

From: [Harry Edwards](#)
To: [Cummins, Kate](#); [SM-Defra-RESP-notifications \(DEFRA\)](#)
Subject: RE: EPR/BP3709LB/V003 and EPR/BP3709LB/S004 - We Need More Information About Your Applications (not duly made request for information) CRM:0270062
Date: 10 February 2025 10:18:01
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
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[image019.png](#)
[013 Wheaton Ashton - Odour management plan 2024.doc](#)

Hi Kate

Sorry not to have sent this, please find attached.

The modelling has been completed without the proposed redundant lagoon, I will arrange for this to be modelled now and send updated files once received.

Regards

Harry Edwards

mailing list



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From: Cummins, Kate <kate.cummins@environment-agency.gov.uk>

Sent: 07 February 2025 19:36

To: Harry Edwards <harryedwards@fcgagric.com>; SM-Defra-RESP-notifications (DEFRA) <RESP-notifications@defra.gov.uk>

Subject: RE: EPR/BP3709LB/V003 and EPR/BP3709LB/S004 - We Need More Information About Your Applications (not duly made request for information) CRM:0270062

Hi Harry,

Apologies for the delay. I've now looked through the documents submitted and I'm completing the final checks and have realised you have listed document 013 odour management plan in the application form C3.5 but none has been submitted. Can you please send that to me.

In addition can you please respond to my query below highlighted in **yellow**.

I also asked in the email below for a revised plan of the whole site, including the areas to be surrendered and the revised, extended, boundary for the proposal. I won't pursue this now, in order to get the applications duly made, but we may require this during determination.

As soon as I have this in formation I will be able to duly make the applications and arrange for consultation and publication, and add the modelling to the audit queue.

Kind regards,
Kate

From: Cummins, Kate

Sent: 28 January 2025 15:33

To: Harry Edwards <harryedwards@fcgagric.com>; SM-Defra-RESP-notifications (DEFRA) <RESP-notifications@defra.gov.uk>

Cc: Noden, Dean <Dean.Noden@environment-agency.gov.uk>; Roberts, Judy

<judy.roberts@environment-agency.gov.uk>

Subject: RE: EPR/BP3709LB/V003 and EPR/BP3709LB/S004 - We Need More Information About Your Applications (not duly made request for information) CRM:0270062

Hi Harry,

I have had some information from Dean and Judy regarding their site visit and they agree that the pig buildings can be surrendered as low risk. However the lagoons will need to remain within the site boundary until they have been checked.

I haven't had chance to check through your responses from last week yet and **also need to check that the lagoon you intend to still use until the tanks have been built is included in the modelling for the proposal?** I understand one of the lagoons just contains rainwater. Can you please submit a revised installation boundary showing the proposed new boundary and the areas to be surrendered where the disused pig buildings only are please. Please clearly indicate the lagoons on the installation and which one is remaining in use.

I will look at the other responses you have submitted and get back to you if I need any further information.

Judy has confirmed also that it is not relevant to this surrender for her to inspect the AD plant, which is remaining within the installation boundary.

Kind regards,
Kate

From: Harry Edwards <harryedwards@fcgagric.com>

Sent: 27 January 2025 13:00

To: Cummins, Kate <kate.cummins@environment-agency.gov.uk>; SM-Defra-RESP-notifications (DEFRA) <RESP-notifications@defra.gov.uk>

Cc: Noden, Dean <Dean.Noden@environment-agency.gov.uk>; Roberts, Judy <judy.roberts@environment-agency.gov.uk>

Subject: RE: EPR/BP3709LB/V003 and EPR/BP3709LB/S004 - We Need More Information About Your Applications (not duly made request for information) CRM:0270062

Hi All

Following the visit last week would it be possible to provide an update on how you see this best to proceed. I have tried to call all this morning but thought may be easier to email so we can all understand a way forward.

Kate/ Dean – please can you provide me with what you would need to see on a practical level on the ground to allow the buildings to be surrendered from the permit.

