

**Natural Resources Wales permitting decisions**

# Rhosfawr Pullet Rearing Unit Decision Document

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## New bespoke permit

**The application number is:** PAN-005672 (Permit Issue Number  
EPR/XXXXX)

**The applicant/operator is:** PL and PG Bumford

**The Installation is located at:** Rhosfawr, Llanfair Caereinion, Welshpool,  
Powys, SY21 9HE

We have decided to grant the permit for the Rhosfawr Pullet Rearing Unit, operated by PL and PG Bumford.

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 to operate an installation which is subject principally to the Industrial Emissions Directive (IED). The permit contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting (England and Wales) Regulations 2016 (EPR) and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the permit, we have considered the application and accepted the details are sufficient and satisfactory to make the standard conditions appropriate.

Regulated activities can present different types of risk to the environment, these include odour, noise and vibration, accidents, fugitive emissions to air and water, as well as point source releases to air, discharges to ground or groundwater, global warming potential and generation of waste. For an installation of this kind, the principal emissions are ammonia, dust, odour, noise and effluent discharges.

The facility will comprise of three new poultry houses which will provide accommodation for up to 114,000 pullets. These will be reared from day old chicks to between 18 to 20 weeks old, prior to being transferred to egg laying units elsewhere.

## 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.

## Key issues of the decision

### Receipt of application

The application was received on 11 June 2019. During the duly making assessment it was deemed that the application could not be duly made as there was insufficient information provided by the applicant. Additional information was received on the 8 August 2019 and the application was duly made on the 8 August 2019. This means that we considered the application was in the correct form and contained sufficient information for us to begin our determination. However, not that it necessarily contained all of the information we would need to complete the determination.

### Confidential information

No claim for commercial or industrial confidentiality has 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

The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement (PPS) and our Working Together Agreements (WTAs).

A copy of the Application and all other documents relevant to our determination are available for the public to view. Anyone wishing to see these documents could arrange for copies to be made.

We sent copies of the Application to the following bodies, which includes those with whom we have “Working Together Agreements”:

- **Health Protection Agency**
- **Food Standards Agency**
- **Public Health Wales**
- **Powys Council – Environmental Protection Department**
- **Powys Council – Planning Authority**

These are bodies whose expertise, democratic accountability and/or local knowledge make it appropriate for us to seek their views directly.

The consultation started on 19 September 2019 and ended on 18 October 2019.

An advert was also placed on our website.

Further details along with a summary of consultation comments and our response to the representations we received can be found in Annex 1. We have taken all relevant representations into consideration in reaching our determination.

### 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 EPR RGN 1 Understanding the meaning of operator.

### The facility

The regulated facility is an installation which comprises the following activities listed in Part 1 of Schedule 1 to the EPR and the following directly associated activities:

Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than 40,000 places for poultry.	The rearing of poultry in a pullet rearing facility.	To house a maximum capacity of 114,000 laying birds. From receipt of birds, raw materials and fuels onto the site, to removal of birds and associated wastes from site.
<b>Directly Associated Activities</b>		
Water storage tanks	Storage of dirty water from washing of poultry houses and storage of clean surface water from building roofs in separate tanks.	Temporary storage of wash down water and clean surface water at both poultry House 1, House 2 and House 3. Four storage tanks in total each with a capacity of 2,000 gallons (two tanks for dirty water and two for clean water).
Fuel Tanks	Storage of fuel in bunded tanks.	A maximum of 500 litres of fuel to be kept in the bunded fuel tanks.
Standby Generator	Provision of contingency electrical power in the event of a loss of external supply.	From receipt of raw materials and fuels, to release of combustion products to air and associated wastes removed from site.
Feed Silos	Feed storage	Feed to be delivered by UKASTA accredited feed mill and blown into bulk feed bins adjacent to the poultry houses. The feed is taken from the feed bins into the houses and distributed to the pullets via a pan feeding system.

Together, these listed and directly associated activities comprise the Installation.

## European Directives

All applicable European directives have been considered in the determination of the application.

## The site

The installation is situated in a rural area approximately 1 km east of the village of Llanfair Caereinion, near Welshpool. The surrounding land is primarily agricultural with isolated woodlands. There will be three poultry houses with a maximum capacity of 114,000 pullets which will be managed in accordance with Best Available Techniques (BAT) standards.

The three poultry houses will be situated on agricultural land and the operator has provided a plan which we consider satisfactory, showing the extent of the site. A plan is included within the permit and the operator is required to carry out the permitted activities within the site boundary.

## Site condition report

The operator has provided a description of the condition of the site. The report covers general site description, immediate location, topography and drainage; geology and hydrogeology; hydrology; pollution history (including details of any historical contamination).

We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5).

## 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 wildlife sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the wildlife sites.

The following sites have been considered:

Ancient Woodlands (within 2km)

33 areas of ancient woodland within 2km of the site

SSSI (within 5km)

Gweunydd Ger Fronhaul SSSI

Cors Cefn Llwyd SSSI

Coed Ty-Mawr SSSI

Afon Banwy Ger Mathrafal SSSI

Ffridd Mathrafal Track Section SSSI

Coed Byrwydd SSSI

There are no SAC, SPA and Ramsar sites within 5km of the installation.

