

## Clean Air Act 1993

**Notification of proposal to install a furnace** - (Section 4 Clean Air Act 1993)

And/or

**Application for approval of height of a chimney** - (Section 14 Clean Air Act 1993)

And/or

**Application for approval of grit and dust arrestment plant** - (Section 6 Clean Air Act 1993)

### When to Use This Form:

To notify Eden District Council of your intention to **install a furnace** in a building or in any fixed boiler or industrial plant (excluding domestic furnaces).

To apply to Eden District Council for **approval of grit and dust arrestment plant** serving a furnace or boiler that will burn:

- Pulverised fuel; or
- Any other solid matter at a rate of 45.5 kilograms per hour or greater; or
- Any liquid or gaseous matter at a rate equivalent to 366.4 kilowatts or more.

To apply to Eden District Council for **approval of a height of a chimney** serving a furnace or boiler that will burn:

- Pulverised fuel; or
- Any other solid matter at a rate of 45.5 kilograms per hour or greater; or
- Any liquid or gaseous matter at a rate equivalent to 366.4 kilowatts or more.

### When to Apply:

You will need to apply for approval of a chimney height if you intend to:

- Construct a new chimney; OR
- Increase the combustion space of an existing furnace; OR
- Add a new furnace to an existing installation; OR
- Change the fuel burnt in an existing furnace; OR
- Replace a furnace with one having a larger combustion space

AND the furnace or boiler will meet one of the requirements shown above under the section 'When to use this form'.

### How to Apply:

When you have completed the form, please send it to:

Environmental Protection  
Eden District Council  
Mansion House  
Friargate  
Penrith CA11 7YG

Tel: 01768 817817

Email: [pollution@eden.gov.uk](mailto:pollution@eden.gov.uk)

### Using Continuation Sheets:

If you need more space to answer any of the questions on the form, please use a continuation sheet.

## **Guidance**

The Secretary of State has produced the following guidance on the calculation of chimney heights:

HMIP Technical Guidance Note D1: Guidelines on Discharge Stack Heights for Polluting Emissions

Published by HMSO, ISBN 0-11-752794-7

This guidance note is now unfortunately out of print. However you can request a copy from the British Library: [www.bl.uk/catalogues/listings.html](http://www.bl.uk/catalogues/listings.html)

## **The Application Process**

Once we have received your application, we will check to see whether it contains all the information that we need. If it does, the application is classified as 'duly made' and proceeds to the determination stage. This is when we decide whether the proposed chimney height is appropriate and we will notify you of the result within four weeks.

If we fail to notify you of our decision within four weeks of receiving a duly made application, the approval applied for is treated as having been granted.

If we do not regard the chimney height within the application as appropriate, we will not approve the application. In this event, we will inform you of the lowest height that we would be prepared to approve.

If you have any questions about the determination process, please contact us at the address provided.

## **Appeals:**

You can appeal against a decision not to approve a chimney height. Appeals should be made to the

Secretary of State, within twenty eight days of receipt of notification, that the application has not been approved.

## **Other Statutory Requirements:**

Approval of a chimney height under sections 14 and 15 of the Clean Air Act 1993 does not detract from any other statutory requirement. This includes obtaining planning permissions, approval under Building Regulations, or a permit under the Pollution Prevention and Control Regulations 2000. It does not authorise a contravention of any other enactment or any order made, granted or issued under any enactment. Nor does it authorise a contravention of any rule or breach of any agreement. The provisions of the Clean Air Act 1993 relating to Smoke Control Areas may also apply.

The Operator is advised to consult the Planning Unit regarding changes that may be required as a result of this approval as they may require planning permission.

