

## Permitting Decisions - Bespoke Permit

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We have decided to grant the permit for **Highfield Farm** operated by **Pockmor Limited**.

The permit number is **EPR/LP3923LU**.

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 considerations section to show how the main 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. The introductory note summarises what the permit covers.

### Key issues of the decision

#### Introduction

- The application is for a 4,000 production pig (> 30 kg) installation with pigs housed on two solid floor buildings.
- The farm is an existing breeding facility under relevant EPR regulations threshold which is now changing to a new 4,000 production pig > 30 kg installation.
- The details of the operation of the installation are outlined in the introduction of the permit EPR/LP3923LU/A001.

# **Intensive Rearing of Poultry or Pigs BAT Conclusions document**

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

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

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

## **BAT Conclusions review**

There are 34 BAT Conclusion measures in total within the BAT Conclusion document dated 21<sup>st</sup> February 2017.

We sent out a request for information requiring the Applicant to confirm that the new installation complies in full with all the BAT Conclusions measures.

The Applicant has confirmed their compliance with all BAT conditions for the new installation in their combined Non-Technical Summary and BAT review document and dated 12/03/2025 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 3 Nutritional management - Nitrogen excretion**

The Applicant has confirmed it will demonstrate that the installation can achieve levels of nitrogen excretion below the required BAT AEL of **13.0 kg N/animal place/year** and will use BAT 3a technique reducing the crude protein content.

### **BAT 4 Nutritional management - Phosphorus excretion**

The Applicant has confirmed it will demonstrate that the installation can achieve levels of phosphorus excretion below the required BAT AEL of **5.4 kg P<sub>2</sub>O<sub>5</sub>/animal place/year** and will use BAT 4a technique reducing the crude protein content.

### **BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorus excretion**

Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

This will be verified by means of manure analysis and reported annually.

### **BAT 25 Monitoring of emissions and process parameters – Ammonia emissions**

Table S3.3 of the permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

The Applicant has confirmed they will report the ammonia emissions to the Environment Agency annually by utilising estimation by using standard ammonia emission factors.

### **BAT 26 Monitoring of emissions and process parameters - Odour**

The non-technical summary with BAT review document dated 12/03/2025 confirms

- The staff will perform a weekly boundary walk to check the surrounding area for high levels of odour. Checks will also be performed on the surrounding area by persons who do not regularly work on the farm.
- In the event of odour complaints being received the Operator will notify the Environment Agency and make a record of the complaint. The Operator will undertake the necessary odour contingency as required.

### **BAT 27 Monitoring of emissions and process parameters - Dust emissions**

Table S3.3 of the permit 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 utilising estimation by using standard dust emission factors.

### **BAT 30 Ammonia emissions from pig houses**

The Applicant has confirmed it will demonstrate that the installation achieves levels of ammonia below the required BAT AEL for the following pig types:

- **Pigs > 30kg on straw : 5.65 kg NH<sub>3</sub>/animal place/year.**

The standard emission factor for such production pigs > 30 kg on straw is 1.888 kg NH<sub>3</sub>/animal place/year and hence complies with the BAT AEL without the requirement for further mitigation measures.

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

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

## Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain a condition relating to protection of soil, groundwater and groundwater monitoring. However, the Environment Agency's H5 Guidance states that it is only necessary for the 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 Highfield Farm dated 18/07/2024 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 management

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.

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:

- Odour emissions from manure and slurry storage (maximum of 40 tonnes of manure stored on site at one time)
- Odour emissions from yard areas
- Odour emissions from housing
- Odour emissions from drinking water systems
- Odour emissions from ventilation
- Odour emissions from cleanout
- Odour emissions from carcase storage and disposal
- Odour emissions from feed delivery, mixing and storage
- Odour emissions from manure and slurry spreading
- Odour emissions from dust build up
- Odour emissions from out loading.

