Permitting decisions

Bespoke permit

We have decided to grant the permit for Long Meadow operated by Mr William Ayre, Ms Fiona Ayre and Mr Jeremy Ayre (JD Ayre & Partners).

The permit number is EPR/BP3821SD.

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

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 document reference Long Meadow BAT and dated 25/06/24 which has been referenced in Table S1.2 Operating Techniques of the permit.

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

BAT 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 0.8kg 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 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 0.45kg P_2O_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. This is being complied with by manure analysis.
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	Emissions will be calculated using the standard emission factors.
BAT 26 Monitoring of emissions and process parameters - Odour emissions	The approved odour management plan (OMP) includes the following details for on Farm Monitoring and Continual Improvement: • The staff will perform twice daily olfactory checks coinciding with stock inspections (normally 07.00-10.00 hrs and 16.00-18.00hrs) (if required) any abnormalities recorded and investigated. • Checks will also be performed weekly on the surrounding area by persons who do not regularly work on the farm.
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 estimation using emission factors.
BAT 31 Ammonia emissions from poultry houses - Laying hens	The BAT-AEL to be complied with is 0.02 – 0.13 kg NH3/animal place/year. The Applicant will meet this as the emission factor for layers with aviary type housing is 0.13 kg NH3/animal place/year. The installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT-AEL.

More detailed assessment of specific BAT measures

Ammonia emission controls – BAT conclusion 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 Long Meadow (dated 07/06/24) 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.**

Field run-off

Due to the ranging area not being on level ground additional measures have been required to ensure no field(ranging area) run-off leaves the site boundary during high rain fall events. The migation is demonsrated in 'Drainage plan for J D Ayre and Partners' (dated 20/12/24). This includes a 3 meter wide fenced off buffer strip that runs along the whole western boundary and southern boundary, to help to reduce any solid material reaching the sediment bund trap. The bunded sediment trap have been calculated to hold more water than expected in high rainfall events. The suggested 6 monthly checks of the sediment traps has been reduced to 3 monthly checks to ensure they do not become odourus and are maintained regulary, this commitment has been included in the odour management plan. Silt removed from the trap will be either spread to land or stored off site in a tempory field heap.

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 lists key potential risks of odour pollution beyond the installation boundary. These activities are as follows:

- manufacture and selection of feed
- feed delivery or storage
- housing ventilation system
- Litter management
- Housing System/Litter
- Carcase disposal
- House clean out (de littering)
- House clean out (Disinfection and Fumigation)

Odour Management Plan (OMP) Review

The installation is located within 400m of 25 sensitive receptors, the closet receptor is 102m from installation boundary. The Operator is required to manage activities in

accordance with condition 3.3.1 of the permit and the site OMP.

The OMP includes the following key measures to minimise odour and odour risks:

- Twice daily olfactory checks to detect any abnormalities.
- No on-site milling and mixing of feed. Feed is supplied only from accredited feed mills.
- Feed delivery systems are sealed to minimise atmospheric dust, and any spillage of feed around the bins is immediately swept up. The condition of the feed bins is frequently checked so that any damage or leaks can be identified.
- The ventilation system is regularly adjusted according to the age and requirements of the flock. The humidity is recorded daily and maintained in the range of 55 – 65% keeping a balance of dry litter and avoiding dust production.
- The poultry sheds are managed to maintain the poultry litter in as dry and friable condition as possible.
- Water is provided via nipple drinkers with drip cups which are designed to minimise spillage.
- Carcasses placed into plastic sealed bags, stored in freezers away from sensitive receptors.
- Litter belt removal twice weekly with covered trailer/skip removed off site immediately.
- Use of specialist contractors for washing operations. Dirty water tanks emptied within 24 hours of completion of washing operations.
- No storage or production of odorous waste on site.
- Field run-off sediment traps inspected every three months and de silted as required.

In addition to the twice daily checks by staff, monitoring by a person not directly involved with the poultry will be undertaken once a week at the site boundary, odour detection recorded above low will result in staff being alerted to implement contingency measures, once implemented retesting will be redone to ensure levels have been reduced. In the event of complaints being received frequency of monitoring will be increased subject to agreement with Area Officer.

The plan will be reviewed annually, prior to any major changes to operations or following any complaint. The OMP includes an example of the complaint report form.

Conclusion

We have reviewed the OMP in accordance with our guidance on odour management. We consider that the OMP is satisfactory. We are satisfied that the measures outlined in the plan will minimise the risk of odour pollution beyond the installation boundary.

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 are sensitive receptors 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 lists key potential risks of noise pollution beyond the installation boundary. These activities are as follows:

- Noise Issues from large vehicles
- Small vehicle movements
- Feed transfer from lorry to bins
- Ventilation Fans
- Alarm
- System/Standby Generators
- Chickens
- Personnel
- Repairs and Servicing

Noise Management Plan (NMP) Review

The installation is located within 400m of sensitive receptors, which are residential properties. The Operator is required to manage activities in accordance with condition 3.4.1 of the permit and the site NMP.

The NMP includes the following key measures to minimise noise and noise risks:

- Time restrictions if required for deliveries to during normal working hours (07:00-18:00).
- Feed delivery lorries fitted with silencers.
- Time restrictions on a certain operations (such as litter removal, washing, setup/placement, generator testing and routine maintenance) to during normal working hours (08:00-18:00).
- Vehicles are driven at low speeds and engines are switched off when not in use.
- Ventilation fan noise is assessed during twice daily inspections. Regular end of cycle maintenance by qualified electrician. Any noisy fans isolated and electrician notified.
- Daily inspections of bin stocks to prevent augers running empty.
- Alarm Systems use pagers or mobile phones.
- Catch teams fully trained and advised of need to keep noise to a minimum.

