Permitting Decisions - Bespoke Permit

We have decided to grant the permit for Higher Hall Farm operated by Higher Meadow Poultry Ltd.

The permit number is EPR/FP3722MA.

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

The permit is for the operation of a new intensive farming poultry installation, comprising four poultry houses, which provide a combined capacity for 176,000 broiler places, located on a former under threshold free-range broiler unit.

Purpose of this document

This decision document provides a record of the decision-making process. It:

- highlights key issues in the determination
- summarises the decision-making process in the decision considerations section to show how the main relevant factors have been taken into account
- shows how we have considered the consultation responses

Unless the decision document specifies otherwise, we have accepted the Applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

Key issues of the decision

Intensive Rearing of Poultry or Pigs BAT Conclusions document

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

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

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

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

BAT Conclusions review

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

The Applicant has confirmed their compliance with all BAT conditions for the new Installation in their document reference 'Higher Hall Farm', submitted with the application, 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:

- Monitoring by a person not directly involved with the poultry will be undertaken once a week at the site boundary.
- This will be recorded as no odour, slight, strong and severe; odour detection recorded above slight will result in staff being alerted to implement contingency measures. Once implemented retesting will be redone to ensure levels have been reduced.
- In the event of complaints being received, the frequency of monitoring will be increased subject to agreement with the Environment Agency.

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.

Detailed assessment of specific BAT measures

Ammonia emission controls – BAT Conclusion 32

A BAT-Associated Emission Level (BAT-AEL) provides us with a performance benchmark to determine whether an activity is BAT. The BAT Conclusions include a set of BAT-AELs for ammonia emissions to air from animal housing for broilers.

All new bespoke applications issued after the 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 Higher Hall Farm, dated 26/07/2026, 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 'Intensive pig and poultry farming: How to comply with your permit' 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.

There are 17 sensitive receptors within 400m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 149 metres to the northwest of the Installation boundary, and approximately 175 metres from the nearest poultry house.

The sensitive receptors that have been considered under odour and noise, do not include the operator's property and other people associated with the farm operations as odour and noise are amenity issues.

The revised odour risk assessment for the Installation, received 17/11/2026, lists key potential risks of odour pollution beyond the Installation boundary and relevant control measures to minimise odour pollution.

Odour Management Plan Review

The Operator has provided a revised OMP (submitted 18/11/2026) and this has been assessed against the requirements of 'Intensive pig and poultry farming: how to comply with your permit' guidance and our Top Tips Guidance, as well as

the site-specific circumstances at the Installation. We consider that the OMP is acceptable because it complies with the above guidance, with details of odour control measures, contingency measures and complaint procedures described below.

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

The OMP also provides a suitable procedure in the event that complaints are made to the Operator. The OMP is required to be reviewed at least every year (as committed to in the OMP) and/or after a complaint is received, and/or after any changes to operations at the installation, whichever is the sooner. The OMP includes contingency measures to minimise odour pollution during abnormal operations. A list of remedial measures is included in the contingency plan, including triggers for commencing and ceasing use of these measures.

The Environment Agency has reviewed the OMP and considers it complies with the requirements of our 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 'Intensive pig and poultry farming: how to comply with your permit'. 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 'Intensive pig and poultry farming: How to comply with your permit' 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 revised noise risk assessment for the Installation, received 28/10/2026, lists key potential risks of noise pollution beyond the Installation boundary and relevant control measures to minimise noise pollution.

Noise Management Plan Review

The final NMP provided by the Applicant and assessed below was received as part of the application supporting documentation on 17/11/2026.

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 or following changes in operations or infrastructure, whichever is sooner. The NMP includes noise control measures and procedural measures.

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

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

Conclusion

We have assessed the NMP for noise and conclude that the Applicant has followed the guidance set out in 'Intensive pig and poultry farming: how to comply with your permit'. 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

Intensive farming by its nature involves activities that have the potential to cause dust emissions. This is recognised in our 'Intensive pig and poultry farming: How to comply with your permit' guidance.