I know we are all keen to get this progressed and as the site has not been visited for a number of years would it be possible to arrange a site visit for Dean and or Judy to complete within the next two weeks. We can be flexible on dates and times to suit. I have had a zoom call with the operator

this morning and working on providing the reports for the AD side.

Kate in terms of the variation and part surrender I think we need to amend what is being part surrendered with this application. Practically speaking we require the (to be redundant) lagoon to operate currently until the two new slurry stores and up and operational. However, we cannot use these new tanks until they are within the permit variation.

Therefore, propose that the part surrender and variation continue based on surrendering the old off lying buildings to the west of the site and variation as planned with the addition of the soon to be decommissioned lagoon. Once the variation is approved the operator can then build the new slurry tanks and use these meaning the second lagoon can be disconnected, emptied out and cleaned and then a subsequent part surrender can be applied for this. At this time it will no longer be in use and therefore in a condition that would be acceptable for a low-risk surrender. I hope that timescale makes sense.

Please can you come back to me when a full site visit would be suitable, thank you.

Regards

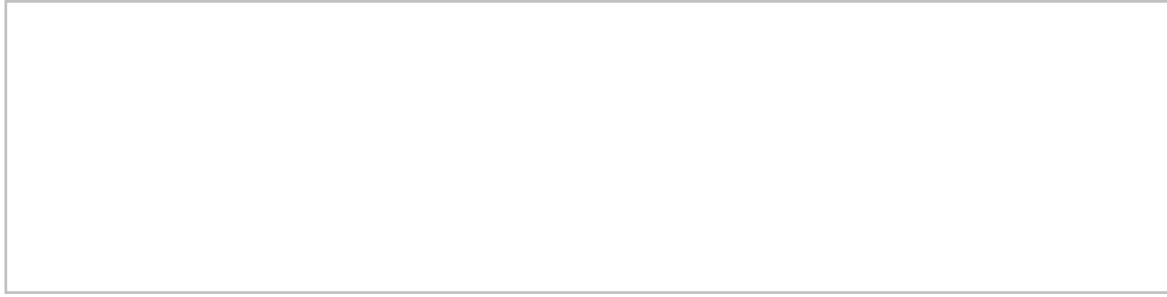
Harry Edwards

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From: Cummins, Kate <kate.cummins@environment-agency.gov.uk>

Sent: 17 January 2025 15:04

To: Harry Edwards <harryedwards@fcgagric.com>; SM-Defra-RESP-notifications (DEFRA) <RESP-notifications@defra.gov.uk>

Cc: Noden, Dean <Dean.Noden@environment-agency.gov.uk>; Roberts, Judy <judy.roberts@environment-agency.gov.uk>

Subject: RE: EPR/BP3709LB/V003 and EPR/BP3709LB/S004 - We Need More Information About Your Applications (not duly made request for information) CRM:0270062

Hi Harry,

I have now spoken with my team leader, and Dean and Judy separately.

We can agree to an extension for two weeks, taking the deadline to **31/01/25**, to allow you time to arrange with Judy and Dean a site visit within that time and provide any paperwork they require to enable it.

If you are unable to arrange this by then, then we won't be able to continue with the partial surrender application and will have to focus on the variation only, with the partial surrender deemed not duly made. In that case we will require a revised installation boundary plan including all the areas you want to surrender and the new extended areas. Unfortunately I will also have to retain 20% of the partial surrender fee and you will need to submit that application at a later stage when you have the information required for it.

Can you please keep me updated on the arrangements so I have an idea which direction the applications are going in and I can review the revised documents submitted this week to see if we have sufficient information to proceed with the variation with or without the partial surrender being duly made.

For Judy and Dean's benefit I have attached your proposed site boundary if both applications are permitted (007, v3), and the plan with the areas you wish to surrender (020,

v2). Just to mention, the areas indicated on plan 020, v2 for surrender doesn't include part of the 'triangular' area which is excluded in the proposed new installation boundary plan 007 v3, so you will need to update the surrender plan to exclude this area also if we can progress the partial surrender.

