

Permitting Decisions - Variation

We have decided to grant the variation for Sutton Fields Convenience Food Production operated by Cranswick Convenience Foods Limited.

The variation number is EPR/KP3733AN/V004.

The variation is a substantial variation for an increase in the production capacity from 100 tonnes per day to 260 tonnes per day, by the installation of a new processing line together with associated changes to site infrastructure including new drainage, refrigeration plant and storage tanks, a natural gas fired boiler and thermal oil heating plant.

These changes require the addition of 18 new emission points to air:

A7 to serve a new 3.6MWth natural gas fired steam/hot water boiler.

A8 to serve a new 2.9MWth natural gas fired thermal oil heater.

A9 – A14 to serve new fryers.

A15 – A17 to serve new steam ovens.

A18 – A24 to serve various outlets installed for safety and emergency reasons such as relief vents and local exhaust ventilation.

There will be an increase in the discharge volume to sewer but the impact of this is not significant.

At the request of the Operator, the main listed activity has also been updated to reflect a change to the Regulations, and provide a more apt description of the permitted activities, based on the raw materials processed and processes undertaken.

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

The key issues identified during this determination and how we have addressed them are as follows:

Air Quality Impacts

The Applicant undertook a screening assessment of relevant emission parameters using our H1 Tool. Carbon monoxide was screened out as "insignificant". Sulphur dioxide was not considered to be a significant parameter of concern due to fuel type (as supported by the emission limit values contained within the Medium Combustion Plant Directive).

For the emissions of Volatile Organic Compounds from the fryers; the Applicant used an estimation of the emissions, based on BAT, for which the emissions screen out as insignificant. Whilst we agree with this approach in the absence of representative monitoring data, we have included an improvement condition to require the operator to review this assessment with actual emissions data.

In terms of NO_x; the emissions did not screen out using H1. The Applicant therefore proceeding to the next stage of the assessment, and submitted an Air Quality Impact Assessment, undertaken using the Breeze AERMOD 9 dispersion model (Version 19191).

The modelling demonstrated that the predicted short-term and long-term impacts of emissions from the installation are unlikely to be significant.

We audited this assessment using our internal screening tools and concluded that even on a conservative basis; the off-site impacts for this proposal are insignificant and will not lead to an exceedance of a relevant Environmental

Standard. We are therefore satisfied that emissions are unlikely to adversely impact on human health or ecological receptors.

Impact on ecological receptors

Ecological receptors were identified as being present with the relevant screening distances for emissions to air (non-coal fired sources).

Further screening was undertaken using the appropriate currently available screening distances as specified under AQTAG 14: *Guidance on identifying 'relevance' for assessment under the Habitats Regulations for PPC installations with combustion processes.*

Based on the size of the proposed plant, and the screening distances referred above, no further assessment is required.

In any case, we are satisfied, based on the outcome of the air quality assessment, that the proposal is unlikely to have a significant impact on any nearby ecological receptors.

Noise impacts

The Applicant submitted a Noise Impact Assessment in support of their application, which demonstrated the impacts are unlikely to be significant.

The Assessment was based on planning requirements, and whilst not a suitable assessment for permitting purposes, we were able to use the quantitative data provided to understand the noise impacts and assess if any further modelling was required.

The Assessment demonstrates that the proposed plant and equipment in scope for this variation are unlikely to cause a significant impact due to their distance from nearby sensitive receptors. The equipment will also be enclosed in a building providing noise attenuation.

We are therefore satisfied that the proposal is unlikely to have a significant adverse impact.

In any case, permit conditions 3.4.1 and 3.4.2 protect nearby sensitive receptors from significant noise impacts and would enable us to require the Applicant to submit a Noise Management Plan, in future, should this be deemed to be necessary.

Odour Impacts

The Applicant submitted an Odour Impact Assessment in support of their application, which demonstrated the impacts are unlikely to be significant.

The Assessment was based on planning requirements, and whilst not a suitable assessment for permitting purposes, we were able to use the qualitative data provided to understand the odour impacts and assess if any further modelling was required.

The Assessment demonstrates that the proposal is unlikely to cause a significant impact from point source emissions due to the high level stacks providing adequate dispersion, or from a fugitive point of view due to the type of materials processed.

We are therefore satisfied that the proposal is unlikely to have a significant adverse impact.

