Permitting Decisions - Variation

We have decided to grant the variation for **Marl Farm** operated by **Mr Richard Towse and Mrs Helen Towse.**

The variation number is **EPR/ZP3432JX/V003**

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

This variation authorises the following changes:

- Increase of broiler numbers from 210,000 to 310,000 broilers with associated two new poultry houses.
- All houses will have high velocity roof fans with 11m/s efflux and 5.5m release height.
- Heating will be via usage of LPG heaters with no biomass boilers.
- Additional ground to be included in the Installation boundary linked to two new poultry houses.
- Site drainage updated for two additional poultry houses.

Purpose of this document

We have assessed the aspects that are changing as part of this variation, we have not revisited any other sections of the permit.

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 and the variation notice.

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.

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.

The Applicant has confirmed their compliance with all BAT conditions for the new Installation in their BAT document and dated 22/12/2025, 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 0.6 kg N/animal place/year and will use BAT 3a technique reducing the crude protein content.

BAT 4 Nutritional management - Phosphorus excretion

The Applicant has confirmed it will demonstrate that the Installation can achieve levels of phosphorus excretion below the required BAT AEL of 0.25 kg P_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

The approved odour management plan (OMP) includes the following details for on farm monitoring and continual improvement:

- The staff will perform a weekly boundary walk to check the surrounding area for high levels of odour. Checks will also be performed on the surrounding area by persons who do not regularly work on the farm.

- Visual (and nasal) inspections of potentially odorous activities will be carried out.

- In the event of odour complaints being received the Operator will notify the Environment Agency and make a record of the complaint. The Operator will undertake the necessary odour contingency as required.

BAT 27 Monitoring of emissions and process parameters - Dust emissions

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

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

BAT 32 Ammonia emissions from poultry houses - Broilers

The BAT AEL to be complied with is 0.08 kg NH_3/animal place/year. The Applicant will meet this as the emission factor for broilers is 0.024 kg NH_3/animal place/year.

The Installation does not include an air abatement treatment facility; hence the standard emission factor complies with 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 Marl Farm dated 22/12/2025, 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 listed in the OMP with relevant control measures for each one to minimise odour pollution from this Installation.

Odour Management Plan Review

There is one sensitive receptor located within 400m of the Installation boundary, (please note, the distance stated is only an approximation from the Installation boundary to the assumed boundary of the property). The receptor is 316 metres to the north east 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 28/04/2026) 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) or Pig Industry Good Practice Checklist (August 2013), as well as the site-specific circumstances at the Installation. We consider that the OMP is acceptable because it complies with the above guidance, with details of odour control measures, contingency measures and complaint procedures described below.

The Operator is required to manage activities at the Installation in accordance with condition 3.3.1 of the Permit and its OMP. The OMP includes odour control measures and procedural measures. The Operator has identified the potential sources of odour as well as the potential risks and problems, and detailed actions taken to minimise odour including contingencies for abnormal operations.

It should also be noted that for existing farms, having consulted with the Local Authority and our local area compliance team (see consultation response below), there are no known historical odour complaints at this site. There was no response from the Local Authority.

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.

It should be noted that the revised version of the OMP dated 28/04/2026 confirmed controls linked to potential odour from dirty water tanks, to address point in a consultation response (see consultation section below).

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

listed in the NMP with relevant control measures for each one to minimise odour pollution from this Installation.

Noise Management Plan Review

The revised NMP provided by applicant and assessed below was received as part of the application supporting documentation on 22/12/2025.

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.

It should also be noted that for existing farms, having consulted with the Local Authority and our local area compliance team (see consultation response below), there are no known historical noise complaints at this site. There was no response from the Local Authority.

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.

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 28/04/26.

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 10 metres to the north of the Installation boundary.

The revised dust and bioaerosol management plan received 28/04/2026 including specific controls to minimise Installation emissions at this receptor.

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) which are listed in their 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 with a net thermal rated input of 0.85 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 are no Special Areas of Conservation (SAC), no Special Protection Areas (SPA) and no Ramsars within 5 km of the Installation. In addition, there is one Site of Special Scientific Interest (SSSI) within 5km of the Installation, and no other nature conservation sites within 2 km

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 22/12/2025) has indicated that emissions from this Installation will only have a potential impact on SSSIs with a precautionary CLe of 1 μg/m^3 if they are within **1,112** metres of the emission source.

Beyond **1,112 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 SSSI listed below is 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 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
South Cliffe Common	2,229

No further assessment is required.

Decision considerations

Confidential information

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

We have not accepted the claim for confidentiality.

