Planning Committee

Application Address	Canford Resource Park, Arena Way, Magna Road, Wimborne, BH21 3BW
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.
Application Number	APP/23/00822/F
Applicant	MVV Environment Limited
Agent	Savills
Ward and Ward Member(s)	Bearwood & Merley • Cllr Marcus Andrews • Cllr David Brown • Cllr Richard Burton
Report Status	Public
Meeting Date	12/09/2024
Summary of Recommendation	**Grant in accordance with the details set out below for the reasons as set out in the report, subject to a s106 legal agreement.** It should be noted that the recommendation to grant permission is subject to the need to refer this decision to the secretary of state Secretary of State for a 21-day period to decide whether she wishes to intervene in the decision and call-in the planning application before the decision notice is issued.
Reason for Referral to Planning Committee	• There have been 20 or more representations which are contrary to the recommendation. • The application is potentially contentious and raises material planning issues which would affect the public interest. • The application requires and Environmental Impact Assessment and the relevant senior planning officer considers that approval of the application would lead to significant environmental impacts
Case Officer	Gareth Ball
Is the proposal EIA Development?	Yes

1 DESCRIPTION OF PROPOSAL

1.1.1 Full planning permission is sought for the following description of development:

> *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.*

1.1.2 The application is EIA development, as confirmed within the Local Planning Authority's (LPA's) EIA scoping opinion dated 14/10/2022.

1.1.3 The proposed building would provide c. 8,000sqm of internal floorspace includes the following elements:

- Removal of the existing buildings from the Site
- Construction of the Electricity from Waste (EfW) facility, the main building on the Site, comprising:
    - Main building with a maximum 50m in height
    - Chimney stack of 110m in height
- Associated smaller buildings (including the DNC compound, administration offices and welfare facilities).
- Distribution Network Connection (DNC) point of connection building and fencing, located in the east of the Site.
- Installation of private roads to facilitate onsite vehicle movements.
- Associated tree removal and landscaping.
- Temporary Construction Compound 1 (TCC1) (NB TCC2 will not be utilised within this proposal).
- Boundary fencing of a mesh panel fence and palisade panel fence, both c. 2.4m in height.
- Weighbridge gatehouse structure, which would be c. 10m x 2.4m footprint, at 3m in height.

1.1.4 The application seeks a temporary 40 year operational consent, 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.

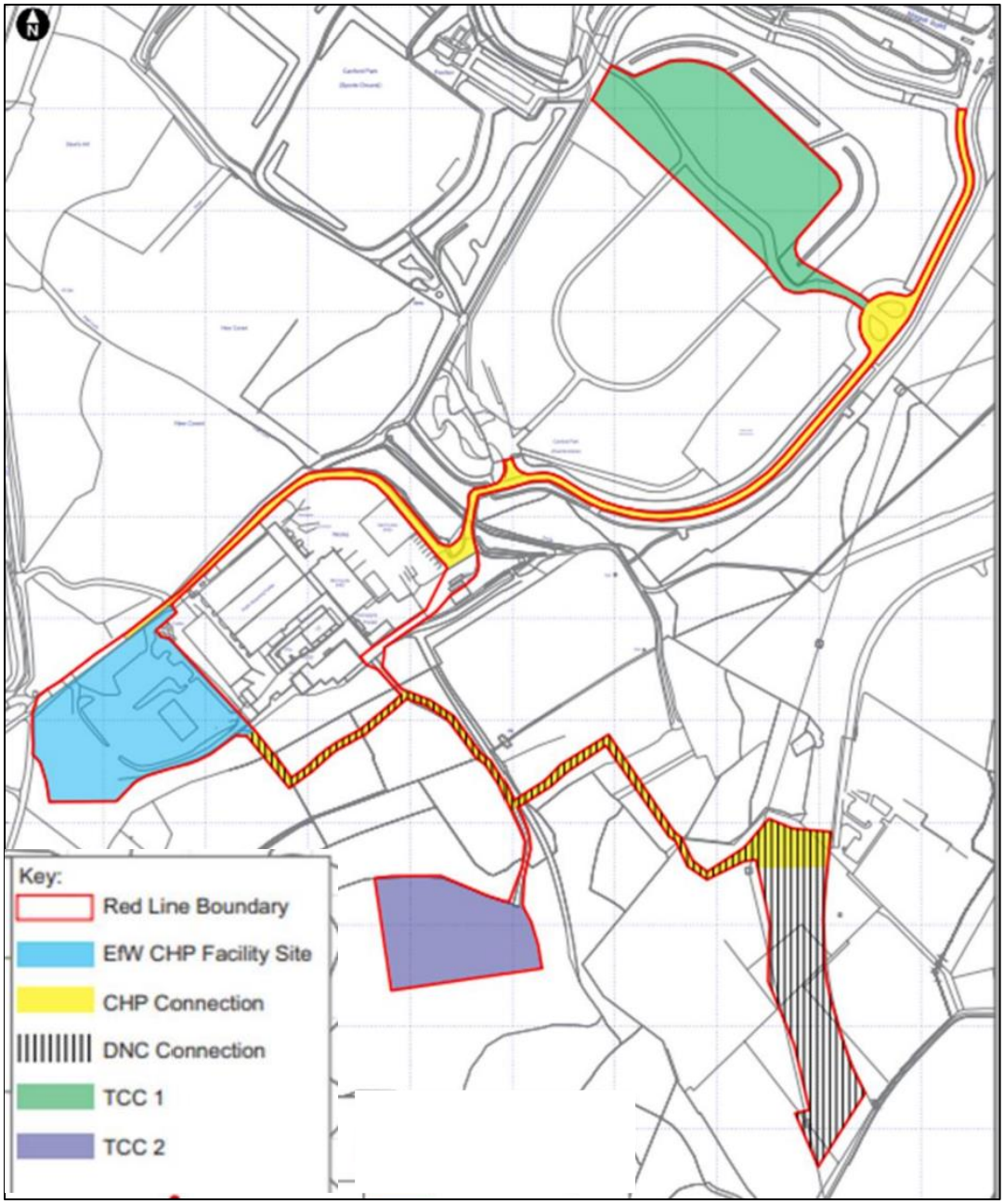

Figure 1 - Proposed Site Layout

1.1.5 A labelled site plan of the elements of the site and layout within the CRP site (indicated in light blue on the above plan) and details of the internal layout of the main building and the other elements of the proposal are provided in Figure 1 above.

1.1.6 The operation of the proposed facility would:

- Have a waste throughput of 260,000 tonnes per annum (tpa) of non-recyclable (residual), non-hazardous municipal, commercial and industrial waste.
- Achieve R1 status, thereby being categorised as partially renewable energy production (this will be c. 50 per cent of the energy output)
- Generate 31 megawatts (MW) of energy, exporting around 28.5MW of electricity to the Distribution Network Operator (DNO) grid or for businesses at Magna Business Park and along Areny Way to Magna Road.
- Have potential to export 5MWth of heat (inclusive within the 28.5MW output) to Magna Business Park through a Combined Heat and Power (CHP) connection and Distribution Network Connection (DNC) Corridor connected off Magna Road. These elements are included in the proposal.

- Employ up to 32 full time equivalent (FTE) employees.

1.1.7 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 Bournemouth, Christchurch, Poole and surrounding areas, that cannot be recycled, reused or composted and that would otherwise be exported to alternative EfW facilities further afield, either in the UK or Europe or landfilled.

Potential Future Improvements

1.1.8 The proposal includes the retention of an area of land to enable the construction of a Carbon Capture plant which could be built in the future, subject to further planning permission. While the technology is not feasible at present, policy requires proposals to allow for future retrofitting ability as this has potential to become a requirement in the future. The technology could have the potential to capture carbon dioxide emissions, to be permanently stored rather than released into the atmosphere, and allow the plants to achieve a further reduction in greenhouse gas emissions.

1.1.9 There is also potential for an Incinerator Bottom Ash (the byproduct of the incineration process) processing facility to be established in CRP. This would allow the byproduct to be utilised for hardstanding or other reuse purposes.

1.1.10 The applicant, MVV Energie AG, has advised that they intend to be the operators of the facility if it is constructed.

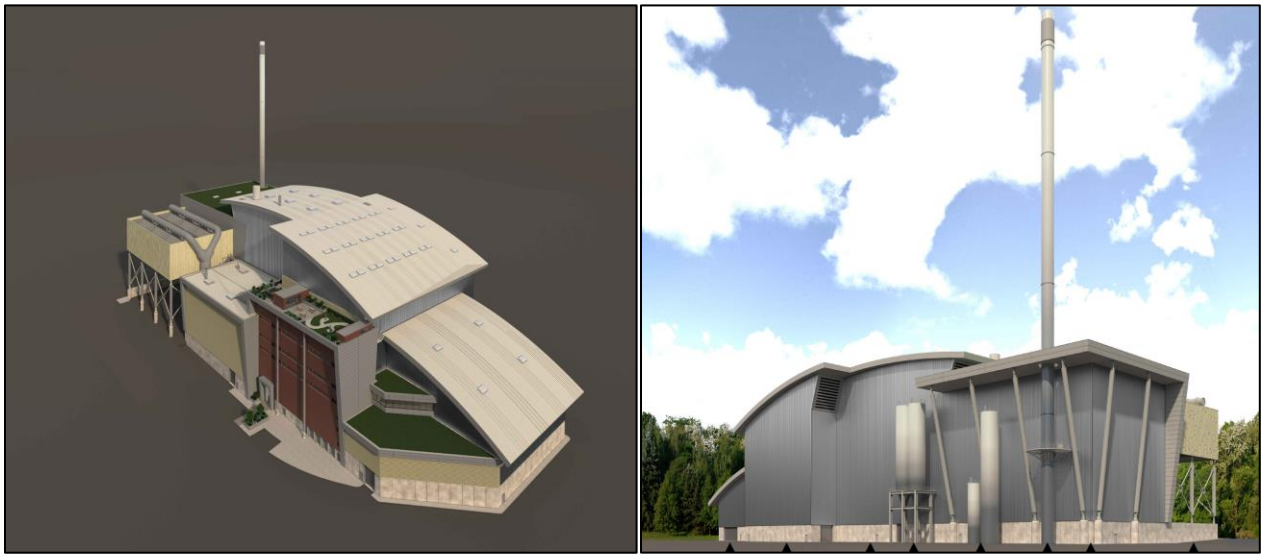

Figure 2 - CGI views of the proposed main building

1.2 Environmental Impact Assessment

1.2.1 The application is EIA development, exceeding the threshold in Part 11(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations (2017) for waste disposal installations and the threshold under Part 3(a) for the generation of electricity.

1.2.2 Prior to the submission of the planning application, the applicant submitted an Environmental Impact Assessment (EIA) scoping request to the LPA. The LPA provided a scoping opinion which agreed with the applicant's submission, concluding that the proposal constitutes EIA development under the definitions given within the EIA Regulations and that the following environmental effects should be scoped into an Environmental Statement as part of a future planning application:

- Transport
- Air Quality
- Noise and Vibration
- Ecology and Nature Conservation
- Landscape and Visual Impact
- Historic Environment
- Hydrology
- Geology, Hydrogeology and Ground Conditions
- Population and Health
- Carbon and Greenhouse Gases

1.2.3 An Environmental Statement has been submitted which considered the impact on these matters and has been submitted and forms part of the considerations throughout this committee report.

1.3 Revised Plans

1.3.1 Revised plans (in relation to the proposed materials) and further information to the original Environmental Statement submission were received. In accordance with the EIA regulations, a full Regulation 25 re-consultation was undertaken. The scale of the building and its proposed use were not amended in the revisions. The description of development was not amended.

2 DESCRIPTION OF SITE AND SURROUNDINGS

2.1 The Site and Canford Resource Park

2.1.1 The application site (hereon referred to as “the Site”) is a parcel of land located off Magna Road A341, accessed from Arena Way. The Site is an allocated waste site within the Bournemouth, Christchurch, Poole and Dorset Waste Plan (BCPDWP) (2019) and sits within the Canford Resource Park (CRP) wider area.

Figure 3 - Application Site and surroundings

2.1.2 The southern portion of the Site, which would be occupied by the proposed building, features an existing low carbon energy facility which was approved under application ref APP/12/01559/F (and later varied through s73). This facility was partially built and remains on the Site (with a permanent planning permission) but it did not come into operation – the current proposal seeks to demolish this facility. The northern portion of the Site, which would be used as the Temporary Construction Compound (TCC) is an area of land owned by BCP Council, which is currently sublet for various storage uses.

2.1.3 The wider Canford Resource Park (CRP) area is currently occupied by a mix of waste uses (indicated on the site plan in Figure 4 below), including:

- A Mechanical Biological Treatment (MBT) facility which currently takes in c. 125,000tpa of residual waste
- A landfill gas engine generator compound
- A Materials Recovery Facility (MRF) with capacity to take 150,000tpa of mixed waste
- An inert waste recycling facility
- A partially constructed low carbon energy facility, which is not operational but has consent for up to 100,000tpa of residual waste

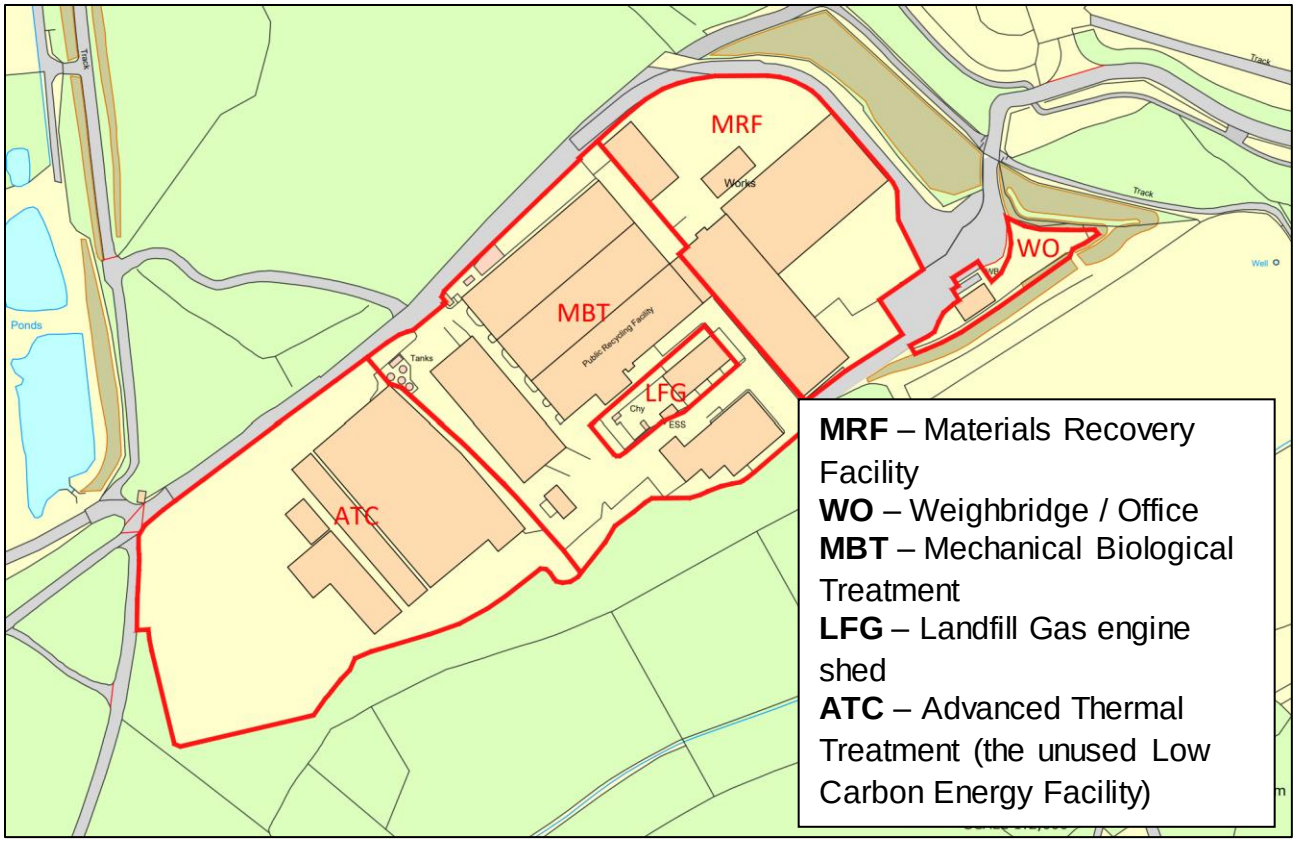

Figure 4 - Site plan of existing uses on the Canford Resource Park (CRP) site

2.1.4 The general scale of buildings within Canford Resource Park (CRP) range from the equivalent of 1-4 storeys and are of an industrial style and nature.

2.1.5 The Site is subject to the following constraints and designations:

- Allocated waste site
- Environment Agency (EA) tidal/fluvial Flood Zone 1
- Green Belt land (site entirety)
- There are multiple Tree Preservation Order (TPO) and Protected Woodland designations which fall within or directly adjacent to the Site.
- Located within Parking Zone A of the Council's Parking Standards SPD.

2.1.6 There are no designated or non-designated heritage assets within or adjacent to the Site.

2.2 Surrounding Area

2.2.1 The surroundings are predominantly open green space in nature. Canford Heath is designated as public open space and lies directly to the south of the Site's southern boundary, featuring multiple categories of European/ internationally designated nature conservation sites, including:

- Dorset Heathlands Special Protection Area (SPA)
- Dorset Heaths Special Area of Conservation (SAC)
- Canford Heath Site of Special Scientific Interest (SSSI)
- Frogmoor Wood Site of Nature Conservation Interest (SNCI)

2.2.2 Other designations which may be impacted but are not adjacent include:

- Dorset Heathlands Ramsar Site

- Poole Harbour SPA
- Poole Harbour Ramsar Site
- Knighton Heath Golf Course SNCI
- Moortown Copse SNCI
- Bearwood SNCI
- Arrowsmith Coppice SNCI

2.2.3 The nearest residential area is the new Canford Paddock housing development (outline application ref APP/17/00008/F) c. 500m to the east of the main proposed building and c. 200m from Temporary Construction Compound TCC1. The nearest residential units to the west are distanced by c. 550m on Arrowsmith Road, and some on the northern side of Magna Road, opposite TCC1 c. 670m from the main CRP site. Poole Crematorium is located c. 1.6km to the southwest.

2.2.4 There are no heritage assets within the Site, or adjacent to the Site boundary; however, given the scale of the development the heritage considerations within this report have considered heritage assets which are at a greater distance from the Site. A list of the relevant heritage assets considered in this report is provided in Paragraph 12.3.2 of this committee report.

3 RELEVANT PLANNING HISTORY

3.1 Relevant Planning Applications

3.1.1 The Site and wider Canford Resource Park (CRP) site have a large planning history. The key planning history of the application Site has been listed below:

00/31392/006 - Granted Permission 09/01/2002
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.

APP/12/01559/F - Granted Permission 01/07/2013
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.

APP/13/00808/F - Granted Permission 04/10/2014
Variation of condition 3 of Approved app. 12/01559/F to allow for the operation of the Low Carbon Energy facility until 20/06/2035 at the Site Control Centre, Magna Road.

APP/13/01449/F - Granted Permission 19/02/2014
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.

APP/17/00888/F - Granted Permission 16/07/2018
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.

3.2 Relevant Offsite Applications

3.2.1 Attention is drawn to two offsite applications for similar facilities below, which are discussed within the wider report.

3.2.2 An application (ref 8/21/0207/FUL) at Eco Composting Ltd, Chapel Lane, in Christchurch was granted permission on 08/12/2022 for:

> *Proposed development comprising the installation of a low carbon Energy Recovery Facility for the generation of electricity and heat through a low-emission thermal process using residual waste; including a new administration building and associated car parking area; associated reconfiguration of existing and permitted uses; an increase in permitted waste throughput; landscaping and associated works.*

3.2.3 The facility was approved at planning committee on 08/03/2022 and is within the BCP plan area. The facility has not been constructed. It was permitted with a throughput of 60,000tpa of residual waste and would output 3.4Mwe of energy and 11.5MWth of heat.

3.2.4 An application (ref WP/20/00692/DCC) was refused planning permission at Dorset planning committee in March 2023 for:

> *Construction of an Energy Recovery Facility (ERF) with ancillary buildings and works including administrative facilities, gatehouse and weighbridge, parking and circulation areas, cable routes to ship berths and existing off-site electrical sub-station, with site access through Portland Port from Castletown.*

4 PUBLIC SECTOR EQUALITIES DUTY

4.1.1 In accordance with Section 149 of the Equality Act 2010, in considering this proposal due regard has been had to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5 OTHER RELEVANT DUTIES

5.1.1 In accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitat Regulations"), for the purposes of this application, appropriate regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.

5.1.2 For the purposes of this application, in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, consideration has been given as to whether to grant planning permission development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.1.3 With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.

5.1.4 For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the "general biodiversity objective".

5.1.5 For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

5.1.6 For the purposes of this report regard has been had to the Human Rights Act 1998, the Human Rights Convention and relevant related issues of proportionality.

5.1.7 For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

5.1.8 For the purposes of this application to the extent it is relevant, in accordance with regulation 18 of the Waste (England and Wales) Regulations 2011 regard has been had to the following provisions of the Waste Framework Directive (2008/98/EU) (as amended), (a) Article 13; (b) the first paragraph of Article 16(1) and (c) article 16(2) and (3).

> *Article 13 Protection of human health and the environment*
> *Member States shall take the necessary measures to ensure that waste management is carried out without endangering human health, without harming the environment and, in particular: (a) without risk to water, air, soil, plants or animals; (b) without causing a nuisance through noise or odours; and (c) without adversely affecting the countryside or places of special interest.*
>
> *Article 16 Principles of self-sufficiency and proximity*
> *1. Member States shall take appropriate measures, in cooperation with other Member States where this is necessary or advisable, to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including where such collection also covers such waste from other producers, taking into account best available techniques.*
> *2. The network shall be designed to enable the Community as a whole to become self-sufficient in waste disposal as well as in the recovery of waste referred to in paragraph 1, and to enable Member States to move towards that aim individually, taking into account geographical circumstances or the need for specialised installations for certain types of waste.*
> *3. The network shall enable waste to be disposed of or waste referred to in paragraph 1 to be recovered in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to ensure a high level of protection for the environment and public health.*
> *4. The principles of proximity and self-sufficiency shall not mean that each Member State has to possess the full range of final recovery facilities within that Member State.*

6 CONSULTATIONS

6.1.1 The following consultation responses were received in relation to the proposal. It should be noted that responses are summarised within this section unless indicated with quotations. The full comments of

consultees are available on the LPA website. Consultee comments have been considered in full, within the relevant parts of this committee report.

Air Quality (Bureau Veritas on behalf of BCP)
No objections, subject to:

Conditions
- Construction Environmental Management Plan, including Dust Management Plan

Arboricultural Team (BCP)
No objection, subject to:

Conditions
- Arboricultural Method Statement
- Landscape Plan

Bournemouth Airport
No objection, subject to:

Conditions
- Aviation safeguarding details for chimney height and lighting.

Dorset Council
"The proposed development site is an allocated site, Inset 8 of the Waste Plan. As an allocated site, it complies with the Spatial Strategy of the Waste Plan, providing treatment capacity for non-hazardous residual waste arising in the Plan area, with the need for such facilities primarily being focussed on new capacity in the south-east Dorset conurbation. The location of the proposed EfW CHP Facility will provide the benefit of a reduction in the distance travelled by collected waste, and therefore the freight costs and impacts of transporting the waste including carbon emissions. The proposed development site within the CRP, within the BCP Council area, complies with locational and co-locational elements of the spatial strategy. Policy 2 of the Waste Plan supports sites which offer the benefits of co-location with other waste management facilities.