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 links 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 boundary, 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 17/11/2026.

There are two sensitive receptors within 100m of the Installation boundary, the nearest sensitive receptor (the nearest point of their assumed property boundary) is approximately 8 metres to the north of the Installation boundary, and approximately 40 metres from the nearest poultry house.

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 relevant control measures in their dust and bioaerosol management plan to minimise dust pollution (which will inherently reduce bioaerosols).

Conclusion

We have assessed the dust and bioaerosol management plan and conclude that the Applicant has followed the guidance set out in 'Intensive pig and poultry farming: how to comply with your permit'. 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 0.55 MWth which 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. The generator falls outside of the requirements of the Medium Combustion Plant Directive.

Ammonia

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites within 5 km of the Installation boundary. There is one Site of Special Scientific Interest (SSSI) within 5 km of the Installation boundary and thirty-eight other nature conservation sites within 2 km comprising ten Local Wildlife Sites (LWS), twenty Ancient Woodlands (Revised) and eight Ancient Woodlands.

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 (AST v4.6), (dated 11/08/2026) has indicated that emissions from the Installation will only have a

potential impact on SSSI with a precautionary CLe of 1 µg/m^3 if they are within 763 metres of the emission source.

Beyond 763 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, there is one SSSI, North Exmoor SSSI, beyond this distance which can be screened out based on this distance criteria.

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.

No further assessment is required.

Ammonia assessment – LWS and AW

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 (AST v4.6) (dated 11/08/2026) has indicated that emissions from the Installation will only have a potential impact on the LWS and AW sites with a precautionary CLe of 1 µg/m^3 if they are within 262 m of the emission source.

Beyond 262 m the PC is less than 1 µg/m^3 (i.e. less than 100% of the precautionary 1 µg/m3 CLe) and therefore beyond this distance the PC is insignificant. In this case, there are thirty-six LWS and AW sites beyond this distance which can be screened out based on this distance criteria.

No further assessment is required.

Detailed modelling, ‘A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Existing and Proposed Broiler Chicken Rearing Houses at Higher Hall Farm, near Brayford in Devon’, dated 13/05/2026, has determined that the PCs on the AW for ammonia emissions, nitrogen deposition and acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Detailed modelling provided by the Applicant has been audited in detail by the Environment Agency, and we have confidence that we can agree with the report conclusions.

Table 1 - Ammonia emissions

Site	Critical level ammonia µg/m^3 [1]	Predicted PC µg/m^3 [2]	PC % of critical level
Barton Woods AW (Revised)	1	0.805	80.52
Barton Woods AW	1	0.805	80.52

[1] A precautionary CLe of 1 µg/m^3 has been used.
[2] Based on the worst-case (maximum) PC for the proposed scenario, taken from Table 7b of the modelling report (receptor 2).

Table 2 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	Predicted PC kg N/ha/yr	PC % of critical load
Barton Woods AW (Revised)	10	6.27	62.73
Barton Woods AW	10	6.27	62.73

[1] Critical load values taken from APIS website (www.apis.ac.uk) – 11/08/2026
[2] Based on the worst-case (maximum) PC for the proposed scenario, taken from Table 7b of the modelling report (receptor 2).

Table 3 – Acid deposition

Site	Critical load keq/ha/yr [1]	Predicted PC keq/ha/yr	PC % of critical load
Barton Woods AW (Revised)	1.984	0.45	22.68
Barton Woods AW	1.984	0.45	22.68

[1] Critical load values taken from APIS website (www.apis.ac.uk) – 11/08/2026
[2] Acid deposition based on 1/14th of the maximum nitrogen deposition PC taken from Table 7b of the modelling report (receptor 2).

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.

