# Appendix 1: Enhanced pre-application advice

Mondelez UK Confectionery Production
PO BOX 12
Bournville
Birmingham
B30 2LU

Our ref: EPR/ZP3722SD/P002
Date: 22/08/2024

Dear [redacted]

**Pre application advice – Enhanced service**

Site: Mondelez Sheffield Confectionery Plant, Livesey Street, Sheffield, S6 2AP

Thank you for your pre application enquiry on 21/06/2024

I am pleased to provide you with your enhanced level of pre-application advice. This advice is based on the information provided on your pre application advice form and conversations/emails recorded on the following dates:

- Air Quality Impact Assessment Commentary provided on 09/07/2024
- MS Teams Meeting held on 01/08/2024
- Information on noise provided on 15/08/2024

**What this enhanced pre application advice covers**

As part of this service we have provided you with the following information:

| | |
|---|---|
| **Application reference number** | EPR/ZP3722SD/A001 |
| **Habitats screening** | See attached screening report |
| **Application charge required** | 1.7.1 - £13,984<br>1.16.2.2 - £1,344.30 (after 90% reduction)<br>1.19.2 - £779<br>Additional charges may be required if additional plans or assessments are required. |
| **Forms required to be submitted** | A1, B2, B3, B6, F1 |

You must ensure you provide dates of birth for all appropriate people as per Appendix 1 in form Part A. Failure to do so will delay your application being put into our systems. Please note that these details will not be made available on the Public Register.

**MS Teams Meeting Summary**

The following notes summarises some of the main areas of discussions from the MS Teams Meeting held on 01/08/2024.

Site Boundary

Mondelez provided a site boundary plan and we discussed which areas of the site should be included within the boundary and which should be excluded. As discussed, all operational areas of the site should be included within the proposed boundary of the permit application. We agree that the staff car parking to the south; former warehouse building: no longer used for production / manufacturing-related purposes (used to store engineering materials (e.g. redundant equipment etc)) can be excluded from the permit boundary.

Mondelez raised that there is an area of the site to the northeast which is used for short term trailer parking. It was confirmed that finished (packaged) products are loaded onto HGV trailers within the proposed installation boundary, these trailers are then moved by a site shunter to this trailer park from where they are collected and sent off site to warehousing/ customers.

RGN2 provides some further clarity and examples for technical connection, particularly see: from page 79 Section A2.11 and from page 83 Section A2.22 of RGN2 Regulatory Guidance Note No. 2 Understanding the meaning of regulated facility - Appendices 1 and 2 (publishing.service.gov.uk).

It is the EAs opinion that at this stage from the information provided this trailer parking area should be included within the installation boundary as we believe this is classified as technically connected forming part of the output activities concerned with the storage of product from the stationary technical unit.

If Mondelez disagrees with this a proposal should be provided with the application referencing RGN2 to demonstrate there is no technical connection.

Site Condition Report

If the proposed activity involves the use, production or release of RHS you must submit baseline data as part of your application SCR. We recommend that you to carry out baseline monitoring of groundwater and soil and submit these results in your report. Alternatively, you could use good quality existing data, if it is available. This will quantify the levels of pollutants present prior to you starting operation, which you will compare to the levels you find when you cease carrying out the activity and wish to surrender your permit. However, if you choose not to submit any monitoring data you will be accepting that there is zero pre-existing contamination and accepting the risk that you may be required to clean up any pre-existing contamination when you surrender your permit.

Although only applicants who propose to use, produce or release RHS are subject to this explicit requirement, all operators must, before they are allowed to surrender their permits, remove any pollution risk resulting from the operation of the installation, and return their site to a satisfactory state. Operators therefore need to think beyond RHS and consider all pollution risks that will be present at surrender.

Air Emissions Risk Assessment

AQMAU attended the meeting to provide additional advice on the air emission risk assessment. The site currently holds a standalone standard rules MCP permit for existing MCPs on site, however, it has not been identified that there is a need for a Part A(1) permit for the food and drink activity onsite.

