

Guidance notes on part C3.5 – Application to vary an environmental permit to operate an intensive farming installation



Please read these guidance notes carefully before you fill in the forms.

This guidance will help you complete form C3.5 Application to vary an environmental permit to operate an intensive farming installation.

Where you see the term ‘document reference’ on the form, give the document references and send the documents with the application form when you’ve completed it.

If you submit documents that are not required please note that they are not assessed.

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Timescales

We aim to determine permit variation applications within 13 weeks – and quicker wherever possible. This timescale is subject to having the correct information submitted with the application. Should we require more information to determine the application, this timescale may be extended.

There will be situations where determinations are attracting a high level of public interest, and therefore can’t be completed within 13 weeks due to additional consultation requirements. We will be clear with you when this applies.

Pre-application discussion

You should contact your local Environment Agency office to arrange a pre-application discussion. The Environment Agency’s customer services will be able to put you in touch with your local office: telephone 03708 506 506.

At the pre-application discussion we will advise you about the application process and identify nearby nature conservation sites which will need to be considered in your environmental risk assessment.

If you require assistance in accessing any of the documents linked through this guidance, please call the Environment Agency’s customer services: telephone 03708 506 506.

Installation

Throughout the application form and the permit documents, reference is made to the ‘installation’. This is a term used to describe the area of the pig or poultry farm site on which the permitted activities (and other activities which are directly associated) take place. It will be the area outlined in green on the site plan.

For more information please read our guidance RGN No. 2 Understanding the meaning of regulated facility – Appendix 3, Interpretation of Intensive Farming Installations (Version 3, April 2013) available at <https://www.gov.uk/government/publications/rgn-2-understanding-the-meaning-of-regulated-facility>.

1 About you

1a Your existing permit

Please provide the relevant information from your existing permit, to allow us to identify the permit to which the changes apply.

1b Applicant contact details

The people named in this section will be those that are named on the permit. The person(s) named here should be the operator(s) (in the case of a company this may be one of their ‘current appointments’).

1c Who can we contact about your application?

It will help us if there is someone we can contact if we have any questions about your application. If the person is not yourself, the person you name should have the authority to act on your behalf, for example a consultant or agent.

2 About your proposed change

2a Have you told us already about this application?

You should contact your local Environment Agency office to arrange a pre-application discussion. The Environment Agency's customer services will be able to put you in touch with your local office: telephone 03708 506 506.

At the pre-application discussion we will advise you about the application process and identify nearby nature conservation sites which will need to be considered in your environmental risk assessment.

Please provide the permit reference number if you had pre-application discussions with us. We will then be able to refer back to the information you've already given us, which will help us to determine your application.

2b Summary of proposed change

Write a summary that explains your proposed changes in non-technical language as much as possible avoiding technical terms, detailed data and scientific discussion. This should include a summary of the activities at the farm, a summary of the changes and control measures arising from your risk assessment. You will be asked to provide more detailed answers on risk assessment and technical standards elsewhere in the form.

2c Type of variation

Please tick the corresponding box in this section to indicate which type of variation you are applying for. If you are applying for an Administrative variation you should not complete this application form; you should complete Part C0.5.

Examples of the changes covered by each type of variation include (but are not limited to):

Change required to permit	Variation type
Increasing animal numbers by a number greater than the EPR threshold*	Substantial variation
Increasing animal numbers by a number smaller than the EPR threshold*	Normal variation
Adding a new Directly Associated Activity (e.g. biomass boiler, carcass incinerator, feed mill)	
Increasing the site boundary	
Addition of new buildings or equipment	
Adding new emission points to air, water or land	Minor variation
Changing the type of poultry you stock but an air impact assessment is not needed as a result (such as stocking turkeys on a broiler farm)	
Correction of errors on permit such as name (if no change in legal entity), address or grid reference	Administrative variation
Reduction of animal numbers by any amount	
Removing an emission point	

