

Statement of Common Ground

Appeal by MVV Environment Limited

Proposal: Demolition and Removal of existing structures and the erection of a Carbon Capture Retrofit Ready Energy from Waste Combined Heat and Power Facility with associated Combined Heat and Power Connection, Distribution Network Connection and Temporary Construction Compounds and associated buildings and ancillary car parking.

Site Address: Canford Resource Park, Arena Way, Magna Road, Wimborne, BH21 3BW.

LPA Reference: APP/23/00822/F.

PINS Reference: 6002440.

Date: February 2026

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Appendix 1: Draft Schedule of Conditions

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1. INTRODUCTION

- 1.1 This Statement of Common Ground ('SoCG') has been prepared jointly by MVV Environment Limited ("MVV"/ "the Appellant") and the Council. This statement clearly sets out the matters and facts which are agreed and not agreed between the Appellant and Bournemouth Christchurch and Poole (BCP) Council ("the LPA").
- 1.2 The SoCG conforms to the latest Planning Inspector Guidance on content and format¹.
- 1.3 The appeal is made under Section 78 of the Town & Country Planning Act 1990 (as amended) concerning land at Canford Resource Park, Arena Way, Magna Road, Wimborne, BH21 3BW.
- 1.4 The appeal follows the decision of BCP Council to refuse an application for full planning permission (reference APP/23/00822/F) for the Proposed Development comprising the following:
- "Demolition and Removal of existing structures and the erection of a Carbon Capture Retrofit Ready Energy from Waste Combined Heat and Power Facility with associated Combined Heat and Power Connection, Distribution Network Connection and Temporary Construction Compounds and associated buildings and ancillary car parking".*
- 1.5 After a pre-application process, the planning application was validated on 17 July 2023, and the Appellant entered into a Planning Performance Agreement (PPA) with BCP Council on 09 November 2023. BCP Council undertook consultation and considered the application.
- 1.6 The application was recommended for approval by BCP officers in September 2024, however, it was deferred from being heard at the 12 September 2024 planning committee. The application was then recommended for approval by BCP officers and presented for consideration at the meeting of the Western BCP Planning Committee on Thursday 12 June 2025. The Case Officer produced a report to the Committee which recommended approval subject to completion of the Section 106 (S106) legal agreement and fifty conditions (the 'Officer's committee report'). Obligations proposed under Section 106 of the Town and Country Planning Act 1990 related to (1) transport, (2) biodiversity and (3) habitats. By a split decision, Planning Committee members decided not to accept Officers' recommendation and the application was refused.
- 1.7 The LPA's decision notice dated 19 June 2025 lists the following five reasons for refusal (RfR)
- (1) By reason of its height, scale, mass and bulk, the proposed EfW CHP main building and chimney stack would constitute inappropriate development in the Green Belt that would be harmful to the openness of the Green Belt by definition. No very special circumstances exist to outweigh the harm*

¹ <https://www.gov.uk/government/publications/statement-of-common-ground/statements-of-commonuncommon-ground-for-inquiries>

contrary to Policies 21 and 3 of the BCPD Waste Plan 2019, Policy PP2 of the Poole Local Plan 2018 and the National Planning Policy Framework (as amended).

(2) By reason of its excessive height, scale, bulk and mass, the proposed EfW CHP main building and chimney stack would have a detrimental impact on the landscape character of the area, contrary to Policies 14 and 3 of the BCPD Waste Plan 2019, Policy PP27 of the Poole Local Plan 2018 and National Planning Policy Framework (as amended).

(3) By reason of its excessive height, scale, bulk and mass; the proposed building and chimney stack would have a negative impact on the settings of various designated heritage assets. The harm will be less than significant on the moderate level of the gradient of harm and will not be outweighed by the public benefits of the scheme. The proposal is contrary to Policies 19 and 3 of the BCPD Waste Plan 2019, Policy PP30 of the Poole Local Plan 2018 and Section 16 of the National Planning Policy Framework (as amended).

(4) In the absence of any measures to secure the Travel Plan monitoring fees and monetary contributions towards Bridleway 118 crossing improvements, the proposal is contrary to Policies 12 and 3 of the BCPD Waste Plan 2019, Policies PP34 and PP35 of the Poole Local Plan 2018 and the National Planning Policy Framework (as amended).

(5) In the absence of appropriate mitigation measures secured by a legal agreement, the proposal would have an adverse effect on the integrity of the European protected sites, on the qualifying features of the habitats sites and have an adverse effect on the integrity of the Site of Special Scientific Interest (SSSI) either alone or in combination with other plans and projects contrary to Policies 18 and 3 of the BCPD Waste Plan 2019, Policy PP33 of the Poole Local Plan 2018 and the National Planning Policy Framework (as amended).

1.8 For clarity, the Appellant and BCP Council agree that the proposed built development referenced in RfRs (1), (2), and (3) comprises the following components, as shown on the Proposed Site Plan (SC1643/PL 10-01 Rev. A): ID02 – tipping hall; ID03 – waste bunker building; ID04 – boiler house; ID05 – air pollution control building; ID08 – chimney and CEMS platform; ID09 – turbine hall; ID11 – water re-cooling systems; ID15 diesel tanks; ID17 – switchgear building, administration building and control room; and ID18 – workshop and stores.

2. SITE AND SURROUNDINGS

- 2.1 The following descriptions of the Appeal Site and surroundings are agreed by the parties.

Site Description

- 2.2 The Appeal Site (the red line area) (“the Site”) is approximately 8.8 hectares (Ha) in size and its principal element is located at Canford Resource Park (CRP) off Magna Road (A341). The proposed development will be accessed utilising the existing access road, Arena Way, which is designed for HGV movements and has adequate width and existing traffic calming features. CRP is located approximately 6km north of Poole town centre, within the administrative area of BCP; National Grid Reference SZ 03436 96720. The Appeal Site is located within the South East Dorset Green Belt.
- 2.3 The principal element of the Appeal Site has been allocated for waste development within the Bournemouth Christchurch and Poole and Dorset Waste Plan (2019) Policy 3, Inset 8 and sits within the CRP wider area.
- 2.4 There is an existing complex of waste management facilities within the Allocated Site area including a Mechanical Biological Treatment Plant (MBT) a landfill gas compound and a Materials Recovery Facility (MRF). Additionally, a low carbon energy facility which was approved under application ref. APP/12/01559/F (and later varied via S.73) also forms part of the existing development within the Appeal Site red line area. This facility is partially developed with an existing 800m² building and single 35m chimney and is not operational. If fully built out, APP/12/01559/F as varied allows for 5,136m² of building footprint and a second chimney of 35m height. None of the main existing activities at CRP are affected by time limiting planning conditions, their planning permissions are permanent.
- 2.5 The Appeal Site’s area which features above ground structures required for the temporary operational lifetime of the Proposed Development, is 2.57Ha. 2.3Ha of this is land within the Allocated Site, containing the components listed at paragraph 1.8 above and all other above ground ancillary structures and plant required for operation (from now on referred to as “the EfW CHP Facility/EfW CHP Facility Site”), with the exception of the distribution network connection compound, which comprises the remaining 0.27Ha (“the DNC Compound”). The DNC Compound may remain in place following decommissioning of the EfW CHP Facility.

Local Context

- 2.6 The nearest residential area to the EfW CHP Facility Site is the Canford Paddock housing development circa 600m to the east of the main proposed building and circa 200m from the Temporary Construction Compound TCC1. The nearest residential units to the west are distanced by circa 630m on Arrowsmith Road, and some either side of Magna Road, opposite TCC1 circa 700m.

- 2.7 To the south of the EfW CHP Facility Site is the Canford Heath Nature Reserve. To the west is the adjoining closed landfill site, solar farm, hydrogen production unit, and inert waste recycling facility (aggregates etc), which occupy higher ground. Beyond to the north/north-west are residential areas of Canford Magna and Merley, which are approximately 1.3km from the EfW CHP Facility Site.
- 2.8 Within the Site, approximately 100m south of the Site and crossing the underground CHP Connection and DNC Connection, is a small tributary stream, Knighton Stream, which runs in a north-easterly direction for around 1.6km before it reaches the River Stour. In accordance with the EA Flood Map for Planning, the Appeal Site lies entirely within Flood Zone 1 and is therefore considered very low risk in terms of fluvial and coastal flooding (less than 1 in 1,000 annual probability of flooding).
- 2.9 There are no statutory ecological designations within the Site. Adjacent to the south of the Site are the ecological designations related to the Canford Heathlands. These designations are the Dorset Heathlands Special Protection Area (SPA), Dorset Heaths Special Area of Conservation (SAC), Canford Heath Site of Special Scientific Interest (SSSI) . In the wider area there are also a number of similar designations, such as part of the Dorset Heathlands Ramsar site 1.6km south-west, the Corfe and Barrow Hills SSSI 2.5km west and the Broadstone Heath Local Nature Reserve (LNR) 1.5km west-south-west. Frogmoor Wood Site of Nature Conservation Interest (SNCI) is a non statutory designation to the south of the EfW CHP Facility Site.
- 2.10 There are six public rights of way proximate to the Site. Bridleway 118, 200m north of the proposed EfW CHP Facility Site, runs in an east-west orientation. Footpath 125 is approximately 500m west of the proposed EfW CHP Facility Site, running in a north to south orientation from the A341 to the A3049. There are also a number of bridleways to the southwest of Bearwood, including Bridleways 129, 23, 24 and 26, the closest being 740m from the Site.
- 2.11 There are no statutory heritage assets within the Appeal Site. The nearest statutory heritage asset is the Scheduled Monument of Bowl Barrow on Canford Heath, 500m south of the EfW CHP Facility Site.
- 2.12 The wider area is dominated to the north and east by open space and sports pitches, to the west by the adjoining closed landfill site, solar farm and inert waste recycling facility, and to the south primarily by the Canford Heath Nature Reserve. In terms of other large scale industrial and commercial sites, the Magna Business Park² occupies land 650m east of the EfW CHP Facility Site (10m from the DNC Compound site). Natural England has in recent years undertaken management

² Magna Business Park (MBP) was in construction at the time of application 23/00822/F (July 2023). Part of it has since been named Churchill Business Park. Additionally three other large standalone buildings have since been constructed at MBP and there remains one undeveloped site for a 27,000 sq ft building.

work on Canford Heath to re-create areas of bog by damming streams. This has made parts of Canford Heath less accessible.

Relevant Planning History for the Appeal Site, the wider Canford Resource Park and White's Pit Landfill

2.13 The EfW CHP Facility Site is presently occupied by, amongst other things, the Low Carbon Energy Facility which has extant permission to expand. The wider CRP holds a range of waste management infrastructure building and structures. The adjacent White's Pit former landfill site is in uses complementary to the CRP.

2.14 Applications and reports of relevance are identified in Table 1.

Table 1: Relevant Planning History (1957 to date)

| Relevant Planning History | | |
|----------------------------------|--|-----------------------------|
| Reference | Description / Location (bold text) | Decision Issued Date |
| APP/23/01002/F | White's Pit solar farm extension | 19/12/2023 |
| APP/22/00183/F | Inert recycling facility at White's Pit concrete batching plant | 30/08/2022 |
| PREA/22/00049 | Environmental Impact Assessment Scoping Opinion request for an Energy from Waste and Combined Heat and Power Facility at Canford Resource Park | 14/10/2022 |
| APP/22/01333/F | Variation of Condition 8 of Planning Permission APP/15/00874/Y as described in that Description of Development to allow heavy goods vehicles to leave the site from 05:00 Monday to Saturday. CRP | 28/12/2022 |
| APP/22/01332/F | Variation of Condition 7 of Planning Permission APP/14/00733/F (following Original approval APP/13/00855/F) as described in that Description of Development to amend restriction on time of vehicle movement. CRP | 28/12/2022 |
| APP/22/00284/F | Vary condition 2 of APP/21/00400/F - hydrogen plant adjacent BESS on the restored landfill [moved away from site of EfW CHP main building] White's Pit | 20/05/2022 |
| APP/21/00400/F | White's Pit solar farm 30 years including hydrogen and battery storage | 08/10/2021 |
| APP/20/01363/F | Inert recycling facility at White's Pit drainage ditch | 26/10/2022 |
| APP/20/00533/F | Inert recycling facility at White's Pit permanent consent | 28/09/2020 |
| APP/17/00888/F | Variation of Condition 6 of Planning Permission APP/13/01449/F as described in that Description of Development to link approved operations to other adjacent planning consents, ref 14/00733 and 15/00874. CRP | 16/07/2018 |
| APP/15/00874/Y | Erect commercial and industrial waste materials recovery facility with new weighbridge, office and welfare facilities. No time limiting consent. CRP | 28/10/2015 |

