

## Natural Resources Wales Permitting Decisions

# V E Lewis & Son (Garn Pullet Rearing Unit)

## Decision Document

## Application for a Minor Technical Variation

**The application number is: PAN-029267**

**The permit variation number is: EPR/BB3193CY/V002**

**The applicant / operator is: V E Lewis & Son**

**The Installation is located at: Garn, Llanbadarn Fynydd, Llandrindod Wells,  
Powys, LD1 6YE**

### Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

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

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# 1. Executive summary

## 1.1. Application summary

In response to actions required by a Natural Resources Wales Compliance Assessment Report (CAR) ref.CAR\_NRW0045605, the Operator has applied for a minor technical permit variation to regularise four 4000 litre gas tanks which have been present at the site since the first permit was granted on 12/02/2019. The gas stored within the tanks is Liquefied Petroleum Gas (LPG) which is used to provide heat to the livestock sheds on site which house a maximum of 76,000 pullets. The gas tanks will be added to the existing permit as a Directly Associated Activity and will be referenced as such within Table S1.1 of the sites permit. An updated Site Plan has been provided which presents updated drainage arrangements for the site and displays the four LPG storage tanks. The Operator has also requested that, as part of the variation application, Vivian Lewis is removed as a named person from the permit.

## 1.2. Our decision

We have decided to issue the variation for Garn operated by V E Lewis & Son.

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.

## 2. Receipt of the application

The application was received on 12/05/2025. In order for us to be able to consider the application duly made, we needed more information. We requested that Sections 3a and 3c of application form part C2 were completed.

A letter requesting this information was sent to the applicant on 03/12/2025. Upon receipt of this information, on 11/12/2025, we were able to consider the application duly made. This means we considered it was in the correct form and contained sufficient information for us to begin our determination, but not that it necessarily contained all the information we would need to complete that determination.

### 3. Confidential information

The applicant made no claim for commercial confidentiality, and we have not received information in relation to the application that appears to be confidential in relation to any party.

### 4. Legislation

The variation will be issued, under Regulation 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* as described by the IED; and,
- subject to aspects of the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016 which also have to be addressed.

We address the legal requirements directly where relevant in the body of this document. NRW is satisfied that the decision on this application is consistent with its general purpose of pursuing the sustainable management of natural resources (SMNR) in relation to Wales and applying the principles of SMNR. In particular, NRW acknowledges that it is a principle of sustainable management to take action to prevent significant damage to ecosystems. We consider that, in issuing the variation a high level of protection will be delivered for the environment and human health through the operation of the Installation in accordance with the permit conditions. NRW is satisfied that this decision is compatible with its general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources

As the EPR regulator for Part A1 installations in Wales, NRW are required to determine any duly made Part A1 permit applications. This means that we must decide either to grant, or to refuse the variation based upon an objective assessment of the proposals against the detailed legal requirements of EPR. Our public participation statement<sup>1</sup> gives more information on what can, and cannot, be taken into account when making our permitting decision.

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<sup>1</sup> [Natural Resources Wales / Public participation: how you can take part in our permit and licence consultations](#)

The application, and this decision document, only considers the permitting of the facility under EPR as described throughout the document. We only assess the installation and its impacts and cannot take into consideration indirect impacts which are not as a direct result of activity within the installation boundary.

Any proposed development and wider associated activities will be required to be compliant with all relevant and applicable law, for example, environmental law, health and safety law, planning law. This other legislation acts largely independently of EPR (although they may be inter-related). Such other matters are beyond both the scope of this document, and of our regulatory remit and expertise and are not relevant to our EPR permitting decision. Ensuring compliance with all other regulation and obtaining any required consents (such as planning permission) is the responsibility of those undertaking the development and is regulated by the relevant appropriate authority for each.

Our decision on whether to issue or refuse an EPR permit is defined by legal requirements. In our decision-making, we must ensure that our determination considers all relevant statutory requirements and provides the required level of protection to the environment. This involves assessment of impacts to air, water, land and any ecological receptors from the proposed activities.

NRW's function as the environmental permitting authority under EPR, only extends to the control of sources of pollution within the boundary of the regulated facility, which are capable of being controlled under the environmental permit. In addition and so as to comply with its general public law duty, NRW's decisions must be reasonable, proportionate and procedurally correct.

The potential for pollution through the land use of a proposal is assessed through the planning application. The LPA is responsible for considering whether the location of the development is appropriate. NRW is an advisor to the Local Planning Authority (LPA).

