

Permitting decisions

Bespoke permit

We have decided to grant the permit for Saunders House Farm operated by Saunders House Farm Ltd.

The permit number is EPR/WP3024SG.

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. The decision checklist summarises the decision making process to show how all relevant factors have been taken in to account.

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

- highlights key issues in the determination;
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account; and
- shows how we have considered the consultation responses.

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

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

Key issues of the decision

New Intensive Rearing of Poultry or Pigs BAT Conclusions document

The new Best Available Techniques (BAT) Reference document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) was published on the 21st February 2017. There is now a separate BAT Conclusions document which sets out the standards that permitted farms will have to meet.

The BAT Conclusions document is as per the following link:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D0302&from=EN>

Now the BAT Conclusions are published, all new installation farming permits issued after the 21st February 2017 must be compliant in full from the first day of operation.

There are some new requirements for permit holders. The Conclusions include BAT-Associated Emission Levels (BAT-AELs) for ammonia emissions, which will apply to the majority of permits, as well as BAT-AELs for nitrogen and phosphorous excretion.

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

New BAT Conclusions review

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

The Applicant has confirmed their compliance with all BAT conditions for the new installations in their BAT Assessment document dated 18/04/2024.

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

BAT measure	Applicant compliance measure
BAT 3 Nutritional management - Nitrogen excretion	The Applicant has confirmed it will demonstrate that the installation achieves levels of Nitrogen excretion below the required BAT-AEL of 0.8 kg N/animal place/year. Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 4 Nutritional management - Phosphorous excretion	The Applicant has confirmed it will demonstrate that the installation achieves levels of Phosphorous excretion below the required BAT-AEL of 0.45 kg P ₂ O ₅ animal place/year by an estimation using manure analysis for total Phosphorous content. Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorous excretion	Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 25 Monitoring of emissions and process parameters	Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

BAT measure	Applicant compliance measure
- Ammonia emissions	
BAT 26 Monitoring of emissions and process parameters - Odour emissions	The approved Odour Management Plan includes the following details for on Farm Monitoring and Continual Improvement: <ul style="list-style-type: none"> • Checks on livestock and housing as part of the daily welfare checks. • Details of Odour Assessment Procedure, based on sniff test methodology, which can be implemented if required.
BAT 27 Monitoring of emissions and process parameters - Dust emissions	Table S3.3 concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions. The Applicant has confirmed they will report the dust emissions to the Environment Agency annually by multiplying the dust emissions factor for laying hens by the number of birds on site.
BAT 31 Ammonia emissions from poultry houses - Laying hens	The BAT-AEL to be complied with is 0.13 kg NH ₃ /animal place/year. The Applicant will meet this as the emission factor for free range layers in an aviary housing system is 0.08 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. The narrative BAT is based on BAT 31 b4: <i>“31b, technique 4 (manure belts in case of aviary)”</i>

More detailed assessment of specific BAT measures

Ammonia emission controls

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT.

Ammonia emission controls – BAT conclusion 31

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

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

All new bespoke applications issued after the 21st February 2017, including those where there is a mixture of old and new housing, will now need to meet the BAT-AEL.

Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February and came into force on 27 February 2013. These Regulations transpose the requirements of the IED.

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

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain a condition relating to protection of soil, groundwater and groundwater monitoring. However, the Environment Agency's H5 Guidance states **that it is only necessary for the operator to take samples** of soil or groundwater and measure levels of contamination where there is evidence that there is, or could be existing contamination and:

- The environmental risk assessment has identified that the same contaminants are a particular hazard; or
- The environmental risk assessment has identified that the same contaminants are a hazard and the risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is **not essential for the operator** to take samples of soil or groundwater and measure levels of contamination where:

- The environmental risk assessment identifies no hazards to land or groundwater; or
- Where the environmental risk assessment identifies only limited hazards to land and groundwater and there is no reason to believe that there could be historic contamination by those substances that present the hazard; or
- Where the environmental risk assessment identifies hazards to land and groundwater but there is evidence that there is no historic contamination by those substances that pose the hazard.

