Cyfoeth Naturiol Cymru
Natural Resources Wales

Natural Resources Wales Permitting Decisions

Martyn Langford (Rhosddu Farm Poultry Unit)

Decision Document

Application for a Substantial Variation

The application number is: PAN-025564

The permit variation number is: EPR/AB3095HL/V004

The Operator is: Martyn Langford

The Installation is located at: Rhosddu Farm, Llansantffraid-ym-Mechain, Powys, SY22 6TH

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

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

Contents

1. Executive summary

1.1. Changes to the installation

The Operator has submitted an application to increase the permitted number of free-range laying birds on the installation from 56,000 to 64,000—a total increase of 8,000 birds.

The site currently comprises three poultry houses: two multi-tier (aviary) houses and one flat-deck (perchery) house. To accommodate the increased number of birds, the Operator is also applying to replace the existing 16,000-bird flat-deck house with a new 24,000-bird multi-tier house. Unlike the current deep-pit manure collection system in the flat-deck house, the new multi-tier house will utilize a manure belt system, with manure removed twice weekly. This change is expected to result in a reduction in ammonia and odour emissions, despite the increase in bird numbers.

The application also includes a request to extend the site's permit boundary to provide additional ranging areas.

1.2. Our decision

We are minded to issue the variation for Rhosddu Farm Poultry Unit operated by Martyn Langford.

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.

2. Receipt of the application

The application was received on 26/04/2024 and allocated to a permitting officer on 13/12/2024**.** In order for us to be able to consider the application duly made, we needed more information. We requested the following:

- Review and updates to various environmental risk assessments
- Clarification over whether the site boundary was changing as part of the variation

- Updated Site Condition Report and Site Plan
- Clarification over ranging area and manure management

A letter requesting this information was sent to the applicant on 19/12/2025. Upon receipt of this information, on 30/01/2025, we were able to consider the application duly made. This means we considered it was in the correct form and contained sufficient information for us to begin our determination, but not that it necessarily contained all the information we would need to complete that determination.

3. Confidential information

The applicant made no claim for commercial confidentiality, and we have not received information in relation to the application that appears to be confidential in relation to any party.

4. Legislation

The variation will be issued, under Regulation 20 of the Environmental Permitting (England and Wales) Regulations 2016 (EPR). The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* as described by the Industrial Emissions Directive 2010/75/EU;
- subject to aspects of the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016 which also have to be addressed.

We address the legal requirements directly where relevant in the body of this document. NRW is satisfied that the decision on this application is consistent with its general purpose of pursuing the sustainable management of natural resources (SMNR) in relation to Wales and applying the principles of SMNR. In particular, NRW acknowledges that it is a principle of sustainable management to take action to prevent significant damage to ecosystems. We consider that, in issuing the variation a high level of protection will be delivered for the environment and human health through the operation of the Installation in accordance with the permit conditions.

All applicable European directives have been considered in the determination of the application.

4.1. Other Legal Matters relevant to the Facility

Our decision on whether to issue or refuse an EPR permit is defined by legal requirements. In our decision-making, we must ensure that our determination considers all relevant statutory requirements and provides the required level of protection to the environment. This involves assessment of impacts to air, water, land and any ecological receptors from the proposed activities.

NRW's function as the environmental permitting authority under EPR, only extends to the control of sources of pollution within the boundary of the regulated facility, which are capable of being controlled under the environmental permit. In addition and so as to comply with its general public law duty, NRW's decisions must be reasonable, proportionate and procedurally correct.

The potential for pollution through the land use of a proposal is assessed through the planning application. The LPA is responsible for considering whether the location of the development is appropriate. NRW is an advisor to the Local Planning Authority (LPA).

5.1. Consultation

4.2. Consultation on the Application

We have carried out consultation on the application in accordance with the Environment Permitting Regulations (EPR), our statutory Public Participation Statement (PPS) and our Regulatory Guidance.

A copy of the application is available on the public register for anyone to view. We advertised the application to the public by a notice placed on our website directing people to the public register, advising them of how they could arrange for copies to be made if required and how they can provide comments.

