

## Permitting Decisions - Variation

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We have decided to grant the variation for Folly Farm Waste Management Facility operated by Shotley Holdings Limited.

The variation number is EPR/SP3239BB/V012

The permit was issued on 16/04/2026.

The variation is to add a soil and aggregate washing activity and associated waste codes to the permit. The new activity is considered a waste operation. There is no change to overall annual throughput.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

### Purpose of this document

This decision document provides a record of the decision-making process. It

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account
- shows how we have considered the [consultation responses](#)

Unless the decision document specifies otherwise, we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice.

## **Key issues of the decision**

Improvement condition for wash water testing

We decided to include an improvement condition (IC7) requiring the Operator to update their Wash Water Management Plan within six months of the issue of the variation. The updated plan must specify appropriate maximum acceptable levels of contaminants in the wash water and the actions to be taken should those limits be exceeded. The need for an improvement condition was proposed by the Operator, as it will allow them to use the results of the initial wash water testing to derive appropriate limits. We considered this to be an acceptable proposal, as evidence-based trigger levels will be more representative of site-specific conditions and provide a basis for managing wash water quality.

## **Decision considerations**

### **Confidential information**

A claim for commercial or industrial confidentiality has not been made.

### **Identifying confidential information**

We have not identified information provided as part of the application that we consider to be confidential.

The decision was taken in accordance with our guidance on confidentiality.

### **Consultation**

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

We consulted the local authority.

The comments and our responses are summarised in the [consultation responses](#) section.

The application was publicised on the GOV.UK website.

No responses were received.

### **The regulated facility**

We considered the extent and nature of the facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility'

The extent of the facilities are defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

## **The site**

The operator has provided a plan which we consider to be satisfactory.

The plan is included in the permit.

## **Nature conservation, landscape, heritage and protected species and habitat designations**

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage, protected species and habitat designations. The application is not within our screening distances for these designations.

## **Environmental risk**

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

## **Operating techniques**

We have reviewed the techniques proposed by the operator and compared these with the relevant technical guidance and we consider them to represent appropriate techniques for the facility.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

## **Noise and vibration management**

Our assessment of the operator's proposals concluded that the increase in noise levels from the new activity will not be significant, therefore we did not require the provided noise impact assessment.

## **Waste types**

We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.

We are satisfied that the operator can accept these wastes for the following reasons:

- they are suitable for the proposed activities
- the proposed infrastructure is appropriate; and
- the environmental risk assessment is acceptable.

## **Improvement programme**

Based on the information on the application, we consider that we need to include an additional improvement condition.

See Key Issues section for further details.

## **Monitoring**

We have decided that monitoring should be added for the following parameters, using the methods detailed and to the frequencies specified:

Process monitoring for the washing plant water.

These monitoring requirements have been included in order to ensure that the wash water is of an appropriate quality for treating the wastes.

## **Management system**

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

## **Technical competence**

Technical competence is required for the activities permitted.

We are satisfied that the operator is technically competent.

## **Growth duty**

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit variation.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

## **Consultation Responses**

The following summarises the responses to consultation with other organisations, and the way in which we have considered these in the determination process.

### **Responses from organisations listed in the consultation section**

Response received from Babergh Mid Suffolk District Councils.

Brief summary of issues raised: request for noise levels from planning to be included as a permit condition.

Summary of actions taken: We did not include maximum noise limits in the permit, as this is not consistent with our standard approach to regulating noise.

Our screening of the application indicated that the risk of noise arising from the proposed soil and aggregate washing activity would be low.

Consequently, we have applied the standard permit condition relating to noise and did not audit the applicant's submitted noise assessment. This condition provides a mechanism for us to require the submission of a noise management plan should noise issues arise at the site.