| | | |
|----------------|--|------------|
| APP/15/00906/F | Variation of Condition 1 of planning permission App.14/00332/F to allow for the retention of the Research & Development use & associated plant & structures for a further 6-months. CRP | 25/08/2015 |
| APP/14/00332/F | Variation of condition 1 of planning permission App.12/01672/C to allow for the retention of the research & development use & associated plant & structures for a further 9-month period. CRP | 26/06/2014 |
| APP/14/00733 | MRF – amended APP13/0855/F to allow processing of non-inert waste. CRP | 26/08/2014 |
| APP/14/00120/Y | Inert recycling facility at White’s Pit original consent time limited to 2022 | 23/07/2014 |
| APP/13/01455/F | Variation of condition to APP/13/00843/F to make composting hall extension permanent. CRP | 16/01/2014 |
| APP/13/01449/F | Variation of condition 3 of 13/00808/F to remove the time limit for the Low Carbon Energy facility – to make the permission (originally 12/01599/F) permanent. CRP | 19/02/2014 |
| APP/13/01438/F | Removal of condition 1 to APP/13/00806/Y to make composting hall extension permanent. CRP | 14/02/2014 |
| APP/13/01437/F | Removal of condition 1 to APP/13/00805/Y to make composting hall extension permanent. CRP | 14/02/2014 |
| APP/13/00855/F | Removal of Condition No.2 of planning permission 13/00242/F (Materials Recovery Facility). CRP | 02/12/2013 |
| APP/13/00843/F | Variation of condition to APP/11/01653/F to extend permission to 2035. CRP | 01/10/2013 |
| APP/13/00808/F | Variation of condition 3 of 12/01559/F to allow for the Low Carbon Energy facility to remain in place until June 2035. CRP | 04/10/2013 |
| APP/13/00806/Y | Variation of condition 1 to 00/31392/006/Y to extend permission to 2035. CRP | 01/10/2013 |
| APP/13/00805/Y | Variation of condition 2 to 04/31392/012/Y to extend permission to 20 June 2035. CRP | 01/10/2013 |
| APP/13/00242/F | Planning Permission was granted to erect extensions to existing Material Recovery Facility with ancillary infrastructure, accessed via existing Service Road. A condition restricted the life of this development until June 2035. CRP | 20/01/2013 |
| APP/12/01559/F | Development of Low Carbon Energy Facility consisting of a single storey Feedstock Preparation Building, 10 Advanced Thermal Conversion Units, 10 Gas Engines, Electricity Transformers, Storage Tanks, Exhaust Stacks Welfare and Maintenance facilities, accessed via existing site and Arena Way. CRP | 01/07/2013 |
| 12/01672/C | Vary planning condition 1 of APP/11/01669/C to allow for the retention of the research and development use, and associated plant and structures for a further 18-month period. CRP | 14/03/2013 |
| 11/01669/C | Permission to vary planning condition 2 of APP/09/00810/C to continue the operation of a trial pyrolysis plant & associated Application No: APP/12/01559/F Page 3 of 14 equipment in compost "maturation" building. CRP | 07/02/2012 |

| | | |
|----------------|---|------------|
| 11/01653/F | Permission to install 3 gas production units (pyrolysis units), to feed existing gas turbines, to be installed at inert recycling compound, with enclosures and pipelines. CRP | 23/02/2012 |
| 09/00810/C | Permission to change the use of part of the existing compost maturation building for the purposes of an R&D trial of pyrolysis technology and erection of plant and structures including a gas engine in the open air. CRP | 11/09/2009 |
| 08/31392/018 | Erect a detached building to provide additional composting halls and maturation bays linked by an overhead conveyor to the existing waste reception/sorting hall and the ancillary water treatment tanks, air scrubbers and bio filter. Allowed at appeal. CRP | 01/10/2008 |
| 04/31392/012/Y | Erect single storey extension to composting hall. CRP | 21/06/2004 |
| 00/31392/006/Y | Permission for the erection of a fully enclosed composting facility. Given a temporary 25-year consent because of its Green Belt location, which expires in January 2027. This temporary permission was based on the siting of equipment to deal with the outputs from the landfill site, expected to be on site until 2027. CRP | 9/01/2002 |
| 5/94/31174/008 | The erection of a building to house, and the siting of, 7 electrical generating turbines, driven by gas captured from the landfill site, was granted. CRP | 1994 |
| 5/93/31174/005 | The erection of a maintenance workshop at the Gas and Leachate Control Centre was granted. CRP | 1993 |
| 31174/4 | Install electrical power generating plant to recover energy from landfill gas. CRP | 29/03/1993 |
| 5/89/27392/1 | White's Pit Extraction of Sand and Gravel with reinstatement by tipping of controlled waste. | 23/05/1989 |
| 7706/1 | Extract minerals from 23.8 acres of land. CRP | 18/04/1957 |

3. THE APPLICATION PROCESS

3.1 The following description of the application process is agreed by the parties.

Pre-Application

3.2 A preliminary site meeting was held with BCP Planning on 16 November 2021. A pre-application request (ref. REA/21/00143) was submitted to BCP Council on 16 December 2021. A virtual meeting occurred on 15 July 2022 followed by a site meeting with the assigned Case Officer on 26 July 2022. A pre-application response was received on 16 September 2022. Correspondence is included at Appendix 2 of the Planning Statement.

3.3 The proposal is Schedule 1 Section 10 development of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). Accordingly, the Appellant submitted a Request for a Scoping Opinion on 4 April 2022 and received a Scoping Opinion on 14 October 2022 (ref. PREA/22/00049).

3.4 A further virtual pre-application meeting was held on 31 January 2023 to discuss design. Additional pre-application advice was provided by the Case Officer via email on 07 March 2023.

3.5 MVV entered into a Planning Performance Agreement (PPA) with BCP Council in an effort to ensure the LPA had sufficient officer resource to manage the application. Dated 9 November 2023, the PPA outlined best endeavours to report the application to planning committee in January 2024.

Public Consultation

3.6 Prior to the submission of the Planning Application, the Appellant undertook a community consultation exercise, as agreed with BCP Council at the pre-application meeting on 15 July 2022, which involved:

- Project specific website (launched 13 April 2022)
- Press releases (issued 20 April 2022 and 04 January 2023)
- A series of public information events at local community venues (on 12, 13 and 14 January 2023) – these were advertised on a local community group; via posters in local community venues and hand-delivered leaflets to over 5,000 addresses in the immediate vicinity.

3.7 A detailed account of undertaken public consultation is provided within the Statement of Community Involvement (dated July 2023) submitted as Appendix 2 of the Planning Statement.

3.8 BCP advertised the Planning Application in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the Town and

Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The planning application was submitted and validated on 12 July 2023 and 17 July 2023 respectively. Consultation commenced on 02 August 2023 and the statutory 30 day consultation period was extended following a request for additional information and the deferral of committee in September 2024 until 01 March 2025. Nine application notices were posted in the vicinity of the Appeal Site on 06 September 2023. A press notice was posted in the local newspaper and notification sent to the Secretary of State for Levelling Up, Housing and Communities.

3.9 Consultation responses from statutory consultees and other interested parties indicated that further information was required to determine the Application. The Appellant submitted additional EIA information and revisions to the application under the provisions of Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and Regulation 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 on 27 February 2024. The submission included a response from the Appellant to local representations. Additional site and press notices were posted on 07 and 08 March 2024 respectively, publicising amended plans.

The Planning Application

3.10 The Proposed Development was considered and subsequently refused on the basis of the following plans and reports³: Three plans (elevation drawings) were substituted in February 2024 following discussions with BCP Council over design and a series of ES Addenda and other Addenda and further documents dated February 2024 were submitted following the Council's request for further EIA information.

Table 2: Planning Application Documents / Drawings

| Planning Application Original Documents / Drawings | | | |
|---|-------------------|------------------------------|-------------|
| Plan Name | Reference | Author | Date |
| Site Location Plan | MVV_001_Rev_0 | MVV Environment Limited | June 2023 |
| Proposed Site Plan | SC1643/PL 10-01 A | Savage + Chadwick Architects | Aug 2023 |
| North Western Elevation | SC1643/PL 12-01 A | Savage + Chadwick Architects | Feb 2023 |
| South Eastern Elevation | SC1643/PL 12-02 A | Savage + Chadwick Architects | Feb 2023 |
| North Eastern Elevation | SC1643/PL 12-03 A | Savage + Chadwick Architects | Feb 2023 |
| Proposed Development Components | MVV_002_Rev_1 | MVV Environment Limited | Aug 2023 |
| DNC Compound Including HAS | MVV_003_Rev_2 | MVV Environment Limited | Aug 2023 |
| DNC General Arrangements | MVV_004_Rev_2 | MVV Environment Limited | Aug 2023 |

³Other documents were submitted to the LPA: the intention of this table is to identify the plans and drawings, and the reports, which present, show and explain the Proposed Development.

| | | | |
|--|--------------------------|------------------------------|-------------|
| DNC Compound Sections | MVV_005_Rev_1 | MVV Environment Limited | July 2023 |
| Temporary Workshop / Stores Building | MVV_006_REV_0 | MVV Environment Limited | July 2023 |
| Two Storey Office / Welfare Cabins | MVV_007_REV_0 | MVV Environment Limited | July 2023 |
| Boundary Fence and Gates | MVV_008_Rev_02021 | MVV Environment Limited | July 2023 |
| Gatehouse / Weighbridge Elevations | MVV_009_Rev_0 | MVV Environment Limited | July 2023 |
| Cycle Parking | MVV_010_Rev_0 | MVV Environment Limited | Sept 2023 |
| Vehicle Tracking | SC1643/PL 10-02 | Savage + Chadwick Architects | Feb 2023 |
| Temporary Construction Compound: General Arrangements | MVV_010_Rev_1 TCC1 and 2 | MVV Environment Limited | July 2023 |
| Visualisations of the EfW CHP Facility | SC1643/PL 12-04 | Savage + Chadwick Architects | Feb 2023 |
| Proposed Site Sections | SC1643/PL 11-01 | Savage + Chadwick Architects | Feb 2023 |
| Indicative Section | SC1643/PL 11-02 | Savage + Chadwick Architects | Feb 2023 |
| Floor Plan at FFL 44.650M AOD | SC1643/PL 10-03 | Savage + Chadwick Architects | Feb 2023 |
| Floor Plan at FFL 51.425M AOD | SC1643/PL 10-04 | Savage + Chadwick Architects | Feb 2023 |
| Floor Plan at FFL 58.200M AOD | SC1643/PL 10-05 | Savage + Chadwick Architects | Feb 2023 |
| Floor Plan at FFL 61.925M AOD | SC1643/PL 10-06 | Savage + Chadwick Architects | Feb 2023 |
| Floor Plan at FFL 67.650M AOD | SC1643/PL 10-07 | Savage + Chadwick Architects | Feb 2023 |
| Floor Plan at FFL 71.375M AOD | SC1643/PL 10-08 | Savage + Chadwick Architects | Feb 2023 |
| Roof Plan | SC1643/PL 10-09 | Savage + Chadwick Architects | Feb 2023 |
| Roof Terrace Plan and Elevations | SC1643/PL 10-10 | Savage + Chadwick Architects | Feb 2023 |
| Document Name | Reference | Author | Date |
| Planning Statement and Appendices: Appendix 1: List of Plans Appendix 2: Pre-Application Consultation Appendix 3: Aviation Impact Assessment Appendix 4: Combined Heat and Power Appendix 5: Section 106 Agreement Appendix 6: Design Stage R1 Calculation Appendix 7: List of Draft Conditions Appendix 8: Letters of Support | | MVV Environment Limited | July 2023 |

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|---|----------|-------------------------|-----------|
| Statement of Community Involvement | SCI 1.0 | MVV Environment Limited | July 2023 |
| Outline Employment and Skills Plan | OESS 1.0 | MVV Environment Limited | July 2023 |
| Design and Access Statement | | MVV Environment Limited | July 2023 |
| Non-Technical Summary of the Environmental Statement | | Multiple | July 2023 |
| Environmental Statement Main Text: Chapter 1: Introduction Chapter 2: The Site and Local Context Chapter 3: Description of the Proposed Development Chapter 4: Alternatives and Design Iterations Chapter 5: EIA Approach Chapter 6: Air Quality Chapter 7: Climate Change and Greenhouse Gases Chapter 8: Ecology and Nature Conservation Chapter 9: Geology, Hydrology and Ground Conditions Chapter 10: Historic Environment Chapter 11: Hydrology Chapter 12: Landscape and Visual Chapter 13: Noise and Vibration Chapter 14: Population and Health Chapter 15: Traffic and Transport | | Multiple | July 2023 |
| Environmental Statement Technical Appendices and Figures | | Multiple | July 2023 |
| Incinerator Bottom Ash (IBA) and microplastic | | MVV Environment Limited | Feb 2025 |

| Planning Application Amendments and further Documents including ES Addenda | | | |
|--|----------------------------|------------------------------|----------|
| Plan Name | Reference | Author | Date |
| North Western Elevation | SC1643/PL 12-01 A Rev A | Savage + Chadwick Architects | Dec 2023 |
| South Eastern Elevation | SC1643/PL 12-02 A Rev A | Savage + Chadwick Architects | Dec 2023 |

| | | | |
|--|----------------------------|------------------------------|-----------|
| North Eastern Elevation | SC1643/PL 12-03 A Rev A | Savage + Chadwick Architects | Dec 2023 |
| Visualisations of the EfW CHP Facility | SC1643/PL 12-04 A Rev A | Savage + Chadwick Architects | Dec 2023 |
| Proposed EfW CHP Facility Site including illustrative carbon capture facility | MVV_CC_001a | MVV Environment Limited | Oct 2024 |
| Document Name | Reference | Author | Date |
| Applicant's Response to Consultees | ARC_P1_Rev 1.0 | MVV Environment Limited | Sept 2023 |
| Design and Access Statement Addendum | DAS Addendum | MVV Environment Limited | Feb 2024 |
| Summary of Local Representations and the Applicant's Response | MVV001_Rev 2.0 | MVV Environment Limited | Feb 2024 |
| Non-Technical Summary of the Environmental Statement Addendum | | Multiple | Feb 2024 |
| Environmental Statement Addendum Chapter 0: ES Addendum Chapter 6: Air Quality Addendum Chapter 8: Ecology and Nature Conservation Chapter 12: Landscape and Visual Addendum | | Multiple | Feb 2024 |
| Environmental Statement Addendum Technical Appendices and Figures | | Multiple | Feb 2024 |
| Summary of additional local representations and the Applicant's response | SoLR2_Rev 1.0 | MVV Environment Limited | June 2025 |

4. THE APPEAL PROPOSALS

4.1 The parties agree to the following description of the proposals:

“Demolition and Removal of existing structures and the erection of a Carbon Capture Retrofit Ready Energy from Waste Combined Heat and Power Facility with associated Combined Heat and Power Connection, Distribution Network Connection and Temporary Construction Compounds and associated buildings and ancillary car parking”.

