

Crown Quay Lane: Bespoke Deposit for Recovery Environmental Permit Application



August 2022



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Prepared for

Keltbray Built Environment Limited St Andrew's House Portsmouth Road Esher Surrey KT10 9TA

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CONFIDENTIAL

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Sensitive Receptors Plan Drawing No. 330201595D2

Indicative Site Setup and Monitoring Locations Drawing No. 6078 Rev 01

Indicative Development Platform Section Drawing No. 9200-EWK-002 Rev. P02

APPENDICES

- Appendix A EA Application Forms
- Appendix B Pre-application Advice
- Appendix C Waste Recovery Plan (330201595R1 Rev2)
- Appendix D WAMITAB Certificates
- Appendix E Environmental Setting & Site Design Report (330201595R2)
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- Appendix G Dust Management Plan (330201595R4)
- Appendix H Hydrogeological Risk Assessment (330201595R6)

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1 Introduction

1.1 Background

This application seeks to apply for a bespoke deposit for recovery Environmental Permit (EP) at Land east of Crown Quay Lane, Sittingbourne, Kent, ME10 3ST (the Site). Stantec UK Limited (Stantec) has been instructed to prepare this application on behalf of Keltbray Built Environment Ltd (Keltbray).

The Site will be developed by Bellway Homes to accommodate 107 residential properties with associated infrastructure. Planning permission 20/503325/FULL for the development was granted on 22 June 2022 by Swale Borough Council. Keltbray is contracted to Bellway Homes to undertake remediation works and landform engineering at the Site.

In order to create the necessary development platform required through planning 26,000m³ of suitable material is required. The operations proposed under this EP application were originally assessed against the criteria for a Standard Rules 2015 No.39 permit, however the Site does not meet the Standard Rules location attributes and therefore a Bespoke EP is being applied for

In support of this submission: Application forms have been completed and provided in **Appendix A**; Pre-application advice obtained from the Environment Agency (EA) as included in **Appendix B**; and the supporting Waste Recovery Plan is provided in **Appendix C**.

Keltbray has consented to Stantec preparing this application and has been involved in its reviewing process. A Declaration from a relevant person within the applicant organisation is provided in Application Form F1 (**Appendix A**).

1.2 Structure of this report

This application contains the following sections:

- Section 2 Contents of EP Application: a summary of pre-application discussions with and advice provided by the EA. This section also include a list of information included as part of this EP application with a brief summary of each.
- Section 3 Site location and setting: a brief summary of the Site location and setting.
- Section 4 Operator Details: a summary of operator details and dates of birth for directors.
- **Section 5 Non-technical summary:** description of current and proposed operations at the Site using non-technical language.
- Section 6 List of Waste Codes: the List of Waste (LoW) codes to be accepted at the Site under the EP.
- Section 7 Site Management: a summary of the Environmental Management System (EMS) to be implemented at the Site and evidence of Technically Competent Management.

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2 Contents of application

2.1 Pre-application Advice from EA

2.1.1 Basic Service - 03 March 2021

Basic pre-application advice was requested from the EA and an advice letter with reference EPR/KB3005XD/A001 was received on 03 March 2021. A copy of the pre-application advice letter is provided in **Appendix B**.

The Pre-application Advice Letter received stated that:

"We consider that this application will require the submission of a DMP because of the nature of the activity and the site's proximity to receptors"

A Dust Management Plan (DMP) has been completed as part of the preparation of this EP application. It is considered that the DMP meet the requirements set in the Pre-Application Advice. The DMP is provided as **Appendix G**.

It should be noted that the EA did not identify any requirement to submit a Noise Impact Assessment and accompanying Noise Management Plan as part of this EP application. It is considered that the Environmental Risk Assessment (ERA) (**Appendix F**) prepared to support this application is sufficient in providing information mitigation measures to be implemented at the Site to prevent impacts from noise and vibration beyond the Site boundary.

In addition, the Pre-application Advice Letter dated 03 March 2021, stated that

"Note, in our experience a HRA is likely required for your application, the complexity of this risk assessment will be subject to site setting but could be qualitative or quantitative. Your site risk assessment and ESSD will help inform you what complexity of HRA is required."

A Hydrogeological Risk Assessment (HRA) is included as **Appendix H** of this application.