In any case, permit condition 3.3.1 protects nearby receptors from significant odour impacts and the Operator will operate under an approved Odour Management Plan, upon satisfaction of IC3 from the previous permit which has been retained and updated in this permit with a requirement for the operator to provide a written Odour Management Plan, which will also include this new processing line. This is required within 6 months from issue of notice.

Demonstration of Best Available Techniques (BAT)

Only the changes in scope for this variation fall to be assessed against the recently published Food, Drink and Milk Industries BREF BAT Conclusions. We have reviewed the key measures proposed by the Applicant for this variation and assessed them against the relevant BAT requirements in the table below. A holistic permit review will be undertaken as part of the Sector permit review, in due course.

Comparison of Indicative BAT requirements against key measures proposed by the operator		
BAT ref.	Indicative BAT	Key measures proposed
1	EMS	Extant EMS in place which will be amended to include scope of this variation.
2	EMS – inventory of inputs & outputs to increase resource efficiency and reduce emissions.	Extant EMS in place with resource efficiency requirements (as per permit requirements) which will be amended to include scope of this variation.
3	Emissions to water – monitor key process parameters	N/A – No significant change as a result of this variation.
4	Monitor emissions to water	N/A – No significant change as a result of this variation.
5	Monitor channelled emissions to air	No emission monitoring is required by the permit but on-site monitoring as part of Management Systems will continue.

6	Energy efficiency	Full consideration has been given to the energy efficiency requirements for the new plant.
7	Water and wastewater minimisation	N/A – No significant change as a result of this variation.
8	Use of harmful substances	N/A – No significant change as a result of this variation.
9	Use of refrigerants	All site refrigeration and process cooling requirements utilises glycol/ammonia.
10	Resource efficiency	Full consideration has been given to the resource efficiency requirements for the new plant.
11	Emissions to water – waste water buffer storage	N/A – No significant change as a result of this variation.
12	Emissions to water - treatment	N/A – No significant change as a result of this variation.
13	Noise – management plan (NMP)	N/A – A NMP is not considered necessary as significant noise nuisance is not expected as a result of this variation.
14	Noise minimisation	All new equipment enclosed within a building.
15	Odour – management plan	Upon the completion of IC3.

Decision considerations

Confidential information

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

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

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.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Local Authority
- Public Health England and Director of Public Health
- Health and Safety Executive
- Yorkshire Water

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' and Appendix 2 of RGN2 'Defining the scope of the installation'.

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 plans show the location and extent of the installation to which this permit applies.

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 and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

Environmental risk

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

The operator's risk assessment is satisfactory.

The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be screened out as environmentally insignificant.

General operating techniques

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes 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.

Operating techniques for emissions that screen out as insignificant

Emissions of NO_x and CO have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

Emissions of VOCs have been screened out as insignificant, using assumed data and whilst we agree that the applicant's proposed techniques are likely to be Best Available Techniques (BAT) for the installation, we have included an improvement condition which requires the operator to verify the assessment.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance, where appropriate, we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

Updating permit conditions during consolidation

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit.

Improvement programme

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

We have removed the improvement programme requirements for IC1 & IC2 (in the previous permit), as they were all marked as "complete" in the last variation.

We have retained and revised incomplete improvement condition IC3, which requires the operator to submit an Odour Management Plan, to now also include the processes introduced by this variation.

IC4, IC5a, IC5b and IC6 have been marked as complete.

We have included IC7, which requires the operator to undertake representative monitoring of the VOC emissions from the fryers, in order to refine their Quantitative Risk Assessment, with actual emissions data, within 9 months of completion of full commissioning of the plant.

This has been done in accordance with our guidance.

Emission Limits

Emission Limit Values (ELVs) have been included for NO_x for emission points A7 & A8.

We have included these limits based on the requirements of the Medium Combustion Plant Directive.

Monitoring

We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified for emission points A7 & A8.

These monitoring requirements have been included in order to comply with the requirements of the Medium Combustion Plant Directive.

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.

Reporting

We have specified reporting in the permit for emission points A7 & A8.

We made these decisions in accordance with the Medium Combustion Plant Directive and our Technical Guidance.

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.

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

Responses from organisations listed in the consultation section:

Response received from: Public Health England.

Brief summary of issues raised: No significant concerns.

Summary of actions taken: No actions necessary.

No responses were received from the Local Authority, Yorkshire Water or the Health and Safety Executive.