

From: Cummins, Kate
Sent: 29 November 2021 19:08
To: John Pinder
Cc: Lloyd, Anne
Subject: EPR/GP3001LP/A001 Broxty Farm - not duly made request for further information

Dear John,

I have now taken an initial look at the application and supporting documents and need some further information and additional fees before I can accept the application as duly made.

1. Installation and operator address

The postcode for the installation should be CA17 4ER, not CA17 4ES as stated in the application form Part B3.5. Can you please confirm you agree with this. Also CA17 4ER is the postcode is for Broxty House – is that the correct address for the applicants’ principal office (there is a Buckles House, Barras at CA17 4ES)? *(Please note for future reference, we do not need Parts A and F1 for intensive farming new bespoke applications, form Part B3.5 is a complete form covering the appropriate information required).*

2. Ammonia modelling

There are several points which need to be addressed and we require a revised detailed ammonia modelling report to be submitted accordingly (the air impact assessment also covers NOx emissions which we will not assess in this application):

- a) The assessment has only considered ammonia emissions from the poultry housing; no area source ammonia emissions have been considered for ranging birds or emissions from manure storage within the installation boundary. Please justify your approach with regards to the modelling of the ranging birds and also include relevant sources for manure storage in your modelling assessment. *Please note, for the ranging area, we assume an emission factor of 0.21 kg NH₃/animal place /year and the birds will be ranging outside for 20% of the time, and for litter storage we assume an emission factor of 2.38 kg NH₃/tonne/year based on the maximum capacity stored at any one time, including from trailers collecting daily belt removal litter and any proposed bespoke manure store, as mentioned in document BF 2.*
- b) The modelling report does not include assessment of ammonia impacts on Coldkeld Wood ancient woodland (nearest point at grid reference 382943, 511050) or Holme and Blackscar Woods ancient woodland (nearest point 383097, 511380), as indicated in pre-application advice provided previously, dated 08/03/2021. In addition, it only considers the process contributions at one receptor point for Belah Woods and Pastures SSSI, to the south of the installation, and we would expect to see some further receptor points considering the impact on the SSSI, at its nearest points to the east and north of the farm. Please include these in the revised ammonia modelling. *Whilst parts of both ancient woodlands are overlapping with Belah Woods and Pastures SSSI, there are areas which do not and therefore consideration should be given to these ancient woodlands in the report. It has been noted that the receptor point chosen for Belah Woods and Pastures SSSI is closer than that of Coldkeld Wood, however there doesn’t appear to be receptor points close to Holme and Blackscar Woods, and in addition we would expect to see more than one point chosen for Belah Woods and Pastures SSSI, including where it overlaps with Holme and Blackscar Woods, given that the SSSI extends round from the receptor point chosen, to the east and north, and the predominant wind direction appears to be from the south west.*
- c) Using the NH₃ emission rates stated in table 5.4 and the proposed mitigation reduction percentages, it has not been possible to confirm that the emission factor for the aviary housing system of 0.08 kg NH₃/animal place/year has been used as a baseline. Please provide confirmation of what emission factor has been used for the housing, prior to application of mitigation reductions.

- d) Table 5.4 appears to have included NO_x emissions equal to NH₃ emissions and added these together to complete the nutrient nitrogen assessment against the critical load. There is no indication how the emission rates for NO_x in table 5.4 have been calculated and it isn't clear why all of the poultry houses are producing NO_x as well as NH₃ at the same rate based on the emissions table. Please provide further information with regards to this.
- e) In section 5.4 it states "As per the operation specifications submitted from the consultant, the gable end exhaust fans will have a maximum operation time of less than one month per calendar year. Based on the significantly low operation duration, any possible emissions from the gable end exhaust fans were not assessed. Also, the annual mean process contributions were calculated by modelling the process contributions due to emissions from shed 1b gable fans over a full year, and scaling in proportion to operating hours as follows: $PC = [\text{Modelled PC assuming continuous operation}] \times (5840/8760)$ ". It is unclear as to how exactly all sources have been modelled, due to 3 houses having gable end fans and only one with high velocity roof fans. Please submit the modelling files with your revised modelling report to enable us to check how each source has been modelled.
- f) Proposed mitigation – with regards to the proposed 30% reduction for air drying of manure on laying hen manure belt systems in houses 2a and 2b, section 5.4 refers to the EA Ammonia mitigation guidance in the footnote 12 'Reduction efficiencies for ammonia emission mitigation methods and an indication of their impacts on nitrous oxide and methane emissions –Submission Report Feb. 2019'. We have been unable to locate this document, can you please provide a copy of this. We will need to assess the proposed mitigation for both this and the heat exchangers during determination, to see if we agree to the claimed reductions. *Please note, it is not necessarily acceptable to add the reductions cumulatively, and in addition we may require monitoring conditions in a permit to validate emission factor reductions.*