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

Identifying confidential information

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

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

Consultation

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

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Health and Safety Executive
- UK Health Security Agency (UKHSA)
- East Riding of Yorkshire Council Director of Public Health (DOPH)
- East Riding of Yorkshire Council Environmental Health Department

The comments and our responses are summarised in the consultation responses section.

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 site

The Operator has provided a plan 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 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.

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 EPR 6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with The Best Available Techniques (BAT) Reference document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) published on 21st February 2017.

Odour management

We have reviewed the odour management plan in accordance with our guidance on odour management.

We consider that the odour management plan is satisfactory, and we approve this plan.

We have approved the odour management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary, sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

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

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

Noise management

We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.

We consider that the noise management plan is satisfactory, and we approve this plan.

We have approved the noise management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary, sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

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

Dust and bioaerosol management

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

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

We have approved the dust and bioaerosol management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary, sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance ‘Control and monitor emissions for your environmental permit.

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

Emission limits

No emission limits have been added, amended or deleted as a result of this variation, as there is no change to broiler placement within this Installation.

Monitoring

Monitoring has not changed as a result of this variation.

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

Reporting

Reporting has not changed as a result of this variation.

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.

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 **03/02/2026** and ended on **03/03/2026.**

Responses from organisations listed in the consultation section

Response received from: UKHSA dated 24/02/2026

Brief summary of issues raised: General recommendation to check public health dust and bioaerosol assessment is robust.

Summary of actions taken: We requested an updated Dust and Bioaerosol Management Plan (received 28/04/2026) with confirmation of single receptor details and more specific control measures to minimise Installation dust and bioaerosol emissions, on this particular receptor. Overall, we have concluded that the plan is robust to minimise Installation dust and bio aerosol impacts to a satisfactory level.

Response received from: Coalition Against Factory Farming (CAFF) on 02/03/2026.

Brief summary of issues raised, and actions taken:

1. Requirement for an Environmental Impact Assessment (EIA)

An EIA is required as part of any planning application. The applicant did not submit an EIA as part of the Environmental Permitting Regulations (EPR) application. The planning application has been granted for two new poultry houses (granted December 2025) without the requirement for an EIA. We are satisfied we have sufficient information to determine the EPR permit application and have carried out an assessment of the environmental impact of the Installation as part of the Permit determination.

2. Twin-tracking of EPR Permit and Planning Permission

The decision whether to twin-track the applications is a matter for the Applicant. We have a legal duty to determine applications made to us under the EPR and we are satisfied that we have sufficient information to do so and to complete the determination.

3. Application is a major intensification/aggregation impact assessment

This farm has a current permit for 210,000 broilers and is applying for a permit variation to increase broiler numbers to a maximum capacity of 310,000 broilers.
As such, we have complied with EPR requirement for external consultation as increase is greater than the EPR threshold of 40,000 bird and this application has gone out for public consultation.

We are confident that the accurate 310,000 maximum capacity has been used in all relevant environmental assessments.
The ammonia impacts have screened out; the details of the assessment are in the key issues section of this document. As the Installation alone impacts have screened out , there is no requirement for an in-combination assessment.
In conclusion, we are satisfied that the environmental controls listed within the application result in the impacts on local human and ecological receptors being reduced to an acceptable level for the maximum number of bird numbers of 310,000 broilers.

Representations from individual members of the public

1. Animal Welfare

Animal welfare is not within the regulatory responsibility of the Environment Agency. It does not form part of the Permit decision making process. The Environment Agency is responsible for ensuring that the activities at the Installation do not have an unacceptable impact on the environment or human health.

The principal regulator for animal health is the Animal and Plant Health Agency (APHA), whose main purpose is to safeguard animal and plant health for the benefit of people, the environment and the economy.

2. Finch vs Surrey County Council legal case and planning implications

This legal case is limited to impact on planning applications. The Environment Agency is not the legal regulator for such applications and hence this legal case has no bearing on our determination decision under the EPR regulations.

3. Water usage - specific concerns linked to inefficient and excessive water usage

The water usage is monitored and minimised via usage of appropriate controls. These controls include:

- High performance nipple drinkers with ‘drip cups’ are used to minimise water wasted and to improve litter quality, subsequently reducing ammonia levels inside the sheds. The water supply is diverted into two pipe systems, one for each half of the shed.
- Dosing pump attached to the water supply will allow for vaccine, vitamins or electrolytes to be administered accurately with efficient controlled water usage.
- Water consumption will be monitored and recorded daily from water meters within the houses.

As such, we are satisfied adequate controls are in place to ensure efficient water usage.

4. Furthermore, following R (Animal Equality UK) v North East Lincolnshire Borough Council [2025] EWHC 1331 (Admin), animal welfare is a material planning consideration

This case law is outside of the scope of the Environment Agency regulatory responsibility under EPR and hence no part of our determination under EPR.

