

Obula, Sudeesh

From: Irons, Sue
Sent: 25 January 2019 17:56
To: 'James D Nelson'
Subject: 17090J-EPR/GB3903KW/A001 /// RE: We need more information about your application EPR/GB3903KW/A001 - 1 February 2019

Hello James

Thank you for your email.

I shall look into your queries about dust plans and the ESSD.

I have today looked at some of the documents you sent on the 24 January and revisited your application. In light of this I can confirm some of the question I raised are now resolved:

- Q3b – Date of birth
This information has actually provided to us since the initial application. **We do not require you to provide it again.**
- Q3d- Environmental Management System
I can accept that the WRP contains throughout it sections we would expect to feature in an Environmental Management System. The purpose of the Waste Recovery Plan is to evidence the proposed operation is a 'Recovery' activity rather than describe the environmental risks and mitigation of the works. It is more appropriate the EMS and Non-Technical Summary are standalone documents so that our consultees are able to find the information easily. **However, I accept your suggestion for you relabel the document.**
The query about what is the maximum waste to be used remains.
- Q6 –Environmental Risk Assessment below
Your application does actually already refer to airborne and waterborne emissions and you perceive the risk to be low. **What remains missing is acknowledgment that there are protected habitats within 1 kilometre of the site.**

Regards,

Sue Irons

Permitting Officer (Waste), Solihull Centre, National Permitting Service
Part of Operations – Regulation, Monitoring and Customer

Environment Agency | Sapphire East, 550 Streetsbrook Road, Solihull, West Midlands, B91 1QT

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From: James D Nelson [mailto:j.nelson@dce-services.co.uk]
Sent: 24 January 2019 16:18
To: Irons, Sue <susan.irones@environment-agency.gov.uk>
Cc: PSC Land <PSC@environment-agency.gov.uk>
Subject: COPY_17090J-EPR/GB3903KW/A001 /// RE: We need more information about your application EPR/GB3903KW/A001 - 1 February 2019

Hi Sue

Thank you for clarifying the extension timing. We are pulling together the necessary information for you. Just a few queries for you below.

The potential for dust generation and the need for mitigation during the site development was subject to Condition 17 under planning. This was discharged (see attached decision notice, "Decision Notice Conditions 8 and 17.pdf"). Also we include the dust management document which led to the discharge of the condition. The risk was deemed to be from soils which may become deposited on the access routes to the site and/or occasional dust from extended dry periods and windy weather. The scheme included the provision of wheel wash facility at the site and the regular use of road sweepers and damping down/covering of stockpiles. As this has been cleared via planning do you need to charge for additional review?

Similarly, for clarity the original Condition 14 defining the types of waste to be used in contouring/landscaping the site was updated to become a new Condition 11 (attached PDF, "Decision Notice Waste Variation Condition 14.pdf"). Only clean, greenfield soil sources (R5).

Is a separate Environmental Management Plan (EMP) required? Our WRP can also be considered in parts as an EMP. Do you need a separate document, or can we "rebrand" the WRP to a WRP+EMP?

The need for a site condition reports and ESSD document: Site investigation and risk assessments undertaken in 2017 (DCE Report: 17090J-01, October 2017) showed the site is low risk in terms of human health and controlled waters currently AND for the proposed soil import activities. This was supported by EA in discharging conditions for the development. (EA Letter Ref: AE/2017/122201/01-L01, Dated: 28/11/2017). These with the Planning documents and the WRP, do these cover these issues, therefore an ESSD as a specific document won't be needed?

We will address all the other points and update the forms as required. We may have to upload several (and potentially large documents), would you be able to download via a file sharing site such as a company OneDrive? Alternatively, do you have a file upload link we could use?

Best regards
James D Nelson
BSc MSc CSci CChem FRSC SiLC
Associate Director



Geotechnical & Environmental Engineers

Discovery CE Limited

The Granary
Broadwell House Farm

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Rugby

CV23 8HF

Tel: 01926 813909

Mob: 07974 910931

www.dce-services.co.uk

From: Irons, Sue <susan.irons@environment-agency.gov.uk>
Sent: 18 January 2019 10:33
To: James D Nelson <j.nelson@dce-services.co.uk>
Cc: PSC Land <PSC@environment-agency.gov.uk>
Subject: RE: We need more information about your application EPR/GB3903KW/A001 - 1 February 2019

Dear James,

Thank you for your email yesterday.

