

REFERENCE: P/16/557/FUL

APPLICANT: Your Pet & Equine Heaven c/o Laura Jones, 53 Wigan Terrace, Bryncethin, CF32 9YE

LOCATION: **Block C Unit 14 Parc Y Bont Aneurin Bevan Avenue
Brynmenyn Ind. Estate CF32 9TD**

PROPOSAL: In addition to the current use, proposed use to incinerate (cremate) and store pet and equine cadavers

RECEIVED: 15 July 2016

SITE INSPECTED: 5 August 2016

APPLICATION/SITE DESCRIPTION

The application proposes the change of use of this currently vacant industrial starter unit to a sui generis use for the incineration and storage of pet and equine cadavers i.e. a pet and equine crematorium.

A plan showing the proposed internal layout of the unit shows that the existing office, kitchen and WC facilities will be retained but immediately inside the roller shutter vehicular entrance a vehicle and equipment wash area will be created with fuel, water treatment, waste water and bulk waste storage tanks/facilities along the party wall with the adjoining unit (13). The proposed incinerator unit will be located behind the vehicle/equipment wash area with the flue towards the rear wall of the unit. The remainder of the space within the unit will be used for an animal cadaver cold store together with an urn production area and space for manoeuvring equine trollies/ cadaver lifting equipment. It is anticipated that the 400mm flue of the proposed incinerator unit will project no more than 1m above the roof level of the unit.

The Design and Access Statement, which accompanies the submission clarifies that the premises will operate in the following manner:-

Collection - Cadavers are collected from clients with all waste in sealed bags where practical, loaded on suitable trollies and colour coded depending on species. Equine collections are lifted and loaded on Respect-Equine Trollies, which have built in spill containment. The cadavers are carried within a large panel van, which is only unloaded once inside the facility - approximately one or twice daily.

Storage/incineration - The cadavers are either incinerated immediately or stored for incineration at the facility in a suitable cold room kept at 2-4 degrees centigrade. Incineration is undertaken in compliance with all appropriate regulations and has a maximum burn rate of 50kgs per hour. The operation produces no noise, smell or smoke. The incinerator unit itself is run on diesel fuel and includes a bunded tank. As indicated above, the unit has a 400mm stainless steel flue, which is similar to a heating flue, which will protrude no more than 1m above the roof level.

The inert ash remaining at the end of the process is either returned to the pet owner or stored and disposed of via landfill.

Application Number

P/16/557/FUL

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Parc-y-Bont

ANEURIN BEVAN AVENUE

**Brynmenyn
Industrial Estate**

MILLERS AVENUE

EI Sub Sta



Scale 1:1,250

**Date Issued:
23/09/2016**

**Development-Mapping
Tel: 01656 643176**

Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/
Committee DC Plan

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The application site is located at the western end of a row of similar industrial units on the southern side (Block C) of Parc Y Bont within the Brynmenyn Industrial Estate. The unit lies to the east of the access into the Parc Y Bont Site from Aneurin Bevan Avenue. Each of the units in Block C comprises a brickwork base with profiled metal cladding above and profiled metal roofs containing roof lights to provide some natural light internally. The northern elevation contains a pedestrian entrance with a roller shutter vehicular access. Internally, the unit contains an office with kitchen/wc facilities with an open production/warehouse area.

RELEVANT HISTORY

None relevant

PUBLICITY

Neighbouring occupiers have been notified of the receipt of the application. The period allowed for response to consultations/publicity expired on 12 August 2016

CONSULTATION RESPONSES

Group Manager Public Protection - In the event that the Authority are minded to approve the development it is recommended that conditions to adequately control the flue/stack height and the method of dealing with waste but which is not to be incinerated and which is contaminated with animal by products.

Following consideration of the additional details in respect of the flue, it is considered that the above suggested condition in respect of the flue height is no longer required.

Natural Resources Wales - No objection

Head of Street Scene (Drainage) - No objection.