2.1.2 Waste Recovery Plan Advice Letter and Form – 01 April 2021

A Waste Recovery Plan (WRP) was submitted to the EA for assessment on 23 December 2020, with an RvD Advice Letter and Form subsequently being issued by the EA on 01 April 2021. At that time, the EA could not agree that the proposed operations would constitute a recovery activity due to a lack of granted planning permission.

A copy of the RvD Advice Letter and accompanying Advice Form dated 01 April 2021 is provided in **Appendix B**.

Since planning permission for the scheme was granted on 22 June 2022, it is considered that the WRP can be reassessed as part of the application to determine whether the EA deem the works to be a recovery activity. A revised WRP has been prepared to support this EP application and is provided as **Appendix C**. The relevant fee (£1,231) for an assessment of the revised WRP has been accounted for as part of this EP application.

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2.2 Information submitted as part of Permit Application

The relevant EA application forms (Part A, Part B2, Part B4 and Part F1) for a bespoke EP are included within this EP application. These forms refer to supporting information required to allow the EA to complete a robust assessment. Table 2.1 includes a summary of the application documents that form this EP application.

Table 2.1 EP application suite

Table 2.1 EP application suite					
Document	Location in EP Application	Document Ref.	Comments		
EP Application					
Crown Quay: Bespoke Permit Application	This Document	330201595R5	This Document		
Application Forms					
Application Form Part A		Part A	These are the application forms required for bespoke EP		
Application Form Part B2	Appendix A	Part B2	applications. The information provided in this report and in the		
Application Form Part B4		Part B4	other appendices of this application are provided as part		
Application Form Part F1		Part F1	of the requirements in these forms.		
Supporting Reports /	Letters / Docume	nts			
Pre-Application Advice	Appendix B	Ref. EPR/KB3005XD/A001	Pre-application advice consisted of the main following letters / forms: • Pre-application Advice Basic Service Letter - EPR/KB3005XD/A001 Dated 03 March 2021 (see Section 2.1.1 of this report for more detail). • RvD Letter and Advice Form – EPR/KB3005XD/A001 Dated 01 April 2021 relating to Version 1 of the Waste Recovery Plan for the Site (see Section 2.1.2 of this report for more detail).		
Waste Recovery Plan	Appendix C	330201595R1 Rev2	Waste Recovery Plan to demonstrate how the proposed works are considered to be a recovery activity as opposed to a disposal activity.		
WAMITAB Certificates	Appendix D	-	Certificates to demonstrate that Technically Competent Management will be in place on the Site.		
Environmental Setting and Site Design	Appendix E	330201595R2	Environmental Setting and Site Design (ESSD) Report providing detailed information on the Site's setting.		

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Document	Location in EP Application	Document Ref.	Comments
Environmental Risk Assessment	Appendix F	330201595R3	An Environmental Risk Assessment (ERA) has been completed and considers the risk associated with the operations to be carried out under the EP only.
Dust Management Plan	Appendix G	330201595R4	Due to the location of sensitive receptors within 500m of the Site boundary and from advice from the EA, a DMP has been completed. The DMP lists the mitigations measures implemented at the Site to mitigate dust emissions from the permitted operations.
Hydrogeological Risk Assessment	Appendix H	330201595R6	Hydrogeological Risk Assessment (HRA) for the proposed waste operations at the Site.
Drawings			
Permit Boundary Plan	Drawings	330201595D1	Provides detail of the proposed EP boundary.
Sensitive Receptors Plan	Drawings	330201595D2	Identifies sensitive receptors in proximity to the Site. This drawing supports the DMP, ERA and the ESSD.
Indicative Site Setup and Monitoring Locations	Drawings	6078 Rev 01	An indicative layout of the Site during operations under the EP.
Indicative Development Platform Section	Drawings	9200-EWK-002 Rev. P02	Indicative final levels of the construction platform.

2.3 EA fees

Stantec has considered that, in line with guidance provided in the most recent charging scheme, that the correct EP application fee to be paid to the EA totals £12,458¹. This amount is considered to comprise the following components:

- New bespoke EP for "deposit of waste for recovery" £9,207
- Assessment of a DMP £1,241
- Assessment of a WRP £1,231
- Habitats Assessment £779

A total fee of £12,458 will be paid by Keltbray for this application.

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¹ EA, Environmental Permitting Charges Guidance https://www.gov.uk/government/publications/environmental-permitting-charges-guidance/environmental-permitting-charges-guidance

2.4 Contact information for Agent

Stantec is acting as agent to Keltbray for the purposes of this EP application. Application Form Part A required details of additional agent contact information to be provided in the event that the main agent contact cannot be provided. For clarity, the contacts within Table 2.2 are available for the purposes of this application.