#### Odour Management Plan Review

There is one sensitive receptor located within 400 m of the installation boundary. There is a residential property approximately 92 metres to the north east of the installation boundary to the assumed boundary of the property

The sensitive receptors that have been considered under odour and noise, does not include the operator's property and other people associated with the farm operations as odour and noise are amenity issues.

The Operator has provided an OMP (submitted 14/03/2025) and this 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' and our Top Tips Guidance and Poultry Industry Good Practice Checklist (August 2013) or Pig Industry Good Practice Checklist (August 2013) as well as the site-specific circumstances at the Installation. We consider that the OMP is acceptable because it complies with the above guidance, with details of odour control measures, contingency measures and complaint procedures described below.

The Operator is required to manage activities at the Installation in accordance with condition 3.3.1 of the Permit and its OMP. The OMP includes odour control measures and procedural measures. The Operator has identified the potential sources of odour as well as the potential risks and problems, and detailed actions taken to minimise odour including contingencies for abnormal operations. It should also be noted that for existing farms, having consulted with the Local Authority and our local area compliance team (please see consultation response below), there are no known historical odour complaints at this site.

There are no odour complaints linked to the existing under EPR Regulations threshold farm.

Our area officer has visited the farm in March 2025 and this has led to an updated Odour Management Plan with specific reference to mitigation measures to minimise installation odour impacts on the receptor listed above.

The OMP also provides a suitable procedure in the event that complaints are made to the Operator. The OMP is required to be reviewed at least every year (as committed to in the OMP) and/or after a complaint is received, and/or after any changes to operations at the installation, whichever is the sooner. The OMP includes contingency measures to minimise odour pollution during abnormal operations. A list of remedial measures is included in the contingency plan, including triggers for commencing and ceasing use of these measures.

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

Although there is the potential for odour pollution from the Installation, the Operator's compliance with its OMP and permit conditions will minimise the risk of odour pollution beyond the Installation boundary. The risk of odour pollution at sensitive receptors beyond the Installation boundary is therefore not considered significant.

### 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 management

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.

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".

Under section 3.4 of the guidance, a Noise Management Plan (NMP) 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 a NMP 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 noise emissions.

There is one sensitive receptor within 400 metres of the installation boundary as stated under the 'Odour' section. The Operator has provided a NMP (dated 08/08/2024) as part of the application supporting documentation, and further details are provided below.

The risk assessment for the installation provided within the NMP for the application lists key potential risks of noise pollution beyond the installation boundary. These activities are as follows:

- Feeding pigs
- Feed delivery
- Pig moving
- Pig loading (in and out)
- Bedding pens
- Daily mucking out
- Manure loading/transport and spreading
- Delivery of supplies and materials
- Vehicles operating within installation boundaries

### Noise Management Plan Review

The final NMP provided by applicant and assessed below was received as part of the application supporting documentation on 08/08/2024.

The NMP provides a suitable procedure in the event of complaints in relation to noise. The NMP is required to be reviewed at least every year (as committed to in the NMP), however the Operator has confirmed that it will be reviewed if a complaint is received, whichever is sooner. The NMP includes noise control measures and procedural measures.

It should also be noted that for the existing under EPR Regulations threshold farm, having consulted with the Local Authority and our local area compliance team (please see consultation response below), there are no known historical noise complaints at this site.

We have included our standard noise and vibration condition, condition 3.4.1, in the Permit, which requires that 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 NMP (which is captured through condition 2.3 and Table S1.2 of the Permit), to prevent or where that is not practicable to minimise the noise and vibration.

We are satisfied that the manner in which operations are carried out on the Installation will minimise the risk of noise pollution.

#### Conclusion

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

## **Dust and Bioaerosols management**

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.

In addition, guidance on our website concludes that Applicants need to produce and submit a dust and bioaerosol management plan beyond the requirement of the initial risk assessment, with their applications only if there are relevant receptors within 100 metres including 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](http://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols).



