

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0459/RET 07.07.2015	Chris Howell Timber And Landscaping Supplies Nantgarw Road North UI Caerphilly CF83 1AQ	Retain the installation of a biomass unit incorporating flues and railway container housing kiln Chris Howell Timber And Landscaping Supplies Nantgarw Road North UI Caerphilly CF83 1AQ

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

Location: The application site is a Timber Yard to the north of Nantgarw Road. To the north and east of the site are business uses. To the west are business uses including a Petrol Station. A rear lane and row of terrace houses fronting Nantgarw Road are located to the south.

Development Description: This application seeks planning permission for the retention of two biomass units on the northern side of the Timber Yard incorporating two flues and associated roof covering structure and a steel container housing a kiln for drying wood to be used as fuel in the biomass unit.

Dimensions: The boilers and storage container/kiln are located within the timberyard in an area approximately 10m by 7m. The container is approximately 6m by 2.5m with a height of 2.8m. The two biomass boilers have stainless steel flues with a diameter of approximately 0.3m and a height of approximately 9 metres above ground level. The boilers are covered by a partially open timber/steel supported roof structure with a height ranging from 2.7m to 3m.

Materials: The storage kiln is a dark green steel container and the flues for the biomass boilers are a polished stainless steel appearance. The biomass boilers are contained within an area partially covered by a corrugated steel/plastic roofing with support steel/timber framed structure

Ancillary development, e.g. parking: None.

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PLANNING HISTORY 2005 TO PRESENT

No previous planning history.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 Adopted - November 2010.

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), SP6 (Place making).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not Applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not Applicable.

CONSULTATION

Chief Fire Officer - Offers no objection to the development. Recommends that the developer should consider the need for the provision of: -

- (a).adequate water supplies on the site for firefighting purposes; and
- (b).access for emergency firefighting appliances.

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objection subject to conditions

Senior Engineer (Land Drainage) - Request conditions on surface water and land drainage.

Caerphilly Town Council - Objects to the Proposal due to increase in smoke in vicinity causing concern to residents.

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ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to nearby properties.

Response: 10 representations objecting to the development have been received.

Summary of observations:

The matters raised in the objections received can be summarised as:

- Risk to Health of residents (some vulnerable) from emissions both from site and combined with existing pollutants
- Reference to ailments attributed to the development including sore throats, coughs and breathing problems.
- 24 hour nature of the burning and lack of oversight outside working hours.
- Safety risk due to fire hazard/explosion
- Proximity to houses
- Cannot spend time in gardens as the acrid smell of smoke makes eyes burn and affects breathing.
- Clothes cannot be dried outside due to smell
- Negative impact to air quality and cumulative effect with traffic pollution
- Have to keep doors and windows shut due to smell
- Makes people feel unsafe
- Proximity of Petrol Station and car mechanics businesses
- Not suitable in residential area
- Complaints about business over a number of years
- Proximity of Combustible materials.

In addition two Councillors have raised concerns in relation to the development and in addition photographs were provided showing smoke being emitted from the development.

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During the course of the application the applicants provided a supporting statement in relation to the need for the development summarised as:-

- The company joined the Renewable Heat Initiative Scheme in order to generate and use renewable energy in accordance with current Government Policy in order to reduce the use of fossil fuels.
- The Biomass Units were installed at substantial cost by a recognised Specialist installer utilising their extensive experience.
- The height of the flues was set in order to reduce the impact of the development and in our opinion does not pose a significant nuisance.
- There are two mobile phone masts in the locality which have a far greater visual impact.
- The second boiler which powers a Kiln enables the applicants to dry the wood and reduce the moisture content which added value into the timber and thus making the process far more efficient. The whole process is a cycle to which bio energy is the key to their sustainability for the future.
- The Applicants now utilises 100% of their product from this site and no longer have to dispose of otherwise previous waste product to North Wales or Devon at a great cost and a drain on the business during a very trying economical time.
- As a result of the cost savings two jobs have been created and removal of this facility will result in an immediate loss of jobs.
- This is a new on-going project for the Applicants, there have been issues they have incurred along the way but with the fitting of the Kiln which was achieved whilst the business was still working, is now complete. This will help them greatly to improve the burning process and will benefit everyone and the environment in the future.
- Refers to other businesses in the area and alleges previously there have been instances of the burning of polluted materials which escalated unrest in the local area for which the Applicants were unfairly blamed.
- Alleges that a petition raised by one of the local residents has been left in the nearby fuel garage asking all customers to sign, the majority of these customers do not reside anywhere near the area and should never have been included in this petition.
- Notes the Council have not received any complaints whatsoever from immediate business neighbours.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

It is not considered that crime and disorder will be materially affected by the development.