The proposed development site sits within the South East Dorset Green Belt, which is protected from 'inappropriate development' that is harmful to the designation. However, the National Planning Policy for Waste , paragraph 6, states that 'local planning authorities should recognise the particular locational needs of some types of waste management facilities when preparing their Local Plan'. The issue of the Green Belt and how it could be affected by the development of some of the allocated sites in the Waste Plan was carefully considered at the Examination into the Waste Plan 2019, and referenced in the Inspector's report .

The Inspector was satisfied that Inset 8 was appropriately located. Dorset Council believe that the benefits of the location (i.e. co-location with other waste management facilities and location in south-east Dorset/BCP Council, reduction in distance travelled by the waste and diversion from landfill) are all benefits which potentially support a case that very special circumstances justifying development in the Green Belt exist.

However, as noted Dorset Council are concerned that, in light of updated forecasts of need, a plant of the size proposed with an operating lifetime of 40 years from the date of its being fully operational i.e. up to c2065, would compromise the movement of waste up the waste hierarchy. BCP Council are recommended to review the updated forecast information, and to discuss options for reducing the size of the plant with the applicant."

Dorset Wildlife Trust

"The proposals include works that will directly impact habitats within the SNCI resulting in damage and temporary loss of habitats within the site. If this damage is considered to be acceptable (see comments regarding baseline survey and impact assessment below) DWT would expect to see a commitment to long-term management of the SNCI woodland to enhance or restore its condition secured as part of the Landscape, Ecology and Arboricultural Management Plan (LEAMP).

DWT is concerned about the level quality of the baseline botanical and habitat assessment that has been undertaken on site, particularly given that the proposals will be impacting habitats identified as being of county level importance. Currently DWT consider that the ecological information provided is insufficient to allow your authority to have confidence in the assessment of impacts of the development upon biodiversity, particularly habitats of local importance.

DWT would request that more detailed supporting information is provided which allows the Biodiversity Net Gain proposals for the site to be properly reviewed. This should include detailed justification for the choice of habitat types, distinctiveness and condition where appropriate. A request for further detail is recommended to allow your Authority to assess whether the application will deliver a true net gain in accordance with the National Planning Policy Framework (NPPF) 2021."

Dorset and Wiltshire Fire and Rescue
Comments on what fire safety measures should be implemented. Dorset and Wiltshire Fire and Rescue note that where relevant, some fire related aspects will be assessed through building regulations requirements.

Ecology Officer (BCP)
Objection due to incorrect BNG figures and the use of TCC2.
However, if planning is granted, the following should be secured:

Conditions
- Updated badger surveys of the area
- Details of on-site biodiversity compensation and enhancement
- Landscape, Ecological and Arboricultural Management Plan
- Lighting specification and lux contour plan
- Lighting specification and lux contour plan for TCC2
- Demolition, Construction Environmental Management Plan
- Vegetation clearance to be secured outside of bird breeding season

Planning Obligations
- Details of off-site biodiversity compensation and enhancement

Environment Agency (EA)
No objection to the planning application, subject to:

Conditions
- Remediation Strategy on land contamination
- Verification Report on land contamination
- Remediation Strategy if any unidentified land contamination is identified
- No drainage systems for surface water infiltration permitted prior to approved details
- Piling Method Statement
- Construction Environment Management Plan

The proposed development will require a bespoke permit under the Environmental Permitting (England & Wales) Regulations, which will be assessed by the EA.

Environmental Health (BCP)
- No objection, subject to:

Conditions

- Condition securing hours of waste delivery vehicles

Environmental Health (Air Quality) (BCP)

No objection, subject to:

Conditions

- Construction Environmental Management Plan

Environmental Health (Land Contamination) (BCP)

No objection, subject to:

Conditions

- Phase I Preliminary Contamination Risk Assessment
- Phase II Site investigation if potentially unacceptable risks to sensitive receptors are identified
- Remediation Scheme to address any risks if identified

Flood Coastal Erosion Risk Management (FCERM) Team (BCP)

No objection subject to:

Conditions

- Surface Water Management Scheme
- Details of maintenance and management of the Surface Water Management Scheme

"A further pre-commencement condition will be required to secure further geotechnical ground investigation and assessment of pollution risks/mitigation, but I understand from the case officer that this has already been drafted in conjunction with Environmental Health."

Highways Authority – Rights of Way (BCP)

No objection subject to:

Conditions

- Details of signage on either side of the pedestrian crossing, in both directions, where Bridleway 118 crosses in front of the entrance to the Site, and details of re-marking of the pedestrian crossing.

Planning Obligations

- Bridleway 118 Improvements Contribution – the sum of ten thousand pounds (£10,000.00) towards the costs of improving the surface of Bridleway 118.

Historic England

"Whilst we do have concerns regarding the application and the impact that such a large and visually prominent stack would have on the numerous heritage assets nearby and further afield we consider the harm from development within their setting is likely to be less than substantial as defined by the NPPF para 202 given the distance and topography…As the proposed development would result in harm and given the great weight that needs to be given to the conservation of heritage assets of the very highest significance, Historic England has concerns regarding the application on heritage grounds. It is for your authority to consider if the public benefits associated with the proposal outweigh the harm and to establish if any heritage benefits could be achieved to offset any harm."

Please note that there is potential for new development to disturb significant archaeological remains and recommend that you request the advice of your archaeological advisor on any necessary archaeological requirements once construction methods are known. We recommend that the local authority's conservation and archaeology advisers are closely involved."

Natural England

- No objection, subject to appropriate mitigation measures identified within the Appropriate Assessment.

Wessex Water

No objection, subject to direct agreement with the applicant in relation to rising mains standoff and foul drainage capacity modelling assessment.

7 REPRESENTATIONS

7.1.1 Public consultation was undertaken in accordance with statutory requirements on 06/10/2023, comprising site notices placed adjacent to the Site, a press notice posted in a local newspaper and notification sent to the Secretary of State for Levelling Up, Housing and Communities.

7.1.2 Amended documents, which the LPA considered to be 'further information' to the submitted Environmental Statement (ES) were received. A 21-day re-consultation was undertaken in accordance with Regulation 25 of the EIA Regulations, comprising all methods used in the original consultation. The public consultation period ended on 28/03/2024.

7.1.3 At the date of this report being published, 240 responses have been received comprising 238 objections and 2 comments neither supporting or objecting to the application. Comments in full are available on the Council website.

7.1.4 The relevant material planning considerations raised within the representations that have objected to the application are summarised below:

Procedure

- Residents are being kept out of the loop on the incinerator proposals. BCP needs to do more to raise awareness of the application.
- More than 9 site notices should have been displayed in this Green Belt location, or in Merley.

Land Use

- Plans indicate the dog field will be removed.
- This is the wrong location for the development. The existing site has a negative impact and should be closed down and moved away from residential housing.

Waste Management

- There will still be waste in the form of solid residues left at the end of the process – how will that be managed. It will likely be disposed at waste landfill.
- This plant intends to ferry in waste from outside BCP, possibly even overseas, thus creating even greater amounts of pollution and road noise/ traffic jams. Then the burnt residue will have to be transported back out again, causing yet more pollution, road noise and traffic jams.
- Much of what is incinerated could have been recycled; incineration releases tonnes of CO2 in exchange for very little energy.
- The unbuilt portions of the partially existing Low Carbon Energy Facility on the CRP site should not be taken into account within the application.

- If the facility does not take waste from the adjacent buildings, the benefits of co-location do not exist.
- The proposal does not make any detailed assessment of the Portland appeal site as an alternative site.
- Some councils have been forced to either buy out of expensive incinerator contracts (with public money) or to import waste from beyond their local areas in order to fulfil their contractual obligations, which reduces the benefits of the plant.
- The proposed waste throughput would be over 10 times the capacity assessed in the waste site allocation.
- Incinerator Bottom Ash (IBA) facilities are usually located to serve multiple facilities and there is no evidence that an onsite IBA facility would be implemented or be of benefit. The facility would also be subject to Green Belt considerations.
- The Parley incinerator has already been approved in spite of 700 objections. How could two such facilities even be considered within the same area?

Open Space and Green Belt

- The proposal would not constitute 'appropriate development' within the Green Belt. Harm to the Green Belt must be given substantial weight.
- A large area of green space would be lost to enable the development.
- Green Belt openness has both spatial and visual aspects – the visual impact of the proposal must be considered within the assessment.
- BCP has pledged to protect Green Belt land and it should not be lost.
- If the Portland site appeal is allowed, the identified need outside the Green Belt will have been demonstrated, which means very special circumstances cannot be demonstrated.

Design and Landscape Impact

- The proposal would be very visible in the wider context, extending beyond treelines it would be an eye sore, having a significant visual impact on the landscape and would be overbearing and out of character with its surroundings.
- The 90-110m proposed stack chimney will be an eye sore for miles around, towering over Canford Heath.
- Existing vegetation around the site would not provide any screening given the scale of the proposed buildings.

Heritage Impact

- The proposal underestimates the impact on heritage assets, in particular the nearby scheduled monuments.

Neighbouring Amenity

- Residents in Canford Paddock are dealing with horrendous odours due to the site and cannot open the windows. The site should be closed.
- The incinerator will negatively impact on air quality and odour from burning waste. This will be worse in the summer.
- The existing site attracts flies.
- The proposal should be built further away from residential areas.
- The site already makes too much noise, especially noticeable at night with HGV movements.
- The proposal would result in potential light pollution to nearby residential properties.
- The development will create additional litter in the area.

Health

- The fumes will blow over nearby residential areas and negatively impact on air quality, impacting on human health of residents including those with asthma. This is contrary to the NPPF.
- The development is too close to homes and schools.
- The noxious fumes will increase childhood asthma and other hospital admissions, putting further pressure on local health services.
- There is not enough monitoring, not enough enforcement, and not enough transparency.
- The operation of additional vehicles will result in traffic fumes, impacting on residents' health. HGVs will be required to transport incinerator bottom ash from the site, which will result in hazardous waste being transported through densely populated areas.
- Emissions are in addition to noise and air pollution from low level aircraft entering and exiting Hurn Airport which would be flying over the proposed incinerator on their flight path.

Sustainability/Climate Change

- The development would harm the environment and result in substantial levels of carbon dioxide being released into the atmosphere. In a time of climate crisis we should not be burning waste, especially waste that we know to be contaminated with plastic. This would result in a significant adverse impact on climate change and should result in considerable harm weighing against the proposal.
- The incinerator may be 'carbon-capture retrofit ready' but unless carbon capture and storage actually becomes a proven, cost-effective technology at some point in the future, CO2 emissions from the incinerator (around 1 tonne of CO2 for every tonne of waste incinerated) will exacerbate the climate crisis.
- Incinerator-generated electricity cannot be justified with cheap, low carbon alternatives now available. We could invest in recycling and composting programs, and we could develop renewable energy sources such as solar and wind power.
- The Combined Heat and Power (CHP) connection is not guaranteed and the applicant has only stated that they will construct connections to the site boundaries – given the proposed connections and work required, it is unlikely that this will be implemented.
- Carbon Capture technology does not exist at the moment and may never be a viable possibility in the 'Canford incinerator. The site is not well-located for this to be implemented. The inclusion of "Carbon Capture Ready" is merely a distraction tactic to attempt the acceptance of what is an old, dirty technology. The site does not have capacity to retrofit the actual required facilities which the development states can be accommodated. This retrofitted building would also be subject to Green Belt considerations.
- The high number of vehicle trips will contribute to climate change.

Ecology

- The proposal would fail to protect and enhance local sites of biodiversity. It would harm local protected species.
- The proposal would damage the ecosystem to Canford Park SANG, which is crucial for the mental and physical wellbeing of residents.
- If contributions towards biodiversity are required, the proposal must therefore result in harm.
- It is encroaching an SSSI, SPA, SAC and RAMSAR sites, which will drive the inhabitants away due to ground noise, causing significant impact on certain significant species. The application does not demonstrate an acceptable impact on the protected sites.
- Achieving an acceptable acid deposition impact requires the Environment Agency agreeing a low limit of ammonia emissions. The lower level of emissions may still have an unacceptable impact on the protected sites.
- BCP has declared a Climate Emergency and should not give permission for more pollution.
- The development introduces a fire hazard near a nature reserve.

- The proposed Biodiversity Net Gain has no method of being secured and should not be considered. It should also not be given weight in the planning balance.
- Noise and light spill will affect local wildlife.

Transport and Amenity

- The proposal will result in additional traffic and Heavy Goods Vehicles in the area, increasing congestion on roads and impacting on residents and existing local businesses. This is exacerbated by the nearby new residential developments and the AFC Bournemouth sports facility.
- The additional traffic will negatively impact on highways safety.
- A recent cycle lane has been put in to help cyclists, large trucks likely to be a danger to cyclists.
- The access to the area by heavy waste vehicles will impact the bridges, road surfaces and road users. The HGV's will also have a greater impact on the durability of the road, leading to increased costs for repairs and yet more roadworks for local people to have to bear the cost of and endure the inconvenience.

Construction Process

- This development is very likely to cause water, air and environmental impacts both during construction and daily operations.
- The risks associated with large scale building and operations within a closed waste landfill site would require very close management, monitoring and on-going investigation/inspection. The cost of this will be significant and given existing budget pressures, is this affordable?

Economy

- The resulting odour and pollution will negatively impact on parks, reducing visitors and thereby negatively impacting on the viability of local businesses.
- The danger to the airport will negatively impact on the local economy.
- The proposal will harm the economy of the area as a tourist destination.

Airport Safeguarding

- The proposal is a danger to aircraft using the local Bournemouth International Airport, who have objected to the proposal.

Public Safety

- The development would increase safety risk situated in a residential area

7.1.5 Objections have been received from the appellant on the Portland appeal scheme within the Dorset Council area, being considered under the BCPDWP. The issues raised have been included in the above bullet point summaries. The full objections are available on the Council website.

7.1.6 An objection has been received from 'Councillor Rob Lamb' has been received. This person does not appear to be a ward councillor in BCP and officers have been unable to verify the location. The objection states that vehicle trips resulting from the proposal will result in unacceptable levels of noise and air pollution to residents adjoining the roads proposed to be used.

7.1.7 Objections have been received from local and national groups. The issues raised have been included within the above list.

- Mag Watch on 24/08/2023

- Dorset Council for the Protection of Rural England (CPRE) on 12/10/2023 and 19/01/2024

7.1.8 While the Council website indicates that there are two supporting comments, upon closer inspection the contents of one is blank and the contents of the second comment are objecting to the proposal.

7.1.9 Letters of support expressing interest in have been received from the following local businesses:

- Biffa (a waste services provider which operates in the area) have noted the strong regional Biffa service coverage is well aligned with the CRP site and that the development is "*well aligned with existing tonnages, growth plans and legacy commitments*". Biffa go on to state that "*the project will drive some great sustainability improvements for the region, becoming a flagship EfW operation as well as forming another part of the network of EfW partnerships we have in South Central region. Biffa have provisionally allocated 50-70Kt/yr of material to the Canford project. Subject to finalisation of the fuel supply agreement and financial close*".
- Commercial Recycling (Southern) Limited operate the existing recycling centre on the Canford Resource Park (CRP) site. They state that the received residual waste is currently bulked up and sent for energy recovery at other EfW (Electricity from Waste) facilities in the UK or is baled for onward energy recovery at EfW facilities in mainland Europe. They support the proposal, which would reduce the need for residual waste to be transported out of Dorset while also providing electricity. They state that if the facility were approved, they would welcome the opportunity to deliver up to 30,000tpa of residual waste and to secure electricity and potentially heat generated from the proposed EfW.
- WH White Limited are the landowner for the CRP site. WH White state that they would be interested in the supply of electricity and heat from the proposed EfW to provide hot water and heating to Magna Business Park (also stating that the business park buildings have been designed to accommodate this source) in addition to other potential projects on land they are promoting in the vicinity.
- AFC Bournemouth are in the process of constructing their first team training facility on a nearby site and state that they are in discussions with the MVV regarding providing connections to provide electricity and heat from the facility and that the design of the training facility building and plant room has been undertaken to allow for these connections to be made.
- OCO Technology is a provider of permanent capture of carbon dioxide measures. They state that they are in discussions with MVV regarding Accelerated Carbonation Technology, which they state is a genuine Carbon Capture and Utilisation process and converts carbon dioxide to be used to create a sustainable source of aggregate for construction.

8 POLICY CONTEXT

8.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Poole Local Plan (PLP) (2018) and the Bournemouth, Christchurch, Poole and Dorset Waste Plan (BCPDWP) (2019).

8.1.2 The latest version of the National Planning Policy Framework (NPPF) was published in 2023. This document sets out the Government's planning policies for England including the presumption in favour of sustainable development and is a material consideration in the determination of all applications.

8.1.3 The current planning application has been considered against all relevant national, regional and local planning policies as well as any relevant guidance. A full list of relevant policies and guidance has been out in this section of this committee report.

8.2 Local Documents

Poole Local Plan (PLP) (2018)

8.2.1 The PLP has been considered in its entirety. The relevant policies to this assessment are as follows:

- PP1 Presumption in favour of sustainable development
- PP2 Amount and broad location of development
- PP18 Magna Business Park
- PP24 Green infrastructure
- PP27 Design
- PP29 Tall buildings
- PP30 Heritage assets
- PP31 Poole's coast and countryside
- PP32 Poole's nationally, European and internationally important sites
- PP33 Biodiversity and geodiversity
- PP34 Transport strategy
- PP35 A safe, connected and accessible transport network
- PP36 Safeguarding strategic transport schemes
- PP37 Building sustainable homes and businesses
- PP38 Managing flood risk
- PP39 Delivering Poole's infrastructure

The Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019)

- Inset 8 Land at Canford Magna, Poole
- Policy 1 Sustainable waste management
- Policy 2 Integrated waste management facilities
- Policy 3 Sites allocated for waste management development
- Policy 6 Recovery facilities
- Policy 7 Final disposal of non-hazardous waste
- Policy 8 Inert waste recovery and disposal
- Policy 12 Transport and access
- Policy 13 Amenity and quality of life
- Policy 14 Landscape and design quality
- Policy 15 Sustainable construction and operation of facilities
- Policy 17 Flood risk
- Policy 18 Biodiversity and geological interest
- Policy 19 Historic environment
- Policy 20 Airfield safeguarding areas
- Policy 21 South East Dorset Green Belt
- Policy 22 Waste from new developments
- Policy 23 Restoration, aftercare and afteruse
- Policy 24 Safeguarding waste facilities

Supplementary Planning Documents / Guidance

- BCP Parking Standards SPD (2021)
- Dorset Heathlands Planning Framework 2020-2025 SPD (2021)
- Heritage Assets SPD (2013)
- Nitrogen Reduction in Poole Harbour SPD (2015)
- Poole Harbour Recreation 2019-2024 SPD (2020)
- Sustainable Urban Drainage Systems SPG (2002)
- Travel Plans SPG (2003)

Other Local Documents

- Dorset Heathlands Interim Air Quality Strategy 2020-2025 (2021)
- Strategic Flood Risk Assessment for the Poole Area
- Standards For Waste Container Storage and Access (2023)

8.3 National Planning Policy Framework (NPPF) (2023)

8.3.1 The whole of the NPPF was considered. The following chapters are of particular relevance in this assessment:

- Chapter 2 Achieving sustainable development
- Chapter 4 Decision-making
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-design places
- Chapter 13 Protecting Green Belt land
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

8.3.2 NPPF Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies should apply a presumption in favour of sustainable development.

"For **decision-taking** this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or
(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole."

8.4 Other Relevant Documents

- Waste Management for England (2021)
- Resources and Waste Strategy for England
- National Planning Policy for Waste (2014)
- WHO. Environmental Noise Guidelines for the European Region (2018)
- The Noise Policy Statement for England (NPSE) (2010)
- Method implementation document (MID) for BS 4142 (2023)
- Building Research Establishment 'Site layout planning for daylight and sunlight: a guide to good practice' (second edition)
- Defra Local Air Quality Management Technical Guidance (TG16)
- EPUK-IAQM Land-Use Planning and Development Control: Planning for Air Quality
- LTN1/20 – Cycle Infrastructure Design (2020)
- Manual for Streets (2007) and Manual for Streets 2 (2010)
- National Planning Practice Guidance (NPPG)
- Environmental Improvement Plan (2023)

- Environment Act (2021)
- Waste Framework Directive (2008/98/EU)
- National Planning Policy Statement EN-1 – Overarching National Policy Statement for energy
- National Planning Policy Statement EN-3 - Renewable energy infrastructure

8.5 Emerging Draft BCP Local Plan (2023)

8.5.1 Paragraph 48 of the NPPF states that:

> *Local planning authorities may give weight to relevant policies in emerging plans according to:*
>
> *a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
> *b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater*
> *c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)*

8.5.2 The Draft BCP Local Plan sets out the future planning policy for the plan area, to replace the current Poole Local Plan (2018). The draft plan recently underwent public consultation under Regulation 19 of the Town and Country Planning (Local Plans) (England) Regulations (2012) and has been sent for examination by an inspector, who has issued the initial questions, but not the main modifications yet. BCP planning policy officers have provided an up-to-date assessment on the current weight afforded to policies, given the level of objections that have been received within the public consultation process. All draft policies which would relate to the proposal are currently afforded very limited weight. Officers therefore give the draft plan very limited weight in considerations.

8.6 Environmental Permit

8.6.1 The proposal would be subject to a requirement for an environmental permit, which falls outside of the planning system. The permits are issued by the Environment Agency (EA) and considers many of the onsite impacts of the development.

8.6.2 The Government's Planning Practice Guidance note on waste advises that:

> *"The role of the environmental permit, regulated by the Environment Agency, is to provide the required level of protection for the environment from the operation of a waste facility. The permit will aim to prevent pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health."*

8.6.3 The EA have commented in support of this planning application but note that the development will still need to undergo the permitting process. The EA also advised that the permit will not consider the following

- Alternative locations and sizes of this proposed facility
- Operational hours
- The transport of waste to and from the site
- Traffic, access and road safety issues
- Visual impacts eg stack height
- Construction materials used in building

8.6.4 These matters are all considered in this committee report.

8.6.5 The government issued a ministerial direction temporarily pausing EA from issuing environmental permits for new waste incineration facilities on 05/04/2024. The direction stated that "*this will allow a short period for Defra officials to lead a piece of work considering the role of waste incineration in the management of residual wastes in England*". The ban was lifted on 24/05/2024 with no further clarification or presentation of the piece of work. The EA has subsequently resumed issuing permits for waste incineration facilities.

PLANNING ASSESSMENT

8.6.6 The following sections of this report address the key issues for consideration, which include:

- Principle of development and land use
- Green Belt
- Heritage impact
- Design, form, scale and landscape impact
- Landscaping
- Amenity impact
- Transport and accessibility
- Waste management
- Flood risk and drainage
- Air quality
- Energy, sustainability and climate change
- Ecology and biodiversity
- Contaminated land
- Crime prevention
- Aviation safeguarding
- Fire safety
- Economic development and employment
- Cumulative and in-combination effects

8.6.7 These issues will be considered along with other material planning considerations relevant to this proposal in the assessment below.

9 PRINCIPLE OF DEVELOPMENT AND LAND USE

9.1.1 This section of the report addresses the proposal's acceptability in terms of the land use and how it functions as a waste facility.

9.2 Nationally Significant Infrastructure Project (NSIP)

9.2.1 The proposal would not process any hazardous or radioactive waste and therefore does not amount to an Nationally Significant Infrastructure Project (NSIP) with regard to its waste processing. The proposal is expected to produce 28.5MW of electricity which is below the 50MW threshold within Section 15 of the Planning Act (2008) (as revised). The proposal is not an NSIP.