The site condition report (SCR) for Saunders House Farm (dated 18/04/2024) demonstrates that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. **Therefore, on the basis of the risk assessment presented in the SCR, we accept that they have not provided base line reference data for the soil and groundwater at the site at this stage and although condition 3.1.3 is included in the permit no groundwater monitoring will be required.**

Odour

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance

(http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297084/geho0110brsb-e-e.pdf).

Condition 3.3 of the environmental permit reads as follows:

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

Under section 3.3 of the guidance an Odour Management Plan (OMP) is required to be approved as part of the permitting process if, as is the case here, sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400m of the installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400m of the installation to prevent or, where that is not practicable, to minimise the risk of pollution from odour emissions.

The risk assessment for the installation provided with the application, dated 18/04/2024, lists key potential risks of odour pollution beyond the installation boundary. These activities are as follows:

- Free range layers in housing and ranging area.
- Livestock during transportation.
- Feed delivery and storage.
- Air dispersal via in-house ventilation system.
- Litter quality.
- Litter removal.
- Carcass storage and disposal.
- Depopulation of the poultry sheds.
- House clean out (de-littering).

- House clean out (disinfection).
- Wash water management.

Odour Management Plan Review

There are sensitive receptors within 400 meters of the installation therefore Odour Management Plan has been submitted.

There is one sensitive receptor for odour within 400 meters of the installation.

The closest sensitive receptor to odour is a residential dwelling which is approximately 260m west of the poultry houses.

Saunders House Farm comprises three poultry houses which operate a multi-tier aviary system for 77,000 free range laying hens with extensive ranging area.

This plan is considered acceptable having been assessed against the requirements of SGN EPR6.09 How to comply with your environmental permit for intensive farming, Appendix 4 of How to comply with your environmental permit for Intensive Farming, H4 Odour Management and NFU Poultry Industry Good Practice Checklist.

The Odour Management Plan (submitted on 25/09/2024) includes procedural odour control measures for bird housing, carcass storage and disposal, litter removal, washing operations and house clean-out, feed storage and delivery, ventilation system, and dirty water management. These mitigation measures include but are not limited to the following odour-reducing procedures:

- High-velocity roof fans on all houses will help prevent odour issues at the site as the higher efflux velocity will aid the dispersion of odour-reducing concentrations at nearby receptors.
- Temperature and humidity are monitored daily.
- High-performance nipple drinkers with 'drip cups' are used to minimise water wasted and improve litter quality, subsequently reducing ammonia levels inside the sheds. Water lines are inspected daily.
- Specialist UKAS accredited feed will be used with adjusted protein and phosphorus levels resulting in reduced ammonia content in the litter. Feed lines are inspected daily.
- No liquid feeds will be used on site.
- No on-site milling and mixing of feed.
- Sealed feed delivery to minimise atmospheric dust.
- Carcasses will be collected daily and placed in sealed bags and stored in sealed, shaded and vermin-proof containers.
- Fallen stock will be disposed of on-site by APHA approved incinerator twice weekly as a minimum. Incinerator odours controlled by after-burner.
- Litter is removed via a belt system directly into trailers for transport off-site on a weekly basis.
- No litter stored on site.
- Wash waters are removed during the clean down period with tanks left empty ensuring the minimal potential for odour from stored wash waters.
- Shed doors and pop holes remain closed during clean down, with ventilation reduced to a minimum to minimise the potential for odour from cleaning operations.
- The Odour Assessment Procedure is based on a sniff test methodology that will be implemented by specialist trained staff upon receipt of a complaint/notification, odour detection from site operations or following an on-site incident.

If the initial odour mitigation measures above do not prove to be sufficient in the case that substantiated odour complaints are received, the operator will notify the Environment Agency immediately and implement contingency measures followed by conducting sniff tests to ensure the effectiveness of implemented mitigation actions.

