Matter 2 Written Statement – William Heath & Co for Forum & Lutea Trustees (1136797)

Dear Sir

Re: Wiltshire Housing Site Allocations Plan Examination
Sites 90, 91 and 92, Winterbourne Earls, Nr Salisbury, Wiltshire, SP4 6HQ (the Sites)

We refer to your e-mail to us of the 8th February 2019 at 13:37.

We confirm we continue to act for the freehold owners of the Sites as stated in our previous correspondence of the 24th November 2015 and 22nd September 2017, copies attached for ease of reference.

We would request please for there to be a re-evaluation of the Sites' suitability, in each instance in their entirety, for allocation. This as a result of events since our last submission on the 22nd September 2017.

1. The only substantive reason for the omission/rejection of the Sites hitherto was the alleged odour emanating from the Pig Farm situate on the other side of the main Salisbury to London railway line. We attach two documents prepared by the Environment Agency. These comprise "Permitting decisions" and "Notice of variation and consolidation with introductory note" in relation to Permit Number EPR/LP3539UR effective 30thOctober 2018.

   Paragraph 3.3, **Odour**, of the said Notice of variation and consolidation with introductory note refers to emissions from the Pig farm Unit not to cause pollution outside of the site of the Unit which is defined as being within the green lines on the plan appearing as Schedule 7 to this document.

2. We refer you to the Winterbourne Parish Council "Winterbournes Neighbourhood Plan" (the Plan) and associated documentation issued on or about the 4th March 2019. The Plan at chapter 3 paragraph 3.3 Policy 2 Site Allocation identifies Site 90 for 13 Dwellings.

   The Strategic Environmental Assessment at page 27/38 Enfusion refers to Sites 91 and 92 upon which we comment as follows.

   2.1 Site 91. The Environment Agency documentation referred to in 1 above indicates the latest odour management plan may address the odour pollution referred to in respect of this Site. The source and nature of noise pollution is not disclosed. It would be the case that any planning application submitted would have to be accompanied by a specialist report addressing the possible presence of odour pollution. This assumes the Pig Farm was still operational at the time of submission. From the Village consultation which has taken place this Site appears to be popular with local residents.

   2.2 Site 92. Vehicular and or pedestrian access is available via Site 90 which as referred to above is identified as suitable for thirteen dwellings. We would mention each of the Sites can be accessed, both vehicular and pedestrian, off the A338 into Site 90 via Earls Rise – being the roadway along the south eastern boundary of the dwellinghouse The Orchard. Both The Orchard and the adjoining dwellinghouse to it Carson are held and owned, freehold, by Trustees for the same beneficiaries as is the case with the Sites.

It is to be appreciated the areas and locations of the land comprising the Sites as well as the two dwellinghouses The Orchard and Carson have the potential to make a great contribution to and for the overall benefit of The Winterbournes Neighbourhood Plan. Land is available to solve the Primary School's current parking, dropping off and picking up problems as well as

extending the School's buildings and other facilities. Likewise land is available to extend the facilities of Glebe Hall, the provision of allotments, a Village Shop and general recreational spaces.

Kindly acknowledge safe receipt of this e-mail/letter with its attachments/enclosures.

Yours faithfully

WILLIAM HEATH & CO.

Atts:

Permitting decisions

Variation

We have decided to grant the variation for Manor Farm Pig Unit operated by Harvey Farms (Winterbourne) Limited.

The variation number is EPR/LP3539UR/V007.

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 provides a record of the decision making process. It:

- highlights key issues in the determination
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account
- shows how we have considered the consultation responses

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice. The introductory note summarises what the variation covers.

Key issues of the decision

New Intensive Rearing of Poultry or Pigs BAT Conclusions document

The new Best Available Techniques (BAT) Reference Document (BREF) for the Intensive Rearing of poultry or pigs (IRPP) was published on the 21st February 2017. There is now a separate BAT Conclusions document which will set out the standards that permitted farms will have to meet.

The BAT Conclusions document is as per the following link

http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D0302&from=EN

Now the BAT Conclusions are published **all new housing within variation applications** issued after the 21st February 2017 must be compliant in full from the first day of operation.

There are some new requirements for permit holders. The conclusions include BAT Associated Emission Levels for ammonia emissions which will apply to the majority of permits, as well as BAT associated levels for nitrogen and phosphorous excretion.

For some types of rearing practices stricter standards will apply to farms and housing permitted after the new BAT Conclusions are published.

This variation determination includes a review only of BAT compliance for new housing introduced with this variation. A BAT review of existing housing compliance with BAT conclusions document is to be the subject of a sector permit review and is beyond the scope of this variation application permit determination.

New BAT conclusions review

There are 34 BAT conclusion measures in total within the BAT conclusion document dated 21st February 2017.

The Applicant has confirmed their compliance with all BAT conditions for the new housing, in their BAT report document dated 01/03/2018 and submitted to us on 19/03/2018.

The following is a more specific review of the measures the Applicant has applied to ensure compliance with the above key BAT measures.

BAT measure	Applicant compliance measure
BAT 3 Nutritional management Nitrogen excretion	Fattening pigs (production pigs over 30 kg) The Applicant has confirmed it will demonstrate it achieves levels of Nitrogen excretion below the required BAT-AEL of 13.0 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content. This confirmation is contained in the BAT report document, received 19/03/18, which has been referenced in Table S1.2 Operating techniques of the Permit. Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
	Weaners The Applicant has confirmed it will demonstrate it achieves levels of Nitrogen excretion below the required BAT-AEL of 4.0 kg N/animal place/year by an estimation using manure analysis for total Nitrogen content. This confirmation is contained in the BAT report document, received 19/03/18, which has been referenced in Table S1.2 Operating techniques of the Permit. Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.

BAT measure	Applicant compliance measure
BAT 4 Nutritional management Phosphorous excretion	<u>Fattening pigs (production pigs over 30 kg)</u> The Applicant has confirmed it will demonstrate it achieves levels of Phosphorous excretion below the required BAT-AEL of 5.4 kg P_2O_5 animal place/year by an estimation using manure analysis for total Phosphorous content. This confirmation is contained in the BAT report document, received 19/03/18, which has been referenced in Table S1.2 Operating techniques of the Permit. Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
	<u>Weaners</u> The Applicant has confirmed it will demonstrate it achieves levels of Phosphorous excretion below the required BAT-AEL of 2.2 kg P_2O_5 animal place/year by an estimation using manure analysis for total Phosphorous content. This confirmation is contained in the BAT report document, received 19/03/18, which has been referenced in Table S1.2 Operating techniques of the Permit. Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 24 Monitoring of emissions and process parameters Total nitrogen and phosphorous excretion	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions
BAT 25 Monitoring of emissions and process parameters Ammonia emissions	Table S3.3 of the Permit concerning process monitoring requires the Operator to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 26 Monitoring of emissions and process parameters Odour emissions	The approved OMP includes the following details for on Farm Monitoring and Continual Improvement: - Monitoring will take place on a weekly basis. The operator or site manager will be responsible for the monitoring of the unit on a weekly basis outside the site perimeter using the monitoring form in the morning, before sensitivity to smell has reduced. - Should a complaint be received the operator will carry out daily odour monitoring and reporting, only returning to weekly monitoring when complaints have stopped and in agreement with the Environment Agency. Appendix 4 of the OMP identifies the monitoring form that will be used to carry out the odour monitoring. Odour monitoring will be carried out using the olfactory method.
BAT 27 Monitoring of emissions and process parameters Dust emissions	Table S3.3 Process monitoring requires the operator to undertake relevant monitoring that complies with these BAT conclusions. The Applicant has confirmed they will report the dust emissions to the Environment Agency annually by multiplying the dust emissions factor for weaners and fattening pigs by the number of pigs on site. This confirmation is contained in the BAT report document, received 19/03/18,

BAT measure	Applicant compliance measure
	which has been referenced in Table S1.2 Operating techniques of the Permit.
BAT 30 Ammonia emissions from pig houses	The Applicant has confirmed it will demonstrate it achieves levels of ammonia below the required BAT-AEL for the following pig types: Pigs 7 – 30kg: 0.53 kg NH3/animal place/year. Pigs > 30kg: 2.6 kg NH3/animal place/year. The Installation does not include an air abatement treatment facility, hence the standard emission factor complies with the BAT AEL.

More detailed assessment of specific BAT measures

Ammonia emission controls

A BAT Associated Emission Level (AEL) provides us with a performance benchmark to determine whether an activity is BAT.