* the thresholds for intensive farming animal numbers are listed in Section 6.9 of Schedule 1 of the EPR Regulations as:

Section 6.9 A(1)(a)(i) – rearing of poultry 40,000 places

Section 6.9 A(1)(a)(ii) – rearing of production pigs (over 30kg) 2,000 places

Section 6.9 A(1)(a)(iii) – rearing of sows 750 places

3 Relevant offences

Relevant people

Relevant people for these checks mean each applicant, and in the case of a company, a director, manager, company secretary or any similar officer or employee. In the case of a Limited Liability Partnership (LLP), it includes any partner. It also includes any person who has held a position in a company or LLP when it was convicted of a relevant offence.

Relevant offences

You must tell us if any of the relevant people or the company itself in your application have been convicted of a relevant offence.

A relevant offence is one relating to the environment or environmental regulation. A list of relevant offences can be found in the relevant offences guidance and can be downloaded from <https://www.gov.uk/government/publications/relevant-conviction-guidance-for-permit-applications-for-waste-activities-and-installations-only> or is available by calling 03708 506 506.

If any of the relevant people in your application have been convicted of an offence you must look at our relevant offences guidance.

This will help you complete this section and any extra information about the offence that you feel we should take into account.

If no tick the box and go to question 4.

If yes tick the box and provide the name of the relevant person, date of birth and further details about the conviction.

4 Management systems

You must have updated your management system which identifies and reduces the risk of pollution arising from your changed activities.

You can find guidance on management systems in 'How to comply with your environmental permit for intensive farming' Version 2, January 2010 available on the following website:

<https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>.

Both documents are also available by calling 03708 506 506.

Please confirm that your updated management system meets the conditions set out in Sector Guidance Note EPR6.09 'How to comply with your environmental permit for intensive farming' Version 2, January 2010 by ticking the relevant box.

You must send us a summary of your updated management system. Give the document reference here and send the documents with the application form when you have completed it.

5 Supporting information

5a Provide a plan or plans for the site

Where you are altering the site layout, for example extending a shed or building additional sheds, you must provide an updated site plan. You must send us a site plan that identifies all of the land on which your activity takes place. The site plan should provide a date and a reference number and must be accurately drawn to scale, with a north-facing arrow. **The outline of the site must be clearly marked in green.** Please show local geographical features on the plan to help us place the site in its local environment.

The installation boundary on the plan should not encompass dwellings (e.g. farm houses, bungalows where site operatives live).

If you are sending us a paper copy of your site plan it must be either A3 or A4 size. Alternatively you can send us an electronic copy on CD.

Copyright issue

Please note that some plans and maps will have copyright issues. Unless you are using your own maps or plans or have paid for the copyright (for example with Ordnance Survey) you may not have the right to reproduce the map or plan.

5b Provide a site drainage plan

Where you are altering the site drainage systems, for example extending the drainage system for the new buildings or adding an emission point, you must provide an updated site drainage plan.

5c Provide a copy of your updated site condition report

If any of the changes you are making as part of this variation require extra land to be included in the permit, then you must provide us with a Site Condition Report (SCR) with sections 1 to 3 (as per the template) completed with your application for any additional areas of land added to the permit.

The H5 Site Condition Report guidance and template is available on the following website:

www.gov.uk/government/publications/environmental-permitting-h5-site-condition-report or by calling 03708 506 506.

6 Environmental risk assessment

Provide an assessment of the risks the proposed farm poses to the environment

Once you have worked through the Sector Guidance Note EPR6.09 'How to comply with your environmental permit for intensive farming' Version 2, January 2010, you will have developed a full set of proposals for your farm including the nature, quantities and sources of your foreseeable emissions to air, water and land, resulting from your proposed changes.

You should now describe the environmental risk posed by your proposed changes. This must take the form of an environmental risk assessment which should follow the methodology set out in the Intensive Farming risk assessment. Where you wish to use a methodology other than that, that methodology must address the same issues and to an equivalent level of detail.

