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Natural Resources Wales permitting decisions

**Mr Daniel Beamond
Gorn Poultry Unit**

Decision Document

Bespoke permit

The application number is: PAN-001390

The Applicant / Operator is: Mr Daniel Beamond

The Installation is located at: Gorn Poultry Unit, Gorn, Gorn Road, Llanidloes, Powys, SY18 6LA.

We have decided to grant the permit for Gorn Poultry Unit operated by Mr Daniel Beamond.

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
- Annex 1 the consultation, web publicising responses

Table of Contents

Contents

Bespoke permit	2
The application number is: PAN-001390	2
The Applicant / Operator is: Mr Daniel Beamond	2
The Installation is located at: Gorn Poultry Unit, Gorn, Gorn Road, Llanidloes, Powys, SY18 6LA.	2
Purpose of this document	2
Structure of this document.....	2
Table of Contents	3
Contents	3
Key issues of the decision.....	5
1 Our decision	5
2 How we reached our decision	5
2.1 Receipt of Application	5
2.2 Consultation on the Application	5
3 The Legal Framework.....	6
4 The Installation	6
4.1 Description of the Installation and related issues	6
4.2 The site and its protection	7
4.3 Operation of the Installation – general issues	8
5 Minimising the Installation’s environmental impact.....	9
5.1 Assessment of Impact on Air Quality	10
5.2 Assessment of odour impact.....	10
5.3 Assessment of impact to surface and ground water	11
During clean out all dirty water will be collected in two 5,000 litre below ground tanks. This has a simple, clearly marked, diverter valve which comprises of two pipes: one for the dirty water marked in Red, and one for rainwater marked in Blue. All rainwater enters the blue pipe and is discharged to the soak-away	11
5.4 Fugitive emissions	11
5.5 Noise Assessment	11
5.6 Impact on Habitats sites, SSSIs, non-statutory conservation sites etc.....	11
6 Setting ELVs and other Permit conditions	12
6.1 Translating BAT into Permit conditions	12
6.2 Monitoring	13
6.3 Reporting	13

ANNEX 1: Consultation Reponses.....	14
A) Advertising and Consultation on the Application	14
1) Consultation Responses from Statutory and Non-Statutory Bodies.....	14
2) Consultation Responses from Members of the Public and Community Organisations	14
a) Representations from Local MP, Assembly Member (AM), Councillors and Parish / Town / Community Councils	14
b) Representations from Community and Other Organisations.....	14
c) Representations from Individual Members of the Public	14

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 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 Regulations 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 received on 15th March 2017 and was duly made on 15 March 2017. 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.

2.2 Consultation on the Application

We carried out consultation on the Application in accordance with the EPR, our statutory Public Participation Statement (PPS).

We advertised the Application by a notice placed on our website, which contained all the information required by the IED, including telling people where and when they could see a copy of the Application.

A copy of the Application and all other documents relevant to our determination (see below) 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”:

- Powys County Council Planning Authority
- Powys County Council Environmental Protection Department

- Food Standards Agency
- Health Protection Agency
- Public Health Wales

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

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.

3 The Legal Framework

The Permit will be granted, under Regulation 13 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;

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 in relation to Wales, and applying the principles of sustainable management of natural resources. 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 Installation in accordance with the permit conditions.

4 The Installation

4.1 Description of the Installation and related issues

4.1.1 The permitted activities

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

- Dirty Water Tank

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

4.1.2 The Site

The site of the proposed free range egg laying chicken houses at Gorn is in an isolated rural area. The surrounding land is used primarily for livestock farming, with some areas of semi-natural woodlands and grassland. The site is atop a hill at an altitude of around 310 m with The River Severn Valley to the north and west and hills and mountains to the south and east. It lies approximately 1.5km East of Llanidloes, Powys, at grid reference SN 97178 84520.

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 installation will comprise of two poultry houses, accommodating a maximum of 64,000 birds for the production of free range eggs.

Birds will be housed at point of lay and depopulated at the end of the bird's egg laying cycle, this will be done on an all-out all in basis. There will be approximately one cycle per annum. Birds are allowed to range by means of pop holes at the base of sides of the houses.

4.2 The site and its protection

4.2.1 Proposed site design: potentially polluting substances and prevention measures

Ventilation is controlled by temperature, extraction fans are high velocity roof mounted. The birds themselves generate sufficient heat to negate the need for any additional heating.

