Permitting Decisions - Bespoke Permit

We have decided to grant the permit for **Quarry Farm** operated by **Mr Andrew Hebron and Ms Karen Hebron.**

The permit number is **EPR/MP3629LC.**

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.

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The installation is a **3,800** production pig (>30 kg) place farm, with no other pig types within installation. The pigs in housing with fully slatted floors.

The farm has two pig houses; one existing house and the second is a new pig house.

There are no directly associated activities linked to the main Scheduled Activity.

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 21st 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 21st 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 21st February 2017.

We sent out a not duly made 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 BAT document reference and dated 12/02/2025, 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_2O_5/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

There is no requirement for the installation to comply with this BAT conclusion, as there are no relevant receptors within 400 metres of the installation boundary and hence no requirement for an Odour Management Plan.

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 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: 2.6 kg NH_3/animal place/year.

The ammonia emission factor for production pigs >30 kg on fully slatted floors with weekly slurry removal is 2.11 NH_3/animal place/year.

Therefore, the BAT AEL is complied with.

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 Quarry Farm dated 27/01/2025, 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

There are no relevant receptors within 400 metres of the installation boundary.

Hence there is no requirement for an Odour Management Plan.

Noise management

There are no relevant receptors within 400 metres of the installation boundary.

Hence there is no requirement for a Noise Management Plan.

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

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

As there are receptors within 100m of the installation, the Applicant was required to submit a dust and bioaerosol management plan in this format. The final dust and bioaerosol management plan provided by the applicant and assessed below was received on 27/01/2025.

- There is one sensitive receptor within 100m of the installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 55 metres to the south 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 risks listed in the plan.

Conclusion
We are satisfied that the measures outlined in the application will minimise the potential for dust and bioaerosol emissions from the installation.

Standby Generator

There is one standby generator each with a net thermal rated input of 0.251 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_3 BAT AEL.

There is one Special Area of Conservation (SAC) site located within 5 kilometres (km) of the installation boundary. There are four Sites of Special Scientific Interest (SSSI) located within 5 km of the installation boundary. There are also five Local Wildlife Sites (LWS) within 2 km of the installation boundary.

Ammonia assessment – SAC.

The following trigger thresholds have been designated for the assessment of European sites:

- If, using the Ammonia Screening Tool (AST v4.6) the process contribution (PC) is below 4% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded, detailed ammonia modelling is required, and, if the PC from such modelling is below 1% of the relevant critical level (CLe) or critical loads (CLo) then the farm can be permitted with no further assessment.
- Where the PC (after modelling) exceeds 1%, further detailed assessment is required, taking into consideration the ammonia and nitrogen background concentrations and may also require an in-combination assessment.

Initial screening using ammonia screening tool version 4.6 (dated 27/12/2024) has indicated that emissions from Quarry Farm will only have a potential impact on the SAC site with a precautionary CLe of 1 µg/m^3 if they are within **3,591** metres of the emission source.

Beyond **3,591 m** the PC is less than 0.04 µg/m^3 (i.e. less than 4% of the precautionary 1 µg/m^3 CLe) and therefore beyond this distance the PC is insignificant. In this case the SAC is beyond this distance (see table below) and therefore screens out of any further assessment.

Where the precautionary level of 1µg/m^3 is used and the PC is assessed to be less than 4%, the site automatically screens out as insignificant and no further assessment of CLo is necessary. In this case the 1 µg/m^3 level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely significant effect.

Table 1 – SAC Assessment

Name of SAC	Distance from site (m)
Ellers Wood & Sand Dale SAC	4,683

No further assessment is required.

Ammonia assessment – SSSI

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

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

Initial screening using the ammonia screening tool version 4.6 (dated 27/12/2024) has indicated that emissions from Quarry Farm will only have a potential impact on SSSIs with a precautionary CLe of 1 µg/m^3 if they are within **1,257 metres** of the emission source.

Beyond **1,257 m** the PC is less than 0.2 µg/m^3 (i.e. less than 20% of the precautionary 1 µg/m^3 CLe) and therefore beyond this distance the PC is insignificant. In this case the SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

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

Table 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
Troutsdale and Rosekirk Dale Fens SSSI	3,590
Nabgate SSSI	3,982

Name of SSSI	Distance from site (m)
Ellers Wood & Sand Dale SSSI	4,683
Ruston Cottage Pasture SSSI	4,714

No further assessment is required.