4.2 This Description of Development remains valid with the exception that the Appellant indicated to BCP Council before the application was determined that it has no intention of using Temporary Construction Compound Two (TCC2). The Appellant has submitted as part of its Appeal updated plans and an updated schedule of plans which removes reference to TCC2.

4.3 The intended deletion of TCC2 from the application by the substitution of plans and minor amendment of the description of development (deleting “s” from “compounds” to make the plural singular) is acceptable to the parties and is not considered to cause prejudice to any other party should the appeal be determined on that basis.

4.4 The primary waste throughput of the proposed development would be to treat Local Authority Collected Household (LACH) residual waste and similar residual Commercial and Industrial (C&I) waste from BCP and surrounding areas, that cannot be recycled, reused or composted and that would otherwise be exported to alternative EfW facilities or landfilled.

4.5 At the operational stage, the proposed facilities would:

- Process up to 260,000 tonnes per annum (tpa) of non-recyclable (residual), non-hazardous municipal, commercial and industrial waste.
- Generate 31 megawatts (MW) of energy, exporting around 28.5MW of electricity to the Distribution Network Operator (DNO) grid or for businesses at Churchill Business Park and Magna Business Park.
- Have potential to export 5MWth of heat to Churchill Business Park and Magna Business Park through a Combined Heat and Power (CHP) connection and Distribution Network Connection (DNC) Corridor and the potential to provide electricity through private wire along Arena Way to Magna Road. The proposals would also include a heat pipe beneath Arena Way to link to potential users at the Arena, further afield and to any district heating network.
- Employ up to 32 full time equivalent (FTE) employees.

4.6 The appeal seeks a temporary 40 year operational consent for the main facility, after which point the facilities would be decommissioned and removed from the site. The decommissioning process

(including the removal of structures from the site) would likely take place following the 40 year period, with time limitations being secured by recommended conditions. The DNC and Heathland Support Area are proposed to be retained permanently.

- 4.7 The appeal proposal includes the retention of an area of land within the EfW CHP Facility Site which the Appellant concludes would enable the construction of a Carbon Capture plant which could be built in the future, subject to further planning permission.
- 4.8 There is also potential for the Incinerator Bottom Ash (IBA) (the byproduct of the incineration process) to be processed within the wider CRP area. This would allow the byproduct to be utilised for producing sand, grit and aggregates or other reuse purposes. This activity falls within the uses allowed by implemented planning consent APP/20/00533/F and Environmental Permit EPR/EB3102FV.

5. PLANNING POLICY FRAMEWORK

Development Plan

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. (see also s.70(2) of the Town and Country Planning Act 1990).

5.2 The relevant adopted Development Plan documents for the purposes of this appeal are:

- The Bournemouth Christchurch and Poole and Dorset Waste Plan ('the Waste Plan' or 'WP'), adopted in December 2019; and
- The Poole Local Plan (PLP) (2013 – 2033), adopted in November 2018.

5.3 The following policies from the adopted Development Plan are considered particularly relevant for determination of the appeal:

The Waste Plan (2019)

- Policy 1: Sustainable Waste Management
- Policy 2: Integrated Waste Management Facilities
- Policy 3: Sites Allocated for Waste Management and Development (Inset 8)
- Policy 6: Recovery Facilities
- Policy 12: Transport and access
- Policy 13: Amenity and quality of life
- Policy 14: Landscape and Design Quality
- Policy 18: Biodiversity and geological interest
- Policy 19: Historic Environment
- Policy 21: South East Dorset Green Belt
- Policy 23: Restoration, aftercare and afteruse
- Inset 8: Land at Canford Magna, Poole

Poole Local Plan (2018)

- Policy PP2: Amount and Broad Location of Development
- Policy PP27: Design
- Policy PP29: Tall Buildings
- Policy PP30: Heritage Assets
- Policy PP31: Poole's coast and countryside
- Policy PP32: Poole's nationally, European and internationally important sites

- Policy PP33: Biodiversity and geodiversity
- Policy PP34: Transport strategy
- Policy PP35: A safe, connected and accessible transport network

Relevant Material Considerations

5.4 The following policy/legislation/guidance are particularly relevant to the determination of the appeal.

National Planning Policy

- National Planning Policy Framework (December 2024)
- National Planning Practice Guidance (NPPG) (online with various updates)
- National Planning Policy for Waste (October 2014)
- Defra's Energy from Waste Guide (2014)
- Defra Residual Waste Capacity Infrastructure Note (2024)
- National Policy Statement EN-1 – Overriding policy on Energy (2026)
- National Policy Statement EN-3 – Renewable Energy (2026)

Supplementary Planning Guidance

- Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document (BCP and Dorset Councils April 2020)
- BCP Parking Standards SPD (2021)
- Dorset Heathlands Interim Air Quality Strategy 2020-2025 (2021)
- Heritage Assets SPD (2013)
- Nitrogen Reduction in Poole Harbour SPD (2015)
- Poole Harbour Recreation SPD (2020)
- Standards For Waste Container Storage and Access (2023)
- Bournemouth Dorset and Poole Mineral Strategy (2014)

Other Legislation / Guidance

- BCP Local Area Energy Plan
- BCP Climate and Ecological Emergency Action Plan
- Poole Green Belt Review (2017)
- Strategic Green Belt Assessment (2020)
- BCP Council Level 1 Strategic Flood Risk Assessment (2024)
- Dorset Landscape Character Assessment (2009)
- Poole Landscape Character Assessment (November 2017)

6. MATTERS IN AGREEMENT

6.1 The following matters (in no particular order) are agreed between the Appellant and BCP Council:

- a) The Proposed Development subject to this appeal is that described in the plans, forms and documents submitted by MVV as the planning application and modified only by the intended deletion of TCC2.

6.2 Environmental Statement

- i. The Proposed Development is EIA development, exceeding the threshold under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 Schedule 1 category 10 development (waste disposal installations for the incineration...of non-hazardous waste with a capacity exceeding 100 tonnes per day).
- ii. The Environmental Statement submitted with the application and the additional information submitted under Regulation 25 in January 2024 complies with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and is a suitable basis for decision making.

6.3 The Principle of the Development including Waste Policy and Need

- i. The spatial strategy of the adopted Waste Plan has identified that the need for strategic residual waste facilities will primarily be addressed through new capacity in South East Dorset and the principal element of the Appeal Site (the EfW Facility Site) has been allocated for this use at Inset 8 of the WP subject, given the site's location in the SE Dorset Green Belt, to consideration against national policy and WP Policy 21. The Appeal Proposals would provide for residual waste management in the Waste Plan area.
- ii. The Proposed Development would enable the recovery of residual waste, both as energy (principally) and of materials by use of IBA as a secondary aggregate, and the recycling of metals.
- iii. The Proposed Development would assist in avoiding landfilling of residual waste and hence move waste management up the Waste Hierarchy as required by WP Policy 1 Sustainable Waste Management.
- iv. The Proposed Development would contribute to the management of waste generated within the Waste Plan area, thus contributing towards the self-sufficiency principle of WP Policy 1 Sustainable Waste Management.

- v. The Appeal Site is located within an existing complex of waste management facilities adjoining other sources of sustainable energy generation (namely solar farm at former White's Pit) – which in principle would comply with the co-location requirement of NPPW (paragraph 4) and with WP Policy 2 Integrated waste management facilities. The co-location of the EfW CHP Facility adjacent to White's Pit inert waste treatment facility would create the potential to treat IBA from the Appeal Proposals adjacent to the Appeal Site, thus reducing the travel miles and associated emissions.
- vi. The EfW CHP main building and chimney stack along with immediately ancillary plant and land uses and the land the Appellant identifies as to be used for future carbon capture would be located on land allocated by WP Policy 3 Sites for potential for intensification and redevelopment. Inset 8 to WP 3 states the allocated uses as “Intensification and redevelopment of the site including the management of non-hazardous waste. Waste management facilities, including incineration, that would lead to adverse effects upon the integrity of European Sites will not be acceptable”.
- vii. The Appeal Site is located in close proximity to a source of waste i.e., the South East Dorset Conurbation.
- viii. The Proposed Development would be a recovery facility using thermal treatment which will support the key principles of WP Policy 6.
- ix. The Proposed Development is for a temporary period of 40 years. After this point the facility would cease operation and would be decommissioned (including removal of all relevant structures) and the Site would be remediated retaining on-site landscaping otherwise to a site of hardstanding cleared of structures.
- x. There are no unacceptable cumulative/in combination effects.

6.4 **Green Belt**

- i. The Appeal Site is located within the South East Dorset Green Belt.
- ii. The construction of the main building, chimney stack and other ancillary facilities (including the area proposed for carbon capture plant, weighbridge and gatehouse) will result in the redevelopment of previously developed land albeit as plan SC/1643/PL 10-01 shows there will be some areas of trees and shrubs on the EfW CHP Facility Site, particularly the western corner.
- iii. Reason for Refusal (1) (RfR1) relates solely to the proposed EfW CHP main building and

chimney stack. As confirmed at paragraph 1.8 the EfW CHP main building and chimney stack comprise the following components, as shown on the Proposed Site Plan (SC1643/PL 10-01 Rev A): ID02 – tipping hall; ID03 – waste bunker building; ID04 – boiler house; ID05 – air pollution control building; ID08 – chimney and CEMS platform; ID09 – turbine hall; ID11 – water re-cooling systems; ID15 diesel tanks; ID17 – switchgear building, administration building and control room; and ID18 – workshop and stores.

- iv. Components of the development that constitute temporary activities associated with construction or would be underground with the surface made good would not harm the permanence or harm the openness of the green belt.

6.5 **Impact on Landscape Character and on Visual Amenity**

- i. The Councils case, as per the RfRs and their Statement of Case, does not include comments on visual amenity as distinct from landscape character.
- ii. The main part of the Appeal Site (the EfW CHP Facility Site, as shown on MVV 002 Rev 1 Components Plan, and some roadways) is within a working commercial waste management complex. The surrounding woodland and topography provides a degree of physical and visual containment, the extent of which is not agreed by the parties.
- iii. Any adverse impacts arise as a result of the chimney stack and the main building. As confirmed at paragraph 1.8 the EfW CHP main building and chimney stack comprise the following components, as shown on the Proposed Site Plan (SC1643/PL 10-01): ID02 – tipping hall; ID03 – waste bunker building; ID04 – boiler house; ID05 – air pollution control; ID08 – chimney and CEMS platform; ID09 – turbine hall; ID11 – water re-cooling systems; ID15 diesel tanks; ID17 – switchgear building, administration building and control room; and ID18 – workshop and stores.
- iv. The Council considers that the relevant landscape receptors are (1 to 5 are within the site):
 - 1. Landscape Character & Fabric of EfW CHP Facility Site
 - 2. Landscape Character & Fabric of DNC Connection Area
 - 3. Landscape Character & Fabric of CHP Connection Area
 - 4. Landscape Character & Fabric of TCC1 Site
 - 5. Landscape Character & Fabric of TCC2 Site
 - 6. Heath / Farmland Mosaic & North Poole Heath / Farm Fringe LCA
 - 7. Lowland Heathland & Canford Heath LCA
 - 8. River Terrace & Merley-Canford River Terrace LCA
 - 9. Valley Pasture & Lower Stour Valley LCA

- v. Viewpoint imagery assists in understanding the impact on landscape character and the range of representative viewpoints produced in the LVIA is an adequate range.
- vi. It is appropriate to consider the effects at Year 1 and Year 15 and to consider the impact of plumes.

6.6 General Visual Amenity

- i. The nearest PRow to the EFW CHP main building and chimney stack is bridleway 118 which runs broadly south east to north west 200m to the north at its closest point, crossing the Appeal Site access road at a marked crossing for which improvements have been agreed, to be delivered through the S106 legal agreement, which has been drafted. Otherwise, the nearest PROWs (bridleways 24, 23 and 125) are mostly several hundred metres from the EFW CHP main building and chimney stack.
- ii. Recreational pressure is damaging to Canford Heath; SPG and planning policies are intended to discourage recreational use of Canford Heath for example by developing heathland infrastructure projects such as Suitable Alternative Natural Green Spaces (SANGs) and Heathland Support Areas (HSAs). The Proposed Development would expand the HSA adjacent to Magna Business Park by a net 7,700m².