As there are receptors within 100m of the installation, the Applicant was required to submit a dust and bioaerosol management plan in this format. The final dust and bioaerosol management plan provided by the applicant and assessed below was received on 08/08/24

There are three sensitive receptors within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately **15** metres to the east of the installation boundary.

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 measures in their dust and bioaerosol management plan to reduce dust (which will inherently reduce bioaerosols) for the following potential risks:

- Pig feed and delivery
- Straw bedding material emissions
- House cleaning operations
- Animal movement

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 are no standby generators linked to this installation.

## **Ammonia**

There are no European/Ramsar Sites within 5 km of the installation, four Sites of Special Scientific Interest (SSSIs) within 5 km of the installation, and five other nature conservation sites within 2 km of the installation.

The ammonia assessment was redone (11/03/2025) based on the new ammonia emission factors which came into force in November 2024 and the usage of the final maximum manure storage within the installation of 40 tonnes.

The farm operation is an all-in out batch system and hence a bespoke emission factor was calculated using combination of pigs under and over 30 kg and operating times over the cycle. The bespoke emission factor was calculated as 1.43.

## Ammonia assessment – SSSI

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

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

Initial screening using the ammonia screening tool version 4.6 (dated 11/03/2025) has indicated that emissions from Highfield Farm will only have a potential impact on SSSIs with a precautionary CL<sub>e</sub> of 1µg/m<sup>3</sup> if they are within **949 metres** of the emission source

Beyond **949 m** the PC is less than 0.2µg/m<sup>3</sup> (i.e. less than 20% of the precautionary 1µg/m<sup>3</sup> CL<sub>e</sub>) and therefore beyond this distance the PC is insignificant. In this case all SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

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

**Table 1 – SSSI Assessment**

<b>Name of SSSI</b>	<b>Distance from site (m)</b>
Waterdale	1,652
Vessey Pasture Dale and Back Dale	2,703
Thixen Dale and Long Dale	3,634
Beck Dale Meadow	4,610

No further assessment is required.

## Ammonia assessment – LWS / AW.

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

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

Initial screening using ammonia screening tool version 4.6 (dated 11/03/2025) has indicated that emissions from Highfield Farm will only have a potential impact on

the LWS / AW sites with a precautionary CLe of  $1\mu\text{g}/\text{m}^3$  if they are within **328 m** of the emission source.

Beyond **328 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 all LWS / AWs are beyond this distance (see table below) and therefore screen out of any further assessment.

**Table 2 – LWS / AW Assessment**

Site	Distance from site (m)
Brown Moor Dale LWS	488
Deep Dale, Acklam LWS	488
Wooing Nab LWS	520
Roadside Wetland, Thixendale Road LWS	1600
Acklam Wood AW	1822

No further assessment is required

## Decision considerations

### Confidential information

A claim for commercial or industrial confidentiality has not been made.

The decision was taken in accordance with our guidance on confidentiality.

### 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

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Health and Safety Executive
- UKHSA/Director of Public Health
- North Yorkshire Environmental Health Department

The comments and our responses are summarised in the [consultation responses](#) section.

## **Operator.**

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 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 in the permit. The activities are defined in table S1.1 of the permit.

## **The site**

The Operator has provided a plan which we consider to be satisfactory, showing the extent of the site facilities.

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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.

## **Nature conservation, landscape, heritage and protected species and habitat designations**

We have checked the location of the application to assess if it is within the screening distances, we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

See Ammonia section in the Key Issues above for more details.

We have not consulted Natural England or sent an assessment for information only as there are no European/Ramsar sites within 5 km of the installation.

The decision was taken in accordance with our guidance.

## **Environmental risk**

We have reviewed the Operator's assessment of the environmental risk from the facility.

The Operator's risk assessment is satisfactory.

## **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.

The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. 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.

## **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, and we approve this plan.

We have approved the odour management plan as we consider it to be appropriate measures based on 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 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'.