Water is via a nipple drinking system fitted with cups to reduce leakage and spills leading to drier litter.

Feed is augered into the houses and distributed to the birds via a pan feeding system. Manure belts are operated twice weekly removing litter from the houses. It is then spread on land that is not owned by the operator.

4.2.2 Closure and decommissioning

Permit condition 1.1.1 requires the Operator to have a written management system in place which identifies and minimises risks of pollution including those arising from closure.

At the definitive cessation of activities, the Operator has to satisfy us that the necessary measures have been taken so that the site ceases to pose a risk to soil or groundwater, taking into account both the baseline conditions and the site's current or approved future use. To do this, the Operator has to apply to us for surrender, which we will not grant unless and until we are satisfied that these requirements have been met.

4.3 Operation of the Installation – general issues

4.3.1 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 if the Permit were to be granted; and that the Applicant will be able to operate the Installation so as to comply with the conditions included in the Permit, if issued.

4.3.2 Relevant convictions

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

4.3.2 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 includes; Normal Operations, Maintenance Schedule Recording, Incidents and Abnormal Operations, Complaints, Accident/Emergency Plan, Training, Installation Plans 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 Installation, and that sufficient resources are available to the Operator to ensure compliance with all the Permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.

4.3.4 Accident management

In order to ensure that the management system proposed by the Applicant sufficiently manages the residual risk of accidents, permit condition 1.1.1a requires the implementation of a written management system which addresses the pollution risks associated with, amongst other things, accidents.

4.3.3 Site security

Site does not have a secure boundary fence, poultry houses and all store rooms are kept locked and secure, preventing any unauthorised access.

Having considered the information submitted in the Application, we are satisfied that appropriate infrastructure and procedures will be in place prior to start up to ensure that the site remains secure.

4.3.4 Operating techniques

Before bird arrival the house floors will be covered to a sufficient depth of bulk shavings. Temperature and humidity will be closely monitored on a daily basis to achieve bird comfort and a relative humidity of 55-60%, this should achieve litter with a dry matter content of between 60-70%, which is important to minimising emissions. Ventilation is controlled by temperature, extraction fans are high velocity roof mounted. The birds themselves generate sufficient heat to negate the need for any additional heating.

Birds are fed a minimum of three diets during their cycle, with gradually reducing levels of protein and phosphorous as bird age increases.

Feed is delivered from a UKASTA accredited feed mill and blown into bulk feed bins situated adjacent to the houses, from the feed bins the feed is augered into the houses and distributed to the birds via a pan feeding system.

At depletion any remaining litter will be removed from the site and used on operator controlled land with any surplus sold to third parties. The site will then be pressure washed, disinfected and dried out prior to the cycle beginning again. All wash waters will be contained in a sealed underground tank.

4.3.5 Energy efficiency

We are satisfied that the Applicant will ensure that energy is used in the most efficient way possible.

4.3.6 Avoidance, recovery or disposal of wastes produced by the activities

Manure belts are operated twice weekly removing litter from the houses. The litter belts will be covered in this process.

At depletion any remaining litter will be removed from the site and used on operator controlled land with any surplus sold to third parties.

Fallen stock will be recorded daily and securely stored in vermin proof containers awaiting regular collection by a licenced renderer.

5 Minimising the Installation'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

The next sections of this document explain how we have approached the critical issue of assessing the likely impact of emissions from the Installation on human health and the environment and what measures we are requiring to ensure a high level of protection.

5.1 Assessment of Impact on Air Quality

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

The Applicant has assessed the Installation's potential emissions to air against the relevant air quality standards, and the potential impact upon human health. These assessments predict the potential effects on local air quality from the Installation's stack emission.

5.2 Assessment of odour impact

The applicant has submitted detailed dispersion modelling of the impact of odour from the proposed facility.

H4 Odour Management guidance explains that the odour benchmarks are based on the 98th percentile of hourly average concentrations of odour modelled over a year at the site/installation boundary. The benchmarks are:

- 1.5 odour units for most offensive odours
- 3 odour units for moderately offensive odours
- 6 odour units for less offensive odours

Odours from poultry rearing are usually placed in the moderately offensive category. Therefore, for their modelling the applicant has used the benchmark of 3.0 OU_E/m³ to assess the potential impact of odour on nearby sensitive receptors.