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:

- Local Authority – Environmental Protection – North Devon Council
- UK Health Security Agency (UKHSA)
- Director of Public Health
- Health and Safety Executive

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

Operator

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

The regulated facility

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

The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

The site

The Operator has provided a plan which we consider to be satisfactory, showing the extent of the site facilities.

The plan is included in the permit.

Site condition report

The Operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports 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.

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 'Intensive pig and poultry farming: how to comply with your permit' guidance 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.

Dust and bioaerosol management

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

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

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

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

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

Emission limits

Emission Limit Values (ELVs) based on Best Available Techniques (BAT) have been added for the following substances:

- Ammonia
- Nitrogen
- Phosphorous

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 to ensure compliance with the Intensive Farming sector 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.

Paragraph 1.3 of the guidance says:

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

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

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

Consultation Responses

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

The consultation commenced on 24/08/2026 and ended on 22/09/2026.

Responses from organisations listed in the consultation section

Response received from: UKHSA on 16/09/2026.

Brief summary of issues raised:

Main emissions of potential public health significance are emissions to air of bioaerosols, dust including particulate matter, and ammonia. The applicant has detailed mitigation and management measures in place for emissions to air, water, and nuisance aspects (including odour and dust-bioaerosol management plans). There is also an accident management plan and odour complaints procedure. Abatement measures outlined within the permit documentation will help reduce emissions to air from site processes and comply with permit guidance and conditions.

UKHSA note that a Bioaerosol Assessment Document has not been provided within the consultation documents and request that the Regulator verify that bioaerosols have been adequately considered and will not cause significant impacts for residential receptors.

UKHSA note that the dust and bioaerosol management plan does not consider whether visual monitoring and mitigation are required where adverse dust generation is apparent and recommend that the Regulator secures confirmation that dust complaints will be handled appropriately and whether visual monitoring with defined actions is required.

UKHSA note that the Applicant identifies a Drinking Water Surface Protection Zone in the Site Condition Report but does not carry it through into any risk assessment. The drainage description is also inconsistent across documents. UKHSA recommends that the Regulator is reassured that site drainage and containment proposals are accurately described and are adequate to prevent contaminated water from impacting controlled waters that are intended for human consumption.

UKHSA recommend that the Regulator is reassured that incident risks (such as fire) in relation to stored fuels, oils and LPGs have been assessed and that relevant controls are in place for the storage of LPG tanks on site including the

specification of separation distances from buildings, other combustibles and sources of ignition.

UKHSA assume that the installation will comply in all respects with the requirements of the permit, including the application of Best Available Techniques (BAT), which should ensure that emissions present a low risk to human health.

Summary of actions taken:

To prevent significant emissions from the site the Applicant has proposed appropriate measures to manage emissions, in accordance with our technical guidance note for intensive farming and the BAT Conclusions document, including emissions of ammonia, bioaerosols and particulates. These measures include the use of appropriate ventilation systems, appropriate housing design and management, containment of feedstuff and management of poultry litter. We are satisfied that these measures will mitigate emissions to prevent a significant impact from the site.

The Applicant has provided a revised 'Fugitive emissions risk assessment', received 17/11/2026, in line with guidance which includes the risk from dust emissions, and inherently bioaerosol emissions, and measures to minimise the risk. A revised 'Dust and bioaerosols management plan' was received on 17/11/2026, in line with guidance. The plan includes details of dust monitoring and mitigation measures to address dust if high levels were evident, as well as a complaint procedure and example complaint form. We are satisfied that the measures outlined in the plan will minimise the potential for dust and bioaerosol emissions from the Installation. In addition, the Operator is required to monitor dust emissions from each animal house once every year using one of the BAT 27 techniques.

The Applicant's revised 'Fugitive emissions risk assessment' includes the risk to the Drinking Water Surface Protection Zone and risks posed by incidents, such as fire, in relation to storage of fuels, oils and LPGs, and measures to minimise the risks.

The Applicant submitted revised documents with details of site drainage and containment. We are satisfied that the measures outlined in the application will prevent contamination of controlled waters.