Following a complaint, the operator will review the Odour Management Plan at the earliest opportunity with any changes communicated to the Environment Agency for approval.

There is the potential for odour pollution from the installation, however, the operator's compliance with their Odour Management Plan, submitted with this application, should minimise the risk of odour pollution beyond the installation boundary. The Odour Management Plan is to be reviewed annually with any changes to be communicated to the Environment Agency for approval.

The risk of odour pollution at sensitive receptors beyond the installation boundary is not considered significant. We, the Environment Agency, have reviewed and approved the Odour Management Plan and consider it complies with the requirements of our H4 Odour management guidance note and is in line with 21/02/2017 BAT conclusions document measure 12. 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.

Noise

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

Condition 3.4 of the permit reads as follows:

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

There is a single sensitive receptor within 400 metres of the installation boundary as stated above. The Operator has provided an NMP as part of the application supporting documentation, and further details are provided below.

The risk assessment for the installation provided with the application, dated 18/04/2024, lists key potential risks of noise pollution beyond the installation boundary. These activities are as follows:

- Ventilation fans.
- Feeding hens.
- Feed deliveries.
- Feeding systems.
- Livestock movements in and out.
- Alarms systems.
- Delivery of supplies and materials.
- Vehicles operating within installation boundary.
- Manure loading and transport.
- Bird catching.
- Clean out operations.
- Maintenance and repairs.
- Stocking and destocking of hens.
- Standby generator testing.

Noise Management Plan Review

We have approved the noise and vibration management plan as we consider it to be appropriate measures based on the 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 substantiated 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'.

Saunders House Farm comprises three poultry houses which operate a multi-tier aviary system for 77,000 free range laying hens with extensive ranging area.

The closest sensitive receptor to noise is a residential dwelling which is approximately 260m west of the poultry houses.

The Noise Management Plan (submitted on 05/09/2024) covers control measures for noise-generating activities listed above with a particular focus on the design and frequent maintenance of ventilation fans, feed deliveries, alarm systems, on-site vehicle movements, maintenance and repair, bird catching and clean out operations. These mitigation measures include but are not limited to the following noise-reducing procedures:

- Deliveries and collections are scheduled during normal working hours.
- Litter removal and full clean out undertaken during normal working hours.
- Closure of doors and major openings of buildings, especially during feeding time.
- Avoid undertaking noisy activities at night and during weekends.
- The operator will utilise auger systems for transporting feed which is the quietest and most energy-efficient method.
- Use low-noise equipment including high efficiency fans, when natural ventilation is not possible or sufficient.
- Blower and vacuum type delivery vehicles fitted with low noise units.
- Engine revs kept low where possible, effective silencer on exhaust systems.
- Vehicles maintained in accordance with manufacturer's recommendations and defective silencers replaced.
- Movements initiated and supervised by trained staff to minimise animal stress.

There is the potential for noise from the installation beyond the installation boundary, however, the operator's compliance with the Noise Management Plan, submitted with this application, should minimise the risk of noise pollution beyond the installation boundary. The risk of noise pollution at sensitive receptors beyond the installation boundary is therefore not considered significant. We agree with the scope and suitability of the key measures addressed, 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

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution/nuisance.

Dust and Bio aerosols

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

There is one sensitive receptor within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is Saunders House (Farm property).

The Applicant has provided a dust and bio aerosol risk assessment.

In addition, guidance on our website concludes that Applicants need to produce and submit a dust and bio aerosol management plan beyond the requirement of the initial risk assessment, with their applications only if there are relevant receptors within 100 metres of their farm, e.g. the farmhouse or farm worker's houses. Details can be found via the link below:

www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols.

As there are receptors within 100m of the installation, the Applicant was required to submit a dust and bioaerosol management in this format.