This guidance can be found at <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit> or by calling 03708 506 506.

The purpose of the environmental risk assessment is to demonstrate that the impacts of your proposed changes will be acceptable.

The key issues for intensive farms are:

- odour
- noise
- fugitive emissions such as dust and flies
- airborne ammonia emissions

- combustion gas airborne stack emissions assessment from biomass boilers or poultry litter burners

If you are expanding or building new sheds you may be required to submit an air impact assessment with your application to assess the potential impact of airborne ammonia emissions from your installation on nearby wildlife sites.

We will establish if there is a requirement to submit detailed modelling of airborne ammonia emissions during the pre-application discussion by carrying out ammonia screening assessment for you. If our screening assessment indicates that detailed modelling will be required, this does not necessarily mean the permit will require emission reductions, or even be refused. This is simply to identify which sites show potential to damage a nature conservation site and where more detailed modelling is required. Once the pre-application process is complete, we will send you a report detailing whether you need to provide detailed modelling as part of your application.

Where your detailed modelling indicates emissions from your installation are not within allowable levels at nearby receptors, **then your application must include proposals for ammonia reduction techniques to reduce the emissions to the allowable level.**

Where there are Special Areas of Conservation, Special Protection Areas, Ramsar and Sites of Special Scientific Interest we will need to consult with Natural England before the determination of the application can be completed.

Provide a copy of your environmental risk assessment covering each of the key issues including an ammonia screening assessment and if necessary a copy of the detailed modelling assessment. **If detailed modelling has been undertaken, please include a copy of the electronic modelling data files on a CD.** Give the document reference in the space provided on the form.

Give the document references and send the documents with the application form when you have completed it.

7 Emissions to air, water and land

If you are changing or adding emission points fill in Table 1 with the details (such as ventilation from animal housing, standby generator, and carcass incinerator). Fill in Table 1 with details of all the point-source emissions (including those which are being added or amended as part of this application).

Emission point reference and location: Give a unique reference for each emission point and a description of the source of the emission and the location (e.g. A1 Boiler exhaust from biomass boiler between Sheds 1 and 2).

8 Operating techniques

8a Technical standards

For intensive farming, you must operate your intensive pig and poultry installation in accordance with the techniques laid out in Sector Guidance Note EPR6.09 'How to comply with your environmental permit for intensive farming' Version 2, January 2010. You will need to provide a summary of the main methods that you use to control emissions from the installation and insert a document reference in the space provided on the form.

You need to summarise the main measures you will use to control the main issues identified in your environmental risk assessment.

As a starting point refer to the Sector Guidance Note EPR6.09 'How to comply with your environmental permit for intensive farming' Version 2, January 2010 guidance and consider the relevant requirements in Chapter 2 and 3 for your production process. Describe how you will meet the technical standards. You should use the terminology from the guidance note. This will ensure that we are clear as to the technical standards you are proposing.

If you plan to use another standard this will need to be fully justified in a separate document.

Your environmental risk assessment may indicate that your farming installation could impact nearby receptors. If this is the case you will need to pick appropriate techniques to mitigate against this, and describe how you will adopt the techniques.

8b Odour, noise or dust and bio-aerosol

It is possible that any odour, noise and dust and bio-aerosol from the installation may impact nearby receptors such as local residents or businesses.

You are required to submit written odour, noise or dust and bio-aerosol management plans as part of your application where your installation is within 400 metres (100 metres for dust) of sensitive receptors or the installation has been the cause of odour or noise complaints in the past. Sensitive receptors include, but are not limited to, neighbouring dwellings, workplaces, schools, hospitals or parks.

If you have receptors within this distance but do not yet have these plans, please provide them with your application. If you already have these plans, you should provide updated copies of them to account for the potential impacts of the changes you are proposing.

Give the document references here and send the documents with the application form when you have completed it.