I am happy to provide an extension in acknowledgement that you are current on sick leave from work. To be consistent and fair to all our applicants we ask that they provide fully responses to our Not Duly Made letter/ emails within 10 working days. Based on the assumption that you will be returning to work 21 January 2019 the 10 working day deadline falls on 1 February 2019. Therefore I am willing to extend the deadline until 1 February.

I see in the email from P&SC they inform you that a further £1,241 is due in reference to our Charging Scheme table 1.19 to assess a Fugitive emissions (dust) Management Plan. I would like to make you aware that this is not necessarily the case: in question 6 we comment that if your risk assessment concludes that without mitigating measures in place there is a medium or high risk of dust affecting habitats and other receptors then a Dust Management Plan must be submitted. If you need to write a Dust Management Plan you may wish to use our template which I have attached.

I have copied in our P&SC team to this email so they are aware of the revised instruction to the applicant.

Regards,

Sue Irons
Permitting Officer (Waste), Solihull Centre, National Permitting Service
Part of Operations – Regulation, Monitoring and Customer
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From: James D Nelson [<mailto:j.nelson@dce-services.co.uk>]
Sent: 17 January 2019 11:00
To: PSC Land <PSC@environment-agency.gov.uk>
Cc: Irons, Sue <susan.ironson@environment-agency.gov.uk>
Subject: RE: We need more information about your application and Underpayment of application charge
EPR/GB3903KW/A001

Hi Harace

Thank you for the comments and further data requirements.

I will lead on this but I am currently off work sick and would appreciate being allowed to extend the deadline to respond to 08/02/2018. Please confirm that this is OK.

Best regards
James D Nelson
BSc MSc CSci CChem FRSC SiLC
Associate Director



Geotechnical & Environmental Engineers

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From: PSC Land <PSC@environment-agency.gov.uk>
Sent: 17 January 2019 09:48
To: James D Nelson <j.nelson@dce-services.co.uk>
Subject: We need more information about your application and Underpayment of application charge
EPR/GB3903KW/A001

Dear Mr James Daniel Nelson,

We need more information about your application and Underpayment of application charge

Application reference: EPR/GB3903KW/A001

Operator: Golf World Stansted Limited

Facility: Golf World Stansted Limited

Thank you for your application received on 12/11/2018.

Unfortunately the application payment you sent is incorrect. A further £1,241 is due in reference to our Charging Scheme line 1.19.5.

I need to ask you for some missing information before I can do any more work on your application. Please provide us with the following information –

Form Part B2:

You may wish to read our guidance on how to complete Form Part B2 before completing the outstanding questions

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/694771/Form-guidance-EPB-Application-for-an-environmental-permit-Part-B2.pdf)

Q3b – Date of birth

Please provide this information with date, month, and year.

In accordance with the Environmental Permitting Regulations you are required to submit to the Environment Agency a complete copy of our application form, this includes but is not limited to some personal data such as names, dates of birth, addresses, email addresses. We are allowed to collect and process your data because we have official authority as the environmental regulator. The legal basis for processing this data is to perform a task in the public interest which is to decide if an applicant is suitable to get a permit. If you do not give us this data we will not be able to process your environmental permit application and it will be returned to you.

Q3d- Environmental Management System

Please provide a summary of your environmental management system.

We were not able to find this. It should include the information set out in our guidelines

([https://www.gov.uk/guidance/develop-a-management-system-environmental-permits.](https://www.gov.uk/guidance/develop-a-management-system-environmental-permits))

Q4 - Consultation (fill in 4a to 4c for installations and waste operations and 4d for installations only)

Please tick the yes/ no boxes for each potential consultee.

Q5b – Site Condition Report/ Environmental Setting and Site Design (ESSD)

Complete this section of the form and submit the ESSD.

This question was not completed and we have not been able to find a ESSD in your application. The ESSD is also required in Form Part B4. Guidance about how to write an ESSD is available at

<https://www.gov.uk/government/publications/report-template-environmental-setting-and-site-design>

Q5c – Non-Technical Summary

Confirm the maximum amount of waste in cubic metres and tonnes that you will use for the inert infill material (R5 activity) and restoring with a organic growing medium layer (R10 activity).

The information in the Waste Recovery Plan (WRP) relating to the maximum amount of waste required appears inconsistent with that stated in the application form: 58,000 Tonnes minimum stated in the WRP whereas 60,000Tonnes maximum used for infill and restoration stated in Form Part B4 Table 1a).

The R10 layer must be no more than 50cm in depth.