Response received from: North Devon Council - Environmental Protection on 28/09/2026.

Brief summary of issues raised:

Note that the proposals represent a major increase in the scale and intensity of poultry related operations taking place at Higher Hall Farm and introduce new larger poultry buildings significantly closer to a number of existing residential

properties in the vicinity. Recommend the Applicant be asked to provide odour, noise and dust impact assessment to determine whether mitigation measures are required.

Summary of actions taken:

We are satisfied that we have considered all relevant risks for the application proposal under the Environmental Permitting (England and Wales) Regulations (2016) (EPR) for the Installation capacity as set out in Table S1.1 of the permit. Details of our assessment are in the Key Issues section of this document.

The Applicant submitted revised risk assessments covering odour, noise and dust, as well as odour, noise and dust and bioaerosol management plans, as outlined in the Key issues section above, in-line with guidance. Appropriate measures to mitigate the potential risks from emissions from the Installation have been identified in the plans. The use of Best Available Techniques and good practice will ensure minimisation of emissions. Furthermore, standard conditions 3.2.1, 3.3.1 and 3.4.1 concerning fugitive emissions, odour and noise have been included in the permit.

Representations from community and other organisations

Response received from: Communities Against Factory Farming (CAFF) on 20/09/2026

Brief summary of issues raised and actions taken:

1. Sensitive receptors
The Applicant has identified sensitive receptors in accordance with guidance. The sensitive receptors considered under odour and noise do not include the operator's property and other people associated with the farm operations as odour and noise are amenity issues; all sensitive receptors within 400 m of the Installation boundary have been correctly listed within the OMP and NMP. The sensitive receptors considered under dust and bioaerosols include the farmhouse or farm workers' houses; all sensitive receptors within 100 m of the Installation boundary have been correctly listed within the 'Dust and bioaerosol management plan'. Further details are provided in the Key Issues section above.

2. Export of manure
Question 7 of Application Part B3.5 covers point source emissions from the Installation. The export of spent litter is not considered an emission. Emissions are substances released from the Installation whilst something exported in a controlled manner for subsequent use elsewhere is not considered an emission.

The export of spent litter from the Installation is covered under question 8 of Application Part B3.5. The Applicant has answered this question correctly.

The ‘Table of emission points’ in the ‘Technical Standards’ document has been completed correctly.

3. Storage and export of slurry

No slurry (dirty water) is stored within the Installation boundary. Slurry is channelled to underground collection tanks close to the poultry houses to await collection by a licensed disposal contractor. As the Applicant ticked the box to confirm that no slurry will be stored on the Installation (question 8g of Application Part B3.5), they were not required to answer question 8h.

Question 7 of Application Part B3.5 covers point source emissions from the Installation. The export of slurry is not considered an emission. Emissions are substances released from the Installation whilst something exported in a controlled manner for subsequent use elsewhere is not considered an emission. The export of slurry from the Installation is covered under question 8 of Application Part B3.5. The Applicant has answered questions 7 and 8 correctly and the information provided is consistent with the ‘Non-technical summary’ and ‘Technical Standards’ document.

As there is no slurry stored within the Installation boundary, no slurry storage was included within the ‘Ammonia screening assessment’, in line with guidance.

4. Site plan

The Applicant has provided a ‘Site plan’ which clearly shows the Installation boundary and other features recognisable on site, in line with guidance. There is no requirement to identify fences or hedgerows on the plan.

5. Nitrate Vulnerable Zone

No slurry or manure is stored within the Installation, so the Applicant did not refer to The Nitrate Pollution Prevention Regulations 2015 in reference to the storage of slurry or manure in their ‘Site condition report’ (SCR).

6. Waste management plan

The rules governing agricultural waste in England and Wales come under the Environmental Permitting (England and Wales) Regulations. The Applicant has confirmed storage and disposal of waste at the Installation will be in compliance with the regulations.