5. Intensive poultry production represents an inefficient use of grain protein

This is not an issue under the Environment Agency's regulatory responsibility. It does not therefore fall within the scope of the Permit determination. The Environment Agency is responsible for ensuring that the activities at the Installation do not have an unacceptable impact on the environment or human health.

6. Risk of zoonotic disease and bird flu

The birds will be kept indoors at all times so therefore it is extremely unlikely that they will contract Avian flu. Effective biosecurity measures will also ensure that the likelihood of disease will be low. We are satisfied that the risk of pollution of the environment or harm to human health from the activities at the site are not likely to be significant.

7. Manure storage and spreading

No manure is stored within the Installation boundary; all manure is exported from the Installation for spreading on land owned by third parties.

The land where manure may be stored or spread does not form part of the Installation and so manure exported from the Installation for storage and spreading outside the Installation is outside the scope of our determination. The EPR scope of regulation is limited to preventing significant pollution from emissions from the Installation. Emissions are substances released from the Installation whilst something exported in a controlled manner for subsequent use elsewhere is not considered an emission. The latter includes manure and litter removed as part of poultry house cleanouts.

The Installation boundary for permitted farms typically includes the livestock housing, any yard and associated infrastructure but does not routinely include wider adjacent land. Whilst on farm slurry and manure management, yard run off and drainage are regulated by the permit, the spreading of manures and slurry to land (and the associated potential for water quality impacts) is primarily regulated through separate regulatory regimes namely the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations (Farming Rules for Water), and, in designated areas, the Nitrate Pollution Prevention Regulations.

The Applicant has confirmed that the receiver of the manure will confirm it is spread to land in accordance with the Code of Good Agricultural Practice.

As such, we are satisfied with the Applicant response linked to manure management

8. Assessment of impacts on groundwater and nearby watercourses

An assessment of the site drainage, including the risk to groundwater and surface water from potential pollutants from the Installation, has been undertaken and the Applicant's Site Condition Report, covering protection of land and ground water, has been reviewed. We are satisfied that the risk to ground and surface waters is low.

Roof water from the poultry houses and water draining from the yard (excluding periods of washout when water from the yard drains to the underground tanks) is directed to French drains for all the poultry houses and associated yards providing suitable attenuation. For the new poultry houses 6 and 7 additional attenuation is in the form of an unlined pond.

Water from the wash out of poultry houses is channelled to collection tanks to await export off site for spreading on land owned by third parties. The collection tanks are built to conform to specifications in EPR 6.09 'How to comply with your environmental permit for intensive farming', and specifically to meet the requirements of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010 (as amended 2013).

The Applicant has proposed appropriate measures to manage fugitive emissions (emissions not controlled by an emission limit). We are satisfied that these measures will mitigate emissions to prevent a significant impact from the site. Standard conditions 3.2.1 and 3.2.2 concerning fugitive emissions are also included in the permit.

9. Increased pollution concerns

There is a single sensitive receptor linked to dust and bio aerosol management plan and one relevant receptor linked to odour and noise management plans.

We are satisfied that all sources of odour and noise receptors have been identified, and that the proposed mitigation measures will minimise the risk of odour and noise pollution/nuisance beyond the Installation boundary. The use of BAT and good practice will ensure emissions of odour and noise are minimised. Furthermore, standard conditions 3.3.1 and 3.4.1 concerning odour and noise have been included in the permit.

Our approach to the control of dust and bioaerosols is to require a dust and bioaerosol management plan for intensive farming installations with receptors within 100 metres of the Installation boundary. This is an agreed approach with UKHSA and the Environment Agency. This is a robust approach requiring the listing of both point source and fugitive emissions and controls to minimise impact on human health. The risk assessment criteria of 100 metres from the boundary is set out in our Intensive Farming risk assessment guidance at https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit.

We are satisfied that the submitted dust and bioaerosol management plan provides adequate controls to minimise relevant emissions from this Installation.

The Applicant submitted an environmental risk assessment detailing measures to prevent significant emissions from the site, in accordance with our technical guidance note for intensive farming and the BAT Conclusions document. We are satisfied that these measures will mitigate emissions to prevent a significant impact from the site.

We have carried out an assessment of the impact from this proposal on nearby habitat sites from ammonia emissions. ammonia emissions from the site are insignificant. The ammonia key issues section of this document summarises our ammonia assessment

Based upon the information in the Application we are satisfied that the appropriate measures will be in place to prevent pollution from beyond the Installation boundary and that activities will not give rise to significant pollution or harm to human health.

Conclusion

The Health and Safety Executive, East Riding of Yorkshire Council DOPH and East Riding of Yorkshire Council Environmental Health Department were consulted but did not provide a response.