A CRoW Appendix 4 form was completed and forwarded to our internal Natural Resource Management (NRM) team for consultation and notification. No concerns were raised with regards to ammonia emissions at any of the relevant wildlife sites following this internal Habitats consultation. Our conclusion is that the proposal is not likely to have a significant effect on any of these sites.

## **Environmental Risk Assessment**

### **Air**

This section of the decision document deals primarily with the dispersion modelling of emissions to air from the facility and its impact on local air quality.

The applicant has assessed the Installation's potential emissions to air against the relevant air quality standards. These assessments predict the potential effects on local air quality from the installation. We are in agreement with this approach. The assumptions underpinning the model have been checked and are reasonably precautionary. The way in which the Applicant used dispersion models, its selection of input data, use of background data and the assumptions it made have been reviewed by Natural Resources Wales to establish the robustness of the Applicant's air impact assessment.

As part of their application, the operator submitted a report on the modelling of the dispersion and deposition of ammonia from the three poultry buildings.

The details of the predicted annual mean ammonia concentrations at each receptor were provided, including those that would lead to a nitrogen deposition rate in excess of the higher and lower Natural Resources Wales thresholds.

Detailed modelling was undertaken on the Cors Cefn Llwyd SSSI and Coed Ty-Mawr SSSI where the preliminary modelling indicated that the annual mean ammonia concentrations or nitrogen deposition rates would potentially exceed the 1% lower threshold of the Critical Level ( $1.0 \mu\text{g-NH}_3/\text{m}^3$ ).

The detailed modelling undertaken concluded that for the sites considered, the process contribution to the annual ammonia concentration and the nitrogen deposition rate would be below the Natural Resources Wales lower threshold percentage of Critical Level or Critical Load (1% for a SSSI).

#### Emission limits

We have decided that it is not relevant to set emission limits for the parameters listed in the permit.

#### Water

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent pollution of ground and surface water.

It is not expected that the installation will discharge any material to local bodies of ground or surface water.

#### Emission limits

We have decided that it is not relevant to set emission limits for the parameters listed in the permit.

#### Soil

An impermeable surface and drainage system will ensure that cleaning water from the poultry houses will be collected in underground storage tanks. Diversion bungs will be used during wash down periods to prevent the contamination of clean surface water and to ensure that wash water is collected within the storage tanks. Drainage from the

yards contaminated by litter or wash water will be collected within the storage tanks. Clean surface water will also be collected within separate underground storage tanks. The storage tanks will be constructed to the specifications in SGN EPR6.09 *“How to Comply with your Permit for Intensive Farming”*.

The fuel oil storage tank for the generator is bunded which will meet the requirements of the Water Resource (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO Regulations) and meets the requirements of SGN EPR6.09 *“How to Comply with your Permit for Intensive Farming”*. All chemical storage will also be to this requirement.

Feed will be kept in silos adjacent to the poultry houses and no liquid feed is to be stored at the site.

We consider this description satisfactory. The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5).

### Odour

This section of the decision document deals primarily with the dispersion modelling of odour from the facility and its impact on nearby receptors.

The applicant has assessed the Installation’s potential odour emissions against the relevant odour standards, and the potential impact upon nearby receptors. We are in agreement with this approach. The assumptions underpinning the model have been checked and are reasonably precautionary. The way in which the applicant used dispersion models, its selection of input data, use of background data and the assumptions it made have been reviewed by Natural Resources Wales Air Quality and Risk Assessment Specialists to establish the robustness of the Applicant’s odour impact assessment.

As part of their application the operator submitted a report detailing the impact of odour from the three poultry houses. The modelling indicated that the 98<sup>th</sup> percentile hourly mean odour concentration would be below the Natural Resources Wales benchmark for moderately offensive odours. This is a maximum annual 98<sup>th</sup> percentile hourly

mean concentration of 3.0 ouE/m<sup>3</sup>, for which the modelling indicated was below this value for the site.

We are satisfied that the risk of odour pollution at nearby receptors is not significant. It is recognised that this modelling only represents the expected odour concentrations for 98% of the time and that odours may be higher for the remaining 2% of the time. Natural Resources Wales is not able to ensure that odour impacts on nearby receptors are reduced to zero, but is determined to ensure that they are minimised.

The applicant has submitted an odour management plan (OMP) for the installation as required by EPR 6.09 because there are sensitive receptors within 400m of the installation. The OMP describes the measures and controls in place to minimise odour and includes twice daily checks. We have compared the measures proposed for the site to the Best Available Techniques (BAT) standards in EPR 6.09 *“How to Comply with your Permit for Intensive Farming”* and are satisfied that the techniques represent appropriate measures for the installation. The OMP has been incorporated into the operating techniques section of the permit.

Permit condition 3.3.1 requires that emissions from the activities are free from odour at levels likely to cause pollution outside the site, as perceived by an officer of Natural Resources Wales. We are satisfied that this condition will be sufficiently protective in conjunction with the measures described by the applicant for minimising odour production at the installation.