9.3 Residual Waste and the Waste Hierarchy

9.3.1 The proposal comprises an Electricity from Waste plant (EfW) with Combined Heat and Power (CHP). The facility would have an annual throughput of up to 260,000tpa (tones per annum) of non-hazardous residual waste, which would be incinerated on-site.

9.3.2 The government's 'Energy from Waste – a guide to the debate' document defines residual waste as:

> *"Residual waste is mixed waste that cannot be usefully reused or recycled. It may contain materials that could theoretically be recycled, if they were perfectly separated and clean, but these materials are currently too contaminated for recycling to be economically or practically feasible. It may also be that there is currently no market for the material or it is uneconomic to take to market. An alternative way of describing residual waste is 'mixed waste which at that point in time would otherwise go to landfill'. Generally energy recovery should be from residual waste."*

The Waste Hierarchy

9.3.3 The Waste (England and Wales) Regulations (2011) sets out the Waste Hierarchy, which presents a cascade approach to disposal of waste in the following five elements:

1. Prevention – using less material in design and manufacture
2. Preparing for reuse – includes repair and refurbishment
3. Recycling – turning waste into a new product or substance
4. Other recovery – waste to fuel to produce heat, electricity and gas
5. Disposal – residual waste by landfill and incineration without recovery

9.3.4 The Waste Hierarchy is a core principle of both the government's approach to waste management and the BCPDWP. The latter states that:

> *"The hierarchy, illustrated in Figure 4, sets out a sequential approach which should be followed when considering options for waste management, and seeks to ensure that unavoidable waste is treated in the most sustainable manner possible, considering disposal only as a last resort." (Para 3.7)*

9.3.5 The national approach to sustainable waste management is to drive waste up the waste hierarchy, which is echoed by BCPDWP Policy 1. The proposed Energy from Waste (EfW) facility is categorised as 'other recovery' as the fourth element of the hierarchy, as it would meet the R1 energy efficiency requirement (a condition is recommended to secure this), as required by the BCPDWP Paragraph 9.3 (although the updated R1 calculation has been applied). BCPDWP Paragraph 9.2 states that "*recovery in the waste hierarchy includes waste treatment processes and waste management techniques that produce fuels, heat and power (i.e. energy recovery), such as…energy from waste (including combined heat and power plants)*". Any waste throughput of the proposed facility cannot be recycled or treated any higher on the waste hierarchy. A planning condition is recommended to secure this, ensuring that waste suitable for recycling will not be incinerated.

9.4 Loss of Existing Onsite Facilities

9.4.1 BCPDWP Policy 24 (Safeguarding waste facilities) protects all permanent energy recovery facilities and treatment facilities for residual waste. There is an existing Low-Carbon Energy facility (planning ref APP/22/00284/F) which has never been operational or built out in full but was projected to manage c. 100,000tpa of residual waste (BCPDWP Para 7.65). The facility was expected to become operational within the plan period. The proposal would replace this facility but is a waste management use, increasing the amount of waste that can be managed on the site of the existing Low Carbon

Energy facility, and thereby does not result in an unacceptable change in land use, in accordance with the relevant requirements of BCPDWP Policy 24.

9.5 Energy from Waste

Electricity from Waste as a Renewable Energy Source

9.5.1 Energy from Waste recovery facilities are acknowledged as low carbon within the National Planning Policy for Waste NPPW and the government's 'Energy from waste: A guide to the debate; guidance note. Paragraph 3.3.42 of the National Policy Statement (NPS) EN-1 advises that "*EfW is only partially renewable due to the presence of fossil-based carbon in the waste. Only the energy contribution from the biogenic portion is counted towards renewable energy targets and therefore eligible for renewable financial incentives*". C. 50 per cent of the total 28.5MW energy generation would be classified as renewable energy, as c. 50 per cent of the fuel is biogenic rather than fossil fuel.

9.5.2 The BCPDWP notes in Paragraph 2.33 that "*significant benefits come from the development of energy from waste facilities and can include long-term savings in waste disposal tipping fees; the retention of waste management expenditures in the local community; creation of high-quality jobs; and the production of renewable energy*".

Assessing Renewable and Low Carbon Development

9.5.3 The previous part of this report has established that the proposal is categorised as renewable and low carbon energy.

9.5.4 Paragraph 163 of the NPPF states that "*when determining planning applications for renewable and low carbon development, local planning authorities should:*

a) Not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions
b) Approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas; and
c) *In the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable."*

9.5.5 National policy is clear that proposed renewable or low-carbon energy development should be supported if its impacts are (or can be made acceptable). The proposal also gains weight for its benefits of utilising and repowering an established site – Part (c) above states that this should be significant weight; however, officers note that the existing facility was neither operational nor fully built-out and therefore give this element moderate weight in the planning balance.

9.5.6 NPPF Paragraph 164 states that "*in determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework*". The proposal includes a CHP connection to Magna Business Park.

9.5.7 While the Poole Local Plan does not have a policy on energy generation, it does indicated support to delivery of future options for renewable energy whilst also noting support for Combined Heat and Power, stating that:

> *"Renewable energy technologies can make a major contribution to reducing CO2 emissions. Communities can benefit from decentralised energy by reduced fuel bills and improved security of energy supply. Building a green economy that can generate growth and improvements in people's lives is consistent with sustainable development and helps build in a resilient economic future for renewable energy technology as it is constantly evolving. It is important, therefore, not to restrict future options for how renewable energy might be delivered. Nevertheless, current circumstances suggest that, in the short to medium-term, an urban authority such as Poole is better suited to certain technologies such as: (i) Combined heat and power (CHP) and combined cooling heat and power (CCHP) which is an attractive option because a modest plant is able to serve a large number of dwellings and commercial uses in a relatively small geographical area; and (ii) Micro-renewable technologies, in particular solar water heating, ground and air-source heat pumps, photovoltaic cells and biomass boilers." (Para 11.13)*

9.5.8 The government's revised National Policy Statements (NPSs) were recently adopted and set out and 'Overarching National Policy Statement for Energy' EN-1 dictates the national approach to planning applications for energy infrastructure that are Nationally Significant Infrastructure Projects (NSIPs). Statement EN-1 notes that "*Energy from Waste (including advanced conversion technology ACTs) with or without CCS (Carbon Capture and Storage)*" should be included within the scope of the EN-1 National Policy Statement and goes on to state that "*the need for all these types of infrastructure is established by this NPS and is urgent*" (Para 3.3.58).

9.5.9 While the current application does not qualify as a Nationally Significant Infrastructure Project (NSIP), falling below the annual power output threshold, officers note the national stance towards EfW recovery facilities, as a potential direction of travel for such facilities which fall below the NSIP threshold.

9.6 Demonstrating Waste Need and Compliance with the Development Plan

When Demonstrating Waste Need is Required

9.6.1 The method of assessing the need for the proposed facility is directed by the National Planning Policy for Waste (NPPW), which states that:

> *"7. When determining waste planning applications, waste planning authorities should…only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need".*

9.6.2 This committee report will therefore make an assessment on whether the application meets the requirements for waste need not to be considered, then provide an assessment on waste need should this stage of considerations be required.

9.6.3 The NPPW (National Planning Policy for Waste) should be read alongside the NPPF (National Planning Policy Framework). The NPPF directs on whether policies within a local plan should be considered out of date, stating in Paras 224-225:

"The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication79. Plans may also need to be revised to reflect policy changes which this Framework has made.

However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

9.6.4 The PLP (Poole Local Plan) and BCPDWP (Bournemouth, Christchurch, Poole and Dorset Waste Plan) underwent examination and were found to be sound plans relatively recently, in 2017 and 2019 respectively. Officers have identified the key policies for consideration and have considered whether they are in accordance with the updated versions of the NPPF, NPPW and other relevant legislation.

- The Council's adopted waste policies seek to drive waste up the waste hierarchy and values the proximity principle and co-location of facilities, in line with the NPPW.
- The Council's adopted Green Belt policies reflect the approach of the NPPF. Further, the NPPF provides the framework for assessing Green Belt harm and this has been considered throughout the relevant parts of this report.
- The PLP and BCPDWP give direct protection and consideration of heritage assets, in line with the NPPF approach.
- The identified waste need in the BCPDWP was established through a robust assessment and officers have no reason to consider the projections to be out of date. This includes reviewing comments made by Dorset Council, which are addressed later in this committee report.
- The relevant site allocation within the BCPDWP has not been materially impacted since its allocation. There have not been any significant changes on the Site which would change considerations.
- The waste-related transport requirements of the BCPDWP and PLP do not contradict the NPPW and NPPF.
- The Government's Environment Improvement Plan (2023) directs the government's position on waste management, which does not contradict the BCPDWP, as discussed later in this report.
- The draft BCP Local Plan currently has limited weight due to its stage in the adoption process and there are therefore no draft policies of material weight which would impact on the determination of this proposal.

9.6.5 Officers conclude that the policies which are most important for the determination of the proposal are not out of date and are materially consistent with national policy.

Consistency with the Development Plan

9.6.6 Having established that the development plan is up-to-date and consistent with national policy, the decision maker must now consider whether the proposal would be consistent with the up-to-date development plan.

9.6.7 The proposed development would have many impacts, the majority of which will be mitigated by conditions and planning obligations.

9.6.8 Where individual policies within the overall development plan cannot be fully complied with, established case law acknowledges that development plan policies can pull in different directions, and that compliance with the development plan as a whole must be considered.

9.6.9 Officers have concluded that with regard to this proposal, the public benefits would outweigh the identified heritage harm in line with the NPPF assessment; whilst acknowledging a level of harm at

the lower end of less than substantial harm is evident. Similarly, there are also a few significant impacts in relation to landscape views. Some mitigation would be provided to offset the harm through choice of appropriate subdued materials and colours to reduce the impact of the scale of the buildings on the wider landscape views. impacts Some harm has also been identified to Green Belt openness; however, officers have concluded that very special circumstances have been identified in relation to the Green Belt due to the benefits of the sustainable development proposal as a whole, so as to be in compliance when viewing the development plan as a whole

9.6.10 The identified individual policy shortcomings stem from the proposed scale of the building, which is required to deliver the quantum of waste disposal capacity required, and is a key requirement of the waste policies. The relevant waste policies are at the core of the application's determination and form the basis for the submission of the facility, including the weight given to the NPPF. Officers have considered the pull in different directions, from shortcomings in relation to individual policies, but taking into account all material considerations (which are outlined throughout this report and within the Planning Balance section) consider the proposal to be in accordance with the development plan when taken as a whole.

Summary

9.6.11 Officers conclude that the proposal is in accordance with an up-to-date development plan when taken as a whole. Therefore, officers conclude that an assessment to justify waste need is not required.

9.6.12 Should members come to a different conclusion, then an assessment on waste need would need to be undertaken. Officers have provided an assessment on this in the following sections.

9.7 Site Allocation

9.7.1 The BCPDWP contains 12 sites allocated for the development of facilities to meet the identified waste management needs throughout the Plan period. A 6.77ha area known as 'Land at Canford Magna, Magna Road, Poole' is allocated under Inset 8 of the plan. The site has existing waste management facilities, including a mechanical biological treatment plant, a landfill gas compound, a materials recovery facility and a low carbon energy facility which is partially constructed and is not operational.

9.7.2 The allocation identifies the allocated uses as "*opportunities for 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*".

9.7.3 The plan goes on to state that "*there is a need to make provision for facilities to manage residual waste. It is proposed to achieve this through allocation of sites for intensification or development (Insets 7 to 10)*" which includes the application Site within Inset 7. The site allocation notes that "*there are opportunities to intensify waste management uses to manage larger quantities of waste and provide the ability to manage waste further up the waste hierarchy, within the existing site and on land to the west*".

9.7.4 The site allocation also lists the following development considerations:

1. The applicant must provide sufficient information to enable the Waste Planning Authority to carry out screening and, if necessary, appropriate assessment at the planning application stage in accordance with the Conservation of Habitats and Species Regulations 2017. This should include as a minimum, Phase 2 surveys for Annex 1 birds to inform an assessment of the effects of development on the populations on site and in surrounding areas. Where relevant, this should

also include studies that demonstrate that any emissions from development will not impact on the features (species and habitats including lichens and bryophytes) of the nearby European Sites.

2. Preparation of a landscape design and management plan to include retention of existing vegetation including existing trees and woodland strip to provide a buffer between the site and the SNCI and to reduce visual impacts
3. Ecological mitigation likely to be required due to extension of the site and given proximity of the SSSI. This should include the mitigation of any loss of wet habitat from future development and an appropriate buffer from the SSSI.
4. Consideration given to how the continued use of the existing site may affect restoration of White's Landfill Site and potential biodiversity enhancements.
5. Given the site's location within the South-East Dorset Green Belt, applications will be considered against national policy and Waste Plan Policy 21. High standards of design and landscaping will be expected for development within the Green Belt.

9.7.5 These considerations do not relate to waste-management and land use. As such, they are considered within the relevant sections of this committee report.

Allocated Site Residual Waste Throughput Capacity

9.7.6 The site allocation in Inset 8 states that the "site has been assessed for circa 25,000tpa of additional capacity for residual waste management…exact capacity will be assessed in connection with individual proposals". The supporting text of Identified Need 5 (the residual waste identified need) does however acknowledge that "*there may be the potential for additional residual waste management capacity to come forward on sites previously designed for the management of recyclates. Potential capacity amounting to about 150,000 tpa (at Canford Recycling Centre) may also be available to deal with residual waste*" (Para 7.75).

9.7.7 This relates to the existing 150,000tpa Material Recovery Facility (MRF) facility which currently treats waste but exports it back out of the CRP site to be disposed of through incineration or landfill elsewhere.

Site-specific Benefits

9.7.8 BCPDWP Policy 2 (Integrated waste management facilities) supports proposals for waste management facilities which incorporate different types of waste management activities at the same location, or are co-located with complementary activities.

9.7.9 The Waste Management Plan for England (2021) states that:

> *"The Resources and Waste Strategy recognises that energy from waste is generally the best management option for waste that cannot be reused or recycled in terms of environmental impact and getting value from the waste as a resource. It promotes the greater efficiency of energy from waste plants through utilisation of the heat generated in district heating networks or by industry, and by seeking an increase in the number of plants obtaining R1 recovery status. Any given technology is more beneficial if both heat and electricity can be recovered. Particular attention should therefore be given to the location of the plant to maximise opportunities for heat use."*

9.7.10 The BCPDWP has robustly assessed the plan area for appropriate sites. The Canford Resource Park (CRP) site has been appropriately assessed and allocated. Officers have identified the following significant benefits of locating the proposal on the CRP allocated site:

- Co-location with other waste facilities (including potential for future further development – the applicant has stated that future development of the Site could include an Incinerator Bottom Ash (IBA) facility).
- The site allows for future proofing of carbon capture.
- Nearness to waste-generating areas positively responds to the proximity principle
- Established vehicle movements of waste to the CRP site, minimising the uplift of the new facility.
- Potential for Refuse Collection Vehicle (RCV) parking on TCC1, subject to agreement and further work by BCP.
- The land is previously developed and the proposal would remove existing facilities which do not currently provide any waste management benefit.

9.7.11 Part 7 of the NPPW states that "when determining waste planning applications, waste planning authorities should "*recognise that proposals for waste management facilities such as incinerators that cut across up-to-date Local Plans reflecting the vision and aspiration of local communities can give rise to justifiable frustration, and expect applicants to demonstrate that waste disposal facilities not in line with the Local Plan, will not undermine the objectives of the Local Plan through prejudicing movement up the waste hierarchy*". As previously demonstrated in this committee report, the proposal would move waste up the waste hierarchy and it therefore does not undermine the objectives of the Local Plan in this regard.

9.7.12 The representations from local businesses in support of the proposal, stating that they have interest in establishing an electricity and potentially a heat connection to the proposal, show potential appetite for the benefits to be reaped, although officers understand the CHP element will require feasibility studies which are secured by condition, prior to implementation. The supporting letters have however been received from several businesses which officers have identified as potential connections, which is positive. In addition, Biffa (a waste provider) have commented in support of the facility and state that they have provisionally allocated 50,000-70,000tpa of residual waste to be processed at the proposed facility.

9.8 Existing Waste Management in BCP

9.8.1 As existing, residual waste from the plan area is managed through multiple pathways:

- Treatment at the existing Mechanical Biological Treatment (MBT) plant on the Canford Resource Park (CRP) site prior to being transported overseas for disposal abroad.
- Final disposal through landfill.
- Export of waste through transfer stations for treatment outside the plan area at sites in Hampshire and Somerset.

9.8.2 As existing, residual waste within the plan area goes to landfill (the lowest element of the waste hierarchy) or is exported (untreated or treated at the Canford Resource ParkMechanical Biological Treatment (MBT) plant) outside the plan area and sometimes outside the UK. Existing residual waste treatment is therefore either managed at a lower level of the waste hierarchy than the proposal, or is being managed at the same level as the proposal but is being transported substantial distances to be treated at that level.

9.8.3 BCPDWP Paragraph 14.4 notes that "*it is likely to be the private sector that invests in much of the new or improved facilities for managing residual waste. Without these investments it will not be possible to ensure the provision of a sustainable network of waste management facilities*".

Future Facilities

9.8.4 As previously indicated, an EfW facility with 60,000tpa of residual waste throughput has recently been approved at Parley under application ref 8/21/0207/FUL. While the permission has been granted, it has not been constructed. The NPPW states that when waste management facilities are not consistent with an up-to-date local plan and must demonstrate a need for the capacity, "*waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need*".

9.8.5 The Parley facility is not operational and therefore should not be considered within waste need considerations, as per the NPPW. Further, the Parley facility takes up the entire allocated waste site Inset 7, which is one of only four allocated sites in the BCPWP (including the application Site) which are appropriate for residual waste management. The Parley site allocation states that it has the potential to manage c. 160,000tpa of residual waste, meaning that site now falls c. 100,000tpa short of its contribution towards BCP and Dorset becoming self-sufficient in waste management.

9.9 BCPDWP Identified Shortfall of Residual Waste

9.9.1 The BCPDWP, as the adopted waste development plan, states in 'Identified Need 7' that there is an estimated shortfall of c. 234,000tpa (tons per annum) in capacity for managing non-hazardous residual waste at the end of the plan period, which is 2033 for the BCPDWP. The identified 2023 shortfall is 178,000tpa and 214,000tpa for 2028, as displayed below:

	2015	2018	2023	2028	2033
Projected arising/ needs	300,000	304,000	320,000	339,000	359,000
Capacity	214,000	167,000	142,000	125,000	125,000
Identified Shortfall	-86,000	-137,000	-178,000	-214,000	-234,000
Potential MRF Capacity	c. 150,000	c.150,000	c.150,000	c.150,000	c.150,000

Table 1 *Capacity and Need – non-hazardous residual waste (BCPDWP)*

The BCPDWP acknowledges the issue, stating that "*given the scale of the identified shortfall in capacity, it is appropriate to plan for the provision of additional recovery capacity for non-hazardous residual waste in the Plan area to ensure that Bournemouth, Christchurch, Poole and Dorset can aim for net self-sufficiency*" (Para 7.74).

9.9.2 The 'Capacity' row of the above table suggests that a minimum of 125,000tpa(tonnes per annum) will be available throughout the plan period. The reduction through time is due to the decreasing capacity of landfill. The calculations have however incorrectly included the existing Mechanical Biological Treatment (MBT) facility on the Canford Resource Park site – this facility largely treats residual waste, which is then exported from the plan area for treatment. In 2021, the MBT facility recovered only c. 12,000tpa of residual waste and exported c. 113,000tpa for incineration of landfill outside the plan area.

9.9.3 Taking into account the c. 113,000tpa which has incorrectly assumed as being treated at the MBT facility, the residual waste shortfall by the end of the plan period would be c. 347,000tpa. As discussed in the previous section of this report, the Parley facility should not be included in considerations as it has not been constructed; however, even when including the facility, there would still be a c. 27,000tpa shortfall in residual waste management capacity at the end of the plan period.

Environmental Improvement Plan (EIP)

9.9.4 The Environmental Improvement Plan (EIP) (2023) sets out a 25-year plan by the Government and includes targets and commitments relating to reducing waste. The EIP states that:

"We will halve 'residual' waste (excluding major mineral waste) produced per person by 2042. For the purposes of the target, we define 'residual' waste as waste that is sent to landfill, put through incineration or used in energy recovery in the UK, or that is sent overseas to be used in energy recovery."

9.9.5 There is an interim 2028 target to reduce the total mass of residual waste (excluding major mineral waste) produced per person by 24 per cent by 31 January 2028.

9.9.6 In terms of waste per capita, the EIP sets out that these targets seek to reduce the total mass of residual waste (excluding major mineral wastes) to 437kg per capita by 31/01/2028 and 287kg per capita by 31/12/2042. Notwithstanding the demonstration within this report that the proposed facility would meet the demand outlined in the BCPDWP, officers note that even should these "stretching" targets be achieved throughout BCP and Dorset (with a combined estimated population of 788,850 as of mid-2023) would still result in total residual waste arisings of 344,727tpa in 2028 and 226,400 in 2042. These figures will likely be underestimates given that population growth has not been factored in.

9.9.7 The measures to meet these commitments are recognised as stretch targets and still need to be implemented in the large part. The targets will require a paradigm shift in the public's approach to waste, in comparison to the BCPDWP figures which were demonstrated by measured changes in waste output. As stated, even if the targets are achieved, this would still result in the vast majority of waste throughput for the proposed facility originating within the plan area, albeit potentially not 100 per cent of the throughput. The the proximity principle relates to distance and it would be unreasonable to restrict waste purely to the plan area in the event that the EIP succeeds in making a major change driving down waste. There are locations in close proximity to the Site which lie in other councils (including nearby authorities in Hampshire) but still result in a significant improvement in terms of distance from the locations at which this waste is created.

Portland Appeal – Outline Statement on Waste Need (OSWN) from Dorset Council

9.9.8 As discussed earlier in this report, there is a live appeal for an EfW facility on a refusal made by Dorset Council on 24/03/2023. The decision was subsequently appealed and the appeal has been recovered by the Secretary of State for determination. The application currently stands as a refusal and is therefore given limited weight in officers' considerations.

9.9.9 Comments have been received on the current application from the Dorset Minerals and Waste team. They are broadly supportive on the principle of the facility; however, they raise concerns regarding the waste need displayed within the adopted waste plan. It should be noted that the Portland proposal was not consistent with an up-to-date Local Plan and it was therefore reasonable to require the proposal to justify its capacity.

9.9.10 As part of Dorset Council's (DC's) appeal case, they commissioned a new review of local waste need within the BCP and Dorset area, their Outline Statement on Waste Need (OSWN) Dorset Council raise concerns that the BCPDWP waste projections are based on data generated in 2015, which is c. 8 years old which may be inaccurate. Their comment also advises that the new review applies updated values to waste arising and factors such as recycling rates, taking account of national policy measures introduced since the Waste Plan was formulated. The new review projects a shortfall in residual waste management within the plan area of 187,359tpa at the end of the plan period but decreasing from that year onwards.

9.9.11 Dorset Council state that, taking into account their new waste projections and noting the recent 60,000tpa permission at Parley, the 260,000tpa of the proposal would be surplus to local requirements over the 40-year permission period and would be unjustified in meeting the needs of the plan, resulting in substantial amounts of waste being imported from outside the plan area.