Kind regards,
Kate

From: Harry Edwards <harryedwards@fcgagric.com>
Sent: 16 January 2025 14:01
To: SM-Defra-RESP-notifications (DEFRA) <RESP-notifications@defra.gov.uk>
Cc: Cummins, Kate <kate.cummins@environment-agency.gov.uk>; Noden, Dean <Dean.Noden@environment-agency.gov.uk>
Subject: RE: EPR/BP3709LB/V003 and EPR/BP3709LB/S004 - We Need More Information About Your Applications (not duly made request for information) CRM:0270062

Hi Kate

Further to your email below, please find my comments in red below. Would it be possible to extend the deadline to allow time for Dean to come out on site and confirm site surrender ?

Regards

Harry Edwards

mailing list 

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From: SM-Defra-RESP-notifications (DEFRA) <RESP-notifications@defra.gov.uk>
Sent: 18 December 2024 11:11
To: Harry Edwards <harryedwards@fcgagric.com>
Cc: Cummins, Kate <kate.cummins@environment-agency.gov.uk>; Noden, Dean <Dean.Noden@environment-agency.gov.uk>
Subject: EPR/BP3709LB/V003 and EPR/BP3709LB/S004 - We Need More Information About Your Applications (not duly made request for information) CRM:0270062



Dear Harry Edwards

Environmental Permitting (England and Wales) Regulations 2016

Application references: EPR/BP3709LB/V003 and EPR/BP3709LB/S004

Operator: BELMONT FARMS LIMITED

Facility: Wheaton Aston Farm Pig Unit - EPR/BP3709LB, Little Onn, Stafford, ST20 0AU

Thank you for your applications received on 21/11/2024.

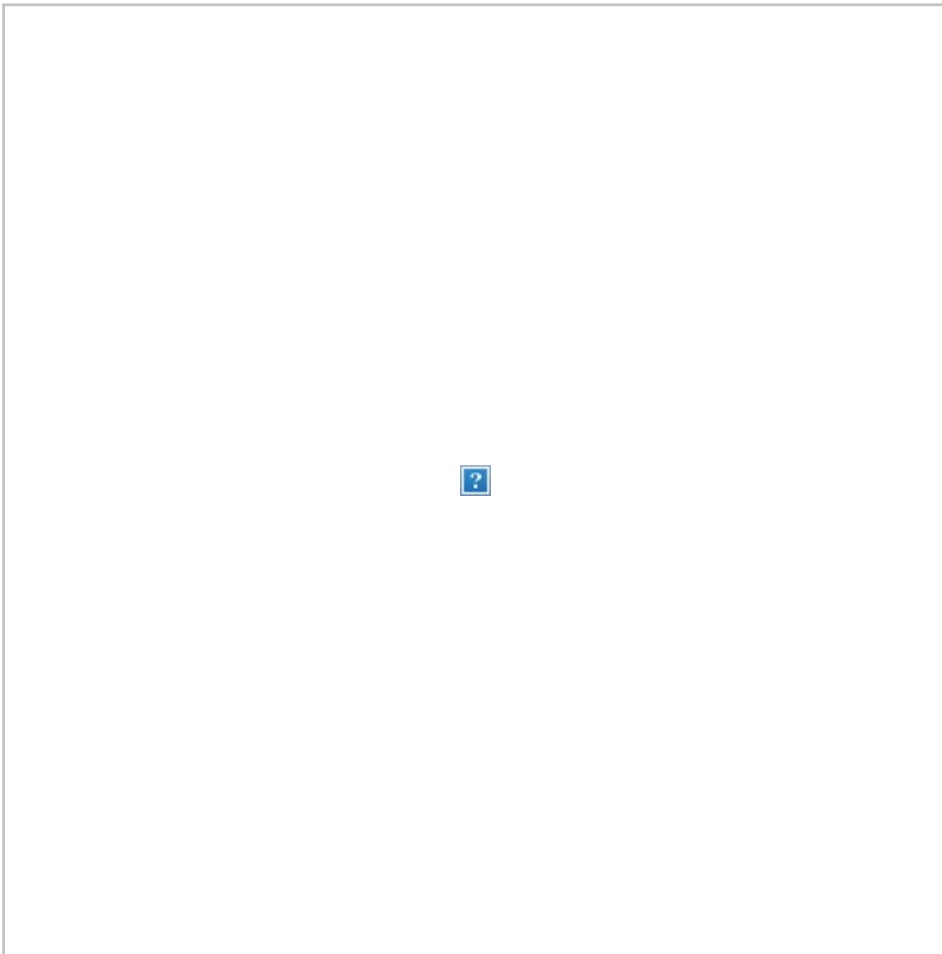
We need to ask you for some missing information before we can do any more work on your applications (I have separated out the questions 1 - 8 for the variation application and 9 - 12 for the partial surrender application below). Please provide us with more information to the following questions, and submit the additional fee required:

EPR/BP3709LB/V003 – substantial variation application

1. **Installation boundary** – it appears that the AD plant has been built outside of

permitted boundary in EPR/KP3537MX/V002 issued 09/06/11, so this area will need to be included in an updated installation boundary plan and details added to an updated site condition report (requested below). Please note, your revised installation boundary plan may need to include the area to be partially surrendered if you cannot provide one or more of the responses required for the partial surrender application below, because if we are able to progress the variation to duly made but not the partial surrender then we will be assessing the variation with the increased areas of land and the areas you wish to surrender will still need to be included in the installation boundary. *We cannot remove areas of land in a variation application only, although we can extend the boundary to include the additional areas required for the AD plant and slurry tanks.*

Current installation boundary:



Proposed installation boundary:



2. **Non-technical summary (NTS)** – you have ticked in application form C3.5 that the NTS is document 002; this document is named as the ‘summary of proposed changes’ and mentions the surrender of land to the **east**, which is not clear in any of the plans. We believe that the main area to be surrendered is to the north/northwest? Please clarify and include in the document an NTS in the usual format describing the operations in general, as these are changing from the original NTS. Please adapt this document if any of the responses for the partial surrender application queries below cannot be provided and the partial surrender application cannot be duly made. – **this was an error and should be west, New NTS attached in NTS.**
3. **Ammonia and BAT assessments**

Since submission of the application, we have published revised ammonia emission factors (EFs) on 29/11/2024; please see the following link for further information: [Ammonia emission factors for pig and poultry screening, modelling and reporting - GOV.UK](#). This means that the modelling you have submitted is not using the correct emission factors and they may also not meet the required BAT AELs. We can complete sensitivity checks during the audit of the modelling once the application is duly made, against the changes and any other discrepancies (see below) however if the conclusion is different to the current one of demonstrating a reduction of impacts from the change in proposal then we may require you to submit updated modelling. Please confirm the following:

 - a. Please confirm the heights and efflux velocities for the roof fans in pig houses with this type of ventilation – the height and velocities are inconsistent in the pre-application request (which stated all at height 5.5m or greater and efflux velocity at or

greater than 7m/s - which is the criteria for high velocity roof fans), and the modelling report which has a height of 5.5m for house 2, and 4.5m for houses 5 – 9, and all these houses with an efflux velocity of 5m/s, which would indicate they are not classed as high velocity fans. The TS information for these is also inconsistent. I have attached a spreadsheet with the discrepancies highlighted. **These have been amended in the various documents and attached, to confirm the modelling is correct.**

