

Permitting Decisions - Bespoke Permit

We have decided to grant the permit for Holcombe Brook Farm operated by Holcombe Manor Farm Limited.

The permit number is EPR/GP3824LP.

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.

Holcombe Manor Farm Limited operates three non-caged, single-tier poultry houses with a combined capacity of 60,000 laying hens. Birds arrive at 16 weeks and stay for about 64 weeks, followed by a 4-week downtime between cycles.

Each house is fitted with seven high-speed Ziehl fans (height > 5.5m and efflux velocity 14.5 m/s); no gable fans are used. A standby generator (0.4MWth) is reserved for emergencies. Manure accumulates beneath slatted floors and in litter, then removed after each flock depopulation. Used litter is transported off site for land spreading per COGAP and a manure management plan.

After the cycle, houses are cleaned and disinfected. Washout water is collected underground in tanks and collected in vacuum tankers for third party land spreading in accordance with the waste management plan. Roof and yard water drains into French stone soakaways leading to a grass-lined overflow attenuation basin.

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

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 not duly made request for information response dated 03/07/2025, 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 0.8kg 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 0.45kg P₂O₅/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 using a mass balance calculation of nitrogen and phosphorus based on the feed intake, dietary content of crude protein and animal performance 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 daily boundary walk, and a twice weekly sniff test will be undertaken by our operations director or managing director who do not work out of this farm but will visit several times per week. Checks will include the surrounding areas and perimeters – this will be increased to weekly during periods of high heat.
- If abnormally high odours are detected or complaints received monitoring frequency will be increased, until mitigation measures have been implemented and odour levels are back to baseline.
- 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 31 Ammonia emissions from poultry houses - Laying hens

The BAT AEL to be complied with is 0.13kg NH₃/animal place/year. The Applicant will meet this as the emission factor for layers with non-cage type housing is 0.13kg NH₃/animal place/year.

Detailed assessment of specific BAT measures

Ammonia emission controls – BAT Conclusion 31

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 laying hens.

All new bespoke applications issued after the 21st 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 Holcombe Brook Farm dated 07/06/2025, 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:

- Feed selection.
- Feed delivery and storage.
- Ventilation techniques.
- Litter conditions and management.
- Carcass storage and disposal.
- Drinking water systems.
- De-stocking.
- Cleanout (litter removal).
- Dirty water generation and storage (washout).
- Litter/ manure.
- Carcass storage.
- Dust build up.

Odour Management Plan Review

There are 11 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 – approximately 320m west of the Installation boundary.
2. Residential property – approximately 382m southwest of the Installation boundary.
3. Residential property – approximately 380m west of the Installation boundary.
4. Residential property – approximately 360m west of the Installation boundary.
5. Residential property – approximately 370m west of the Installation boundary.
6. Residential property – approximately 380m northwest of the Installation boundary.
7. Residential property – approximately 375m northwest of the Installation boundary.
8. Residential properties – approximately 345m northwest of the Installation boundary.
9. Sports pavilion and grounds – approximately 185m northwest of the Installation boundary.
10. Commercial property – approximately 125m north of the Installation boundary.
11. Commercial property – approximately 370m north 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 30/01/2026) 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), 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, 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:

- Vehicle movements to and from the site.
- Vehicle movements around the site.
- Ventilation systems and operations.
- Feed and fuel deliveries.
- Chickens – including catching and removal from site.
- Cleanout (machines and loading of trailers).
- Standby generators, alarms and other mobile plant.
- 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 26/01/2026.

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

It should also be noted that for existing farms, having consulted with the Local Authority and our local area compliance team, there are no known historical noise complaints at this site.

We have included our standard noise and vibration condition, condition 3.4.1, in the Permit, which requires that emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the Operator has used appropriate measures, including, but not limited to, those specified in any approved NMP (which is captured through condition 2.3 and Table S1.2 of the Permit), to prevent or where that is not practicable to minimise the noise and vibration.

