

Permitting decisions

Bespoke permit

We have decided to grant the permit for **Grange Farm Pig Unit** operated by **G & L Chafer Ltd.**

The permit number is **EPR/ZP3429SM**

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

Introduction

This is a new pig intensive farm installation under the EPR regulations.

The farm is an existing farm, now going over EPR threshold for production pigs > 30 kg. The new installation will have a capacity of 4,600 production pigs, with no other pig types.

The farm will have initially 3000 production pig capacity and the full 4600 when two new buildings become operational.

The pig houses are all straw solid floor systems.

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 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 phosphorus excretion.

For some types of rearing practices, stricter standards will apply to farms and housing permitted after the new 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 installations in their referenced BAT review within Non-Tech summary (28/06/24) and OMP (03/09/24). These responses are included in Table S1.2 Operating Techniques of the permit.

The following review below is a more specific assessment of measures the Applicant has applied to ensure compliance with the key BAT measures:

BAT measure	Applicant compliance measure
BAT 3 Nutritional management - Nitrogen excretion	The Applicant has confirmed they will demonstrate that the installation achieves levels of nitrogen excretion below the required BAT-AEL of 13 kg N/animal place/year by an estimation using manure analysis for total nitrogen content. Table S3.3 of the permit concerning process monitoring requires the Applicant to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 4 Nutritional management - Phosphorus excretion	The Applicant has confirmed they will demonstrate that the installation achieves levels of phosphorus excretion below the required BAT-AEL of 5.4 kg P ₂ O ₅ animal place/year by an estimation using manure analysis for total phosphorus content. Table S3.3 of the permit concerning process monitoring requires the Applicant to undertake relevant monitoring that complies with these BAT Conclusions

BAT measure	Applicant compliance measure
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorus excretion	Table S3.3 of the permit concerning process monitoring requires the Applicant to undertake relevant monitoring that complies with these BAT Conclusions. The Applicant has confirmed this will be complied with via their usage of manure analysis.
BAT 25 Monitoring of emissions and process parameters - Ammonia emissions	Table S3.3 of the permit concerning process monitoring requires the Applicant 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 multiplying the ammonia emissions factor for pigs by the number of pigs on site.
BAT 26 Monitoring of emissions and process parameters - Odour emissions	The OMP confirms following odour monitoring: Odour levels are assessed daily by operator at boundary.
BAT 27 Monitoring of emissions and process parameters - Dust emissions	Table S3.3 concerning process monitoring requires the Applicant 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 production pigs by the number of pigs on site.
BAT 30 Ammonia emissions from pig - Production pigs	The BAT-AEL to be complied with is 5.65 kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for production pigs on straw is 2.0 based on ADHD Pork trials data (2017). The standard emission factor therefore complies with the BAT-AEL. The narrative BAT is based on BAT 30 a6.

In addition, there are no slurry storage facilities within the installation requiring BAT compliance.

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 Applicant 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 Applicant** 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 revised site condition report (SCR) for Grange Farm Pig Unit (received 09/02/23) 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 Applicant 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 current farm has not been the subject of any odour complaints to the Environment Agency.

The risk assessment for the installation provided with the application lists key potential risks of odour pollution beyond the installation boundary. There is a single relevant receptor within 400 metres of the installation boundary; receptor is approximately 150 m to the north of the installation boundary.

The final OMP dated 03/09/2024 sets out the preventative measures that will be taken at the installation as part of the daily management of odour risk at the site.

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

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

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

Odour Management Plan review

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

Conclusion

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.

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 Applicant has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable to minimise the noise and vibration".

The current farm has not been the subject of any noise complaints to the Environment Agency.

The risk assessment for the installation provided with the application lists key potential risks of noise pollution beyond the installation boundary. There is a single relevant receptor within 400 metres of the installation boundary; receptor is 150 m from the installation boundary.

Noise Management Plan review

The final NMP dated 03/09/2024 sets out the preventative measures that will be taken at the installation as part of the daily management of noise risk at the site.

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 Bioaerosols

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the permit (the 'Fugitive Emissions' conditions) to provide a level of protection. Condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Applicant 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 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.

There is a single receptor within 100 m of the installation boundary, adjacent to the southern installation boundary.

As there are receptors within 100m of the Installation, the Applicant was required to submit a dust and bioaerosol management plan (DBMP) in this format. The final plan is dated 03/09/24.

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 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 DBMP to reduce dust (which will inherently reduce bioaerosols) for the potential risks.