### Noise

The applicant has submitted a noise management plan (NMP) for the installation as required by EPR 6.09 *“How to Comply with your Permit for Intensive Farming”* because there are sensitive receptors within 400m of the installation. Potential sources of noise include vehicles travelling to and from the site and ventilation fans. The NMP describes the measures and controls in place to minimise noise and includes twice daily inspections of the site. We have compared the measures proposed for the site to the BAT standards in EPR 6.09 and are satisfied that the techniques represent appropriate measures for the installation. The NMP has been incorporated into the operating techniques section of the permit.

Permit condition 3.4.1 requires that emissions from the activities are free from noise at levels likely to cause pollution outside the site, as perceived by an officer of Natural Resources Wales. We are satisfied that this condition will be sufficiently protective in conjunction with the measures described by the applicant for minimising noise production at the installation.

### **Fugitive emissions**

Appropriate measures for preventing and minimising fugitive emissions will be in place in accordance with the SGN EPR 6.09, including:

- Buildings will be maintained in good repair.
- Areas around buildings will be kept free from build-up of manure, slurry and spilt feed.
- Footbaths will be managed so that they do not overflow.
- Drainage from animal housing and water from cleaning out will be collected in an underground storage tank as shown on the site drainage plan.

With regards to dust:

- Ventilation systems are operated to achieve optimum humidity levels for the stage of production in all weather and seasonal conditions.
- Feed will be stored in purpose built covered feed silos located next to the poultry sheds.
- No milling of feed will take place at the farm. All mixing of whole wheat with propriety feeds will be in a sealed steel shed. All feed will be delivered to the farm by lorry from feed suppliers. Feed will be blown directly from the lorry into the storage silos. Feed will be piped from the silos to the sheds minimising dust emissions.
- The sheds will be managed to maintain the poultry litter is as dry and friable condition as possible. Dust will be controlled through the management of litter and air quality.

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise fugitive emissions, including dust, and to prevent pollution from fugitive emissions.

### **Monitoring**

No monitoring is required from the point source emissions on site. We made this decision in accordance with EPE 6.09 *“How to Comply with your Permit for Intensive Farming”*.

### **Operating techniques**

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. We are satisfied that the techniques represent appropriate measures for the installation in line with BAT standards in EPR 6.09.

### **The permit conditions**

#### **Use of conditions other than those from the template**

Based on the information in the application, we do not consider that we need to impose conditions other than those in our permit template.

#### **Raw materials**

We have specified limits and controls on the use of raw materials and fuels.

#### **Waste types**

No waste types can be accepted at the regulated facility.

#### **Pre-operational conditions**

Based on the information in the application, we do not consider that we need to impose pre-operational conditions.

#### **Conditions where the consent of another person is needed.**

Based on the information submitted in the application, we do not consider that it is necessary to impose conditions where the consent of another person is needed.

#### **Incorporating the application**

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.

These descriptions are specified in the Operating Techniques table in the permit.

### **Operator Competence**

#### **Environment management system**

The application document, 'Environmental Management System Summary', gives a summary of the EMS system that will be in place before operations commence. It will cover normal operations, maintenance schedule and records, incidents and abnormal operations, complaints system, accidents, training, and site security.

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.

#### **Technical competence**

Technical competency is not required for the activities permitted.

#### **Relevant convictions**

Our Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found.

The operator satisfies the criteria in RGN 5 on Operator Competence.

#### **Financial provision**

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.

## ANNEX 1: Consultation Responses

### Advertising and Consultation on the Application

The Application has been advertised and consulted upon in accordance with Natural Resources Wales Public Participation Statement (PPS). The way in which this has been carried out along with the results of our consultation and how we have taken consultation responses into account in reaching our draft decision is summarised in this Annex. Copies of all consultation responses have been placed on Natural Resources Wales public register.

#### 1) Consultation Responses from Statutory and Non-Statutory Bodies

One response was received from Statutory and Non-Statutory Bodies.

Response Received from Powys County Council Environmental Health Officer	
Brief summary of issues raised:	Summary of action taken / how this has been covered
Clarification on whether the permit process will consider the impact of spreading manure on land where private water supplies are located/or within 50m?	This is technically an off-site issue as it is outside of the installations permit boundary. The applicant has however submitted a Manure Management Plan which addresses this concern.

#### 2) Consultation Responses from Members of the Public and Community Organisations

No responses were received from members of the public and community organisations.

Guidance on the interaction between planning and pollution control is given in PPS23 / Planning Policy Wales. It says that the planning and pollution control systems are separate but complementary. We are only able to take into account those issues, which fall within regulatory scope of the Environmental Permitting Regulations.

**a) Representations from Local MP, Assembly Member (AM), Councillors and Parish / Town / Community Councils**

No responses were received from representations from local MP, AM, Councillors and Parish/Town/Community Councils.

**b) Representations from Community and Other Organisations**

No responses were received from Community and Other Organisations.

**c) Representations from Individual Members of the Public**

No responses were received from Individual Members of the Public.