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App No : 18/07279/FUL App Type : FUL

Application for : Installation of pallet burning incinerator and brick surround, with heat recovery facility for use in workshop/offices

At P S V House, Hillbottom Road, Sands Industrial Estate, High Wycombe, Buckinghamshire, HP12 4HJ

Date Received : 31/08/18 Applicant : PSV Glass

Target date for 26/10/18
decision:

1. **Summary**

- 1.1. Planning permission is sought for the installation of a pallet burning incinerator and brick surround. The proposal includes a flue which protrudes 1m higher than the existing building. The heat from the incinerator will be recovered to help heat the existing offices and workshop.
- 1.2. It is considered that the installation of the incinerator is located in an acceptable position so as not to harm the character of the area. The erection of an external chimney flue is not considered to amount to an overly prominent feature given its proposed siting between buildings and the site's location within an employment area. The concerns related to environmental impacts are acknowledged. However this is covered within separate legislation.
- 1.3. The application is recommended for approval.

2. **The Application**

- 2.1. Planning permission is sought for the installation of an incinerator and external flue. The incinerator is within a brick surround and covers an area of 16.34 sq.m. The brick enclosure is 2.6m high. The purpose of the incinerator is to incinerate waste timber pallets to reduce or eliminate land fill requirements.
- 2.2. The incinerator is located between PSV glass and adjacent premises, but is set back approximately 48m from Hillbottom Road.
- 2.3. The external flue, protruding from the incinerator, is 9m high. The flue protrudes 1m higher than the ridge line of the existing building.
- 2.4. The existing premises comprise of a workshop, storage and offices. The site is an established glass processing plant and the fitting of glass.
- 2.5. The site is located within the Hillbottom Road Employment Area.
- 2.6. The application is accompanied by:
 - a) Design and Access Statement

3. **Working with the applicant/agent**

- 3.1. In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

3.2. In this instance the Council's Environmental Health Officer requested further information to be submitted before any formal comments; the applicant was advised of this and further information was received. The information was acceptable and no further assistance was necessary.

4. Relevant Planning History

4.1. No recent history

5. Issues and Policy considerations

Principle and location of development and impact on character of the area

ALP: G3 (General Design Policy), E3 (Employment Areas)

CSDPD: CS1 (Overarching principles - sustainable development), CS11 (Land for Business), CS19 (Raising the quality of place shaping and design)

DSA: DM1 (Presumption in favour of sustainable development)

New Local Plan (Submission Version): CP1 (Sustainable Development), CP5 (Delivering Land for Business), CP9 (Sense of Place), DM28 (Employment Areas), DM35 (Placemaking and Design Quality)

- 5.1. The purpose of the incinerator is to incinerate waste timber pallets to reduce or eliminate land fill requirements.
- 5.2. The application site is located within a designated employment area where the principle of the continued use of the site for commercial/business purposes is considered to be acceptable in accordance with Policy E3 of the Adopted Local Plan and Policy CS11 of the Core Strategy. Such proposals would not amount to a material change of use of the premises and would be ancillary to the use.
- 5.3. The proposed location of the incinerator has been chosen, so to minimise any visual impact and to be convenient for the applicants use. In addition, the incinerator has to be sited close enough to the existing building to make heat reclamation viable. The flue will only protrude above the existing building by 1m.
- 5.4. The principle of development is acceptable. The siting of the incinerator and height of the flue is considered acceptable given the site's location.

Transport matters and parking

ALP: T2 (On – site parking and servicing)

CSDPD: CS20 (Transport and Infrastructure)

New Local Plan (Submission Version): DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 5.5. The proposals would not result in any changes to the existing parking layout at the site, with the large majority of works proposed being internal only. The County Highways Authority has also not commented on this application.

Amenity of neighbouring residential properties

ALP: G8 (Detailed design guidance and local amenity), G15 (Noise), H19 (Residents amenity space and gardens), Appendix 1

CSDPD: CS18 (Waste, natural resources and pollution)

New Local Plan (Submission Version): DM35 (Placemaking and Design Quality)

- 5.6. The nearest residential property is approximately 300m away on Lane End Road. However, it is acknowledged that employees from adjacent business have objected.
- 5.7. The main issue to neighbouring residential properties is fumes. It is not anticipated that noise would be an issue.
- 5.8. The company will need to ensure that the emissions coming from the chimney will not cause a nuisance to neighbouring premises. This is however a matter for the permit and not within the jurisdiction of planning.

- 5.9. The applicant will need to comply with the relevant permitting for the plant they intend to install. Permitting is a matter for Chiltern District Council. If the emissions from the chimney are founded and evidence supports the existence of a statutory nuisance, then the Council would have to take the necessary actions to ensure the nuisance is abated. This is a however a matter for Environmental Health.
- 5.10. Following the initial comments from Environmental Health, further information was received from the Agent:
- “The incinerator is rated at 200kw/H which means that it is not covered under the Waste Incineration Directive. You are allowed to burn up to 50kg of clean wood waste per hour..... because you are recovering the warm air.
- To convert our incinerators to warm air we build a second skin around the top of the incinerator. This is fitted with a centrifugal fan that blows air in a zig zag pattern around the gap between the incinerators top cover and the covering skin this heats the air which then comes out at the top of the incinerator through the round ducts. These ducts can then be extended to take the warm air into an adjacent workshop.”
- 5.11. The Council’s Environmental Services department has also not raised any objections to the proposed works on these grounds, nor have they recommended any conditions to be attached should planning permission be forthcoming. It has however, requested an informative is attached to any permission.
- 5.12. No further issues are considered apparent with respect to neighbouring amenity.
- 5.13. For information, the Council has declared an Air Quality Management Area AQMA which is targeting emissions from vehicles. This proposal would not impact this. The proposed development is in a smoke free zone, however this does not apply to industrial process. The applicant could be subject to dark smoke emission but considering their fuel source it is unlikely to be an issue. In any event, this is controlled by a separate permit regime.

Infrastructure and Developer Contributions

CSDPD: CS21 (Contribution of development to community infrastructure)

DSA: DM19 (Infrastructure and delivery)

New Local Plan (Submission Version): CP7 (Delivering the infrastructure to support growth)

- 5.14. The development is not liable for CIL. There are no further infrastructure implications other than those covered by CIL.

Weighing and balancing of issues – overall assessment

- 5.15. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.16. In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- (a) Provision of the development plan insofar as they are material
 - (b) Any local finance considerations, so far as they are material to the application (in this case, CIL)
 - (c) Any other material considerations
- 5.17. As set out above it is considered that the proposed development would accord with the relevant policies of the development plan.

Recommendation: Application Permitted

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 218.020-1 unless the Local Planning Authority otherwise first agrees in writing.
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. WDC work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application. In this instance the Council's Environmental Health Officer requested further information to be submitted before any formal comments; the applicant was advised of this and further information was received. The information was acceptable and no further assistance was necessary.
- 2 The attention of the applicant is drawn to the requirements of section 60 of the control of pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the environmental Services Division of the Council.
- 3 The applicant is reminded that waste wood burnt on site must comply with the Environment Agency guidelines (grade A Waste Wood) and the appropriate permitting must be applied for and maintained throughout the life time of the incinerator.