

**Natural Resources Wales permitting decisions**

# Decision Document – Langstone Farm

## Variation

**The application number is: EPR/RP3932MF/V004**

**The Applicant / Operator is: Richard Howat, Alan Howat, John Howat, Ian Howat, and Christine Howat**

**The Installation is located at: Langstone Poultry Farm, Langstone, Catbrook, Chepstow, Gwent, NP16 6ND.**

We have decided to issue the variation for Langstone Poultry Farm operated by Richard Howat, Alan Howat, John Howat, Ian Howat, and Christine Howat.

The variation number is EPR/RP3932MF/V004.

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

Variation .....	2
The application number is: EPR/RP3932MF/V004 .....	2
The Applicant / Operator is: Richard Howat, Alan Howat, John Howat, Ian Howat, and Christine Howat .....	2
The Installation is located at: Langstone Poultry Farm, Langstone, Catbrook, Chepstow, Gwent, NP16 6ND. ....	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
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 .....	11
6.1 Translating BAT into Permit conditions .....	11
6.2 Monitoring .....	12
6.3 Reporting .....	12
ANNEX 1: Consultation Reponses.....	13
A) Advertising and Consultation on the Application .....	13
1) Consultation Responses from Statutory and Non-Statutory Bodies.....	13

2) Consultation Responses from Members of the Public and Community Organisations.....	13
a) Representations from Local MP, Assembly Member (AM), Councillors and Parish / Town / Community Councils .....	13
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 accepted as duly made on 19 April 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) and our Regulatory Guidance

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”:

- Monmouthshire County Council Planning Authority
- Monmouthshire 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 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;

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.

#### 4.1.2 The Site

The site lies to the East of Catbrook, approximately 10km South of Monmouth at a grid reference SO 50570 02850.

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.

The site plan has been updated to reflect the removal of the existing Directly Associated Activity, a carcass incinerator (which has already been dismantled) and to show the proposed location of the new feed silos. There is no change proposed to the overall site boundary.

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

Currently the farm is permitted for 60,000 laying hens and are accommodated in four houses. The applicant wishes to increase the number of birds to 135,000. He also wishes to change the birds to pullets, which would be reared from day old chicks up to the age of around 16 weeks old, prior to transfer to egg laying units elsewhere. Sheds 1 and 2 will be updated to meet modern standards, while sheds 3 and 4 have recently been re-insulated to meet current standards. The houses are currently ventilated using cowled side mounted fans; under the proposal the side fans would be replaced with Climatec side mounted stacks, which include high speed axial fans and are designed to replace older style side fans.

### 4.2 The site and its protection

#### 4.2.1 Proposed site design: potentially polluting substances and prevention measures

Ventilation will be controlled automatically by a state of the art Climatec System to maintain the optimum shed temperature between 19-21°C until the birds are 16 weeks old. The birds are then removed from the sheds to be supplied to free range egg laying units.

All sheds will be fitted with pan feeders, chain feeders and nipple drinkers supplied via Daulton Engineering. All sheds will be fitted with the appropriate number of feeders and drinkers to meet RSPCA and Freedom Foods standards. Each shed will have two 16 tonne metal Roxel feed silos supplied by Welfed systems.

#### 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.

### 4.3.3 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 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 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.

### 4.3.5 Site security

The site has a secure perimeter fence and all gates are locked whenever possible to prevent unneeded pedestrian and vehicle access. All sheds are locked at all times when unoccupied by a member of staff. There are no public rights of way through the site.

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.



#### 4.3.6 Operating techniques

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.

The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility.

#### 4.3.7 Energy efficiency

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

#### 4.3.8 Avoidance, recovery or disposal of wastes produced by the activities

At the end of each crop all the litter will be removed from the sheds and exported off site in accordance with Duty of Care requirements to a nearby on-farm anaerobic digestion site (Plusterwine Anaerobic Digester Environmental Permit reference. EPR/DB3104LB) for treatment.

All dead birds are recorded before being stored in a refrigerated container, to reduce the potential for odour, prior to collection by A R Edwards & Son who collect carcasses under the fallen stock scheme (membership number 2002137).

### 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

The applicant has carried out a risk assessment identifying potential risks to human health including dust and ammonia. Operating procedures have been put in place to minimise the risks, in line with BAT procedures. It is considered that if the site is operated in line with these procedures, there is no significant risk to human health as a result of activities at the site.

Due to the difference in the ammonia emission factor levels from pullets and broilers (0.06 for pullets and 0.20 for broilers) there will be a reduction of approx. 3,9000kg NH<sub>3</sub> over the year. From previous variations during the determination process the ammonia emissions had been assessed and it was concluded that the installation is unlikely to cause damage to local nature reserves. As the emissions will be lower, again we have concluded the installation will have an unlikely effect on local nature reserves.

## 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 98<sup>th</sup> 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<sub>E</sub>/m<sup>3</sup> 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 3ou<sub>E</sub>/m<sup>3</sup>

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 the existing 18,000 litre below ground tank. 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. All dirty water is and treated in the Plusterwine Anaerobic Digester.

### **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 vehicles travelling to and from site, ventilation fans and feed transferring from lorries to bins.

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**

HRA is not required because there is no conceivable impact pathway to any Natura 2000/Ramsar site. As mentioned above due to the lower ammonia levels there will be no conceivable impact pathway to any Natura 2000/Ramsar site.

## **6 Setting ELVs and other Permit conditions**

### **6.1 Translating BAT into Permit conditions**

Article 14(3) of IED states that BAT conclusions shall be the reference for permit 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

#### 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