 Table 2.2
 Agent contact information

Name	Landline	Mobile	Email
Georgina Watkins	01743 276 136	07707 266 091	Georgina.Watkins@stantec.com
Christopher Berryman	01743 276 107	07711 004 283	Christopher.Berryman@stantec.com

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3 Site Location and Setting

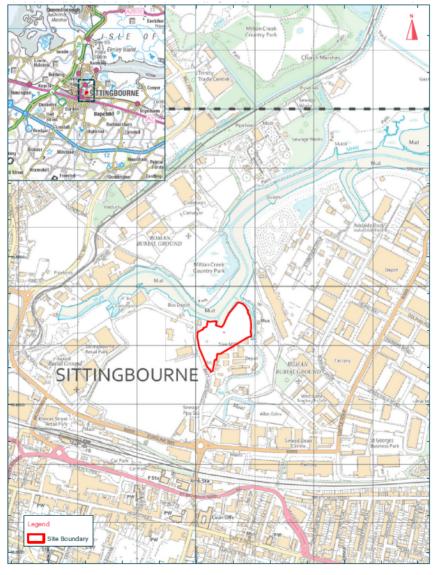
3.1 Site Location

The Site is located to the east of Crown Quay Lane in Sittingbourne, Borough of Swale, Kent. The Site postcode is ME10 3ST and the Site is centred on National Grid Reference (NGR) TQ 90821 64060. The general site location is shown in Figure 3.1 and a summary of Site details and local land use is provided in Table 3.1.

The Site is bound by Crown Quay Lane to the west, Milton Creek to the north, and industrial development to the south and east. On the western side of Crown Quay Lane, planning permission has been granted for residential development comprising 383 dwellings (Planning Application Reference: 16/507877), which is currently under construction.

An Environmental Setting and Site Design Report (ESSD) Report has been completed as part of this application to provide further detail regarding the Site location and is included as **Appendix E.**

Figure 3.1 Site location



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Table 3.1 Site details

Site address	Land Ea	ast Of Crown Quay Lane Sittingbourne Kent ME10 3ST		
NGR	TQ 90821 64060			
Site location	located a	The Site is located within the residential town of Sittingbourne, Kent and is located approximately 650 m north east of the town centre and high street. Existing access to the Site is via Crown Quay Lane, which runs along the eastern boundary of the Site.		
Topography	between slopes lo levels de waste au activity.	The majority of the land is relatively flat, with ground elevations in the order of between 4.4 mAOD (metres Above Ordnance Datum) to 4.8 mAOD. There are slopes located along the northern and eastern boundaries, where the ground levels decrease to a low of approximately 1.3 mAOD. Three stockpiles of inert waste are located on the Site, which are proposed to be used in the recovery activity. The topography of the Site is shown on the Topographical Survey Sheet 1, Drawing No. CM/181000 (Appendix C).		
Previous land use	concrete and doc	The Site has been used for a range of land uses, including printing works, concrete production / cement works, bulk liquid storage, backfilling marshland, and docks. The most recent use of the Site was as a waste transfer site for construction and demolition waste.		
	North	The site abuts mudflats to the north, which form part of Milton Creek. Milton Creek is designated as part of the Swale Estuary Marine Conservation Zone (MCZ) and Milton Creek Local Wildlife Site (LWS). Milton Creek Country Park is located further north, approximately 70 m from the Site. To the north west of the Site lies Bayford Meadows Kart Circuit, approximately 140 m from the Site. Biffa Sittingbourne (household waste transfer facility) is located approximately 770 m north of the Site.		
Surrounding land use	East	A concrete producer (Supreme Concrete) is located off Crown Quay Lane to the immediate east of the Site. Industrial units making up Eurolink Industrial Estate are located further to the east. A small tributary of the Swale is located immediately east of the Site.		
	South	A timber supplier (Odds Timber) is located immediately south of the Site, with other industrial units located further south. The B2006 is located approximately 230 m south of the Site, with Sittingbourne Train Station being located approximately 470 m south west of the Site.		
	West	A builders' merchant (Jewson Sittingbourne) is located to the west of the Site, adjacent to Crown Quay Lane. An area of disused land (allocated for residential development) is also located to the west of the Site.		

3.2 Environmental Permit Boundary

The proposed EP application boundary is shown in green on Stantec Drawing No. 330201595D1.

