

## Permitting Decisions - Bespoke Permit

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We have decided to grant the permit for **South Farm Free Range Poultry Unit** operated by **Karl Suddes, Richard Suddes, Robert Suddes and Janis Suddes**.

The permit number is **EPR/EP3829MT**.

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.

### 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.

### Overview

- The new installation comprises two poultry houses, numbered one to two, which operate a multi-tier aviary system for free range laying hens. The two poultry houses provide a combined capacity for 64,000 bird places. One poultry house is existing, and the other one is new.
- The ventilation will be via high velocity extraction fans with a release height of 6.7m and efflux velocity of 11m/s.
- There are no directly associated activities.

## Key issues of the decision

### Intensive Rearing of Poultry or Pigs BAT Conclusions document

The Best Available Techniques (BAT) Reference document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) was published on 21<sup>st</sup> February 2017. There is now a separate BAT Conclusions document which sets out the standards that permitted farms will have to meet.

Now the BAT Conclusions are published, all new installation farming permits issued after 21<sup>st</sup> February 2017 must be compliant in full from the first day of operation.

There are some additional requirements for permit holders. The BAT Conclusions include BAT-Associated Emission Levels (BAT AELs) for ammonia emissions, which will apply to the majority of permits, as well as BAT AELs for nitrogen and phosphorus excretion.

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

#### **BAT Conclusions review**

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

The Applicant has confirmed their compliance with all BAT conditions for [the new installation in their BAT document reference dated 24/02/2026, 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 **0.8** 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 **0.45** kg

P<sub>2</sub>O<sub>5</sub>/animal place/year and will use BAT 4a technique reducing the crude protein content.

#### **BAT 24 Monitoring of emissions and process parameters - Total nitrogen and phosphorus excretion**

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

This will be verified by means of manure analysis and reported annually.

#### **BAT 25 Monitoring of emissions and process parameters – Ammonia emissions**

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

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

#### **BAT 26 Monitoring of emissions and process parameters - Odour emissions**

The above referenced BAT document 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.

#### **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 **0.13** kg NH<sub>3</sub>/animal place/year. The Applicant will meet this as the emission factor for layers with multi-layer type housing is 0.073 kg NH<sub>3</sub>/animal place/year.

Narrative BAT 31 is complied with via usage of BAT 31 b4 Manure belts (in case of aviary).

## 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 South Farm Free Range Poultry Unit received 13/02/2026, and dated 12/02/2026, 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 and the OMP includes relevant control measures to minimise the risk of odour pollution from the installation.

#### Odour Management Plan Review

The OMP provided by the Applicant was received 13/02/2026. There are two sensitive receptors located within 400m of the installation boundary. The closest receptor is approximately 133 metres to the 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 [date]) 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 this farm, 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.

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 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 and the NMP includes relevant control measures to minimise the risk of noise pollution from the installation.

#### Noise Management Plan Review

The final NMP provided by applicant and assessed below was received as part of the application supporting documentation on 13/02/2026.

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 this farm, 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.

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 bioaerosol management**

There are no receptors within 100 m of the installation boundary and therefore there is no requirement for a Dust and bioaerosol management plan.

No further assessment is required.

## **Standby generator**

There is one standby generator with a net thermal rated input of 0.364 MWth and it will not be tested more than 50 hours per year or operated (including testing) for more than 500 hours per year (averaged over 3 years) for emergency use only as a temporary power source if there is a mains power failure.

## **Ammonia**

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

There are no Special Areas of Conservation (SAC), no Special Protection Areas (SPA), no Ramsar sites and no Sites of Special Scientific Interest (SSSI) located within 5 kilometres (km) of the installation boundary. There are six Local Wildlife Sites (LWS), four Ancient Woodlands (AW) and one Local Nature Reserve (LNR) within 2 km of the installation boundary.

## **Ammonia assessment – LWS / AW / LNR**

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

- If the process contribution (PC) is below 100% of the relevant critical level (CL<sub>e</sub>) or critical load (CL<sub>o</sub>) then the farm can be permitted with no further assessment

Initial screening using ammonia screening tool version 4.6 (dated 23/01/2026) has indicated that emissions from South Farm Free Range Poultry Unit will only have a potential impact on the LWS / AW / LNR sites with a precautionary CL<sub>e</sub> of 1 µg/m<sup>3</sup> if they are within **280 m** of the emission source.

Beyond **280 m** the PC is less than 1 µg/m<sup>3</sup> and therefore beyond this distance the PC is insignificant. In this case all LWS / AW / LNRs are beyond this distance (see table below) and therefore screen out of any further assessment.

**Table 1 – LWS / AW / LNR Assessment**

<b>Site</b>	<b>Distance from site (m)</b>
Steely Hill LNR	1,085
Ragpath Heath LWS	1,334
Hedleyhope Fell LWS	1,589
Pan Burn Woods LWS	1,741
Black Plantation LWS	2,028*
Loves Wood and Malton LWS	2,252*
Greenwell Ford Meadow LWS	2,254*
North Wood AW	1,709
Unnamed woodland AW	2,283*
Unnamed woodland AW	2,359*
Oak Wood AW	2,438*

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

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 and Safety Executive
- Durham County Council Environmental Protection Team.

The comments and our responses are summarised in the [consultation responses](#) section.

### **Operator**

We are satisfied that the applicant (now the Operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.

### **The regulated facility**

We considered the extent and nature of the facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility'.

The extent of the 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.

## **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.

There are no European or Ramsar Sites within 5 km of the installation and hence a HRA assessment is not required.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

See Ammonia section in the Key Issues above for more details.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

## **Environmental risk**

We have reviewed the Operator's assessment of the environmental risk from the facility.

The Operator's risk assessment is satisfactory.

## **General operating techniques**

We have reviewed the techniques used by the Operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with The Best Available Techniques (BAT) Reference document (BREF) for the Intensive Rearing of Poultry or Pigs (IRPP) published on 21st February 2017.

## **Odour management**

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

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

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

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

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

## **Noise management**

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

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

We have approved the noise management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the

measures in the plan are considered to cover every circumstance throughout the life of the permit.

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

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

## **Emission limits**

We have decided that emission limits are required in the permit.

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

## **Monitoring**

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

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

## **Reporting**

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

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

## **Management system**

We are not aware of any reason to consider that the Operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on Operator competence and how to develop a management system for environmental permits.

## **Previous performance**

We have checked our systems to ensure that all relevant convictions have been declared.

No relevant convictions were found.

## **Financial competence**

There is no known reason to consider that the Operator will not be financially able to comply with the permit conditions.

## **Growth duty**

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit variation.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the Operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

# Consultation Responses

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

The consultation commenced on **03/03/2026** and ended on **31/03/2026**.

## Responses from organisations listed in the consultation section

Response received from : **Durham County Council Environmental Protection Team (received 13/03/2026)**.

Brief summary of issues raised: No issues raised and no concerns raised.

Summary of actions taken: No actions required.

### Conclusion

The Health and Safety Executive were consulted but did not respond. There were also no public responses or responses from any other organisations.