

## Permitting Decisions - Bespoke Permit

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We have decided to grant the permit for Gailey Poultry Unit operated by Abbey Food Limited.

The permit number is EPR/NP3427SC.

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.

This permit is for a new intensive farm for 67,000 broilers in two new poultry houses built to Best Available Technique (BAT). The two poultry houses have high velocity roof fans.

### 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

## 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.

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

### BAT Conclusions review

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

The Applicant has confirmed their compliance with all BAT conditions for the new installation in their BAT document reference Gailey Poultry Unit, dated 08/08/2024 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 0.6 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 0.25 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 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 a twice 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.
- Visual (and nasal) inspections of potentially odorous activities will be carried out.
- 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 emission factors.

### **BAT 32 Ammonia emissions from poultry houses - Broilers**

The BAT AEL to be complied with is 0.01 – 0.08 kg NH<sub>3</sub>/animal place/year. The Applicant will meet this as the emission factor for broilers is 0.024 kg NH<sub>3</sub>/animal place/year.

The installation does not include an air abatement treatment facility; hence the standard emission factor complies with the BAT AEL.

## Detailed assessment of specific BAT measures

### Ammonia emission controls – BAT Conclusion 32 (broilers)

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT. The BAT Conclusions include a set of BAT AELs for ammonia emissions to air from animal housing for broilers.

All new bespoke applications issued after the 21<sup>st</sup> 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)

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 Gailey Poultry Unit (dated 29/07/2024) 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:

- Broiler production
- Manufacture and selection of feed
- Feed delivery and storage
- Ventilation and heating systems/dust
- Litter management
- Carcass disposal
- House clean out
- Used litter
- Washing operations including vehicles
- Fugitive emissions

- Dirty water management
- Abnormal operations
- Waste production/storage
- Materials/storage

### Odour Management Plan Review

There are ten sensitive receptors located within 400m of the installation boundary, as listed below (please note, the distance stated is only an approximation from the Installation boundary to the assumed boundary of the property):

1. Residential property – approximately 2m southwest of the Installation boundary.
2. Residential property – approximately 35m southwest of the Installation boundary.
3. Residential property – approximately 71m southwest of the Installation boundary.
4. Residential property – approximately 82m southwest of the Installation boundary.
5. Residential property – approximately 56m southeast of the Installation boundary.
6. Residential property – approximately 121m southeast of the Installation boundary.
7. Commercial property – approximately 370m southeast of the Installation boundary.
8. Commercial property – approximately 10m southeast of the Installation boundary.
9. Commercial property – approximately 75m southeast of the Installation boundary.
10. Commercial property – approximately 20m southeast of the Installation boundary.

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.

As there are sensitive receptors within 100m of the installation boundary we requested a more robust OMP with specific reference to mitigation measures and timings to minimise installation odour impacts on the nearby sensitive receptors

listed above. We also requested that the following statement was also added to the OMP, "If substantiated odour complaints are received over a one-month period without resolution to odour problem a formal action plan with measures and timescales for relevant odour issues shall be presented to the Environment Agency for approval".

The Operator has provided a revised OMP (submitted 21/03/2025) 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.

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 are sensitive receptors within 400 metres of the installation boundary as stated under the 'Odour' section. The Operator has provided a NMP 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:

- Ventilation fans
- Feed deliveries
- Feeding systems
- Fuel Deliveries
- Vehicle movements
- Bird catching
- Clean out operations
- Maintenance/repair
- Set up/placement

- Standby generator
- Alarm system and standby generator
- Chickens – including catching and removal from site
- Personnel
- Building work and repairs

### Noise Management Plan Review

The final NMP provided by applicant and assessed below was received as part of the application supporting documentation on 19/03/2025.

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.

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.

## **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](https://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 19/03/2025.

There are eight sensitive receptors within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 2 metres to the southwest of the installation boundary, and approximately 50 metres from the nearest poultry house.

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:

- Feed delivery and storage
- Manufacture and selection of feed
- Ventilation and heating systems
- Litter management
- Carcass disposal
- House clean out
- Used Litter
- Fugitive emissions

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 0.606 MWth and it will not be tested more than 50 hours per year, or operated (including testing) for more than 500 hours per year (averaged over 3 years) for emergency use only as a temporary power source if there is a mains power failure.

## **Ammonia**

The Applicant has demonstrated that the housing will meet the relevant NH<sub>3</sub> BAT AEL.

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

## Ammonia assessment – SSSI

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

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

Initial screening using the ammonia screening tool version 4.6 (dated 18/03/2025) has indicated that emissions from Gailey Poultry Unit 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 402 metres of the emission source.

Beyond 402 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**

Name of SSSI	Distance from site (m)
Four Ashes Pit SSSI	3262
Stowe Pool and Walk Mill Clay Pit SSSI	4604

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 18/03/2025) has indicated that emissions from Gailey Poultry Unit will only have a potential impact on the LWS or AW sites with a precautionary CL<sub>e</sub> of 1µg/m<sup>3</sup> if they are within 250 m of the emission source.