Ammonia assessment – LWS

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

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

Initial screening using ammonia screening tool version 4.6 dated 27/12/2024 has indicated that emissions from Quarry Farm will only have a potential impact on the LWS sites with a precautionary CLe of 1 µg/m^3 if they are within **443 m** of the emission source.

Beyond **443 m** the PC is less than 1 µg/m^3 and therefore beyond this distance the PC is insignificant. In this case all LWSs listed below are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 3 – LWS Assessment

Site	Distance from site (m)
Wydale LWS	1,327
Heaton Plantation LWS	1,499
Parlour Piece Plantation LWS	2,035

No further assessment is required for these sites.

Netherby Dale (Chafer Wood) LWS assessment

Screening using the ammonia screening tool version 4.6 dated 27/12/2024 has determined that the PC on the specific LWS listed below for ammonia emissions / nitrogen deposition / acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 4 - Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted PC µg/m^3	PC % of critical level
Netherby Dale (Chafer Wood) LWS	3*	1.023	34.1

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

Table 5 – Nitrogen deposition

Site	Critical load kg N/ha/yr *	Predicted PC kg N/ha/yr	PC % of critical load
Netherby Dale (Chafer Wood) LWS	10	5.314	53.1

* Critical load values taken from APIS website (www.apis.ac.uk) - [27/12/2024]

Table 6 – Acid deposition

Site	Critical load keq/ha/yr *	Predicted PC keq/ha/yr	PC % of critical load
Netherby Dale (Chafer Wood) LWS	4.856	0.38	7.8

* Critical load values taken from APIS website (www.apis.ac.uk) - [27/12/2024]

No further assessment is required for this site.

Hazel Hall Farm Quarry LWS assessment

Screening using the detailed modelling [A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Pig Rearing Houses at Quarry Farm, near Ebberston in North Yorkshire] revised version dated 10/02/2025 has determined that the PC on the LWS for ammonia emissions / nitrogen deposition / acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

The Process Contributions listed below are the maximum numbers for the installation impacts on the Hazel Hall Farm Quarry LWS.

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 7 - Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted PC µg/m^3	PC % of critical level
Hazel Hall Farm Quarry LWS	3*	1.221	40.7

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

Table 8 – Nitrogen deposition

Site	Critical load kg N/ha/yr *	Predicted PC kg N/ha/yr	PC % of critical load
Hazel Hall Farm Quarry LWS	10	9.516	95.2

* Critical load values taken from APIS website (www.apis.ac.uk) - [27/12/2024]

There are no specific acid deposition process contributions within the modelling report. Hence the nitrogen deposition values have been utilised and divided by fourteen to translate into acid deposition values

The maximum process contribution linked to this LWS is listed below:

Table 9 – Acid deposition

Site	Critical load keq/ha/yr *	Predicted PC keq/ha/yr	PC % of critical load
Hazel Hall Farm Quarry LWS	4.856	0.68	14.0

* Critical load values taken from APIS website (www.apis.ac.uk) - [27/12/2024]

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.

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:

- UKHSA
- North Yorkshire Department of Public Health
- Health and Safety Executive
- 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 and 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.

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 sent a HRA 1 for information only to Natural England for Ellers Wood & Sand Dale SAC.

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.

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 atmospheric emissions
- Dust atmospheric emissions.
- Nitrogen /Phosphorous in manure

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 S32 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 atmospheric emissions
- Dust atmospheric emissions.
- Nitrogen /Phosphorous in manure

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.

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 **24/02/2025** and ended on **24/03/2025.**

Responses from organisations listed in the consultation section

Response received from UKHSA dated 18/03/2025

Brief summary of issues raised:

The main emissions of potential public health significance are point source emissions to air of ammonia, and fugitive emissions to air of bioaerosols, dust (including particulate matter), and ammonia.

No specific concerns raised.

Summary of actions taken: No specific actions; sufficient controls in place via compliance with BAT conclusions and compliance with submitted dust and bioaerosol management plan.

Conclusion

No other consultee or public responses were received.