

**Notice of refusal**

Environmental Permitting (England and Wales) Regulations 2016

**Refusal of an application for a variation of a permit**

Application number: EPR/XP3830UR/V007

Permit number: EPR/XP3830UR

To: Company Secretary and / or Director

The First Milk Cheese Company Limited  
The Lake District Creamery,  
Station Road  
Aspatia  
Wigton  
Cumbria  
CA7 2AR

Natural Resources Wales 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
<b>Holly Noble</b>	<b>05/12/2023</b>

Authorised on behalf of Natural Resources Wales

## **Schedule Reasons for Refusal**

1. We are not satisfied about the lack of proposed secondary containment for the new silos for milk, cream and whey, which does not meet the standards necessary to comply with the requirements of permit condition 3.2.3. We also consider that the tertiary containment provided by the installation's drainage system is not sufficient to prevent impacts to the environment from the loss of primary containment and will lead to an unacceptable risk of pollution to the aquatic environment.
2. We consider that if primary containment for the new silos and associated pipework fails, milk, cream or whey can enter Merlin's Brook. This is hydrologically connected to two Special Areas of Conservation; Pembrokeshire Marine / Sir Benfro Forol and Afonydd Cleddau / Cleddau Rivers. The Habitats Regulations Assessment for the application could not rule out the likelihood of adverse effects on site integrity at both SACs. Therefore, in accordance with the precautionary principle, we are bound to refuse the application to increase throughput and storage capacity at the site.

See decision document for more details.