We also consulted with the following bodies:

- Food Standards Agency

- Public Health Wales
- Health & Safety Executive
- Powys County Council – Planning
- Powys County Council – Environmental Health

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

The consultation started 03/02/2025 and ended on 03/03/2025.

A summary of consultation comments and our response to the representations we received can be found in Annex 1. We have taken all relevant representations into consideration in reaching our decision.

4.3. Draft Permit Consultation

Our public participation statement[1] gives more information on what can, and cannot, be taken into account when making our permitting decision.

We are now carrying out consultation on our draft decision. This consultation will begin on **10/07/2025** and end on **14/08/2025**.

5. Further information received during determination

Further information was requested during determination by way of a formal request for information (also known as a Schedule 5 Notice) requiring the applicant to provide further information relating to:

- Site Condition Report Plan
- Location Plan
- Water management
- Pollution prevention
- The 'Technical Standards' document submitted with the application
- House design, specifically ventilation

[1] Natural Resources Wales / Public participation: how you can take part in our permit and licence consultations

The Schedule 5 Notice was sent on 04/03/2025 with a deadline for response of 18/03/2025.

The applicant's response to the Schedule 5 Notice was provided on 18/03/2025, with a further response provided on 26/03/2025. The information provided did not satisfy the requirements of the Schedule 5 Notice. An extension was provided until 16/04/2025 to allow the applicant additional time to satisfy the requirements. Additional information was provided on 16/04/2025 which still did not satisfy the requirements. Further advice was provided to the applicant on what they needed to provide and a second extension to the notice deadline was given (02/05/2025). Further information was provided on 06/05/2025 which again, did not satisfy the Notice requirements. Each information submission contained contradictory information, particularly relating to the proposed site boundary and pollution prevention methods.

We issued a second Schedule 5 Notice on 13/05/2025 with a deadline for response of 27/05/2025 in order to attempt to resolve these issues. The response received on 27/05/2025 satisfied the notice request.

A copy of the information notices and informal email information requests were placed on our public register as were the responses when received.

6. The Installation

6.1. The permitted activities

The regulated facility will continue to be an installation which comprises the following activities listed in Part 2 of Schedule 1 to the Environmental Permitting Regulations:

- Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than 40,000 places for poultry.

The limit of the activity will be changed to allow for 64,000 birds (an additional 8,000 birds).

The directly associated activities will be:

- Biomass Boiler
- Combined Heat and Power Units

- Generator
- Dirty water tank

The generator and dirty water tank have been added to the permit as part of this variation to reflect existing on site activities.

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

7. Operation of the installation

8.1. Operator competence

The applicant is the sole operator of the Installation. We are satisfied that the applicant is the person who will have control over the operation of the Installation after the variation is issued; and that they will be able to operate the Installation so as to comply with the conditions included in the permit, if issued. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator[2] and EPR RGN 5 Operator competence[3].

8.2. Environmental Management System

The applicant has stated in the application their Environmental Management System (EMS) meets the requirements for an EMS in our "How to comply with your environmental permit" guidance[4].

The applicant provides their own management system for their facility and has submitted a summary of the EMS with their application.

We have reviewed the application and are satisfied that appropriate management systems and management structures will be in place for this Installation, and that sufficient resources are available to the Operator to ensure compliance with all the Permit conditions.

Accident management

[2] RGN 1 Understanding the meaning of 'operator' (naturalresources.wales)
[3] RGN 5 Operator competence (naturalresources.wales)
[4] Natural Resources Wales / Guidance to help you comply with your environmental permit

The EMS includes an Emergency Management Plan which the applicant has submitted as part of this application. We have reviewed this and are satisfied that appropriate controls are in place to help reduce the occurrence and impact of any accidents that occur.

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

8.3. Operating techniques

Installation activities and assessment of Best Available Techniques

The applicant has described the proposed equipment and operating techniques and compared these against the relevant guidance note which for an installation of this type is SGN EPR 6.09 'How to comply with your environmental permit for intensive farming'.