In accordance with guidance, Temporary storage where waste is produced (NWFD 2 exemption) - GOV.UK, the operator can store any type of waste for up to 12 months, provided they produced the waste themselves, they are storing it at the place they produced it and the waste is stored securely.

There was a spelling mistake in Paragraph 6 of the plan; it should have read Environment Officer.

A revised ‘Waste management plan’ was submitted by the Applicant on 17/11/2026.

7. Environment Management System
A revised ‘Environment Management Summary’ was submitted by the Applicant on 17/11/2026, which included reference to climate change adaption.

In accordance with guidance, Applicants are only required to submit a summary of the management system as part of the EPR application. A review of the full management system is undertaken during compliance checks.

8. Water use
Applicants are not required to provide details regarding the volume of water utilised at the installation as part of the EPR application.

9. Action required to further the general biodiversity objective
In accordance with section 40 of the Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021, the Environment Agency has had regard to the purpose of conserving and enhancing biodiversity in exercising its functions.

10. Supporting environmentally friendly farming practices.
This does not fall within the scope of the EPR Permit determination.

Representations from individual members of the public

Three responses were received from individual members of the public. These raised many of the same issues as previously addressed. Only those issues additional to those already considered are listed below:

Brief summary of issues raised and summary of actions taken:

1. Errors, omissions, and unresolved questions
All information required to determine the permit, in accordance with guidance, has been submitted by the Applicant. We are satisfied, following a review of the information provided by the Applicant and the conditions present within the Permit, that emissions from the Installation will not cause significant pollution of the environment or harm to human health.

2. Odour assessment
We do not request odour modelling from intensive agriculture applications unless it is being used to check the efficacy of specific abatement techniques. In general, if an odour modelling assessment is submitted in support of an EPR intensive agriculture installation application, we will not review it but focus on establishing whether odour management techniques represent Best Available Techniques and ensuring as appropriate the approval of a robust OMP.

In the case of the intensive agriculture sector, odour modelling uncertainties are excessively high - especially in the locations of interest where receptors are close to the farm. This is because, in close proximity, the ratios of the observed peak to mean odour concentrations are high rendering the benchmarks that are typically

used for assessment unreliable. This is exacerbated by uncertainties in the model algorithms in the wake regions of buildings that can render predictions indicative only in such locations. Therefore, it is concluded not to make permitting decisions based on odour modelling predictions adjacent to intensive agriculture installations.

We have assessed the OMP and are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of odour pollution/nuisance.

3. Bird numbers

The Application is for 176,000 broiler places. All assessments carried out as part of the EPR permit determination have been based on this number of bird places.

4. Environmental statement

Where an Environmental Impact Assessment (EIA) is required for a proposed development, an Environmental Statement is submitted in support of the planning application as part of that process. It is the responsibility of the Local Planning Authority to assess the EIA.

The Applicant did not submit an EIA as part of the EPR application as a planning application had not been submitted as far as we were aware at the time of the submission of the EPR application. We have however, considered the EIA, dated August 2026, found on the North Devon Council planning portal under reference 82141, submitted as part of the planning application. The EIA does not alter our determination of the application.

5. Scope of permit variation

The introductory note of the EPR permit summarises what the permit covers.

6. Drainage and groundwater risk assessment

The percolation test appears to have been carried out as part of the EIA in support of the planning application; it was not required as part of the EPR permit application. Assessment of the EIA is the responsibility of the Local Planning Authority.

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

7. Export of manure

The Applicant has confirmed in their revised 'Technical standards' document, received on 17/11/2026, that all spent litter will be removed from the site and sold to an anaerobic digestion (AD) plant; contingency arrangements will be in place with surrounding farms to accept the manure in case of an emergency. This document has been referenced in Table S1.2 - Operating Techniques, of the

permit. The Operator is required to comply with these operating techniques as stipulated in Condition 2.3.1 of the Permit.