Ammonia emission controls – BAT conclusion 30

The new BAT conclusions include a set of BAT-AEL's for ammonia emissions to air from animal housing for pigs.

There is a footnote in some of the Ammonia BAT-AELs allowing a higher AEL for existing plant. 'New plant' is defined as plant first permitted at the site of the farm following the publication of the BAT conclusions. 'Existing plant' is defined in the BREF as any plant that is not a 'new plant'. The key phrase is 'first permitted'.

For variations all new housing on existing farms will need to meet the BAT-AEL, while the existing housing will be allowed the less stringent existing plant AEL. The 'existing plant' BAT-AEL will apply indefinitely to any existing housing on any site permitted before 21st February 2017 or at least until the next revision of the BREF.

More detailed assessment of AEL's

Pig housing

To comply with the BAT emission factor of 0.53 kg NH3/animal place/year for the new house W/G1. Using our standard emission factor of 0.7 for pigs within the weight range of 7 – 30kg and applying a 2% crude protein reduction, which is representative of the practice on site, the emission factor is reduced to 0.56.

There are 10 separate sheds within the new "WEAN_GROWA" building and the operator runs a batch system, where there will always be one shed empty. This further reduces the emission factor to 0.504 (9/10 of 0.56).

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain a condition relating to protection of soil, groundwater and groundwater monitoring. However, the Environment Agency's H5 Guidance states **that it is only necessary for the operator to take samples** of soil or groundwater and measure levels of contamination where there is evidence that there is, or could be existing contamination and:

- The environmental risk assessment has identified that the same contaminants are a particular hazard; or
- The environmental risk assessment has identified that the same contaminants are a hazard and the risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is **not essential for the Operator** to take samples of soil or groundwater and measure levels of contamination where:

- The environmental risk assessment identifies no hazards to land or groundwater; or

- Where the environmental risk assessment identifies only limited hazards to land and groundwater and there is no reason to believe that there could be historic contamination by those substances that present the hazard; or
- Where the environmental risk assessment identifies hazards to land and groundwater but there is evidence that there is no historic contamination by those substances that pose the hazard.

The updated site condition report (SCR) for Manor Farm (dated 01/03/2018) demonstrates that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. **Therefore, on the basis of the risk assessment presented in the SCR, we accept that they have not provided base line reference data for the soil and groundwater at the site at this stage and although condition 3.1.3 is included in the permit no groundwater monitoring will be required.**

Odour

Intensive farming is by its nature a potentially odorous activity. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance (http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297084/geho0110brsb-e-e.pdf).

Condition 3.3 of the environmental permit reads as follows:

"Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour."

Under section 3.3 of the guidance an Odour Management Plan (OMP) is required to be approved as part of the permitting process, if as is the case here, sensitive receptors (sensitive receptors in this instance excludes properties associated with the farm) are within 400m of the Installation boundary. It is appropriate to require an OMP when such sensitive receptors have been identified within 400m of the installation to prevent, or where that is not practicable, to minimise the risk of pollution from odour emissions.

The risk assessment for the Installation submitted with the Application lists key potential risks of odour pollution beyond the Installation boundary. These activities are as follows:

- Feed storage and preparation;
- Manure and slurry storage and management;
- Carcass disposal; and
- Pig housing.

The OMP has detailed measures and practices in place to ensure that odour emissions do not give rise to pollution beyond the installation boundary. These measures include the following:

- All liquid feed is stored in enclosed feed tanks.
- Mortalities are stored in locked bins and are collected weekly by a certified haulier;
- Slurry store has a rigid cover and stirring is minimised; and
- Water troughs and feeders are constructed to minimise waste, which could give rise to odour and nipple drinkers are used to minimise water spillage for drier litter.

The operator has committed to weekly monitoring by olfactory method outside the site perimeter in the morning, before sensitivity to smell has reduced.

The OMP has also detailed appropriate contingency measures in place to bring any odour problems under control when normal measures prove inadequate. The measures cover activities such as carcass disposal, slurry removal, dirty water management and feed delivery and storage.

We have assessed the operator's OMP against our Sector Guidance Note 6.09 for Intensive Farming, we agree that the measures listed in the OMP are appropriate for the nature and scale of activities on site, hence, we have accepted the operator's odour management plan (OMP).

Noise

Intensive farming by its nature involves activities that have the potential to cause noise pollution. This is recognised in our 'How to Comply with your Environmental Permit for Intensive Farming' EPR 6.09 guidance. Under section 3.4 of this guidance a Noise Management Plan (NMP) must be approved as part of the permitting determination, if there are sensitive receptors within 400m of the Installation boundary.

Condition 3.4 of the Permit reads as follows:

Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable to minimise the noise and vibration.

There are sensitive receptors within 400 metres of the Installation boundary. The Operator has provided a noise management plan (NMP) as part of the Application supporting documentation. The NMP for the Installation submitted with the Application lists key potential risks of noise pollution beyond the Installation boundary. These activities are as follows:

- Feed and other deliveries;
- Ventilation fans;
- Vehicles and other machinery operating within installation boundary;
- Manure and slurry loading; and
- Muck out operation.

The Applicant has also detailed appropriate measures in place to reduce the risk of noise from the above sources. These measures include:

- Ventilation fans are well maintained to reduce noise;
- Small deliveries are arranged for delivery during working hours. Tipping type delivery vehicles and augers are used for bulk dry ingredient delivery;
- Loaders are used during mucking out and engine revs are kept at a minimum. Effective silencers are also used during the process; and
- All manure loading equipment and machinery regularly serviced and operated to correct standards.

We have assessed the NMP and the H1 risk assessment for noise and conclude that the Applicant has followed the guidance set out in EPR 6.09 Appendix 5 'Noise management at intensive livestock installations'. We are satisfied that all sources and receptors have been identified, and that the proposed mitigation measures will minimise the risk of noise pollution / nuisance.

Ammonia

This initial ammonia screening assessment has considered any Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites within 5 km; any Sites of Special Scientific Interest (SSSI) within 5 km and also any National Nature Reserves (NNR), Local Nature Reserves (LNR), ancient woodlands and local wildlife sites (LWS) within 2 km of the farm.

The screening identified 2 Special Areas of Conservation (SAC) and 1 Special Protection Area (SPA), located within 5 km of the installation. There are 7 Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There are also 4 Local Wildlife Sites (LWS), within 2 km of the installation. Where any of the underlisted criteria is met, we would require the operator to carry out detailed ammonia modelling:

- emissions of ammonia or ammonia deposition (nutrient nitrogen or acid) are in excess of Z% of the relevant Critical Level (ammonia) or Critical Load (nutrient nitrogen or acid) at any particular designated site;
- there is the potential for an in-combination effect with existing farms at a SAC, SPA, Ramsar and/or SSSI if emissions are > Y% but < Z% of the critical level or critical load;

- the original permit for the installation required an Improvement Condition to reduce ammonia emissions; or
- a proposal is within 250m of a nature conservation site.

Table 1 - Screening thresholds

Designation	Y%	Z%
SAC, SPA, Ramsar	4	20
SSSI	20	50
NNR, LNR, LWS, ancient woodland	100	100

Based on the results of the screening, the Operator was required to carry out detailed modelling.

The Ammonia Modelling Report version 1, submitted by the operator was audited in detail by our Air Quality Modelling and Assessment Unit. They agreed with the report conclusions for the proposed scenario. However, we asked the operator to make changes to some emission factors to reflect some best practices onsite. We also asked the operator to change the animal numbers used for the existing scenario to reflect the number of pigs currently permitted. The operator has submitted a version 2 of the modelling assessment, with all the recommended changes. We have reviewed and accepted this version of the report. Although changes have been made, these variations do not materially impact on our conclusions so, we have not asked for another detailed audit.

Ammonia assessment – SAC/SPA/Ramsar

The following trigger thresholds have been designated for the assessment of European sites:

- If the process contribution (PC) is below 4% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required.
- An in combination assessment will be completed to establish the combined PC for all existing farms identified within 10 km of the SAC/SPA/Ramsar.

Screening using the detailed modelling “Manor_Farm_PU_Ammonia_Report” version 2” dated 27/07/2018 (received 12/09/2018), has determined that the process contribution of ammonia emissions/nitrogen deposition/acid deposition from the application site is over the 4% significance threshold. As such, it is not possible to conclude no adverse effect alone. Where the process contribution falls between 4% and 20%, Environment Agency guidance indicates that an in combination assessment should be undertaken.