9.9.12 Officers have given the Outline Statement on Waste Need only limited weight in considerations for the following reasons:

- The BCPDWP was adopted for a plan period between 2015 and 2033. The BCPDWP underwent a stringent testing of the evidence base and underwent full public examination and was found to be sound by an Inspector in 2019.
- BCP provided no input to the revised waste shortfall assessment and the information has not yet been scrutinised by any other public body.
- BCP is not obliged to follow the lead of Dorset Council, they are not the lead Council on waste despite the joint waste plan.
- The residual waste shortfall figures were accepted by officers and members in the recent approval of the facility at Parley, which was granted permission on 08/12/2022 following the completion of the s106 legal agreement. The committee report (presented to committee on 08/03/2022) stated:

  "It is clear from the up-to-date Waste Plan and the evidence underpinning it, that the Plan area requires additional facilities to deal with the increase in residual waste. The figures take account of the future planned housing, wider population and economic growth projections. It is acknowledged in the Plan in paragraph 7.78 that if now new facilities are brought forward, facilities outside the Plan area would need to be relied upon and there is no guarantee that they have the capacity to deal with the projected increases of residual waste. The movement of waste outside of the Plan area is contrary to the principles of proximity to ensure waste is dealt with as closely to the source as possible."
- There is no indication that Dorset Council or BCP have any intention to review the adopted waste plan in the near future.

9.9.13 Notwithstanding the weight which officers have given to the OSWN (as set out above), officers have disregarded the revised figures in this assessment, for the following reasons:

- The approved waste throughput on the Site is c. 113,000tpa at the Mechanical Biological Treatment MBT facility (the output of which would likely be redirected to the proposal if built. The site has permission for 100,000tpa at the existing EfW facility (albeit unbuilt) – the BCPDWP states that "*it is expected that this facility can be developed during the Plan period*". The site allocation also notes the potential 150,000tpa approved for recycling could be developed for residual waste management. The existing and acknowledged potential throughput of waste at the Site therefore does not need the 25,000tpa intensification to justify the 260,000tpa capacity of the proposal.
- The existing waste management capacity in the BCPDWP has been misrepresented through counting the 125,000tpa of Mechanical Biological Treatment MBT throughput as residual waste management rather than a mid-point of treatment.
- BCPDWP already factors in a 65 per cent recycling rate when calculating the residual waste capacity shortfall and officers have seen no evidence that this is an underrepresentation of existing recycling rates. 2021/22 figures show BCP has a recycling rate of 48 per cent and Dorset 58 per cent recycling. Dorset has highest recycling of all English LAs. Yet still need for residual waste treatment in line with WP.
- The BCPDWP states that "*total potential capacity within the four Allocated Sites amounts to some 385,000 tpa, exceeding the identified needs of the Plan area. However, this approach ensures that the Plan remains flexible in the event that one or more of the allocations does not come forward for the treatment of residual waste*" (Para 7.76).

9.9.14 In summary, officers acknowledge Dorset Council's updated outline waste need assessment, but do not consider the document to outdate or devalue the adopted and up-to-date waste plan. Officers have given the BCPDWP full weight in considerations, as the adopted waste plan.

9.9.15 The Council has received correspondence stating that the determination of this application should be postponed until the Secretary of State has determined the appeal, which has been advised as due on the 23rd September 2024. The Council has responded and do not consider a delay necessary, given that the application is being determined under all relevant policy and is not under a statutory duty to consider the decision. Further, should members be minded to grant permission, the decision will be subject to an mandatory referral period to the Secretary of State during which she may call in the decision for determination. This duration of this period would be past the projected decision date of the appeal. As such, should the Secretary of State disagree with the Council's determination and wish to re-consider the application following the determination of the Dorset appeal, it will be within her gift to do so.

9.10 Decommissioning

9.10.1 The proposal seeks a temporary 40-year permission, which the applicant advises is the projected operational lifetime of the facility.

9.10.2 BCPDWP Policy 23 (Restoration, aftercare and afteruse) states that:

> *"Proposals for waste management development which do not constitute a permanent use of land will only be permitted where the Waste Planning Authority is satisfied that acceptable restoration and aftercare measures will be implemented at the earliest practicable opportunity, either in a phased manner during operation or immediately on completion of the operational life of the development."*

9.10.3 A condition is recommended to require the facility to cease operation and be decommissioned (including the removal of all relevant structures from the Site) from the Site 40 years after the grant of permission, and the Site made good to its existing state. This would allow BCP to reassess the acceptability of the building and site use upon the cessation of the use, under a subsequent waste local plan (given the current waste plan is set to run until 2033) and set of circumstances. This also avoids permanent impact on the Green Belt, which is assessed in the Impact on Green Belt section of this report. The condition includes a full decommissioning plan to ensure that the process does not unduly harm the surrounding area.

9.10.4 The further benefit of this decommissioning condition is that the permission will effectively extinguish the existing unrestricted and permanent B2 (General industrial) land use on the Site. This permission relates to the partially implemented (but not operational) Low Carbon Energy facility. As such, following decommission and removal the local planning authority will have tighter control over future development.

9.11 Summary

9.11.1 The proposal seeks a temporary 40-year permission. A condition is recommended to require the removal of the building at the end of the 40-year period and the land returned to its existing state.

9.11.2 The proposal would contribute to moving waste up the waste hierarchy to be managed at the highest appropriate level, would improve BCP and Dorset moving towards self-sufficiency and would adhere to the proximity principle. The proposal represents sustainable waste management and complies with BCPDWP Policy 1 (Sustainable waste management).

9.11.3 The Site has existing operational waste facilities, including the MBT plant which could actively treat waste for throughput to the proposal. The Site has capacity for a potential Incinerator Bottom Ash

(IBA) treatment plan in the future, which would be fed directly from the proposed EfW. The proposal complies with BCPDWP Policy 2 (Integrated waste management facilities).

9.11.4 As discussed in the Site Allocation section of this report, officers consider the proposal to comply with the relevant planning policy constraints of BCPDWP Policy 3 (Sites allocated for waste management development). The policy contains other requirements, which are addressed in the relevant sections of this report.

9.11.5 The proposal would help meet the needs of the plan, would not displace the management of any waste process that is further up the waste hierarchy, would be within an enclosed building, Combined Heat and Power (CHP) would be provided by the energy produced. And the proposal would not adversely impact on the integrity of any European protected sites. The proposal fully complies with the requirements of BCPDWP Policy 6 (Recovery facilities).

9.11.6 In summary, given the number of substantial site-specific benefits of the Site, officers consider it to be the most appropriate location within the plan area for the proposed development.

9.11.7 The application proposes a waste facility of an appropriate scale, location and type. The proposal is acceptable in terms of the proposed land use.

10 IMPACT ON GREEN BELT

10.1 Policy Position

10.1.1 The Site is located within the South East Dorset Green Belt. The area of Green Belt adjacent to the Canford Resource Park (CRP) site is of high importance due to its openness and its likely permanence given the protected sites within this area.

10.1.2 The NPPF guides planning decisions on proposals which affect the Green Belt. NPPF Paragraph 152 states that "*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*".

10.1.3 NPPF Paragraph 156 which states that *"When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources".*

10.1.4 Local policy reflects the NPPF's approach – BCPDWP Policy 21 (South East Dorset Green Belt) states:

> *Proposals for waste management facilities will only be permitted in the South East Dorset Green Belt where:*
>
> *a. they do not constitute inappropriate development; or*
> *b. the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations to an extent that can demonstrate very special circumstances, including a need for the development that cannot be met by alternative suitable non-Green Belt sites; and*
> *c. the restoration of the site, where relevant, is appropriate to the inclusion of the land in the Green Belt and enhances the beneficial use of the Green Belt.*

10.1.5 Poole Local Plan (PLP) Policy PP2 (Amount and broad location of development) states that "*the Council will carefully manage the Green Belt in accordance with national policy*".

10.1.6 This site allocation within the BCPDWP states that:

> *"Given the site's location within the South-East Dorset Green Belt, applications will be considered against national policy and Waste Plan Policy 21. High standards of design and landscaping will be expected for development within the Green Belt."*

10.1.7 The Government's National Planning Practice Guidance (NPPG) on Green Belts helps guide assessments, stating:

> *Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*
>
> - *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
> - *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
> - *the degree of activity likely to be generated, such as traffic generation.*

10.2 Inappropriate Development

10.2.1 NPPF Paragraph 154 states that "*a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt*". The Paragraph goes on to provide exceptions to this rule. Parts a, b, c, e and f do not have the potential apply to the proposal.

10.2.2 Paragraph 154 Part (d) gives an exception to inappropriate development if "*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*". Officers do not consider this to apply. While the replacement building is of the same use, it is materially larger than the building it replaces.

10.2.3 Paragraph 154 Part (g) gives an exception to inappropriate development if:

> *Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
>
> - *not have a greater impact on the openness of the Green Belt than the existing development; or*
> - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

10.2.4 The existing CRP site is relatively densely developed. Much of the existing development on the CRP is of a lower height than the proposal (albeit still c. 15m maximum height) and the relatively large existing 35m chimney. The proposal would result in a significant increase in scale on this area of the Site. While much of the bulk of the building is screened from many views, the landscape analysis, including CGI verified views which were undertaken, shows that it would be prominent in some views, in particular the increase in height of the proposed chimney. An analysis on landscape impact has been conducted for the LPA by Laird Bailey regarding the views.

I'm not sure c12 to 15m high building sand a 35m high chimney should be called low height. Also the CRP contains large footprint buildings. So maybe refer to medium height buildings and a chimney

10.2.5 The NPPG is clear that openness has visual aspects as well as spatial. The existing low carbon energy facility on the site of the main EfW incinerator building already impacts on the Green Belt. The application proposes a 40-year temporary permission with a requirement to be decommissioned and removed from the Site at the end of this period. While this will be a long-term impact, the temporary permission period (plus the impact from construction and decommissioning) does mitigate the impact somewhat as it would not be retained onsite in perpetuity. The existence of some significant existing massing and built scale on the Site also mitigates the impact to an extant. Officers nevertheless consider the proposal to have a greater impact on the Green Belt than the existing development onsite, failing to fall within the exceptions of Paragraph 154(g).

10.2.6 The proposal does not meet any identified affordable housing need. Therefore, the application cannot be considered as an exception to inappropriate development under the second part of NPPF Paragraph 154.

10.2.7 While some elements of the proposal within the Green Belt may not be considered inappropriate, the main EfW building is integral to the proposal and does not fall within any of the forms of development defined within NPPF Paragraph 155 which are not considered inappropriate to the Green Belt.

10.2.8 Traffic generation is assessed in full within the Transport and Accessibility section of this report. Officers do not consider the change in the number of vehicle trips to result in any harm to the openness of the Green Belt, which is a consideration required in the NPPF.

10.2.9 The application proposal is considered to be inappropriate development and therefore results in harm to the Green Belt.

10.2.10 NPPF Paragraph 152 states that "*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*".

10.2.11 Officers have concluded that the proposal results in harm to, the Green Belt. Substantial weight must be given to this harm and the application should only be approved in 'very special circumstances' per NPPF Paragraph 152.

10.2.12 Officers have assessed whether the application demonstrates very special circumstances (VSC) as part of the planning balance at the end of this committee report, concluding that the application does demonstrate VSC.

11 DESIGN AND VISUAL IMPACT

11.1.1 PLP Policy PP27 (Design) requires a good standard of design in all new developments. The policy supports development which:

> *"reflects or enhances local patterns of development and neighbouring buildings in terms of:*
>
> *(i)layout and siting, including building line and built site coverage;*
> *(ii) height and scale;*
> *(iii) bulk and massing, including that of the roof;*
> *(iv) materials and detailing;*
> *(v) landscaping; and*
> *(vi) visual impact."*

11.1.2 BCPDWP Policy 14 (Landscape and design quality) states that:

Proposals for waste management facilities will be permitted where they are compatible with their setting and would conserve and/or enhance the character and quality of the landscape. Proposals for waste management facilities should achieve this through:
a. sympathetic design and location;
b. appropriate use of scale, form, mass, layout, detailing, materials and building orientation; and
c. avoidance, or if this is not practicable, acceptable mitigation of adverse impacts on the landscape.

11.1.3 Part 7 of the NPPW states that "*when determining waste planning applications, waste planning authorities should "ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located*".

11.2 Siting, Layout, Scale and Massing

11.2.1 The Canford Resource Park site is surrounded by dense areas of woodland which significantly screen the building from some views. While the screening provided by trees can often be considered as temporary (as sparse levels of trees in urban areas may decline or be removed), given the protected woodland status of the trees in the surrounding area, officers are satisfied that trees will continue to grow and the woodland will provide screening of the building throughout the course of its 40-year permission.

11.2.2 The layout and built form of an EfW incinerator is largely dictated by its function, as it must contain the internal components in a particular layout. The main portion of the main building would measure a maximum height of c. 50m, with a length of c. 162m and a maximum width of c. 69.4m. This would present as a large and imposing building, particularly given the relatively smaller existing development on the allocated waste site and the open surroundings. The existing waste management facilities on the allocated site comprise of a number of buildings of varying scales, composting windrows, open air storage and soil heaps resulting in a visually poor-quality environment which does not positively contribute to the visual amenities of the area. The impact on the immediate CRP would be negative due to the scale. However, given the nature of the CRP as an allocated waste site and noting the processes which are undertaken at CRP, officers have given minimal weight to this negative impact. Other close views would also benefit from tree screening, or screening from the other onsite existing buildings, and many are taken from private land which would not receive much footfall, limiting the impact.

11.2.3 While the Site itself is largely occupied by industrial development, the Site sits within a wider context of open space. The proposal would result in the removal of a permanent (although significantly smaller) built portions of an industrial structure on the site of the EfW plant. The proposal would remove the permanent structure and replace it with a 40-year permission; however, given the scale of the development, it has the potential to impact on long distance views and BCP has therefore commissioned Laird Bailey to undertake a Landscape Visual Impact Assessment on behalf of the LPA. The findings of this assessment are included within officers' comments in this section and are also considered in the assessment of heritage harm and Green Belt openness.

11.2.4 The submission includes a set of viewpoints, which have been agreed as important views by officers. A set of verified views have been submitted from the key viewpoints in order to demonstrate how the building will look from these views. Views are presented on a clear sky, where impact from the plume would be greatest, presenting a worst-case scenario in this regard. While much of the nearby land is in private ownership, Canford Heath has many walking paths and multiple Public Rights of Way (PROW) The topology of the wider area is varied in height, which has the effect of both increasing and decreasing visibility of the proposed development from different viewpoints. The viewpoints within the submitted verified view CGIs are considered to be the most prominent views of the building,

showing that it would have a significant impact on the landscape setting of receptors travelling along footpath routes 3, 5 and 29, and the Stour Valley Way. Other informal footpaths would be impacted.

11.2.5 The submission contains a theoretical zone of visibility assessment, which uses LIDAR data to create a theoretical mapping of what portion of the proposed main building would be visible within a 10km radius. It is important to note that this is only theoretical visibility and may not account for some elements of screening. There are instances of large proportions of the main building being highly visible in more distanced locations; however, many of these views would have larger built-up areas in the foreground. The distanced views, while having visibility of the building, would result in it being far smaller within the setting and accordingly result in less harm to the setting.

11.2.6 The Distribution Network Connection (DNC) compound is located nearer to residential properties and public areas, to the east of the Site and comprises a smaller scale of development, including two 26m pylon masts (which are not solid surfaced on elevations), some smaller equipment of 8m in height and a small single storey control kiosk. Officers note that there is a dense areas of trees separating the structure from housing to the east, which would help screen views from the more well-travelled areas of the public realm; however, part of the structures would likely be visible from the public realm. The structures on this area are typical of such use and, while not attractive, are of a design that is practical and necessary to secure the benefits of the proposal.

11.2.7 In relation to the siting, layout, scale and massing of the development, officers consider the building to be a large and highly visible building which is incongruous in the surrounding landscape. This is unavoidable for a development of this nature, which is recognised in BCPDWP Policy 14(c). The other structures on the main CRP site would be largely screened, although the DNC compound would be visible (though with a significantly smaller impact). The proposal would not enhance the character or quality of the landscape setting through its inappropriate scale and height. This is contrary to PLP Policies 27 and 31, BCPDWP Policy 14 and the site-specific BCPDWP requirements in relation to the allocated site Inset 8.

11.3 Architectural Appearance and Materials

11.3.1 The proposed EfW and associated structures would have an industrial appearance. The northwestern elevation, the least visible from views, is more animated, featuring multiple areas of articulation at lower levels and a more detailed design around the roof terrace area. The main colours are silver, willow, autumn and goosewing grey. The north and east elevations present a more simplistic design and the flat elevations will be finished almost entirely in Kingspan curved wall panels in silver (the specific colour is RAL 9006). The elevated portion in the northern part of the main building (the air cooled condenser) is largely open in its bottom half, with willow green cladding above. The curved roof would be finished in goosewing grey. The chimney stack would be finished in a blend from the colour merlin to goosewing grey – this has the effect of lightening of the chimney nearer the top, helps to reduce the visibility at the higher points and blend the chimney with the sky background, particularly on a cloudy day.

11.3.2 The material palette of the main EfW building has been investigated and undergone several variations. With reference to existing EfW buildings in the country, officers requested the applicant explore the potential for a wholly green building (of various shades) and also a banded approach where bands become lighter in higher parts of the building, in an attempt to reduce bulk. These options were found to have an increased visibility within the setting. This has resulted in some minor colour palette changes in comparison to the original proposal (replacement of Merlin Grey features with Pure Grey to ensure a paler edge to the building when viewed against the sky). Given that these changes are predominantly relating to colour rather than scale and mass, it is not anticipated that the change will incur a notable reduction in the perceived magnitude of change experienced by receptors; however, officers are satisfied that the final material approach is the 'best fit' architecturally for the landscape and visual context within which it will be situated.

11.4 Plume Impact

11.4.1 The proposed chimney stack would emit gasses, which can result in a visible smoke plume. The applicant has provided modelling of the projected plume visibility based on meteorological data between 2016-2020. This concludes that the plume would only be visible in 21.2 per cent of daylight hours. In over 50 per cent of instances, the plume would be between 0-50m in length and would generally run horizontally, reducing its height. The visibility of the plume increases the visibility of the proposal; however, the harm is reduced given the temporary nature in which it would be visible and noting that its visibility would be significantly decreased on cloudy days. The plume as shown on the verified view CGIs has been carried out as accurately as possible; however, must be considered indicative under best practice guidance.

11.5 Light Spill and Lighting Impact

11.5.1 Canford Resource Park is occupied by industrial development and already has a significant level of onsite lighting. The ground-level lighting (which constitutes the majority of lighting to be used in the proposal) would be at a low level and screened by trees from views. Despite the surroundings being dark areas, these lights would not significantly impact on the night-time environment. The aviation warning lights on the chimney would be sensitive, low impact due to their colour, and while they would be positioned at a high level and therefore visible from further afield, they would have a minor impact on views from the surrounding area due to their scale. The impact is further alleviated given that they will be used in night time, when they will be observed by far fewer people.

11.6 Scale Requirements

11.6.1 The applicant states that maximum 50m height of the main building is determined by the most efficient and reliable combination of furnace and boiler. The applicant has stated:

> *"To achieve complete combustion, the furnace grate must be inclined such that as it moves, waste fuel tumbles down it under gravity. Flatter arrangements are possible but would consume more energy and risk incomplete combustion; fire from uncombusted fuel mixed in the ash, and unacceptably high carbon content in ash. Such lower efficiency furnaces are unlikely to achieve R1 recovery status; and*
>
> *For the most efficient operation, the boiler should be directly above the furnace. Efficiency is characterised both in terms of 1) the proportion of heat energy in the flue gases post combustion that can be recovered and 2) in managing emissions. The quicker the flue gas temperature drops the better, and this is best achieved with a vertical alignment of furnace and flue. 4.2.63 The footprint of the EfW CHP Facility is determined by the need to store up to eight days' residual waste throughput and to process 32.5 tonnes of residual waste per hour. This requires structures with the space requirements indicated. However, because the structure is of necessity tall, these footprint areas are not as great as they otherwise would be – the bunkers are relatively deep with smaller footprints."*

11.6.2 The applicant draws attention to other EfW facilities with similar physical scale. MVV, the applicant, operates an EfW CHP facility in Devonport which has a maximum building height of 45, (slightly reduced through exploiting height differences across the site) with a maximum throughput of 265,000tpa. The recent refusal by Dorset Council on the Portland facility has a maximum height of 47m and has a maximum proposed throughput of 202,000tpa. The recently allowed appeal in Wiltshire granted permission for a 40m height building which had a throughput of 243,000tpa.

11.6.3 The 110m chimney height is required to release emissions at a height which does not have an unacceptable impact on protected ecology and human health.

11.6.4 Officers acknowledge that the proposed development is not oversized for its use and capacity. This does not mitigate the visual impact; however, it provides some justification that the harm to the surrounding area is unavoidable for such a development. This will be considered within the planning balance of this committee report.

11.7 Summary – Design and Visual Impact

11.7.1 Laird Bailey, Landscape Architect consultants for BCP Council, noted that there will be significant effects on visual receptors extending as far as 3.5km from the site at:

- Dorset Council Footpath 3
- Poole Footpath 5
- Footpath 29/Stour Valley Way
- Stour Valley Way
- Bridleway 118
- Bridleway 23/Canford Heath OAL
- Residents within Canford Meadows

11.7.2 In conclusion, officers are satisfied that the scale of the proposed buildings is a reasonable requirement for the proposed throughput. The proposal would utilise a brownfield site with existing industrial development. The material finish of the building has been thoroughly tested and officers conclude that the proposed material composition would result in the least contrasting and discordant impact on the surrounding area. Notwithstanding these considerations and the applicant's willingness to minimise the impact, the proposal would be introducing a substantially large massing on the Site, within an open verdant area, resulting in a negative impact on the landscape and its surroundings. The design is inconsistent with the requirements of PLP Policies PP27 and PP31, BCPDWP Policy 14 and the relevant part of the NPPW. This conflict will be assessed as part of the planning balance at the end of this committee report.

12 HERITAGE IMPACTS

12.1.1 Impact on the historic environment was scoped into the submitted Environmental Statement submitted as part of the application.

12.1.2 There is a strict procedure for consideration of heritage assets and any harm to them. The policy context is provided below and, where required, within the planning balance section of this committee report.

12.2 Policy Context

12.2.1 Poole Local Plan Policy 30 (Heritage assets) supports proposals which "*preserve or enhance the historic, architectural and archaeological significance of heritage assets, and their settings, in a manner that is proportionate with their significance*". Part (1)(b) of the policy states that developments in conservation areas and/or affecting listed/locally listed buildings should:

> *"(i) enhance or better reveal the significance and value of the site within the street scene and wider setting;*
> *(ii) seek to retain buildings that make a positive contribution to the conservation area;*
> *(iii) where practicable, avoid locating renewable energy installations such as solar PV/panels or solar thermal equipment on the principal elevations;*

(iv) ensure signs and advertisements reflect the historic nature of the area; and
(v) retain, repair and reinstate historic shopfronts and reflect their character using appropriate designs, colours and materials in new shopfront designs.

12.2.2 Policy 19 (Historic environment) of the BCPDWP also has requirements relating to the impact on designated and non-designated heritage assets.

12.2.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act (1990) (as amended) states that in relation to buildings and land in a conservation area, "*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*".

12.2.1 The NPPF guides the assessment of impact on heritage assets – "*as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary*". Paragraph 200 goes on to require that "*applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*". The submission is supported by a Heritage, Townscape and Visual Impact Assessment which is considered to provide sufficient detail in this regard.

12.2.2 NPPF Paragraph 199 states that "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*".

12.2.3 NPPF Paragraph 200 states that "*any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification…substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional… substantial harm to or loss of assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional*". This stance is reiterated in Core Strategy Policy CS39 (Designated Heritage Assets), which also protects against extensions or other proposals that would adversely affect heritage assets' significance.

12.2.4 NPPF Paragraph 203 provides the context for assessing the impact on non-designated heritage assets, stating that "*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*".

12.2.5 BCPDWP Policy 19 states that "*proposals for waste management facilities will be permitted where it is demonstrated that heritage assets and their settings will be conserved and/or enhanced in a manner appropriate to their significance*".