## 5. Consultation

No consultation has been carried out on this application because it was not deemed necessary due to it being a minor technical variation application. This decision was made in accordance the Environment Permitting Regulations (EPR), our statutory Public Participation Statement<sup>2</sup> and our Regulatory Guidance.

## 6. The Installation

### 6.1. The permitted activities

The regulated facility is currently an installation which comprises the following activities listed in Part 2 of Schedule 1 to the Environmental Permitting Regulations:

- Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than 40,000 places for poultry.

An installation may also comprise “directly associated activities”, which at this Installation includes:

- Dirty water tank;
- Fuel storage;
- Feed silos;
- Heat exchangers; and,
- LPG storage tanks.

Together, these listed and directly associated activities comprise the Installation.

## 7. Operation of the installation

### 7.1. Operator competence

The applicant is the sole operator of the Installation. We are satisfied that the applicant is the person who will have control over the operation of the Installation after the variation is issued; and that they will be able to operate the Installation so as to comply with the conditions included in the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator<sup>3</sup>.

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<sup>2</sup> [Natural Resources Wales / Public participation: how you can take part in our permit and licence consultations](#)

<sup>3</sup> [RGN 1 Understanding the meaning of 'operator' \(naturalresources.wales\)](#)

### Relevant Convictions

The applicant has declared they have no relevant convictions.

NRW's COLINS Database has been checked to confirm there are no relevant convictions. No relevant convictions were found.

### Financial Provision

The applicant has declared they have no current or past bankruptcy or insolvency proceeding against them.

There is no known reason to consider that the operator will not be financially able to comply with the permit. The decision was taken in accordance with RGN 5 on Operator Competence.

## 7.2. Environmental Management System

Due to the low risk nature of the application, and the consideration that the gas tanks have been at the site since the permit was granted on 12/02/2019, a risk based decision was made that the Operator was not requested to complete application forms Part C2 and Part C3. As such, a summary of the site's Environmental Management System (EMS) has not been provided. However, the Operator has provided a suitable risk assessment for the gas tanks, which will be incorporated into their EMS.

There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.

We have reviewed the application and are satisfied that appropriate management systems and management structures will be in place for this Installation, and that sufficient resources are available to the operator to ensure compliance with all the permit conditions.

### Accident management

The applicant has provided a risk assessment for the gas tanks which incorporates accident management. We have reviewed this and are satisfied that appropriate

controls are in place to help reduce the occurrence and impact of any accidents that occur.

In order to ensure that the management system maintained by the applicant sufficiently manages the residual risk of accidents, permit condition 1.1.1a requires the implementation of a written management system which addresses the pollution risks associated with, amongst other things, accidents.

### Fire Prevention and Mitigation

The risk assessment submitted by the Operator includes consideration of fire prevention and mitigation. We have reviewed this and are satisfied that appropriate controls are in place to help reduce the occurrence of fires and impact should one occur.

## 7.3. Operating techniques

### Installation activities and assessment of Best Available Techniques

As part of the application, the Site Drainage Plan has been updated. We have reviewed the relevant information against BAT Conclusions 6 and 7 of the BAT Reference Document for the Intensive Rearing of Poultry or Pigs<sup>4</sup>. Based on the information provided, the operator is considered to be compliant with both BAT Conclusions.

## 8. The site

### 8.1. Site Plan

The applicant has provided an updated plan which we consider is satisfactory, showing the extent of the site of the facility and its emission points, as well as the position of the gas tanks.

The updated plan will be included in the permit and the operator will be required to carry on the permitted activities within the site boundary.

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<sup>4</sup> [Best Available Techniques \(BAT\) Reference Document for the Intensive Rearing of Poultry or Pigs, European Commission, 2017.](#)

## **8.2. Site Condition Report**

The proposal does not include the addition of any land and so a Site Condition Report was not required to support this application.

## **9. Environmental Risk Assessment**

Regulated activities can present different types of risk to the environment, these include odour, noise and vibration; accidents, fugitive emissions to air and water; as well as point source releases to air, water, sewer and discharges to ground or groundwater, global warming potential and generation of waste. Due to the low risk nature of the gas tanks, not all of these factors are considered relevant to this application. As such, risk has only been considered in the context of accidents.

A risk assessment has been submitted for the gas tanks. We have reviewed this and are satisfied that appropriate controls are in place to help reduce the occurrence of accidents.

## **10. The Permit Conditions**

The application does not propose any changes to emissions at the site. As such, there have been no changes to limits and associated monitoring and reporting requirements for the permit.