Bioaerosols and Dust emissions from natural ventilation

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

Conclusion

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

Standby Generator

There is a single standby generator with a net thermal rated input of < 1MWth and it's operated for a maximum of 1 hour per week for testing purposes. The generator is used only as a backup for mains interruption and will not be used for more than 500 hrs per annum including testing periods.

This is confirmed in Applicant response dated 08/08/24.

Hence in conclusion the Medium Combustion Directive does not apply to this generator.

Ammonia

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites or Sites of Special Scientific Interest (SSSI) located within 5 km of the installation and no other nature conservation sites (for example Local Wildlife Sites (LWS), Local Nature Reserve (LNR) or Ancient Woodland (AW)) within 2 km of the installation.

The pre-application assessment includes a screening report dated 05/09/24

Therefore, in conclusion, as no habitat sites whatsoever within the relevant screening distances, 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.

Aspect considered	Decision
	<p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • Health and Safety Executive (HSE) • West Lindsey District Council Environmental Health • UK Health Security Agency (UKHSA) • Director of Public Health, Lincolnshire County Council <p>The comments and our responses are summarised in the consultation section.</p>
Applicant	
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	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility'.</p> <p>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.</p>
The site	
Extent of the site of the facility	<p>The Applicant 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.</p> <p>We have reviewed the nearby slurry lagoon and concluded this is not part of the installation, as the installation is not the primary user of the lagoon. Final confirmation dated 07/06/24.</p>
Site condition report	The Applicant 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	<p>The application is not within the relevant distance criteria of any sites of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <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 of itself have a negative effect on any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p>
Environmental risk assessment	
Environmental risk	We have reviewed the Applicant's assessment of the environmental risk from the facility. The Applicant's risk assessment is satisfactory.
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the Applicant 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 new Operator must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are summarised in the introduction of the permit EPR/ZP3429SM.</p>

Aspect considered	Decision
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.
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.
Permit conditions	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Emission limits	We have decided that emission limits are required in the permit. BAT AELs have been added in line with the Intensive Farming sector BAT conclusions document dated 21/02/17. These limits are included in permit table S3.3
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 the Intensive Farming BAT conclusions document dated 21/02/17.
Reporting	We have specified reporting in the permit. We made these decisions in accordance with the Intensive Farming BAT conclusions document dated 21/02/17.
Applicant competence	
Management system	There is no known reason to consider that the Applicant 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 Applicant competence and how to develop a management system for environmental permits.
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The Applicant satisfies the criteria in our guidance on Applicant competence.
Financial competence	There is no known reason to consider that the Applicant will not be financially able to comply with the permit conditions
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to vary this permit. Paragraph 1.3 of the guidance says: “The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a

Aspect considered	Decision
	<p>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 Applicants because the standards applied to the Applicant 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.

The consultation ended 06/08/24

It subsequently was confirmed after this consultation, that the Applicant had sent in a further application form, changing the Applicant name from Chafer Farms Limited to G & L Chafer Ltd – see revised application form received 03/09/24.

The new Applicant is a sister company of the original Applicant, with shared directors

The technical and operating aspects of the application itself have not changed in any way with this change in Applicant name.

Background and criminal checks have been completed on the new Applicant registered company and no concerns have been raised

In conclusion we do not consider this change in Applicant name makes any change to our environmental impact conclusions and hence have decided not to readvertise this application.

Responses from organisations listed in the consultation section

Response received from
UK Health Security Agency (UKHSA) (response received 31/07/24)
Brief summary of issues raised
<p>They include the following:</p> <p>The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia.</p> <p>Only specific recommendation is confirmation that installation ammonia impacts have no negative impact on human health</p>
Summary of actions taken or show how this has been covered
<p>We confirm from our experience with pig farm installations larger than this that once the habitat ammonia impacts are deemed acceptable, as here, there is no significant impact on human health.</p> <p>No further action required.</p>

Response received from
Director of Public Health, Lincolnshire County Council (response received 05/08/24)
Brief summary of issues raised
The response mentions key issues for this installation as follows: The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter and ammonia plus noise, odour and litter management. <i>Only specific issue raised was ammonia human health impact repeating UKHSA comment</i>
Summary of actions taken or show how this has been covered
The risk assessment is deemed acceptable as per UKHSA response above No further action required.

Response received from
West Lindsey District Council Environmental Health (received 15/07/2024)
Brief summary of issues raised
The council response confirms the following: <i>"West Lindsey District Council has no comments to make on the above application."</i>
Summary of actions taken or show how this has been covered
None required

The Health and Safety Executive were also consulted, but no responses were received.