

# Permitting decisions

## Variation

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We have decided to grant the variation for **Sheephouse Farm Pig Unit** operated by **Mr Tim Blanchard, Mr James Blanchard and Mrs Patricia Blanchard (trading as Blanchard Enterprises)**.

The variation number is **EPR/UP3539UM/V003**

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

## Purpose of this document

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

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account
- shows how we have considered the [consultation responses](#)

Unless the decision document specifies otherwise, we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice. The introductory note summarises what the variation covers.

## Key issues of the decision

### Introduction

This substantial variation is to change pig farm operation from a complete pig farm to solely operate with pigs < 30 kg and production pigs > 30 kg places

The installation is to operate as a rearing and finishing site. There will be no sows on site. Pig numbers will be:

- a. Production Pig Places – 6000
- b. Below 30kg pig places – 3600

6 of the existing 11 buildings are to be converted to production pig places; no new buildings are to be installed, and the remaining 5 are either demolished or converted to straw storage buildings).

### New 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 21<sup>st</sup> February 2017. There is now a separate BAT Conclusions document which will set out the standards that permitted farms will have to meet.

The BAT Conclusions document is as per the following link

Now the BAT Conclusions are published **all new housing within variation applications** issued after the 21<sup>st</sup> February 2017 must be compliant in full from the first day of operation.

There are no new pig housing/associated facilities linked to BAT conclusions added with this variation.

**All the BAT conclusions are met as before**

### **BAT 30**

The operation uses all straw based buildings under BAT 30 a8

Production pigs: The BAT AEL is 5.65 kg NH<sub>3</sub>/animal place/year. The emission factor with usage of AHDB Pork emission factor of 2.0 is compliant with the BAT AEL.

Weaners < 30 kg pigs. The BAT AEL is 0.7 kg NH<sub>3</sub>/animal place/year. The standard emission factor for straw based buildings is 0.675 and hence in compliance with BAT AEL.

## **Industrial Emissions Directive (IED)**

This permit implements the requirements of the European Union Directive on Industrial Emissions.

### **Odour**

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance ([http://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/297084/geho0110brsb-e-e.pdf](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 operator has provided an email dated 25/07/24. It confirms that there are no relevant receptors within 400 m of the installation boundary, hence an OMP is not required.

The operator had provided an OMP 21/06/24 in original application. This confirms the only receptors within 400 m are operator owned properties. There are no new houses or changes to the installation boundary linked to this variation.

The installation does not have a history of odour complaints.

### Conclusion

We have assessed the OMP provided by the operator. We conclude that the risk of odour pollution at sensitive receptors beyond the Installation boundary is not considered significant and that the proposed mitigation measures will minimise the risk of odour pollution / nuisance.

## Noise

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

Condition 3.4 of the Permit reads as follows:

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

The operator has provided an email dated 25/07/24. It confirms that there are no relevant receptors within 400 m of the installation boundary, hence an NMP is not required.

The operator had provided an NMP 21/06/24 in original application. This confirms only the receptors within 400 m are operator owned properties. There are no new houses or changes to the installation boundary linked to this variation.

The installation does not have a history of noise complaints.

### Conclusion

We have assessed the NMP provided by the operator. We conclude that the risk of noise pollution at sensitive receptors beyond the Installation boundary is not considered significant and that the proposed mitigation measures will minimise the risk of odour pollution / nuisance.

## Dust and Bioaerosols

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the Permit (the 'Fugitive Emissions' conditions) to provide a level of protection. Condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the Permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the Installation, the Operator is required to undertake a review of site activities, provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

There are three sensitive receptors within 100m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 10 metres to south of the installation boundary.

Guidance on our website concludes that applicants need to produce and submit a dust and bio aerosol risk assessment with their applications only if there are relevant receptors within 100 metres of their farm, e.g. the farmhouse or farm workers' 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](http://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols).

As there are receptors within 100m of the Installation, the Applicant was required to submit a dust and bioaerosol risk plan (DBMP) dated 25/07/24.

The DBMP lists the relevant measures in their operating techniques to reduce dust (which will inherently reduce bioaerosols) for the potential risks.

### Conclusion

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

## 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 five Sites of Special Scientific Interest (SSSI) located within 5 km of the installation and six other nature conservation sites, comprising of three Local Wildlife Sites (LWS) and three Ancient Woodlands (AW), within 2 km of the installation boundary.