There are no other farms acting in combination with this application. The PC is predicted to be less than 20% of the critical level / load significance threshold. It is possible to conclude no adverse effect to the site from the installation and therefore no further assessment is required. The River Avon has no prescribed critical load values. See results below.

Table 2 – Ammonia emissions

Site	**Critical level ammonia µg/m^3**	**Predicted process contribution µg/m^3**	**% of critical level**
River Avon SAC (1)	3*	0.502	16.7
Note (1) – used for all the results obtained from the operator’s detailed modelling			

* Critical level values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Table 3 – Nitrogen deposition

Site	**Critical load kg N/ha/yr***	**Predicted PC kg N/ha/yr.**	**PC % of critical load**
River Avon SAC (1)	---	2.61	---

Note (1) – used for all the results obtained from the operator's detailed modelling

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Table 4 – Acid deposition

Site	Critical load keq/ha/yr*	Predicted PC keq/ha/yr.	PC % of critical load
River Avon SAC (1)	---	0.2	---
Note (1) – used for all the results obtained from the operator's detailed modelling			

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

No further assessment is required.

Detailed modelling "Manor_Farm_PU_Ammonia_Report" version 2" dated 27/07/2018 (received 12/09/2018), has determined that emissions of ammonia are in excess of Z% of the relevant Critical Level at the Salisbury Plain SAC – see table 5.

Table 5 – Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted process contribution µg/m^3	% of critical level
Salisbury Plain SAC (1)	1*	0.415	41.5
Porton Down SPA (1)	1*	0.415	41.5
Note (1) – used for all the results obtained from the operator's detailed modelling			

We have consulted Natural England for this exceedance at Salisbury Plain SAC/Porton Down SPA. Natural England confirmed on 13/07/2018 that the process contribution from the proposed changes will have no significant impact on the SAC/SPA.

Ammonia assessment – SSSI

The following trigger thresholds have been applied for assessment of SSSIs:

- If the process contribution (PC) is below 20% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required. An in combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the SSSI.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Manor Farm will only have a potential impact on SSSI sites with a precautionary critical level of 1µg/m^3 if they are within 3,492 m of the emission source.

Beyond 3,492 m the PC is less than 0.2µg/m^3 (i.e. less than 20% of the precautionary 1µg/m^3 critical level) and therefore beyond this distance the PC is insignificant. In this case the Lower Woodford Water Meadows SSSI is beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of 1µg/m^3 is used, and the process contribution is assessed to be less than 20% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the 1µg/m^3 level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

Table 6 – SSSI Assessment

Name of SSSI	Distance from site (m)
Lower Woodford Water Meadows	5,000

Detailed modelling "Manor_Farm_PU_Ammonia_Report" version 2" dated 27/07/2018 (received 12/09/2018) has indicated that the PCs for Cockey Down and the River Avon System SSSIs are predicted to be less than 20% of the critical level for ammonia emissions/nitrogen/acid deposition therefore it is possible to conclude no damage. The results of the detailed ammonia modelling are given in the tables below.

Table 7 – Ammonia emissions

Site	Ammonia Cle (µg/m^3)	PC (µg/m^3)	PC % critical level
Cockey Down SSSI	3**	0.164	5.5
River Avon System SSSI (1)	3**	0.502	16.7
Note (1) – used for all the results obtained from the operator's detailed modelling			

* Critical level values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Table 8 – Nitrogen deposition

Site	Critical load kg N/ha/yr*	PC kg N/ha/yr.	PC % critical load
Cockey Down SSSI	15	0.85	5.7
River Avon System SSSI (1)	---	2.61	---
Note (1) – used for all the results obtained from the operator's detailed modelling			

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Table 9 – Acid deposition

Site	Critical load keq/ha/yr*	PC keq/ha/yr.	PC % critical load
Cockey Down SSSI	4.856	0.1	4.0
River Avon System SSSI (1)	---	0.2	---
Note (1) – used for all the results obtained from the operator's detailed modelling			

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

No further assessment is required.

For the Porton Down SSSI, detailed modelling "Manor_Farm_PU_Ammonia_Report version 2" has determined that the PCs of ammonia emissions from the application site are over the 20% threshold, and therefore may cause damage to features of the SSSI. An in combination assessment has therefore been carried out.

There are no other farms acting in combination with this application. The PC is predicted to be less than 50% of the critical level significance threshold. Under Environment Agency guidelines it is therefore possible to conclude no likely damage to the site from the installation, no further assessment is required.

Table 10 – Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted process contribution µg/m^3	% of critical level
Porton Down SSSI (1)	1*	0.415	41.5

*a precautionary critical level of 1 µg/m^3 has been assigned to this site. Where the precautionary level of 1µg/m^3 is used, then the nitrogen acid deposition tables are not needed.

Detailed modelling "Manor_Farm_PU_Ammonia_Report" version 2" dated 27/07/2018 (received 12/09/2018), determined that the PCs of ammonia emissions from the application site are over the 20% threshold (see results below), and therefore may cause damage to features of the SSSI. An in combination assessment has therefore been carried out.

There are no other farms acting in combination with this application. The PC is predicted to be less than 50% of the critical level / load significance threshold. Under Environment Agency guidelines it is therefore possible to conclude no likely damage to the site from the installation, no further assessment is required.

Table 11 – Ammonia emissions

Site (SSSI)	Critical level ammonia µg/m^3	Predicted process contribution µg/m^3	% of critical level
Porton Meadows	3**	0.63	21
Figsbury Ring (1)	3**	1.29	43.1
Bracknell Croft (1)	3**	1.11	37
Note (1) – used for all the results obtained from the operator's detailed modelling			

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Table 12 – Nitrogen deposition

Site	Critical load kg N/ha/yr*	Predicted PC kg N/ha/yr.	PC % of critical load
Porton Meadows	20	3.273	16.4
Figsbury Ring (1)	15	6.71	44.7
Bracknell Croft (1)	15	5.76	38.4
Note (1) – used for all the results obtained from the operator's detailed modelling			

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Table 13 – Acid deposition

Site	Critical load keq/ha/yr*	Predicted PC keq/ha/yr.	PC % of critical load
Porton Meadows	4.373	0.234	5.4
Figsbury Ring (1)	1.52	0.5	32
Bracknell Croft (1)	1.52	0.4	26.3
Note (1) – used for all the results obtained from the operator's detailed modelling			

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Ammonia assessment - LWS/AW/LNR

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Manor Farm will only have a potential impact on the LWS sites with a precautionary critical level of 1µg/m^3 if they are within 1415 metres of the emission source.

Beyond 1415 metres the PC is less than 1µg/m^3 and therefore beyond this distance the PC is insignificant. In this case the LWS is beyond this distance (see table below) and therefore screen out of any further assessment.

Table 14 – LWS Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
Cockey Down Chalk	1601

Screening using the ammonia screening tool version 4.5 has determined that the PC on the LWS for ammonia emissions/nitrogen deposition/acid deposition from the application site are under the 100% significance threshold and can be screened out as having no likely significant effect. See results below.

Table 15 - Ammonia emissions

Site	Critical level ammonia µg/m^3	Predicted PC µg/m^3	PC % of critical level
Winterbourne Earls Meadows	3**	1.65	55.1
Winterbourne Gunner Meadows	3**	1.52	50.6
Figsbury Farm Meadow	3**	1.10	36.7

** CLe 3 applied as no protected lichen or bryophytes species were found when checking Easimap layer

Table 16 – Nitrogen deposition

Site	Critical load kg N/ha/yr. *	Predicted PC kg N/ha/yr.	PC % of critical load
Winterbourne Earls Meadows	10	8.59	85.9
Winterbourne Gunner Meadows	10	7.89	78.9
Figsbury Farm Meadow	10	5.71	57.1

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Table 17 – Acid deposition

Site	Critical load keq/ha/yr*	Predicted PC keq/ha/yr.	PC % of critical load
Winterbourne Earls Meadows	4.856	0.61	12.6
Winterbourne Gunner Meadows	4.856	0.57	11.6
Figsbury Farm Meadow	---	0.41	---

* Critical load values taken from APIS website (www.apis.ac.uk) – 12/01/2018

Figsbury Farm Meadow is not sensitive to acid deposition therefore no CLo has been assigned.

