

Notice of refusal

Environmental Permitting (England and Wales) Regulations
2016

Refusal of an application for a variation of a permit

Application number: EPR/JP3190CL/V005

Permit number: EPR/JP3190CL

To: Morris & Co. (Handlers) Limited

The Water Tower J3 Business Park
Carr Hill
Balby
Doncaster
England
DN4 8DE

The Environment Agency has considered your application. We give notice that the application for a variation of a permit is refused.

The reasons for this decision are outlined in the attached schedule.

Name	Date
Louise Hann	20/01/2023

Authorised on behalf of the Environment Agency

Schedule Reasons for Refusal

We are not satisfied that:

The proposals will achieve a high level of protection of the environment taken as a whole by, in particular, preventing or, where that is not practicable, minimising emissions and impacts on the environment and human health from both noise and dust emissions;

The Applicant has satisfactorily demonstrated they will use Best Available Techniques (BAT) for preventing or minimising emissions; and

All appropriate preventative measures will be taken against pollution.

In particular:

- The Noise Impact Assessment (NIA) entitled 'Noise report for Tom Morris and Co. (Handlers) Limited (Version 3)' prepared by Environmentally Sound Limited and submitted as part of the Application has not undertaken a BS 4142:2014+A1:2019 assessment of the likely impact of sound from the operations that would occur under the proposed variation to environmental permit number EPR/JP3190CL (the Permit). In addition, Version 3 of the NIA has not assessed the likely impact to the new residential development under construction to the west of the Site. The new residential development can be considered to be the nearest noise sensitive receptors to the Site and it is our opinion that the proposed variation to the operations at the Site will lead to a significant adverse impact on these new receptors.
- The Applicant has not demonstrated that they will use Best Available Techniques (BAT) to prevent or, where that is not practicable, to reduce noise and vibration emissions to an acceptable level, BAT is to use at least one if not a combination of the following techniques:
 - Noise and vibration control equipment: this includes techniques such as: noise reducers; acoustic and vibrational insulation of equipment; enclosure of noisy equipment; soundproofing of buildings.
 - Noise attenuation: this includes techniques such as inserting obstacles between emitters and receivers (e.g. protection walls, embankments and buildings).
- The Applicant has not demonstrated that they will use Best Available Techniques (BAT) for preventing or minimising emissions and impacts on the environment and human health from dust emissions.

In this case BAT is to prevent, or where that is not practicable, reduce diffuse emissions to air, in particular of dust, to acceptable levels through the containment, collection and treatment of diffuse emissions using techniques such as:

- The storage, treating and handling of waste material that may generate diffuse emissions in enclosed equipment or an enclosed building.
- Collecting and directing diffuse emissions to an appropriate abatement system.