We have reviewed the techniques proposed and consider them in line with them to meet the requirements outlined in the TGN and Best Available Technique (BAT) for intensive rearing of poultry and pigs.

We have specified that the applicant must operate the permit in accordance with descriptions in the application. See section 12 of this document for more information on how we have incorporated the application/variation into the permit.

8. The site

8.1. Site Plan

The applicant has provided an updated plan showing the extent of the site of the facility and emission points. The new emission point to surface water (see section 10.2) was not labelled. We have added the label for this EP to the site plan ourselves (W1).

We have also removed a dirty water tank from the main site plan which was confirmed by the applicant during the determination to be incorrect. The Operator is reviewing these amendments as part of this draft decision consultation.

The updated plan will be included in the permit and the operator will be required to carry on the permitted activities within the site boundary.

8.2. Site Condition Report

The applicant has proposed to add land to the facility as part of this variation.

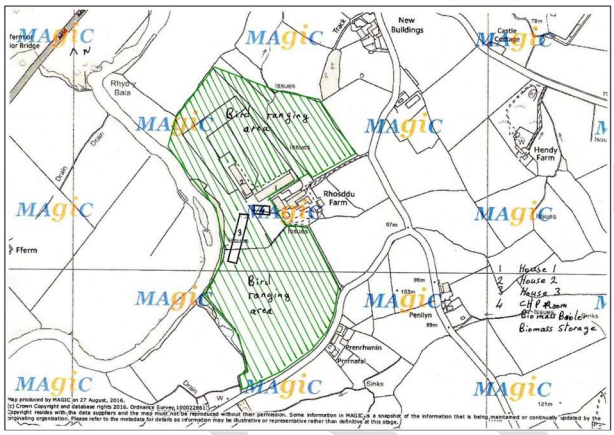

Figure 1: Existing site boundary (taken from permit number EPR/AB3095HL/V003)

Figure 2: New proposed site boundary

As shown by the above plans, land being added is for additional fields, to be used for ranging, to the North East and South East of the site.

The applicant has provided a description of the condition of land in a Site Condition Report (SCR). However there were several iterations of the new site boundary proposed during the application process and the SCR plan originally submitted is for a field which is now not proposed to be part of the site. As no satisfactory SCR has been submitted for the new land we have assumed contamination to be zero.
The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5)[5].

9. Environmental Risk Assessment

In line with our guidance, the applicant has provided an environmental risk assessment with the application which identifies and the sources of key risks from the variation, possible pathways and receptors. This risk assessment and further assessments provided by the applicant and/or completed by NRW will be discussed in further detail below.

10.1. Assessment of impact on air quality

The principal pollutant emitted to air from Intensive Farming installations is ammonia.

The scope of assessment for impacts from ammonia emissions from intensive farming installations is usually restricted to sensitive habitat sites and detailed assessment of impact to human health is not required. We consider this appropriate as it has been established that it is unlikely that ammonia emissions from a well-run and regulated farm will be sufficient to cause ill health. Not assessing impact to human health is also in line with the Health Protection Agency on Intensive Farming permit applications (dated 2006).

The applicant has used calculations using the standard emission factors[6] to assess the impact of the proposed changes on ammonia emissions. We are in agreement with this approach in this instance.

[5] Environmental Permitting Regulations , Guidance for applicants H5, Site Condition Report, Guidance and Template (naturalresources.wales)
[6] Natural Resources Wales / Emission factors for poultry for modelling and reporting

The proposal involves swapping out a single tier house (perchery). This house currently houses 16,000 birds and manure is collected within a "deep pit" system where it is collected within the house and cleared out at the end of each cycle (approx 13 months). This house will be replaced with a modern multi-tier house (aviary) where manure is removed regularly from the house via a belt system. Although the new house will house more birds than the current house (8,000 more), by using a modern manure removal systems, ammonia emissions will reduce.