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4 Operator Details

4.1 Company Information

Company details for Keltbray are provided in Table 4.1.

Table 4.1 Company Details for Keltbray

Company Name	Keltbray Built Environment Limited
Company Number	12548732
Registered Address	St Andrew's House, Portsmouth Road, Esher, England, KT10 9TA
Incorporation Date	06 April 2020
No. of Directors listed	9

4.2 Director & Secretary Information

For EP applications, the date of birth information for each director / secretary is required to be provided. The name and date of birth information for the director(s) is provided in Table 4.2.

Table 4.2 Director Information

Name	Date of Birth	Position
Michael Edward O'Hagan		Director
Vincent Corrigan		Director
Daniel O'Donovan		Director
John Richard Price		Director
Paul Francis Deacy		Director
Peter Konrad Suchy		Director
Peter Burnside		Director
Darren Glyn James		Director
Brendan Kerr		Director

4.3 Relevant Offences / Bankruptcy / Insolvency

Relevant persons have not been convicted of any relevant offences, nor has any relevant person been subject to bankruptcy or insolvency proceedings.

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5 Non-Technical Summary

5.1 Site history and current operations

The Site has been subject to a variety of different uses, including: oilcake works; cement works; printing works; waste operations; and use as a wharf. It is evident from historical mapping of the Site that backfilling of the wharf and tidal mud flats has previously occurred.

From 2007 to mid-2013, waste operations were undertaken of the Site associated with a grab hire lorry business. It is understood that the waste operations were initially undertaken under a waste exemption until 2010. Waste operations continued without a Waste Exemption or EP being in place until 2013 at which time Bellway took possession of the Site. A volume of waste was left on the Site from the waste operations undertaken by the previous occupier of the land. These materials were deemed to have originated from previous waste transfer activities and include grab hire materials. It was therefore considered that the material has been generated from multiple sources. In 2017, Keltbray undertook processing of the stockpiled waste, recovering suitable soil material for re-use on the Site. Subsequent sampling and analysis of the soil component of the material showed the soil was suitable for reuse on a site with a residential end-use and would not pose a risk to controlled waters. The screened soils have been retained on-Site and total a volume of approximately 14,000m³. It is understood by Stantec from Keltbray that the EA is aware of this material.

In April 2020, it is understood that there was a further incident of an unauthorised deposit of approximately 4,000m³ of waste at the Site by an unknown third-party. The incident was reported to the EA. The unauthorized wastes were removed from Site at the client's cost for disposal at a suitably licensed waste facility.

Stabilisation works are being undertaken on the 14,000m³ of soils remaining on the Site. The treatment will be undertaken under Keltbray's mobile treatment Standard Rules SR2008 No27 permit (EPR/CB3902KF).

5.2 Proposed operations

Operations to be carried out at the Site under the deposit for recovery EP will include the importation and deposit of waste for the construction of a development platform as described in the Waste Recovery Plan (**Appendix C**).

The Site is proposed to be developed into an area of 107 residential properties with associated infrastructure. A platform is required be constructed to facilitate the development works i.e. to provide a level platform suitable for housing. The required ground levels were determined from a review of the EA's 200 year flood levels from the sea. The Flood Risk Assessment (WSP, 2019) includes information on the ground elevations for the proposed platform:

"The final ground levels have been designed in accordance with the agreed minimum elevations for:

- The dwellings:
- Finished Floor Levels for houses to be at least 6.05mAOD (i.e. 300mm above the EA's 200-year flood level from the sea);

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- Finished Floor Levels for flats to be at least 6.35mAOD (i.e. 600mm above the EA's 200-year flood level from the sea); and
- Finished levels for external areas where access is required to be at least 5.75mAOD"

For clarity, the development proposed to be undertaken under the deposit for recovery EP is the works associated with the construction of the development platform only. This will entail the formal deposit to land of the existing 14,000m³ of material retained on site from a previous occupier, as well as an additional 12,000m³ of suitable imported material. These material balances are required to develop the Site in accordance with the development plans included in the granted planning permission for the Site.

A visual representation of the 'cut and fill' is shown on the Indicative Development Platform Section, Drawing No. 9200-EWK-002.

Wastes to be used in the recovery operation will principally include topsoil, aggregates and cohesive fill. Suitable imported materials are proposed to be inert in nature. The imported waste may be stored temporarily or placed directly in the works.