Assessment of a nutrient management plan is outside the scope of the determination of the EPR Application. Where organic manures (including poultry manure and wash water) are applied to land, it must be spread in accordance with the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 (Farming Rules for Water), and, in designated areas, the Nitrate Pollution Prevention Regulations 2015 which were further amended in 2016, a manure management plan (in accordance with the Nitrate Vulnerable Zone (NVZ) rules) and condition 2.3.5 of the permit, which requires that all appropriate measures are used to prevent or where that is not practicable minimise pollution.

We do not need to see the manure management plan at the permit application stage, this will be checked during future Environment Agency compliance visits, where a copy will be kept on site for inspection.

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 the EPR permit 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 reference to litter removal in the ‘Site closure plan’ relates only to appropriate steps and measures to render the site in a satisfactory condition for closure; this is not linked to normal day to day operations at the site.

We are satisfied, following a review of the information provided by the Applicant and the conditions present within the Permit, that emissions from the Installation will not cause significant pollution of the environment.

8. Stocking density and animal welfare

Stocking density is an animal welfare issue and beyond our regulatory scope. We respond to applications where stocking densities change leading to changes in poultry housing in terms of our regulatory responsibility under EPR, but overall animal welfare itself is beyond our regulatory scope and 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.

9. Planning application

A planning application was submitted to North Devon Council on 14/08/2026 under reference 82141. Where planning permission is required the Local Planning Authority is responsible.

10. Avian influenza

An avian influenza contingency plan is not required as part of the EPR permit application. The birds will be kept indoors at all times so therefore it is extremely unlikely that birds within the houses will contract avian flu. Effective biosecurity measures will also ensure that the likelihood of disease will be low. We have consulted the UK Health Security Agency (UKHSA) on the Application in line with our guidance and their comments can be seen above. They have not raised any concerns with regards to zoonotic diseases. Our compliance team will take relevant action in the event of any avian flu outbreak.

The Applicant has confirmed that wash water tank levels will be monitored during washing and emptied as required to prevent overfill and so there is no risk to groundwater from the tank overflowing.

Consideration of regional disposal capacities and APHA response times does not fall within the regulatory scope of this EPR permit determination.

We are satisfied that the risk of pollution of the environment or harm to human health from the activities of the site are not likely to be significant.

11. Odour

There are sensitive receptors within 400 m of the Installation boundary and so the Applicant was required to submit an OMP as part of the application. 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 from the Installation. Further detail regarding the OMP can be viewed in the Key issues section above. The use of BAT and good practice will ensure emissions of odour are minimised. Furthermore, standard condition 3.3.1 concerning odour has been included in the permit.

12. Ammonia emissions

We have assessed the application in accordance with our ammonia assessment guidance and have considered the potential impacts of ammonia emissions on nearby designated habitat sites and other relevant ecological receptors. The ammonia assessment is summarised in the Key issues section of this document.

Impacts at nature conservation sites within the relevant screening distances were screened out either using the Ammonia Screening Tool (AST v4.6) (dated 11/08/2026) or detailed modelling submitted by the Applicant, ‘A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Existing and Proposed Broiler Chicken Rearing Houses at Higher Hall Farm, near Brayford in Devon’, dated 13/05/2026.

A detailed ammonia modelling report and data input files were requested in the ‘not duly made’ email dated 12/08/2026. A modelling report, dated 13/05/2026, and data input files were submitted by the Applicant on 14/08/2026.

Detailed modelling provided by the Applicant has been audited in detail, by the Environment Agency, including sensitivity checks for meteorological data (four years site-specific NWP), building downwash, surface roughness and terrain effects. We have confidence that we can agree with the report conclusions.

In conclusion, process contributions for ammonia, nutrient nitrogen and acid deposition from the proposed operation are not predicted to exceed relevant thresholds at any relevant protected conservation site and the proposal will result in reduced impacts at nearby ecological receptors compared with the existing scenario.

