Health

The comments and our responses are summarised in the consultation responses section of this document.

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.

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.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances, we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

See Ammonia section in the Key Issues above for more details.

We have sent Natural England our Habitats Regulation Assessment (Stage 1) for information only on 02/04/2024.

The decision was taken in accordance with our guidance.

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.

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 that the applicant must use are specified in table S1.2 in the environmental permit.

The key revised operating techniques are as follows:

- Additional two poultry houses to accommodate increased livestock
- Addition of 4 heat exchangers, one on each poultry house

The proposed techniques for priorities for control are in line with the Intensive Farming 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 and we approve this plan.

We have approved the odour management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary, sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance ‘Control and monitor emissions for your environmental permit’.

The plan has been incorporated into the operating techniques S1.2.

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 and we approve this plan.

We have approved the noise management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary, sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance ‘Control and monitor emissions for your environmental permit’.

The plan has been incorporated into the operating techniques S1.2.

Dust and bioaerosol management

We have reviewed the dust and bioaerosol management plan in accordance with our guidance on emissions management plans for dust.

We consider that the dust and bioaerosol management plan is satisfactory and we approve this plan.

We have approved the dust and bioaerosol management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary, sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance ‘Control and monitor emissions for your environmental permit.

The plan has been incorporated into the operating techniques S1.2.

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.

Raw materials

We have not specified limits and controls on the use of raw materials and fuels.

Emission limits

We have decided that emission limits are required in the permit. BAT-AELs have been added in line with the Intensive Farming sector BAT conclusions document dated 21/02/2017. These limits are included in table S3.3 of the permit.

Monitoring

Monitoring has not changed as a result of this variation.

These monitoring requirements have been imposed in order to ensure compliance with Intensive Farming BAT conclusions document dated 21/02/2017.

Reporting

Reporting has not changed as a result of this variation.

We made these decisions in order to ensure compliance with the Intensive Farming sector BAT conclusions document dated 21/02/2017.

Management system

We are not aware of any reason to consider that the Operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on Operator competence and how to develop a management system for environmental permits.

Previous performance

We have assessed Operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

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 variation.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards

applied to the Operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Consultation Responses

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 (received 24/10/2023)

Brief summary of issues raised:

The variation application is for a permit to house 260,000 broilers. The site (Dunnimere Farm) for the proposed poultry unit extension is currently intensive arable land and shall operate as a broiler meat production unit with an annual meat production capacity of 3,156 tonnes and an annual manure production capacity of around 3,600 tonnes. The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia. UKHSA is however satisfied that the control measures proposed by the applicant should ensure that there are no significant impacts on public health. 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:

We are satisfied that the operations proposed incorporate best available techniques (BAT) and that there will be no significant pollution of the environment or harm to human health from emissions such as bioaerosols, dust (including particulate matter) and ammonia.

Lichfield District Council Environmental Health, Health and Safety Executive (HSE) and Staffordshire County Council Director of Public Health were also consulted but no responses were received.

Representations from individual members of the public

One representation was received from a member of the public (received 12/10/2023).

Brief summary of issues raised:

Concerns were raised that further plans to expand the poultry rearing business will cause further disruption and will and is already a blot on the landscape in an area which is a heritage site near a grade two listed building; the site was green fields and a very quiet area to live and has now started turning into an industrial park, which now also serves as a trailer parking facility along with the poultry unit already in place. Concerns were also raised regarding increased traffic all hours of the day and night, along a very fast lane with a blind bend (with no warnings signs in place) it won't be long before someone is hurt or worse, in addition to the disruption caused to the people that live directly by it and the surrounding area, it is ill considered and is in the totally wrong place.

Summary of actions taken:

Consideration of increased traffic movements beyond the installation boundary is outside the scope of our determination of the application.

Scale, visual impact, location and land use is a matter for consideration during the planning process where planning permission is required. Location is relevant for permitting but only in so far as its potential to have an adverse impact on sensitive receptors. The environmental impact has been assessed and it is not considered that it will give rise to significant pollution of the environment or harm to human health.