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 1 sensitive receptors within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is bordering the southern boundary. of the installation.

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 bio aerosol management in this format.

In the guidance mentioned above it states that particulate concentrations fall off rapidly with distance from the emitting source. This fact, together with the proposed good management of the installation (such as keeping areas clean from build-up of dust and other measures in place to reduce dust and the risk of spillages) (e.g. litter and feed management/delivery procedures) all reduce the potential for emissions impacting the nearest receptors. The Applicant has confirmed the following measures in their operating techniques to reduce dust:

- No on-site milling and mixing. Feed is supplied only from UKAS accredited feed mills. Sealed system.
- Silo vents fitted with dust cyclones preventing dust release to atmosphere.
- The ventilation and heating system is regularly adjusted to match the age and requirements of the flock.
- Humidity recorded daily and maintained in the range of 55 – 65% keeping a balance of dry litter and avoiding dust production.
- Ventilation outlets cleaned between cycles using low pressure washing minimising dust release.
- Stock inspections carried out by trained staff to avoid panicking birds creating dust.
- The bedding type used in the poultry houses is dust extracted shavings.
- Used litter is carefully placed into trailers positioned close to the doors, which are sheeted before leaving the site.

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 Area(s) of Conservation (SAC), Special Protection Area(s) (SPA) or Ramsar sites located within 10 kilometres of the installation. There is one Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also five Local Wildlife Site(s) (LWS) and one Ancient Woodland(s) (AW) within 2 km of the installation.

Ammonia assessment – SSSI

The following trigger thresholds have been applied for assessment of SSSIs:

- If the process contribution (PC) is below 20% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required. An in-combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the SSSI.

Initial screening using the ammonia screening tool version 4.6 26/04/25 has indicated that emissions from Long Meadow will only have a potential impact on SSSI with a precautionary CLe of 1µg/m^3 if they are within 1681 metres of the emission source.

Beyond 1681m the PC is less than 0.2µg/m^3 (i.e. less than 20% of the precautionary 1µg/m^3 CLe) and therefore beyond this distance the PC is insignificant. In this case the SSSI is beyond this distance (see table below) and therefore screen out of any further assessment.

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

Table 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Brampford Speke	3,943

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 (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.6 26/04/25 has indicated that emissions from Long Meadow will only have a potential impact on the LWS/AW sites with a precautionary CLe of 1µg/m^3 if they are within 671 metres of the emission source.

Beyond 671m the PC is less than 1µg/m^3 and therefore beyond this distance the PC is insignificant. In this case five of the LWS/AW are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 2 – LWS/AW Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Jackmoor (LWS)	1,599
Shobrooke Mill Farm East (LWS)	1,770
Wood Farm (LWS)	1,838
Shobrooke Mill Farm West (LWS)	1,900
Yendacott Copse (AW)	1,825

Screening using the ammonia screening tool version 4.6 has determined that the PC on the LWS for ammonia emissions/nitrogen deposition/acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 3 - Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted PC µg/m^3	PC % of critical level
Lower Rewe (LWS)	3**	1.463	48.8

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

Table 4 – Nitrogen deposition

Site	Critical load kg N/ha/yr. [1]	Predicted PC kg N/ha/yr.	PC % of critical load

Lower Rewe (LWS)	10	7.6	76.0

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 26/04/24

Table 4 – Acid deposition

Site	Critical load keq/ha/yr. [1]	Predicted PC keq/ha/yr.	PC % of critical load
Lower Rewe (LWS)	4.856	0.543	11.2

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) – 26/04/24

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: • Local Authority – Environmental Health/Environmental Protection department • Health and Safety Executive • UK Health Security Agency • Director of Public Health 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 plans which we consider are 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. 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

Aspect considered	Decision
	the nature conservation screening report as part of the permitting process. We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified. We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.
Environmental risk assessment	
Environmental risk	We have reviewed the Operator's assessment of the environmental risk from the facility. The Operator's risk assessment is satisfactory.
Operating techniques	
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.
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.
Raw materials	We have specified limits and controls on the use of raw materials and fuels.
Emission limits	ELVs and/or equivalent parameters or technical measures based on BAT have been set for the following substances. • ammonia • nitrogen • phosphorous
Monitoring	ELVs and/or equivalent parameters or technical measures based on BAT have been set for the following substances. insert details of the substances identified. • ammonia • nitrogen • phosphorous.
Reporting	We have specified reporting in the permit. We made these decisions in order to ensure

Aspect considered	Decision
	compliance with the Intensive Farming sector BAT conclusions document dated 21/02/17.
Operator competence	
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. The decision was taken in accordance with the guidance on operator 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 Operator satisfies the criteria in our guidance on operator competence.
Financial competence	There is no known reason to consider that the operator 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 factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation." We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections. We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the Operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Consultation

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 on 19/08/24.

Responses from organisations listed in the consultation section

Response received from
UKHSA response dated 19/08/24
Brief summary of issues raised
The main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter. The nearest receptors are approximately 100m from the site boundary. The applicant has included a dust and bioaerosol management plan and separate odour management plans, which detail a range of mitigation measures for all emissions. It is assumed by UKHSA that the installation will comply in all respects with the requirements of the permit, including the application of Best Available Techniques (BAT). This should ensure that emissions present a low risk to human health
Summary of actions taken or show how this has been covered
N/A

Local Authority – Environmental Health/Environmental Protection department, Health and Safety Executive and Director of Public Health were also consulted but no response was received.

In addition, there were no responses from members of the public and other organisations.