12.3 Identified Heritage Assets

12.3.1 The Site itself does not contain any heritage assets. The proposal would not impact the structure of, nor result in any physical damage to, any heritage assets. NPPF Paragraph 201 requires LPAs to assess the impact on the setting of any relevant heritage assets – all heritage considerations will therefore be in relation to the impact on their setting and thereby significance.

12.3.2 A Heritage and Archaeological Statement was submitted with the application. It identified a list of heritage assets which could potentially be impacted by the proposal. Historic England have agreed with the list but stated that there could be additional heritage assets which may be impacted. Officers have included additional heritage assets in the assessment which they considered to potentially be impacted. The following have been considered:

Conservation Areas

- Canford Magna CA
- Hampreston CA

Statutory listed buildings

- Canford School
- John of Gaunt's Kitchen
- Nineveh Court
- Parish Church of Canford Magna
- Lodge of Canford School
- The Minster Church of St Cuthburga, Wimborne
- Deans Court
- Kingston Lacy House
- Merley House
- Church of All Saints
- Church Cottages
- Cottage
- Manor Farmhouse

Scheduled Monuments

- Badbury Rings
- Dudsbury Camp
- Bowl barrows cemetery
- Bowl barrow on Canford Hath (two locations)

Non-designated heritage assets (NDHA)

- Locally listed Merton Grange
- Locally listed Spinney Cottage
- Locally listed Moortown Lodge
- Locally listed Poole Crematorium
- Potential Archaeology

12.4 Heritage Impact – Conservation Areas (CAs)

Canford Magna Conservation Area

12.4.1 The Canford Magna CA is located c. 2km to the north of the proposed main EfW building. The conservation area contains many statutory listed buildings of high significance, including the grade I listed Canford School and the other associated listed buildings of the school site.

12.4.2 Part of the CA's significance is due to its expansive grounds, within which the chimney and plume of the proposal would be visible. They would however be within the backdrop of the panoramic view and

the visible impact would be limited due to the intervening distance, and the intermittent and the lower level of visual distraction caused the plume.

12.4.3 The proposal would result in a low level of less than substantial harm to the setting and significance of the conservation area.

Hampreston Conservation Area

12.4.4 The Hampreston CA is located c. 2.6km to the northeast of the proposed main EfW building, which would be the only element potentially visible at that distance. The conservation area contains several statutory listed buildings which have a combined assessment in following section of this report.

12.4.5 The CA contains several listed buildings around a village green, which can be perceived well in the open setting of the green. The views would all be relatively short range close-up views of the listed buildings and features of the CA, which also has a lot of tree screening. As such, while the zone of theoretical visibility suggests the building may be visible, in actual practice it would not be so. The proposal would not be visible from the CA.

12.4.6 The proposal would not result in any heritage harm to the setting or significance of the Conservation Area.

12.5 Heritage Impact – Listed Buildings

Canford School (Grade I)

12.5.1 Canford School is a grade I listed building located c. 2km to the north of the proposed main EfW building (which would be the only part of the proposal with potential visibility). The building was first listed on 13/06/1954.

12.5.2 The grade I asset is best appreciated in a northward-directions when viewed from its surrounding grounds, within the CA. These key views of the building's significance would be angled away from the proposed development. In southern views towards the School's northern elevation, which are short views due to adjacent treelines, the proposed development would be screened.

12.5.3 The school does however have many important views which would place the proposed main building and Site in the background of such views. The proposed chimney is considered to fall within the setting of the School and would be visible in the background of views, as suggested by the nearby verified view no. 3. The ES demonstrates that the main portion of the building would be screened and the majority of the stack would also be screened.

12.5.4 There would however be a demonstrable impact on the skyline and therefore the setting of the listed School. There is significant intervening distance and dense tree lines, with the development falling within the far backdrop when visible. The view of the stack would terminate roughly at the same height as the tree lines and would be a slim presence on the skyline. Noting this and the less important angles of the views where the stack would actually be visible, the proposal would create only a minor distraction from the asset's significance.

12.5.5 The proposal would result in a low level of less than substantial harm to the setting and significance of the grade I listed building.

John of Gaunt's Kitchen

12.5.6 John of Gaunt's Kitchen was grade I listed on 13/06/1954. The listing includes the attached carriage arch and screen wall. It is part of the Canford School complex, located directly to the east of the main school building.

12.5.7 John of Gaunt's Kitchen is largely appreciated in short views from the north (towards the Site) or longer view from the south, where it is partially screened by the main School building. The building has limited potential for oblique views which might capture a small portion of the chimney of the proposal; however, given the nature of these views and noting that it would be perceived as a slim structure and plume in the backdrop, the proposal would not cause a major distraction from the heritage asset's significance.

12.5.8 The proposal would result in a low level of less than substantial harm to the setting and significance of the grade I listed building.

Nineveh Court

12.5.9 Nineveh Court is a single storey building which was grade I listed on 13/06/1954. The listing includes the attached carriage arch and screen wall. It is part of the Canford School complex.

12.5.10 Ninevah Court is located to the east of John of Gaunt's Kitchen, to the east of the main Canford School building. Its placement results in the proposal only being visible in glimpses within some oblique views of the heritage asset. The heritage considerations of Canford School are relevant. The proposal would have a lesser impact on Ninevah Court than the main School building; however, would still likely be visible in the background of some views.

12.5.11 The proposal would result in a low level of less than substantial harm to the setting and significance of the grade I listed building.

Parish Church of Canford Magna

12.5.12 The Parish Church was grade I listed on 13/06/1954 and is located to the west of Canford School, outside the CA.

12.5.13 Due to the scale of the Church, and the relatively constrained area within which it can be viewed in the surrounding tree lines, the proposed building would not have any significant visual impact in the background of views and would not impact on the setting or significance of the listed building.

12.5.14 The proposal would not result in any heritage harm to the setting or significance of the grade I listed building.

Lodge of Canford School

12.5.15 The Lodge was grade II listed on 29/06/1980 and is located to the northwest of the Canford School site, outside of the CA.

12.5.16 The building is adjacent to the Parish Church of Canford Magna and has a similar setting. The same assessment applies. The asset is primarily viewed away from the proposal or in short views towards.

12.5.17 The proposal would not result in any heritage harm to the setting or significance of the grade II listed building.

The Minster Church of St Cuthburga, Wimborne

12.5.18 The Minster Church was grade I listed on 13/06/1952 and is located c. 4km to the northwest of the proposed main building.

12.5.19 The church is located in a built-up area, which provides an adjacent urban context and screening. The theoretical zone of visibility suggests that if the chimney stack is visible, it would be the top 50m or less. The surrounding area has very low theoretical visibility, partly due to the lower topographical level, so it is likely at the lower end of 50m, if at all. Given the intervening distance, any potential views which capture the proposal would only be a small portion of the slim stack and the plume, which would be substantially distanced. They would not have any material impact on the backdrop of any views of the heritage asset.

12.5.20 The proposal would not result in any heritage harm to the setting or significance of the grade I listed building.

Deans Court

12.5.21 Dean's Court was grade I listed on 13/06/1952 and is located c. 3.8km to the northwest of the proposed main building. It is located to the south of the Minster Church of St Cuthburga.

12.5.22 Dean's Court is located near the Minster Church of St Cuthburga and parts of that assessment can be applied. A significant difference is that Dean's Court is located to the south, on the boundary of Wimbourne Minster and does not have the same built-up setting. However, the building is flanked by dense treelines on all sides. Views of the heritage asset are largely short views and the proposal would not have any significant impact on the backdrop of any views of the heritage asset.

12.5.23 The proposal would not result in any heritage harm to the setting or significance of the grade I listed building.

Kingston Lacy House

12.5.24 Kingston Lay House is a two/three storey manor house which was grade I listed on 18/03/1955. The building is located c. 7.1km to the northwest of the Site.

12.5.25 Kingston Lay House is significantly distanced from the Site and the majority of views of the listed building would be directed away from the proposed development. The areas nearest the building have minimal theoretical visibility of part of the proposed chimney, and plume. Part of the surrounding lands to the north is elevated and would have visibility of the chimney but it would be substantially distanced in the background, as a slim structure which is coloured to blend with the skyline. There would be a minor impact in the backdrop of in limited number of views.

12.5.26 The proposal would result in a low heritage harm to the setting or significance of the grade I listed building.

Merley House (NHLE 1275387)

12.5.27 Merley House is a 2.5 storey manor house which was grade I listed on 13/06/1954. It is located c. 3km to the northwest of the Site.

12.5.28 The topography is a similar height to the Site and while a moderate portion of the stack may be theoretically visible from Merley House, it would be further screened by large trees near Merley House. Further, noting the layout of the built context around Merley House and the direction of views towards the application Site, the key views of the listed house would be angled away from the proposal. Views of Merley House towards the Site would be screened by the listed house itself, with some potential visibility of the chimney or plume. This results in a slight impact on views.

12.5.29 The proposal would result in a low level of less than substantial harm to the setting or significance of the scheduled monument.

Buildings within the Hampreston CA

12.5.30 The buildings within the CA are all located a minimum c. 2.8km from the proposed main EfW building on the CRP site. They comprise:

- Grade II* listed Church of All Saints
- Grade II listed Church Cottages
- Grade II listed Rose Cottage
- Grade II listed Manor Farmhouse

12.5.31 These are all in close proximity and share a similar setting and attributes of screening. As previously stated in the assessment of the Hampreston CA, views of the listed buildings would be short, with distant views towards the proposal being screened by buildings or trees. Views of the buildings with more open backdrops would be angled away from the proposal.

12.5.32 The proposed development would not have any impact on the setting or significance of the listed buildings.

12.6 Heritage Impact – Scheduled Monuments

Badbury Rings

12.6.1 The Badbury Rings are located c. 9km to the northwest of the proposed building. The proposal, if visible, would not be easily distinguishable on the horizon at this distance and would not have any noticeable impact on views from the setting of this scheduled monument.

12.6.2 The proposal would not result in any heritage harm to the setting or significance of the scheduled monument.

Dudsbury Camp

12.6.3 Dudsbury Camp is a small multivallate hillfort which is located c. 4.1km to the northeast of the proposed building. It was first listed as a scheduled monument on 08/11/1928.

12.6.4 The Camp is set within a small densely forested area, which will screen out much of the surroundings in views of the camp. Submitted verified view 8 demonstrates that if the chimney and flew are visible, they are likely to fall largely within the intervening trees due to the distance from the Site.

12.6.5 The proposal would not result in any heritage harm to the setting or significance of the scheduled monument.

Bowl Barrows Cemetery

12.6.6 Historic England lists these scheduled monuments as a group of "bowl barrow cemetery and four other bowl barrows on Canford Heath". The listing notes that "*the monument, which falls into five separate areas, includes a bowl barrow cemetery and four other bowl barrows, part of a dispersed group of barrows on Canford Heath. The barrows all lie near the southern edge of a plateau with extensive views to the south*". They are located in the southwest region of Canford Heath, c. 1.6km from the southwestern edge of the Site. They were listed as a scheduled monument on 20/01/1932.

12.6.7 Parts of the scheduled monument are within a zone which has theoretical visibility of the proposed main building, but would not have views of the other elements of the proposal. They would be perceived in views from some of the more actively used walking paths through the heath, including PROWs. The intervening land between the heritage asset and the Site is predominantly open heathland and while the woodland to the south of the Site provides some screening, the proposed chimney stack and plume would likely be a visible element in the backdrop when looking northwards, being relatively prominent within the landscape. The stack colouring, which especially effective on cloudy days, would go some way to mitigate the visibility, and the proposal would be on the periphery of close views directly towards the low-level heritage asset.

12.6.8 The proposal would result in a low level of less than substantial harm to the setting or significance of the scheduled monument.

12.7 Heritage Impact - Non-designated Heritage Assets (NDHAs)

Locally listed Merton Grange, Wheelers Lane

12.7.1 Merton Grange is a locally listed building located off Wheelers Lane, c. 850m to the east of the proposed main building.

12.7.2 The proposed EfW building and chimney are distanced from the locally listed building, with a lot of intervening mature trees. Existing and recent development to the west creates an urban setting in views. Views of the locally listed building's front elevation are in close proximity – the building would screen part of the proposal; however, the chimney and plume would be visible, albeit confined to a small part of the background and noting the temporal (and cloud-masking) of the plume.

12.7.3 The proposed development would result in a low level of harm to the locally listed Spinney Cottage.

Locally listed Spinney Cottage, Arrowsmith Road

12.7.4 Merton Grange is a locally listed building located at the southern end of Arrowsmith Road, c. 500m to the northwest of the proposed main building.

12.7.5 The area directly to the southeast of Spinney Cottage is densely populated with large trees. Beyond that, the White's Pit landfill site lays between the locations and is significantly raised. It is unlikely that the main bulk of the main building will be significantly visible. The chimney and plume are likely visible; however, this portion of the building would be a slender form with a colour finish to help mask the chimney. The proposal would be visible in the backdrop of key eastward views of Spinney Cottage, through which it is mainly appreciated. The locally listed building is distanced 500m from the proposed main building, but given the proposed scale, the chimney would be prominent in background views of the building.

12.7.6 The proposed development would result in a low level of harm to the locally listed Spinney Cottage.

Moortown Lodge

12.7.7 The locally listed building is located on the northern side of Magna Road, c. 940m to the northwest of the main EfW building proposed. While the building is located in a zone of relatively high theoretical visibility, due to the existing surrounding buildings and trees, southerly views towards the application site would be restricted to very short views from within the locally listed building's curtilage, where the locally listed building itself would screen views of the proposed development.

12.7.8 The proposed development would not have any impact on the setting or significance of the locally listed Moortown Lodge.

Poole Crematorium, Gravel Hill

12.7.9 Locally listed Poole Crematorium is located c. 1.6km to the west of the main EfW building proposed.

12.7.10 There are high density trees on the crematorium site, many of which are raised above the level of the locally listed building. Views which the locally listed building is perceived from are largely short distance due to the site layout. While there is theoretical visibility of up to 50m of the chimney stack top, the actual locations around the crematorium site with significant views are likely to be far more limited, in part due to the terrain levels. The heritage asset would be further screened by areas of high ground, topped by dense woodland, separating it from the proposed main building. If any part is visible, it would unlikely be discernible in the backdrop of views.

12.7.11 The proposed development would not have any impact on the setting or significance of the locally listed Poole Crematorium.

Archaeological Assets

12.7.12 The Council for British Archaeology were consulted on the application but have not responded. Officers therefore recommend a condition to secure an archaeological written scheme of investigation. Subject to this condition, officers are satisfied that any potential harm would be acceptably mitigated.

12.7.13 Officers have had regard to Footnote 72 of the NPPF states that "*non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets*".

12.8 Summary

12.8.1 The levels of heritage harm identified in this report are summarised in the below table:

Designated Heritage Asset	Type	Identified Impact
Canford Magna CA	Conservation Area	Low less than substantial harm
Hampreston CA	Conservation Area	No harm
Canford School	Grade I listed	Low less than substantial harm
John of Gaunt's Kitchen	Grade I listed	Low less than substantial harm
Nineveh Court	Grade I listed	Low less than substantial harm
Parish Church of Canford Magna	Grade I listed	No harm
Lodge of Canford School	Grade II listed	No harm
The Minster Church of St Cuthburga, Wimborne	Grade I listed	No harm
Deans Court	Grade I listed	No harm

Kingston Lacy House	Grade I listed	Low LTSH
Merley House	Grade I listed	Low less than substantial harm
Grade II* listed Church of All Saints	Grade II* listed	No harm
Grade II listed Church Cottages	Grade II listed	No harm
Grade II listed Rose Cottage	Grade II listed	No harm
Grade II listed Manor Farmhouse	Grade II listed	No harm
Badbury Rings	Scheduled Monument	No harm
Dudsbury Camp	Scheduled Monument	No harm
Bowl barrows cemetery and other bowl barrows on Canford Heath	Scheduled Monuments	Low LTSH
Non-Designated Heritage Asset	**Type**	**Identified Impact**
Merton Grange	Locally Listed Building	Low level of harm
Spinney Cottage	Locally Listed Building	Low level of harm
Moortown Lodge	Locally Listed Building	No harm
Poole Crematorium	Locally Listed Building	No harm
Potential Archaeological Assets	NDHA	No harm

Table 2 – Summary of identified heritage harm

Cumulative Impact

12.8.2 Heritage harm at the lower end of less than substantial harm has been identified to seven designated heritage assets. A low level of harm has been identified to two non-designated heritage assets.

12.8.3 The proposal incorporates multiple buildings and all buildings have been considered for all heritage assets within this assessment; however, due to the adjacent screening of the Site, screening at heritage sites, and the large distances to heritage assets, the assessment has largely been in relation to the main EfW building, including the chimney stack and plume. Where discussion has not regarded the other elements, this is due to their scale being well screened.

12.8.4 The height of the main building, and particularly the chimney, results in distant assets being considered, which means that the building will be smaller on the horizon and will only be visible in certain angle views, usually not from any close views of heritage assets. The most significant impacts of the proposal would be limited towards the lower end of less than substantial harm, although there are several grade I listed buildings and scheduled monuments, assets of the highest quality which should be given the most weight, which have been impacted.

12.8.5 While the chimney would incorporate safety lighting at night for air safeguarding reasons, these lights would be sympathetically designed and only visible at night time, where heritage assets are less likely to be perceived. Officers have however considered the impact in the assessment above.

12.8.6 Taking all impacts into consideration, officers consider the cumulative level of heritage harm to be at the lower end of less than substantial harm.

12.8.7 Heritage harm has been identified and a balance between the harm and the public benefits of the proposal must therefore be carried out in accordance with the NPPF. This will be conducted in the Planning Balance and Conclusion section of this report.

13 AMENITY IMPACT

13.1.1 A number of potential impacts on residential amenity must be considered. PLP Policy PP27 requires development to be "*compatible with surrounding uses and would not result in a harmful impact upon amenity for both local residents and future occupiers considering levels of sunlight and daylight,*

privacy, noise and vibration, emissions, artificial light intrusion and whether the development is overbearing or oppressive". These matters are assessed in this section of the report.

13.1.2 The BCPDWLP Policy 13 also supports proposals for waste management facilities where potential adverse impacts on amenity from the operation of the facility and associated transport can be satisfactorily avoided or mitigated to an acceptable level. The policy goes on to state that it includes the following considerations:

a) noise and vibration;
b) airborne emissions, including dust;
c) odour;
d) litter and windblown materials;
e) vermin, birds and pests;
f) lighting, loss of light;
g) loss of privacy;
h) visual impact;
i) site related traffic impacts; and
j) stability of the land at and around the site, both above and below ground level.

13.1.3 The impact of airbourne emissions and dust are considered in the Air Quality section of this committee report.

13.1.4 Officers have considered all existing sensitive receptors in addition to nearby approved applications and developments under construction, including the Canford Paddock housing development to the east, the Poole Local Plan denoted as UE2 allocated housing site, UE1 allocated housing site and urban extension development to the northeast. Other relevant developments have also been considered in terms of the cumulative impact on amenity.

13.1.5 A condition is recommended to require the developer to establish a Community Liaison Group. The applicant states that "*in addition to inviting interested local residents to join, regulators will be invited, such as the Environment Agency and LPA and the Applicant can extend an invitation to the existing operators at CRP*". This will provide a direct line of communication with residents and provide a contact point for complaints or discussions regarding the construction periods and operation of the facility.

13.2 Daylight, Sunlight and Overshadowing

13.2.1 The Building Research Establishment guidance document 'Site layout planning for daylight and sunlight: a guide to good practice' provides an accepted industry-standard in assessing the impact of a proposal on levels of daylight, sunlight and overshadowing to existing properties. The guidance document provides several tests which help determine whether a proposal would be likely to have any significant impact on existing properties.

13.2.2 The location of the proposed main building is substantially distanced from the nearest residential properties and other sensitive uses, such as Poole Crematorium, in terms of potential impact. The proposal includes other built-up elements, namely the DNC compound in the east, but this is of a small scale and is also substantially distanced in terms of natural light impact.

13.2.3 Due to this intervening distance and the slim nature of the chimney (the tallest part of the development), the proposed building would not be likely to have any significant impact on the levels of daylight and sunlight at properties. The DNC compound is nearer to residential units; however, is a lightweight structure and would still be distanced by c. 200m from the nearest residential properties. Officers are satisfied that the proposal would not have any unacceptable negative impact on the existing levels of daylight, sunlight or overshadowing at any properties or other sensitive receptors.

13.3 Visual Impact, Outlook and Sense of Enclosure

13.3.1 The visibility of a building does not in itself necessitate an impact on outlook or sense of enclosure. The loss of a view is not a material planning consideration.

13.3.2 The Site's immediate setting is within an allocated waste site, which is not considered to be a sensitive receptor in relation to outlook or sense of enclosure. While the proposed development would be visible from residential locations, it would be sufficiently distanced so that it would not present as an overbearing structure, and it would not result in any unacceptable impact on outlook or create any undue sense of enclosure at any sensitive receptor.

13.4 Privacy and Overlooking

13.4.1 The proposal has multiple buildings with windows and also features a terrace area at a high level on the northwest elevation of the main building. All structures proposed would be sufficiently distanced so that there would be no unacceptable level of overlooking, and existing levels of privacy would not be unacceptably impacted.

13.5 Noise, Vibration and Disturbance

13.5.1 The World Health Organisation (WHO) document Environmental Noise Guidelines for the European Region (2018) provides guidance on the impacts of noise on human health. The guidance states that:

> *"The [Guideline Development Group] agreed not to develop specific recommendations for occupational and industrial noise. Industrial noise can affect both people working at an industrial site and those living in its vicinity. The guidelines do not consider workers' exposure to noise in industrial environments, as these are regulated by workplace standards and may, in some cases, require the wearing of protective equipment or application of other preventive and protective measures. Further, the guidelines do not explicitly consider industrial noise as an environmental noise source, affecting people living in the vicinities of industrial sites. This is mainly due to the large heterogeneity and specific features of industrial noise, and the fact that exposure to industrial noise has a very localized character in the urban population."*

13.5.2 The Noise Policy Statement for England (NPSE) (2010), produced by the Department for Environment, Food and Rural Affairs, provides guidance on noise impacts and seeks a sustainable approach to managing noise levels within neighbourhoods in order to avoid significant adverse impacts on health and quality of life and to mitigate and minimise adverse impacts.

13.5.3 The NPSE does not propose specific confines to levels of noise; however, does acknowledge the qualitative scale on which the impacts of noise generating uses can be classified and assessed. This is measured by identifying levels of impact which external noise generation would have within a certain area (these categories are used within the applicant's assessment):

- NOEL – No Observed Effect Level – this is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.
- LOAEL – the Lowest Observed Adverse Effect Level – this is the level above which adverse effects on health and quality of life can be detected.
- SOAEL – Significant Observed Adverse Effect Level – this is the level above which significant adverse effects on health and quality of life occur.

13.5.4 In addition to planning constraints, a regulatory framework for controlling statutory noise nuisance from construction sites is provided under the Control of Pollution Act (1974).

13.5.5 The submitted Environmental Statement includes a chapter on Noise and Vibration which contains an assessment of the impact on surrounding sensitive receptors. The assessment identifies nearby receptors and has undertaken a noise survey at six locations in order to establish baseline levels. The locations are reasonable and include locations taken at the nearest residential receptors to the northwest and east.

Onsite Operation

13.5.6 The EfW facility is required to operate 24 hours a day, year-round, with exceptions only being when annual maintenance is undertaken.