No further assessment is required.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
Consultation/Engagement	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: • Wiltshire Council – Environmental Health • Wiltshire Council – Local Authority • Health and Safety Executive • Public Health England – Chilton, Oxfordshire • Animal and Plant Health Agency • Director of Public Health The comments and our responses are summarised in the consultation section.
The facility	
The regulated facility	We considered the extent and nature of the facility at the site in accordance with RGN2 ‘Understanding the meaning of regulated facility’. The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
The site	
Extent of the site of the facility	The operator has provided plans which we consider are satisfactory, showing the extent of the site of the facility. The site boundary plan is included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process. We have consulted Natural England by email and on our Habitats Regulations Assessments and have taken their comments into account in the permitting decision. We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.
Environmental risk assessment	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator’s risk assessment is satisfactory.

Aspect considered	Decision
Operating techniques	
General operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility. The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit. The main operating techniques are as follows: • Water troughs and feeders are constructed to minimise waste, nipple drinkers are used to minimise water spillage; • Slurry will be cleared frequently to avoid build-up of slurry beneath the farrowing building; and • Buildings with solid floors will be washed out and cleaned thoroughly between batches, should the front of the pens become excessively dirty, the pens will be scraped, this will also prevent ponding.
Odour management	We have reviewed the odour management plan in accordance with our guidance on odour management. We consider that the odour management plan is satisfactory. See key issues section.
Noise management	We have reviewed the noise management plan in accordance with our guidance on noise assessment and control. We consider that the noise management plan is satisfactory. See key issues section.
Permit conditions	
Updating permit conditions during consolidation	We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit.
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Raw materials	We have not specified limits and controls on the use of raw materials and fuels.
Emission limits	ELVs based on BAT have been set for the following substances: • kg N excreted/animal place/year • kg P_2O_5 excreted/animal place/year • Kg NH_3/animal place/year This variation is for the increase in permitted pig numbers and also involves the construction of a new pig house. The existing pig houses have not been altered as a result of this variation. The new pig house is expected to comply with the emission limits from permit issue. Existing housing does not need to comply with these emission limits until 21/02/21. Details with regards to how the operator will comply with these BAT requirements will be the subject of a future sector permit review.
Monitoring	We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified. These monitoring requirements have been imposed in order to meet the requirements of BAT Conclusions 24, 25, 26 and 27 of the IRPP BAT

Aspect considered	Decision
	Conclusions. We made these decisions in accordance with the IRPP BAT Conclusions. This variation is for the increase in permitted pig numbers and also involves the construction of a new pig house. The existing pig houses have not been altered as a result of this variation. Monitoring of emissions from the new pig house is expected to commence from permit issue. Monitoring of emissions and compliance with the BAT-AELs at existing housing does not need to commence until 21/02/21. Details with regards to how the operator will comply with these BAT requirements will be the subject of a future sector permit review.
Reporting	We have specified reporting in the permit. This is in line with BAT Conclusions 24, 25 and 27 of the IRPP BAT Conclusions. We made these decisions in accordance with the IRPP BAT Conclusions. This variation is for the increase in permitted pig numbers and also involves the construction of a new pig house. The existing pig houses have not been altered as a result of this variation. Reporting of monitored emissions from the new house is expected to commence from permit issue. Reporting of monitored emissions and compliance with the BAT-AELs at existing housing does not need to commence until 21/02/21. Details with regards to how the operator will comply with these BAT requirements will be the subject of a future sector permit review.
Operator competence	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit. Paragraph 1.3 of the guidance says: “The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.” We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections. We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution.

Aspect considered	Decision
	This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Consultation

Responses from organisations listed in the consultation section

Response received from
Wiltshire Council – Environmental Health
Brief summary of issues raised
Wiltshire Council – Environmental Health has expressed concerns about odour pollution from the installation stating that they have received numerous odour complaints regarding the operation of this installation.
Summary of actions taken or show how this has been covered
The operator has submitted an Odour Management Plan, which we consider appropriate for control and management of odour emissions from this installation. We have considered that this OMP will ensure that the odour management condition 3.3 in the variation notice, is not breached. Any breach of this condition 3.3 will be enforced against.

Response received from
Public Health England – Chilton, Oxfordshire
Brief summary of issues raised
Public Health England Chilton have recommended that we consider a sensitive receptors with 250 metres of the installation for the impact of bioaerosols and dust.
Summary of actions taken or show how this has been covered
Our screening distance for dust and bioaerosols in Intensive Farming Applications remains 100 metres so we have not asked the operator for a Dust/Bioaerosols Management Plan. The operator submitted an Environmental Risk Assessment in support of this application and we consider this satisfactory. This risk assessment covers the potential impacts of any emissions of dust, odour and noise. We are satisfied that the mitigation measures for emissions of dust contained in the risk assessment represent appropriate measures for this activity.

The following organisations were consulted, however, no responses were received:

- Wiltshire Council – Local Authority
- Health and Safety Executive
- Animal and Plant Health Agency
- Director of Public Health

This proposal was also publicised on the Environment Agency's website between 17/05/2018 and 15/06/18, but no representations were received during this period.

Notice of variation and consolidation with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Harvey Farms (Winterbourne) Limited

Manor Farm Pig Unit
Manor Farm
Winterbourne Earls
Salisbury
Wiltshire
SP4 6HQ

Variation application number

EPR/LP3539UR/V007

Permit number

EPR/LP3539UR

Manor Farm Pig Unit
Permit number EPR/LP3539UR

Introductory note

This introductory note does not form a part of the notice.

Under the Environmental Permitting (England & Wales) Regulations 2016 (schedule 5, part 1, paragraph 19) a variation may comprise a consolidated permit reflecting the variations and a notice specifying the variations included in that consolidated permit.

Schedule 1 of the notice specifies the conditions that have been varied and schedule 2 comprises a consolidated permit which reflects the variations being made. All the conditions of the permit have been varied and are subject to the right of appeal.

This variation authorises the following changes:

- An increase in permitted pig numbers from 8,480 to 11,650. This increase is to bring all outdoor pigs into houses and under the regulation of the Environment Agency. So, although permitted pig numbers are increasing, the actual number of pigs onsite, will remain the same.
- The construction of a new fully slatted, flat deck pig house with frequent slurry removal and high velocity roof extraction fans
- An increase in the slurry storage capacity on site by adding height to the existing slurry tank and installing a rigid cover to stop rain water entering the slurry store.
- Increase in the permitted boundary to accommodate the new pig house.

We have reviewed the new housing introduced with this permit variation for this installation against the BAT conclusions as defined in Intensive Farming BAT conclusion document dated 20/02/17. The permit conditions and schedules ensure the compliance of the new housing with this BAT conclusions document

The rest of the installation is unchanged and continues to be operated as follows:

Manor Farm Pig Unit is situated approximately 0.7 kilometres south east of the village of Winterbourne Earls and 3 kilometres north east of the city of Salisbury. The site is owned and operated by Harvey Farms (Winterbourne) Limited and comprises dry sow houses, finishing houses, weaner houses and grower houses.

This site is predominantly run as a slatted based system with a mixture of natural and fan ventilation. Slurry from the slatted floor housing is transferred by a combination of gravity flow and pumping to the main slurry store via a reception pit. Washout water from the straw-based pig houses is directed to the manure stores. Dirty water from the yards and the contents of wheel wash and foot baths are also added to the covered slurry store. Slurry and solid manure are spread on the farms' arable grassland in accordance with a manure management plan with slurry being deep leg injected to reduce odour. Storm water falling on the roofs of the houses and concrete yards drain via guttering to chalk land surrounding the site.

The unit operates a mostly wet feed system. Weaners are dry fed to start with before moving on gradually to wet feed. All the pigs are fed a reduced crude protein diet to minimise the production and emissions of ammonia and odour. Nipple drinkers are used throughout to minimise water spillage. Meter readings will be taken on a regular basis to monitor water consumption and to detect the presence of any leakages.

Mortalities are collected daily and stored in a sealed container on site for removal under the National Fallen Stock Scheme. At the end of each cycle the houses are depopulated, washed and disinfected ready for the next cycle.

There are 2 Special Areas of Conservation (SAC) and 1 Special Protection Area (SPA) within 5 kilometres of the installation. In addition, there are 7 Sites of Special Scientific Interest (SSSI) within 5 kilometres of the installation, and 4 Local Wildlife Sites (LWS) within 2 kilometres. An assessment of the impact of emissions

has been carried out and the installation is considered to have no adverse effect on the nature conservation sites.

