

# Environment Agency permitting decisions

## Variation

We have decided to issue the variation for Grange Farm and Widdington Grange Farm operated by Mr David Rodney Throup, Mr Stephen James Throup, Mr James William Throup, Mr Andrew Rodney Throup, Mr David James Throup and Mr John Richard Throup.

The permit number is [EPR/GP3536TG](#).

The variation number is [EPR/GP3536TG/V002](#).

The application was submitted and determined as a normal variation.

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:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

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

## Structure of this document

- Key issues: ammonia emissions; Industrial Emissions Directive
- Annex 1 the decision checklist

# Key issues of the decision

## Ammonia emissions impact

The variation authorises an increase in the combined capacity of the two farms from 90,400 to 102,400 bird places. This will be made up of 52,000 free range layers and 50,400 enriched caged colony layers. The Environment Agency's Ammonia Screening Tool (AST v4.4) was used to assess the impact of the proposal at those sites identified within the relevant distance criteria.

There are no European designated sites within 10km and no Sites of Special Scientific Interest (SSSI) within 5km of the installation.

### Assessment of LWS/AW

There is one Local Wildlife Site (LWS) and two Ancient Woodlands (AW) within 2 km of the Farms. The following trigger thresholds have been applied for the assessment of these sites.

1. If Process Contribution (PC) is < 100% of relevant Critical Level (Cle) or Load (Clo), then the farm can be permitted (H1 or ammonia screening tool)
2. If further modelling shows PC <100%, then the farm can be permitted.

For the following sites this farm has been screened out at Stage 1, as set out above, using results of the Ammonia Screening Tool version 4.4.

Screening using the Ammonia Screening Tool 4.4 has indicated that combined emissions from Grange Farm and Widdington Grange Farm would only have a potential impact on sites with a critical level of 1 µg/m<sup>3</sup> if they are within 613m of the emission source. Screening indicates that beyond this distance, the PC at conservation sites is less than 100% of the 1ug/m<sup>3</sup> critical level and therefore insignificant. In this case the sites in table 1 below are beyond this distance.

**Table 1 – distance from source**

Site	Distance (m)
Redhouse Wood LWS	2,145
Redhouse Wood AW	2,145

The PC at these sites has been screened as insignificant. It is possible to conclude no significant pollution will occur at these sites and no further assessment is required.

For the following site the farms have screened out, as set out above, using results of the Ammonia Screening Tool version 4.4. The PC on the AW for ammonia, acid and N deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect.

**Table 2 - Ammonia Emissions LWS's and AW**

Site	Critical Level Ammonia $\mu\text{g}/\text{m}^3$	PC $\mu\text{g}/\text{m}^3$	PC % Critical Level
Widdington Wood (AW)	3*	1.127	37.6

\* CLe3 applied as no protected lichen or bryophytes species were found when checking easimap layer

**Table 3 - Nutrient enrichment**

Site	Critical Load nutrient enrichment $\text{kg N}/\text{ha}/\text{yr}$	PC $\text{Kg N}/\text{ha}/\text{yr}$	PC % Critical Load
Widdington Wood (AW)	10*	5.854	58.5

\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 31/03/2014

**Table 4 - Acidification**

Site	Critical Load acidification $\text{keq}/\text{ha}/\text{yr}$	PC $\text{keq}/\text{ha}/\text{yr}$	PC % Critical Load
Widdington Wood (AW)	2.91*	0.418	14.4

\* Critical load values taken from APIS website ([www.apis.ac.uk](http://www.apis.ac.uk)) – 31/03/2014

No further assessment is required.

## Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February and came into force on 27 February. These Regulations transpose the requirements of the Industrial Emissions Directive (IED).

Amendments have been made to the conditions of this variation so that it now implements the requirements of the EU 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 condition 3.1.3 relating to 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 the 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 your 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 reports for Grange Farm and Widdington Grange Farm submitted with the original permit application in 2011 demonstrated that the hazards to land or groundwater have been mitigated/minimised such that there is little likelihood of pollution and there is no evidence of historic contamination on site. **Therefore, although this condition is included in the permit, no groundwater monitoring will be required at this installation as a result.**

## Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
<b>Yes</b>		
<b>Operator</b>		
Control of the facility	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 EPR RGN 1 Understanding the meaning of operator.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.  <b>See key issues section above for further information.</b>	✓
<b>The site</b>		
Extent of the site of the facility	The operator has provided a plan showing the extent of the site of the facility.  The installation boundary has changed as a result of this variation.  A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.  A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites.  We have not formally consulted on the application. The decision was taken in accordance with our guidance. An 'Other sites assessment' form dated 02/07/2014 has been saved to EDRM for information only.  <b>See key issues section above for further information.</b>	✓
<b>Environmental Risk Assessment and operating techniques</b>		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility.  The operator's risk assessment is satisfactory.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant.	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The operator has proposed the following key measures:</p> <ul style="list-style-type: none"> <li>• High velocity roof fan ventilation on all poultry houses.</li> <li>• BAT housing system for free range layers- multi tiered aviary system with litter removal at least three times a week.</li> <li>• Enriched caged system for colony laying birds.</li> </ul> <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Technical Guidance Note 'EPR 6.09: How to Comply with your Permit for Intensive Farming' and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.</p>	✓
<b>The permit conditions</b>		
Updating permit conditions during consolidation	<p>We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation.</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
<b>Operator Competence</b>		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