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

Conclusion

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

Dust and bioaerosols management

The use of Best Available Techniques and good practice will ensure minimisation of emissions. There are measures included within the permit (the 'Fugitive Emissions' conditions) to provide a level of protection. Condition 3.2.1 'Emissions of substances not controlled by an emission limit' is included in the permit. This is used in conjunction with condition 3.2.2 which states that in the event of fugitive emissions causing pollution following commissioning of the installation, the Operator is required to undertake a review of site activities,

provide an emissions management plan and to undertake any mitigation recommended as part of that report, once agreed in writing with the Environment Agency.

In addition, guidance on our website concludes that Applicants need to produce and submit a dust and bioaerosol management plan beyond the requirement of the initial risk assessment, with their applications only if there are relevant receptors within 100 metres including the farmhouse or farm 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.

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

Standby generator

There is one standby generator with a net thermal rated input of 0.4MWth 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 NH₃ BAT AEL.

There is one Special Protection Area (SPA), one Ramsar site and three Sites of Special Scientific Interest (SSSI) within 5km of the installation. In addition, there are two Local Wildlife Sites (LWS) within 2km of the installation.

Ammonia assessment – SPA and Ramsar

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 (CL_e) or critical load (CL_o) 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 (CL_e) or critical loads (CL_o) 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.
- Where an in-combination assessment is required, the combined PC for all relevant existing permitted installations identified within 5 km of the SAC/SPA/Ramsar will be considered, together with impacts from other local plans, projects, and non-permitted farms which could act in-combination. The in-combination assessment is limited to those impacts not already included in the relevant background emission baseline.

Initial screening using ammonia screening tool version 4.6 (dated 01/07/2025) has indicated that emissions from Holcombe Brook Farm will only have a potential impact on SPA and Ramsar sites with a precautionary CLe of 1 µg/m³ if they are within 3,217 metres of the emission source.

Beyond 3,217 m the PC is less than 0.04 µg/m³ (i.e. less than 4% of the precautionary 1 µg/m³ CLe) and therefore beyond this distance the PC is insignificant. In this case the SPA and Ramsar site is beyond this distance (see table below) and therefore screens out of any further assessment.

Where the precautionary level of 1µg/m³ 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/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely significant effect.

A HRA 1 Assessment for the Somerset Levels and Moors SPA and Ramsar has been sent to Natural England for information only.

The decision was taken in accordance with our guidance.

Table 1 – SPA and Ramsar Assessment

Name of SPA and Ramsar	Distance from site (m)
Somerset Levels & Moors (SPA)	4,349
Somerset Levels & Moors (Ramsar)	4,349

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 01/07/2025) has indicated that emissions from Holcombe Brook Farm will only have a potential impact on SSSIs with a precautionary CLe of 1 µg/m³ if they are within 1,087 metres of the emission source.

Beyond 1,087m the PC is less than 0.2 µg/m³ (i.e. less than 20% of the precautionary 1 µg/m³ CLe) and therefore beyond this distance the PC is insignificant. In this case all the SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1 µg/m³ 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/m³ 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)
Ham Hill (SSSI)	2,354
West Moor (SSSI)	4,349
Wet Moor (SSSI)	4,926

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 the ammonia screening tool version 4.6 (dated 01/07/2025) has indicated that emissions from Holcombe Brook Farm will only have a potential impact on the LWS sites with a precautionary CLe of 1 µg/m³ if they are within 367m of the emission source.

Beyond 367m the PC is less than 1 µg/m³ 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 3 – LWS Assessment

Site	Distance from site (m)
Ham Hill Country Park (LWS)	1,571
Bulsom Bridge Fields (LWS)	1,682

No further assessment is required.

Decision considerations

Confidential information

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

Identifying confidential information

We have not identified information provided as part of the application that we consider to be confidential.

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:

- Local Authority – Environmental Protection Department
- Health and Safety Executive

No responses were received.

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 plans 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 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 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.

A HRA 1 Assessment for the Somerset Levels and Moors SPA and Ramsar has been sent to Natural England for information only.

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.

Emission limits

Emission Limit Values (ELVs) and/or equivalent parameters or technical measures based on Best Available Techniques (BAT) have been set for the following substances:

- Ammonia.
- Nitrogen.
- Phosphorous.

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

Emission Limit Values (ELVs) and/or equivalent parameters or technical measures based on Best Available Techniques (BAT) have been set for the following substances:

- Ammonia.
- Nitrogen.
- Phosphorous.

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.