The applicant demonstrated the reduction using calculations based on the standard Ammonia emission factors for poultry[6]. The ammonia emission factor (kg/NH3/animal place/year) for the free range layers in modern multi-tier houses with belt removal is:

- 0.066 for the indoor proportion of birds and;
- 0.024 for the outdoor proportion of birds.

In comparison, for free range single tier houses with deep pit manure collection, the ammonia emission factor (kg/NH3/animal place/year) is:

- 0.123 for the indoor proportion of birds and;
- 0.024 for the outdoor proportion.

For typical free range systems, in a 24-hour period it is estimated that birds spend:

- 10% of time on the range
- 90% of time within the housing

Using these assumptions, the annual ammonia emissions from the house to be replaced and the proposed new house are calculated as follows:

	Indoor emissions (kg/NH3/year)	Outdoor emissions (kg/NH3/year)	Total emissions (kg/NH3/year)
Existing single tier 16,000 house	16,000 x 0.123 = 1,968	16,000 x 0.024 = 384	2,352

Proposed 24,000 multi-tier house	24,000 x 0.066 = 1,584	24,000 x 0.024 = 576	2,160

This demonstrates an estimated reduction of 192 kg NH_3/year, equating to an approximate 8.7% decrease in ammonia emissions from the replacement house.

In response to a Schedule 5 Notice, the applicant also provided further information regarding the new house's ventilation system. The existing house is fitted with six high-velocity fans with side inlets and pop holes. The proposed house will include nine high-velocity fans and six air inlet re-circulation fans. We have reviewed this change and do not anticipate any significant change to ventilation and subsequent dispersion. It is reasonable to assume that the new system will perform at least as effectively as the existing one, if not better, supporting the conclusion of a reduction in ammonia emissions when also considering the change to a manure belt system.

10.2. Assessment of impact to surface and ground water

The operator has applied for clean, uncontaminated water from the poultry house roofs (existing and new) to be discharged directly into the River Vyrnwy. The existing permit incorrectly identified this discharge as an emission to land, despite describing it as a discharge to the River Vyrnwy. This error has been addressed as part of this permit variation. The incorrect emission point to 'land' has been removed, and the permit now correctly lists an emission point to the River Vyrnwy (in Table S3.3, designated as emission point S1), in line with the operator's application and the updated drainage plan. The clean roof water will be discharged via a piped system, ensuring it does not come into contact with any manure in the ranging field it runs through and remains uncontaminated prior to discharge.

The operator has detailed in the application how contaminated drainage (e.g. from washdown) from the new house and existing houses will be collected in underground storage tanks and diverter bungs will be used during wash down periods to prevent contamination of clean surface water systems. The wash water tanks will be built to confirm to specifications in SGN EPR6.09 'How to comply with your environmental permit for intensive farming' and will be emptied and disposed of regularly with litter from the shed.

In free range systems such as these, birds have access to the outside environment and so it is inevitable that some manure droppings will be deposited in fields.

However, the increase in the number of birds ranging is not expected to have a significant impact on the rivers water quality, considering it is anticipated the birds only range for 10% of their time[7]. The applicant has confirmed that manure collected from the sheds will not be stored or spread within the installation boundary and that all manure will be exported to anaerobic digestion (AD) facility – see section 10.7 for more information. The operator, as well as any third parties receiving the manure, will be required to comply with the controls set out in the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAPR), which are designed to reduce water pollution from agricultural activities.

The River Vrynwy (or the River Severn of which it is a tributary of) is not designated as a Phosphorous Sensitive SAC Catchment but to reduce risk of pollution to surface water from the ranging poultry, the operator will need to manage the ranging areas appropriately. The Operator has confirmed they will manage run-off from the ranging fields by ranging the birds in a rotational field system which will ensure any nutrient is spread evenly and nutrient rich deposits are avoided. The River Vrynwy will also be given a 10 metre buffer strip and be fenced off. However the level of detail submitted in the application was limited and the Operator did not consider any tributaries of the River Vrynwy which run through or border the new ranging fields. We have therefore imposed an pre-operational condition requiring the operator to submit to NRW for approval written confirmation and evidence of the surface water pollution prevention measures in place to reduce the risk of run-off from the free-range poultry fields polluting any nearby surface water features. We are satisfied that this is sufficiently protective as the measures put in place by the operator will need to be approved by NRW before birds can be placed on the new ranging fields. (see Annex 2).