To help produce your odour and noise management plan or dust and bio-aerosol management plan, further information is available:

- H4 Odour Management Guidance (published March 2011): <https://www.gov.uk/government/publications/environmental-permitting-h4-odour-management>
- H3 Noise Management Guidance: <https://www.gov.uk/government/publications/environmental-permitting-h3-part-2-noise-assessment-and-control>
- Sector Guidance Note EPR6.09 'How to comply with your environmental permit for intensive farming' Version 2, January 2010 (Appendix 4 and Appendix 11): <https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>

- Code of Conduct: Addressing Odour Complaints: <http://www.nfuonline.com/assets/14808>
- Poultry Industry Good Practice Checklist: <http://www.nfuonline.com/assets/14807>
- Pig Industry Good Practice Checklist: <http://www.nfuonline.com/assets/17335>

8c Raw materials

Where you will be using additional or new raw materials, you should submit a revised list of the main materials used which have potential for significant environmental impact, including:

- quantities used (both annually, and the maximum amount you intend to have on site at any time)
- chemical composition
- fate of the material
- environmental impact potential
- any practicable alternative material that may have a lower environmental impact
- justification for continued use of any substance for which there is a less hazardous alternative

Further guidance is provided in the Sector Guidance Note EPR 6.09 'How to comply with your environmental permit for intensive farming' Version 2, January 2010 available on the following website:

<https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>.

Give the document references here and send the documents with the application form when you have completed it.

8d Number of animal places

For each livestock type, complete Table 2 with the revised number of animal places you are applying for (i.e. the total numbers which will now be on the installation).

IMPORTANT:

The number of animal places allowed at your installation will be limited to the number you apply for in this table. This limit applies to the number of animals placed at the beginning of the production/crop cycle.

If you wish to increase the number of animal places after your permit is issued you must apply for a variation and will be asked to reassess the impact of the increase in ammonia emissions on nearby sensitive receptors.

Use the relevant livestock types from the list below:

Poultry:

Broilers
Layers
Turkeys
Ducks
Pullets
Quail
Other poultry

Pigs:

Sows
Production pigs over 30kg
Pigs under 30kg

8e Does this variation result in changes to the slurry or manure management?

Please tick the relevant box to indicate if the changes which you are applying for alter the arrangements for manure or slurry management at all. For example, are new buildings being added? Are emission points to water or land being added or amended?

If the answer is no, please progress to question 9.

If the answer is yes, please progress to question 8f.

8f Is slurry stored on the installation?

Please tick the relevant box to indicate if slurry is stored at the installation (within the installation boundary).

If the answer is no, please progress to question 8h.

If the answer is yes:

All new and substantially reconstructed or substantially enlarged slurry storage systems must conform with the technical measures detailed in the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010 and as amended 2013 (SSAFO) and must be covered.

Please provide a description of the slurry system including how it will operate, the dimensions and a description of the cover type on a separate document and include the document reference in the space provided on the form and then progress to question 8g.

8g Is existing slurry storage covered?

If the answer is no:

All existing slurry stores will need to be covered. Provide proposals and a timetable for covering any existing uncovered slurry stores and lagoons on a separate document and include the document reference in the space provided on the form and then progress to question 8h.

If the answer is yes, please progress to question 8h.

Note where an ammonia impact assessment has been undertaken on the basis that all slurry storage is covered we expect that the slurry storage is covered or will be covered at the time of the expansion. You must clearly state in your application the date by which any existing slurry storage will be covered.

Guidance on producing a proposal for covering slurry stores can be found in Annex 9 of Sector Guidance Note EPR6.09 'How to comply with your environmental permit for intensive farming' Version 2, January 2010:
<https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>.

8h Is manure stored on the installation?

If 'No' go to question 8i

If manure (the term 'manure' includes used litter) is stored on the installation, please tick all of the boxes that apply under this section.