St Brides Minor Com. Council - Object to the application on the grounds of environmental impact and adverse effects on neighbouring properties.

Head of Transportation Policy & Development - No objection.

REPRESENTATIONS RECEIVED

Block C Unit 13 Comment: Objects to the development for reasons which are summarised as follows:-

Adjoining unit is occupied by a health care provider with storage of medical supplies, which requires strict storage parameters. There is concern regarding air pollution from the proposed incinerator flue.

The proposed use will exceed waste management levels identified by Policy SP7 of the LDP.

There is concern that the use will generate smells due to the storage of animal cadavers.

There is also the potential for heat from the incinerator permeating through the unit wall and adversely impacting on temperature controls within the objector's unit.

There is a fear of the use attracting vermin thereby impacting on hygiene at the adjoining unit.

There is a lack of information regarding waste disposal associated with the proposed use and the method of controlling run off from the wash area.

There is a lack of detail on operating hours and methods of operating.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised by the Community Council and the occupier of the adjoining unit:-

Air Pollution - Notwithstanding the objector's concerns, the incinerator is deemed a low capacity incinerator and is DEFRA approved and, therefore, will be designed to meet the emissions standards. The Public Protection Department consider that, subject to an appropriately worded condition to control the height of the flue/stack, any emissions will be sufficiently dispersed and diluted into the atmosphere to ensure that they ground at harmless concentrations.

Fear of Smells, Insect nuisance & Vermin - The applicant has stated that waste brought into the unit will be in sealed bags where practicable and that, when necessary, cadavers and animal waste will be stored in a cold room thereby overcoming the above nuisance. The Public Protection Department has, however, highlighted that there is uncertainty regarding the method of dealing with other contaminated waste and has, therefore, recommended a condition to adequately control this aspect.

Exceeding Waste Management Levels - The objector has highlighted that Policy SP7 of the Bridgend Local Development Plan states that provisions for new waste treatment facilities to meet the regionally identified need to treat up to 228,000 tonnes of waste per annum will be made and identifies Brynmenyn Industrial Estate for this purpose. It is also highlighted that the application form states there will be a maximum annual operational throughput of 365,000 tonnes and, on this basis, it is considered that the application is contrary to Policy. Although the proposed facility has described the incineration of pet and equine cadavers as the processing of waste materials, this type of waste is not the type of waste that the above mentioned Policy aims to control. Policy SP7 relates to the treatment/recycling of more general and household waste so as to reduce disposal to landfill facilities. It is, therefore, considered that the objector has misinterpreted the Policy and that the proposed development is, in principle, acceptable in this location.

Potential for heat penetration - The submitted floorplan indicates that the proposed incinerator unit will be located away from the party wall separating the application site from the neighbouring unit. It is considered unlikely that the unit would generate such significant heat as to permeate the wall of the unit and detrimentally impact on the adjoining unit.

Waste Disposal and Run Off from the Wash Area - As indicated above, the concerns regarding the precise method of disposal of waste, which may potentially be contaminated, is shared by the Public Protection Department. A condition requiring the submission of these details for the written agreement of the Authority will, however, satisfactorily address this issue. A further similar condition can be applied to the run off from the vehicle and equipment wash area.

APPRAISAL

The application is referred to Committee to consider the objections raised by the Community Council and those submitted on behalf of the occupier of the adjoining unit.

The application seeks consent for the part change of use of this vacant industrial starter unit to a sui generis use for the incineration and storage of pet and equine cadavers (a pet and equine crematorium) at Unit 14, Block C, Parc Y Bont within the Brynmenyn Industrial Estate.

The application site is located on the Brynmenyn Industrial Estate which is allocated and protected for development falling within B1, B2 and B8 employment uses by Policy REG1 of the Bridgend Local Development Plan (LDP).

