

Frequently asked Questions

April 2017

Permit application for poultry farming units

Please see below some frequently asked questions which we have received in relation to environmental permit applications for intensive poultry farming units, together with our responses. We hope you find this information useful.

What is an Environmental Permit?

Certain specific activities, that could be harmful to the environment, need an environmental permit to operate. A permit gives the holder permission to carry out certain types of activities at a specific location. For example the rearing of poultry intensively in an installation with more than 40,000 places. The permit sets conditions which will protect the environment and people's health. If we grant a permit we carry out periodic inspections to check compliance with the permit. We review permit conditions and can change them at any time. We may take enforcement action if we consider that the permit holder has breached one or more conditions of their permit.

We must decide whether to grant or refuse an environmental permit under the Environmental Permitting (England and Wales) Regulations 2010. We will only grant a permit if the operator applying has shown that the proposed facility meets the requirements of UK and European laws in how it will be designed and run. We will not grant a permit if we believe it is likely to cause significant pollution to the environment or harm people's health.

Is an Environmental Permit the same as planning permission?

Our decision whether to grant an environmental permit is separate from the planning process. The Environment Agency determines environmental permits and the local authority determines planning application.

Planning permission allows a new site to be built or an existing site to be extended or modified. The planning process determines whether the development is an acceptable use of land and considers a broad range of matters such as visual impact, traffic and access, which do not form part of our decision-making process.

An environmental permit allows the operator to undertake the activity once the site has been built and regulates the ongoing activities. A new development will need to have both planning permission and an environmental permit before it can operate. We will only issue a permit if we believe the facility will be designed, constructed and operated in a manner that will not cause significant pollution of the environment or harm to human health.

It is possible for a site to be granted planning permission and not granted an environmental permit or vice versa. The two processes are completely separate.

Issues the Environment Agency will consider before an environmental permit is issued include:

- The system and operation will be in line with sector guidance and the best techniques available, as set out in the sector guidance.
- Handling and storing of raw materials or materials used in the activity.
- Whether the management system reflects staff training and competency.

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- Efficient use of raw materials, water and energy.
- Control of odour, noise, litter, dust and pests.
- Control of handling and storage of byproducts and residual wastes from the process e.g. poultry manure, dirty wash water, biomass boiler ash etc.
- Potential impacts on the local environment, e.g. site drainage and measures in place to prevent pollution during potential environmental incidents.
- Potential impacts on health, with advice and guidance where applicable from Public Health England. Certain specific activities, that could be harmful to the environment, need an environmental permit to operate.

Issues the Environment Agency would not consider include:

- Animal welfare - this is not dealt with by Environmental Permitting Regulations. The operator of the site must comply with appropriate animal welfare standards in the design and operation of the farm.
- Alternative locations and size of the proposed facility.
- Visual Impact.
- Operational hours.
- Vehicular movements to and from the site.

Can broiler farms cause problems with flies?

Chickens are on site for approximately 40 days. The permits we issue contain conditions to ensure such a farm is kept as clean and dry as possible through appropriate management practices. Due to the short length of the growing cycle and the way a broiler farm is managed, we would not expect to see an issue with flies. Once the birds have left a farm, all the litter is removed and the sheds are thoroughly cleaned.

In the unlikely event of flies causing annoyance, we ensure the operator reviews any relevant management practices. In line with permit conditions, they would then submit to us for approval a pest management plan to be implemented on site.

The local council would be the regulating authority if a problem of flies from manure heaps or spreading arose.

What about odour and noise?

Environmental permits contain conditions that we enforce, ensuring that odour and noise pollution from a broiler farm is kept to a minimum.

Modern broiler farms have to be built using the best available techniques, and managed to minimise odour and noise. As a regulator, we ensure that any permit holder complies with permit conditions to keep emissions from such a farm, including odour and noise, to a minimum. We assess any information submitted with applications and ensure that the odour and noise management and control measures are satisfactory for any proposed farm.

In some cases we may require more information to satisfy our requirements, and we request this from the applicant through a formal (Schedule 5) notice before making a decision on whether or not to grant a permit.