13.5.7 The proposed EfW facility in the main building can operate in two modes, which have both been assessed in the submission. These comprise 'normal mode' and 'turbine bypass mode'. The applicant advises that "*the only differential between these modes is the sound level from the exhaust steam pipe between the turbine hall (ID09) and the air-cooled condenser (ID10) which is higher in bypass mode*". Turbine bypass mode would be operated for the vast minority of the total operation time, such as in start-up or shutdown of the facility (eg annual maintenance) or if there has been a major event causing damage to the National Grid, requiring the electrical connection to be disconnected.

13.5.8 While the use of turbine bypass mode is rare, the increased noise calculations have been used in officers' numerical considerations to present a worst-case scenario. It should however be noted that the vast majority of the plant's impact will be at a lesser level.

13.5.9 The noise impact assessment advises that the excess sound level on all identified sensitive receptors would fall below the existing background sound level at daytime and the majority of sensitive receptors at nighttime. This falls below the LOAEL and the impact would be negligible, resulting in neutral or slight impacts. In turbine bypass mode, the excess sound level would be a minimum 3dB below the existing background sound level.

13.5.10 The night-time calculated excess sound would have a higher impact on three of the identified sensitive receptors below (figures given for turbine bypass mode):

- R11 (three properties on Arrowsmith Road) has a maximum excess sound level of 9dB
- R12 (four properties on Arrowsmith Road) has a maximum excess sound level of 2dB
- R13 (one property on Arrowsmith Road) has a maximum excess sound level of 3dB

13.5.11 The buildings of the sensitive receptors will provide acoustic insultation, thereby reducing the actual noise levels experienced within the buildings. Residents will want the ability to open windows to provide ventilation. The Institute of Acoustics document ProPG: Planning and Noise: Professional Practice Guidance on Planning and Noise (2017) states that "*it should be noted that the acoustic performance of the building envelope will be reduced in the event windows are opened for ventilation or cooling purposes, typically reducing the insulation to no more than 10 to 15 dB(A)*". Applying this to the projected 33dB noise level (during turbine bypass mode) at Receptor R11, the internal noise levels experienced by residents would be between 18dB and 23dB. This falls below the recommended 30dB noise level to bedroom during 23:00 to 07:00, and the existing 24dB background noise level.

13.5.12 Intermittent sounds can have a greater impact on sleep quality than a continuous noise. The applicant has advised that "*calculations indicate that the continuous operation of the EfW CHP Facility will not produce tonal, impulsive and/or intermittent sounds and therefore may be described, using terminology referred to in the EA's guidance, as a bland/characterless sound, which is likely to reduce the sensitivity of the situation*".

13.5.13 Taking this assessment into account, the actual noise levels experienced by the sensitive receptors R11, R12 and R13 would be within acceptable levels and would amount to minor impacts. The impact at R11 would be slight adverse.

13.5.14 The DNC compound in the east of the Site is nearer to residential properties, at c. 200m distance to the east and 190m to the south. The compound would generate a low level of noise – a planning condition is recommended to secure a Noise Impact Assessment of the structures within the compound at detailed design stage, to ensure that the impact would not unacceptable impact on any sensitive receptors.

Operational Traffic

13.5.15 A planning condition is recommended to restrict hours of entry/exit for waste delivery between 07:00 – 20:00 only on Monday to Saturday, 09:00 – 20:00 on Sundays, and no trips on Christmas Day and New Years Day. These hours prevent any vehicle trips within the commonly recognised sensitive hours of between 23:00 – 07:00.

13.5.16 The submission is supported by traffic survey data, which identified c. 15,000 vehicle movements on Magna Road within a 06:00 – 24:00 time period.

13.5.17 For the operational phase, HGV movements are predicted to have a negligible impact on all receptors for the duration of the operational phase, resulting in neutral or slight adverse effects at all receptors. The submitted draft Operational Traffic Management Plan (to be updated and finalised through a recommended condition) includes restrictions on the relevant smaller residential roads, keeping trips to the primary highway network and thereby minimising the number of residences which vehicles would pass.

Construction Phase

13.5.18 The submitted ES states that "*construction noise levels have been calculated for works associated with the Proposed Development. The noise levels from individual construction activities have been calculated at the sensitive Receptors. Cumulative noise levels from combined construction activities have been derived using the high-level assumed programme*".

13.5.19 The projected cumulative noise level of the construction will fall below the SOAEL criteria, resulting in a minor or slight impact to the identified receptors, thereby a neutral or slight significance of effect. Construction vibration levels would all fall below the LOAEL at all assessed sensitive receptors and therefore result in negligible impact. The ES also finds that construction traffic noise would have a negligible impact – in addition, these trips would be conducted within the secured hours of construction, which preclude the more sensitive night-time hours.

13.5.20 While some impacts have been identified, officers recommend a condition restricting construction outside of sensitive night-time hours. The condition would restrict construction to:

- 08:00 – 18:00 Monday to Friday
- 08:00 – 13:00 Saturday

13.5.21 The decommissioning at the end of the facility's 40-year permission would result in similar noise generation to the construction period. As such, the same assessment applies. The Distribution Network Connection (DNC) compound construction would have a similar impact to the temporary construction compounds, which have areas that are similarly located to sensitive receptors and

therefore the same assessment is applied. The recommended DCEMP condition, and the construction hours, will also apply to the construction process of the DNC compound.

Noise, Vibration and Disturbance Summary

13.5.22 The application has provided a robust assessment on noise and vibration impact which demonstrates that all impacts would not result in any unacceptable levels of noise throughout construction, operation and decommissioning. The assessment considers cumulative impacts, using existing background noise levels as a baseline. Subject to the recommended conditions, officers are satisfied that there would be no unacceptable noise or disturbance arising from the development.

13.6 Odour

13.6.1 The Environmental Permit which the facility would be required to achieve prior to operating would likely include a requirement for an Odour Management Plan (OMP). To ensure there are no impacts and for best practice, officers recommend an assessment at planning application stage also.

13.6.2 Waste will be held internally within the proposed main EfW building, contained within the building itself rather than being stored externally like the existing MBT facility, prior to its incineration. Waste will be incinerated at very high temperatures, which will eliminate any potential odours prior to emissions being released through the chimney stack. Officers recommend a condition to require submission of an OMP at planning stage, to ensure mitigation is secured, which would require the following measures:

- regular movement of waste within the refuse bunker to ensure that material is circulated on a regular basis, minimising decomposition of the stored waste
- the operation of negative air pressure within the tipping hall area and an odour management system
- measures to control odours during maintenance of the EfW CHP Facility

13.6.3 Objections to the proposal have stated that existing odours from the CRP impact upon quality of life. The existing low-carbon energy facility is not operational and nonetheless utilises a different technology to the proposal. If odours are being experienced from other operations within the CRP, these do not relate to the current proposal as it has not yet been operated.

13.6.4 Some public representations have raised a 2016 news article which drew attention to the Devonport EfW facility (also operated by the applicant) having an odour issue. The applicant has advised that this was due to a filter system issue which arose during a facility shutdown for annual maintenance. An improved filter system was installed prior to the next annual shutdown and officers are not aware of any issues following this alteration. The current proposal utilises the upgraded carbon filter system. The recommended OMP condition will also secure measures to control odours during maintenance.

13.6.5 A potential benefit of the proposal is that waste from other facilities (which may be the cause of odours) could be redirected to the proposed incinerator, thereby reducing the operation of the existing odorous uses. There is no planning guarantee of this taking place and officers therefore give this minimal weight in considerations.

13.7 Light Spill

13.7.1 The impacts of light spill on protected species will be considered in the biodiversity section of this committee report.

13.7.2 The ES contains an outline Lighting Strategy. The development would utilise low-light periods outside of the hours in which waste delivery vehicles are permitted to access the facility (07:00-20:00) where external lighting levels are dimmed within these dark more sensitive hours. The development is sufficiently distanced from sensitive receptors (also noting that the taller main building has limited windows, decreasing light spill) to mitigate any concerns from officers. Officers recommend a condition to secure a lighting strategy, with lux contours, which will provide further detail and enable further assessment of light spill. The proposed chimney stack would have lighting for air traffic safety measures; however, the luminosity and type of lighting will not result in significant light spill.

13.7.3 During the construction period, Temporary Construction Compound 1 (TCC1) will need to operate lighting and is nearer to sensitive receptors to the north. This will operate in working hours and will also therefore have a reduced impact in more sensitive dark hours. A condition is recommended to secure a lighting strategy and lux contours plan in relation to the construction period.

13.7.4 Subject to the recommended conditions, officers do not consider the proposal to have any unacceptable impact on amenity through light spill.

13.8 Pests

13.8.1 As previously stated in the Odour section of this report, incoming waste will be directed to the internal waste bunker within the main building, rather than being stored externally, which inherently reduces the likelihood of rats, birds and other pests. The NPPW advises that these issues are especially in relation to landfills, which is not the proposal. Notwithstanding this, officers recommend a planning condition to secure a Pest Management Plan to require mitigation and management measures to prevent pest and rodent activity.

13.9 Litter

13.9.1 The facility is not open to the public and is operated as a closed commercial facility within the close Canford Resource Park (CRP) site, which is not open to the public. Waste would not be stored externally, meaning there would be little chance of windblown waste. Officers do not consider there to be a significant risk of littering from staff, given the commercial operation of the site (including the requirements of the EA Environmental Permit) and the closed nature of the operational parts of the Site. Officers conclude that there is no significant risk of littering and do not consider a planning condition necessary in this regard.

13.10 Impact on Nearby Development Sites

13.10.1 The Site itself is within the Canford Resource Park allocated waste site. The proposal is taking up land that largely is developed for a similar use building. It would not prejudice the ability of other waste development coming forward on the CRP site – in fact, there may be co-locational benefits which could help facilitate further development, subject to acceptability with other planning requirements.

13.10.2 The Canford Paddock development site to the east has largely been built out. Notwithstanding this, the proposal would be significantly distanced so as to not prejudice the site.

13.10.3 There is an area of land located c. 650m north of Canford Resource Park, which is identified as 'land safeguarded for cemeteries' in the draft BCP Local Plan. Given the early stage of the draft plan, officers give limited weight to the relevant policy provisions in the draft plan. Notwithstanding this, the location could be considered as a future development site. The proposed development is significantly distanced from the site, separated by dense woodland, and would not impact on the

feasibility of a cemetery development being brought forward. Temporary Construction Compound 1 (TCC1) is located in close proximity to the cemetery's draft designation – the impacts of the construction will be controlled and mitigated through a recommended condition securing a Demolition and Construction Environmental Management Plan. Officers also recommend a condition requiring TCC1 to be returned to its previous state following the construction phase, thereby returning the TCC1 area to its existing impact on the draft designation.

13.10.4 There are no other nearby allocated sites or windfall sites with likely development potential which would be significantly impacted by the proposal. The proposal would not prejudice the future development of any adjoining sites, in accordance with PLP Policy PP27(1)(h).

13.11 Amenity Impact Summary

13.11.1 The application does not result in any unacceptable impact on any existing properties, nor would it prejudice the amenity of any potential development sites. The application would have an acceptable impact on residential amenity, compliant with the relevant parts of Poole Local Pan Policy 27, and Policy 14 and Inset 8 of the BCPDWLP.

14 LANDSCAPING

14.1.1 The proposed site plan provides general details of landscaping on the portion of the Site within Canford Resource Park . The proposed tree and shrub planting is acceptable in principle, adding a green buffer and screening to the northwest of the main building (which is welcomed given the increase in hardstanding in the southwest part of the Site) and other parts of the Site. A large area of the CRP portion will be hardstanding – this is acceptable given the existing site make-up, proposed use and identity of CRP as an allocated waste site.

14.1.2 Officers recommend a condition securing a detailed Landscape Plan, including details of tree species, in addition to a Landscape Ecological and Arboricultural Management Plan to ensure existing vegetation and trees is appropriately protected to screen the portion of the allocated site within the CRP, including the existing buffer between the CRP site and the Frogmore SNCI. Further, a condition is recommended in order to secure the landscaping for the DNC compound and landscaping atop the areas in which underground cables or pipes are proposed, to ensure that this land is made good following construction.

14.1.3 Subject to the relevant recommended conditions, officers consider the proposal to provide acceptable landscaping, complying with PLP Policy PP27(1)(v) and the site-specific requirements of Inset 8 of the BCPDWP.

15 TRANSPORT AND ACCESSIBILITY

15.1 Access

15.1.1 The Site is accessed along this existing access road, Arena Way. The proposed facility would retain this access, which is designed for HGV movements and has adequate width and existing traffic calming features. Swept path analysis demonstrates acceptable onsite manoeuvrability. This route would also provide acceptable access for emergency services if required.

15.1.2 There are two Public Rights of Way (PROW) which cross the Site; however, these points would be the Distribution Network Connection/Combined Heat and Power (DNC/CHP) corridors which would be underground in these locations and they would not prevent the use of the PROWs once constructed.

15.2 Impact on Transport Network

15.2.1 Arena Way connects to Magna Road via the existing signalised crossroads along Magna Road and the applicant has supplied a Transport Assessment (TA) within the Environmental Statement to determine the effect the proposal will have on this signalised junction and on the surrounding highway network. BCP's highways authority have noted that the TA is a highly robust document and supports the conclusions.

15.2.2 The TA includes data from traffic surveys undertaken on Tuesday 21 June 2022 comprising manual counts at the six most relevant junctions and an automated traffic count on Magna Road between 19-25 June 2022. The data takes into account the projected increases from other relevant nearby developments to take a cumulative level into account.

15.2.3 The 2022 baseline weekday Average Annual Daily Traffic (AADT) on Magna Road in 2022 is 16,692 vehicles based on the traffic surveys. Of these, 1,617 are HGVs. The TA applies a c. 1 per cent uplift for increased traffic in 2027 when the facility is projected to begin operating.

15.2.4 The projected figures have been provided in two scenarios – one in which all waste deliveries are new trips and one in which a portion of residual waste which is already managed at CRP is received at the proposed facility, thereby not equating to new trips. Both scenarios include outward trips, including those necessary for incinerator bottom ash (IBA) removal. Scenario 1 results in a 1.59 per cent increase to trips on Magna Lane, whereas Scenario 2 results in a 1.1 per cent increase. The Scenario 1 increase of HGV trips would be 10.9 per cent and Scenario 2 would be 6.2 per cent. Taking the worst-case scenario of Scenario 1, the overall impact would be considered to be minor.

15.2.5 The TA presents a worst-case scenario; however, it demonstrates that the cumulative overall number of increased vehicle movements on the highway which the development would generate would be relatively low, when considering existing trips and including the forecast growth. When projected additional trips from committed developments in the area, the impact would also be acceptable. The overall impact on the signalised junction and surrounding highway will also be relatively low.

15.2.6 The proposed development would process up to 260,000 tonnes of residual waste per annum and the TA has been based on the assumption that 100 per cent of residual waste deliveries to the proposed facility will generate new vehicle movements to the site. This is unlikely, as a large portion of the waste will likely come from the neighbouring Mechanical Biological Treatment (MBT) and Materials Recovery Facility (MRF), due to the operational and cost benefits to the operators of the existing facilities in utilising the new adjacent waste final disposal facility. This would result in only 46 per cent of the annual residual waste deliveries to the proposed facility generating new trips on the surrounding highway, a potential significant benefit of the proposed site for such a development.

15.2.7 Highways officers have stated that there could be increased vehicle usage of a vehicle crossing on Bridleway 118 and that offsite improvements are required in order to mitigate the impact on this junction. This will be achieved through a £10,000 contribution to improvement works, secured through the s106 legal agreement.

Construction Impact on the Transport Network

15.2.8 The Transport Assessment states that the average for the 36-month construction period is 45 HGVs and 103 cars, resulting in an average of 298 trips per day. The worst-case scenario peak is month 21, which would have 80 HGVs and 200 cars arriving which equates to 520 daily trips. The conditioned construction hours will mean that the majority of staff arrive outside of peak hours.

15.2.9 HGVs and vehicles in connection with the construction of the Distribution Network Connection compound, located to the west of the Site, would access this part of the site from Provence Drive. This would be a lower amount peaking at c. 10 HGV arrivals and 10 car arrivals. This raises no major concerns – the road is designed to serve these types of vehicles as it provides existing access to the Magna Business Park.

15.2.10 Against the baseline traffic levels in the TA (including the applied uplift), the daily construction traffic represents a 1.8 per cent average increase in total flow on Magna Road, with a high level of 3.1 per cent. In respect of only HGVs, the increases would be 5.7 per cent average and 7.4 per cent peak over current HGV flows. The traffic would disperse as they distance from Magna Road, which the vast majority of construction traffic would need to pass through, with lesser impacts. The impact is below a 10 per cent impact and is therefore considered to be negligible in terms of the highways assessment. The cumulative impact of existing and proposed construction traffic would not result in an unacceptable impact on the highway network.

15.2.11 Highways officers have requested a Construction Traffic Management Plan (CTMP) be secured by condition, to ensure that the impact of the traffic during construction works is minimised. Officers therefore recommend that a fully worked up CTMP is secured through a planning condition.

15.2.12 Officers consider the proposal to have a negligible and therefore acceptable impact on the local transport network throughout the 36-month construction period and the 40-year operation of the proposed facility.

15.3 Travel Plan and Sustainable Travel

15.3.1 A draft Travel Plan (TP) has been submitted with the proposal. It is not yet a detailed Travel Plan but based on the relatively small number of employees that will be on site (32 FTE), the basis of the TP is considered acceptable. It includes measures to encourage walking and cycling, car sharing, the use of public transport. Officers recommend a condition to secure a detailed final version of the Travel Plan. The proposal would provide suitable cycle parking, as discussed later in this committee report.

15.4 Car Parking

15.4.1 The application proposes 30 car parking spaces within the Site area on Canford Resource Park. This includes three disabled spaces. The applicant has advised this is based on their experience on similar previous developments. BCP's Parking Standards SPD does not specify standards for industrial processes for incineration purposes. All proposed buildings are considered as ancillary uses to the Sui Generis use. Despite the large amount of floorspace proposed, the facility would only have c. 32 FTE employees onsite and the highway authority is supportive of this provision.

Revised plans were submitted, which propose nine parking spaces to be provided with electric vehicle charging points, with the remaining 21 spaces being 'passive', meaning they will be fitted with the required infrastructure to allow charging points to be installed in the future. This complies with the requirements of the Parking Standards SPD. A condition is recommended, to ensure that the required provisions are implemented in accordance with plans.

15.5 Cycle Parking

15.5.1 Cycle parking for 10 bikes is proposed, which is considered to be acceptable. The storage would be located within a dedicated cycle shelter. Officers recommend a condition to secure details, including plans, elevations and material details, of the cycle shelter and secure its implementation.

15.6 Transport Summary

15.6.1 Subject to the recommended conditions and planning obligations in this report, the application is considered to be acceptable in terms of its impact on transport and accessibility, complying with PLP Policies PP27(g), PP34 and PP35, and BCPDWP Policies 12 and 15

16 WASTE MANAGEMENT

16.1.1 The impact of the proposed waste management facility in terms of processing waste has been assessed in the Principle of Development and Land Use section of this report. This section considers the management of waste created by the onsite office facilities.

16.1.2 BCP's Standards for Waste Container Storage and Access (2023) recommends 2,600L of waste storage per 1000sqm of office space. The main proposed facility would not produce waste, given that it will be incinerating incoming waste. The waste generated from the ancillary buildings will be stored and collected onsite. Officers recommend a condition securing a Waste Management Plan which secures details of refuse and recycling storage, in addition to a collection methodology. Subject to the recommended condition, the proposal complies with PLP Policy PP27(1)(g) and BCPDWP Policy 22.

17 FLOOD RISK AND DRAINAGE

17.1 Flood Risk

17.1.1 The Site is located within current day Flood Zone 1 and is at low risk from tidal or fluvial flooding. Officers do not have concerns in this regard. The EA have not objected on any flood risk concerns subject to conditions securing adequate drainage.

17.1.2 In accordance with NPPF Paragraph 167, a site-specific Flood Risk Assessment has been submitted as part of the application.

17.1.3 The FCERM team have advised that the access to the Distribution Network Connection will be using an existing track shown on the OS map. If these operations require any bridge alterations/reinforcement then it will almost certainly require an Ordinary Watercourse consent application. This falls outside of planning and officers recommend attaching an informative if permission is granted, drawing the developer's attention to this detail.

17.2 Surface Water Drainage

Notwithstanding the low tidal/fluvial flood risk indicated by EA data, BCP's Flood and Coastal Erosion Risk Management (FCERM) team have advised that Light Detection and Ranging (LIDAR) data indicates an area of significant surface water risk on the Site. However, FCERM officers advise that the data shows this in relation to a pre-existing low-lying basin, which was a pond but has subsequently been filled in, meaning the land level has been raised. While there is no record of planning permission for this infilling, satellite images show that the works would have been completed at least 4 years ago and would benefit from consent (and immune to enforcement action) under the 4-year rule. As the land has been "infilled," the surface water flood risk mapping does not give an accurate reflection of the risk. Therefore, the LLFA advises that the Site is not subject to significant surface water flood risk. Any surface water landing on the Site will be mitigated by the proposed drainage strategy or travel to the low point along the southern boundary, where it will travel downstream into the wooded area.

17.2.1 The application is supported by a Flood Risk Assessment and Drainage Strategy and associated chapter of the ES. The document states that "*surface water runoff will be restricted to the QBAR greenfield rate of 2.2 l/s/ha*. A surface water storage volume of c.2,500 m3 will be provided to ensure the capacity of the drainage network is not exceeded for the 1 in 100 +45% climate change event*". This is supported by FCERM officers, but they note that the actual runoff rates are secured by condition. Officers recommend a condition to secure an updated Surface Water Drainage Strategy, as recommended by the FCERM team, which will also secure the stated runoff rate. In addition, a condition is recommended to secure details of maintenance and management of the drainage strategy, to ensure it is fit for purpose throughout the lifetime of the development.

17.2.2 Subject to the recommended conditions, officers consider the proposed surface water drainage methodology to be acceptable.

17.3 Foul Drainage

17.3.1 The submitted Flood Risk Assessment and Drainage Strategy proposes to discharge foul water via the existing private network to the public pumping station at Magna Road. This infrastructure is operated by WW, who advise that if planning permission is granted, a capacity appraisal including a modelling assessment will be required (to be funded by the developer and executed by WW) to ensure that the infrastructure can accommodate the additional foul flows. The applicant has provided evidence of discussions with WW to establish this process. This would be a private agreement with WW and falls outside of planning – officers recommend an informative which alerts the developer to this requirement.

17.3.2 Officers consider the proposed method of foul drainage to be acceptable in planning terms.

17.4 Wessex Water Assets and Infrastructure

17.4.1 Wessex Water (WW) have advised that there is a 500mm rising main along the southeast boundary of the Site. WW have stated that "*we note the proposed layout does not indicate a conflict between the buildings and the rising main, however, the access route between areas does*" and provided requirements to enable them to gain access. Officers recommend a condition requiring details of how the development will facilitate acceptable access to the drain, with details to be assessed by the LPA and a consultation for the view of WW.

17.5 Summary – Flood Risk and Drainage

17.5.1 Officers are satisfied that the development will not result in any unacceptable impact on flood risk or drainage, compliant with PLP Policy PP38 and BCPDWP Policy 17.

18 CLIMATE CHANGE AND SUSTAINABLE DESIGN

18.1 Greenhouse Gas Emissions

18.1.1 BCP declared a climate emergency in July 2019. The Climate and Ecological Emergency Action Plan was approved by Full Council on 17 December 2019 for public consultation. It includes climate change measures we could take alone or with partners and the community.

18.1.2 The applicant has stated that the MVV Energie AG group of companies has a growth strategy to be carbon neutral by 2040 and carbon negative thereafter. This is commended but is not a material consideration in the current assessment as there is no demonstrable onsite impact at this stage.