Residential Visual Amenity

- iii. The Proposed Development would be located at significant distance from residential properties. The nearest residential development would be around 600m from the EFW CHP main building and circa 200m from TCC1. Whilst the EFW CHP main building would be of considerable mass, bulk and height, due to the separation distance and intervening vegetation, the Proposed Development will not have any negative impact on residential amenity in terms of loss of privacy, loss of light and overbearing/sense of enclosure.
- iv. The chimney stack would be visible from various private spaces due to its height, however it is agreed that it will not cause harm to residential amenity of the surrounding properties.
- v. The DNC Compound will be 170m from the nearest residential property and due to the separation distance, will not have any significant negative impact on residential amenity.

Noise, Vibration and Disturbance

- vi. The Proposed Development will not result in any unacceptable levels of noise throughout

construction, operation and decommissioning phases subject to the proposed conditions.

Odour

- vii. Subject to condition, parties agree that the Proposed Development would be acceptable in terms of odour impact.

Light Spill

- viii. Subject to condition, parties agree that the Proposed Development would be acceptable in terms of light spill.

6.7 Heritage Impact

- i. The decision notice (RfR3) does not specify which designated heritage assets the referenced harm relates to.
- ii. Following the decision to refuse planning permission, a Council officer expressed her opinion in an email dated 17 October 2025 that in her understanding RfR3 did not relate to Bowl Barrows, and that the Council's case would rely upon heritage harm to the following heritage assets which were mentioned in the Senior Conservation Officer's note of 14 April 2025. Excluding the Bowl Barrows, the following assets were mentioned:
- a. Grade 1 listed Canford School
 - b. Grade 1 Listed Canford Magna Parish Church
 - c. Listed gatehouse to the [Canford School] complex
 - d. Listed medieval John O'Gaunts Kitchen
 - e. Ninevah Court
 - f. Court House
 - g. Lodge and curtilage buildings of Guisborough Hall, Montecute House and the stable
 - h. Both the Canford Village and Oakley Lane Conservation and the listed and locally listed buildings within those areas and across Canford Heath.
- iii. The Council's position is that there is harm (less than substantial) to the following heritage assets:
- Canford Magna Conservation Area
 - Canford School (Grade I listed)
 - South Lodge of Canford School (Grade II listed)
 - Gates and Gate Piers at South Lodge of Canford School (Grade II listed)

- Bowl barrow cemetery and four other bowl barrows on Canford Heath (Scheduled Monument), Bowl barrow on Canford Heath 650m south of southern corner of New Covert (Scheduled Monument) and Bowl barrow on Canford Heath 730m south east of Alhambra (Scheduled Monument).
- iv. The Appellant's (MVV's) position is that the Proposed Development will not erode the ability to experience and appreciate these assets and on that basis will cause no harm to their significance.
- v. The parties agree that the approach to the assessment of heritage impact in the NPPF and supporting NPPG represents the correct approach and that a staged approach to the assessment in good practice is advised by Historic England in GPA3. The parties' heritage evidence will rely on the approach to assessment set out in the NPPF, PPG and GPA3.
- vi. The statutory duty under s66 of Planning (Listed Buildings and Conservation Areas) Act 1990 applies; the s72 statutory duty does not apply as the site is not located in a conservation area.
- vii. As to more detailed commentary in respect of methodology and the positioning of harm within the less than substantial spectrum, the Council's heritage witness will be able to discuss these with the Appellant's heritage witness in order to provide a topic specific SoCG if that can assist the Inquiry process.
- viii. For the avoidance of doubt, the Council confirms it identifies no harm to the setting or significance of the following assets.
- John of Gaunt's Kitchen (Grade I listed)
 - Nineveh Court (Grade I listed)
 - The Parish Church of Canford Magna (Grade I listed)
 - Kingston Lacey House (Grade I listed and an Grade II RPG)
 - Merley House (Grade I listed)
 - Church of All Saints, Hampreston (Grade II* listed)
 - Hampreston Conservation Area
 - Oakley Lane Conservation Area
 - Merton Grange (Non-designated Heritage Asset)
 - Spinney Cottage (Non-designated Heritage Asset)

6.8 **Transport and Accessibility**

Access

- i. The EfW CHP Facility Site would be accessed utilising the existing access road, Arena Way. The parties agree that this provides acceptable onsite manoeuvrability and emergency service access (as per paragraphs 255 of the Officer's Committee Report).
- ii. Bridleway 118 crosses Arena Way which forms part of the Appeal Site, at a marked crossing close to where Arena Way enters CRP. It also crosses the DNC Corridor between the ERF CHP Facility Site and the DNC compound. There is no fundamental objection to the Proposed Development on PRoW grounds on the assumption that the Developer's Obligation in Schedule 6 of the draft S106 agreement is complied with.

Impact on Transport Network

- iii. The Proposed Development would not generate an unacceptable impact on highway safety within the adopted highway network subject to conditions, and would provide adequate access and on-site parking.
- iv. The Proposed Development has no adverse impact on the adopted highway network/vehicular network during construction and subsequent operational lifetime of the EfW CHP Facility.

6.9 The Highways Authority support the Proposed Development subject to the proposed condition.

6.10 **Flood Risk and Drainage**

- i. The Appeal Site is located within Flood Zone 1 and is at low risk from tidal or fluvial flooding. The EA have not objected on any flood risk concerns subject to conditions securing adequate drainage.
- ii. The surface water drainage strategy is acceptable subject to the agreed conditions.

6.11 **Air Quality**

- i. The Appeal Site is not located within or adjacent to any Air Quality Management Areas (AQMA). The Proposed Development would have an acceptable impact on air quality subject to the proposed conditions and mitigation measures. The Environmental Permit provides operational emission limit values.

6.12 **Public Health**

- i. The impact of the Proposed Development on public health would not be significant.

6.13 Ecology, Trees and Biodiversity

- i. The Appeal Site is not located within any statutory designations. There are six international statutory designations within a 10km radius of the Appeal Site, and seven national statutory designations within 5km. Dorset Heathlands SPA, Dorset Heaths SAC and Canford Heath SSSI are located adjacent to the southern boundary.
- ii. Natural England do not object to the Proposed Development subject to conditions and planning obligations Subject to appropriate mitigation measures being secured by the S106 legal agreement, which have been agreed with Natural England, which it is confirmed the draft S106 agreement which accompanies this SoCG would secure, the Proposed Development, would not have unacceptably adverse effects on the integrity of the European protected sites, on the qualifying features of the habitats sites or on the integrity of the SSSI either alone or in combination with other plans and projects.
- iii. The shadow Habitats Regulations Assessment (HRA) submitted with the proposals is an acceptable basis for the Secretary of State via the Planning Inspector as competent authority under the Habitats Regulations to conclude no significant effects to European Sites.
- iv. The DNC Compound is proposed to include a small section of the existing HSA. The loss would be compensated by an extension of the existing HSA resulting in a net increase of 7,700 sqm which would be dedicated public open space kept open and managed for biodiversity in perpetuity. This is a benefit to the local population.
- v. The Proposed Development would have an acceptable impact on trees in accordance with Policies PP27(b) and PP33 of the Poole Local Plan, Policy 14 of the Waste Plan and the NPPF.
- vi. The Proposed Development would conserve and enhance the biodiversity value of the Appeal Site bringing measurable Biodiversity Net Gain (BNG) (estimated to be 25%). The Proposed Development is not subject to the BNG Regulations as the application was registered on 18 July 2023 that is before they came into effect on 12 February 2024.

6.14 Aviation Safeguarding

- i. The Proposed Development would not lead to penetration of the controlled surfaces within the Bournemouth Airport safeguarding zone. A proposal to amend Instrument Flight Procedures has been proposed to Bournemouth Airport which has communicated it to be an acceptable basis for the removal of the Airport's holding objection, although at the present time, a formal consultation response to this effect has yet to be submitted to inform this appeal. Proposed planning condition 9 (aviation safeguarding – flight paths) provides suitable planning control over this matter.

6.15 Economic Development and Employment

- i. The Proposed Development would generate short and long term employment opportunities through construction and operational phases.

6.16 Environmental Permit

- i. An environmental permit (EPR/SP3127SF) for the EfW CHP Facility was issued by the Environment Agency 10 June 2025.

6.17 Development Plan Policies, NPPW and NPPF

- i. The Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019 and Poole Local Plan 2018 are up to date. No emerging replacement development plans have reached a stage at which draft policies might be considered material, nor is this possible over the next 12 to 18 months.
- ii. It is agreed the Appeal Proposals are compliant with all policies of the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019 save that compliance with policies 3, 12, 14, 18, 19, and 21 is not agreed and with the Poole Local Plan 2018 save that compliance with policies PP2, PP27, PP30, PP33, PP34, and PP35 is not agreed. WP Policy 4 is not applicable to the appeal proposals. Compliance with policy 6 would rely on a condition similar to that proposed in condition 37 of the OR (combined heat and power output review and management).
- iii. The Appeal Proposals are consistent with the Spatial Strategy of the Waste Plan insofar as it identifies need for residual waste management including EfW in South East Dorset.

6.18 Section 106 Agreement and RfRs 4 and 5

- i. A S106 legal agreement between the Appellant and BCP Council has been drafted and submitted. Along with confirmation that MVV and all relevant landowners (other than the Council itself) are ready to sign it. Upon its completion RfRs 4 and 5 would be resolved.

6.19 Planning Conditions

- i. Save for condition 44 (waste catchment), the parties are agreed that the 49 planning conditions presented in the Appendix 1 to this SoCG would form an acceptable basis for control of the proposals were the Inspector minded to grant planning permission. The parties agree that a waste catchment condition is acceptable and the Appellant has indicated the wording of a condition it would agree.

- ii. 50 conditions were proposed in the Officers Committee Report of which condition 9 was proposed for deletion in the pre-committee Addendum Report which also modified condition 19 in a minor way. It is now necessary for condition 9 to be reinstated as explained in the note in Appendix 1 (Conditions). Condition 47 (TCC2) has been deleted which is agreed between the parties. Hence including the disputed condition 44 (waste catchment) 49 conditions are set out in Appendix 1 of which 48 conditions are agreed.
- iii. In addition, at planning application stage the Appellant suggested two conditions designed to ensure the ability to facilitate carbon capture and storage (set out in Appendix 2 to this SoCG), and the Appellant remains content to accept those conditions should the Inspector consider they meet the tests. These conditions are solely presented by the Appellant, and are not subject to agreement with the Council.

6.20 **Statutory Consultees**

- i. Save for Bournemouth Airport whose objection is conditional no statutory consultee has an objection to the Appeal Proposals, subject to planning conditions. Statutory consultees include the Environment Agency, Natural England, Historic England and the Highways Authority (BCP) as well as other functions of BCP, and Dorset Council.

6.21 **Incinerator Bottom Ash (IBA)**

- i. The permitted inert waste processing facilities adjacent to the Appeal Site allow for the treatment of IBA (Environmental Permits DB3904GC and EB3102FV) Planning permission APP/20/0533/F is a permanent permission allowing for this.

6.22 **South East Dorset**

- i. South East Dorset, as referred to in the Waste Plan, comprises the administrative area of BCP Council and in addition the wards of Dorset specified later in this paragraph. This aligns closely with the definition of this area in the document "*South East Dorset Strategy*" produced jointly by Bournemouth Borough Council, The Borough of Poole Council, and Dorset County Council in November 2005⁴.

