



## Permitting Decisions - Bespoke Permit

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We have decided to grant the permit for New Hall Poultry Farm operated by Mr Thomas Pickervance.

The permit number is EPR/WP3423LX.

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.

The installation is operated by Mr Thomas Pickervance and comprises four poultry houses, numbered one to four, which provide a combined capacity of 200,000 broiler bird places.

### 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 document reference BAT New Hall Poultry Farm dated 02/07/2025, 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 0.6kg 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 0.25kg 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:

- Monitoring is carried out weekly, by means of “sniff testing” at the monitoring points by persons not involved directly with the operations at the installation.
- Monitoring will be carried out weekly at the installation boundary.
- All records will be securely stored and held on site for inspection.
- 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 0.08 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 New Hall Poultry Farm dated 02/07/2025, 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

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 two 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. Commercial property 1 – approximately 375m northeast of the Installation boundary.
2. Commercial property 2 – approximately 395m northeast 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.

The Operator has provided an OMP (submitted 05/08/2025) 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.

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
- Alarms Systems
- Bird Catching
- Clean out Operations
- Maintenance and Repairs
- Set up and Placement
- Standby Generator testing

### Noise Management Plan Review

The final NMP provided by applicant and assessed below was received as part of the application supporting documentation on 05/08/2025.

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.

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

There are no relevant receptors within 100 metres of the installation boundary.

## **Standby Generator**

There is one standby generator each with a net thermal rated input of 0.757MWth 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), Ramsar sites or Sites of Special Scientific Interest (SSSI) located within 5 kilometres (km) of the installation boundary. There are two Local Wildlife Sites within 2 km of the installation boundary.

## 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 05/06/2025) has indicated that emissions from New Hall Poultry Farm will only have a potential impact on the LWS sites with a precautionary CLe of 1  $\mu\text{g}/\text{m}^3$  if they are within 285m of the emission source.

Beyond 285m 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 LWSs are beyond this distance (see table below) and therefore screen out of any further assessment.

**Table 1 – LWS Assessment**

<b>Site</b>	<b>Distance from site (m)</b>
Medlar Meadows LWS	1,914
Medlar Ditch LWS	1,991

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 & Safety Executive
- Local Council- Environmental Protection 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 part 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 plans which we consider to be satisfactory, showing the extent of the site facilities.

The plans are 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 and baseline reporting under the Industrial Emissions Directive.

## **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 not 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.

## **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.



## **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.

We made these decisions in accordance with Intensive Farming BAT Conclusions document dated 21/02/2017.

Based on the information in the application we are satisfied that the Operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.

## **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.

We only review a summary of the management system during determination. The applicant submitted their full management system. We have therefore only reviewed the summary points.

A full review of the management system is undertaken during compliance checks.

## **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 10/07/2025 and ended on 08/08/2025.

## Representations from community and other organisations

Response received from: Coalition Against Factory Farming on 08/08/2025.

Brief summary of issues raised:

1. The permit should be twin tracked with the planning application.
2. Concerns that intensive poultry units cause environmental harm due to manure impacts and greenhouse gases
3. Concerns for emissions to air and toxic dust.
4. Animal welfare concerns.
5. Odour issues.
6. A comprehensive ammonia assessment hasn't taken place.

Summary of actions taken:

1. The Permitting Service has no adjudication over a planning application and can only assess an application within the constraints of the Environmental Permitting Regulations (EPR).
2. The Environment Agency will carry out compliance visits to this installation once the farm is operational, if any concerns and issues are found during these compliance visits, appropriate enforcement action will be taken. We undertook an ammonia screening assessment in relation to air emissions, see response 6 below for further details. Our compliance team will require operator to complete a climate change assessment, which we will then review.
3. In the case of emissions of dust, there are no sensitive receptors within 100m of the installation boundary, therefore it is not within the Environment Agency's scope to assess this issue any further. As there are no sensitive receptors within 100m a bioaerosol and dust management plan was not required for this application, this was in accordance with our guidance. We undertook an ammonia screening assessment in relation to air emissions, see response 6 below for further details. There is a generic risk assessment including dust emissions linked to the application, giving control measures to minimise dust emissions from this installation.

4. Animal welfare is not the adjudication of the Environment Agency and is out of scope of the EPR and this permit application.
5. A robust odour management plan (OMP) is in place for the installation and we are satisfied that odour issues will be mitigated. If any odour issues occur there is a formal complaints procedure within the OMP and appropriate enforcement action will be taken if required.
6. There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsars or Sites of Special Scientific Interest (SSSI) within 5km of the installation. There are two Local Wildlife Sites within 2km. We undertook an ammonia screening assessment for the two LWSs as per our guidance as part of this application determination, and they both screened out on distance, so no further action was required

There were no responses from the following:

- Health & Safety Executive
- Local Council- Environmental Protection Department
- General public responses