- b. Following publication of revised emission factors on 29/11/2024 we can no longer accept frequent slurry removal emission factors unless this is weekly removal. Therefore we apply the fully slatted floor (FSF) emission factors. Please see the attached spreadsheet which includes some information comparing the mass balance ammonia emissions using the old emission factors with the new ones we propose are the appropriate ones. Please confirm you agree with the emission factors indicated for each livestock type or amend any details and highlight them where you have made any changes. *Please note, the mass balance calculations for the baseline livestock numbers shows that the new EFs will be a lower baseline and this will be used in our sensitivity checks for the modelling. Please call me if you need further explanation for this. I confirm we agree with the revised EM, I presume these will be revised down when crude protein is used to comply with BAT AEL*
- c. Please confirm if the dry sows in proposed houses 2 and 3, and the production pigs > 30kg (unserved gilts) in proposed houses 5 – 8 are remaining as the same type of livestock, or if these houses are currently used for other types of livestock in the current permit, ideally providing a plan of the existing layout out with houses numbered B1 – B24. *Dry sows and production pigs > 30kg (unserved gilts) do not meet the BAT AEL for new plant (which includes refurbished plant to accommodate a different livestock type). Figures 3a and 3b on page 18 of the detailed ammonia modelling report submitted with the application show the locations of the sources (pig houses) but they aren't numbered. We need to establish which houses are B1 – B24 in figure 3a, so it can then be checked if the houses have the same type of livestock in for the proposal and therefore are classed as existing plant or the livestock is changing (and hence rearing regime) and are classed as new plant for BAT AEL purposes. – **These should be treated as new plant***
- d. If houses 2, 3 and 5 – 8 are classed as new plant (as described above) then please provide mitigation measures to reduce the emission factor to meet the BAT AELs, with evidence to back up the % reduction claimed. *One measure would be if the crude protein levels in the feed were lower than those assumed in the new emission factors. The new emission factors for sows on FSF and production pigs on FSF are 2.94 kg NH3/ap/year and 2.813 kg NH3/ap/year respectively and these are based on average crude protein levels of 15.8% and 18%, respectively. For every 1% reduction in CP % we can apply a 10% reduction in the emission factor (up to a maximum of 20% reduction in the emission factor) but we need evidence of the feed crude protein levels to be provided. Also please note, as you have confirmed the slurry depth will not exceed 800mm in depth we can accept this FSF system meets narrative BAT*

techniques regardless of slurry removal frequency, without the need for further mitigation for new or redeveloped housing permitted after the publication of the IRPP BAT conclusions on 21/02/2017, such as an air cleaning system, slurry cooling and/or pH reduction of slurry. as you have confirmed the pit will not exceed 800mm we can accept this FSF system meets narrative BAT techniques regardless of slurry removal frequency, without the need for further mitigation for new/redeveloped housing permitted after the publication of the IRPP BAT conclusions on 21/02/2017, such as an air cleaning system, slurry cooling and/or pH reduction of the slurry. as you have confirmed the pit will not exceed 800mm we can accept this FSF system meets narrative BAT techniques regardless of slurry removal frequency, without the need for further mitigation for new/redeveloped housing permitted after the publication of the IRPP BAT conclusions on 21/02/2017, such as an air cleaning system, slurry cooling and/or pH reduction of the slurry. Also please note, as you have confirmed the pit will not exceed 800mm we can accept this FSF system meets narrative BAT techniques regardless of slurry removal frequency, without the need for further mitigation for new/redeveloped housing permitted after the publication of the IRPP BAT conclusions on 21/02/2017, such as an air cleaning system, slurry cooling and/or pH reduction of the slurry. Also please note, as you have confirmed the pit will not exceed 800mm we can accept this FSF system meets narrative BAT techniques regardless of slurry removal frequency, without the need for further mitigation for new/redeveloped housing permitted after the publication of the IRPP BAT conclusions on 21/02/2017, such as an air cleaning system, slurry cooling and/or pH reduction of the slurry. To confirm will comply with BAT AEL with reduced crude protein as detailed in the attached feed sheets.