The applicant has provided an Odour Report in their application and this concludes that the odour levels will not exceed the Environment Agency's benchmark for moderately offensive odours of 30OU_E/m³

Odour is controlled at intensive agriculture sites in several ways, from the design of the building to the handling of manure. Permit condition 3.3.1 requires that emissions from the activities are free from odour at levels likely to cause pollution outside the

site. 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.

The applicant has submitted an odour management plan (OMP) for the installation as required by EPR 6.09 "*How to Comply with your Permit for Intensive Farming*" because there are sensitive receptors within 400 metres of the installation. The OMP describes the measures and controls in place to minimise odour and includes twice daily olfactory checks. 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 OMP has been incorporated into the operating techniques section of the permit.

5.3 Assessment of impact to surface and ground 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.

During clean out all dirty water will be collected in two 5,000 litre below ground tanks. This has a simple, clearly marked, diverter valve which comprises of two pipes: one for the dirty water marked in Red, and one for rainwater marked in Blue. All rainwater enters the blue pipe and is discharged to the soak-away

5.4 Fugitive emissions

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 and to prevent pollution from fugitive emissions.

5.5 Noise Assessment

A risk assessment of the potential impact of noise from the site on nearby sensitive receptors has been carried out by the applicant. Potential sources of noise include ventilation fans, feed delivery lorries, egg collection, feeding systems, alarm systems, bird catching, clean out operations, maintenance & repairs, set up and placement..

Because there are sensitive receptors within 400 metres of the installation. 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*". The NMP describes the measures and controls in place to minimise noise and includes twice daily inspections of the site.

5.6 Impact on Habitats sites, SSSIs, non-statutory conservation sites etc

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

SAC (within 10km)

Coedydd Llawr-y-Glyn (SAC EU Code UK0030119) – 6.7km North West

River Wye (SAC EY Code UK0012642) – 7.9km South West

SSSI (within 5km)

Coed Mawr SSSI is located approximately 4.2km South West

Coed Hafod-Fraith SSSI is located approximately 4.5km South East

Coed Craig-lar SSSI is located approximately 4.5km South-South East

Several Ancient Semi Natural Woodland (within 2km)

The applicant has carried out detailed modelling of the potential impact of dispersion and deposition of Ammonia from the site.

The modelling predicts that should the proposed poultry unit at Gorn proceed, assuming the strictest Critical Level of $1.0 \mu\text{g-NH}_3/\text{m}^3$, there would be exceedances of 100% (the Environment Agency's upper and lower threshold for non-statutory sites) of the Critical Level over approximately 0.90 ha of the unnamed Ancient woodland (AW) directly to the north-north-east of the poultry houses.

Data held in our data and mapping system (MyMap) show the woodland in concern as a "Ancient Woodland Site of Unknown Category" and is surrounded by a "Plantation on Ancient Woodland Site" (PAW). Aerial photos from both MyMap and Google maps show that the ancient woodland site of an unknown category has been cut down with the trees in the PAW.

PAW sites have less diversity and are not likely to have any protected species living in the area. It is therefore appropriate to use a higher Critical Level of $3 \mu\text{g-NH}_3/\text{m}^3$ and against this threshold the ammonia level is approximately 55%, which is acceptable

The same can also be said about the Critical Load of the site, as explained above we can apply the higher maximum load of 20kgN/ha/yr (from APIS).

At all the other non-statutory sites the process contribution will not be exceeded.

6 Setting ELVs and other Permit conditions

6.1 Translating BAT into Permit conditions

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 and laying hens in non-caged housing. 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.

ANNEX 1: Consultation Responses

A) Advertising and Consultation on the Application

The Application has been advertised and consulted upon in accordance with Natural Resources Wales Public Participation Statement.

1) Consultation Responses from Statutory and Non-Statutory Bodies

Response Received from	
Brief summary of issues raised:	Summary of action taken / how this has been covered
None	N/A

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

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

Response Received from	
Brief summary of issues raised:	Summary of action taken / how this has been covered
None	N/A

b) Representations from Community and Other Organisations

Response Received from	
Brief summary of issues raised:	Summary of action taken / how this has been covered
None	N/A

c) Representations from Individual Members of the Public

Response Received from	
Brief summary of issues raised:	Summary of action taken / how this has been covered
None	N/A

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Page 15 of 15