

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/23/03076	Your Ref:	APP/23/00736
EH Case Officer Extn:	44 6677	Date:	23 November 2023
DC Case Officer:	Ms Lesley Wells		
DC Case Officer Extn:	4 223		
Application Number:	APP/23/00736		
Site Address:	Unit 9, Dakota Business Park, 14 Downley Road, Havant, PO9 2NJ		
Proposed Development:	Change of use from B2/B8/E to a pet crematorium while Final Rest Ltd is occupying the site. We propose the site return to existing planning use when Final Rest Ltd vacates the site. The proposal also includes the addition of a flue.		

Observations / Comments:

I have reviewed the application documents alongside some additional sources of both in-house & third-party information, to consider whether a cremation operation is appropriate at this urban location from the perspective of it's expected emissions to air.

It is understood that;

- the proposed incinerator unit has a capacity of 38kg/hr, which classifies the pet crematorium as a low-capacity site which does not require an Environmental Permit to operate,
- the AD-Entente-ABP incinerator is optimised, equipped with an afterburner, and was awarded type-approval in 2004
- the applicant is seeking unrestricted hours of operation for the incineration plant, to maintain operational flexibility,
- that the burner is to be fired by gaseous fuel, and,
- appropriate training, maintenance, operational procedures & performance monitoring provisions are proposed.

I have made reference to DEFRA/AEAT 'Atmospheric emissions from small carcass incinerators' 2002, which ultimately led to the type-approval process noted to have been awarded to the proposed unit. This document notes that the type-approval process aims to control several pollutants to the benefit of environmental protection and public health, but that the mitigation of these pollutants comes at the expense of (increased) NO_x/NO₂ emissions.

Direct emissions (of NO_x, as NO₂) at the flue terminal are likely to be in the region of 225-400mg/m³ (the upper limit being derived from the general waste incineration limits under an EU directive; the AEAT document noting that full optimisation for minimum TPM & VOC emission would result in NO_x emissions closer to 600mg/m³).

Assuming that the 400mg/m³ limit applies, the process contribution to the annual mean concentration (exposure level) would be expected to be in excess of +4µg/m³ at the closest residential receptors to the flue terminal (assuming 35hr/week operation). Ambient NO₂ at the nearest sensitive receptor is expected to be around 15µg/m³ (annual), being 37.5% of the

statutory limit ($40 \mu\text{g}/\text{m}^3$). With reference to (the outdated, but not replaced-) EPUK/IAQM 'planning for air quality' significance criteria, when benchmarked against the statutory air quality limit, the impact would be considered to be 'moderate' at residential properties of Forsythia Close (~70m from flue).

Benchmarked against the WHO air quality guideline level (advisory) however, the impact at these properties would be considered to be 'substantial' in terms of the magnitude of change. It is worth noting that the total concentration (existing + process contribution) would still be marginally less than 50% of the statutory limit, and therefore arguably at an acceptable level. The WHO limit is purely advisory, but is relevant as a health benchmark. Against this standard, existing NO_2 levels are 150% of the guideline level, and the existing level + process contribution would be expected to be >190% of the health-based guideline value. In other words, the health of existing residents would in principle be materially harmed, but only to a degree that current *legislative* controls consider to be acceptable.

In terms of policy controls; DM10 refers to the breach of the (statutory) national AQ standards, but also to *'the health...of...nearby occupiers and residents'*, the latter being relevant to the non-statutory guideline level.

Nationally, it seems to me that NPPF 2021 paragraphs 119, 130, 185 and 188 are relevant. The proposed development is arguably contrary to 119 & 130, but it is difficult to envisage how the provisions of para. 130 could be wholly met in respect of any development which constitutes an emission source – implying that a balance needs to be struck. This is reflected in the wording of para. 185 (*'taking into account...effects...of pollution on health'*).

It is a planning judgement as to whether paragraph 188 is an overriding & material consideration, i.e., whether the type-approval awarded to the proposed incinerator model is sufficient to dismiss any consideration of spatial context as a material planning consideration. I would consider that it is not sufficient, and that the spatial context is relevant. This leaves us to consider the balance of benefits vs. harms.

I am mindful of the wind-rose presented at page 5 of the emissions & odour management plan, indicating locally prevailing conditions are in the direction of commercial property. Whilst the source is not stated, its style and content would suggest that the data presented relates to Thorney Island, and was probably obtained from the willyweather website (i.e. it would appear to be sufficiently local, and reliable – no need to confirm with the applicant).

The AEAT document would suggest that the material issue with incinerator emissions is probably the impact upon annual average exposures and not the impact upon short term exposures. Given this, the prevailing wind conditions are material insofar as their impact upon the annual average process contribution at any specific location. The data presented in the wind-rose is probably sufficient to tilt the balance in favour of a recommendation to approve, as the prevailing conditions mitigate exposure at the closest residential receptors, and increase the dispersion distance available between the flue and the next nearest sensitive receptors in the direction of prevailing winds (to 160m-260m, compared with the closest, at around 65m). The process-derived annual impacts upon NO_2 concentrations at receptors which are directly down-prevailing-wind would be expected to be between 1.1 & $1.8 \mu\text{g}/\text{m}^3$; 'negligible' against a statutory AQAL, and remaining 'substantial' against the advisory guideline AQAL.

On balance, I believe that this development may be supported. No objection is raised.

Mr. Jonathan Driver
Environmental Control Officer