The guidance mentioned above 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 a build-up of dust and other measures in place to reduce dust and the risk of spillages) (e.g. litter and feed management/delivery procedures) all reduce the potential for emissions impacting the nearest receptors. The Applicant has confirmed the following measures in their operating techniques to reduce dust in the Dust and Bioaerosol Management Plan submitted on 25/09/2024:

- Bedding is supplied in wrapped bales. Bales are only opened internally. Pre dust extracted bedding used.
- Feed is sourced in meal form and distributed via an enclosed pipe system to minimise the potential for dust.
- Feed is delivered to contained silos via pipework.
- Feed is stored in sealed silos.
- Feed is augered to birds directly from silos via a chain feeding system.
- Immediate clean-up of any spilt feed.
- No milling or mixing takes place on-site.
- Feeding systems are checked by farm staff regularly to ensure no spillages.
- Ventilation is set to optimum levels to prevent dust formation.
- Daily inspection and removal of any visible dust on fans, vents etc.
- Litter is removed via a belt system directly into trailers for transport off-site.
- While not covered, litter trailers are not overfilled to minimise the potential for spillages of materials that have the potential to generate dust. Checks of vehicles prior to removal from site.
- Movements initiated and supervised by trained staff to avoid panicking birds creating dust.

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 < 1MWth, which is 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 the Applicant's response dated 24/06/2024.

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

Ammonia

The Applicant has demonstrated that the housing will meet the relevant NH₃ BAT-AEL.

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites located within 5 kilometres of the installation. There is one Site of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also two Local Wildlife Sites (LWS) and four Ancient Woodlands (AW) within 2 km of the installation.

The proposal is for 77,000 free range laying hens in three poultry houses, all with aviary systems. The pre-application assessment has been based on assuming 80% of birds are in the house at any one time and 20% of the birds from each house are outside in the ranging area. Pre-application assessment reference for this application is under reference EPR/WP3024SG/P001.

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_e) or critical load (CL_o) 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.

Screening using detailed modelling (reference: A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Free Range Egg Laying Chicken Houses at Saunders House Farm, Barningham, near to Barnard Castle in County Durham dated 13/03/2024) has stated that the PC on the SSSI for ammonia emissions/nitrogen deposition/acid deposition from the application site are under the 20% significance threshold and can be screened out as having no likely significant effect. See the results below.

The following are the modelled maximum PC results from applicants modelling report:

Table 1 – Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted process contribution $\mu\text{g}/\text{m}^3$	% of critical level
Brignall Banks SSSI	1*	0.123	12.3

*A precautionary CLe of $1 \mu\text{g}/\text{m}^3$ has been assigned to this site as per last consultation with Natural England (2010).

Table 2 – Nitrogen deposition

Site	Critical load kg N/ha/yr. *	Predicted PC kg N/ha/yr.	PC % of critical load
Brignall Banks SSSI	10*	0.96	9.6

*Critical load values taken from APIS website (www.apis.ac.uk) – 14/06/2024.

Table 3 – Acid deposition

Site	Critical load keq/ha/yr. *	Predicted PC keq/ha/yr.	PC % of critical load
Brignall Banks SSSI	1.782	0.07	3.9

*Critical load values taken from APIS website (www.apis.ac.uk) – 14/06/2024.

The modelling used an emission factor (EF) for ranging birds that was reduced by an additional 8/24 that we do not agree with. Hence, we have completed check modelling based on the correct ranging factor. Whilst we do not agree with the absolute numerical values used in the air modelling assessment, we agree with the Applicant's conclusions that process contributions (PCs) for the proposed operation at Bignall Banks SSSI are below the lower screening thresholds of 20% for all relevant assessments of ammonia, nitrogen and acid deposition at all relevant receptors.

Having considered the highest PCs for all relevant assessments of ammonia, nitrogen and acid deposition, we confirm that PCs are predicted to be less than 20% of the critical level/load significance threshold at all relevant receptors. Under Environment Agency guidelines it is therefore possible to conclude no likely damage to the site from the installation, no further assessment is required.