- Colehill & Wimborne Minster East
- Corfe Mullen
- Ferndown North
- Ferndown South
- Lytchett Matravers & Upton
- St Leonards & St Ives
- Stour & Allen Vale

- Verwood
- Wareham
- West Moors & Three Legged Cross
- West Parley
- Wimborne Minster

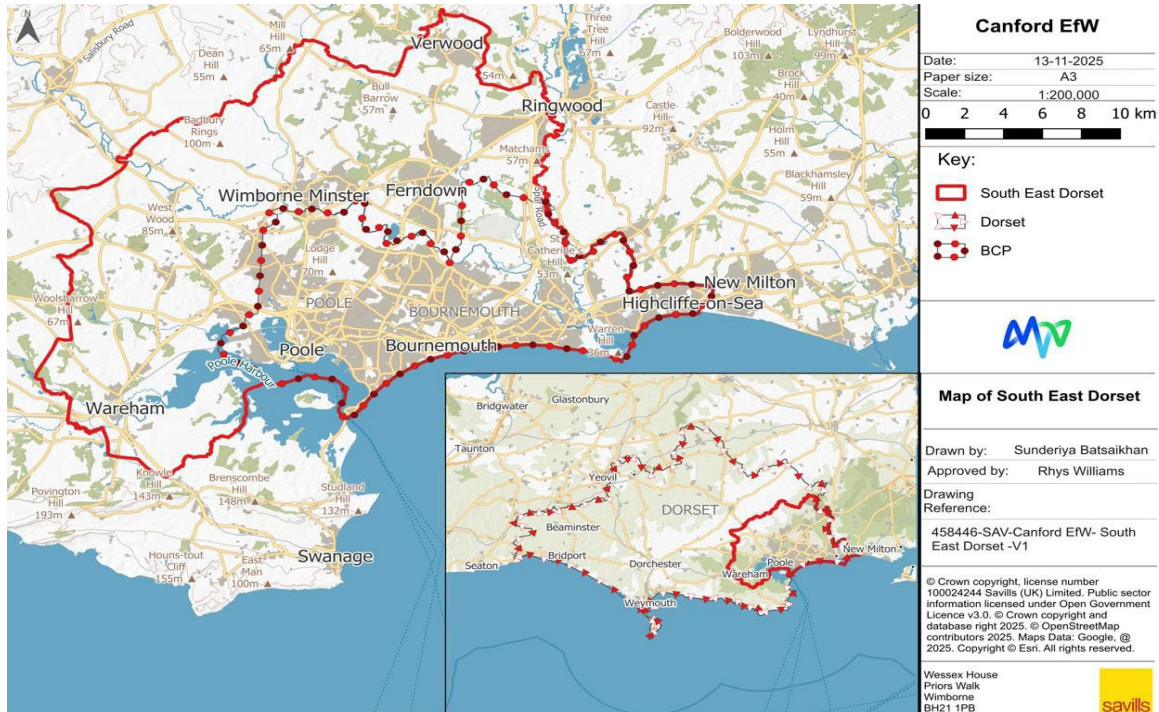


Figure 1: Map of South East Dorset

6.23 Operational Residual Waste Management Facilities in South East Dorset, Extant Consents and Need

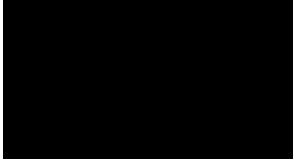


- Planning permission (reference. 8/21/0207/FUL) was granted on 08 December 2022 for a circa 60,000tpa EfW at Parley, on the WP policy 3 Inset 7 Green Belt site. The Appellant’s position on the information currently available to it is that planning permission has lapsed. The Council’s position is that the operator has discharged all pre-commencement planning conditions and have stated that they have commenced development. The Council are in the process of determining whether they conclude that commencement has occurred.
- Planning permission (reference. WP/20/00692/DCC) was granted by Secretary of State on 16 September 2024 for a 202,000 tpa EfW at Portland. This is a material consideration to the Appeal scheme.
- The WP identifies potential capacity at four sites that are allocated for residual waste management. Paragraph 6.9 of the WP supporting text states that “*such provision will provide additional flexibility including circumstances where Allocated Sites do not come forward for waste development.*” Allocated sites Inset 9 and Inset 10 have not come forward to date.

7. MATTERS IN DISPUTE

- 7.1 The matters in dispute are chiefly those relating to the refusal reasons on the decision notice. These are summarised as follows:
- a) Whether the development EfW CHP main building and chimney stack comprises inappropriate development in the Green Belt;
 - b) If the development EfW CHP main building and chimney stack does comprise inappropriate development in the Green Belt, the impact on the openness of the Green Belt; and
 - c) If the development EfW CHP main building and chimney stack does comprise inappropriate development in the Green Belt, whether the benefits of the Appeal Proposals would constitute Very Special Circumstances outweighing the harm to Green Belt and other harm; and
 - d) The landscape character impact of the proposed EfW CHP main building and chimney stack weighed in the planning balance; and
 - e) The effect of the proposed EfW CHP main building and chimney stack on the historic environment in regards to the setting of various designated heritage assets weighed in the planning balance; and
 - f) The extent of need and the weight to be given to the benefits of the proposal.
- 7.2 RfRs (4) and (5) relate to S106 legal agreement contributions. These are not matters of dispute in this appeal, as the Appellant confirms that payment would be made. A draft S106 has been provided to BCP Council by the Appellant. Along with confirmation that MVV and all relevant landowners (other than the Council itself) are ready to sign it.
- 7.3 There is disagreement between the parties over the wording of a condition relating to the waste catchment. The Appellant offered a condition stating that up to 60% of the waste feedstock should originate within a two hour drive distance of the Appeal Site, which includes as well as BCP and Dorset the whole of Hampshire including Southampton and Portsmouth, as well as parts of Wiltshire and Somerset, but no land in Devon. Condition 44 within the draft schedule at Appendix 1 suggested 50% of the waste feedstock should be from BCP and Dorset.

8. DECLARATION

- 8.1 The remaining areas of disagreement between the Appellant and BCP Council are still the subject of the appeal, and will form the basis of the evidence submitted by each party.

| Signed on behalf of Appellant: | | Signed on behalf of Appellant: | |
|---|--|--|--|
|  | |  | |
| Date: 26 th February 2026 | | Date: 26 th February 2026 | |
| Signed on behalf of Local Planning Authority: | | | |
|  | | | |
| Date: 26 th February 2026 | | | |

Appendix 1: Draft Schedule of Conditions

Where there is disagreement between the Council and the Appellant, comments are raised under the condition in blue by the Council and red by the Appellant.

1. Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Site Plan SC1643/PL 10-01 A
Vehicle Tracking SC1643/PL 10-02
Floor Plan at FFL 44.650M AOD SC1643/PL 10-03
Floor Plan at FFL 51.425M AOD SC1643/PL 10-04
Floor Plan at FFL 58.200M AOD SC1643/PL 10-05
Floor Plan at FFL 61.925M AOD SC1643/PL 10-06
Floor Plan at FFL 67.650M AOD SC1643/PL 10-07
Floor Plan at FFL 71.375M AOD SC1643/PL 10-08
Roof Plan SC1643/PL 10-09
Roof Terrace Plan and Elevations SC1643/PL 10-10
Proposed Site Sections SC1643/PL 11-01
Indicative Section SC1643/PL 11-02
Northwest Elevation SC1643/PL 12-01 A
Southeast Elevation SC1643/PL 12-02 A
Northeast and South West Elevations SC1643/PL 12-03 A
Computed Generated Visualisations SC1643/PL 12-04 A
Site Location Plan MVV_001_Rev_0
Proposed Development Components MVV_002_Rev_1
DNC Compound MVV_003_Rev_2
DNC General Arrangements MVV_004_Rev_2
DNC Compound Sections MVV_005_Rev_1
Temporary Workshop/Stores Building MVV_006_REV_0
Two Storey Office/Welfare Cabins MVV_007_REV_0
Boundary Fence and Gates MVV_008_Rev_02021
Gatehouse/Weighbridge MVV_009_Rev_0
Temporary Construction Compound: General Arrangements MVV_010_Rev_1 TCC1 and 2

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notice

The developer shall notify the Waste Planning Authority in writing of the date of the start of each material phase of development at least 7 days before each phase commences. The material phases of development shall comprise:

Phase A: the commencement of development;

Phase B: the commencement of commissioning trials ('commissioning trials' being operations in which waste is processed under specified trials to demonstrate that the development complies with its specified performance);

Phase C: the date when the development becomes operational ('operational' being the point at which commissioning trials have been successfully completed and when the plant begins the treatment of waste for any purpose other than commissioning).

Reason: For the interest of proper planning.

4. Temporary Permission

The development hereby permitted excluding the development within the DNC Connection area, as shown on approved plan numbered MVV_002_Rev_1, shall only be operational for a period of 40-years from the date of commencement of Phase C, as defined in condition 3, after which the use and operation of the development shall permanently cease and within 2 years of the cessation of the operations, the EfW CHP Facility and associated above ground infrastructure, excluding those in the DNC Connection area shall be removed from the relevant part of the application site to which this permission relates and the relevant part of the application site to which this permission relates shall be restored in accordance with a scheme as set out in the Decommissioning Plan approved pursuant to Condition 6 of this planning permission.

Reason: To protect the openness of the Green Belt and the landscape character of the surrounding area, in accordance with Policies PP2 and PP24 of the Poole Local Plan (2018), Policies 21 and 23 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the National Planning Policy Framework (2024).

5. Decommissioning – Period of Non-use during the Permitted Lifetime of the Development

If the EfW CHP facility, shown on approved plan 'SC1643/PL 10-01 A', hereby permitted ceases to operate for a continuous period of 24-months or more, the applicant/developer shall notify the Local Planning Authority in writing within 10 working days of the end of that 24-month period and a decommissioning scheme shall be submitted to the Local Planning Authority for its written approval within three months from the end of the 24-month period for the removal of the EfW CHP Facility and associated above ground infrastructure (other than those in the DNC connection area, as shown on approved plan numbered MVV_002_Rev_1) and the restoration of the site. The details for the decommissioning scheme shall include the details set out in Condition 6.

Reason: To protect the openness of the green belt and the landscape character of the surrounding area, in accordance with Policies PP2 and PP24 of the Poole Local Plan (2018), Policy 21 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the National Planning Policy Framework (2024).

6. Decommissioning and Restoration Plan

Prior to the decommissioning of the development hereby permitted or prior to Year 39 of the temporary 40-year temporary permission period secured by Condition 4, whichever occurs first, a Decommissioning Plan shall be submitted to and approved in writing by the Local Planning Authority. The Decommissioning Plan shall in particular include:

- A programme of works;
- a method statement for the decommissioning and dismantling of all buildings, chimney, associated plant, machinery, hard surfacing, waste and processed materials on the relevant sections of the site;
- details of the means of removal of materials resulting from the demolition and methods for the control of dust and noise;
- the phasing and timetable for demolition and removal based on identified trigger points having regard to the requirements of conditions 4 and 5 above;
- a method statement for the disposal/recycling of redundant equipment/ structures;
- details of the restoration works; and
- the phasing and timetable for the restoration works having regard to the possible start dates for decommissioning as identified in conditions 4 and 5 above and the need for all restoration works to be carried out within a period not exceeding two calendar years.

The restoration of the application site including all demolition and removal works shall thereafter be undertaken in accordance with the approved Decommissioning Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the openness of the Green Belt and the landscape character of the surrounding area, in accordance with Policies PP2 and PP24 of the Poole Local Plan (2018), Policy 21 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the National Planning Policy Framework (2024).

7. Land Contamination

No part of the development hereby permitted including demolition shall commence until the requirements of Parts A to C of this condition have been complied with. The risk assessments should be undertaken by competent and suitably qualified persons to assess the nature and extent of contamination at the site in accordance with 'Land Contamination Risk Management' published by the Environment Agency.

A Preliminary Contamination Risk Assessment (Phase I)

Preliminary Contamination Risk Assessment (Phase I) shall be submitted to the Local Planning Authority for its written approval. The Phase I should be produced in accordance with the Environment Agency 'Land Contamination Risk Management' guidance. A preliminary Conceptual Site Model (CSM) shall be developed to include a comprehensive assessment of the risks from contamination to all relevant receptors such as human health, controlled waters, and the environment from the site condition in consideration of the authorised development. If the risk assessment identifies any unacceptable risks, further assessment comprising intrusive investigations may be required.

B Site Investigation

If the Phase I has established potentially unacceptable risks to sensitive receptors from the site condition, then a detailed intrusive investigation (Phase II) in accordance with 'Land Contamination Risk Management' guidance published by the Environment Agency will be required.

A proposed site investigation plan should be submitted to the Local Planning Authority for review and approval prior to the investigation works taking place. The site investigations should be designed to appropriately assess the risk to human health, the built development, sensitive ecology and controlled waters.

A Phase II report will be submitted to and approved in writing by the Local Planning Authority prior to development works. The Phase II report will comprise an assessment of the risks from contamination to all relevant receptors such as human health, controlled waters, and property from the site condition in the context of the authorised development. The report shall include:

A detailed site investigation comprising an assessment of soil, groundwater and ground gases/ vapours where appropriate to establish the extent, scale and nature of contamination on-site (irrespective of whether this contamination originates from the site). An updated Conceptual Site Model (CSM) should be included showing all potential pollutant linkages and an assessment of the potential risks to sensitive receptors.

If the risk assessment identifies any unacceptable risks, a further remediation strategy/ plan will be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved.

C Remediation Scheme

Remediation will be required if the Phase II establishes the presence of a significant pollutant linkage. The remediation scheme will be submitted to and approved in writing by the Local Planning Authority prior to development works. The works thereafter will be carried out in full accordance with the remediation scheme.

If required, the approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of any development other than that required to carry out remediation, unless otherwise agreed with the Local Planning Authority in writing. The Local Planning Authority shall be notified in writing of the intended commencement of remediation works no less than 14 days before the works commence on-site.

Following completion of remediation works, a Verification Report which demonstrates the effectiveness of the completed remediation works, any requirement for longer-term monitoring of contaminant linkages, maintenance, and arrangements for contingency action, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution and is carried out safely and in the public interest, in accordance with Policies PP32 of the Poole Local Plan (2018), Policy 18 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and Paragraph 170 of the National Planning Policy Framework (2024).

8. Reporting of Unexpected Contamination

The presence of any previously unencountered contamination that becomes evident during the construction of the development hereby permitted shall be reported to the Local Planning Authority in writing within one (1) week, and work on the affected area shall cease with immediate effect. At this stage, if requested by the Local Planning Authority, an investigation and risk assessment shall be undertaken, and an amended remediation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to re-commencement works in the affected area. The approved details shall be implemented as approved.

Following completion of remediation works, a Verification Report which demonstrates the effectiveness of the completed remediation works, any requirement for longer-term monitoring of contaminant linkages, maintenance, and arrangements for contingency action, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution and is carried out safely and in the public interest, in accordance with Policies PP32 of the Poole Local Plan (2018), Policy 18 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and Paragraph 170 of the National Planning Policy Framework (2024).