18.1.3 Objective 5 of the BCPDWP vision seeks to "*assist in reducing greenhouse gas emissions and assist in adaption/mitigation and resilience to climate change through the development of appropriate methods of waste management and promotion of sustainable transport modes*".

18.1.4 The proposed facility would release between 122,620 to 190,789 tCO2e/annum from waste combustion. The range is due to potential different mixes of waste for incineration. Greenhouse gas emissions from transporting the waste and other process inputs and outputs would be c. 3,795 tCO2e/annum.

18.1.5 The projected electricity to be exported from the facility would be equivalent to avoiding 39,388 tCO2e/annum in year one of operation. This would however reduce to 8,159 tCO2e/annum in year 10 and 509 tCO2e/annum by year 25 as the carbon intensity of marginal generation sources displaced is projected to reduce over time due to the reduced impact as the nation moves towards net-zero carbon. The GHG emissions avoided due to the heat exported by the Proposed Development would be 9,316 tCO2e/annum in year one of operation, reducing to 258 tCO2e/annum in year 10 and 32 tCO2e/annum by year 25.

18.1.6 Taking the carbon emissions caused and reduced by the proposed facility, the Environmental Statement concludes that "*net GHG emissions from the project and its outputs are predicted to be between 62,097 and 139,144 tCO2e/annum in year one, which is the balance of the above-described emissions. The central estimate is 88,495 tCO2e/annum. In year 10 this would be 107,285 to 181,545 tCO2e/annum and in year 25, 125,874 to 194,042 tCO2e/annum*". This results in a moderate adverse impact, which is significant in the EIA assessment. A project with moderate adverse effects falls short of fully contributing to the UK's trajectory towards net zero.

18.1.7 The facility would reap a substantial energy production benefit from the non-recyclable waste which is burnt. As per NPS EN-1, the projected c. 50 per cent energy contribution from biogenic mass of the residual waste throughput would be considered as renewable. The facility would however very likely result in a net reduction in carbon emissions in comparison to the waste being exported (moving a further distance) or disposed of in landfill and requiring extensions to existing landfill capacity. Greenhouse gas emissions would be emitted through the construction process, but this is unavoidable as there are no appropriate buildings that could be retrofitted to enable the use. The applicant will minimise emissions from the construction stage, as detailed in the following section of this report.

18.1.8 The Waste Local Plan requires proposals for recovery facilities to demonstrate that they will provide low-carbon energy generation. The development would be required to achieve R1 recovery status, and the application has provided sufficient evidence to demonstrate that the facility would be considered to provide low-carbon energy, taking into account the emissions from the buildings and processes on site and from vehicle emissions.

18.1.9 The proposal would retain space in order to retrofit the facility with carbon capture technology should it become available. This would significantly reduce the amount of carbon emissions and is welcomed, although given only limited weight due to the uncertainty surrounding the technology and the likely requirement to consider a further planning application in order to facilitate the retrofitting.

Downstream Impact

18.1.10 Officers have had regard to the recent Court of Appeal decision 'R (on the application of Finch on behalf of the Weald Action Group) (Appellant) v Surrey County Council and others (Respondents)'. The judgement found that an application to expand and increase production at an existing onshore

oil well should consider the environmental impacts of downstream greenhouse gasses which would be emitted when the oil that is extracted from the development site is refined and used. This judgement has subsequently been upheld in the Supreme Court. Nevertheless, the findings do not relate to the application proposal before Members – the output electricity and heat from the proposed facility would be in usable form and would not require any further refining or burning when utilised. The climate change impacts have been suitably considered within the submitted Environmental Statement.

18.2 Sustainable Design and Construction

18.2.1 BNPDWP Policy 15 expects proposals for built waste management facilities to demonstrate that the site design, layout and operation make provision for climate change mitigation and resilience.

18.2.2 The ES advises that the construction process will include the following sustainable measures:

- *"carry out a pre-demolition audit to identify and act on opportunities to re-use materials in the Proposed Development design38*
- *undertake a detailed life-cycle assessment (LCA) during engineering/architectural design of the development, to identify construction carbon hotspots and guide optioneering to achieve reductions*
- *use a recognised framework such as the UKGBC's framework definition for net zero buildings39 to define a target for substantially reduced or net zero emissions from construction, including use of offsetting for residual emissions if necessary. Use a recognised methodology such as PAS208026 to guide the implementation and verification of the emission reduction measures to meet that target*
- *use verified Environmental Performance Declarations and engage with or require the EPC contractor to engage with the key technology providers and tier one suppliers for the main materials and major engineered components to procure lower-carbon products. For bulk materials, source these locally where possible to reduce transport GHG emissions*
- *give consideration in the detailed design LCA to decommissioning, incorporating materials and fixings capable of eventual dismantling and re-use where feasible."*

18.2.3 This methodology would acceptably reduce the use of building materials and minimise greenhouse gas emissions in the construction stage, resulting in a minor negative impact.

18.2.4 The proposed building would create over 1,000sqm of new floor space and is therefore expected to achieve and 'Excellent' BREEAM rating through PLP Policy PP37. The applicant has stated that achieving BREEAM excellent is difficult on EfW buildings given the specific nature of the building's requirements to operate and operate safely. Officers note that the role of the building may not be required, as it is sui generis use and does not fall within the full scope of an industrial building, which the policy's requirements relate to (as stated in the supporting text of the policy). The policy allows room for movement, given that it does not explicitly state that the 'excellent' level must be required. The applicant has advised that they are confident that BREEAM 'good' can be achieved. Officers are satisfied with this level given the constraints of the building and recommend a planning condition to require design-stage and post-construction certificate details showing the EfW building will achieve a minimum level of BREEAM 'good'.

18.2.5 BCPDWP Policy 15(b) expects proposals to reduce water demand by considering water efficiency in the design and operation of the facility. The applicant seeks to implement greywater recycling on the main EfW building. This can be assessed as part of the BREEAM submission, secured by a planning condition.

18.2.6 Poole Local Plan Policy PP37 also requires development for commercial development (defined in Paragraph 11.12 to include industrial uses) to incorporate measures so that a minimum 20 per cent

of future energy is attained from renewable sources. Given that the proposal is generating substantial amount of renewable electricity onsite and will be powering its onsite facilities (at a level of more than 20 per cent), officers consider this requirement to be fulfilled. No other more commonly seen renewable energy generation methods (such as photovoltaic panels) are deemed to be a necessary requirement.

18.2.7 Subject to the recommended conditions, officers consider the proposal to have an acceptable level of sustainable design and construction, in relation to its built form and commercial operation, complying with PLP Policy PP37 and BCPDWP Policy 15.

19 AIR QUALITY

19.1.1 NPPF Paragraph 192 requires development to "sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas".

19.1.2 PLP Policy PP34 (Transport strategy) seeks to reduce impacts on air quality. Policy PP35 (A safe, connected and accessible transport network) requires development which has any potential significant impact on local air quality to include proportionate mitigation measures.

19.1.3 The Dorset Heathlands Interim Air Quality Strategy 2020-2025 (2021) also guides Poole's approach to air quality

19.1.4 Part 7 of the NPPW states that "when determining waste planning applications, waste planning authorities should "*consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies*".

19.1.5 The proposal has been reviewed by the LPA's environmental health team in relation to air quality. Additionally, a review of the submission was undertaken by Bureau Veritas on behalf of the Council.

19.1.6 This ES chapter presents an overview of the development and the relevant assessments relating to potential impacts on air quality. It is agreed that the site does not lie within or adjacent to an Air Quality Management Area (AQMA).

19.1.7 The Site is not located within or adjacent to any Air Quality Management Area (AQMA). The proposal has however undertaken an assessment on the operational impact on the closest AQMA – there would be a 0.03 µg/m³ impact of increased emissions. This is 'negligible' in line with the assessment methodology and officers are satisfied that any AQMAs can be screened out as sensitive receptors.

19.1.8 The assessment has used existing background levels (using UK air background maps and APIS (Air Pollution Information System)) data to calculate the cumulative impact of the proposed development. Officers note due to the length of consideration of the application, the APIS data of baseline background levels has recently been updated during the course of the application. The applicant has subsequently demonstrated that the updated APIS data shows that baseline levels have decreased since the 2020 levels that were used in the applicant's detailed assessment. This means that the data which has been used for the detailed calculations in the Environmental Statement presents a scenario that is worse than the updated existing levels. Data shows a general decrease in background baseline levels, which is expected to continue. Officers can reasonably assume that if the application can demonstrate an acceptable impact on protected sites and species taking the 2020 baseline levels into consideration, it can be reasonably assumed that the impact would be improved if a complete reassessment were to be undertaken using the recently updated data.

19.1.9 The assessment identifies potentially significant effects at ecological receptors however, this impact has then been considered within the ecological assessment and Shadow HRA and is with specialist ecologists to determine the likely effect of emissions from the development on the specific species and habitats present around the site. This is considered within the Ecology and Biodiversity section of this committee report.

19.1.10 The initial information within the Environmental Statement did not consider the combined effect of operational traffic and operation of the EfW facility. Amended information was subsequently requested and submitted, which assessed the worst case scenario of the cumulative impacts of the plant or emergency diesel generator and the projected increase of vehicle trips.

19.2 Operational Impact on Human Health

Paragraph 12.37 of the BCPDWP states that:

> *"The waste management industry is strictly regulated by legislation to protect human health and the environment. The Environment Agency ensures that facilities and processes comply with standards through the environmental permitting regime. The regime ensures that waste facilities operate in a safe manner as a legal requirement. As a result, it can be expected that waste facilities, irrespective of the processes they employ, will operate safely, with emissions being managed to an acceptable level. The National Planning Policy for Waste states that modern, appropriately located, well-run and well-regulated waste management facilities operated in line with current pollution control techniques and standards should pose little risk to human health. Consideration of impacts on health should therefore be in the context of whether the location is appropriate for a proposal."*

19.2.1 The operational impacts associated with the operation of the EfW CHP and emergency back-up generator (EDG) have been assessed utilising a detailed dispersion modelling assessment. The relevant pollutants have been assessed and compared to the relevant assessment levels, demonstrating that the likely human impacts can be considered as insignificant.

19.3 Traffic-related Air Quality Impacts

19.3.1 Operational impacts associated with additional road traffic have been assessed in the Environmental Statement (ES). Officers are satisfied that the methodology and roads which have been assessed are acceptable. A detailed dispersion modelling assessment was undertaken using software which is considered best practice. The modelling showed small increases in NO2 (nitrogen oxide) and particulate matter PM10 and PM2.5. The increases would be less than 1 µg/m3 (one microgram per cubic metre) at the sensitive receptors assessed – this level of increase is not significant.

19.4 Construction Period Air Quality Impacts

19.4.1 The development would result in "high" dust impacts during the construction phase. This dust impact assessment was undertaken utilising the outdated version of the Institute of Air Quality Management (IAQM) "Guidance on the assessment of dust from demolition and construction" (20141 , updated in 2024 2). Measures can be used to mitigate the dust resulting from construction – officers recommend a condition securing a Construction and Environment Management Plan (CEMP) which secures measures, including a Dust Management Plan (DMP). This approach is acceptable.

19.4.2 Subject to the recommended conditions, officers consider the proposal to have an acceptable impact on air quality resulting from the construction stage.

19.5 Air Quality Summary

19.5.1 In summary, subject to the recommended conditions and planning obligations to mitigate relevant impacts, the proposal would have an acceptable impact on air quality in accordance with Policy 13 of the BCPDWP and Policies PP34 and PP35 of the PLP.

20 ECOLOGY AND BIODIVERSITY

20.1 Open Space

20.1.1 Construction works would be required to cross Public Rights of Way in order to install the relevant pipelines. This impact on public access to open space would be temporary and land will be made good following the works, reinstalling access.

20.1.2 Parts of the proposed DNC compound would encroach on existing Heathland Support Area (HSA), although no HAS footpaths would be impacted. This land is currently used for public recreation and dog walking; however, the application proposes increases to the HSA which result in a net increase of 7,700sqm. This is welcomed and is of significant benefit to local residents who use the space.

20.2 TCC2

20.2.1 Some of the most significant concerns from the LPA's ecology officer were in relation to the use of Temporary Construction Compound 2 (TCC2) – it is the part of the Site nearest to the heathlands and the European/internationally and locally protected sites. TCC2 was originally proposed as a back-up to TCC1, the applicant and LPA's preferred location. Officers welcome the removal of TCC2 which is recommended to be done through a planning condition prohibiting its use in connection with the construction of this development.

20.2.2 Officers note that BCP's ecology officer requested a condition relating to the biodiversity impact of TCC2; however, given that the use of TCC2 is now strictly ruled out, the condition is redundant and has not been recommended to members of planning committee.

20.2.3 Temporary Construction Compound 1 (TCC1) will be used and has been considered as part of the proposal were relevant throughout this committee report.

20.3 Trees

20.3.1 There are few trees on the main brownfield portion of the Site within Canford Resource Park. There are individual, and group protected trees, and ancient woodland surrounding the Site edges and the areas which would contain DNC/CHW cable connections. The majority of the good quality trees are adjacent to the Site and do not provide much in the way of a constraint to the proposal and can be suitably protected during the construction, as detailed in the submitted Tree Protection Plan (TPP).

20.3.2 Four Category U trees/groups – the lowest category of tree quality rating – would be removed to facilitate the development. The two Category U trees (T3, T6, English oaks) and two tree groups (G18 English oak; G31 English oak, beech, pine) all show signs of being dead or decayed and in decline with less than 10 years of remaining life. T3, G18 and G31 are subject to TPOs but given their condition and the retention of the vast majority of surrounding trees, their loss is considered to be acceptable subject to mitigation planting.

20.3.3 The trees that pose the main constraint to the proposal are located in proximity to the proposed Distribution Network Connection/ Combined Heat and Power (DNC/CHP) cable extension in the southeast area of the Site. The cable run will require the complete removal of T23 (Category B English Oak), and trees within groups G27 and G28 (both Category C goat willow, silver birch) and group G29 (Category B Scots pine). There would also be partial removal of trees that form part of W14 (protected woodland mixed broadleaf), group G17 (Category B English oak, silver birch) and groups G30 and G33 (both Category B English oak, silver birch, beech, Scots pine).

20.3.4 Additional planting of trees along the boundary of the Site is shown on the submitted site plan, to further enhance the density of the screening vegetation. Officers recommend a condition to secure a Landscape Plan, which will detail the planting on the Site, including mitigating tree loss through planting new appropriate tree species.

20.3.5 BCP's tree officer has noted that no Arboricultural Method Statement (AMS), which will outline the methodology in which works affecting trees will be undertaken, has been submitted. However, this can be submitted through a planning condition. Officers recommend a condition securing an AMS, to be submitted prior to any development on the Site to ensure that works do not commence until an appropriate set of measures which do not harm trees is approved. This document must include an acceptable method for construction around the TPO oak tree T16 (which has not been identified for mitigation measures but must be included), in addition to the identified works within the root protection areas (RPAs) of trees T5, T21 and T22.

20.3.6 The tree officer (in addition to other consultees) has requested a condition securing a landscaping plan which includes details of the location and species of replacement trees. The indicative site plan suggests that substantial tree replacement will be implemented.

20.3.7 Officers are satisfied that the proposal would have an acceptable impact on trees, in accordance with PLP Policy PP27(b) and the relevant parts of PP33, NPPF Paragraph 131 and BCPDWP Policy 14, subject to the following recommended conditions:

- Submission of an Arboricultural Method Statement
- Submission of a Landscape Plan

20.4 Methodology of Emissions Assessment

20.4.1 In line with standard practice methodology, topography has been taken into account within the assessment, with Landform Panorama data being used to create a terrain file to assess impact.

20.4.2 The assessment of the long-term Nitrogen Deposition, Acid Deposition and Ammonia Process Contributions from the EfW and EDG potentially are at or exceed 1% of the relevant critical levels at relevant ecological designations. Contour plots of the 1 per cent threshold value critical level/loads for NOx (nitrogen oxide), nitrogen deposition and ammonia have been provided upon a request by Natural England. These were produced to include the emissions impact of existing and projected (resulting from the operation of the proposal) vehicle movements on nearby roads, to assess the potential maximum cumulative impact.

20.4.3 Part 7 of the NPPW states that "*when determining waste planning applications, waste planning authorities should "concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced*". The development is located in close proximity to several protected sites and a consideration which includes offsite impacts (such as vehicle trips) which may not be considered in the Environmental Permit process by the EA must be taken into account to ensure that the cumulative impact is acceptable. In addition, officers will conclude (in the sections to follow) that

mitigation measures potentially in excess of standard EA limits is required in order to mitigate the impacts. As such, officers consider it reasonable for a robust assessment to be undertaken and mitigation measures secured at planning stage.

20.5 Impact on Protected Sites and Species

20.5.1 The Site is in close proximity to multiple ecology-related designations (these are listed in Paragraph 2.1.1).

20.5.2 In accordance with the Conservation of Habitats and Species Regulations 2017 ("The Habitats Regulations) and findings of People Over Wind & Sweetman v Coillte Teoranta (Case C-323/17), Bournemouth, Christchurch and Poole Council (BCP Council) has concluded that, in the absence of mitigation, the application will have a likely significant effect on the European wildlife sites identified below (including Ramsar sites where relevant), arising from identified impact pathways.

20.5.3 BCP has adopted strategic mitigation schemes to mitigate the impacts of residential development; however, these do not apply to the proposal. As such, bespoke measures are necessary in order to ensure that the likely impacts are mitigated.

20.5.4 A Shadow Habitats Regulations Assessment was submitted as part of the Environmental Statement. An Appropriate Assessment (AA) has been carried out by BCP Council as the competent authority, with advice provided by Holbury Consultancy Service. The AA has determined that with the identified mitigation measures (which are recommended to be secured by the relevant planning conditions and obligations, and are listed below) the proposed development would not have an adverse effect on the integrity of the European protected sites, and would reduce impacts on habitats and species such that any adverse effect on the qualifying features (habitats and species) of the habitats sites and will not have an adverse effect on the integrity of the heathland habitats sites either alone or in combination with other plans and projects.

Planning Conditions

- A lighting strategy (for the Temporary Construction Compounds and the operation of the proposed plant) which is sensitively designed and operated to avoid habitat fragmentation to bats or nightjars.
- Air pollution control systems to require an Emission Limit Value of ammonia to 5mg/Nm3.
- Requiring a chimney stack height which is 110m above ground level (please note there is also a condition limiting the height of the stack, in relation to aviation safety and views) to ensure that NOx (nitrogen oxide) levels will below the 1% (long-term) and 10% (short-term) critical levels respectively, both alone and in combination.
- A restriction on the timing of the fortnightly testing of the Emergency Diesel Generator to be undertaken when winds are not blowing towards the nearest SAC/SPA/Ramsar parcel
- A detailed Demolition, Construction and Environmental Management Plan (DCEMP) will specify controls to ensure that construction activities do not result in harm to the qualifying habitats and species of the Habitats Sites, including dust management, management of fire risk and temporary security fencing around the Temporary Construction Compound 1.
- Permanent fencing around the staffed operational part of the development to control access to habitats sites.

Planning Obligations (to be secured in the s106 legal agreement)

- Contributions for appropriate acidification resilience/reduction management actions at Dorset Heaths SAC/SPA/Ramsar in the form of a Biodiversity Enhancement

- Contribution and Trickle Fund, in addition to a future monitoring strategy, to be secured through a Section 106 agreement
- Biodiversity Net Gain Strategy required to achieve 25 per cent Biodiversity Net Gain
- £10,000 biodiversity enhancement contribution
- £25,000 initial soil acid buffering plan contribution
- £1,000 per annum (for 40 years) trickle fund for offsite land management
- An agreement with the land owner to allow access to the relevant land in order for the acidification mitigation works and remedial measures to be carried out, which will increase the resilience of vulnerable habitats. This mitigation must be carried out to completion within two years of the first incineration of waste from the development.
- Monitoring and Supportive Management Plan in relation to offsite soil monitoring
- Rhododendron Survey Report

20.5.5 Natural England have advised that they are supportive of the application, following the additional information and updated shadow Habitat Regulations Assessment (HRA), subject to the agreed mitigation measures above. As such, the proposal is considered to be in accordance with Waste Plan Policy 18, Policies 32 and 33 of the Poole Local Plan.

20.5.6 The applicant has advised that external lighting will be designed to ensure a safe working environment whilst minimising impacts on nightjars and other nocturnal wildlife. The submitted Environmental Statement (ES) includes details of light spill from the buildings within the CRP area of the site, which contains permanent lighting closest to protected species and habitats. This demonstrates that the building would likely have an acceptable impact; however, there are other important measures such as lighting wavelength and the height of lighting. Officers are satisfied that this can be achieved and recommend detailed information be secured through an Operational Lighting Management Plan, which places restrictions on light wavelengths and requires the detailed lighting layout to be in accordance with guidance from Bat Conservation Trust and Institute of Lighting Professionals.

20.6 Impact on Locally Protected Sites

20.6.1 The Frogmore Wood Site of Nature Conservation Interest (SNCI) is located adjacent to the southern boundary of the CRP site. The submitted Environmental Statement (ES) demonstrates that operational emissions would have a negligible impact on the SNCI (and three other SNCIs which are all a minimum of c. 1km from the EfW CHP building) subject to the recommended mitigation conditions and obligations. The proposal is acceptable in this regard.

20.6.2 The Combined Heat and Power (CHP) connection would run through the Frogmore Wood SNCI. Officers are satisfied that measures to ensure there is no unacceptable impact to habitats, species or trees can be secured through the recommended Demolition and Construction Environmental Plan, in addition to the recommended arboricultural conditions. Subject to these, there would be no unacceptable impact, in accordance with PLP Policy PP33 and BCPDWP Policy 18.

20.7 Biodiversity Net Gain (BNG)

20.7.1 The application was submitted prior to the recently adopted national Biodiversity Net Gain (BNG) requirement in the Town and Country Planning Act and is therefore not required to meet the subsequently mandatory 10 per cent BNG. Notwithstanding this, the application proposes 25 per cent onsite BNG. This will be achieved through enhancing the quality of onsite and offsite grassland, mixed scrub and woodland, to improve biodiversity and habitat quality.

20.7.2 Green roofs are proposed on the main EfW building, which is welcomed. A planning condition is recommended to secure details of the green roofs and require their implementation.

20.7.3 In accordance with best practice, the development will provide the maximum amount of BNG onsite; however, any further required BNG to meet the 25 per cent requirement will be delivered in adjacent sites, which the landowner WH White Ltd has acknowledged they support and is a signed party to the s106 agreement. The finalised details will be secured through a planning obligation within the s106 agreement bound to the consent to ensure that the measures are delivered. The council's biodiversity officer has objected to part of the BNG calculation methodology; however, officers are satisfied that the s106 agreement secures assurance that the proposed net gain can be implemented. Officers also note that the statutory duty, which requires detailed up-front calculations, does not apply in this instance.

20.7.4 The BNG is not a statutory requirement, required to offset the impacts of the proposal, and is therefore considered to be a benefit within the planning balance. The proposed 25 per cent BNG is welcomed and will be given substantial weight in the planning balance.

20.8 Summary of Ecology and Biodiversity

20.8.1 Subject to securing the recommended mitigation measures through planning conditions and obligations, the proposal would have an acceptable impact on protected and other sites, species and habitats, in accordance with BCPDWP Policy 18 and the requirements of Inset 8, and PLP Policies PP32 and PP33.

21 CONTAMINATED LAND

21.1.1 NPPF Paragraph 183 requires development to be located on sites which are "*suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities…"*

21.1.2 The submitted ES includes chapters on 'Geology, Hydrogeology and Ground Conditions', and 'Hydrology'. The Phase I desk-based risk assessment report has been reviewed by specialists Mabbett on behalf of the LPA. The findings of the report must be updated and expanded upon through an updated Phase I report, which can be secured by condition. Further requirements will be conditioned to ensure that if any contaminations are identified, appropriate remedial measures are implemented to address the contaminants in a manner which is safe to humans, biodiversity and groundwater.