Detailed modelling provided by the Applicant has been audited in detail and we have confidence that we can agree with the report conclusions.

We have also carried out a review of the ammonia assessment for this installation utilising the new emission factors published on gov.uk. The introduction of the new ammonia emission factors have led to numeric changes to the installation process contribution impacts, on the above listed relevant habitat sites. However, the conclusions of the assessment as summarised above, have not changed and hence can be used in this determination. Therefore, no further assessment is required.

Ammonia assessment – LWS and AW

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

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.6 (dated 14/06/2024) has indicated that emissions from Saunders House Farm will only have a potential impact on the LWS and AW sites with a precautionary CLe of $1\mu\text{g}/\text{m}^3$ if they are within **745** metres of the emission source.

Beyond **745** 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 the following LWS and AW are beyond this distance (see table 4 below) and therefore screen out of requiring any further assessment.

Table 4 – LWS and AW Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Rokeby Park and Mortham Wood LWS	1,797
Teesbank Woods, Rokeby LWS	2,556
Mill Wood AW	852
Barningham Park AW	1,503
Waterfall Wood AW	2,557
Unnamed Woodland AW	1,725

No further assessment is required.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: <ul style="list-style-type: none"> • UK Health Security Agency (UKHSA) • Director of Public Health, Durham Council • Health and Safety Executive (HSE) • Local Authority – Environmental Protection Department The comments and our responses are summarised in the consultation section .
Operator	
Control of the facility	We are satisfied that the Applicant (now the Operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
The regulated facility	We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility'. The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
The site	
Extent of the site of the facility	The Operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Site condition report	The Operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. There is no requirement for a HRA to be sent to Natural England, as there are no European/Ramsar sites within 5 km of the installation.

Aspect considered	Decision
	<p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the Operator's assessment of the environmental risk from the facility.</p> <p>The Operator's risk assessment is satisfactory.</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the Operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the Applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are summarised in the introduction of the permit EPR/WP3024SG.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p>
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p>
Permit conditions	
Use of conditions other than those from the template	<p>Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.</p>
Emission limits	<p>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 of the environmental permit.</p>
Monitoring	<p>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.</p> <p>These monitoring requirements have been imposed in order to ensure compliance with the Intensive Farming BAT conclusions document dated 21/02/2017.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in accordance with the Intensive Farming BAT conclusions document dated 21/02/2017.</p>

Aspect considered	Decision
Operator competence	
Management system	<p>There is no known reason to consider that the Operator will not have the management system to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The Operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	<p>There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.</p>
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to vary this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the Operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

Consultation

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

The consultation period ended 31/07/2024.

