

## Consultation around PBC Plant Ltd's application for an Environmental Permit to process waste on land south of Thornford Road, Thatcham, Berkshire, RG19 8EW

**Application number: EPR/FB3801GX/A001**

### Why have we produced this briefing?

On 10 March 2018 the Environment Agency received an application from PBC Plant Ltd for an Environmental Permit to store and process construction and demolition waste. The site lies on land south of Thornford Road, Thatcham, Berkshire, RG19 8EW.

Our National Permitting Service put PBC Plant Ltd's application out for public comment on the Government's public consultation website, Gov.UK for four weeks between 25 April and 25 May 2018. As a result, we received around 30 comments and objections from the local community. We are currently assessing PBC Plant Ltd's application, taking into account what people have said in response to the consultation.

We have produced this briefing to provide an update on the status of the application. The briefing also explains the environmental permitting process, the Environment Agency's role within it and how this relates to planning permission.

The briefing will also explain which concerns we can take into account in issuing an Environmental Permit, and which we cannot. At the end of this briefing you will find links to more information about the planning and permitting process.

### Environmental Permits and Planning Permissions: what are they and who is responsible?

Local planning authorities (these can be Borough, District or County Councils) are responsible for issuing planning permission for a development to go ahead. Planning permission determines if a development at a site is an acceptable use of the land.

The Environment Agency is responsible for regulating some activities such as waste processing which could pollute the environment. We do this by issuing an Environmental Permit – but the operator must demonstrate that the activity can be managed to prevent or minimise pollution.

We take a number of factors into account in determining applications for Environmental Permits, including:

- how the site is to be operated, for instance whether it has measures in place to prevent significant pollution
- what sorts of emissions it will generate e.g. dust, noise, gas to air, water and land
- how the site will affect the surrounding community and natural habitats

This site needs both planning permission and an Environmental Permit to operate. Although closely linked, planning permission and decisions about an Environmental Permit are separate. This means developers can choose the order in which they apply for them.

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West Berkshire Council Planning Department has confirmed that currently there is no planning permission for the activities PBC Plant Ltd has included in its application for an Environmental Permit. However, the Environment Agency can and must receive, process and determine PBC Plant Ltd's application even though planning permission is not in place.

Granting an Environmental Permit does not affect the need for a site to have planning permission. Therefore an activity which is unlawful under planning legislation would remain unlawful and would be a matter for the Local Council, in this case West Berkshire Council, to deal with.

### **Which concerns were raised in the consultation which are within the Environment Agency's powers to regulate?**

The issues of greatest concern to respondents were noise, dust, potential river and air pollution. The possibility of odour, vibration, mud on roads and flooding were also mentioned but in far fewer numbers.

### **Which concerns were raised in the consultation which are not within the Environment Agency's powers to regulate?**

Respondents also raised concerns about lighting, potential issues around traffic and the visual impact of the site. Given its potential impact on what some believe to be a landscape of outstanding natural beauty, the appropriateness of land use was also a concern.

These issues are considered by West Berkshire Council as part of the planning application process.

### **What is happening now about PBC Plant Ltd's application for an Environmental Permit?**

Our National Permitting Service considered the information provided by PBC Plant Ltd and all of the comments received from respondents to the consultation. As a result, in September we asked PBC Plant Ltd for a Dust Management Plan and a Noise Management Plan.

We also asked them for more detailed information about surface drainage to control any potential contaminated run-off from their site. We received their response at the beginning of October and have assessed the additional information that they have provided.

### **What will happen next?**

We will ask PBC Plant Ltd for more information about how they will manage the site to prevent or minimise pollution.

In addition, we will also seek the views of Natural England, the Government's adviser for the natural environment in England, because PBC Plant Ltd's site is close to two Sites of Special Scientific Interest (SSSI): Greenham Common and Crookham Common.

Once we receive this information, we will determine whether to issue an Environmental Permit for PBC Plant Ltd to process demolition and construction waste.

### **What is / will be the role of the Environment Agency's Waste Team in managing operations at PBC Plant Ltd's site?**

If an Environmental Permit is issued for the site, it will include conditions to regulate activities at the site and to control emissions and significant pollution.

It is the role of the local Area Waste Team to assess how well the Site Operator – in this case PBC Plant Ltd - complies with those conditions.

### **More information about Planning Permission and Environmental Permits**

You can find further information about how a Site Operator needs to control and monitor emissions (including dust and noise) from activities that require an environmental permit using this web address: <https://www.gov.uk/guidance/control-and-monitor-emissions-for-your-environmental-permit>

Detailed information about the planning and permitting process can be found on Gov.UK using this web address:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/297009/LIT\\_7260\\_bba627.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/297009/LIT_7260_bba627.pdf)

### **Further contact**

For more information, please email our Customers and Engagement Team on [enquiries\\_THM@environment-agency.gov.uk](mailto:enquiries_THM@environment-agency.gov.uk)

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