

Permitting Decisions - Variation

We have decided to grant the variation for Stowgate Poultry Farm operated by Hook 2 Sisters Limited.

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.

The variation number is EPR/ZP3332YR/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 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

Variation details

This variation authorises the following changes:

- Change in operation to rear 350,000 broilers and no longer rear turkeys (previously permitted for 240,000 turkeys)
- Installation of gable end fans on each of the existing ten poultry houses. Poultry houses otherwise unchanged.
- Correction of installation address county from Cambridgeshire to Lincolnshire

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.

We sent out a not duly made request for information, requiring the Applicant to confirm that for the changes in operation brought about by this variation, the installation will comply in full with all the relevant BAT Conclusion measures.

The Applicant has confirmed their compliance with the relevant BAT conditions in their document reference Technical Standards and dated 04/07/2024 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 is required to 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 3a technique reducing the crude protein content.

BAT 4 Nutritional management - Phosphorus excretion

The Applicant is required to demonstrate they can achieve levels of phosphorus excretion below the required BAT-AEL of 0.25 kg P₂O₅/animal place/year and will use BAT 4a technique reducing the crude protein content.

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 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 they will report the ammonia emissions to the Environment Agency annually by utilising estimation by using emission factors.

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:

- Internal relevant humidity, temperature and litter quality is to be monitored by farm personnel and recorded on each house card daily.
- Complaints and subsequent actions are to be logged on site.
- Staff are to receive training regarding Environmental Permitting Regulations – which will include odour management and any new company procedures.
- Staff will carry out weekly sniff testing around the site. In the event of odour complaints being received at the site this frequency may be increased or additional sniff surveys will be conducted by a person that is not regularly carrying out duties at the site.

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.

It has been confirmed previously for the Environment Agency initiated variation for Intensive Farming BAT compliance permit review (EPR/ZP3332YR/V002 issued 20/11/2020) that they will report the dust emissions to the Environment Agency annually by utilising estimation by using emission factors.

BAT 32 Ammonia emissions from poultry houses - Broilers

The BAT-AEL to be complied with is 0.01 – 0.08 kg NH₃/animal place/year. The Applicant 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 – BAT conclusion 32 (broilers)

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT. The BAT Conclusions include a set of BAT AEL's 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.

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 are as follows:

- Manufacture and selection of feed
- Feed delivery and storage
- Ventilation
- Litter management
- Carcass storage and disposal
- Poultry house clean out

Odour Management Plan Review

There are 3 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):

1. Wilderness Farm – approximately 260m southwest of the Installation boundary.
2. 13 Stowgate – approximately 185m east of the Installation boundary.
3. 14 Stowgate – approximately 230m east of the Installation boundary.

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

The Operator has provided a revised OMP (submitted 21/08/2024) 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 manufacture and selection of feed, feed delivery and storage, ventilation techniques, litter management, carcass storage and disposal, destocking of livestock, house clean out, dirty water management and abnormal conditions.

The OMP also provides a suitable procedure in the event that complaints are made to the Operator. The OMP will be reviewed at least every four years (as committed to in the OMP) or after a complaint is received which has been substantiated by the Environment Agency, 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 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 a revised NMP, and further details are provided below.

The risk assessment for the installation provided for the application lists key potential risks of noise pollution beyond the installation boundary. These activities are as follows:

- Large and small vehicles travelling to and from the farm
- Large vehicle movement on site – including delivery of feed, transporting birds, equipment used to clean houses, litter and dirty water removal
- Feed transfer from lorry to bins
- Ventilation fans
- Alarm system and standby generator
- Chickens – including catching and removal from site
- Personnel
- Building work and repairs

Noise Management Plan Review

The revised NMP provided by applicant and assessed below was received 21/08/2024.

The sensitive receptors have been listed under the 'Odour' section. The sensitive receptors that 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 four years (as committed to in the NMP), however the Operator has confirmed that it will be reviewed if an Environment Agency substantiated complaint is received, whichever is sooner.

Operations with the most potential to cause noise nuisance have been assessed as ventilation fans, feed delivery and mixing, standby generator, mechanical noise from equipment, broiler noise when catching, forklift trucks and other vehicles when catching, noise during cleaning out and testing of alarms, and control measures put in place for these.

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.

As there are no receptors within 100m of the installation, the Applicant was not required to submit a dust and bioaerosol management plan in this format. However a dust and bioaerosol management plan was provided by applicant and assessed below, received as part of the application duly made on 12/07/24.

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 fugitive emissions risk assessment and dust and bioaerosol management plan to reduce dust (which will inherently reduce bioaerosols).

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 **1.068** MWth and it will not be tested more than 52 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.

The generator was in operation at another location in 2017, therefore is classed as existing plant for the Medium Combustion Plant Directive (MCPD) and does not need the addition of requirements linked to MCPD until 2029.

Ammonia

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites located within 5 kilometres of the installation boundary. There are two Sites of Special Scientific Interest (SSSI) located within 5 km of the installation boundary and one Local Wildlife Site (LWS) within 2 km of the installation boundary. These sites are as follows:

- Cross Drain SSSI
- Deeping Gravel Pits SSSI
- South Drove Drain LWS

Based on the information provided we do not require detailed modelling to be submitted with the application. We have concluded this based on the following mass balance calculation, which shows that ammonia emissions will be lower under the proposed broiler operation, when compared to the existing turkey operation:

Baseline Scenario (Turkeys)

$(6 \text{ weeks @ } 240,000 @ 0.138 + 15 \text{ weeks @ } 80,000 @ 0.138) \times 2/52 = 14012.3$
kg NH₃/year.

This information was taken from the introductory note of the variation notice when the permit was varied from 110,000 birds to 240,000 (EPR/BT4940IY/V003 issued 04/07/2011) and is based on approximately 2 cycles per year.

Proposal Scenario (Broilers)

$350,000 @ 0.034 = 11,900$ kg NH₃/year

This assessment has been based on a 'mass balance' approach, which is considered when there are no changes to site infrastructure other than the switch from turkey production to broiler production as a result of the variation. We have taken into consideration that the current permit is for side fan ventilation and the proposal includes additional gable end fans fitted at the rear of each shed, however these are only used infrequently for temperature control in hot weather.

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.

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:

- South Kesteven District Council Environmental Protection
- Health and Safety Executive

The comments and our responses are summarised in the [consultation responses](#) section.

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

The Operator has provided a plan which we consider to be satisfactory, showing the extent of the site facilities.

The plan is included in the permit.

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.

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

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 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 The Best Available Techniques (BAT) Reference document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) published on 21st February 2017.

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.

See Key Issues section 'Odour management' for further details.

The plan has been incorporated into the operating techniques table 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.

See Key Issues section 'Odour management' for further details.

The plan has been incorporated into the operating techniques table 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.

See Key Issues section 'Dust and bioaerosol management' for further details.

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 permits.

Improvement programme

There are historic improvement programmes carried over from the previous permits and are now confirmed to be completed.

Emission limits

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

Monitoring

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 21/02/2017.

Reporting

We have specified reporting in the permit, using the methods detailed and to the frequencies specified.

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

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.

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.

The consultation commenced on 31/07/2024 and ended on 29/08/2024.

Responses from organisations listed in the consultation section

Response received from South Kesteven District Council Environmental Protection (received 01/08/2024)

Brief summary of issues raised: Environmental Protection have no comment on the application.

Summary of actions taken: no action required.

The Health and Safety Executive (HSE) were also consulted but no response was received.