Policy REG2 of the LDP states that proposals which result in the loss of existing or proposed employment land or buildings on sites identified in Policy REG1 will not be permitted. Exceptions will need to be justified on one of the following grounds:-

1. In appropriate locations, a limited number of those uses regarded as complimentary and/or ancillary to the main use of the land for industrial purposes; or
2. In appropriate locations, those sui-generis employment uses which are suitably located on employment land.

The proposed development is considered an appropriate complimentary use for an industrial estate and is therefore, in principle, acceptable. Subject to the development satisfying the requirements of Policy SP2 in terms of design, there would be no development planning objection to the scheme.

Policy SP2 requires all development to contribute to creating high quality, attractive, sustainable places, which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment and establishes fifteen criteria against which development proposals should be assessed. As this application relates to a change of use of an existing industrial unit located on an identified industrial estate, it is considered that only criteria 6,8,12 & 13 would be relevant to the proposed development.

Criterion 6 relates to ensuring efficient access and in respect of the proposed development, it is noted that the existing access and parking arrangements will continue to adequately serve the unit. The next criterion (8) seeks to avoid or minimise noise, air, soil and water pollution created by the proposed development. Subject to the conditions suggested by the Public Protection Department, it is considered that air and water pollution can be satisfactorily controlled thereby minimising potential pollution issues.

Ensuring the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected is the aim of Criterion 12. It is considered that given the proposed use will be entirely contained within the industrial unit and subject to the imposition of conditions to control the stack/flue height and waste management methods there should be no significantly adverse impacts on the adjoining unit. Further conditions to control hours of operation and to prevent any outside storage will safeguard the amenities of the neighbouring occupier. The final criterion (13) requires the incorporation of appropriate arrangements for the disposal of foul sewage, waste and water into development proposals. It is considered that the suggested condition requiring the submission of further details in respect of all waste that is not to be incinerated will ensure compliance with this requirement.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.”

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and will not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1. The premises shall be used for an incineration and storage of pet and equine cadavers and an assembly area for animal rescue equipment and the manufacture of pet urns and memorabilia only and for no other purpose.

Reason : To ensure that the Local Planning Authority retains effective control over the use of the premises.

2. The internal layout of the premises shall be carried out in accordance with the approved Operational Layout Plan : plan number YPEH 002 dated 29th June, 2016.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of safeguarding the amenity of adjoining units.

3. The flue/stack serving the incinerator unit shall be installed in accordance with Drawing Number YPEH 010V1 Front View, Side View (Aneurin Bevan Way), Rear View and Internal Side View received on 16th September, 2016 and be so maintained in perpetuity.

Reason : In the interests of preventing air pollution.

4. The approved use shall not be brought into operation until there has been submitted to and agreed in writing by the Local Planning Authority an Operational Management Statement which shall include:-

1. Establishment of a maximum tonnage of waste processed at the facility;
2. Procedures to be followed by operatives during the delivery and unloading of animal cadavers/animal waste products at the premises;
3. Methods of dealing with all waste that is not to be incinerated including any sealed bags/containers used to transport cadavers/animal waste identifying any storage, method of controlling odours and disposal;
4. Methods of waste water management including storage, odour control and disposal from the wash down area;
5. Emergency procedures to be implemented in the event of the incinerator breaking down

The approved use shall thereafter be undertaken in accordance with the agreed operational management statement in perpetuity.

Reason : To ensure that the Local Planning Authority retains effective control over the use of the premises in the interests of pollution prevention and safeguarding the amenities of neighbouring occupiers.

5. No materials or equipment shall be stored outside the building at any time.

Reason : To ensure that the visual amenities of the area and the general amenities of neighbouring occupiers are protected.

6. * THE FOLLOWING ARE ADVISORY NOTES NOT A CONDITION

(a) This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

(b) No surface water is allowed to discharge to the public highway.

(c) No land drainage run off will be permitted to discharge either directly or indirectly into the public sewerage system.

(d) As the premises are located within a flood risk zone, the operator is advised to consider the installation of flood resilient measures as part of the proposed development.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None