9. Aviation Safeguarding – Flight Path

No part of the development hereby approved shall commence until full details of the mitigation measures have been submitted to and approved in writing by the Local Planning Authority on the following matters:

- Instruments Flight Procedures;
- Blockage or disturbance to aircraft fly path;
- Impact on the integrity of radar and other electronic aid to air navigation by reflections and diffraction of radio signals involved.

The mitigation measures shall be implemented in accordance with the approved details prior to the first use of the development or completion of construction of the development, whichever is the earlier, and retained in the approved form throughout the lifetime of the development unless otherwise agreed by the local planning authority.

Reason: in the interests of aviation safeguarding at Bournemouth Airport, in accordance with Policy 20 of Bournemouth, Christchurch and Poole (BCP) and Dorset Waste Plan (2019).

Note: A late addendum to the committee report deleted condition 9. The reason was a change in the Officers recommendation which proposed grant of permission subject to the Head of Planning

(Operations) being satisfied that the concerns of Bournemouth Airport had been adequately resolved so far as material to the planning determination. In the current circumstances of the application having been refused this condition remains necessary.

10. Aviation Safeguarding – Warning Lighting

No part of the development hereby permitted shall commence until the information specified below in (a) to (f) has first been submitted to and approved in writing by the Local Planning Authority:

- a) The British National Grid Coordinate reference for the centre of the EfW CHP Facility
 - i. building; and
 - ii. chimney;
- b) date of proposed commencement of construction;
- c) anticipated date of completion of construction of the EfW CHP Facility buildings and chimney;
- d) height above ground level of the EfW CHP Facility building and chimney;
- e) a construction equipment notification procedure by which subsequent notification of maximum heights and duration of any temporary cranes that penetrate the Bournemouth Airport Outer Horizontal Surface of 159.45m Above Mean Sea Level (AMSL) shall occur; and
- f) details of aviation warning red lighting to be fitted at the highest practicable point of the chimney together with proposed on going maintenance requirements (“Aviation Information”).

Prior to the first use of the development hereby approved or completion of construction of the chimney, whichever is the earlier, the aviation warning lighting shall be implemented in the approved form as part of the approved Aviation Information unless otherwise agreed by the Local Planning Authority and thereafter the aviation warning lighting shall at all times be retained and also maintained in accordance with the approved Aviation Information.

At the earliest opportunity prior to the date of completion of the construction of the chimney and in any event at least 30 calendar days prior to construction of the top 5 metres of the chimney, the anticipated date of construction to the chimney’s full height must be submitted to the Local Planning Authority and provided to Bournemouth Airport.

The approved Aviation Information shall at all times be accorded with unless otherwise agreed in writing by the local planning authority in consultation with the Bournemouth Airport

Reason: in the interests of aviation safeguarding, in accordance with Policy 20 of Bournemouth, Christchurch and Poole (BCP) and Dorset Waste Plan (2019).

11. Lighting Scheme – Operational Stage

Notwithstanding any details forming part of the documents submitted as part of the application to which this permission relates, prior to whichever is the earlier of the installation of any permanent lighting in respect of any part of the development hereby permitted, or incineration of any waste on the application site to which this permission relates a Lighting Scheme for the entire site shall be submitted to and approved in writing by the Local Planning Authority. The submitted Lighting Scheme shall include the following details:

- a) hours of use of external lighting and internal lighting that would be visible externally;
- b) the exact location and specification of any external lighting;
- c) a lux contour plan which also includes the impact of internal lighting;
- d) the specification including height for any fixed or mobile external lighting structures;
- e) the intensity of the lights to be installed together with a lux contour plan, which shall be compliant with Bats and artificial lighting in the UK by Bat Conservation Trust (BCT) and Institute of Lighting

Professionals (ILP/BCT) (2023). Such measures to include luminaires of external lights to have colour temperature less than 2700K, with peak wavelengths greater than 550nm, or other suitable alternatives;

- f) the identification of areas to be illuminated and any measures to minimise light spilling on to areas outside the application site to which this permission relates;
- g) measures such as shrouding to minimise disturbance through glare;
- h) measures to minimise disturbance to bats from lighting;
- i) details about any translucent parts of the buildings' external fabric or cladding, including the degree of transparency of materials, and any measures to minimise light spillage;
- j) a timetable for the installation of the lighting across the application site; and
- k) details for ongoing maintenance of such lighting.

The development shall only be carried out in accordance with the approved Lighting Scheme and once provided, the lighting shall thereafter be retained and maintained in accordance with the approved Lighting Scheme. No lighting shall be installed on any part of the application site to which this permission relates unless it accords with the approved Lighting Scheme.

Reason: To ensure that the lighting does not adversely affect the ecological value and interests of the site and protected species or sensitive receptors and to ensure that the lighting is appropriate in its context and contributes to public safety in accordance with Policies PP27 and PP33 of the Poole Local Plan (2018), Policies 13 and 18 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the requirements of the National Planning Policy Framework (2024).

12. Aviation Lighting

Prior to the commencement of development hereby approved or deploying any construction equipment or temporal structure(s) 50 metres or more in height (above ground level) the undertaker must submit an aviation lighting scheme for the approval of the BCP Council in conjunction with the Ministry of Defence defining how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the Ministry of Defence. This should set out:

- a) Details of any construction equipment and temporal structures with a total height of 50 metres or greater (above ground level) that will be deployed during the construction of the Carbon Capture Retrofit Ready Energy and details of any aviation warning lighting that they will be fitted with; and
- b) The locations and heights of the Carbon Capture Retrofit Ready Energy featured in the development identifying those that will be fitted with aviation warning lighting identifying the position of the lights on the Carbon Capture Retrofit Ready Energy and the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

Reason: To maintain aviation safety in accordance with Policy 20 of Bournemouth, Christchurch and Poole (BCP) and Dorset Waste Plan (2019).

13. Aviation Charting and Safety Management

The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) the date of the commencement of the erection of EfW CHP Facility.
- b) the maximum height of any construction equipment to be used in the erection of the EfW CHP Facility.
- c) the date of EfW CHP Facility is brought into use.

d) the latitude and longitude and maximum heights of each EfW CHP Facility building.

This information would also need to be sent by e-mail to UK DVOF & Powerlines at dvof@mod.gov.uk or posted to:

D-UKDVOF & Power Lines
Air Information Centre
Defence Geographic Centre
DGIA
Elmwood Avenue
Feltham
Middlesex
TW13 7AH

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason: To maintain aviation safety in accordance with Policy 20 of Bournemouth, Christchurch and Poole (BCP) and Dorset Waste Plan (2019).

14. Piling Method Statement

Notwithstanding any documents submitted for the purposes of the permission hereby permitted, should piling be required for the purposes of any part of the development hereby permitted then prior to both the commencement of any such piling and related engineering works of the development hereby permitted, a Piling Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The Piling Method Statement shall include details of the required piling including:

- a) Methods of piling;
- b) Measures to mitigate noise and vibration impacts on nearby occupiers;
- c) Measures to avoid harmful impacts of works on water quality; and
- d) Monitoring of the above measures.

The development shall thereafter only be carried out in strict accordance with the approved Piling Method Statement.

Reason: To protect the amenity of the locality, especially for nearby sensitive users and/or the local environment, and ensure there is no unacceptable impact on land stability in accordance with Policy PP27 of the Poole Local Plan (2018) and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

15. Demolition and Construction Environmental Management Plan

No part of the development hereby permitted shall commence until a Demolition and Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The details within the Demolition and Construction Environmental Management Plan ("DCEMP") shall include, but not be limited to:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) the erection and maintenance of security hoarding;
- d) wheel washing facilities;
- e) scheme for recycling/disposing of waste resulting from demolition works;
- f) delivery, demolition and construction working hours;

- g) control of Non-Road Mobile Machinery (“NRMM”) use onsite;
- h) details of arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the DCEMP and report to the local planning authority any identified non-compliance;
- i) details of how all species protected by legislation relevant in England and the adjacent Canford Heath SNCI, SSSI, SPA and SAC will be protected throughout site clearance, demolition and construction. Details shall include temporary and or permanent fencing to protect species.
- j) details of an Ecological Clerk of Works including the duration of employment, who will be employed to give toolbox talks prior to commencement of works, supervise works and respond to wildlife issues together with details of such toolbox talks including in particular the frequency of such talk and measures to seek to ensure attendance by all relevant persons;
- k) a Dust Management Plan, containing details on how construction dust will be managed to avoid impact on biodiversity and also on any dust sensitive receptors including any residential property;
- l) a lighting strategy for Temporary Construction Compound 1 as shown on approved plan MVV_002_Rev_1 including temporary lighting to any connecting roads;
- m) a Fire Strategy for the demolition and construction periods; and
- n) measures to mitigate possible littering.

The approved DCEMP shall be accorded with at all times throughout the demolition and construction phases of the development.

Reason: In the interests of highway safety, to protect endangered species and protected sites, and convenience and to safeguard the amenity of the area for local residents, businesses and workers in accordance with Policies PP3, PP27, PP33, PP34, PP35 and PP36 of the Poole Local Plan (2018); Policies 6, 12, 13 and 18 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019); the Conservation of Habitats and Species Regulations 2017 (as amended) and S40 of NERC Act 2006.

16. Construction Traffic Management Plan

No part of the development hereby permitted shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Traffic Management Plan must include details of, but not limited to:

- a) programme of demolition and construction works in relation to the development of the proposal,
- b) details of vehicles to be used in association with the demolition (including removal of debris) and also construction (number, size, type and frequency),
- c) frequency and timings of deliveries and removal of debris from the site so as to avoid peak traffic periods and noise impact on noise sensitive receptors,
- d) proposed traffic routes and measures to seek to ensure those traffic routes are accorded with at all times
- e) contractors parking arrangements,
- f) temporary traffic measures,
- g) appropriate signage,
- h) loading/unloading procedures including measures to seek to prevent vehicles waiting with engines running from entering or leaving any part of the site, and
- i) storage of plant and materials.

The approved Construction Traffic Management Plan shall be accorded with at all times throughout the demolition and construction phases of the development.

Reason: In the interests of highway safety and convenience and to safeguard the amenity of the area for local residents, businesses and workers in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (2018); and Policies 12, 13 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

17. Archaeology (written scheme of investigation)

No part of the authorised development shall commence until a programme of archaeological work has been secured and implemented in accordance with a written scheme of investigation that shall have been submitted to, and approved in writing by, the Local Planning Authority. This written scheme of investigation shall include:

- a) all proposed archaeological field work together with the post-excavation work;
- b) details for the publication of the results of the findings; and
- c) details of the archaeological contractor who will undertake the work and secure publication.

The development shall only be carried out in strict accordance with the approved programme of archaeological work.

Reason: To ensure that archaeological remains and features are recorded. in accordance with Policy PP30 of the Poole Local Plan (2018) and Policy 19 (Historic Environment) of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019)

18. Arboricultural Method Statement

Prior to the commencement of any part of the development hereby permitted, including any related works to trees, an Arboricultural Method Statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification shall be submitted to, and approved in writing by, the Local Planning Authority. The Arboricultural Method Statement shall include comprehensive details of all demolition and construction works and its relationship to any trees that may be impacted by such works and shall be in accordance with BS 5837:2012.

In particular, the Arboricultural Method Statement must include the following:

- a) a specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- b) details and specifications of the full extent of all necessary excavations within root protection areas and tree canopy spreads;
- c) a schedule of tree works conforming to BS3998;
- d) details of general arboricultural matters such as the area for storage of materials and concrete mixing;
- e) details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- f) details of all other activities which have implications for trees on or adjacent to the site.

The approved Arboricultural Method Statement shall at all times be strictly accorded with throughout the demolition and construction phases of the development.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is

carried out and to protect the visual amenity of the area in accordance with Policy 14 (Landscape and design quality) of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

19. Landscape Plan

No development including ground preparation, temporary access construction or construction work shall commence on any part of the application site unless a detailed Landscape Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the position, species and size of all new trees, shrubs and ground cover as well as the height, location, colour and appearance of boundary treatments proposed for the development and specification for maintenance and aftercare, together with a programme and timetable for planting and arrangements that secure the replacement of any plant (including those retained as part of the scheme) which die, are damaged or are diseased within a period of no less than 5 years from the date of first planting or other identified date in the case of any retained planting.

All planting shall be carried out in accordance with the approved Landscape Plan and all relevant British Standards.

The approved Landscape Plan shall at all times be accorded with.

Reason: To ensure that reasonable measures are taken to establish trees and vegetation in the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (2018).

20. Landscape, Ecological and Arboricultural Management Plan (LEAMP)

Prior to the commencement of any above ground development (excluding demolition or site clearance), a Landscape, Ecological and Arboricultural Management Plan ("LEAMP") for green infrastructure, including a timed schedule of works, to include a requirement for timing and programming of hedgerow planting, and details of onsite biodiversity and landscape enhancement measures has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Landscape, Ecological and Arboricultural Management Plan (LEAMP) and the approved details shall at all times be retained unless otherwise agreed with the Local Planning Authority in writing.