This is a summary of AQMAUs comments in regard to these MCPs:

- The MCPs will now become DAAs to the Part A(1) therefore site-specific BAT for the boilers is now required.
- The boilers a likely low-risk for AQ impacts, as on their own they're in scope for a standard rules MCP permit. However, there may be elevated backgrounds $NO_2$ levels which may indicate the possibility of exceedances.
- Further context to consider, is that the new boilers are smaller and less polluting than the old boilers, so there is already an environmental improvement taking place. This should be borne in mind when making decisions.
- An AQIA is required given all the context and that the site is within an AQMA. However, the predicted impacts would have to be quite high to require stricter ELVs (site-specific BAT) than the MCPD.

In regard to the Air Emissions Risk Assessment a worst-case scenario should be used to demonstrate the greatest potential impact. This should include all channelled emission points to air which have relevant pollutants from the sites permitted activities, for example, standby generators were referenced in the pre app meeting. If these generators are utilised for back-up power in the manufacturing and production for the listed activity or DAAs this should be included in the assessment.

**Noise Impact Assessment**

Mondelez provided information in relation to the sites activities which allowed us to run a qualitative internal screening tool in relation to noise risk to determine if a noise impact assessment and/or noise management plan is required for the site.

The outcome of this tool has demonstrated that a noise impact assessment is not required for this permit application from the information provided. Noise should still be considered in the Environmental Risk Assessment qualitatively and the FDM BAT conclusion BAT14 in relation to noise minimisation techniques should be demonstrated to be compliant.

**After you apply**

We will check your application to make sure it is complete. We refer to these checks as 'validation' and 'duly making'. This is to ensure we have enough information to start to determine your permit application. We will contact you if information is missing and can feasibly be provided within 10 working days. If we consider information cannot be provided within this timeframe, we will return your application with a list of what is missing.

If we cannot progress your application past this stage for any reason, we will return it and refund the application charge minus 20% to cover our costs to that point.

We will not charge this if we return an application after having done very little work – for example, because it contained obvious errors or omissions.

The amount we will keep is capped at £1,500.

Once we have duly made an application we will start to determine it. This is when we do our technical checks. We may need to ask you for further information or additional documents at this stage.

Once an application is validated and duly made, it is ready to be allocated for determination.

The time it takes us to allocate an application depends on a number of factors, including the complexity of the specific application and the availability of a member of our team with the right skills to assess it.

The amount of time taken to determine your application will vary. It will be impacted by factors such as:

- The quality of the application
- The complexity of the application
- Whether an application is of high public interest
- Whether the application includes novel technologies or techniques
- Whether the determination requires input from others, both internal and external to the Environment Agency
- Whether modelling and/or monitoring and assessment is required, for example Air Quality modelling and assessment or water discharge or groundwater activity specific substances assessment.

The Permitting Officer determining your application will be able to keep you updated with the progress of your application.

**What happens next?**

If you submit an environmental permit application then please quote this pre-application reference number: EPR/ZP3722SD/A001

If the advice above details using the online digital application form, your application can be submitted using this method. If not, please send your completed application documents via email to: psc@environment-agency.gov.uk

Please email applications where possible. If email is not possible you can submit by post to:

Environment Agency, Permitting Support Centre, Quadrant 2, 99 Parkway Avenue, Sheffield, S9 4WF

**Disclaimer**

The advice given is based on the information you have provided, and does not constitute a formal response or decision of the Environment Agency with regard to future permit applications. Any views or opinions expressed are without prejudice to the Environment Agency's formal consideration of any application. Please note that any application is subject to duly making and then full technical checks during determination, and additional information may be required based on your detailed submission and site specific requirements and the advice given is to address the specific pre-application request.

This advice covers installations only.

Other permissions from the Environment Agency and/or other bodies may be required for associated or other activities.

**Enhanced pre application cost estimate**

At this stage the pre-application advice is expected to cost up to £700 plus VAT. An invoice will be sent separately at a later date.

**This pre-application request is now closed.**

We consider this pre application request is now closed however if you have any questions regarding this letter please contact [redacted], [redacted] [redacted].

If you require additional enhanced pre-application advice please complete our online form.

We look forward to working with you on this project.

If you have any questions please call 03708 506 506.

Yours sincerely,

[redacted]

[redacted]