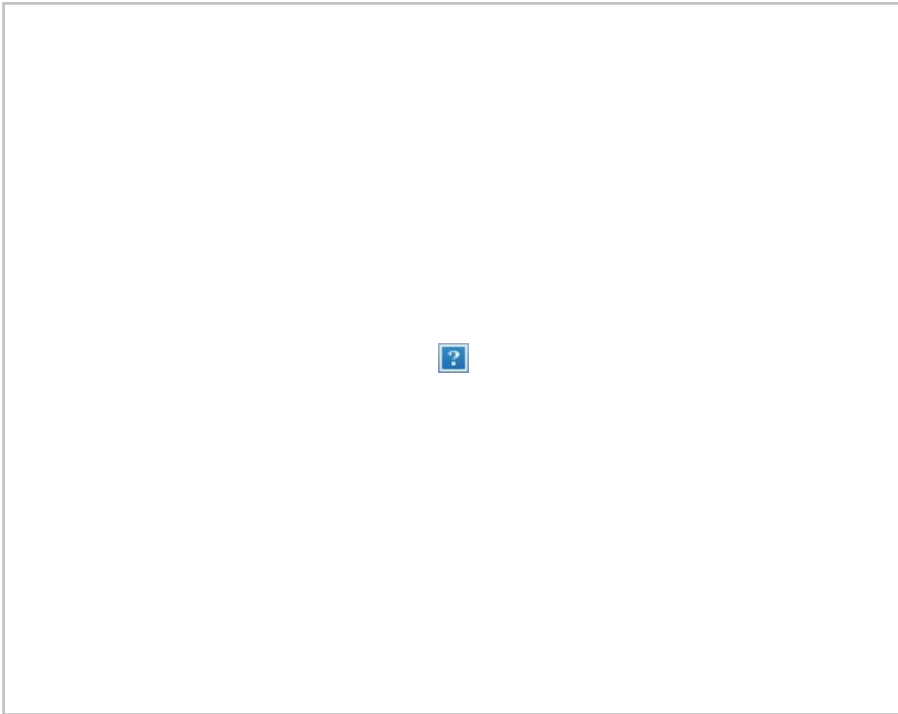
- e. Are there any boars on site, both for the current permit and the proposal, and if so how many and where are they housed? **These will need to be included in the ammonia assessment. 5 Boars in building 2 which is the same as current baseline.**
 - f. The modelling hasn't included two LWS that didn't screen out, as listed in the pre-application advice letter as The Rookery LWS and Gorse Covert LWS – the nearest points to the installation boundary are at approximately 384464, 314486 and 383383, 315201 respectively. We can complete sensitivity checks for these but may require revised modelling if the outcome doesn't agree with the overall conclusion of a reduction in impacts for the proposal. **– agree and understood.**
 - g. The area of the slurry lagoon in the modelling is 2,794.5m², however the area for the pre-application request was stated as 2,479m², which is correct? **– 2,794.5 sqm is correct**
 - h. Modelling data files - please submit the modelling input data files to enable the audit to be undertaken. **Emailed to you today.**
4. **Technical standards** – I haven't assessed this in detail, but the slurry lagoon has been omitted from the 'buildings inventory' (should this be renamed 'emissions table' as referred to in the drainage section?) and it calls the roof fans 'high velocity' fans

but they don't meet the criteria of a height of 5.5m or greater (and efflux velocity of 7m/s or greater as detailed above). In addition there is no mention of boars, so please add if there are any on site. – amended to include slurry lagoon and boars and ventilation is amended.