[7] As per the assumptions made for ammonia assessments and Inventory Emissions Reporting in line with guidance

10.3. Fugitive emissions

A risk assessment has been provided by the applicant which has identified a number of sources of potential fugitive emissions from the activity, such as dust, noise and loss of wash water.

The applicant has confirmed that appropriate measures for preventing and minimising fugitive emissions are in place in accordance with the SGN EPR6.09 'How to comply with your environmental permit for intensive farming'.

An Emergency Plan has been provided which details how other risks of fugitive emissions will be managed during times of equipment failures, flood, spills etc. This will be incorporated into the Operating Techniques of the permit.

We note that the applicant has not produced a specific dust or dust and bioaerosol management plan, despite the presence of receptors close to the installation. Based on the application information above, we are nevertheless satisfied that emissions will be adequately controlled in line with our guidance. Controls for dust and other specified operating techniques will also be effective in managing bioaerosol risk.

Permit condition 3.2.1 requires that emissions of substances not controlled by emission limits (i.e. fugitive emissions) shall not cause pollution. Condition 3.2.2 requires that a management plan shall be developed if pollution is subsequently identified.

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise fugitive emissions and to prevent pollution from fugitive emissions.

10.4. Assessment of odour impact

Preventing odour from intensive farming activities is rarely possible due to the inherently odorous nature of animals but there is a need to minimise odour and prevent it reaching neighbours. The sections below describe how the applicant has assessed odour impact from the facility, with the outlined controls in place.

One of the principal sources of odour emissions from the facility is ventilation air from poultry houses, including ammonia (which is itself odorous). There are 4 receptors within 400m of the sheds from which the ventilation air is the principle source of odour. 1 of these receptors is the farmhouse itself and the other 3 are located just under 400m away. There are multiple receptors located within 400m of the ranging areas, consisting of rural properties or other farms.

The applicant has screened for odour impacts using the following odour emission rate factors (0.94 ouE/bird/sec):

- 0.94 for poultry houses with deep pit manure collection
- 0.47 for houses with manure belt removal
- 0.25 for ranging birds

The odour emission factors used are consistent with those applied in the original permit application for the permit and are considered appropriate for a screening-level assessment in this case. The applicant has based outdoor emission calculations on the assumption that 20% of birds will be using the range at any one time, which is the same approach taken in the original assessment. However, in accordance with current guidance, we consider it more appropriate to assume that 10% of birds will be on the range for the purposes of this screening assessment. Predicted odour emissions can be calculated as follows:

	Indoor emissions (ouE/sec)	Outdoor emissions (ouE/sec)	Total emissions (ouE/sec)
Existing single tier 16,000 house	14,400 x 0.94 = 13,536	1,600 x 0.25 = 400	13,936
Proposed 24,000 multi-tier house	21,600 x 0.47 = 10,152	2,400 x 0.25 = 600	10,752

Based on the revised assumptions and the calculated emission rates, the total odour emissions from the proposed 24,000-bird multi-tier house are lower than those from the existing 16,000-bird single-tier house. This supports the applicant's conclusion that the variation will result in reduced odour emissions. As discussed in section 10.1 we have also reviewed the proposed ventilation arrangements and no not expect any

significant changes to ventilation and subsequent dispersion which will change this conclusion.

The site has not been subject to any odour compliant and the operators compliance with the existing permit is good.

The applicant has stated they will use measured outlined in EPR 6.09 to manage odour emissions from the site and an updated Odour Management Plan has been submitted as part of the application. The Odour Management Plan details various measures to minimize and mitigate odour issues. These include (but are not limited to):

- Twice daily odour checks with any abnormalities to be recorded and investigated
- Sealed feed delivery systems and well maintained feed bins
- Use of high velocity roof extraction fans to air dispersion
- Good litter management

We have compared the measures proposed to minimise odour at for the site to EPR 6.09 and H4 Odour Management[8] and are satisfied the techniques represent appropriate measures for the installation. The OMP will be incorporated into the operating techniques section of the permit.