Please note: the background ammonia concentrations across all nature conservation sites given in table 4.3 used in the modelling report of 0.5 µg/m³ is incorrect. We use APIS site specific data, for example for the River Eden SAC, the background concentration for ammonia is an average of 1.86 µg/m³ with the range being 0.63 – 4.6 µg/m³ and we can look at the breakdown in 1km x 1km resolution for the specific parts of the site impacted. For the River Eden SAC we will also look at the Nitrogen Deposition background concentration which is an average of 13.6 kg N/ha/year (ranging from 6.8 – 24.9 kg N /ha/year). Once duly made, we will carry out a more detailed assessment against relative thresholds, and additional checks for the River Eden SAC if the process contribution is > 1% of the critical level and loads. It may also include consideration of the background concentrations, the condition of the SAC, the extent of the impact and in-combination impacts from other plans and permissions, as well as other permitted intensive farms. We included mention of this previously in a document sent by Erin Newton which I re-sent to you in July (see attached), and I also have attached a further document regarding these changes (IRPP External note on interim process June 2021). For the SSSIs assessment we require the process contributions in order to compare them against the 20%/50% thresholds, and for the ancient woodlands, the threshold of 100%, as given in our guidance online: <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#ammonia-emissions>

Therefore we do not require the revised modelling to look at the impact relative to background concentrations at this stage, this is something we may consider during determination of this application.

3. Site condition report

Application form Part B3.5 section 5b references document BF 2, and section 15 checklists references document BF2.2, however neither of these includes the site condition report in the H5 format required. Please provide a site condition report for all of the land on which your activity will take place (including all the ranging area which should be within the installation boundary). This should be in line with our 'H5 Site condition report' guidance which includes a template you can use at the link [Environmental permitting: H5 Site condition report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#ammonia-emissions), completing sections 1 – 3 of the template. I have attached the example broiler application document which gives further advice and example wording on

pages 23 – 27 for these sections (please note, this document is not up to date and relevant for a broiler farm operation, but some of the appendices are still relevant as useful examples to refer to).

4. Dust and bioaerosol management plan

There is a dwelling (Broxty House) within 100m of the installation boundary therefore as you have already confirmed this is occupied you need to send in a plan in the format required (and additional fee requested below), according to the guidance on air emissions: dust and bioaerosols at the link [Intensive farming risk assessment for your environmental permit - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit).

5. Fees outstanding

We have received the standard fee for a new bespoke intensive farm application of £8,020. However there are additional fees required for the ammonia modelling assessment (£620), habitats assessment (£779) and dust and bioaerosol management plan assessment (£620), totalling £2,019. Please submit payment of this. For further details please refer to the attached pre-application advice dated 08/03/21.

Please also note for future reference, that we would normally expect the Summary of Environment Management Systems required in application form B3.5 section 3c (which you have submitted as 'General Management' document BF1.1 in the contents list) to have separate sections for 'Incidents and Abnormal Operations', 'Accidents' and 'Complaints'. I note you have included an 'Incidents' section which refers to an Accident Management Plan. In addition we require an Environmental Risk Assessment document for Part B.5 section 6a; you have correctly referenced Appendix 13 the air quality modelling report submitted with your application for your ammonia assessment, however we also require risk assessments for odour, noise, fugitive emissions and accidents. I can see you have covered this in your document referenced 'Accident Management Plan' (AMP) for odour, noise and fugitive emissions, with the accident section merged in with the fugitive emissions section, but with the exception of flooding, fire and firewater containment not being covered. We do not require sight of an AMP at application stage, just confirmation that you have one in place, and rather would expect to see a document for the environmental risk assessment (usually referenced as such). In this instance I will consider your document referenced AMP as the environmental risk assessment but will require it to be revised during determination to include accidents including risk of fire and flooding, and appropriate measures (and preferably renamed as Environmental Risk Assessment). Please see attached example broiler application, Appendix 3 Summary of Environment Management System on pages 30 and 31, and Appendix 11 H1 Environmental Risk Assessment on pages 53 - 65 (please note, as stated above, this document is not up to date and should be adapted to cover the risks relevant to the operation of free range laying hens, and should include consideration of the risk of fire and flooding). Another useful link, albeit for pig farms, is the AHDB Pork website which has example templates for some key relevant application supporting documents, in particular it may be helpful to see their examples for Environmental Risk Assessment and Accident Management Plan: <https://ahdb.org.uk/knowledge-library/environmental-permitting-regulations>.

Once we have satisfactory responses to the above, I will be able to duly make the application. I am obliged to point out though that if we deem the responses not acceptable, then we will return the application as not duly made and may retain up to 20% of the application fee (capped at £1,500). In addition, if duly made, the determination of the application may result in refusal if we find the proposed impact unacceptable, and this may mean we are unable to refund the application fee as a result. **Please consider carefully if you wish to proceed with the application on this basis or would like to withdraw it and reconsider the proposal before resubmitting an application.**

We ask you to submit the above within 10 working days, so the deadline will be **13/12/21**, but as you will need to submit revised modelling, then we can agree to an extension to this deadline if required. Please do not hesitate to get in touch if you wish to discuss any of the above in more detail before submitting your responses. I am working Monday – Thursday this week and next.

Kind regards,
Kate

Kate Cummins

Permitting Officer, National Permitting Service, Operations – Regulation, Monitoring and Customer
Environment Agency | Richard Fairclough House, Latchford, Warrington WA4 1HT

kate.cummins@environment-agency.gov.uk

External: 020302 50727

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