The Operator will have an EMS in place for when the deposit for recovery EP is issued. Strict waste acceptance procedures, which will form part of the EMS, will be applied on the Site to ensure that only suitable permitted waste types are accepted. The waste acceptance procedures to be implemented at the Site are included as part of the ESSD. The List of Waste (LoW) codes to be accepted at the Site are presented in Section 6 and Table 6.1.

Waste treatment operations are not proposed to be undertaken under the Environmental Permit. Stabilisation of wastes already on the Site is to be undertaken under Keltbray's mobile plant Standard Rules SR2008 No.27 treatment permit (EPR/CB3902KF) to render it chemically and geotechnically suitable for placement.

Prior to placement, the top 1 m of Made Ground at the Site will be excavated leaving a remaining depth of around 2 m of Made Ground. The stabilised material and imported waste will be placed in a layer of approximately 1 m to raise levels to the required level for the development platform. Stabilised material will be placed towards the centre of the Site and imported wastes will be placed around the perimeter of the Site adjacent to Milton Creek as well as overlying the stabilised the materials (where required) to achieve the required formation levels.

There will be no deposit of waste into groundwater.

There are no proposed waste treatment operations to be undertaken under the EP.

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6 List of Waste Codes

There are two waste streams at the Site to be used in the construction of the development platform. These are:

- Extant waste on the Site (c. 14,000m³) undergoing stabilisation works before being placed in the deposit for recovery operation. It is considered that this stabilised waste would have the LoW code 19 13 02 "Soils wastes from soil remediation other than those mentioned in 19 13 01*"; and
- Waste imported onto the Site (c. 12,000m³).

The LoW codes proposed to be accepted at the Site under the EP are provided in Table 6.1.

Table 6.1 Waste Types

LoW Code	Description
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOILS FROM CONTAMINATED SITES)
17 05	Soil (including excavated from contaminated sites) soil and dredging spoil
17 05 04	Soil and stones other than those mentioned in 17 05 03*
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
19 12	Wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified
19 12 12	Other wastes (including mixtures of materials) that have undergone mechanical treatment, other than those mentioned in 19 12 11*
19 13	Soil and groundwater remediation
19 13 02	Solid wastes from soil remediation other than those mentioned in 19 13 01*

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7 Site Management

7.1 Environmental Management System (EMS) Summary

The Site will be operated by Keltbray under an Environmental Management System (EMS). The EMS will be prepared in line with prevailing EA guidance.

The EMS will commit Keltbray to:

- · Prevention of pollution;
- · Compliance with permitting regulations; and
- Continual environmental improvement.

The EMS will include the following:

- Site details including the location of the Site, receptors located in close proximity to the Site boundary, waste storage, the plant and equipment that is used on the Site, the different types of waste treatment activities carried out on Site, the Site security measures, information on the competence of the staff working on Site, roles and responsibilities for each member of staff and details for Site closure.
- Authorisations for the site, including a copy of the EP and any other EA registrations for the Site.
- Certificates for Technically Competent Managers
- The approved DMP for the Site.
- Procedures and forms including housekeeping, complaints, accidents and incidents, waste acceptance and rejections, spillage etc.
- Drawings including the Site Boundary Plan, Sensitive Receptors Plan and Site Layout for the EP.

7.2 Technically Competent Management

A copy of the original WAMITAB Certificates and Continuing Competence Certificates for Kelbray staff Jack Holliday, Tim Ridley and Vladimir Simov are provided in **Appendix D.** Jack Holliday, Tim Ridley and Vladimir Simov will act as the Technically Competent Managers for the Site.

Table 7.1 TCM Date of Birth and Contact Information

Name	Date of Birth	Email address	Phone
Jack Holliday	31 March 1992	jack.holliday@keltbray.com	07808 300749
Tim Ridley	25 May 1990	tim.ridley@keltbray.com	07890 279337
Vladimir Simov	01 January 1985	vladimir.simov@keltbray.com	07920 482250

Jack Holliday and Tim Ridley act as Technically Competent Managers for other sites. The sites where they act as a Technically Competent Manager are included in Table 7.2.