An in-combination ammonia assessment in this circumstance was not required as the ammonia impact screened out based on impacts from this Installation alone, in accordance with our guidance.

There are no SACs within the relevant screening distances and so there was no requirement to consider impacts on SACs within the ammonia assessment, in line with guidance.

13. Existing threshold exceedance

There are currently four poultry rearing houses at Higher Hall Farm, providing capacity for up to 40,000 free-range broilers and so in line with guidance there is no requirement for an EPR permit. As such, no enforcement action has been undertaken by the Environment Agency. The Applicant is now applying for an EPR permit to allow the expansion over the EPR threshold of 40,000 birds.

14. Traffic

Consideration of increased traffic movements beyond the Installation boundary, is outside the scope of the Environment Agency regulatory responsibility under EPR as it is not an emission from the Installation. It is a matter for the Local Planning Authority to consider in relation to any planning application.

However, the Applicant has confirmed within the revised NMP, received 17/11/2026, that deliveries and key activities such as clean out, bird placement and maintenance and repairs will be restricted to normal working hours as defined in the guidance. The NMP has been referenced in Table S1.2 - Operating Techniques, of the permit. The Operator is required to comply with these operating techniques as stipulated in Condition 2.3.1 of the Permit.

15. Future changes at the Installation

If the Operator wishes to make any changes at the Installation which would require a variation to the permit or wishes to transfer the permit to a different operator, they would need to submit the relevant EPR application to the Environment Agency. The Operator is required to comply with the permit.

16. Anaerobic digestion (AD) facility

The Applicant is not required to name the receiving AD facility, submit the contract with the facility or the tonnage of manure to be sent to the AD facility, as part of the EPR permit application.

Contingency arrangements are in place with surrounding farms to accept the manure in case of an emergency. If the AD facility were to close the Applicant would need to contact the Environment Agency to discuss changes to manure management at the Installation.

17. Water supply

The Applicant has confirmed, in an email dated 18/11/2026, that water for the Installation is supplied from a borehole located outside of the Installation boundary, with mains supply available as a back-up.

Applicants are only required to provide details of measures to prevent contamination to any boreholes within the Installation boundary as part of the EPR application.

An assessment of site drainage, including the risk to groundwater from potential pollutants from the Installation, has been undertaken and the Applicant's 'SCR', covering protection of groundwater, has been reviewed. In addition, the Applicant has assessed the risk of contamination to groundwater within their revised 'Fugitive emissions risk assessment', received 17/11/2026. We are satisfied that the risk to groundwater is low.

We have consulted North Devon District Council on the Application in line with our guidance and their comments can be seen above. They have not raised any concerns with regards to contamination of private water supplies.

18. Habitats Regulations statutory requirements not met

The Conservation of Habitats and Species Regulations 2017 are relevant to European sites (SACs and SPAs) and, as a matter of policy, Ramsar sites. As detailed above in the key issues section, there are no SAC, SPA or Ramsar sites within 5 km of the Installation boundary and the proposal therefore screens out of the need for a Habitats Regulations Assessment. The Wildlife and Countryside Act 1981 provides protection in law for SSSI. We have undertaken an ammonia screening assessment in line with our guidance (and taking account of the Wildlife and Countryside Act 1981 SSSI provisions), and all nature conservation sites were screened out at a precautionary critical level of 1 µg/m3, based on the distance criteria detailed in the Key issues section above.

19. Phosphorus pathway assessment

A phosphorus pathway assessment is not required as part of the EPR permit application; 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.

BAT Conclusion 4 of the 2017 Intensive Farming BAT Conclusions require the Operator to adopt a nutritional strategy to reduce the levels of Phosphorous within excreted manure and demonstrate they are meeting the BAT-Associated excretion levels given in table 1.1 and table 1.2 of the BAT conclusions document. The Applicant has confirmed they have checked the relevant levels and can comply with them. They will also be required to calculate or analyse manure and/or slurry to estimate P excretion and report this to the Environment Agency annually. We are satisfied that the Applicant will comply with the relevant BAT conclusions.