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where not practicable to minimise the effects of odour.

Condition 3.3.1 in the permit will also require that emissions from the activities are free from odour at levels likely to cause pollution outside the site. We are satisfied that this will be sufficiently protective in conjunction with the measures described by the applicant for minimising odour at the installation.

[8] H4 Odour Management / How to comply (publishing.service.gov.uk)

10.5. Noise and vibration assessment

There are sensitive receptors within 400m of the installation.

The applicant has identified the following sources of noise from the site in their environmental risk assessment:

- Vehicle movements
- Feed transfers
- Ventilation Fans
- Alarm systems
- Standby generator
- Chickens
- Personnel
- Repairs and servicing

As the variation is for additional birds, the only potential additional noise source is from the additional birds. Chickens themselves are not usually considered a significant source of noise, although the stocking and destocking between cycles is. As this is a free range laying facility, catching will only occur once per year and the applicant has stated noise will be minimised with careful bird handling by trained catchers and prompt departure of loaded lorries. There are no anticipated substantial changes to the other noise sources as a result of this variation.

The application details measures which will be in place for preventing and minimising noise and/or vibration. The applicant has also submitted a Noise Management Plan (NMP) which details various measures to minimise and mitigate noise issues. This includes risk management measures detailed in EPR 6.09 Noise Management at Intensive Livestock Installations[9]. We are satisfied the techniques represent appropriate measures for the installation. The NMP will be incorporated into the operating techniques section of the permit.

Based upon the information in the application we are satisfied that the appropriate measures will be in place to prevent or where not practicable to minimise the effects of noise.

[9] EPR 6.09 Noise Management at Intensive Livestock Installations

Conditions 3.4.1 of the permit requires noise from the activities to be below that which could cause pollution outside the site. We are satisfied that this will be sufficiently protective in conjunction with the measures described by the applicant for minimising noise at the installation.

We are satisfied that vibration is unlikely to be an issue at the installation. The nature of the activity means that there are no significant sources of vibration on site. Therefore, vibration does not need to be included in the management plan.

10.7. Manure Management

Under the provisions of EPR, NRW does not have the legal vires / authority to impose conditions or regulate the storage, disposal and application of chicken manure to land through the EPR Permit unless these activities take place within the green installation boundary shown on the site plan in Schedule 7 of the permit. Also, the permit cannot create direct obligations on third parties regarding the management of manure produced by the regulated facility.

In the case of Rhosddu Farm, the Operator has indicated all manure is to be exported oof site to an anaerobic digestion (AD) plant. This activity beyond the installation boundary shown in Schedule 7 of the permit and so is outside the regulatory scope of the Environmental Permitting (England and Wales) Regulations 2016 (as amended) and is not controlled by the EPR permit.

However, NRW will continue, in association with other authorities, to work with land owners and farmers to help ensure the nutrients in manures are applied following best practice. This includes the Code of Good Agricultural Practice, which applies to all farms in England and Wales and provides guidance on nutrient management (including landspreading of manure). Where it is clear this is not the case and results in pollution, we will take the appropriate action in accordance with our powers and duties.

Whilst a manure management plan is not required by the permit, we have set condition 2.3.3 which requires the operator to maintain and implement a system to record the

quantities of solid manure or slurry exported from the installation. The record must include the date of export from the site, quantity exported and details of the receiving site. This condition will help us to establish if there is any relationship between manure export from a particular installation and reported pollution incidents. It will also assist us in verifying that the operator is meeting the requirements of the Waste Duty of Care.

10. Impact on National Site Network Sites, SSSIs and non-statutory sites

Our Habitats Risk Assessment (HRA) approach for an intensive poultry farm EPR permit application is limited to the assessment of any potential impact on the integrity of a European Site (i.e. SAC, SPA, Ramsar) from the proposed regulated activities carried out within the installation boundary.