The schedules specify the changes made to the permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	**Date**	**Comments**
Application received EPR/LP3539UR/A001	Duly made 17/01/07	
Additional information received	03/08/07, 08/08/07 & 25/02/08	
Permit determined EPR/LP3539UR	08/04/08	Permit issued to Harvey Farms (Winterbourne) Limited.
Agency Variation Ref: Let2/MGJ	08/08/08	
Agency Variation determined EPR/LP3539UR/V002	20/03/09	
Agency Variation determined EPR/LP3539UR/V003	04/02/10	
Application EPR/LP3539UR/V004		Closed pre-application.
Application EPR/LP3539UR/V005	Duly made 07/05/10	
Variation determined EPR/LP3539UR	17/05/10	
Application EPR/LP3539UR/V006 (variation and consolidation)	Duly made 04/08/15	Application to vary and update the permit to modern conditions.
Variation determined EPR/LP3539UR	02/10/15	Varied and consolidated permit issued in modern condition format.
Application EPR/LP3539UR/V007 (variation and consolidation)	Duly made 10/05/2018	Variation application to increase permitted pig numbers, increase onsite slurry storage capacity, construct a new pig house and increase the permit boundary.
Schedule 5 Notice response received	10/07/2018	Responses to questions 1 – 7 of the notice dated 08/06/2018, in relation to the site's odour monitoring strategy, onsite carcass incineration unit and slurry management for the new housing.
Schedule 5 Notice response received	27/07/2018	Responses to questions 1 – 5 of the second notice dated 18/07/2018, in relation to the site's emission points site plan and demonstration of compliance with BAT 30 of the new Best Available Techniques (BAT) Conclusions.
Schedule 5 Notice response received	14/08/2018	Responses to questions 1 – 3 of notice dated 08/08/2018.
Additional information received	12/09/2018	An updated Ammonia Modelling Report.
Variation determined EPR/LP3539UR/V007 (Billing reference: WP3531JL)	30/10/2018	Varied and consolidated permit issued in modern condition format.

End of introductory note

Notice of variation and consolidation

The Environmental Permitting (England and Wales) Regulations 2016

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2016 varies and consolidates

Permit number

EPR/LP3539UR

Issued to

Harvey Farms (Winterbourne) Limited ("the operator")

whose registered office is

Manor Farm
Winterbourne Earls
Salisbury
Wiltshire
SP4 6HD

company registration number 04198240

to operate an installation at

Manor Farm Pig Unit
Manor Farm
Winterbourne Earls
Salisbury
Wiltshire
SP4 6HQ

to the extent set out in the schedules.

The notice shall take effect from 30/10/2018

Name	Date
Claire Roberts	**30/10/2018**

Authorised on behalf of the Environment Agency

Schedule 1

All conditions have been varied by the consolidated permit EPR/LP3539UR/V007 as a result of the application made by the operator.

Schedule 2 – consolidated permit

Consolidated permit issued as a separate document.

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/LP3539UR

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/LP3539UR/V007 authorising,

Harvey Farms (Winterbourne) Limited ("the operator"),

whose registered office is

Manor Farm
Winterbourne Earls
Salisbury
Wiltshire
SP4 6HD

company registration number 04198240

to operate an installation at

Manor Farm Pig Unit
Manor Farm
Winterbourne Earls
Salisbury
Wiltshire
SP4 6HQ

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Claire Roberts	**30/10/2018**

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and

(b) using sufficient competent persons and resources.

1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.

1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of the permit.

1.2 Energy efficiency

1.2.1 The operator shall:

(a) take appropriate measures to ensure that energy is used efficiently in the activities;

(b) maintain records of fuel and energy consumption used in the activities;

1.3 Efficient use of raw materials

1.3.1 The operator shall:

(a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities; and

(b) maintain records of raw materials and water used in the activities;

1.4 Avoidance, recovery and disposal of wastes produced by the activities

1.4.1 The operator shall take appropriate measures to ensure that the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities and that;

(a) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and

(b) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.

2 Operations

2.1 Permitted activities

2.1.1 The only activities authorised by the permit *are* the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

2.3 Operating techniques

2.3.1 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

2.3.2 If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan or other documentation ("plan") specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.

2.3.3 The operator shall maintain and implement a system to record the number of animal places and animal movements.

2.3.4 The operator shall ensure that a diet formulation and nutritional strategy is used to reduce the total nitrogen and total phosphorous excreted.

2.3.5 The operator shall take appropriate measures in disposal or recovery of solid manure or slurry to prevent, or where this is not practicable, to minimise pollution.

2.3.6 Any raw materials or fuels listed in schedule 2 table S2.1 shall conform to the specifications set out in that table.

2.3.7 The operator shall ensure that where waste produced by the activities is sent to a relevant waste operation, that operation is provided with the following information, prior to the receipt of the waste:

(a) the nature of the process producing the waste;

(b) the composition of the waste;

(c) the handling requirements of the waste;

(d) the hazardous property associated with the waste, if applicable; and

(e) the waste code of the waste.

2.4 Improvement programme

2.4.1 The operator shall complete the improvements specified in schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by the Environment Agency.

2.4.2 Except in the case of an improvement which consists only of a submission to the Environment Agency, the operator shall notify the Environment Agency within 14 days of completion of each improvement.

3 Emissions and monitoring

3.1 Emissions to water, air or land

3.1.1 There shall be no point source emissions to water, air or land except from the sources and emission points specified in table S3.1 and S3.2.

3.1.2 The limits given in schedule 3 shall not be exceeded.

3.1.3 Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

3.2 Emissions of substances not controlled by emission limits

3.2.1 Emissions of substances not controlled by emission limits shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

3.2.2 The operator shall:

(a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits; and

(b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.2.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.3 Odour

3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

3.4 Noise and vibration

3.4.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

3.5 Monitoring

3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit:

(a) point source emissions specified in tables S3.1 and S3.2; and

(b) process monitoring specified in table S3.3.

3.5.2 The operator shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.

3.5.3 Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme and the environmental or other monitoring specified in condition 3.5.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by the Environment Agency.

3.6 Pests

3.6.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.

3.6.2 The operator shall:

(a) if notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a pests management plan which identifies and minimises risks of pollution, hazard or annoyance from pests; and

(b) implement the pests management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

4 Information

4.1 Records

4.1.1 All records required to be made by schedules 3, 4 and 5 to this permit shall:

(a) be legible;

(b) be made as soon as reasonably practicable;

(c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and

(d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:

(i) off-site environmental effects; and

(ii) matters which affect the condition of the land and groundwater.

4.1.2 The operator shall maintain convenient access, in either electronic or hard copy, to the records, plans and management system required to be maintained by this permit.

4.2 Reporting

4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

4.2.2 For the following activities referenced in schedule 1, table S1.1 a report or reports on the performance of the activities over the previous year shall be submitted to the Environment Agency by 31 January (or other date agreed in writing by the Environment Agency) each year. The report(s) shall include as a minimum:

(a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data.

4.2.3 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

(a) in respect of the parameters and emission points specified in schedule 4 table S4.1;

(b) for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table S4.2; and

(c) giving the information from such results and assessments as may be required by the forms specified in those tables.

4.2.4 The operator shall, unless notice under this condition has been served within the preceding four years, submit to the Environment Agency, within six months of receipt of a written notice, a report assessing whether there are other appropriate measures that could be taken to prevent, or where that is not practicable, to minimise pollution.

4.3 Notifications

4.3.1 In the event:

(a) that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately :—

(i) inform the Environment Agency,

(ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and

(iii) take the measures necessary to prevent further possible incidents or accidents; and

(b) of a breach of any permit condition the operator must immediately :—

(i) inform the Environment Agency, and

(ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;

(c) of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.

4.3.2 Any information provided under condition 4.3.1 (a)(i), or 4.3.1 (b)(i) where the information relates to the breach of a limit specified in the permit,] shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.

4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.

4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

(a) any change in the operator's trading name, registered name or registered office address; and

(b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

(c) any change in the operator's name or address; and

(d) any steps taken with a view to the dissolution of the operator.

In any other case:

(e) the death of any of the named operators (where the operator consists of more than one named individual);

(f) any change in the operator's name(s) or address(es); and

(g) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

(a) the Environment Agency shall be notified at least 14 days before making the change; and

(b) the notification shall contain a description of the proposed change in operation.

