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Natural Resources Wales permitting decisions

**D. J. Huxley (Farms) Ltd
Lower Mulsford**

Decision Document

Variation

The variation number is: **EPR/AB3899CJ/V002**
The Applicant / Operator is: **D. J. Huxley (Farms) Ltd**
The Facility is located at: **Lower Mulsford, Sarn, Malpas, Wrexham, SY14 7LP**

We have decided to issue the variation for Lower Mulsford operated by D. J. Huxley (Farms) Ltd.

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

- Table of contents
- Key issues

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Key issues of the decision

1 Our decision

We consider that, in reaching that decision, we have taken into account all relevant considerations and legal requirements and that the permit will ensure that a high level of protection is provided for the environment and human health.

This Application is to operate a regulated facility which is subject principally to the Environmental Permitting Regulations 2016 ('EPR') and is subject to the requirements of 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 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.

2 How we reached our decision

2.1 Receipt of Application

The Application was accepted as duly made on 14/07/21. This means we considered it was in the correct form and contained sufficient information for us to begin our determination, but not that it necessarily contained all the information we would need to complete that determination.

The Applicant made a claim for no claim for commercial confidentiality. We have not received information in relation to the Application that appears to be confidential in relation to any party.

2.2 Consultation on the Application

There was no requirement to carry out a consultation on the Application.

3 The Legal Framework

The variation will be issued, under Regulation 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- An installation as described by the IED;
- Subject to aspects of the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016 which also have to be addressed.

We address the legal requirements directly where relevant in the body of this document. NRW is satisfied that this decision is consistent with its general purpose of pursuing the sustainable management of natural resources (SMNR) in relation to Wales and applying the principles of SMNR. In particular, NRW acknowledges that it is a principle of sustainable management to take action to prevent significant damage to ecosystems. We consider that, in granting the Permit a high level of protection will be delivered for the environment and human health through the operation of the Facility in accordance with the permit conditions.

4 The Facility

4.1 Description of the Facility and related issues

4.1.1 The permitted activities

The Installation is subject to the EPR because it carries out an activity listed in Schedule 1 Part 2 of the EPR:

- Section 6.9 Part A(1)(a)(i) Rearing poultry in an installation with more than 40,000 places.

An installation may also comprise “directly associated activities”, which at this Installation include:

- Dirty water storage
- Ground Source Heat Pump
- Carcass Incineration

- Feed silos
- Fuel storage

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

4.1.2 The Site

The site lies to the south west of Threapwood, approximately 4km east of Bangor-on-Dee at grid reference SJ 43431 45004. The surrounding area is hilly with some woodland. The predominant land use is grassland and grazing.

The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. In addition, the operator has provided a site layout/drainage plan which includes discharge points.

A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.

4.1.3 What the Installation does

The facility comprises of two poultry houses, with capacity for 106,000 broiler birds. The birds will be brought in from the hatchery and then transported to a processing plant at the end of the cycle. The average crop cycle will be approximately 39 days plus 7 days to disinfect, clean and prepare for the next crop. When the birds reach around five weeks old a 'thinning' takes place. When the birds are around six weeks old the remainder are collected and removed from site. The bird removal takes place over one to two days. This will be done on an all-in, all-out basis.

4.2 Operation of the Installation – general issues

4.2.1 Administrative issues

The Applicant is the sole Operator of the Installation. We are satisfied that the Applicant is the person who will have control over the operation of the Installation will be able to operate the Installation so as to comply with the conditions included in the Permit.

Relevant Convictions

NRW's COLINS Database has been checked to ensure that all relevant convictions have been declared.

No relevant convictions were found.

4.2.2 Management

The Applicant has stated in the Application that they will implement an Environmental Management System (EMS) that will meet the requirements for an EMS in our "*How to comply with your environmental permit guidance*". The Applicant submitted a summary of the EMS with their application which included sections on normal operations, maintenance schedule and records, incidents and abnormal operations, complaints system, accidents, training and site security.

All written management systems will be subject to regular review by the Operator.

We are satisfied that appropriate management systems and management structures will be in place for this Facility, and that sufficient resources are available to the Operator to ensure compliance with all the Permit conditions.

4.2.3 Operating techniques

Prior to the arrival of the day-old chicks, the polished concrete floor in each house are converted with wood shavings (or equivalent) to a depth of 20mm using a 'litter spreader'; this allows the floor to breathe and release moisture thus enhancing environmental conditions inside the poultry house. This proposed depth of litter complied with the Red Tractor Assured Poultry Standards. The houses are pre-warmed to 31°C using space heaters fed from the Ground Source Heat Pump. Sufficient feed (starter pellets) is delivered from a separately owned feed mill and stored in the fully enclosed feed bins which are protected from collision damage and positioned to the front of the buildings. Once the site is prepared the chicks are delivered from a hatchery and placed in the sheds. Ventilation is provided by side inlets and roof extraction via a number of fan outlets on the ridgeline. Additional ventilation (during exceptionally hot weather) is provided by rear gable-end extraction fans. Water is provided via nipple drinkers which are designed to minimise spillage.

Diets are formulated according to the birds' requirements and the stage of growth. Protein and phosphorus levels are reduced over the growing period. At the start of the crop cycle they are fed with starter pellets. The feed gradually changes to 'grower' mix and later to 'finisher' mix to reflect the needs of the birds as they grow. Feed is stored in the feed bins between the sheds and automatically dispensed to feeders evenly located throughout the shed.

Bird mortalities are removed each day and the numbers are recorded. The carcasses are held in covered, vermin-proof sealed containers prior to being frequently incinerated using an on-site incinerator designed for this purpose.

At the end of the growing period the used litter is immediately taken away from the site in covered vehicles and taken to a local Anaerobic Digester plant which it will be used as a feed stock to produce electricity as a renewable energy source.

These measures are intended to maintain bio security, reduce the production and emissions of ammonia, dust and odours and to prevent liquid washing escaping to the environment.

We have reviewed the techniques proposed 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.

5 Minimising the Facility's environmental impact

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. All these factors are discussed in this and other sections of this document.

For an installation of this kind, the principal emissions are:

- Ammonia
- Dust
- Odour
- Noise

- Effluent discharges

5.1 Assessment of Impact on Air Quality

Air quality modelling was not required as part of this variation to the permit.

6 Setting ELVs and other Permit conditions

6.1 Monitoring

Article 14(3) of the Industrial Emissions Directive (IED) states that BAT conclusions shall be the reference for setting the permit conditions to installations covered by the Directive. As a result of the Commission Implementing Decision (EU) 2017/302 of 15 February 2017 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the intensive rearing of poultry or pigs, the format of our Permit for the intensive farming sector has been updated. Appendix 1 of the Permit sets out generic conditions which apply to all sites. Appendix 2 sets out site specific conditions based on the activities being carried out.

6.2 Monitoring

Monitoring should be carried out for the parameters listed in Appendix 1, Schedule 3 of the permit using the methods and to the frequencies specified in Table S3.1 for laying hens. These monitoring requirements have been introduced in order to demonstrate compliance with the best available techniques (BAT) conclusions for the intensive rearing of poultry or pigs, as set out in the Commission Implementing Decision (EU) 2017/302 of 15 February 2017.

No monitoring is required from the point source emissions on site.

6.3 Reporting

We have specified reporting requirements in Appendix 2, Schedule 4 of the Permit to ensure compliance with permit conditions and to monitor the efficiency of farming activities at the site in line with BAT. We made this decision in accordance with EPR 6.09 *“How to Comply with your Permit for Intensive Farming”*.