

From: Watts, Anthony
Sent: Wednesday, September 27, 2023 11:54 AM
To: steven kilmartin <steven_kilmartin@yahoo.co.uk>; Dan Stone <dans@jmwastemanagement.co.uk>
Subject: RE: From Steven Kilmartin, Laci Land Restoration Ltd

Dear Steve,

Thank you for the addendum to the WRP dated the 25 August 2023. We have reviewed this submission along with the Waste Recovery Plan (WIE 18431-101-R-2.2.2-WRP) referenced in your permit application submitted March 10, 2022, and will need additional information from you before we can proceed with the determination. Please consider the points raised in this email and respond accordingly.

The Waste Recovery Plan submitted to the National Permitting Service on the 2 September 2021 as referenced in your permit application contains a statement that the development benefits from planning permission RR/2019/724/P. The Waste Recovery Plan contains in Appendix A various drawings and plans showing the scope of the development, which has been tied to the overall aim of the development in Section 3.4.2. The Waste Recovery Plan also sets out the case for improvements to pastureland to support safe working for cattle and machinery, with this aspect of the development making up ~70% of the total volume proposed.

Through the determination of your permit application, I have undertaken a review of planning permissions related to this development (RR/2019/724/P and RR/2018/2622/P) which have raised several issues that need addressing. Planning permission RR/2019/724/P contains several plans which set out the cut and fill requirements to support the development of the barn, which is the subject of the planning permission itself. The extant planning permission also sets out in the notes section that the importation of soil and creation of the track is not a permitted development and Condition 3 of the same permission specifically requires the holder of the permission to set out how they intend to remove imported soil materials within three months of the permission being issued.

Planning permission RR/2019/724/P however does not authorise the regrading or landscaping of the grazing area to improve vehicle access as described in the Waste Recovery Plan referenced in your permit application. In order for the Environment Agency to issue a deposit for recovery permit any applicant must notify the Environment Agency how the development is authorised in planning terms. This is to give the Environment Agency confidence that the scheme as described in the Waste Recovery Plan could be delivered in full using non-waste if waste was not available. This requirement also constrains the scope of the project in terms of what has been agreed with the relevant local planning authority.

In order for us to move forward with the determination of your permit application we require you to explain how the extant planning permissions held for the site tie in with the proposals as described in your Waste Recovery Plan and supporting addendum.

Regards,

Anthony Watts

Permitting Technical Specialist (Waste Deposit)

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From: steven kilmartin <steven_kilmartin@yahoo.co.uk>

Sent: 18 September 2023 12:17

To: Watts, Anthony <Anthony.Watts@environment-agency.gov.uk>; Dan Stone <dans@jmwastemanagement.co.uk>

Subject: From Steven Kilmartin, Laci Land Restoration Ltd

Dear Anthony Watts

Thank you for your e-mail dated 15th Sept 2023. I acknowledge the questions you have asked that need answering for you to be able to move forward with the application. I have looked to answer those questions in the order that they were asked. The answers to the questions are below:

1} The soil that has been deposited on site was tipped within the boundary of the proposed permitted area. It was tipped on the furthest eastern side of the area. We then used machinery to place the soil in layers across the whole of the proposed permitted area. Your colleagues from the compliance team attended the site on two occasions headed by Mr Adrian Redfurn, on both occasions the team that attended walked the whole of the site taking photos of everything they could see that related to the site. I presume you would have access to these photos for your own perusal as evidence of where the soil was tipped and levelled.

2} We have furnished the EA, namely, Mr Adrian Redfurn, with all the tipping tickets taken in at Sweethayes farm. These loads have been used as a reference on the amended WRP which was submitted to you by e-mail recently. The revised WRP has within it revised levels and loads received and needed to complete the scheme.

Please don't hesitate to contact us if you require any further information.

Kind Regards

Steven Kilmartin.