4.3.6 The Environment Agency shall be given at least 14 days notice before implementation of any part of the site closure plan.

4.4 Interpretation

4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.

4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "immediately", in which case it may be provided by telephone.

Schedule 1 – Operations

Table S1.1 activities		
Activity listed in Schedule 1 of the EP Regulations	**Description of specified activity**	**Limits of specified activity**
Section 6.9 A(1)(a)(ii) Rearing of pigs intensively in an installation with more than 2,000 places for production pigs (over 30 kg)	Rearing of pigs intensively in an installation with a capacity for 7,730 production pig (over 30 kg) places.	Keeping of production pigs and not served gilts (over 30 kg), including from receipt of raw materials and fuels on to the site to pigs and associated wastes being removed from site.
Section 6.9 A(1)(a)(iii) Rearing of pigs intensively in an installation with more than 750 places for sows	Rearing of pigs intensively in an installation with a capacity for 1,100 sow places.	Keeping of sows and served gilts for production of piglets, from receipt of raw materials and fuels on to the site to removal of sows and associated wastes from site.
Directly Associated Activity	**Description of specified activity**	**Limits of specified activity**
Rearing of pigs (up to 30 kg)	Rearing of 2,820 pigs to 30 kg.	From weaning of pigs and receipt of raw materials and fuels on to the site up to pigs reaching 30 kg and removal of pigs and associated wastes from site.

Table S1.2 Operating techniques		
Description	**Parts**	**Date Received**
Application EPR/LP3539UR/A001	The responses to sections B2.3.1, B2.3.2, B2.3.3, B2.5.1, B2.5.2, B2.5.3, B2.7.1 and B2.7.2 in the Application.	17/01/07
Request for Information dated 16/07/07	Entire response	03/08/07
Request for Information dated 08/08/07	Entire response	08/08/07
Request for Information dated 25/05/08	Entire response	25/02/08
Variation Application EPR/LP3539UR/V006	The responses to part C3.5 questions 2b, 4 and 8a and the duly making responses.	12/06/15, 22/07/15 & 04/08/15.
Request for information dated 16/07/2015	Proposed and new diets crude feed protein reduction figures.	22/07/15
Request for information EPR/LP3539UR/V006	Clarification on grinding/milling of pig feed and emission points. Odour Management Plan Document 11	19/08/2015 24/09/2015
Application EPR/LP3539UR/V007	BAT Report	19/03/18
	Responses to questions 8a – 8f of revised application form C3.5 and referenced supporting documentation except the Odour Management Plan (OMP)	10/05/18
Response to Schedule 5 Notice dated 18/07/2018	Responses to questions 1, 3, 4 and 5 of the notice in relation to compliance with Best Available Techniques Associated Emission Levels for new houses (BAT-AELs), demonstration of compliance with BAT 30 and a revised site emissions points plan.	27/07/2018
Response to Schedule 5 Notice dated 08/08/2018	Revised Odour Management Plan (OMP)	14/08/2018

Table S1.3 Improvement programme requirements		
Reference	**Requirement**	**Date**
IC1	The operator shall provide written proposals to reduce the emission from the permitted installation by 54% or other such measures so that the contribution to the ammonia concentration in air at Figsbury Ring SSSI is no more than 3 µg/m3 as an annual average. The proposals should include timescales for implementation not exceeding 12 months. The proposals shall be implemented by the operator from the date of approval in writing by the Environment Agency, subject to such amendments, timescales or additions as notified by the Environment Agency.	Completed
IC2	The operator shall provide written proposals to reduce the emission from the permitted installation by 77% or such other measures so that the contribution to the ammonia concentration in air at Figsbury Ring SSSI is no more than 1.5µg/m3 (50% of 3µg/m3) as an annual average. The proposals shall be implemented by the operator by 31 October 2011 subject to such amendments, timescales or additions as notified by the Environment Agency.	Deleted by Variation EPR/LP3539UR/V003
IC3	The operator shall provide written proposals to reduce the emission from the permitted installation by 85% or such other measures that provide an equivalent reduction in the expected ammonia concentration in air at Salisbury Plain SAC. The proposals shall be implemented by the operator by 30 October 2011 subject to such amendments, timescales or additions as notified by the Environment Agency.	Deleted by Variation EPR/LP3539UR/V003
IC4	A written plan shall be submitted to the Agency for approval detailing proposals for installing an impermeable base with effluent containment for manure stores to comply with the requirements of section 5.3.2 of TGN How to Comply, Version 1. The proposals shall include a timetable for the construction work. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Environment Agency subject to such amendments or additions as notified by the Environment Agency.	Completed
IC5	The operator shall collect drainage from animal houses and water from cleaning out and design and construct tanks to deal with the wash water volumes to be contained to comply with the requirements of S3.3 of TGN How to Comply, Version1.	Completed
IC6	A written plan shall be submitted to the Environment Agency for approval, following a review of all site drainage at the installation. The plan should take into account the appropriate measures for the management of drainage systems and run-off in S3.3 of TGN How to Comply, Version 1, and include a timetable for any improvements to the drainage system. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Environment Agency subject to such amendments or additions as notified by the Environment Agency.	Completed
IC7	A written plan shall be submitted to the Environment Agency for approval following a review of existing pig housing and management practices at the installation. The plan shall take into account the appropriate measures in S5.2.1 & S5.2.2 of TGN How to Comply, Version 1. The plan shall identify measures to reduce emissions to all media, the likely cost of such measures and a proposed timetable for their implementation	Completed

Table S1.3 Improvement programme requirements		
Reference	**Requirement**	**Date**
	The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the plan. The plan shall be implemented by the operator from the date of approval in writing by the Environment Agency subject to such amendments or additions as notified by the Environment Agency.	

Schedule 2 – Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	**Specification**
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Schedule 3 – Emissions and monitoring

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	**Source**	**Parameter**	**Limit (including unit)**	**Reference Period**	**Monitoring frequency**	**Monitoring standard or method**
High velocity roof fan outlets on pig house Farrowing 1 as shown on the site plan titled: “Emission points with building numbers,” in application EPR/LP3539UR/V007	Farrowing house 1	---	---	---	---	---
High velocity roof fan outlets on pig house W/G1 as shown on the site plan titled: “Emission points with building numbers” in application EPR/LP3539UR/V007	Weaner/Grower House 1	---	---	---	---	---
Roof vents on pig houses G1 – G7, F1 – F6 and H1 as shown on the site plan titled: “Emission points with building numbers” in application EPR/LP3539UR/V007	Grower houses 1-7, finishing houses 1-6 and hospital house 1	---	---	---	---	---
Side windows on pig houses G1 – G7, F1 – F6 and H1 as shown on the site plan titled: “Emission points with building numbers” in application EPR/LP3539UR/V007	Grower houses 1-7, finishing houses 1-6 and hospital house 1	---	---	---	---	---
Open sided houses for sow houses 1 – 2 and W1 – W2 as shown on the site plan titled: “Emission points plan with building numbers” in application EPR/LP3539UR/V007	Dry sow houses 1 and 2 and weaner houses 1 and 2	---	---	---	---	---

Table S3.2 Point source emissions to water (other than sewer) and land – emission limits and monitoring requirements						
Emission point ref. & location	**Source**	**Parameter**	**Limit (incl. unit)**	**Reference Period**	**Monitoring frequency**	**Monitoring standard or method**
Soakaways (chalk ground) surrounding all buildings as shown on “Manor Farm Site Drainage Plan” in application EPR/LP3539UR/V007.	Roof water from all buildings	---	---	---	---	---
Soakaways (chalk ground) surrounding all concrete yards as shown on “Manor Farm Site Drainage Plan” in application EPR/LP3539UR/V007.	Concrete yard drainage	---	---	---	---	---

Table S3.3 Process monitoring requirements				
Emission point reference or source or description of point of measurement	**Parameter**	**Limit (incl. Unit)**	**Monitoring frequency (1)**	**Monitoring standard or method**
Weaners (rearing of pigs up to 30 kg) in house W/G1 with fully slatted flooring.	kg N excreted/animal place/year	4.0 kg N/animal place/year	Annually	Using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance or Estimation by using manure analysis for total nitrogen content
	kg P_2O_5 excreted/animal place/year	2.2 kg P_2O_5 animal place/year	Annually	Using a mass balance of phosphorus based on the feed intake, dietary content of crude protein, total phosphorus and animal performance or Estimation by using manure analysis for total phosphorus content
	kg NH_3/animal place/year	0.53 kg NH3/animal place/year	Annually	Estimation using emission factors
Fattening Pigs (production pigs (over 30 kg) in house W/G1 with fully slatted flooring.	kg N excreted/animal place/year	13.0 kg N/animal place/year	Annually	Using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance or

