

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Sunderton Farm operated by J E and R Hockenhull and Sons (Mr Peter John Hockenhull, Mr Anthony Neville Hockenhull and Mr John Edgar Hockenhull).

The permit number is EPR/XP3533AQ.

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.

Description of the main features of the Installation

The installation is operated by a partnership of individuals; Mr Peter Hockenhull, Mr Anthony Hockenhull and Mr John Hockenhull. The intensive farm is comprised of four poultry houses, which operate a typical broiler regime for the purposes of meat production. The farm will have the capacity to stock 200,000 broilers per rearing cycle. Each rearing cycle typically lasts 45 days plus 7 days where the houses are cleaned and prepared for the next crop of birds.

All four poultry houses will be constructed to Best Available Technique (BAT) standards. Ventilation is provided to the broiler populations through side inlets and will extract air via roof fans. Extraction fan emission points will operate at an efflux velocity greater than 11 m/s. A closed loop ground source heating system will be the principal source of heat generation in the houses during the rearing cycle. House concrete floors are covered with a 20 mm layer of wood shavings and drinking water is provided by non-leaking nipple systems.

Used litter is exported using covered vehicles to be spread on the operator's own land. Litter is spread in line with the operator's manure management plan. Wash waters are collected in the underground storage tank and are also subsequently spread on the adjacent farmland under the operator's ownership. Roof water from all four houses drains to the swale for treatment. This water subsequently discharges to a surface water drainage ditch to the immediate south of the site boundary. Lightly contaminated yard water will be directed via a diverter valve to the underground dirty water tank. Mortalities are collected daily and stored in a covered, vermin-proof bin. Carcasses are subsequently removed under the National Fallen Stock Scheme.

Key issues of the decision

The Industrial Emissions Directive

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February and came into force on 27 February 2013. These Regulations transpose the requirements of the 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 Sunderton Farm (dated November 2015) 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.**

Ammonia Emissions

There are 2 Ramsar sites located within 10 kilometres of the installation. There are 2 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 9 Local Wildlife Sites (LWS) and Ancient Woodlands (AW) within 2 km of the installation.

Ammonia assessment –Ramsar

The following trigger thresholds have been designated for the assessment of European sites:

- If the process contribution (PC) is below 4% of the relevant critical level (CL_e) or critical load (CL_o) 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 10 km of the application.

Initial screening using ammonia screening tool version 4.4 has indicated that emissions from Sunderton Farm will only have a potential impact on the Ramsar sites with a precautionary critical level of 1µg/m³ if they are within 3440 metres of the emission source. Beyond 3440 metres the PC is less than 0.04µg/m³ (i.e. less than 4% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case all Ramsars are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 1 –Ramsar Assessment

Name of Ramsar	Distance from site (m)
Midland Meres & Mosses – Phase 1	8,592
Midland Meres & Mosses – Phase 2	4,084

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 (CL_e) or critical load (CL_o) 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 10km of the application.

Initial screening using the ammonia screening tool version 4.4 has indicated that emissions from Sunderton Farm will only have a potential impact on SSSI sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 1,203 metres of the emission source.

Beyond 1,203 metres the PC is less than $0.2\mu\text{g}/\text{m}^3$ (i.e. less than 20% of the precautionary $1\mu\text{g}/\text{m}^3$ critical level) and therefore beyond this distance the PC is insignificant. In this case all SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
Old Riverbed, Shrewsbury	3,877
Hencott Pool	4,084

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 (CL_e) or critical load (CL_o) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.4 has indicated that emissions from Sunderton Farm will only have a potential impact on the LWS and AW sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 421 metres of the emission source.

Beyond 421 metres the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case all LWS and AW are beyond this distance (see table below) and therefore screen out of any further assessment.

Table 3 – LWS and AW Assessment

Name of LWS and AW	Distance from site (m)
Haughmond Hill LWS	1,662
Haugmond Abbey Wood and New Coppice	689
Unnamed Woodland AW	1,642
Abbey Wood/New Coppice AW	1,692
Lathams Coppice AW	1,493
Holly Coppice AW	1,974
Abbey Wood/New Coppice AW	2,099
Holly Coppice AW	2,033

Screening using detailed modelling 'A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Broiler Rearing Unit at Sunderton Farm, Sundorne Castle, Uffington, Shrewsbury in

Shropshire' has determined that the PC on the LWS (Sundorne Pool) 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.