Responses from organisations listed in the consultation section

Response received from
UK Health Security Agency (UKHSA) (response received 24/07/2024)
Brief summary of issues raised
<p>The main emissions of potential public health significance are emissions to air of bioaerosols, and dust including particulate matter and ammonia.</p> <p>The Environment Agency should satisfy themselves that some form of odour monitoring is not required by the Applicant given the presence of sensitive receptors within 400 metres of the site boundary.</p> <p>It is assumed by UKHSA that the installation will comply in all respects with the requirements of the permit, including the application of Best Available Techniques (BAT). This should ensure that emissions present a low risk to human health.</p>
Summary of actions taken or show how this has been covered
<p>1. The impact of dust and bioaerosols on human health.</p> <p>The impact of dust and bioaerosols on human health has been addressed in the key issues section. As there is a farmhouse receptor within 100 metres from the installation, the Applicant has submitted a dust and bioaerosol management plan (DBMP) with the application. We are satisfied that risk and mitigation measures associated with dust and bioaerosol emission are addressed in the revised DBMP. The operation of the farm will be in accordance with SGN EPR6.09 'How to comply with your environmental permit for intensive farming' which will minimise the potential for dust and bioaerosol emissions from the installation. We conclude that that the DBMP provides suitable controls to minimise the installation impacts linked to dust and bioaerosols. As such we are satisfied that the Applicant has applied BAT techniques, including compliance with dust monitoring requirement via usage of standard dust emission factors. We have sufficient controls within the permit conditions to enable further measures to be implemented should these be required.</p> <p>2. The impact of ammonia on human health and odour monitoring.</p> <p>Potential adverse effects of ammonia include respiratory irritation and may also give rise to odour complaints. Levels of ammonia in ambient air will decrease rapidly with distance from a source. Public Health England has indicated (Position Statement, Intensive Farming, 2006) that it is unlikely that ammonia emissions from a well-run and regulated farm would be sufficient to cause ill health.</p> <p>The operator has provided a revised odour management plan detailing risk assessments and actions/mitigation measures to be implemented to minimise the environmental impacts of odour and ensure effective incident management. The revised odour management plan outlines no historical odour complaints to date. The full review of the odour impact has been addressed in the key issues. We have assessed the risk assessment for odour and conclude that we are satisfied that the proposed mitigation measures will minimise the risk of odour pollution/nuisance.</p> <p>Odour complaints made to the Operator, which may be an indicator of high ammonia levels, should be recorded and reported to the Environment Agency. The Environment Agency will keep the position under review as part of its ongoing regulation of the site.</p> <p>3. The application of Best Available Techniques (BAT)</p> <p>The operator has confirmed that the Installation will be operated and managed in accordance with BAT. The full review of the ammonia impact has been addressed in the key issues. We have audited and are satisfied</p>

with the conclusions of the modelling carried out by the Applicant. We have further carried out a conservative assessment using the ammonia screening tool version 4.6 and performed check modelling, which supports the conclusions of the Applicant's detailed ammonia modelling. We consider the proposed operating measures are appropriate and should minimise the potential for emissions from the Installation.

Response received from
Director of Public Health, Durham Council (response received 02/08/2024)
Brief summary of issues raised
Director of Public Health is in agreement with the recommendations made by the UKHSA in their response, noting that this is an isolated farm so that minimises any harm on residential amenity.
Summary of actions taken or show how this has been covered
See the summary of actions taken outlined in the response to the UKHSA.

Response received from
Health and Safety Executive (HSE) (response received 16/07/2024)
Brief summary of issues raised
HSE have no comments to make concerning this application.
Summary of actions taken or show how this has been covered
No action required.

Response received from
Local Authority –Durham County Council Planning Authority (response received 08/07/2024)
Brief summary of issues raised
Comments relating to planning permission requirements. No concerns raised in relation to the environmental permit application.
Summary of actions taken or show how this has been covered
Planning permissions fall outside of the Environment Agency's remit in reaching permitting decisions and are a matter for the Applicant to resolve directly with the Planning Authority. No action required.

No response was received from the following:

- Local Authority – Environmental Health

Representations from individual members of the public.

Twenty responses were received from individual members of the public. Nineteen responses were addressed due to one response submitted repeatedly. The issues raised are summarised and addressed in the table below:

Brief summary of issues raised	Summary of actions taken or show how this has been covered
<p><u>Odour</u></p> <p>Concerns raised over the possible odour that may arise as a result of the farm.</p>	<p>As discussed in the key issues of this document, the Odour Management Plan (OMP) 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', the NFU Poultry Industry Good Practice Checklist (August 2013) and is in line with 21/02/2017 BAT conclusions document We consider that the OMP complies with the requirements of the guidance and are satisfied that the measures included in the OMP will be effective in preventing and where that is not practicable minimising the emission of odour. The Operator will be required to operate the Installation in compliance with the approved OMP (which is captured through condition 3.3.1 and Table S1.2 of the permit), and is required to review the OMP at least every year, prior to any major changes to operations (to ensure effectiveness) and/or after the Environment Agency has notified the Operator that operations are giving rise to odour pollution, and make any appropriate changes to the OMP identified by the review.</p>
<p><u>Health</u></p> <p>1.Concern raised over the impact of the installation from emissions of ammonia and other particulate matter on human health.</p> <p>2.Concern has been raised about the risk from zoonotic diseases, including Avian flu.</p>	<p>1.The Health Protection Agency (now UKHSA) has stated (Position Statement, Intensive Farming 2006) that it is unlikely that ammonia emissions from a well-run and regulated farm would be sufficient to cause ill health.</p> <p>Whilst the potential adverse effects of ammonia include respiratory irritation and may also give rise to odour complaints, levels of ammonia in ambient air will decrease rapidly with distance from a source.</p> <p>To prevent significant emissions from the site the Operator has proposed appropriate measures to manage dust and bioaerosols - a bioaerosol risk assessment has been provided by the Operator, which incorporates dust as a potential risk from the site, together with a dust and bioaerosols management plan. This includes the use of appropriate housing design and management and appropriate containment of feedstuff. We are satisfied that these measures will appropriately mitigate emissions to prevent a significant impact from the site. We have assessed these measures and have determined they represent best available techniques for this activity. These measures are stated operating techniques in a variety of documents provided by the Applicant and captured through condition 2.3 and Table S1.2 of the Permit. Condition 3.2 of the environmental permit also deals with emissions of substances not controlled by emission limits. Under this condition, if notified by the Environment Agency that the activities are giving rise to pollution, the Operator must submit an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits.</p> <p>Furthermore, as part of the consultation process, UKHSA and the Director of Public Health for Durham County Council were consulted. Their consultation responses and our responses to those can be found in the Consultation section of this document. UKHSA have not raised concerns linked to any specific medical conditions in the local community with regards to this Installation.</p> <p>2.The birds will be kept within the installation boundary, with only 20% of birds expected to use free ranging areas. Effective biosecurity measures will also ensure that the likelihood of disease will be low. We have consulted the UK Health Security Agency (UKHSA) and the Director of Public Health on the Application in line with our guidance – their comments can be seen in the Consultation section above. They have not raised any concerns with regards to</p>

	<p>zoonotic diseases. We are satisfied that the risk of pollution of the environment or harm to human health from the activities of the site are not likely to be significant.</p>
<p><u>Traffic</u></p> <p>Concerns raised on the increased level of traffic.</p>	<p>Off-site traffic is a matter for the local authority under planning regulations. It does not form part of our environmental decision-making process and is outside the scope of our legal authority. Only vehicle movements within the Installation can be considered through environmental permitting. The Noise Management Plan includes times restrictions on certain operations, for example, for feed deliveries during normal working hours. On-site noise has been considered in the <u>key issues</u> section.</p>
<p><u>Animal welfare</u></p> <p>Concerns raised about animal welfare.</p>	<p>Animal welfare is not dealt with by Environmental Permitting Regulations and the Environment Agency is not the relevant regulator for such animal welfare issues. It does not form part of the permit decision making process. The operator must comply with appropriate animal welfare standards in its design and operation of a site. The Environment Agency is responsible for ensuring that the activities at the Installation do not have an unacceptable impact on the environment or human health.</p> <p>The principal regulator for animal health is the Animal and Plant Health Agency (APHA), whose main purpose is to safeguard animal and plant health for the benefit of people, the environment and the economy.</p>
<p><u>Environmental concerns</u></p> <p>Concerns raised over a negative effect on local flora and fauna.</p> <p>Concerns raised over impacts on rivers</p>	<p>An assessment on the potential impacts from the Installation on nature conservation sites was carried out as part of our determination of the application. Ammonia section in the <u>key issues</u> of this document sets out our conclusions from this assessment in more detail.</p> <p>Site drainage and the risk of pollutants entering local watercourses has been assessed by the Environment Agency as part of the permit determination.</p> <p>The Environment Agency concludes that the measures in place will ensure that any contaminated water will be contained, therefore no pollution of groundwater or surface water should occur as a result of operations at the Installation.</p> <p>All dirty water will be channelled to underground collection tanks, prior to removal off site in enclosed tankers.</p> <p>Only uncontaminated high velocity fan roof rain water from the poultry houses will discharge to a surface water drain.</p>
<p><u>Air quality</u></p> <p>Concerns raised about local air quality and greenhouse gas emissions</p>	<p>We have addressed the risks to human health from ammonia emissions, and from dust and bioaerosols, and particulate matter in key issues of this document. In addition, we have summarised the consultation with the UKHSA and our response in the 'Consultation' section above.</p> <p>The impact of carbon dioxide from intensive farming installations falls outside the Environment Agency's remit under the Environmental Permitting Regulations and was not assessed and included in our determination of this EPR permit application.</p>
<p><u>Use of antibiotics</u></p>	<p>The use of antibiotics in farming is regulated by Government policies. This is outside of Environment Agency's remit under the Environmental Permitting Regulations and was not assessed and included in our determination of this EPR permit application. The operator must comply with appropriate animal welfare standards in its design and operation of a site. The Environment Agency is responsible for ensuring that the activities at the Installation do not have an unacceptable impact on the environment or human health.</p> <p>The principal regulator for animal health is the Animal and Plant Health Agency (APHA), whose main purpose is to safeguard animal and plant health for the</p>