5. **Site Condition Report (SCR)** – in application form C3.5 it lists as updated site condition report as document 009 but none has been submitted, so please provide this for the additional area for the slurry tanks included (and for closure of part of site for partial surrender as mentioned below if applicable, depending on whether the partial surrender application can be duly made). Please ensure the SCR is in the H5 format detailed here: [Environmental permitting: H5 Site condition report - GOV.UK](#). SCR attached.
6. **Dust and bioaerosol management plan (DBMP) fee** – you have submitted a DBMP as there are receptors within 100m of the installation boundary and there hasn't been one submitted with previous permit applications. Please submit an additional application fee of £620 for its assessment. – fee has now been paid
7. **Standby generator** – in document 010 environmental risk assessment submitted with the application, it mentions a back-up generator for use when power supply is lost. Please confirm the location of the standby generator on a revised site layout plan, the net thermal rated input of the standby generator, and that it will not be tested more than 50 hours per year or operated for more than 500 hours per year (averaged over 3 years) for combined testing and emergency use only as a temporary power source if there is a mains power failure. – waiting for confirmation of thermal input and location, I can confirm it will be tested for no more than 50 hours and operated for no more than 500 hours per year.
8. **Summary of Environment Management System (EMS)** – in application form C3.5 it lists as updated summary of EMS as document 006 but none has been submitted , so please provide this. – attached.

EPR/BP3709LB/S004 – partial surrender application

9. **Site surrender plan 020** – in the plan (see below) it has indicated the area to be removed but this also removes the area which includes (in part – see point 1 above) the AD plant. Please submit a revised plan ensuring the area for the AD plant is not removed. Amended plan attached.



10. **Low risk surrender agreement** – you have ticked the box in form E2 that you have had pre-application discussions and provide document reference 001 as evidence, but this is for the pre-application ammonia screening advice. You need to provide confirmation from the area regulatory officer that a site visit has been completed and they are happy for the low risk surrender to take place. Please refer to the E2 guidance here: [Form-guidance-EPC-Part-E2-surrender-application.pdf](#) for further information. *Please note, the site inspector Dean Noden is currently on leave, returning on 02/01/2025 so I suggest contacting him as soon as possible on his return to discuss this. I have copied him in for awareness and so you have his email address. – I have left message, I have emailed and await date to confirm site visit.*
11. **Partial surrender procedures** – within document 002 summary of proposed changes it refers to part surrender procedures document, including mention of decommissioning one of two lagoons. I assume the partial surrender procedures document is 021 Proposed Part Surrender, but this doesn't include mention of the lagoon being removed and what measures have been completed to remove it, or where the lagoon is located. Please indicate the location of the lagoon to be removed on the revised surrender plan requested above. **Site surrender plan confirms location, this will still remain within the permit boundary and just not be used as a lagoon anymore.**
12. **Site Condition Report (SCR)** - please provide an updated SCR including sections 8 – 10 for closure of part of site (as mentioned above for variation application V003). **SCR attached**

If you are unable to arrange a site visit for the surrender application before the deadline for responses below, we may be able to proceed with the variation once we have acceptable

responses for points 1 – 8, and return the partial surrender application as not duly made (retaining 20% of the application fee), and you may submit that at a later stage.

You must send us the information and payment by **06/01/2025**.

Details of how to pay are given in Part F of the application form.

If we do not receive this by this deadline we will return your application.

If we receive what is missing by the deadline, we will 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 email whether your applications can be duly made. If they can't be duly made, we'll return your applications to you.

If we do have to return your application(s) we'll send you a partial refund of your application(s) payment. We'll retain 20% of the application charge to cover our costs in reviewing your application. 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-permits-and-abstraction-licences-tables-of-charges>.

Note: Our email system has a file size limit of 25MB, if your returns exceed this limit you will have to arrange an online file transfer. Please ensure the file transfer link does not have a time limit on it.

If you have any questions please phone or email me, but please note, I am only in work today and tomorrow 19/12/2024, next week Tuesday (Christmas Eve) until 12pm, and Friday 27/12/2024, and then off until 02/01/2025.

Please reply directly to this email with your information, and copy me in.

Kind regards,
Kate

Kate Cummins

Senior Permitting Officer, National Permitting Service, Operations – Regulation, Monitoring and Customer

Environment Agency | Richard Fairclough House, Latchford, Warrington WA4 1HT

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Please note: my working days are Tuesday - Friday

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