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Table 7.2 Other sites where TCMs acts as TCM

TCM	Permit Number	Site Address
Jack Holliday	CB3902KF/W0043	Deployment of mobile plant at Oval Gas Works
Tim Ridley	CB3902KF/W0049	Deployment of mobile plant at Pathways Dagenham
	WML/L/1193675 – 1 active deployment	Signify, Hamilton
	(SEPA WML)	
Vladimir Simov	N/A	N/A

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Drawings

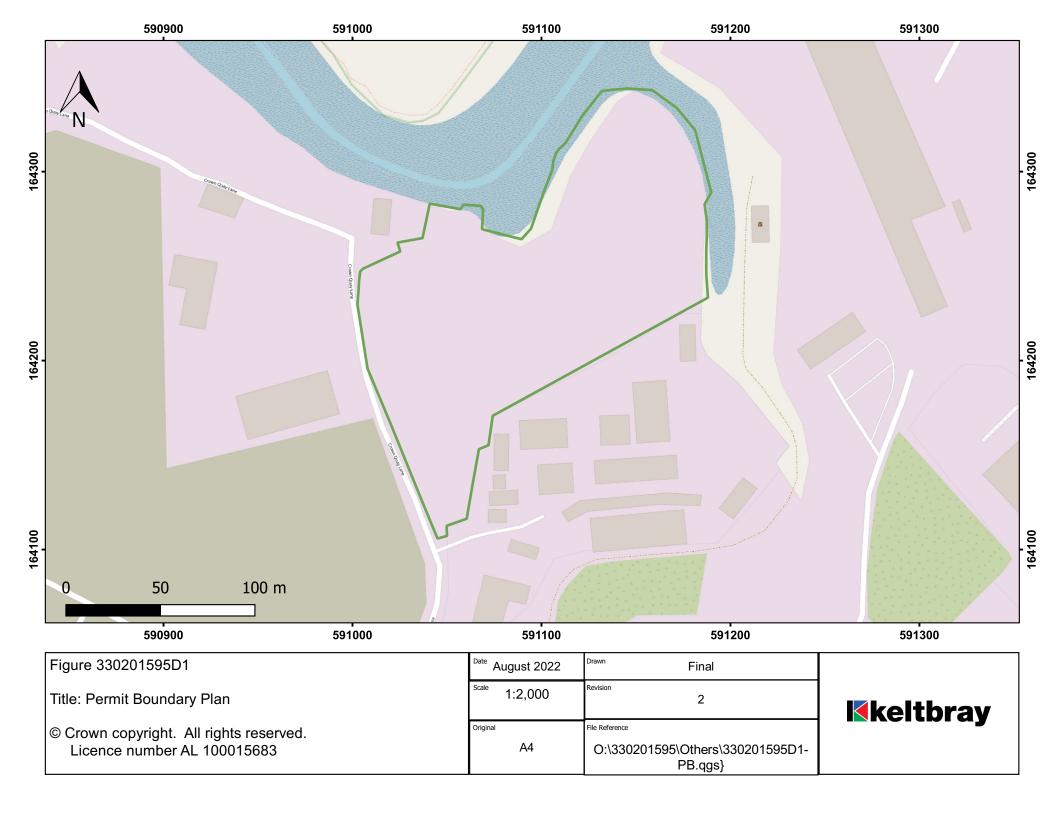
Permit Boundary Plan Drawing No. 330201595D1

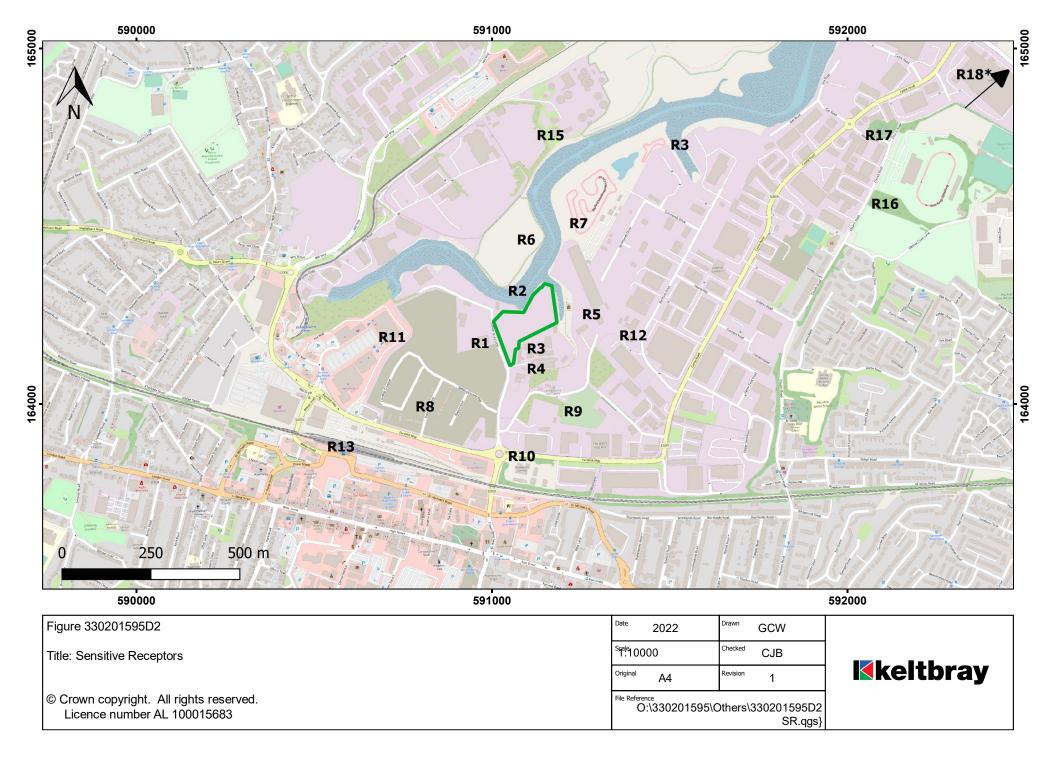
Sensitive Receptors Plan Drawing No. 330201595D2