	benefit of people, the environment and the economy. APHA works with other organisations to monitor and regulate antibiotic use in farming.
<u>Resource usage</u> Concerns raised about resource usage and water usage	As part of the determination, we consider the measures in place for efficient use of raw materials, water and energy. The permit contains specific conditions requiring the efficient use of raw materials, water and energy, and the operator will be required to operate the Installation in compliance with these conditions (which are captured through conditions 1.2 and 1.3 of the permit),
<u>Waste management</u> Concerns raised about waste management, including bedding and carcasses	<p>Based on the information in the Application we are satisfied that appropriate measures will be in place to manage waste (including fallen stock) so as not to result in significant pollution.</p> <p>The Applicant has confirmed that any fallen stock within the houses will be collected and recorded daily. These will be stored in a sealed covered storage which is kept cool and shaded. Fallen stock is incinerated by APHA approved incinerator twice weekly as a minimum.</p> <p>Litter from the bird sheds removed via belt system on a weekly basis with no litter stored on site. The above operating techniques are captured within the Odour Management Plan (OMP) provided with the application. The Applicant must comply with these operating techniques by virtue of Table S1.2 and condition 2.3 of the Permit.</p>
<u>Planning Permission</u> Comments relating to planning notices and planning permission	Planning and environmental permitting have been decoupled, therefore a number of the issues raised were outside of the Environment Agency's remit in reaching its permitting decisions. Guidance on the interaction between planning and pollution control is given in the National Planning Policy Framework. It says that the planning and pollution control systems are separate but complementary. We are only able to take into account those issues, which fall within the scope of the Environmental Permitting Regulations.
<u>Principle of Intensive Farming</u>	The principle of intensive farming of pigs and poultry for human consumption is not dealt with by the Environmental Permitting Regulations and is therefore not an issue under the Environment Agency's remit. The Environment Agency is responsible for ensuring that the activities at the Installation do not have an unacceptable impact on the environment or human health.
<u>Impacts on local amenities and businesses</u>	<p>Offsite impacts on local amenities and businesses due to factors such as pollution, nuisance and traffic caused by protesters are outside of our regulatory responsibility for the determination of the application. Consideration of the impact of the Installation in relation to local amenities and businesses is primarily a matter for the local planning authority when determining any planning application.</p> <p>Potential impacts on human health, amenity of local residents and ecological impacts from on-site activities are considered in the <u>key issues</u> of this document. The permit will regulate emissions such that there will be no unacceptable levels of pollution from the Installation. We therefore do not consider that emissions from the Installation would affect local amenities and businesses.</p>