Reason: To protect and improve the viability of planting, health, biodiversity benefits and protected species and to ensure that the development maintains and enhances the landscape and wildlife features at the site and protected species, in accordance with Policies PP24, PP25, PP26, PP32 and PP33 of the Poole Local Plan (2018); Policies 6 and 18 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019); Schedule 5 of the Wildlife and Countryside Act 1981; Section 41 of the Natural Environmental and Rural Communities Act 2006 and Part 3 of the Conservation of Natural Habitats and Species Regulations 2017.

21. Noise Assessment

Prior to commencement of the development hereby approved, an assessment of the acoustic impact arising from the operation of all industrial processes, equipment and plant relating to all parts of the development shall be undertaken in accordance with BS 4142: 2019, including 1/3 octave frequency analysis with appropriate corrections for acoustic features. The assessment shall be submitted to the Local Planning Authority for written approval together with a scheme of attenuation measures.

Background levels are to be taken as a 15-minute LA90 at the boundary of the nearest residential noise-sensitive receptors.

The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

Within 3 months of Phase C of the development, as specified by condition 3, a further post installation noise assessment shall be carried out whilst the development is in full operation. Full details of the

further assessment together with any proposed amendments and/or additions to the previously approved attenuation measures including a timetable for their delivery shall be submitted to the local planning authority for written approval. All approved amendments and additions to the previously approved attenuation measures shall be fully carried out in accordance with the approved timetable.

Reason: in the interest of neighbour amenity, in accordance with policy PP27 of the Poole Local Plan (2018); and Policy 13 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

22. Surface Water Management Strategy

No part of the development hereby permitted shall take place unless a detailed surface water management scheme for the whole of the application site to which this permission relates, based upon the hydrological and hydrogeological context of the development, available capacity of receiving systems and providing clarification of how drainage is to be managed during demolition of any existing structures, construction and operation, has first been submitted to, and approved in writing by the Local Planning Authority. The surface water management scheme must in particular:

- a) identify all works associated with such a scheme including a timetable for their provision;
- b) ensure that the existing surface water sewer from the former White's Pit landfill site to the discharge point at the southern edge of the EfW CHP Facility building on the main site, as shown on approved plan 'SC1643/PL 10-01 A' is maintained or replaced on a "like for like" basis and that there is no connectivity between this connection and any new drainage infrastructure required to serve the authorised development;
- c) if a shared discharge chamber is to be used for the former White's Pit landfill site and EfW CHP Facility Site's drainage system, then include arrangements to ensure that there can be no reverse flow from the former White's Pit landfill surface water pipe into the EfW CHP Facility Site's surface water system;
- d) ensure that a means of draining any accumulation of surface water during an extreme rainfall event (1 in 100 year or less frequent) or other emergency (e.g. collapsed or blocked drain during prolonged wet weather) at the EfW CHP Facility Site, is provided in the form of a safe exceedance route to the woodland area south of the EfW CHP Facility Site, the invert level of which shall be no higher than the lowest part of the finished ground level at the EfW CHP Facility Site;
- e) Not to use pumps to drain either the part of the former White's Pit landfill site surface water drainage system within the EfW CHP Facility Site and contains processes to ensure that no such pump would be used without the prior written agreement of the Local Planning Authority;
- f) achieve a maximum surface water discharge rate of 5.2l/s for the EfW for all rainfall events up to and including a 1 in 100 year + 45% climate change event; and
- g) include details for the ongoing maintenance and management of all works associated with the surface water management scheme.

The approved surface water management scheme shall be fully implemented prior to the incineration of any waste on the application site to which this permission relates and the development hereby approved shall only be carried out in compliance with the approved surface water management scheme. The approved scheme shall at all times be accorded with. All works provided for in the approved scheme shall be retained and also managed and maintained in accordance with the approved scheme.

Reason: to ensure effective, sustainable and safe drainage of surface water from the development site without affecting existing drainage from adjacent land in accordance with Poole Local Plan (2018) policy PP38 and BCP and Dorset Waste Plan (2019) Policy 17.

23. Surface water drainage maintenance and management scheme

No development shall take place until finalised details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. This must include arrangements to ensure proposed permeable surfaces remain permeable through their lifetime. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding in accordance with Poole Local Plan (2018) policy PP38 and BCP and Dorset Waste Plan (2019) Policy 17.

24. Community Liaison Group

No part of the development hereby permitted shall commence until a Community Liaison Scheme has been submitted to and approved in writing by the Local Planning Authority. The Community Liaison Scheme shall include terms of reference for a Community Liaison Group which is to include details on the formation of the group, recruitment, how the group will operate including a timetable for its initial startup and proposed first year meeting programme which shall begin at a time prior to the commencement of any part of the development hereby permitted, an outline remit, a main contact number, and an indication of how complaints will be managed. The approved Community Liaison Scheme shall be accorded with at all times.

Reason: To improve dialogue and discussion with the local community and avoid adverse impacts on nearby residents and other sensitive receptors, in accordance with Policy PP27 of the Poole Local Plan (2018) and Policies 13 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

25. Employment and Skills Plan

No part of the development hereby permitted shall commence until an Employment and Skills Strategy has been submitted to and approved in writing by the Local Planning Authority. The Employment and Skills Strategy submitted for approval must be substantially in accordance with the submitted Outline Employment and Skills Strategy, June 2023. The approved Employment and Skills Strategy shall be accorded with at all times.

Reason: To ensure the realisation of the benefits of the development and to provide employment and skills in the local area, in accordance with Policy PP2, PP16 and the objectives of the Poole Local Plan (2018).

26. Badger Survey

Prior to the commencement of any part of the development hereby approved, including demolition or site clearance, a badger survey of the area shall be undertaken and details of the survey carried out together with its outcomes shall be submitted to and approved in writing by the local planning authority. If any badger sett is found to be present, then notwithstanding any licence that may be obtained under the Protection of Badgers Act 1992 ("the Badger Act"), the survey outcomes provided to the local planning authority shall include details of proposed mitigation in relation to such setts. The development shall only be carried out in accordance with the approved details save to such extent as it conflicts with the terms on any licence granted under the Badger Act.

Reason: To protect local wildlife habitats, in accordance with Policy PP33 of the Poole Local Plan (2018), Policy 18 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019); Schedule and Paragraph 174 of the National Planning Policy Framework (2024).

27. Prior Approval of Materials and Design Details

Notwithstanding any details forming part of the documents submitted as part of the application to which this permission relates, prior to the construction of the main building on the Energy from Waste

(EfW) Combined Heat and Power (CHP) Facility site and its chimney stack hereby permitted, elevation drawings and photomontages showing the design details, colour, finish and profiles of these structures shall be submitted to and approved in writing by the Local Planning Authority to include cladding in a colour selected to blend with the existing landscape and vegetation. Samples of the cladding, fenestration types, and roofing to be used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any superstructure works on site.

Reason: To ensure that the external appearance of the building(s) is satisfactory, protects the appearance of the Green Belt, blends with the surrounding landscape and minimises the visual impact on existing residential developments within nearby surrounding areas in accordance with Policy PP27 and PP31 of the Poole Local Plan (2018); and Policy 14 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

28. BREEAM

Prior to commencement of the Phase C of the development, as specified by condition 3, a BREEAM design stage accreditation certificate (or subsequent equivalent quality assured scheme) shall be submitted to, and approved in writing by, the Local Planning Authority verifying that the EfW CHP Facility shown on approved plan 'SC1643/PL 10-01 A' will achieve a minimum BREEAM 'Good' rating (or equivalent).

The EfW CHP Facility shall be constructed in strict accordance with the approved details, achieve the agreed rating, and shall be maintained as such thereafter for the lifetime of the development.

No later than six months of Phase C of the development, as specified by condition 3, a BREEAM Post Construction Review Certificate shall be submitted to, and approved in writing by, the Local Planning Authority verifying that the approved BREEAM rating has been met.

Reason: In the interests of delivering a sustainable and energy efficient scheme, in accordance with Policy PP37 of the Poole Local Plan (2018) and Policy 15 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

29. R1 Categorisation

Prior to the incineration of any waste on the application site to which this permission relates there shall be submitted to and approved in writing by the Local Planning Authority evidence that verifies that the development has been confirmed as having met R1 recovery status by the Environment Agency (or any equivalent replacement body). The development shall only be operated whilst R1 recovery status is confirmed as maintained by the Environment Agency (or any equivalent replacement body).

Reason: To ensure the efficiency of the facility and the management of residual waste is moved up the waste hierarchy, in accordance with Policies 6, 7 and 18 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the National Planning Policy Framework (2024).

30. Operational Traffic Management Plan

Prior to both the incineration of any waste or storage of any waste intended for incineration on any part of the application site to which this permission relates, an Operational Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Operational Traffic Management Plan should include details of proposed traffic routes and measures to seek to ensure any vehicle entering or leaving the application site to which this permission relates accords with those traffic routes, restrictions for vehicles accessing the development, monitoring of vehicle movements to the site, and any operational practices, scheduling or agreements in place to manage the timing of vehicles accessing or leaving the site.

All matters contained in the approved Operational Traffic Management Plan shall be accorded with at all times.

Reason: In the interests of highway safety and convenience and to safeguard the amenity of the area for local residents, businesses and workers in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (2018); and Policies 12, 13 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

31. Odour Management Plan

Prior to both the incineration of any waste or storage of any waste intended for incineration on any part of the application site to which this permission relates, an Odour Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Odour Management Plan should include details of measures to ensure that operations do not give rise to any malodours and shall include provisions for notifying the Local Planning Authority of any identified odour issues and reviewing and updating the plan, in particular to deal with any identified odour issue. The measures to be provided shall include, but are not necessarily limited to, the following:

- a) regular movement of waste within the refuse bunker as shown as ID03 on plan 'SC1643/PL 10-01 A' to ensure that material is circulated on a regular basis, minimising decomposition of the stored waste;
- b) the operation of negative air pressure within the tipping hall area and an odour management system;
- c) proposed maintenance to secure the ongoing effectiveness on any odour management systems; and
- d) measures to control odours during maintenance of any part of the development hereby permitted.

All measures identified in the approved Odour Management Plan shall be put in place prior to both the incineration of any waste or storage of any waste intended for incineration on the application site to which this permission relates, and thereafter shall at all times be retained and maintained in accordance with the approved Odour Management Plan. The approved Odour Management Plan shall at all times be accorded with.

Reason: To avoid any unacceptable impacts on surrounding wildlife and people, in accordance with Policy PP27 of the Poole Local Plan (2018) and Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

32. Fire Prevention Plan

Prior to both the incineration of any waste or storage of any waste intended for incineration on any part of the application site to which this permission relates, a Fire Prevention Plan shall be submitted to and approved in writing by the Local Planning Authority. The Fire Prevention Plan shall include the details of, but not be limited to, means of escape, the proposed use of any fire resistant materials, access to hydrants and fire access/facilities, access mechanisms of any access from the site to heathland areas, management of fire risk for staff, proposed ongoing maintenance and identification of any guidance that is considered to provide relevant best practice and evidence of accordance with it.

All measures identified in the approved Fire Prevention Plan shall be put in place prior to both the incineration of any waste or storage of any waste intended for incineration on the application site to which this permission relates, and thereafter shall at all times be retained and maintained in accordance with the approved Fire Prevention Plan. The approved Fire Prevention Plan shall at all times be accorded with.

Reason: To ensure that the development incorporates the necessary fire safety measures, protects public safety and protects the surrounding heathland from fire in accordance with Policies 6 and 21 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and Article 9a of the Town and Country Planning (Development Management Procedure) (England) Order (2015) (as amended).

33. Waste Management Plan

Prior to whichever is the earlier of the first use or occupation of any part of the development hereby permitted, a Waste Management Plan for the administration building as shown as ID17 on approved plan SC1643/PL 10-03 shall be submitted to and approved in writing by the Local Planning Authority. The Waste Management Plan shall in particular include:

- a) details of proposed containers, locations and storage rooms;
- b) full scaled plans of the waste storage areas within the building, if proposed;
- c) details of the proposals or employment of a private contractor to collect the refuse
- d) arrangements to ensure that apart from collection days, bins will not be stored in the open; and
- e) caretaking details to ensure all bin stores are maintained, kept clear of site waste and that any contamination is removed from bins prior to collection

All measures identified in the approved Waste Management Plan shall be put in place prior to whichever is the earlier of the first use or occupation of any part of the development hereby permitted and thereafter at all times retained and maintained in accordance with the approved Waste Management Plan. The approved Waste Management Plan shall at all times be accorded with.

Reason: To ensure that the authorised development includes a long-term management plan for the collection of refuse in the interests of visual amenity, in accordance with Policies PP27 of the Poole Local Plan (2018), Policies 13 and 22 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the National Planning Policy Framework (2024).

34. Vehicle Access

Prior to both the incineration of any waste or storage of any waste intended for incineration on the application site to which this permission relates, the vehicle access, turning space and vehicle parking shown on the approved plan SC1643/PL 10-02 shall be surfaced, marked out and made available for these purposes. These areas shall at all times be retained and kept free from obstruction and maintained in a condition such that they are capable of being used for the purposes specified.

Reason: To allow for safe and accessible manoeuvring, parking, loading and unloading of vehicles and to ensure that highway safety is not adversely impacted upon, in accordance with Policy PP27 of the Poole Local Plan (2018) and Policy 12 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

35. CCTV Equipment

Prior to the whichever is the earlier of the first use or occupation of any part of the development hereby permitted, details of electronic recording equipment to be provided to monitor activity on the application site to which this permission relates shall be submitted to and approved in writing by the Local Planning Authority. The approved electronic recording equipment shall be installed prior to the date of the first incineration of any waste on the application site to which this permission relates and thereafter at all times retained and also maintained so as to remain fully operational.