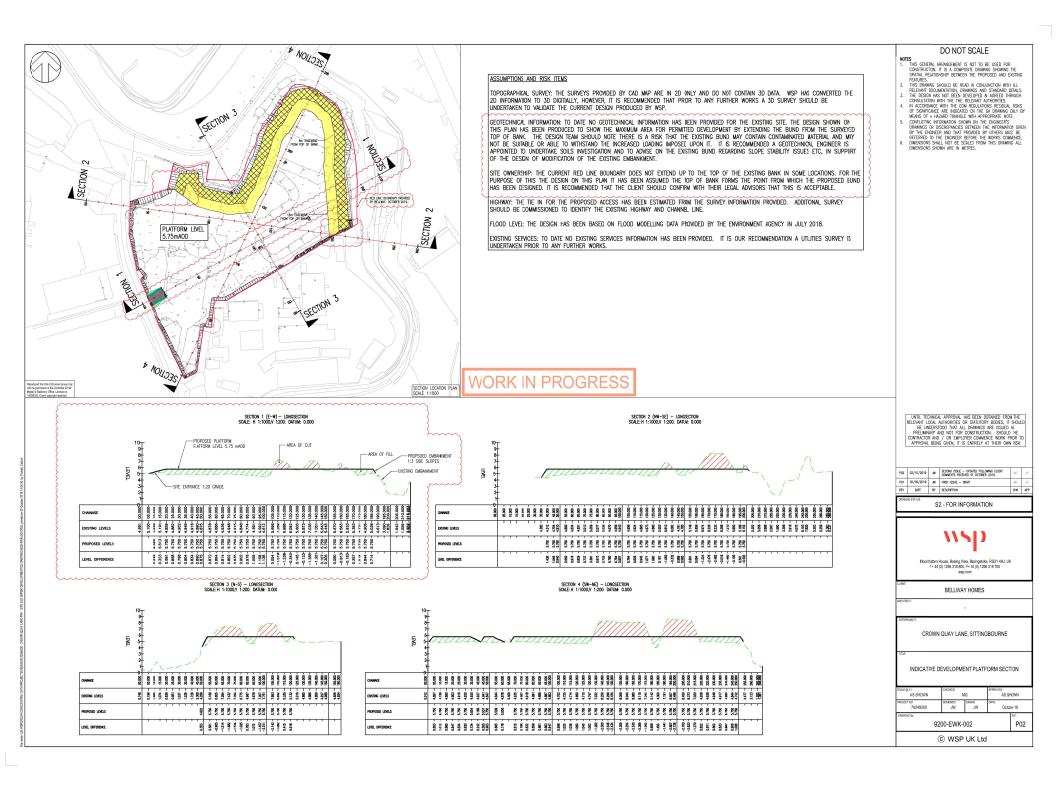
Indicative Site Setup and Monitoring Locations Drawing No. 6078 Rev 01