				Estimation by using manure analysis for total nitrogen content
	kg P_2O_5 excreted/animal place/year	5.4kg P_2O_5 animal place/year	Annually	Using a mass balance of phosphorus based on the feed intake, dietary content of crude protein, total phosphorus and animal performance or Estimation by using manure analysis for total phosphorus content
	kg NH_3/animal place/year	2.6 kg NH3/animal place/year	Annually	Estimation using emission factors
Fattening Pigs (production pigs (over 30 kg) in houses G1 – G7 and F1 – F6 with fully slatted floors and vacuum removal.	kg N excreted/animal place/year	From 21/02/2021 13.0 kg N/animal place/year	Annually	Using a mass balance of nitrogen based on the feed intake, dietary content of crude protein and animal performance or Estimation by using manure analysis for total nitrogen content
	kg P_2O_5 excreted/animal place/year	From 21/02/2021 5.4kg P_2O_5 animal place/year	Annually	Using a mass balance of phosphorus based on the feed intake, dietary content of crude protein, total phosphorus and animal performance or Estimation by using manure analysis for total phosphorus content
	kg NH_3/animal place/year	From 21/02/2021 2.6 kg NH3/animal place/year	Annually	Estimation using emission factors
Fattening Pigs (production pigs including gilts over 30 kg) in houses W1 and W2 with solid manure systems.	kg NH_3/animal place/year	From 21/02/2021 5.65 kg NH_3/animal place/year	Annually	Estimation using emission factors
Farrowing sows in house Farrowing 1 (including suckling piglets) with fully slatted flooring.	kg N excreted/animal place/year	From 21/02/2021 30.0 kg N/animal place/year	Annually	Using a mass balance of nitrogen based on the feed intake, dietary content of crude protein, and animal performance or Estimation by using manure analysis for total nitrogen content
	kg P_2O_5 excreted/animal place/year	From 21/02/2021 15 kg P_2O_5 animal place/year	Annually	Using a mass balance of phosphorus based on the feed intake, dietary content of crude protein, total phosphorus and animal performance or Estimation by using manure analysis for total phosphorus content
	kg NH_3/animal place/year	From 21/02/2021 7.5 kg NH_3/animal place/year	Annually	Estimation using emission factors

Mating and gestating sows in houses Sow 1 and Sow 2 with solid manure systems.	kg N excreted/animal place/year	From 21/02/2021 30.0 kg N/animal place/year	Annually	Using a mass balance of nitrogen based on the feed intake, dietary content of crude protein, and animal performance or Estimation by using manure analysis for total nitrogen content
	kg P_2O_5 excreted/animal place/year	From 21/02/2021 15 kg P_2O_5 animal place/year	Annually	Using a mass balance of phosphorus based on the feed intake, dietary content of crude protein, total phosphorus and animal performance or Estimation by using manure analysis for total phosphorus content
	kg NH_3/animal place/year	From 21/02/2021 5.2 kg NH_3/animal place/year	Annually	Estimation using emission factors
Pigs in houses Sow 1 and Sow 2, Farrowing 1, W1 and W2, W/G1, G1 – G7 and F1 – F6.	Dust	n/a	Annually	Estimation using emission factors
Note [1] - For all existing housing permitted before 21/02/17 the monitoring is a requirement from 21/02/21.				

Schedule 4 – Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Table S4.1 Reporting of monitoring data			
Parameter	**Emission or monitoring point/reference**	**Reporting period**	**Period begins**
Process monitoring parameters as required by condition 3.5.1	---	Every 12 months	1 January
Feed Protein Content	---	Six Monthly	1 January

Table S4.2 Reporting forms		
Media/parameter	**Reporting format**	**Date of form**
kg NH_3/animal place/year	Form Process Monitoring 1 or other form as agreed in writing by the Environment Agency	30/10/18
kg N excreted/animal place/year & kg P_2O_5 excreted/animal place/year	Form Process Monitoring 1 or other form as agreed in writing by the Environment Agency	30/10/18
Dust atmospheric mass emission	Form Process Monitoring 1 or other form as agreed in writing by the Environment Agency	30/10/18
Feed Protein Content	Form protein 1 or other form as agreed in writing by the Environment Agency	30/10/18

Schedule 5 – Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution	
To be notified within 24 hours of detection	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	**Notification period**

(c) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	
Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 – Interpretation

“accident” means an accident that may result in pollution.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“building” means a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter.

“emissions to land” includes emissions to groundwater.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission limit.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

‘Hazardous property’ has the meaning in Annex lll of the Waste Framework Directive.

“Industrial Emissions Directive” means DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions.

‘List of Wastes’ means the list of wastes established by Commission Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, as amended from time to time.

“Manure and slurry” have the following meaning:

- Manures may be either slurries or solid manures.
- Slurries consist of excreta produced by livestock whilst in a yard or building mixed with rainwater and wash water and, in some cases, waste bedding and feed. Slurries can be pumped or discharged by gravity.
- Slurry includes duck effluent, seepage from manure and wash water.
- Solid manures include farmyard manure (FYM) and comprise material from straw-based housing systems, excreta with lots of straw/sawdust/woodchips in it, or solids from mechanical separators.
- Most poultry systems produce solid manure (litter).
- Solid manure can generally be stacked.

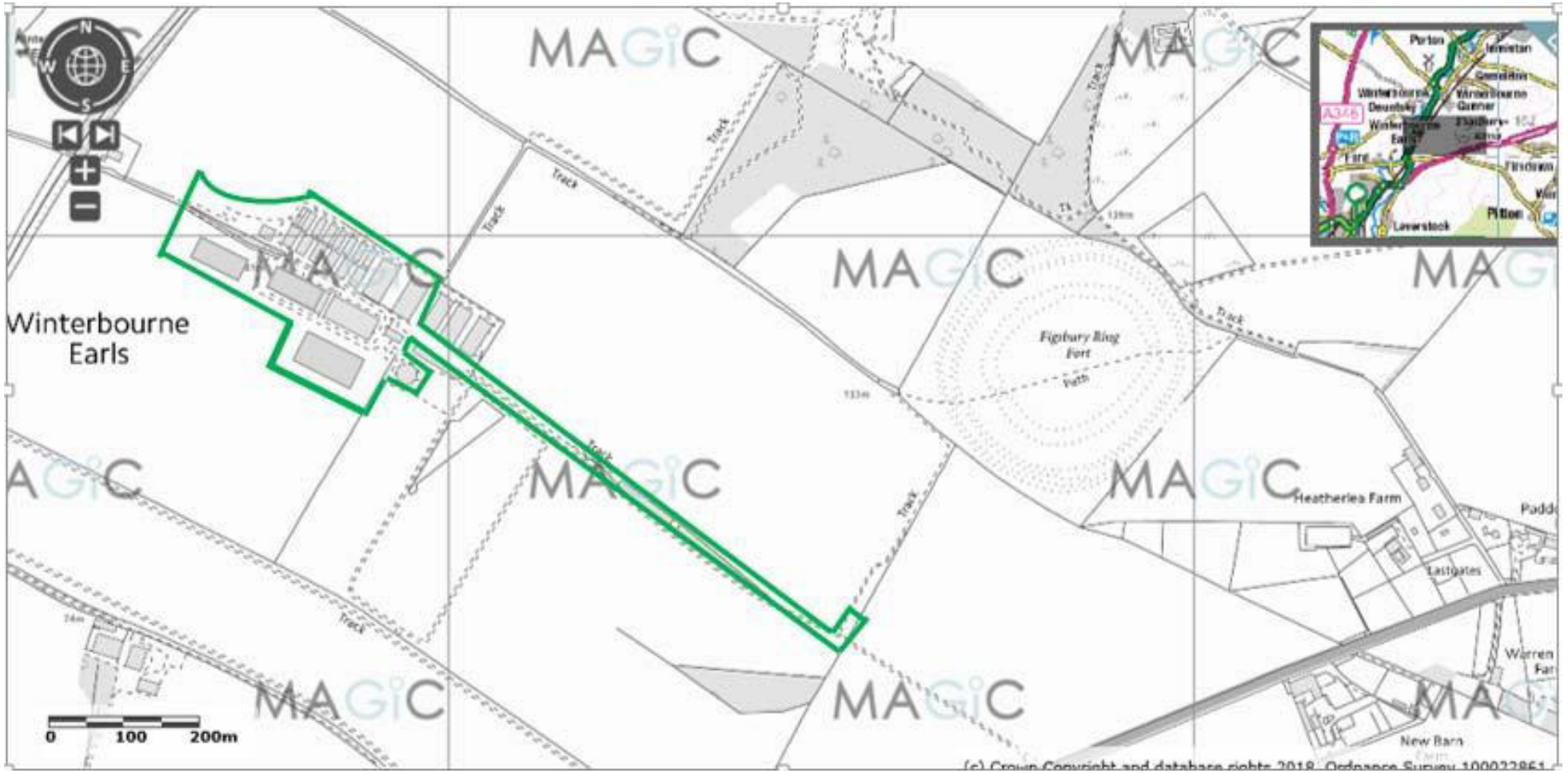
"pests” means Birds, Vermin and Insects.