Q6 –Environmental Risk Assessment

Amend your site specific environmental risk assessment to make reference to the:

- **effects on the protected habitats: SSSI and deciduous woods**
- **airborne dust and other fugitive emissions. A Dust Management Plan may be required.**

If your risk assessment concludes that without mitigating measures in place there is a medium or high risk of dust affecting habitats and other receptors you must also:

- submit a site specific dust management plan
- amend Form Part F1 relating to sending the extra fee of £1241 - refer to our Charging Scheme line 1.19.5

- send the extra fee or contact our Permitting and Support Centre (P&SC) so we can take payment details
- amend Form Part B4 relating to submitting a Dust Management Plan.

Your risk assessment should be presented in accordance with our guidance (<https://www.gov.uk/guidance/risk-assessments-for-your-environmental-permit>) or a similar 'Source>Pathway>Receptor' model. A framework you may wish to use is in the General Risk Assessment table shown on the Standard Rules DfR (<https://www.gov.uk/government/publications/sr2015-no39-use-of-waste-in-a-deposit-for-recovery-operation>)

Form Part B4:

Complete Appendix 4 and submit the supporting documents you may reference in this section.

Guidance on how to complete Form Part B4 is available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/695433/Guidance-notes-B4-new-bespoke-waste-operation-permit.pdf

Waste Recovery Plan (WRP):

1) We were not able to find certain information in the WRP.

Please amend and resubmit it to include the following, or direct us to where the information has already been presented.

- how deep the top layer (R10) with peat and topsoil will be. Organic waste types cannot be in the infill R5 part which must be inert waste only. (17 05 04: Soil and stones other than those mentioned in 17 05 03; Restricted to topsoil, peat, subsoil and stones only.
- evidence that the minimum amount of waste (the amount you will not exceed) will be used to deliver the function. You must state the quantity of waste you intend to use in volume (m3) and tonnage and detail how you have calculated that figure.
- confirm the waste being used as a substitute for non-waste material: the applicant must confirm that if they could not use waste, they would complete the proposed works in the same way with non-waste materials.

Information about the required content of a WRP can be found at <https://www.gov.uk/guidance/waste-recovery-plans-and-permits>

2) You have ticked a box to say you/ your client had pre-application advice to confirm the proposal is Recovery not Disposal operation.

Please provide evidence of this or amend the tick box. Our officers are not aware a WRP has previously been submitted and deemed Recovery. By signing the Declaration in Form Part F1 the applicant and their agent are agreeing the information provided is accurate.

Please be aware your WRP will be assessed and deemed either Recovery or Disposal during the Determination stage, and not this Duly Making stage. If your application is deemed 'Disposal' the permit you have applied for will not be issued.

Form Part F1

1) **If you are submitting a dust management plan this should be listed on question 6 Application checklist.**

If required (see above questions) pay the extra fees for us to assess the dust management plan..

Please send the information, quoting the above application reference, to:

Email address: psc@environment-agency.gov.uk.

Postal address:
Permitting and Support Centre
Quadrant 2
99 Parkway Avenue
Sheffield
S9 4WF

Please send the information and payment by **31/01/2019**. Details of how to pay are given in Part F of the application form. If we don't hear from you, we must return your application. If you need extra time to provide the response you must notify us before the deadline and explain why the extension is needed however it is our discretion whether we agree to the extension.

When we receive the requested information and payment, we'll continue to check your application. We'll check to see if there's enough information for the application to be 'duly made'. Duly made means that we have all the information we need to begin determination. Determination is where we assess your application and decide if we can allow what you've asked for.

We'll let you know by letter whether your application can be duly made. If it can't be duly made, we'll return your application to you.

If we do have to return your application we'll send you a partial refund of your application payment. We'll retain 20% of the application charge to cover our costs in reviewing your application and requesting information. This maximum amount we'll retain is capped at £1,500. Further information on charging can be found at: <https://www.gov.uk/government/publications/environmental-permitting-ep-charges-scheme>

If you have any questions please phone Sue Irons on 020302 52898 or email susan.iron@environment-agency.gov.uk.

Yours sincerely

Harace Hussain

Permitting Support Advisor
Part of National Operations
National Permitting Service (part of National Services E&B)

☎ External: 02030256381 ☎ Internal: 56381 ☎ (Team Number) 02030253898

- ✉ Land Team, Environment Agency, Quadrant 2, 99 Parkway, Avenue, Sheffield, S9 4WF
- ✉ Email: harace.hussain@environment-agency.gov.uk
- ✉ Email: PSC@environment-agency.gov.uk

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