While we consider that the applicant's proposals represent the appropriate measures to prevent/ minimise odour from the permitted activities, we also consider that it is appropriate to include a specific Emission Limit Value (ELV) in respect of odour emissions to provide additional environmental protection.

The plan has been incorporated into the operating techniques table S1.2.

## **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, and we approve this plan.

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

We consider that the activities carried out at the site have the potential to cause noise that might cause pollution outside the site and consider it appropriate to include specific measures.

The plan has been incorporated into the operating techniques table S1.2.

## **Dust and bioaerosol management**

We have reviewed the dust and bioaerosol management plan in accordance with our guidance on emissions management plans for dust.

We consider that the dust and bioaerosol management plan is satisfactory and we approve this plan.

We have approved the dust and bioaerosol management plan as we consider it to be appropriate measures based on 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 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'.

The plan has been incorporated into the operating techniques S1.2.

## **Emission limits**

Emission Limit Values (ELVs) have been added for the following substances:

- Ammonia emissions

- Nitrogen and Phosphorous Manure Content

We have decided that emission limits are required in the permit. BAT AELs have been added in line with the Intensive Farming sector BAT Conclusions document dated 21/02/2017. These limits are included in table S3.3 of the permit

## **Monitoring**

We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.

- Ammonia emissions
- Dust emissions
- Nitrogen and Phosphorous Manure Content

These monitoring requirements have been imposed in order to ensure compliance with Intensive Farming BAT Conclusions document dated 21/02/2017.

## **Reporting**

We have specified reporting in the permit, using the methods detailed and to the frequencies specified.

The reporting requirements are linked to the submission of process monitoring data as listed above.

We made these decisions in order to ensure compliance with the Intensive Farming sector BAT Conclusions document dated 21/02/2017.

## **Management system**

We are not aware of any 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.

## **Previous performance**

We have checked our systems to ensure that all relevant convictions have been declared.

No relevant convictions were found.

## **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**

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 variation.

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 Responses

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 commenced on 04/09/2024 and ended on 02/10/2024.**

**Response received from Environmental Control Team, North Yorkshire Lindsey Council East on 25/09/2024.**

**Brief summary of issues raised:** No major concerns raised.

There were comments regarding the following:

- The main impacts of concern from our perspective would relate to odour, dust, noise, flies and vermin and so I would expect there to be robust management systems in place to address these potential impacts in a detailed management plan for the site.
- Specific comment linked to odour impacts on closest receptor 92 metres from the installation boundary
- Check to confirm relevant guidance including BAT conclusions are complied with.
- The council confirmed they have received no complaints linked to the existing farm.

## **Summary of actions taken:**

- We can confirm that relevant odour, noise and dust management plans are in place to minimise impacts from the installation. There has been no history of pest problems at the installation. However, conditions 3.6.1 and 3.6.2 exist to ensure a formal pest management plan is put in place to address any future complaints.
- The OMP dated 14/03/2025 as detailed in the key issues section of this document, has addressed to our satisfaction odour mitigation measures to minimise potential installation odour impacts on the specific close by receptor mentioned above.
- The Applicant has complied with Intensive Farming 2017 BAT conclusions, as outlined in our BAT review within key issues section of this document.

**Response received from UK Health Security Agency (UKHSA) on 25/09/2024**

**Brief summary of issues raised:** The response notes that the main emissions of potential public health significance are emissions to air of bioaerosols, dust (including particulate matter), odour and ammonia.

The UKHSA has no specific concerns , on basis of relevant BAT techniques are complied with.

**Summary of actions taken:** The use of Best Available Techniques (BAT) and good practice will ensure minimisation of emissions. Furthermore, condition 3.2.1 'Emissions of substances not controlled by an emission limit' has been included in the permit.

**Further responses:**

- The Health and Safety Executive and Director of Public Health were also consulted but no response was received.
- There were also no public responses to our notice on GOV.UK.