If the manure storage arrangements are not adequately covered by one of these categories, please provide a brief description in the box provided or make reference to an accompanying document containing this information.

8i Is manure or slurry spread on land owned by the operator?

If manure (the term 'manure' includes used litter) is spread on land owned by the operator (either on or off the installation), please tick the relevant box.

8j Is manure or slurry exported from the installation?

If manure is exported from the installation (as opposed to spread on the operator's land), please tick the relevant box.

9 Environmental impact assessment

Tell us if your proposed changes have been the subject of an environmental impact assessment (EIA) from a planning application (if applicable). If they have, you will need to send us a copy of the environmental statement.

If the procedure has been completed, you will also need to send us:

- a copy of the planning permission
- the committee report and decision on the EIA

10 Resource efficiency and climate change

If your proposed changes include how resource efficiency is managed then answer questions 10a to 10c.

If your proposed changes do not include how resource efficiency is managed then progress to question 11.

10a Describe the basic measures for improving how energy efficient your activities are

10b Have you entered into, or will you enter into, a climate change levy agreement?

If your farm is not in a Climate Change Agreement (CCA) you will need to submit an energy efficiency action plan as part of your application – refer to section 1.3 of the Sector Guidance Note EPR6.09 'How to comply with your environmental permit for intensive farming' Version 2, January 2010 and Horizontal Guidance Note 2 Energy Efficiency available on our website through the following link: <https://www.gov.uk/guidance/energy-efficiency-standards-for-industrial-plants-to-get-environmental-permits> or by calling 03708 506 506. Please give the document reference number of your plan.

If your farm participates in a CCA you are required as a minimum to supply a copy of the front sheet of the underlying agreement signed by Defra. Please give the date you entered, or will enter, CCA and the document reference number. Tick 'Yes'.

If you have already included this information in your management system, please state that document reference.

10c Describe how you avoid producing waste in line with Council Directive 20086/98/EC on waste

If you have carried out a waste minimisation review in the two years prior to the submission of the application include details with your application. Otherwise the first waste minimisation review shall take place within two years of issue of your permit. Use the Raw Materials Inventory as a starting point of the materials present on your site and describe how you will avoid, recover or dispose of each waste.

Please give the document reference number of your review.

You need to tell us about any waste that you are sending off site. We need to know what type of waste it is and what type of waste disposal or recovery operation it is being sent to or for.

11 Payment

You must submit an application fee with your application.

Please note that there is an annual subsistence charge to cover the costs we incur in the ongoing regulation of the permit. Please see the Environmental Permitting Charging Scheme & Guidance document available on the following website: <https://www.gov.uk/government/publications/environmental-permitting-charging-scheme>. This document provides a list of charges and guidance on how to pay your fees.

Please ensure any additional activity charges are included with the application/variation fee such as where relevant poultry litter or waste wood burners and/or anaerobic digester facilities are over the relevant scheduled activity threshold as defined in the EPR Regulations.

IMPORTANT: Please note that the charges are revised on 1 April each year.

Please note that we cannot 'duly make' your application until evidence of payment has been sent in.

When we receive your application at the Permitting Support Centre we check the following:

- The application form is complete
- You've sent the correct application charge
- You've sent the correct supporting documents

Once we have all this information, we call the application 'duly made'. If anything is missing we will ask you for it.

Have you included the payment?

Tick the box to confirm you have paid for your application.

How you will make the payment

Select the method you will be using to pay for your application:

Cheques and postal orders: These should be made payable to Environment Agency as appropriate and crossed 'A/c Payee'. Send it to us with your completed application form and any relevant supporting documents.

Post-dated cheques will not be accepted.

Cash: We do not recommend sending cash through the post. If you cannot avoid this, please use a recorded-delivery postal service and enclose details of the name of your company and a reference number (this can be the customer reference, permit reference or an application reference generated at pre-application stage) or your name, address and postcode.

