

Permitting decisions – Bespoke Permit

Medium Combustion Plant

We have decided to grant the permit for Muntons Bridlington operated by Muntons PLC.

The permit number is EPR/HP3328SX.

This permit was granted on 21/02/2024.

The application is for a new MCP which is a 6.381 MWth boiler fuelled on natural gas. The boiler will provide heat to the Muntons kilns when a biomass boiler operated by Roundwood Energy Limited under EPR/WE7021AA is not operational.

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:

- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account
- highlights [key issues](#) in the determination.

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

Read the permitting decisions in conjunction with the environmental permit.

Key issues of the decision

The modelling submitted with the application included an existing biomass boiler that is permitted under EPR/WE7021AA and operated by Roundwood Energy Limited. This was the major contributing source in the modelling but does not form part of this permit.

Confidential information

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

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.

Operator

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.

The regulated facility

The regulated facility comprises new MCP.

The operator has provided the grid reference for the emission points from the medium combustion plant.

The permitted combustion plant includes new MCP.

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

The maximum predicted annual mean NO_x PCs at Flamborough Railway Cuttings SSSI are not 'insignificant', but the PECs do not exceed the environmental standards.

We have assessed the application and its potential to affect sites of nature conservation 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 or designated habitat identified.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

Conservation sites are protected in law by legislation. The Habitats Directive provides the highest level of protection for SACs and SPAs, domestic legislation provides a lower but important level of protection for SSSIs and the Environment Act provides more generalised protection for flora and fauna rather than for specifically named conservation designations. The thresholds for SAC SPA and SSSI features are more stringent than those for other nature conservation sites. Therefore, we would generally conclude that emissions to air will not cause significant pollution at these other sites if the process contribution at the SPA, SACs and SSSIs is less than the relevant critical level or critical loads. Therefore, we have not assessed the impact on these other sites as we have concluded that there is no impact on the SPA, SACs and SSSIs.

Environmental risk

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

The operator's risk assessment is satisfactory.

The MCP is located within the screening distance of relevant nature conservation and habitat designations. Therefore, an assessment of the impact of emissions on the nature conservation and habitat designated sites has been carried out. The operator's risk assessment is satisfactory.

The assessment shows that applying the conservative criteria in our guidance on environmental risk assessment, emissions will not affect any site of nature conservation or designated habitat identified.

Operating techniques

We have specified the operating techniques and the operator must use the operating techniques specified in table S1.2 of the permit.

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 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.

Emission Limits

Emission Limit Values (ELVs) have been set for the following substances:

Oxides of nitrogen at 100 mg/Nm³

We made these decisions in accordance with MCP technical guidance.

Medium Combustion Plant guidance: <https://www.gov.uk/guidance/medium-combustion-plant-and-specified-generator-permits-how-to-comply>

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.

These monitoring requirements have been included in order for the operator to demonstrate compliance with the emission limits specified in the permit. The operator will carry out monitoring in accordance with the relevant methods specified in the permit.

We made these decisions in accordance with MCP technical guidance.

Medium Combustion Plant guidance: <https://www.gov.uk/guidance/medium-combustion-plant-and-specified-generator-permits-how-to-comply>

Reporting

We have specified reporting in the permit.

We made these decisions in accordance with MCP technical guidance.

Medium Combustion Plant guidance: <https://www.gov.uk/guidance/medium-combustion-plant-and-specified-generator-permits-how-to-comply>

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.

Financial competence

There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

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.

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.