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EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Not liable as no floorspace created by the development.

ANALYSIS

Policies: This application was submitted following a complaint after the erection of the biomass flues and was subject to a Planning Enforcement investigation and the applicant has sought to regularise the development by way of the current retrospective planning application. The operation of the biomass boilers is considered to be an ancillary operation to the main use of the site as a Timber Yard as the biomass boilers are providing heat to the Timber Yard offices and utilising waste timber product from the timber yard as the fuel.

The main consideration of the application is the effect of the development on the amenity of the area and the nearby residential properties as well as the visual impact of the development.

Impact on Amenity

Adopted Local Development Plan Policy CW2 (Amenity) requires development to have no unacceptable impact on the amenity of adjacent properties or land. In this instance there have been significant concerns raised by the objectors in relation to the operation of the biomass boilers and in particular concern in relation to safety and impact on health of emissions from the flues. The Council's Environmental Health Officer has visited the site and viewed the operation which includes the drying of timber in the kiln prior to being used, and also the start up procedure of the operation. Following detailed consideration of the operation the Environmental Health Officer has offered no objection to the proposal subject to the imposition of planning conditions including restricting the use of the biomass units to using non treated virgin timber and its off cuts and a condition requiring a record to be kept and made available demonstrating that the wood must first have been dried within the on-site kiln to provide a moisture content of less than 25%.

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The case officer has made a number of visits to the site and has considered the photographic evidence submitted by a Councillor. It is acknowledged that the amount of smoke being emitted from the two flues varied but was generally considered to be low, and walking the rear lane behind the residential properties on Nantgarw Road no unacceptable level of odour was detected. The photographic evidence supplied indicates that on occasion the smoke generated by the development is significantly greater than that observed during site visits and in addition it must be noted that atmospheric conditions including wind direction and speed will affect the spread and impact of any emissions. The representations received from local residents indicate that there have been problems with the operation of the unit; however, the measures proposed by the Environmental Health Officer seek to minimise the generation of smoke and provide a requirement for the operator to keep a record of the preventative measures taken. No substantive evidence has been provided in relation to health issues and the Environmental Health officer is content with the development.

In relation to concerns raised over fire risk the Fire Authority were consulted and offered no objection to the development.

Visual Impact

The Visual impact of the development is considered to be low when considered within the context of the site as a whole. The flues are visible above the Timber Yard but are seen in conjunction with existing industrial buildings and other vertical structures such as telecommunication masts. The boilers, canopy and container whilst glimpsed from the rear lane are seen within the general timber yard and are not considered to harm the character of the area.

It is considered that the development subject to the conditions requested by the Environmental Health Officer is acceptable and accords with relevant adopted Local Development Plan Policies.

Comments from consultees: The drainage officer requested a condition on drainage however the details submitted indicate that run off from the canopy is stored and used for cleaning the site. As such it is considered that the imposition of a condition is unnecessary.

Comments from public: Have been addressed in the body of this report.

Other material considerations: None.

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RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The only wood permitted to be burned within the biomass units hereby approved is clean, non treated virgin timber and its off-cuts.
REASON: In the interests of Public Health.
- 02) Prior to loading the biomass units, wood must be internally stored within the kiln and dried to a moisture content of less than 25%.
REASON: In the interests of residential amenity.
- 03) An up to date register shall be kept at the site and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the recording of monitoring of moisture content of wood fuel used in the biomass boilers subject to this application.
REASON: To provide a record of compliance with condition 2 in the interest of the amenity of nearby sensitive receptors.
- 04) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:
 - Location Plan received 07/07/15)
 - Site Plan and elevations, RJ Morris drawing (received 07/07/15)
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, SP6.

Please find attached the comments of The Fire Authority that are brought to the applicant's attention.