As an advisor to the LPA, the land use planning process is an opportunity for NRW to raise any concerns in respect of manure management that may adversely impact on the quality of local water courses in line with our duties under the Water Framework Directive. However, once manure leaves the installation boundary, it is more appropriately assessed for HRA purposes by the LPA because there is no legal vires for this to be conditioned or regulated by the EPR permit for the installation. On this basis, our habitats regulations assessment for this application is necessarily limited to potential likely significant effects / adverse effects associated with regulatory activities carried out within the installation boundary and we defer any decision on off-site storage, disposal and application of chicken manure to the LPA.

A full assessment of the application and its potential to affect the identified sites has been carried out as part of the permit determination process. National Site Network sites, Sites of Special Scientific Interest (SSSI) and non-statutory conservation sites will be discussed separately below. In line with relevant guidance[10], a screening distance of 5 km have been used to identify sites which require assessment.

[10] Natural Resources Wales / Ammonia assessments: initial screening and evidence gathering (GN 020)

10.1. The National Site Network

The following National Site Network sites has been assessed:

- Tanat and Vyrnwy BAT sites SAC

A Habitat Regulations Assessment (HRA) was completed to assess the potential to affect any of the sites identified. The project was screened for likelihood of significant effects and is considered not likely to have a significant effect on any National Site Network site (as documented in section 3.2 of OGN 200 Form 1, or section 5 if applicable). The full assessment is available to view on the public register: PAN-025564 – OGN 200 Form 1.

10.2. Sites of Special Scientific Interest (SSSI)

The following SSSIs have been assessed:

- Gweundd Ty Brith SSSI
- BrynHall Stables and Coach House SSSI
- Allt Y Main Mine SSSI
- Gwern-Brain Single SSSI

As a Section 28G Authority as defined in the Countryside Rights of Way Act 2000 permitting teams within NRW has a legal duty, under Section 28I of the Wildlife and Countryside Act 2981, to consult with NRW for formal advice when permitting an activity which has been determined to be likely to damage the features of a SSSI.

To determine if consultation is required, a SSSI Assessment was completed. The assessment concluded that the proposed permission is not likely to damage any of the flora, fauna or geological or physiological features which are of special interest. Therefore, no consultation with NRW's protected sites advisors is required.
A copy of the assessment is available to view on the public register: PAN-025564 – SSSI Assessment.

10.3. Non-statutory conservation sites

The primary pathway to non-statutory sites from intensive farming units is emissions of ammonia to air. As detailed on NRW's open map[11] there are 2 ammonia sensitive ancient woodlands located within 5 km of the site. As discussed in detail in section 10.1, ammonia emissions are anticipated to reduce as a result of this variation.

Based upon the information in the application, the information available and the information provided to us in the consultation, we are satisfied that there will be no adverse impact to the non-statutory conservation sites identified.

11. The Permit Conditions

11.1. Incorporating the variation

We have specified that the applicant must operate the permit in accordance with descriptions in the application, including additional information received as part of the determination process and information which will be received in response to the pre-operational condition.

These descriptions have been specified in the Operating Techniques table (S1.2) in the permit.

11.2. Pre-operational Conditions

Based on the information on the application, we consider that we need to impose pre-operational conditions. Details of the pre-operational conditions used can be found in Annex 2.

11.3. Monitoring

We have decided that monitoring should be carried out for the parameters listed in Schedule 3 of the permit using the methods and to the frequencies specified in those tables. These monitoring requirements have been imposed in order to demonstrate compliance with the emissions limits in the permit.

[11] View open data on access, flood, habitats, landscapes, marine, designated land, water quality, and woodlands

11.4. Reporting

We have specified the reporting requirements in Schedule 4 of the Permit to ensure data is reported to enable timely review by Natural Resources Wales to ensure compliance with permit conditions and to monitor the efficiency of material use and waste recovery at the installation.

Annex 1: Consultation Reponses

The application has been advertised and consulted upon in accordance with Natural Resources Wales Public Participation Statement. Responses to this consultation and how we have taken consultation responses into account in reaching our draft decision is summarised in this Annex.