Beyond 250 m the PC is less than 1µg/m<sup>3</sup> and therefore beyond this distance the PC is insignificant. In this case some of the LWS and AW 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)
Boggs Marsh LWS	811
Rodbaston Wood LWS	835
Watling Street Plantation LWS	851
Staffs and Worcs Canal, Penkridge LWS	989
Gailey Old Reservoir LWS	1007
Rodbaston College LWS	1025
Otherton Marsh, Penkridge LWS	1238
Manstry Wood LWS	1926
Hatherton Branch Canal LWS	2011*
Unnamed AW	260
Unnamed AW	280
Unnamed AW	363
Unnamed AW	416
Unnamed AW	597
Unnamed AW	610
Unnamed AW	693
Unnamed AW	752
Unnamed AW	798
Manstry Wood AW	1144
Unnamed AW	1714

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

Screening using detailed modelling 'A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Boiler Chicken Rearing Houses at Gailey Lea Farm, Gailey Lea Lane, Gailey in Staffordshire' dated 26/02/2024 has determined that the PC on the two LWSs for ammonia emissions and nitrogen 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.

Detailed modelling provided by the Applicant has been audited in detail by our Air Quality Modelling and Assessment Unit (AQMAU) and we have confidence that we can agree with the report conclusions.

**Table 3 - Ammonia emissions**

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level***
Gailey Reservoirs LWS	3**	0.131	4.4
Fullmoor Wood (south) LWS	1*	0.785	78.5

\*A precautionary CLe of  $1 \mu\text{g}/\text{m}^3$  has been used. Where the precautionary level of  $1 \mu\text{g}/\text{m}^3$  is used and the PC is assessed to be less than the 100% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In these cases, the  $1 \mu\text{g}/\text{m}^3$  level used has not been confirmed, but it is precautionary.

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

\*\*\* The consultant's assessment was completed prior to the new emission factors being released and therefore the current emission factors were not used. The broiler emission factor has reduced to  $0.024 \text{ kg NH}_3/\text{place}/\text{year}$  (from  $0.034 \text{ kg NH}_3/\text{place}/\text{year}$ ) and therefore we consider the consultants assessment to be higher than the reality.

No nitrogen deposition or acid deposition figures have been provided within the detailed modelling report for Gailey Reservoirs LWS. However, AQMAU's air quality audit report (16/05/2025) states "Our stage 1  $\text{NH}_3$  nutrient nitrogen and acid deposition PCs are less than 100% of the CLe and CLo in the assessed local nature sites".

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. No responses were received.

We consulted the following organisations:

- UK Health Security Agency (UKHSA)
- Director of Public Health
- Health and Safety Executive
- Local Authority Environmental Protection - Staffordshire Borough Council

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 facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility'.

The extent of the facilities is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

## **The site**

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

The plans show the location of the part of the installation to which this permit applies on that site.

The site layout and drainage 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.

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'.

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'.

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**

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

## **Monitoring**

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

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

## **Reporting**

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

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

## **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 30/08/2024 and ended on 24/09/2024.

## Responses from organisations listed in the consultation section

Response received from UK Health Security Agency (04/09/2024).

Brief summary of issues raised:

1. Whilst there are mitigation measures within the dust management plan that are appropriate for bioaerosol it would be advantageous to see a specific bioaerosol management plan, this is particularly relevant as there are receptors within 100m of the installation.
2. The applicant has provided a dust management plan, however there is no proposed monitoring. As there are residential receptors adjacent to the proposed site, the Environment Agency should confirm that emissions to air from dust do not have adverse off-site effects. The Environment Agency may wish to proactively consider quantitative monitoring of particulate matter and linked mitigation measures under review.
3. We note that a backup generator will undergo weekly testing. Given the potential impacts to air quality from generator emissions the Environment Agency may wish to request modelling of likely pollutant emissions, both from testing and in an emergency situation, to ensure it does not have an adverse impact on local air quality and human health.

Summary of actions taken:

1. The Applicant has provided a joint dust and bioaerosol management plan as part of the supporting information for this application. We have checked this management plan against our guidance, [www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols](https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols), and are satisfied with the dust and bioaerosol management plan submitted. Dust is a greater concern than bioaerosols from intensive farming installations.

2. BAT 27 covers dust emissions from intensive farms. 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 emission factors.
3. The Applicant has confirmed that the standby generator has a net thermal rated input of 0.606 MWth, it will not be tested more than 50 hours per annum, will not be operated more than 500 hours per annum (averaged over 3 years), and will only be used as backup for mains interruption. Therefore, the standby generator falls outside of the Medium Combustion Plant (MCP) guidance and no further modelling or action is required.

The Health and Safety Executive, Director of Public Health and Staffordshire Borough Council Environmental Protection were also consulted but no responses were received.