### **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 (CL<sub>e</sub>) or critical load (CL<sub>o</sub>) 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 31/07/24 has indicated that emissions from Sheephouse Farm will only have a potential impact on SSSI sites with a precautionary critical level of 1µg/m<sup>3</sup> if they are within 3,610 metres of the emission source.

Beyond 3,160 m the PC is less than 0.2µg/m<sup>3</sup> (i.e. less than 20% of the precautionary 1µg/m<sup>3</sup> critical level) and therefore beyond this distance the PC is insignificant. In this case all SSSI's are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1µg/m<sup>3</sup> is used, and the process contribution is assessed to be less than 20% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the 1µg/m<sup>3</sup> level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

**Table 1 – SSSI Assessment**

<b>Name of SSSI</b>	<b>Distance from site (m)</b>
Chimney Meadows	5,099*
Frilford Heath, Ponds and Fens	4,460
Langley's Lane Meadow	4,922
Appleton Lower Common	4,963

\*\*\* This site is included at >5km because the screening is based on an approximate centre point of the emissions and includes a buffer distance calculated from this centre point to the furthest point of the boundary to ensure all nature conservation sites within the threshold distance from the installation boundary have been included in the assessment.

No further assessment is necessary

### **Lamb and Flag Quarry SSSI**

Geological feature no relevant critical levels and loads; APIS checked 31/07/24  
Hence no further assessment is necessary.

### **Ammonia assessment – LWS/AW**

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

- If the process contribution (PC) is below 100% of the relevant critical level (CL<sub>e</sub>) or critical load (CL<sub>o</sub>) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.6 dated 31/07/24 has indicated that emissions from this installation will only have a potential impact on the LWSs/AW with a precautionary critical level of  $1\mu\text{g}/\text{m}^3$  if they are within 1,507 metres of the emission source. ‘

Beyond 1,507 m the PC is less than  $1\mu\text{g}/\text{m}^3$  and therefore beyond this distance the PC is insignificant. In this case both LWSs are beyond this distance (see table below) and therefore screen out of any further assessment.

**Table 2 – LWS Assessment**

Name of LWS/AW/NNR/LNR	Distance from site (m)
Turf Pits Covert LWS	1,960m
Unknown AW	2,043m*
String Copse AW	1,883m
Cherbury Camp LWS	1,730 m

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

No further assessment is necessary

### Modelling assessment linked to following habitat sites

- Newhouse Covert LWS
- Wick Scrubs AW

Detailed modelling submitted by the applicant (referenced “A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Permitted and Proposed Piggeries at Sheephouse Farm, Southmoor, Abingdon in Oxfordshire”, dated 30/07/24) has determined the worst case PCs on the LWSs for ammonia emissions, nitrogen deposition and acid deposition from the application site, as detailed in the tables below.

### Modelling inputs

The applicant confirmed that the manure and slurry storage capacities were updated with this modelling as follows:

- Manure stored reduced to 1,000 tonnes within installation boundary
- Slurry lagoon surface area reduced to 3,821.9 m<sup>2</sup>.

This information was confirmed in modelling report and again in operator response 07/10/24.

For Newhouse Covert LWS the impacts are not below the relevant 100 % thresholds and hence the worst case process contributions for the current permitted pig numbers and types (as per original permit EPR/UP3539UM/A001) have been compared with the proposal.

Detailed modelling provided by the applicant has been audited by our air quality modelling specialist team and we have confidence that we can agree with the report conclusions.

**Table 3 - Ammonia emissions**

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
Wick Scrubs AW proposal scenario	1*	0.308	30.8
Newhouse Covert LWS current permit scenario	3**	71.99	2,399.8
Newhouse Covert LWS proposal scenario	3**	68.95	2,298.3

\* Precautionary CLe of 1 µg/m<sup>3</sup> has been used. Where the precautionary level of 1 µg/m<sup>3</sup> is used, and the process contribution is assessed to be less than 100% the site automatically screens out as insignificant, and no further assessment of critical load is necessary. In these cases, the 1 µg/m<sup>3</sup> level used has not been confirmed, but it is precautionary.