‘Waste code’ means the six digit code referable to a type of waste in accordance with the List of Wastes and in relation to hazardous waste, includes the asterisk

“Waste Framework Directive” or “WFD” means Waste Framework Directive 2008/98/EC of the European Parliament and of the Council on waste.

“year” means calendar year ending 31 December.

Schedule 7 – Site plan



END OF PERMIT

Permit Number:	**EPR/LP3539UR/V007**	**Operator:**	**Harvey Farms (Winterbourne) Limited**
Facility	**Manor Farm Pig Unit**	**Form Number:**	**Process Monitoring 1 / 30/10/18**

Reporting of other performance indicators for the period DD/MM/YYYY to DD/MM/YYYY

Ammonia emissions

Animal type/housing	**Emission Factor utilised in Kg NH_3/animal place /year**	**Total Value for animal type/housing type in kg NH3/year**
		Total value for each animal type/housing
Total	-	Aggregate value to provide total installation emissions

Operator's comments:

Nitrogen excretion

Animal type	**Emission Factor utilised in Kg N/animal place /year**	**Total Value for animal type/housing type in kg N excreted/year**
		Total value for each animal type
Total	-	Aggregate value to provide total installation emissions

Operator's comments:

Phosphorous excretion

Animal type	**Emission Factor utilised in Kg P_2O_5/animal place /year**	**Total Value for animal type/housing type in kg P excreted/year**
		Total value for each animal type
Total	-	Aggregate value to provide total installation emissions

Operator's comments:

Dust emissions

Animal type	**Emission Factor utilised in Kg PM10 dust/animal place /year**	**Total Value for animal type/housing type in kg PM10 dust /year**
		Total value for each animal type
Total	-	Aggregate value to provide total installation emissions

Operator's comments:

Signed ……. Date……..

(Authorised to sign as representative of Operator)

Crude Protein Content

Animal type		
Total		

Operator's comments:

Signed …….. Date……..

(Authorised to sign as representative of Operator)

WILLIAM HEATH & CO.

SOLICITORS

COMMISSIONERS FOR OATHS

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From:
William Heath & Co Solicitors

To:
Spatial Planning
Wiltshire Council
Economic Development & Planning
DX 116892
TROWBRIDGE 3

Your Ref:

Our Ref:
ERL/JT/6358.59.6

Date:
22 September 2017

Dear Sirs

Re: Amesbury Community Area Topic Paper – Cabinet version (the Paper)
Sites S90, S91 and S92 (the Sites)

As you are aware from our letter to you of the 24th November 2015, copy attached for ease of reference, we act for the unencumbered freeholders of the land comprised in Land Registry Title Number WT297457. We enclose HM Land Registry official office copy entry and title plan in respect of this title number by way of verification.

We wish to make the following representations on behalf of our clients adopting the numbering of the Paper seriatim.

1. Table 6.3 Stage 6.18 page 20. This states potential sites are rejected where the appraisal concludes development would result in one or more major adverse effects. Table F.1 Stage 3 page 89 defines a Major adverse effect as one adverse to the objective with no satisfactory mitigation possible. It goes on to say that as a result the Site may be inappropriate for housing development as opposed to outright rejection.

2. Table 6.4 Stage 3 pages 21 and 22. This sets out the reasons for each of the Sites being rejected namely "Given the major adverse effects associated with air quality, specifically regarding odour from the nearby pig farm, the site should not be considered further in the site selection process.". Save for reference to the nearby pig farm there is no other evidence identified of adverse air quality being present. In this context we refer to Table F.16 on page 108 relating to Site S90. The Site Overview states "This site option is located in the village of Winterbourne Earls. With an area of 4.56 hectares the site has a capacity for approximately 103 dwellings; however, mitigation measures might reduce this number.". Under the heading "Assessment Results" for this Site S90 no reference is made to anything at all. This is to be contrasted with the Assessment Results at Tables F.17 and F.18 (pages 108, 109 and 110) where there is detailed references to a noise issue with the railway line and odour from the pig farm. We therefore consider that in the case of Site S90 there is no reason for this site, with a stated capacity of 103 dwellings, to be rejected. No major, moderate and or minor negative effects have been disclosed and or identified.

3. Tables F.17 and F.18 pages 108, 109 and 110. In each instance the reason each site should not be considered further in the site selection process is stated as follows "Given the major adverse effects associated with air quality, specifically regarding odour from the nearby pig farm, the site should not be considered further in the site selection process.". No reference is made to noise from the railway and in the case of air quality the only identified/disclosed issue is the odour from the pig farm. In the case of Table F.17, S91, the Assessment Result states "One major beneficial effect has been identified. Development on the site would help to meet local housing needs in accordance with the policies of the Core Strategy (SA Obj.8). A

moderate beneficial effect has been identified as the development will increase the local population and could have a major contribution to the local economy through use of local shops and services (SA Obj.11) and a minor positive effect is anticipated through the site generating direct and indirect construction employment, and helping to stimulate the local economy once built (SA Obj.12).". In similar vein Table F.18, Site S92, the Assessment Results states "One moderate beneficial effect has been identified. Development on the Site would help to meet local housing needs in accordance with the policies of the core strategy (SA Obj.8). Two minor beneficial effects have been identified. Development of the Site will increase the local population and could have a major contribution to the local economy through use of local shops and services (SA Obj.11) and generate direct and indirect construction employment, and helping to stimulate the local economy once built (SA Obj.12)."

4. As stated at 1 above a major adverse effect is one "with no satisfactory mitigation possible".

   4.1 The pig farm in question is Manor Farm Pig Unit operated by Harvey Farms (Winterbourne) Limited (Registered Number 04198240). According to the latest filings at Companies House this Company is controlled by Mr Philip Nicholas Baker Harvey.

   4.2 The freehold land and buildings on and from which the Manor Farm Pig Unit is currently operated form part of a far larger area of agricultural land comprised in Land Registry Title Number WT163983 of which Mr Harvey is the sole registered proprietor at the Land Registry.

   4.3 On the 26th May 2017 Mr Harvey, subject to appropriate financial reimbursement, entered into a contractual commitment with our clients to facilitate residential development on Sites S90 and S91. Upon receipt of confirmation this documentation will not be released into the public domain copies can be supplied.

   4.4 As a result of the contractual commitment referred to in 4.3 above and the extent of Mr Harvey's land ownership referred to in 4.2 above satisfactory mitigation is possible.

5. We understand the Environment Agency's approach to be as follows "We do not object to the development on Sites S90 and S92, but we provide a recommendation that these Sites are not used for housing developments on the basis that residents could be subject to some odours from the site, beyond the remit of the permit condition compliance". Accordingly there is not an outright objection on the part of the Environment Agency but a recommendation which needs to be seen in the context of the considerable benefits accruing were residential development to be permitted.

We submit that there is an overwhelming case for the Sites to be allocated for housing. There is only one substantive issue at stake namely the alleged odour of the pig farm as currently operated. As identified in 4 above satisfactory mitigation is possible. The Council can therefore deliver a potential 179 additional dwellinghouses with the concomitant benefits for the neighbouring school and the identified policies of the Core Strategy namely (SA Obj.8, SA Obj.11 and SA Obj.12).

Yours faithfully

WILLIAM HEATH & CO.

Encs.