

Permitting decisions

Variation

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

The variation number is EPR/EP3032YV/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

Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February 2013 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.

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.

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missions.

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 and storage
- Ventilation
- Litter management
- Carcass storage and disposal
- Poultry house clean-out

Odour Management Plan (OMP) Review

The installation is located within 400m of sensitive receptors. The Operator is required to manage activities in accordance with condition 3.3.1 of the permit and the site OMP.

The OMP (submitted on 21/11/24) includes the following key measures to minimise odour and odour risks:

- Staff will carry out weekly sniff testing around the site. In the event of odour complaints being received at the site this frequency may be increased or additional sniff surveys will be conducted by a person that is not regularly carrying out duties at the site.
- 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. Dust catchment systems will be in place on all silos. Spillages are cleaned up immediately.
- The ventilation system is regularly adjusted either automatically or manually to aid optimum internal environmental conditions.
- 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 trays which are designed to minimise spillage and wastage.
- Carcasses are stored in lockable, sealed containers. Carcasses are removed at least weekly or at a higher frequency if required. Litter is to be removed as soon as reasonably practical following bird removal.
- Dirty water is removed from site using vacuum tankers.

The plan will be reviewed following any EA substantiated complaint or every four years, whichever is sooner.

Conclusion

We have assessed the OMP and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 4 'Odour management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of odour pollution/nuisance.

Noise

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 in section 4.4.2 above. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation, and further details are provided in section 4.5.2 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:

- | | |
|--|---------------------------------------|
| • Large vehicles travelling to and from the farm | • Operation of fans |
| • Large vehicles on site | • Alarm system and stand-by generator |
| • Small vehicles travelling to and from the farm | • Chickens |
| • Feed transfer | • Personnel |
| | • Building work / repairs |

Noise Management Plan 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 (submitted on 21/11/24) includes the following key measures to minimise noise and noise risks:

- Request the use of modern well silenced vehicles for feed deliveries.
- During catching keep forklift movements to a minimum and request the use of modern well silenced vehicles.
- Only trained handlers will fill crates with minimum disturbance to the birds.
- Where possible operate the loader inside the sheds and load trailers close to doors.
- Alarm testing shall be restricted to daytime hours on weekdays.
- Generator testing times shall be restricted to daytime hours on weekdays.

- Ensure all equipment is properly maintained.

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.

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 worker's houses. Details can be found via the link below:

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

As there are no receptors within 100m of the Installation, the Applicant was not required to submit a dust and bio aerosol risk assessment in this format and therefore it has not been assessed.

Standby Generator

There is one standby generator with a net thermal rated input of 0.685 MWth and it will not be tested more than 52 hours per year (averaged over 3 years) and is only for emergency use as a temporary power source if there is a mains power failure.

Ammonia

There are one Special Area of Conservation (SAC), one Special Protection Area (SPA) and one Ramsar site located within 10 kilometres of the installation. There is one Site of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also three Local Wildlife Sites (LWS) within 2 km of the installation.

We have concluded this based on the following mass balance calculation, which shows that ammonia emissions will be lower under the new proposed broiler scenario, when compared to the existing turkey scenario:

Turkeys – (6 weeks @ 240,000 @ 0.138 + 15 weeks @ 80,000 @ 0.138) x 2/52 = 14,012.3 kg NH³/year – this information has been taken from the introductory note of the variation notice EPR/BT5008IV/V003 issued 04/11/2011 when the permit was varied from 110,000 birds to 240,000 and is based on approximately 2 cycles per year.

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

We note that for variation EPR/EP3032YV/V002 the permit was varied to allow either 240,000 turkey places (nominally between August to February inclusive) or 263,800 broiler places (nominally between March to July inclusive) but accept that this permit did not limit the Operator to stock only turkeys between the months stated, and only broilers between the other months, and could permit them to stock only turkeys throughout the year, therefore we have used the worst case baseline as turkeys for two cycles, as detailed above.

There will be no changes other than the switch from turkey or broiler production to (increased) broiler production only as a result of the variation. There are no infrastructure changes or changes to the ventilation on site, except additional gable end fans fitted at the rear of each shed used infrequently for temperature control in hot weather.

Following publication of new ammonia emission factors for intensive farming on 29/11/24 [Ammonia emission factors for pig and poultry screening, modelling and reporting - GOV.UK](#), we have done a review of the assessment applying the new emission factors and the conclusion remains the same, therefore 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/Engagement	
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"> • Health and Safety Executive (HES) • UK Health Security Agency (UKHSA) • Local Authority – Environmental Protection Department • Food Standards Agency The comments and our responses are summarised in the consultation section .
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.
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 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

Aspect considered	Decision
	<p>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 permit conditions ensure compliance with The Best Available Techniques (BAT) Reference document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) published on 21st February 2017.</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> <p>See Key Issues section 'Odour management' for further details.</p> <p>The plan has been incorporated into the operating techniques S1.2.</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> <p>See Key Issues section 'Noise management' for further details.</p> <p>The plan has been incorporated into the operating techniques S1.2.</p>
Permit conditions	
Updating permit conditions during consolidation	<p>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).</p>
Emission limits	<p>No emission limits have been added, amended or deleted as a result of this variation.</p>
Monitoring	<p>Monitoring has not changed as a result of this variation.</p>
Reporting	<p>Reporting has not changed as a result of this variation.</p>
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>
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 grant this permit.</p>

Aspect considered	Decision
	<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 ended on 06/02/25.

Responses from organisations listed in the consultation section

Response received from
Boston Borough Council - Environmental Health on 14/01/25.
Brief summary of issues raised
Environmental Health has not received any complaints regarding noise or odour from the site in recent history (records held 6 years). The proposals do not raise any concerns that such complaints will occur. As such Environmental Health have no objections to this application for variation.
Summary of actions taken or show how this has been covered
No action required.

Response received from
UK Health Security Agency (UKHSA) on 04/02/25.
Brief summary of issues raised
There is a discrepancy in broiler numbers in application form part A stating both 400,000 broilers and 350,000 broilers. The ammonia screening assessment was conducted based on the 350,000 rearing places figure. 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
The 400,000 broiler places was confirmed as an error and the application is for 350,000 broiler places. We have reviewed the information submitted by the applicant and are satisfied that the measures in place are BAT, the manner in which operations are carried out at the Installation will result in no significant pollution and that we have sufficient controls within the permit conditions to enable further measures to be implemented should these be required.

Health and Safety Executive (HES) and Food Standards Agency were also consulted but no response was received.

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