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

*Hence for Wick Scrubs AW no further assessment is required.*

**The assessment continues as below for Newhouse Covert LWS:**

**Table 4 – Nitrogen deposition**

Site	Critical load kg N/ha/yr. *	Predicted PC kg N/ha/yr.	PC % of critical load
Newhouse Covert LWS current permit scenario	10*	560.9	5,609.0
Newhouse Covert LWS proposal scenario	10*	537.19	5,371.9

\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 31/07/24

There were no results included for acid deposition in the modelling report but we have estimated these from the nitrogen deposition PC divided by 14. See results below.

**Table 5 – Acid deposition**

Site	Critical load keq/ha/yr*	Predicted PC keq/ha/yr.	PC % of critical load
Newhouse Covert LWS current permit scenario	10.808	40.06	3,706.5
Newhouse Covert LWS proposal scenario	10.808	38.37	3,550.1

\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 31/07/24

The installation impacts on Newhouse Covert LWS for ammonia, nitrogen deposition and acid deposition are all reductions for the proposal relative to the current baseline.

No further assessment is required.

## Standby Generator

The thermal input for this unit is less than 1MW and hence MCP Directive does not apply. The operator response dated 25/07/24 confirms the standby generator operates no more than 1 hour per week for testing and no more than a total of 500 hours per annum (averaged over three years) for combined testing/standby by usage for emergency use only as a temporary power source if there is a mains power failure.

# Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
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.
<b>Consultation/Engagement</b>	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> <li>• Health and Safety Executive</li> <li>• UKHSA/Director of Public Health</li> <li>• South Oxfordshire and Vale of White Horse District Council Environmental Health Department.</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation responses</a> section.</p>
<b>The facility</b>	
The regulated facility	<p>We considered the extent and nature of the facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility'.</p> <p>The operator response 21/10/14 has been utilised to conclude the historic milling operation is no longer linked to this installation.</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>
<b>The site</b>	
Extent of the site of the facility	<p>The Operator has provided a plan which we consider to be satisfactory, showing the extent of the site facilities.</p> <p>The plan is included in the permit. The installation boundary is unchanged with this variation application.</p>
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of 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 lead to any increased impacts on any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p>

Aspect considered	Decision
<b>Environmental risk assessment</b>	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.
<b>Operating techniques</b>	
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 and summarised in the introductory note of the variation notice.
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.
<b>Permit conditions</b>	
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(s).
Improvement programme	There are no new improvement programmes. Historic improvement conditions have been confirmed as complete.
Emission limits	The BAT emission limits are updated for the reduced scope of pigs types as follows: <ul style="list-style-type: none"> <li>• Pigs 7-30 kg on straw</li> <li>• Production pigs &gt; 30 kg on straw</li> </ul> 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.
<b>Operator competence</b>	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
<b>Growth Duty</b>	



Aspect considered	Decision
<p>Section 108 Deregulation Act 2015 – Growth duty</p>	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

# Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public, and the way in which we have considered these in the determination process.

The application form C3.5 and the current permit has the operator correctly as three individuals following names:

Mr Tim Blanchard, Mr James Blanchard and Mrs Patricia Blanchard (trading as Blanchard Enterprises)

However, it was subsequently confirmed that an administration error had led to public advertisement and public consultation being sent out in name of Blanchard Enterprises Ltd company.

The technical and operating aspects of the application itself have not changed in any way with this error to the Operator name.

Background and criminal checks have been completed on the correct Operator and no concerns have been raised.

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

The consultation commenced on 09/08/24 and closed 09/09/24.

## Responses from organisations listed in the consultation section

<b>Response received from UKHSA dated 10/09/24</b>
UKHSA
<b>Brief summary of issues raised</b>
General concerns raised linked to odour, noise and dust/bioaerosols
<b>Summary of actions taken or show how this has been covered</b>
There are relevant receptors within 100 m linked to dust and bioaerosols but no relevant receptors linked to odour and noise. The installation will operate in compliance with BAT techniques and there are management plans in place linked to odour, noise and dust/bioaerosols

<b>Response received from Local Council dated 08/09/24</b>
Environmental Health at South Oxfordshire and Vale of White Horse District Council
<b>Brief summary of issues raised</b>
No concerns raised
<b>Summary of actions taken or show how this has been covered</b>
No actions required

We consulted HSE and Director of Public Health but there were no responses. In the addition there were no public responses.