At certain times of the process, such as cleaning out, it is possible that some odour will be generated. We require that a broiler farm takes action in accordance with the management and control measures, to reduce these odours as far as possible.

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Some noise can be generated by vehicle movements and the operation of ventilation fans on site. Again, we require that a broiler farm takes action to adhere to noise management conditions to reduce the noise generated from site, as far as possible. These actions need to be appropriate during the day and at night. However, vehicle movement to and from a site is not regulated by us. This is taken into consideration by the local council whilst determining the planning application.

We will not issue a permit if we considered odour and noise would be at levels that cause significant pollution off site.

However, we do have experience of broiler farms causing issues with odour and noise when the operator is not taking all appropriate measures. If a broiler farm did cause what we perceive to be odour or noise pollution in the local community, we ensure the operator investigates alternative control measures and carries out necessary actions to prevent future occurrences.

Do broiler farms spread and store manure on the fields?

Where a broiler farm sends used litter off site to be spread on land not owned by the operator, records must be kept showing who has taken the manure and what quantities have been taken.

Operators may also choose to spread used litter on their own land. We would expect all manure spreading to be done in accordance with the Manure Management Plan (where applicable) and also in compliance with the Nitrate Vulnerable Zone regulations (where applicable).

The spreading of used litter on grassland is not common, as it can pose challenges around bio security. Concerns around transmission of animal disease are a matter for the Animal Health and Veterinary Laboratories Agency.

Further information on manure spreading and storing is provided in a separate fact sheet.

What about bio aerosols?

We require each applicant to produce a dust and bioaerosol management plan where there are residential properties within 100 metres of the boundary of an intensive poultry farm. As part of our determination of the permit application we consult Public Health England to ensure that there will be no harm to human health as a result of any proposed activity. Their response would be taken into consideration when making our final decision on whether or not to grant a permit.

What about emissions from the biomass boilers?

Where biomass boilers are used to heat poultry sheds, the fuel burnt would be clean/virgin wood or similar plant matter. We would assess the potential impact of exhaust emissions (PM10s and NOX) on human health and the environment as part of our determination of the permit.

Do these sites produce much dust?

The use of best available techniques and good practice ensures dust is kept to a minimum. Emissions of dust would be regulated by us, through the permit. In the event of dust causing pollution we require the operator to undertake a review of a site's activities, produce a management plan to be agreed with us and carry out necessary actions to prevent future occurrences.

What about proximity to local residents?

Our guidance states that if there are sensitive receptors within certain stipulated distances of an installation boundary then we expect the operator to have robust Management Plans for bio aerosols (dust), odour and noise.

The distances are 400 metres for noise and odour (400 metres from the perimeter of the proposed installation) and 100 metres for dust and bio aerosols. The 100 metres distance is based on DEFRA research which suggests that dust from modern intensive poultry farms becomes insignificant and of very low risk beyond this distance. The Environment Agency require robust odour and noise management plans beyond the 400 metres distance for permitted farms if they caused a substantiated noise or odour incident.

What about flooding?

We consider flooding risk when deciding whether or not to issue a permit. However, it is only taken into account in the permit application to ensure that appropriate measures are in place to prevent pollution in the event of flooding. Overall, flood risk management for this type of application is a planning consideration, and is taken into account by the lead local flood authority for surface water runoff.

What about the combined effect of more than one proposal?

Multiple applicants would have to demonstrate that emissions from their proposed operations would not cause significant harm to human health or the environment. In particular they need to consider air, noise and odour emissions which could cause an impact outside of the site boundary. We have to consider each application on its own merits.

What about animal welfare?

Animal welfare is not dealt with by Environmental Permitting Regulations. The operator must comply with appropriate animal welfare standards in its design and operation of a site.

What happens if there are problems with a site or I have further enquiries?

If a site does not adhere to the management and control measures in place, such as those relating to odour, dust and noise or does not comply with the permit, we investigate. We work with the operator to ensure compliance with the permit requirements. In the event of any breaches we may take action in line with our published Enforcement and Sanctions guidance.

Further Information

To report an incident or register a complaint about a site contact our 24/7 incident hotline on 0800 807060.

If you have further queries you can email Engagement_WestMids@Environment-agency.gov.uk or call 02030 251583

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