The Installation complies with guidance. This includes dedicated site drainage with separate clean/lightly contaminated and dirty water drainage. For all emissions of lightly contaminated drainage, appropriate attenuation is in place in the form of French drains, swale and infiltration basin.

Spent litter will be removed from the site and sold to an AD plant, with contingency arrangements in place with surrounding farms to accept the manure in case of an emergency. In these circumstances, the receiver of the manure will confirm that litter is spread to land in accordance with the Code of Good Agricultural Practice, or in accordance with the manure management plan for the receiving land.

We are satisfied that the Installation complies with best practice, that no pollution of ground waters or surface waters should occur as a result of operations at the Installation and that we have sufficient controls within the permit conditions to enable further measures to be implemented should these be required.

20. Applicant-commissioned assessments

We have reviewed the assessments submitted in support of the EPR application and 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.

21. Identity of the integrator

The Applicant is not required to disclose the identity of the integrator as part of the EPR permit application and reviewing the integrator's standard operating specification does not form part of the EPR permit determination.

The Applicant has submitted a revised ‘Technical standards’ document, dated 17/11/2026, which provides details of the key operating techniques for the Installation in line with guidance and BAT, which we have reviewed. The Operator is required to comply with these operating techniques as stipulated in Condition 2.3.1 of the Permit.

We are satisfied that appropriate operating techniques are in place to prevent, or where that is not practicable minimise, emissions from the Installation.

22. Traffic, landscape, visual impact, and cumulative effect of agricultural intensification

Consideration of the impact of the Installation in relation to these issues is a matter for consideration during the planning process where planning permission is required.

However, we have had regard to landscape in our determination of the Application. The Permit will regulate emissions such that there will be no unacceptable levels of pollution from the Installation. We therefore do not consider that emissions from the Installation could affect the landscape of the area.

The density of farms within a given area is not normally a relevant consideration under the EPR unless our risk assessment process requires an in-combination ammonia assessment; in this circumstance this was not required as the ammonia impact screened out based on impacts from this Installation alone, in accordance with our guidance. Where planning permission is required the Local Planning Authority is responsible for determining land use.

23. Noise

The risk of pollution posed by noise emissions from the site has been assessed as part of this determination and this includes an assessment of day and night-time operations. Based upon the information in the Application, the noise management plan (which includes restrictions on certain activities only occurring during the day and that appropriate measures are in place for operations (principally bird catching) that occur, infrequently, at night) and the conditions of the Permit we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise noise and vibration and to prevent pollution from noise and vibration outside the Installation. We are satisfied that all sources and receptors have been identified, in line with guidance. Our assessment of noise is discussed in the Key issues section above.

As there have been no substantiated complaints of noise nuisance at this stage, we are satisfied that the measures in place, as detailed in the NMP, will minimise the potential for noise beyond the Installation boundary and do not require a BS 4142 noise assessment as part of the EPR permit determination.

24. Emergencies

A revised OMP was submitted by the Applicant, received 18/11/2026, which correctly references the standby generator.

A revised ‘Fugitive emissions risk assessment’ was submitted by the Applicant, received 17/11/2026, which covers the risk of power failure and Avian influenza and measures to minimise the risks.

Measures to minimise the risk of ventilation system failure have been included within the ‘Odour risk assessment’ and OMP.

25. High public interest

In line with guidance, the EPR permit application does not meet the criteria to be considered as a Site of high public interest. We are satisfied we have sufficient information to determine the Application and have carried out an assessment of the environmental impact of the Installation as part of the Permit determination.

Any objections raised to the planning application are a matter for consideration during the planning process and do not form part of the EPR permit decision.

The Health and Safety Executive and the Director of Public Health were also consulted but no responses were received.