

# Permitting decisions

## Variation

---

We have decided to grant the variation for White House Poultry Farm operated by Ray White Limited.

The variation number is EPR/ZP3137KF/V005

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

### Purpose of this document

This decision document provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

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 checklist](#) to show how all 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 and the variation notice. The introductory note summarises what the variation covers.

# Key issues of the decision

## Grade A Wood Burning

The operator has applied to use grade A recycled waste wood as fuel for 3 biomass boilers with a net rated thermal input of 0.957 MW. Where virgin and waste wood are mixed the fuel is all considered a waste.

The biomass boilers are to be fed by a mixture of non-contaminated grade A wood and virgin wood.

### Grade A wood definition

“Grade A waste wood” means visibly ‘clean’ recycled waste wood mainly originating from packaging waste, pallets, packing cases and process off-cuts from the manufacture of untreated wood products. As defined in BSI PAS 111: 2012.

The total capacity of the installation biomass boilers using Grade A wood is 240 kg/hour.

As the activity does not meet the criteria of a U4 waste exemption it will fall under section 5.1 B) (a) (v) of the Environmental Permitting Regulations ‘The incineration in a small waste incineration plant with an aggregated capacity of 50kgs or more per hour of the following waste – wood waste with the exception of waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings’.

A site specific description of waste source, and procedure have been reviewed and accepted as satisfactory to ensure that only grade A waste wood will be accepted.

The operator will only be permitted to accept this waste type. Table S2.2 of the permit includes relevant waste wood and descriptions. We are satisfied that the waste wood is from a manufacturing source and that it will not be contaminated.

We do not consider that the use of grade A waste wood will result in a change in level or nature of emissions associated with the combustion of the biomass boilers. Therefore the original risk assessment of the biomass boilers is still valid.

## Dust and Bioaerosols

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.

There are 8 sensitive receptors within 100m of the Installation boundary, the nearest sensitive receptor is within the installation boundary.

Guidance on our website concludes that applicants need to produce and submit a dust and bio aerosol risk assessment with their applications only if there are relevant receptors within 100 metres of their farm, e.g. the farmhouse or farm worker’s houses. Details can be found via the link below:

[www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#air-emissions-dust-and-bioaerosols](http://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, the Applicant was required to submit a dust and bio aerosol risk assessment in this format.

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 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 the following measures in their operating techniques to reduce dust:

### Poultry feed

- dust extraction,
- covered storage

- feed spill control
- mould feed into pellets to bind dusty ingredients
- increased fat content to bind particles
- oil and water mist spraying to prevent particles becoming airborne
- Avoiding dusty ingredients
- Hand feeding rather than using auger systems which can produce increased dust levels
- Fitting a material sock to auger pipe to deliver feed directly to pans

#### Bedding material

- Using sawdust and flax straw which is less dusty than wheat, barley or rye straw
- Humidify bedding to reduce dust.
- Use deep bedding which contributes less dust than shallow bedding.
- Apply bedding internally and fit catching curtains when unloading
- Using less aged bedding which can be more friable and dusty

#### Litter system

- Use of cage systems rather than litter.

#### Humidity

- Increased humidity by use of misting systems.

#### Ventilation

- Increased ventilation.

#### House cleaning

- Good house cleaning using of vacuum cleaner

#### Crop cycle length

- Reduced cycle length as most dust produced from day 20 onwards

#### Woodchip fuel

- Controlled delivery, storage, handling and recording management system.

#### Screens and wind breaks

- To intercept dust particles.

#### Dry filters

- Collect dust on filters on exhaust vents.

#### Electrostatic precipitation device

- Impart electric charge to collect dust particles.

#### Passive dry air cleaning units

- Filter panels to collect dust across width of houses.

#### Active wet cleaning units

- Water air-cleaning units intercept dust as air passes through.

#### Scrubbers

- Air passes through a water scrubber to remove larger dust particles.

#### Biomass boiler exhaust system

- Air scrubbers fitted in exhaust stack.

#### Conclusion

We are satisfied that the measures outlined in the Application will minimise the potential for dust and bio aerosol emissions from the Installation.

## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
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.
<b>Consultation/Engagement</b>	
Consultation substantial change installations or mining waste	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> <li>- Natural England (for information purposes only)</li> <li>- Local authority environmental health department</li> <li>- Health and Safety Executive</li> <li>- Director of Public Health</li> <li>- Public Health England</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>The facility</b>	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility' and Appendix 2 of RGN 2 'Defining the scope of the installation'.</p> <p>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.</p>
<b>The site</b>	
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>Natural England have been consulted for information purposes only in relation to the following nearby designations:</p> <ul style="list-style-type: none"> <li>- Fenn's, Whixall, Bettisfield, Wern and Cadney Mosses SAC</li> <li>- Brown Moss SAC</li> <li>- Midland Meres and Mosses Phase 1 Ramsar</li> <li>- Midland Meres and Mosses Phase 2 Ramsar</li> </ul> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p>

Aspect considered	Decision
<b>Environmental risk assessment</b>	
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>
<b>Operating techniques</b>	
General operating techniques	<p>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.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The operating techniques are as follows:</p> <ul style="list-style-type: none"> <li>• the fuel is derived from virgin timber and grade A waste wood.</li> </ul> <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.</p>
<b>Permit conditions</b>	
Updating permit conditions during consolidation	We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit(s).
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.
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>We have specified that only biomass chips or pellets comprising virgin timber, straw, miscanthus, grade A waste wood; or a combination of these, are acceptable.</p>
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons:</p> <ul style="list-style-type: none"> <li>• they are suitable for the proposed activities</li> <li>• the proposed infrastructure is appropriate; and</li> <li>• the environmental risk assessment is acceptable.</li> </ul>
Emission limits	No emission limits have been added, amended or deleted as a result of this variation.

Aspect considered	Decision
<b>Operator competence</b>	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
<b>Growth Duty</b>	
Section 108 Deregulation Act 2015 – Growth duty	<p>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.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“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.”</p> <p>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.</p> <p>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.</p>

## Consultation

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.

### Responses from organisations listed in the consultation section

<b>Response received from</b>
Shropshire Council
<b>Brief summary of issues raised</b>
No objection to proposal.
<b>Summary of actions taken or show how this has been covered</b>
Not applicable.

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
'...PHE has no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.'
<b>Summary of actions taken or show how this has been covered</b>
No action required. Relevant sector guidance and industry best practice has been considered as explained above in the Key Issues section.

### Responses not received

The Health and Safety Executive (HSE) and the Director of Public Health were also consulted, however consultation responses from these parties were not received.

### Web publicising

This proposal was publicised on the Gov.uk website between 21 July 2017 and 18 August 2017, but no representations were received during this period.