Consultation Responses from Statutory and Non-Statutory Bodies

Response Received from Powys County Council – Planning	
Brief summary of issues raised:	**Summary of action taken / how this has been covered**
Provided copies of decision notices and management plan relating to the planning decisions at the site (P/2009/0563 and P/2014/0742)	None required
Completion of noise proforma confirming no noise issue at the site.	None required

Response Received from Powys County Council – Environmental Protection	
Brief summary of issues raised:	**Summary of action taken / how this has been covered**
Completion of noise proforma confirming no noise issue at the site.	None required

Response Received from Public Health Wales	
Brief summary of issues raised:	**Summary of action taken / how this has been covered**
Recommendation for detailed risk assessment that considers management of emissions including ammonia, odour and bioaerosols to minimise impacts on receptors within 100 metres	We do not need to assess risk of Ammonia emission on human health in this case as explained in section 10.1. See section 10.4 regarding assessment of odour. Section 10.3 covers fugitive emissions, including control of bioaerosol risk.
Evidence to support ammonia emission reduction is scant. Recommendation for NRW to be	See section 10.1 regarding our assessment of ammonia.

satisfied such an emission reduction is achievable.	We requested the applicant to confirm the ventilation parameters are the same for the existing and new house to further satisfy us that proposed approach to claiming ammonia reduction was appropriate.
Evidence to support odour emission reduction is scant. Recommendation for NRW to be satisfied such an emission reduction is achievable.	See section 10.4 regarding our assessment of odour. We requested the applicant to confirm the ventilation parameters are the same for the existing and new house to further satisfy us that the proposed approach to claiming odour reduction was appropriate.
Recommendation for NRW to be satisfied the Noise Management Plan effectively reduces noise and there is no noise nuisance at nearby sensitive receptors.	See section 10.5 regarding our assessment of the Noise management Plan.
Recommendation that the applicant ensures any local watercourse are not adversely impacted due to increased nutrient loading.	See section 10.2 for our assessment of impact on surface water.
Recommendation that NRW are satisfied with control measures in place for dust and bioaerosols.	See section 10.3 for our assessment of dust and bioaerosol risk.
Recommendation that NRW are satisfied with storage and control measures in place for on-site storage of liquid.	The variation does not include any new storage of potentially polluting substances.
Recommendation that all waste water storage is built in line with regulators guidance.	The operator has confirmed wash water tanks will be built to the specification in SGN EPR6.09 How to comply with your environmental permit for intensive farming.
Recommendation that NRW should agree a timetable for seeking external accreditation for their own EMS e.g. ISO4001	See section 8.2 regarding our assessment of the Operators EMS. We do not require all Operators' EMS to be accredited.
Recommendation that NRW should be satisfied that the applicant has mitigation against any flooding should this be a flood risk area.	The applicant has detailed mitigation measures against flooding in their 'Emergency Plan' although the focus is on flooding within/around the shed area which is not in a flood risk zone. The field to the north being added to the facility for the purpose of ranging is partially within a low risk flood

	zone. The environmental risks in the event of flooding are managed by measures the applicant has in place to protect surface water features from high nutrient run-off.

Annex 2: Pre-operational Conditions

Table S1.4 Pre-operational measures	
Reference	Pre-operational measures
1	1 month prior to birds being placed on the additional ranging fields permitted by V004, the operator shall submit to Natural Resources Wales, for written approval, confirmation and supporting evidence of all surface water pollution prevention measures in place to reduce the risk of run-off from the free-range poultry areas polluting nearby surface water features. This shall include, but not be limited to: Identification and mapping of all surface water receptors within or adjacent to the free-range areas. Details of measures in place to prevent runoff of nutrient-rich water into any surface water body (e.g. buffers, run-off controls, proposals for managing soil and crop cover, particularly around livestock access points like potholes and verandas). Details of how field conditions will be monitored and managed to maintain the effectiveness of pollution prevention measures over time.