Table 4 - Ammonia emissions

Site	Critical level ammonia $\mu\text{g}/\text{m}^3$	Predicted PC $\mu\text{g}/\text{m}^3$	PC % of critical level
Sundorne Pool LWS	3**	0.757	25.2

** CLe 3 applied as no protected lichen or bryophytes species were found when checking easimap layer.

Table 5 – Nitrogen deposition

Site	Critical load kg N/ha/yr [1]	Predicted PC kg N/ha/yr	PC % of critical load
Sundorne Pool LWS	10	5.89	58.9

Note [1] Critical load values taken from APIS website (www.apis.ac.uk) on March 2015. The critical load value was checked on APIS at this location again in January 2015 and has not changed.

Table 6 – Acid deposition

Site	Critical load keq/ha/yr [2]	Predicted PC keq/ha/yr	PC % of critical load
Sundorne Pool LWS	1.67	0.42	25.2

Note [2] Critical load values taken from APIS website (www.apis.ac.uk) on March 2015. The critical load value was checked on APIS at this location again in January 2015 and has not changed.

No further assessment is required.

Odour and noise emissions

Odour and noise management plans are required where an intensive farming installation is located within 400 metres of a sensitive receptor. A sensitive receptor can be a residential property, workplaces, community or leisure facility. Only two sensitive receptors have been identified within 400 m of the installation boundary however, these are both owned and occupied by the operator. Therefore, management plans for odour and noise are not required.

Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
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 commercial confidentiality.	✓
Consultation		
Scope of consultation	<p>The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none"> • Local Authority Environmental Health • Local Authority Planning Department • Health and Safety Executive 	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
Operator		
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.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
The site		
Extent of the site of the facility	<p>The operator has provided plans which we consider to be satisfactory, showing the extent of the site of the facility including discharge points.</p> <p>Plans are included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).</p>	✓
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>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 site.</p> <p>See key issues section for further explanation.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The proposed techniques for control are in line with the benchmark levels contained in the Sector Guidance Note EPR 6.09 'How to comply with your environmental permit for intensive farming (version 2)' Technical Guidance Note and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> • Housing design, ventilation and management will be in accordance with BAT (EPR 6.09). • The sheds are fan ventilated with a fully littered floor equipped with non-leaking drinking systems. • Feed selection and use is in accordance with BAT (EPR 6.09). • All dirty water will be collected by a dirty water drainage system and collected in a storage tank and removed from site. 	
The permit conditions		
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template, which was developed in consultation with industry having regard to the relevant legislation.	✓
Raw materials	We have specified limits and controls on the use of raw materials and fuels.	✓
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>	✓
Operator Competence		
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
Financial provision	<p>There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓

Annex 2: Consultation and web publicising

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process (Newspaper advertising is only carried out for certain application types, in line with our guidance).

Response received from
Shropshire Council – Local Planning Authority (LPA)
Brief summary of issues raised
<p>The LPA raised concerns with vehicle movements from heavy goods vehicles to and from Sunderton Farm as any deliveries will need to pass a number of dwellings along a single private road prior to reaching the farm.</p> <p>The LPA also raised potential odour concerns from residents approximately 850 m away from the site.</p>
Summary of actions taken or show how this has been covered
<p>The environmental permit will not have any control over vehicle movements to and from the site. Therefore, we are not able to judge any noise impacts of increased vehicle movements during the removal of birds or deliveries to the site. Condition 3.4 requires the operator to submit a noise management plan for submission to the Environment Agency should noise issues from the site become significant.</p> <p>The site is not within 400 m of a sensitive receptor. As specified in the Key Issues section, we do not require an odour management plan at the permit stage if the site is outside of this distance. Condition 3.3 in the permit requires the operator to submit an odour management plan for submission to the Environment Agency should odour issues from the site become significant.</p>

Responses not received

The Health and Safety Executive (HSE) and the local authority environmental health department were also consulted; however, consultation responses from these parties were not received. No public responses were received as a result of the web publication of the application.