Reason: To help monitor and prevent nuisance and to ensure public safety, in accordance with Policy PP27 of the Poole Local Plan (2018).

36. Detailed Design for Heat Output

Prior to the first use of the development hereby approved, a heat recovery strategy providing detailed design for securing the heat output from the incineration process shall first have been submitted to and approved in writing by the Local Planning Authority. The report shall in particular include details of how heat will be recovered from the incineration process; the process of distribution; and potential end users. The heat recovery strategy shall be implemented in its approved form prior to commencement of the first incineration process and shall be maintained throughout the lifetime of the proposed development unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the realisation of the benefits of the development in supplying locally produced heat in accordance with Policy 6 of the BCPDWP 2019.

37. Combined Heat and Power Output Review and Management

Within 18 months of the first use of the development hereby approved, a CHP Delivery Review report shall first have been submitted to the Local Planning Authority for its approval in writing. The submitted CHP Delivery Review report shall include the following details:

- a) An assessment of the existing potential opportunities for the use of heat and electricity from the development hereby permitted;
- b) An identification of all measures so far undertaken prior to the submission of the report to secure opportunities for the use of heat and electricity from the development including all reasonable steps taken to overcome any barriers identified and future reasonable steps that will be taken to seek to overcome any such barriers going forward within the time period of the report;
- c) where a barrier to progressing the use of heat and electricity is identified as being one of viability, a viability assessment that incorporates the identification of the qualifications and experience of the person undertaking the assessment, explaining the extent to which viability is an issue with recommendations to seek to address any such viability issues;
- d) Identification of an on-going monitoring and exploration process during the lifetime of the CHP Delivery Review report to secure opportunities for the use of heat and electricity including where applicable evidence of accordance with monitoring and exploration processes identified in previous approved CHP Delivery Review reports;
- e) Arrangements for the submission and approval by the Local Planning Authority of further CHP Delivery Review reports no less frequently than once every five years together with a dispute mechanism which will not incur the Local Planning Authority in any financial expenditure, to seek to resolve any matters that prevent the Local Planning Authority from agreeing any submitted report; and
- f) to the extent that any opportunity for the use of heat and electricity from the development is identified, contains a programme including a timetable, for the submission to the local planning authority of details for its approval to secure the prompt delivery of the opportunity;

The approved CHP Delivery Review report and all subsequent approved updates shall be accorded with at all times.

Reason: To ensure the realisation of the benefits of the development in supplying locally produced heat and electricity are explored.

38. Cycle Parking

Prior to both the incineration of any waste or storage of any waste intended for incineration on any part of the application site to which this permission relates, details for the provision of covered and secure cycle parking facilities, to provide a minimum ten cycle parking spaces, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and the covered and secure cycle parking facilities shall be available for use prior to incineration of any waste, or storage of any waste intended for incineration, on the application site to which this permission relates, and thereafter shall at all times be retained and maintained in a condition as to be safe and suitable for use as covered and secure cycle parking.

Reason: To promote alternative modes of transport and in the interests of amenity in accordance with Policies PP27, PP35 and the Parking Standards SPD (2021) of the Poole Local Plan (2018).

39. Operational Staff Travel Plan

Prior to the first use of any part of the development hereby permitted, an Operational Staff Travel Plan to encourage staff and visitors to travel to and from the site using more sustainable modes of transport shall be submitted to and approved in writing by the Local Planning Authority. The Operational Staff Travel Plan shall in particular include:

- a) identified targets to be achieved by the Operational Staff Travel Plan;
- b) measures for achieving those targets; such as voucher schemes for employees to offer discounts on sustainable travel (e.g. bus travel/cycle purchase), promotion of car sharing amongst employees and the adequate provision of showers, lockers and changing rooms together with a timetable for their initial provision; and
- c) details for the monitoring of success against the identified targets, arrangements to identify further measures together with relevant timelines to overcome any failure against identified targets and arrangements to secure the approval of the Local Planning Authority of the monitoring and any identified further measures.

The approved Operational Staff Travel Plan shall be fully accorded with including the provision of all measures identified within it or subsequently as part of the requirements of the Operational Staff Travel Plan.

Reason: In order to deliver a joined up sustainable development, promoting sustainable patterns of travel, supporting forms of travel other than the private car and to reduce the impact on the existing highway network and in accordance with Policies PP34 and PP35 of the Poole Local Plan (2018) and Policy 12 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

40. Signage

Prior to the first use of any part of the development hereby permitted, the developer/owner shall submit to the Local Planning Authority a scheme for their written approval for the provision of signage on either side of the pedestrian crossing, in both directions, in regard to Bridleway 118 that crosses in front of the entrance to the development and for the re-marking of the pedestrian crossing itself. The approved scheme shall then be implemented prior to the first use of any part of the development hereby permitted and thereafter retained and maintained.

Reason: In order to deliver sustainable development, promoting sustainable patterns of travel, supporting forms of travel other than the private car and to reduce the impact on the existing highway network and in accordance with Policies PP34 and PP35 of the Poole Local Plan (2018) and Policy 12 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

41. Vegetation Clearance

Any vegetation clearance within the application site that is in association with the development hereby approved must be carried out outside the bird breeding season of 1st March to 31st August inclusive, unless a document demonstrating that no nesting birds are present has previously been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To prevent disturbance to birds' nests and protect habitats, in accordance with Policy PP33 of the Poole Local Plan (2018).

42. Tonnage Throughput

The maximum combined total tonnage of residual waste and refuse derived fuel (RDF) imported to the site in any calendar year (i.e. 1st January – 31st December) shall not exceed 260,000 tonnes. The site operator shall at all times keep and maintain a written record that includes details per day of the tonnage of waste delivered to the site, the number of HGVs delivering waste and the number of HGVs exporting residues and their destinations, per day. The record shall be maintained and kept up-to-date for the duration of the operation of the development hereby permitted.

The records shall be made available to the Local Planning Authority within 10 working days (or such other period as is agreed in writing by the Local Planning Authority), of any written request from the Local Planning Authority being delivered to the application site including any building within it or such other locations as have otherwise been agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the local area and ecological habitats of nearby sites, in accordance with Policies PP2, PP24 and PP27 of the Poole Local Plan (2018), Policies 6, 13, 18 and 21 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the NPPF (2024).

43. Delivery Hours

No vehicle importing or exporting waste or waste byproducts to or from the development hereby permitted shall be allowed to access or leave the application site other than between 07:00 to 20:00 hours Monday to Saturday and 09:00 to 20:00 hours on Sundays and public holidays, and not at any time on Easter, Christmas Day and New Year's Day.

Reason: To protect the amenities of the local residents and area, in accordance with Policy PP27 of the Poole Local Plan (2018) and Policy 13 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

44. Waste Catchment – not agreed.

Councils proposed draft

In each operational year, no less than 50% by weight of the total waste feedstock that is incinerated at the development hereby permitted shall be sourced from within the area to which the adopted Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) relates.

On or before the 31 March of each calendar year, a Waste Catchment Report for the preceding 12 month period running from 1 January to 31 December (inclusive) (the "operational year") shall be submitted to the Local Planning Authority. The Waste Catchment Report must identify:

- a) the waste throughput of the authorised development including the total tonnage of waste that is incinerated at the authorised development for the operational year;
- b) the catchment area from which the waste has been collected including as far as it is reasonably practicable to audit, the waste collection authority area for each waste loading point of origin for waste processed at the authorised development for the operational year; and
- c) the total annual tonnage processed at the authorised development from each waste collection authority for the operational year.

Reason: To enable the Local Planning Authority to monitor the source of waste treated at the authorised development in accordance with the Monitoring strategy set out in the Bournemouth Christchurch, Poole and Dorst Waste Plan (2019).

Appellants proposed draft

60% of the waste feedstock for the energy recovery facility hereby permitted shall only be imported onto the site if it originates from within the green shaded area on Plan [x].

On or before the 31 March of each calendar year, a Waste Catchment Report for the preceding 12 month period running from 1 January to 31 December (inclusive) (the "operational year") shall be submitted to the Local Planning Authority. The Waste Catchment Report must identify:

- a) the waste throughput of the authorised development including the total tonnage of waste that is incinerated at the authorised development for the operational year;

- b) the catchment area from which the waste has been collected including as far as it is reasonably practicable to audit, the waste collection authority area for each waste loading point of origin for waste processed at the authorised development for the operational year; and
- c) the total annual tonnage processed at the authorised development from each waste collection authority for the operational year.



Reason: To enable the Local Planning Authority to monitor the source of waste treated at the authorised development in accordance with the Monitoring strategy set out in the Bournemouth Christchurch, Poole and Dorset Waste Plan (2019).

45. Emissions Limit

Ammonia emissions resulting from the development hereby approved shall not exceed a daily average concentration of $5\text{mg}/\text{Nm}^3$ (at reference conditions of 273K, 101.3 kPa, 11% O_2 dry gas) from the chimney as measured by the continuous emissions monitoring system (CEMS).

Prior to 31 March each calendar year for the lifetime of the development, there must have been received by the Local Planning Authority details of the daily average concentration of ammonia emissions from the chimney as measured in mg/Nm^3 for the preceding 12 month period running from 1 January to 31 December (inclusive).

Reason: To protect endangered species and protected sites, in accordance with Policies PP32 and PP33, of the Poole Local Plan (2018); Policies 6 and 18 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019); the Conservation of Habitats and Species Regulations 2017 (as amended) and S40 of NERC Act 2006.

46. Chimney Height

The chimney forming part of the development hereby permitted, as shown as 'ID08' on plan SC1643/PL 10-01, shall be constructed to a height of 154.65 metres Above Ordinance Datum (AOD).

Reason: To protect the amenities of the local area, ensure safe operation of the nearby airport and to protect the nearby ecological habitats and protected sites from emissions, in accordance with Policies PP2, PP24, PP27 and PP33 of the Poole Local Plan (2018), Policies 6, 13, 18 and 21 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the National Planning Policy Framework (2024).

47. Emergency Diesel Generator Testing Protocol

Prior to the use of any emergency diesel generator, as shown as 'ID08' on approved plan SC1643/PL 10-01, an Emergency Diesel Generator Testing Protocol shall be submitted to and approved in writing by the Local Planning Authority. The protocol shall include details of the weather conditions when testing of the Emergency Diesel Generator will occur to avoid the risk of impacts on the Habitats Sites.

The approved Emergency Diesel Generator Testing Protocol shall be accorded with at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the integrity of nearby ecological habitats, in accordance with Policy 18 (Biodiversity and geological interest) of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019)

48. Pest Management Plan

Prior to both the incineration of any waste or storage of any waste intended for incineration on any part of the application site to which this permission relates, a Pest Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Pest Management Plan shall include measures to minimise the occurrence of pests and vermin relating to the development hereby permitted.

The approved Pest Management Plan shall be accorded with at all times.

Reason: To protect the amenity of local residents in accordance with Policy 13 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

49. Burning of Construction Materials

No burning of any material shall take place on any part of the application site to which this permission relates at any time during any part of the construction (including demolition of existing structures) phase of the development hereby permitted.

Reason: To protect the amenity of local residents and surrounding ecology and biodiversity from smoke, ash, odour and fumes, in accordance with Policies 13 and 18 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

Appendix 2: Carbon Capture Conditions (recommended by Appellant, not agreed by the Council)

The Appellant submitted a draft list of conditions for the LPA's consideration, see Appendix 7 of the Planning Statement (July 2023). Two conditions sought to preserve the opportunity to remove carbon emissions from the proposed development.

Condition 18

“Following commencement of the authorised development and until such time as the authorised development is decommissioned, the operator must not, without the consent of the Local Planning Authority, do anything, or allow anything to be done or to occur which may reasonably be expected to diminish the operator’s ability to prepare the future environmental improvements area (ID23 on the Proposed Site Plan (drawing reference 10-01) for the installation and operation of carbon capture, should it be deemed feasible to do so”.

Condition 19

1. *“The operator must make a report (“carbon capture and export readiness monitoring report”) to the Local Planning Authority:*
 - (a) within 18-months of the completion of commissioning; and*
 - (b) within one month of every fifth anniversary from the completion of commissioning until decommissioning of the development or unless otherwise agreed in writing with the Local Planning Authority.*
2. *Each carbon capture and export readiness monitoring report must provide evidence that the operator has complied with Condition 18.*
 - (a) in the case of the first carbon capture and export readiness monitoring report, since commencement of the authorised development; and*
 - (b) in the case of any subsequent report, since the making of the previous carbon capture and export readiness monitoring report, and explain how the operator expects to continue to comply with Condition 18 over the next five years.*
3. *Each carbon capture and export readiness monitoring report must state whether the operator considers the retrofit of carbon capture and export technology is feasible explaining the reasons for any such conclusion and whether any impediments could be overcome.*
4. *Each carbon capture and export readiness monitoring report must state, with reasons, whether the operator has decided to seek any additional regulatory clearances, or to modify any existing regulatory clearances, in respect of any carbon capture and export readiness proposals”.*