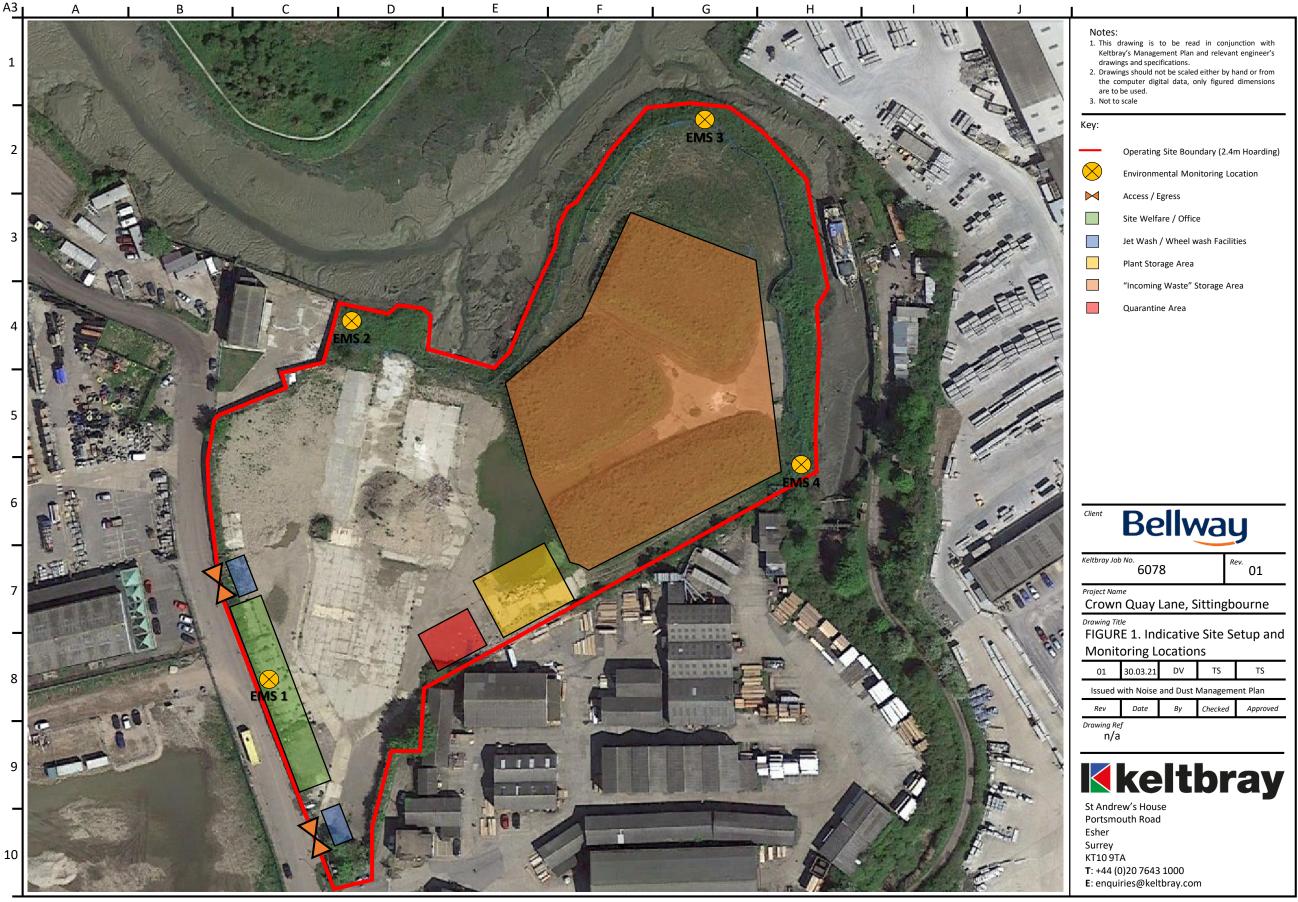
Indicative Development Platform Section Drawing No. 9200-EWK-002

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Appendices

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Appendix A EA Application Forms

Part A

Part B2

Part B4

Part F1

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Appendix B Pre-Application Advice

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Appendix C

Waste Recovery Plan (Report Ref. 330201595R1 Rev2)

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Appendix D WAMITAB Certificates

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Appendix E

Environmental Setting & Site Design Report (Report Ref. 330201595R2)

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Appendix F

Environmental Risk Assessment (Report Ref. 330201595R3)

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Appendix G

Dust Management Plan (Report Ref. 330201595R4)

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Appendix H

Hydrogeological Risk Assessment (Report Ref. 330201595R6)

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