**1. Application for approval of the height of chimney(s) serving a furnace(s)**

Name and address of local authority

Eden District Council, Mansion House, Friargate, Penrith, Cumbria CA11 7YG

A. Full name and address of applicant

Tel No

B. Address of premises where chimney(s) is/are or will be constructed (If different from above)

C. Name and address of consultant, contractor or other agent (if employed)

Tel No

D. Brief description of proposed works

E. Category under which chimney height approval is sought (tick box)

- i) Construction of new chimney(s)
- ii) Increase of combustion space of existing furnace (**Note 2**)
- iii) Replacement of furnace by one having larger combustion space

(Signed) ..... Date (**Note 3**)

.....  
[On behalf of the applicant]

1. The third edition of the 1956 Clean Air Act Memorandum on chimney heights (issued with Joint Circular DoE 25/81 Welsh Office 12/81) provides technical guidance. This is available from HMSO.
2. Including addition of a new furnace to an existing installation.
3. Section 15(4) of the Clean Air Act 1968 provides as follows:

“If a local authority to whom an application is duly made for approval fail to determine the application to give a written notification of their decision to the applicant within four weeks of receiving the application or such longer period as may be agreed in writing between the applicant and the local authority, the approval applied for shall be treated as having been granted without qualification”.

**Particulars to Accompany Application for Approval**

**2. Description and use of furnace(s)**

A. Intended use of furnace(s) (eg boiler plant, metal or reheating, drying etc) <b>(Note 4)</b>
B. Type and description of furnace(s) to be installed (Make, model number etc) <b>(Note 4)</b>
C. Changes intended to existing furnace(s)
D. Furnace(s) to be removed

**3. Rating and fuel consumption**

A. Maximum continuous rating of boiler(s) (MW) <b>(Note 4)</b>																								
B. Maximum rate of fuel consumption in kg/h for mass or m <sup>3</sup> /h for volume (Separately for different fuels)																								
C. Type(s) of fuel to be used <b>(Note 5)</b>																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Fuel Type</th> <th style="width: 40%;">Gross calorific value (MJ/kg or MJ/m<sup>3</sup>)</th> <th style="width: 30%;">Sulphur content of fuel (s) %</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Fuel Type	Gross calorific value (MJ/kg or MJ/m <sup>3</sup> )	Sulphur content of fuel (s) %																					
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- 4. The information should relate to the total furnace or boiler plant, which the proposed chimney will serve after all the works have been completed.
- 5. If oil specify type and viscosity. If solid fuel, give Coal Board specification, or colliery source, if known.

**4. Emissions**

<p>A. Volume of chimney gases at working temperature (m<sup>3</sup>/s) Calculated from Paragraph 2B above</p>
<p>B. Working temperature of chimney gases in °C. (State point of measurement)</p>
<p>C. Efflux velocity of chimney gases at working temperature and at maximum loading of plant (m/s)</p>

**5. Grit and Dust**

<p>A. Type and Quantity of Emission from the combustion of fuel</p>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="padding: 5px;">Quality/Type of emission</th> <th style="padding: 5px;">Quantity (grams per second)</th> </tr> </thead> <tbody> <tr><td style="height: 20px;"> </td><td> </td></tr> <tr><td style="height: 20px;"> </td><td> </td></tr> <tr><td style="height: 20px;"> </td><td> </td></tr> </tbody> </table>	Quality/Type of emission	Quantity (grams per second)							
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<p>B. Type and Quantity of Emission from the material being heated (if any)</p>									
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<p>C. Type and efficiency of arrestment equipment</p>									

**6. Buildings**

A. Dimensions of building to which the proposed chimney(s) will be attached	Height	Length	Width	
B. Dimensions of nearby buildings with distances from the proposed chimney(s)				
	Height	Length	Width	Distance
	Height	Length	Width	Distance
	Height	Length	Width	Distance

**7. Details of Chimney for which approval is required**

A.	Height of chimney above ground level	<input type="text"/>
B.	Details of construction of chimney (materials, insulation, single or multi-flue internal diameter of chimney top)	

**8. Supplementary Information**

A.	<p>Please provide a scale site plan of the proposal, together with scale site plan of other emission sources on the same site, with heights of chimneys and approximate distances from chimney(s) for which approval is sought. The site plan must clearly show the relationship between the proposed and other development.</p> <p>The site plan must also show the surrounding topographical features and the relationship between the proposal and those features. (Use space overleaf, or attach a separate sheet)</p>
B.	Any other information relevant to the application