Payment by credit or debit card: We can accept payments by Visa, MasterCard or Maestro cards only. Please tick the box asking us to call you to arrange payment.

Payment by electronic transfer: Make sure you use the right payment information.

Failure to quote your reference number (this can be the customer reference, permit reference or an application reference generated at pre-application stage) or to forward to us your payment details, including applicant name, payment amount and full payment reference number, may result in a delay in processing your payment and therefore your application.

12 Privacy notice

Make sure you understand how we will use the information you provide to us.

13 Confidentiality and national security

Confidentiality

Only tick this box if you are very certain that you wish information to be confidential. This may delay your application.

Confidential information is information that is commercially or industrially confidential in relation to any person. Information may be withheld from the public registers where the regulator judges that it may be commercially or industrially confidential. When this occurs a statement must be placed on the register indicating the existence of that information.

You can find guidance on confidentiality in 'Environmental permitting guidance: core guidance', published by Defra and available via www.gov.uk.

Please ensure that you include a copy of your supporting statement detailing why you are requesting confidentiality and what information you believe should be kept confidential. We advise you to have a pre-application discussion with area staff before deciding if anything is confidential information.

We will then have to assess your statement and therefore the progress of your application will take longer.

National security

Ensure you enclose with the application a letter stating that you have written to the Secretary of State to claim national security for your application.

You can find guidance on national security in 'Environmental permitting guidance: core guidance', published by Defra and available via www.gov.uk.

You cannot apply for national security via this application.

We will not be able to progress your application until we receive the decision from the Secretary of State and therefore is highly likely to delay your application. We will not include the information in the public register unless the Secretary of State decides that it should be included.

14 Declaration

Ensure a relevant person makes the declaration.

Relevant people means each applicant, and in the case of a company, a director, manager, company secretary or any similar officer or employee listed as current appointments at Companies House. In the case of a Limited Liability Partnership (LLP), it includes any partner.

NOTE: If you are an organisation of individuals, for example a partnership, each individual (or individual trustee) who is applying for their name to appear on the permit must complete the declaration. If there are more than three individuals completing the declaration, print a separate copy of this page for the additional individuals to complete.

To simplify and speed up the application process we recommend that the declaration in the application form is filled in by an officer of a Company or one of the partners in a Limited Liability Partnership (LLP).

If you wish a manager or other employee **not listed as current appointments at Companies House** to fill in the declaration on behalf of the Company or LLP we will need confirmation (letter or email) from a relevant person, that is an officer of the Company or a partner in the LLP confirming that the person has the authority to fill in the declaration.

Where the Operator is the subject of any insolvency procedure it will be necessary for the declaration to be filled in by the Official Receiver/appointed insolvency practitioner.

15 Application checklist

This section must be filled in.

If your application is not complete we will return it to you. If you aren't sure about what you need to send, speak to us before you submit your application.

Tell us what you have sent with your application form.

You must include the correct application fee, or evidence of payment. If you do not, the application will be returned to you.

Where you have referenced supporting documents in the application questions you've answered, you must fill in the table as per the following example.

16 Where to send your application and how many copies to send us

Please send your filled-in application form to:

By email to: PSC@environment-agency.gov.uk

OR

Permitting Support, NPS Sheffield
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

You will need to submit

- **one** electronic or **one** paper copy.

17 How to contact us

If you need help filling in this form, please contact the person who sent it to you or contact us as shown below.

General enquiries: 03708 506 506 (Monday to Friday, 8am to 6pm)

Textphone: 03702 422 549 (Monday to Friday, 8am to 6pm)

Email: enquiries@environment-agency.gov.uk

Website: www.gov.uk/government/organisations/environment-agency

If you are happy with our service, please tell us. It helps us to identify good practice and encourages our staff. If you're not happy with our service, please tell us how we can improve it.

Please tell us if you need information in a different language or format (for example, in large print) so we can keep in touch with you more easily.