21.1.3 Mabbett concluded that conditions should be applied, if permission is granted, to secure:

- Phase I Preliminary Contamination Risk Assessment
- Phase II Site investigation if potentially unacceptable risks to sensitive receptors are identified
- Remediation Scheme to address any risks if identified

21.1.4 The application of these conditions corresponds with the comments from the Environment Agency, who also do not object on land contamination grounds.

21.1.5 Subject to the recommended conditions, the proposal would comply with NPPF Paragraph 183.

22 CRIME PREVENTION

22.1.1 The operation of the proposed EfW facility will cover private land, with security measures to be implemented by the developer. The existing CRP site already has significant security measures, including security fencing (new fencing is proposed in relation to this application to secure the developed areas of CRP); however, due to the lack of natural surveillance in the Site, officers

recommend a condition securing details of CCTV equipment and a lighting to ensure that areas of potential crime do not create the potential for crime.

22.1.2 Subject to the recommended conditions, officers are satisfied that the proposal would create a safe environment which complies with the requirements of NPPF Paragraph 130 and PLP Policy PP27(e).

23 FIRE SAFETY

23.1.1 Officers recommend conditions to secure a Fire Prevention Plan to secure management and mitigation measures to mitigate the risk of fire during the operation of the plan (noting that many elements of this will also be required by the Environment Agency through the Environmental Permit) and details provided as part of the Demolition and Construction Management Plan (DCEMP) to address potential impacts during the demolition and construction phases. A further condition is recommended to prevent the burning of any waste (associated with demolition and construction – not the operation of the plant) onsite.

23.1.2 Subject to the relevant conditions recommended in this report, the proposal would have an acceptable impact on fire safety, in accordance with BCPDWP Policies 18 and 21.

24 AVIATION SAFEGUARDING

24.1.1 The proposal is located within an Airfield Safeguarding Area for Bournemouth Airport and consultation with the airport operator is therefore required by Policy 20 of the BCPDWP. Further, the policy only supports proposals which can demonstrate that there would be no increased hazards to aviation through an aviation impact assessment.

24.1.2 Officers have been in direct discussion with Bournemouth Airport throughout the course of the application. The Airport originally made a holding objection on the application; however, removed this, and are supportive of the application subject to a condition requiring details to ensure there is no unacceptable impact. The wording of the condition has been agreed with the Airport and has been included in the recommended conditions to members. Subject to the details required by this condition, the proposal would have an acceptable impact on aviation safety and complies with BCPDWP Policy 20.

24.1.3 The decommissioning secured by condition requires the Site to be returned to a state agreed by the LPA, but this does not involve the creation of any large scale structures. This would not give rise to any new or increased hazards to aviation, in accordance with BCPDWP Policy 20, and no mitigation conditions are required.

24.1.4 NPPW advises that increased levels of birds can "*also provide a hazard to aircraft at locations close to aerodromes or low flying areas*" but does not that this is especially in relation to landfills. The application does not seek any outside waste storage and is unlikely to attract large numbers of birds. In accordance with this section of the NPPW, Bournemouth Airport has been consulted and have not raised any objection in this regard.

24.1.5 Subject to the relevant condition recommended in this report, the proposal would have an acceptable impact on aviation safety, in accordance with BCPDWP Policy 20.

25 PLANNING OBLIGATIONS AND CIL

25.1.1 The proposed development is not liable for Community Infrastructure Levy.

25.1.2 In accordance with Paragraphs 55 and 57 of the NPPF and Policy PP39 of the PLP, a S106 legal agreement would be used to secure planning obligations which are considered necessary in order to mitigate the impacts of the development and in order for the proposal to be acceptable on the relevant planning grounds.

25.1.3 Poole Local Plan Policy PP39 (Delivering Poole's infrastructure) states that "*subject to compliance with the statutory tests planning obligations can be secured to enable the grant of planning permission*". The policy goes on to state that "*the Council will collect funding from development for infrastructure and affordable housing by the following means*:

- *Community Infrastructure Levy (or equivalent successor regime) for infrastructure;*
- *Section 106 Agreements for infrastructure and affordable housing;*
- *Section 278 Agreements for highway works; and*
- *Section 106 Agreement or Section 111 to provide some of the mitigation for European and internationally important sites (that cannot be taken through CIL)."*

25.1.4 Officers recommend securing the following planning obligations through a s106 legal agreement, to mitigate the impacts of the scheme:

Transport

- £10,000 Bridleway 118 crossing contribution to enable the carrying out offsite improvement works to the junction as identified in this report.

Biodiversity

- Biodiversity Net Gain Strategy required to achieve 25 per cent Biodiversity Net Gain
- £10,000 biodiversity enhancement contribution
- £25,000 initial soil acid buffering plan contribution
- £1,000 per annum (for 40 years) trickle fund for offsite land management
- An agreement with the land owner to allow access to the relevant land in order for the acidification mitigation works to be carried out
- Monitoring and Supportive Management Plan in relation to offsite soil monitoring
- Rhododendron Survey Report

25.1.5 The above planning obligations are considered to be compliant with the stipulations of provision 122 of the Community Infrastructure Levy Regulations (2010), in that they are:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

26 PLANNING BALANCE AND CONCLUSION

26.1 Policy Context

26.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

26.1.2 In accordance with Paragraph 38 of the revised NPPF the Council, as the Local Planning Authority, takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. The application was subject to pre-application engagement under a Planning Practice Agreement wherein the Council has worked

proactively with the Applicant. In addition, revised plans and updated supporting documents have been accepted in the course of the application to respond to officers' concerns with the proposal.

26.1.3 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), the decision-maker needs to have regard to the provisions of the development plan and any other material considerations.

26.2 Summary of Heritage Harm

26.2.1 A table which summarises officers' conclusion of the level of harm resulting from the proposal to the individual heritage assets impacted by the proposal is provided within the Summary of the Heritage Impacts section of this committee report. Officers have identified a cumulative level at the lower end of less than substantial harm.

26.2.2 Should the Planning Applications Committee reach a different conclusion regarding heritage impact, the differing impact on any heritage assets should be considered and great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (as per NPPF Paragraph 205).

26.2.3 The PPG note on the Historic Environment advises that "*in general terms, substantial harm is a high test, so it may not arise in many cases".* If Members come to a view that there would be substantial harm or total loss of the significance of a designated heritage asset, consent should be refused, unless it is demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the identified harm or loss (as per NPPF Paragraph 207).

26.2.4 If Members come to a view that there would be less than substantial harm to the significance of a designated heritage asset, but that the level of harm is greater than that identified by officers, Members should weigh the identified harm against the public benefits of the proposal (as per NPPF Paragraph 208).

26.3 Identified Public Benefits

26.3.1 The Government's Historic Environment PPG advises that "*public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8*)".

26.3.2 Officers have identified the following public benefits which would be secured by the proposal:

Economic

- The proposal would provide a significant investment boost to the local economy, including local employment opportunities at construction and operation stage for the local workforce. This is further secured through the Employment and Skills Plan, recommended to be secured by condition.
- Potential to encourage further economic development that synergises with the proposal, subject to the relevant permissions.

Social

- 7,700sqm net increase of Heathland Support Area near the DNC compound area.
- Disposal facilities for waste.
- Potential for a dependable source of energy security
- The proposal includes an education centre which will allow for school trips or other learning opportunities.

Environmental

- The proposal would provide 260,000tpa of waste disposal capacity, utilising a more sustainable form of waste disposal than landfill and move waste up the waste hierarchy.
- The proposal would generate a source of reliable, low carbon energy (including the CHP energy connection to Magna Business Park and the Arena Way CHP route subject to uptake) of up to 28.5Mwe. This would be approximate to the amount of energy powering 60,000 homes, roughly equivalent number of households in Poole.
- The proposal would be sustainably located, close to urban centres adhering the proximity principle, while maintaining sufficient distance to avoid any unacceptable impact on residents.
- The sustainable location would benefit from co-location. It would integrate and synergise with the existing waste uses of the CRP site.
- The reuse of brownfield previously developed land, replacing an inoperable facility
- 25 per cent Biodiversity Net Gain.
- The site has existing, unrestricted permission for waste incineration facilities and an established B2 land use. The proposal would be subject to a 40-year temporary planning permission which would then extinguish the use following the decommissioning and removal of the building, thereby strengthening the protection of the onsite Green Belt to future development.
- Additional tree planting on the Site and an improved landscaped setting.
- Further potential synergy through potential development for onsite Incinerator Bottom Ash processing and the ability to implement carbon capture in the future if it becomes feasible. These benefits would, however, require further planning permission and officers give them minimal weight in the planning balance.

26.4 Green Belt and Very Special Circumstances (VSC)

26.4.1 This report has previously established that the proposal would constitute inappropriate development within an important area of Green Belt. As such, a determination of whether very special circumstances (VSC) exists must be undertaken.

26.4.2 NPPF Paragraph 153 states:

> *"when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*

26.4.3 In conducting this assessment on VSC, officers have had regard to the "any other harm resulting from the proposal", as outlined later in the Planning Balance section of this committee report.

26.4.4 National and local policy do however acknowledge that renewable energy projects may need to be located within the Green Belt. NPPF Paragraph 156, which states:

> *"When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources".*

26.4.5 As previously established in this committee report, the proposal is categorised as low carbon and partially renewable. Paragraph 156 therefore applies.

26.4.6 BCPDWP reiterates this point in Paragraph 12.108, stating:

> *"The National Planning Policy for Waste states that there are particular locational needs for some types of waste management uses that should be recognised, which may lead to the need to locate such facilities in the Green Belt if a suitable site does not exist outside the Green Belt. Any proposal for the development of permanent waste facilities in the Green Belt would need to demonstrate very special circumstances that outweigh the harm to the Green Belt and any other harm and would be judged on the locational needs of the development."*

26.4.7 The proposal is on an allocated site for intensification of waste management facilities. The examination process for the adopted waste plan considered the location within the Green Belt and acknowledges that local and national policy on Green Belt will need to be considered. Officers give weight to the status as an allocated site in considerations; however, it is important to note that the allocation does not exempt development from being assessed against Green Belt policy.

26.4.8 The proposal brings forward some substantial benefits. There is no statutory definition of very special circumstances (VSC) and each application must be assessed on its merits.

26.4.9 As previously acknowledged in this report, the 28.5MW energy generation of the proposal falls below the 50MW threshold to be considered an NSIP. Therefore, the National Policy Statements (which are targeted at decisions made by the Secretary of State) do not have weight in determination of the application. They do however provide a national stance and policy direction of travel on Electricity from Waste facilities. EN-1 states that:

> "*…the Secretary of State will take as the starting point for decision making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances... This means that the Secretary of State will take as a starting point that Critical National Priority (CNP) Infrastructure will meet the following, non-exhaustive, list of tests… where development within a Green Belt requires very special circumstances to justify development.*" (Paras 4.2.16-4.2.17)

26.4.10 The development would bring forward significant environmental benefits of low carbon energy in addition to the sustainable benefits of moving waste up the waste hierarchy. To provide context on weighing the benefits of the amount of energy being generated, Green Belt renewable energy schemes, and therefore many of the considerations of energy generation vs Green Belt harm, are often solar farms. Although the scale of solar farms is not as visible in terms of their height, the applicant estimates that a solar farm producing an equal renewable energy output to the proposal (assuming a 50 per cent renewable energy level) would require c. 600ha (almost 50 times the application Site) of land.

26.4.11 Officers have taken into account all relevant national and local policy, and have given substantial weight to the identified harm to the Green Belt (including the impacts of any other harms identified in this report) as required by the NPPF. Officers consider the identified benefits, in particular giving substantial weight to the benefits of the local waste management (moving waste up the hierarchy and the proximity principle) and the low carbon and renewable energy generation of the proposal to clearly outweigh the harm to the Green Belt, including any other harm, which therefore constitutes very special circumstances.

26.5 Heritage Balance

26.5.1 NPPF Paragraph 208 states that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

26.5.2 NPPF Paragraph 206 states that:

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

26.5.3 NPPF Paragraph 209 states that:

"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

26.5.4 The proposed development is not located in the immediate context of any heritage assets; however, due to the proposed height, a wide area has been identified for potential impacts. The applicant's justification for the height has been considered in the Design and Visual Impact section of this report and officers accept that the scale is a necessary requirement in order to provide an efficient and operable facility which secures the optimum viable use of the allocated waste site.

26.5.5 The various arising instances of heritage harm would be significantly distanced from the heritage assets, appearing in the backdrop and being heavily screened by existing trees. The chimney stack and plume would be the sole visible elements in the majority of heritage asset settings. The chimney is a slender massing, coloured to have minimal impact against the skyline, and the plume would be an intermittent element with low visibility particularly in cloudy weather conditions. Both elements would be further blended into the background of views on cloudy days throughout the year.

26.5.6 The proposal would be bound to a 40-year temporary permission, at which point the development would be required to be removed and the Site returned to a state agreed by the LPA. While this is a long temporary permission, it still removes the permanence of the development, further mitigating the impact and allowing the LPA to reconsider the impact of any development on the Site under an updated set of policies in the future.

26.5.7 The application has considered alternative sites and officers are satisfied that the application Site, which has an existing (although smaller) facility, is the most suitable location for the proposal, including the other relevant allocated waste sites. The appellant of the Portland appeal has agreed (in a representation on this application) that the Parley, Mannings Heath and Binnegar Quarry sites would not be acceptable alternative sites; however, states that the Portland site should be considered. The application on the Portland site has substantial issues and does not benefit from a planning permission. Officers have detailed in this report that an assessment is not required and note that there is no existing operational facility on the Portland site.

26.5.8 Officers have concluded that the public benefits of the proposal would outweigh the harm, identified at the lower end of less than substantial harm, to the relevant designated and non-designated heritage assets.

26.6 Planning Balance and Recommendation

Conflict with the Development Plan

26.6.1 In addition to the identified cumulative level of less than substantial heritage harm, and notwithstanding officers' conclusion that the proposal would accord with an up-to-date development plan when taken as a whole, officers have identified the following points of diversion with other policy requirements in the development plan:

- The proposal would cause harm to the openness of the surrounding landscape.
- Despite officers concluding that Very Special Circumstances have been demonstrated, the proposal would result in harm to the openness of the Green Belt.

Conclusion

26.6.2 The disbenefits of the proposal relate largely to its scale and visibility within the wider context, resulting in the lower end of less than substantial harm to heritage assets, harm to the openness of the Green Belt, and significant visual harm to four identified receptors in the surrounding landscape.

26.6.3 However, this has to be balanced with regard to the appropriate location of the development, being situated on an allocated waste site, which is the best site identified within the up-to-date adopted BCPDWP for this facility which is demonstrated by the up-to-date adopted waste plan to be required in order to meet local waste need. The incinerator would only burn non-hazardous residual waste, which is not able to be recycled. The proposal would have a temporary 40-year operational time limitation, at which point it would be required to be decommissioned and removed from the Site. A temporary permission has the added benefit of improving the openness of the Site in the future, in a Green Belt location where there is an existing low carbon energy facility on the Canford Resource Park (CRP) portion of the Site with permanent consent and no requirement for its removal, despite not being operational.

26.6.4 The development would create many public benefits, including the benefits of meeting a local waste disposal need, but also moving waste up the waste hierarchy, reducing the export of local waste, and providing a reliable source of substantial low-carbon energy to help address climate change.

26.6.5 The application has demonstrated an acceptable impact on protected nature sites and human health, in addition to the other considerations in this report which are not identified as conflicts with the development plan.

26.6.6 This assessment has considered the development plan, matters raised by consultees, public representations, and has taken into account all other material considerations.

26.6.7 Officers have given substantial weight to the visual impact on the surrounding landscape and heritage assets, and to the openness of the Green Belt and have concluded that the harm caused by these disbenefits of the proposal would be demonstrably outweighed by the significant and wide ranging economic, social and environmental benefits, which satisfy the three overarching objectives of achieving sustainable development, as set out in the National Planning Policy Framework.

26.6.8 It should be noted that the facility will still need to comply with the Environment Agency's requirements pursuant to an environmental permit being issued for it to come into operation.

26.6.9 If members are minded to support a grant of planning permission it will be necessary to refer this committee report together with the Committee's recommendation to the Secretary of State for consultation, due to the scale of inappropriate development in the Green Belt. The consultation with the Secretary of State has a 21-day period (beginning with the date which the Secretary of State advises the authority in writing of the date the committee report and recommendation have been received) to decide whether she wishes to intervene in the decision and call-in the planning application before the decision notice is issued.

Officers' Recommendation to Planning Committee

26.6.10 Officers therefore recommend that, subject to the application being referred to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2024 and the Secretary of State deciding not to call in the application for her own determination, members:

26.6.11 **GRANT** permission for the reasons as set out in this report subject to:

a. the following conditions with power delegated to the Head of Planning Operations (including any officer exercising their powers if absent and/or the post is vacant and any other officer nominated by them for such a purpose to alter and/or add to any such conditions provided any alteration/addition in the opinion of the Head of Planning (or other relevant nominated officer) does not go to the core of the decision; together with

b. a deed pursuant to section 106 Town and Country Planning Act 1990 (as amended) securing the terms below with power delegated to the Head of Planning (including any officer exercising their powers if absent and/or the post is vacant and any other officer nominated by them for such a purpose) to agree specific wording provided such wording in the opinion of the Head of Planning (or other relevant officer) does not result in a reduction in the terms identified in this report.

Terms to be included in the section 106 legal agreement:

Transport

- £10,000 Bridleway 118 crossing contribution to enable the carrying out offsite improvement works to the junction as identified in this report.

Biodiversity

- Biodiversity Net Gain Strategy required to achieve 25 per cent Biodiversity Net Gain
- £10,000 biodiversity enhancement contribution
- £25,000 initial soil acid buffering plan contribution
- £1,000 per annum (for 40 years) trickle fund for offsite land management
- An agreement with the land owner to allow access to the relevant land in order for the acidification mitigation works to be carried out
- Monitoring and Supportive Management Plan in relation to offsite soil monitoring
- Rhododendron Survey Report

27 RECOMMENDED CONDITIONS

1. Time Limited Consent

The development to which this permission relates shall be begun not later than the expiration of three years beginning with 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 Local Planning Authority of the following in writing:

a. Notice of the commencement of development must be given to the Local Planning Authority within 14 calendar days of the date on which any works associated with the carrying out of development hereby permitted is commenced, such notice to include contact details by which the Local Planning Authority can confirm receipt.
b. Notice of whichever is the earlier of the first waste to be incinerated, or storage of any waste intended for incineration, on the application site to which this permission relates hereby permitted must be given to and received by the Local Planning Authority within 14 days of the date on which it occurs.
c. Notice, including a certificate of completion, of the completion of commissioning of the EfW CHP Facility must be given to and received by the Local Planning Authority within 14 days of the date on which commissioning is completed.

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 (2023).

4. Temporary Consent

The development hereby permitted shall only be operational for a period of 40-years from the date of the first incineration of any waste on the application site to which this permission relates (this period is the “Decommissioning Date”). Upon the Decommissioning Date, the use and operation of the development hereby permitted shall permanently cease, and within two calendar years of the Decommissioning Date, the application site to which this permission relates shall be restored 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 6 and 21 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the National Planning Policy Framework (2023).

5. Decommissioning – Period of Non-use

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, then a scheme for the decommissioning and removal of the EfW CHP Facility, DNC Compound and associated above ground infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details for the decommissioning shall include the details set out in Condition 6.

The demolition and removal works and subsequent restoration of the site shall thereafter be undertaken in accordance with the approved scheme, within 24 months of the details being approved.

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 (2023).

6. Decommissioning 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. details of all structures and buildings which are to be demolished, which must include the removal of all buildings, chimney, associated plant, machinery, waste and processed materials from the application site to which this permission relates;
b. details of the means of removal of materials resulting from the demolition and methods for the control of dust and noise;
c. the phasing and timetable for demolition and removal based on identified trigger points having regard to the requirements of conditions 4 and 5 above;
d. details of the restoration works; and
e. 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 (2023).

7. Land Contamination and Unexploded Ordnance (UXO)

No part of the development hereby permitted 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 in writing to the Local Planning Authority. 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 (2023).

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 (2023).

9. Aviation Safeguarding

No part of the development hereby permitted shall commence until the information specified below has 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) may 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").

The aviation warning lighting details approved as part of the approved Aviation Information must be provided in full before whichever is the earlier of the completion of construction of the chimney or the first use of the chimney 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).

10. 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 the details in relation to any required piling including (where applicable):

a. Methods of piling (percussive methods shall not be used other than with the prior written agreement of the Local Planning Authority);
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 details.

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).

11. 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.

12. 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) traffic routes,
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).

13. Archaeology (written scheme of investigation)

No part of the authorised development shall commence until a programme of archaeological work has been secured and implemented by an approved archaeological contractor 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 all proposed archaeological field work together with the post-excavation work, the publication of the results of the findings and 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)

14. 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).

15. 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 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).

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

Notwithstanding the submitted plans, 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.

17. 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. that 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 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 BCP and Dorset Waste Plan policy 17(d).

18. 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 start up 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).

19. Materials

Notwithstanding any details forming part of the documents submitted as part of the application to which this permission relates, prior to the construction of any of the following structures forming part of the development hereby permitted, elevation drawings showing materials and finish of such structures shall be submitted to and approved in writing by the Local Planning Authority:

- main transformer and switchgear (ID13 as shown on approved Proposed Site Plan (drawing reference 10-01));
- emergency diesel generator (ID14 on as shown on approved Proposed Site Plan (drawing reference 10- 01)); and
- fire water tank and pump enclosure (ID16 as shown on approved Proposed Site Plan (drawing reference 10-01)).

The development shall only be carried out in accordance with the approved drawings.

Reason: To ensure that the external appearance of the building(s) is satisfactory and protects the appearance of the Green Belt, 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).

20. 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).

21. 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 have been 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 (2023).

22. BREEAM

Prior to commencement of the use of the relevant part of the development, 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 post completion of commissioning, 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).

23. 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 Polices 6, 7 and 18 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and the National Planning Policy Framework (2023).

24. 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 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 (2023).

25. Operational Traffic Management Plan

Prior to the incineration of any waste, or storage of any waste intended for incineration, on 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, but not limited to, 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).

26. Odour Management Plan

Prior to incineration of any waste, or storage of any waste intended for incineration, on 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 the incineration of any waste, or storage of any waste intended for incineration, on the application site to which this permission relates, and thereafter at all times 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).

27. Fire Prevention Plan

Prior to the incineration of any waste, or storage of any waste intended for incineration, on the application site to which this permission relates, a Fire Prevention Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Fire Prevention Plan shall also include, but not be limited to, means of escape, fire resistant materials, access to hydrants and fire access/facilities, access mechanisms of any access from the site to heathland areas, management of staff as a fire risk, 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 the incineration of any waste, or storage of any waste intended for incineration, on the application site to which this permission relates, and thereafter at all times 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).

28. 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 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 (2023).

29. Vehicle Access

Prior to 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).

30. 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).

31. Combined Heat and Power

Within 18 months of the completion of commissioning, a CHP Delivery Review report shall first have been submitted to and approved in writing by the Local Planning Authority. The submitted CHP Delivery Review report shall include the following details:

(a) assesses existing potential opportunities for the use of heat and electricity from the development hereby permitted;
(b) identifies 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, includes 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) identifies 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) provides 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.

32. EV Charging Points

Notwithstanding any documents submitted for the purposes of the permission hereby permitted, prior to whichever is the earlier of the first use of occupation of any part of the development hereby permitted, details for the provision of Electric Vehicle Charging Points and associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority for approval in writing. The details shall have regard to the requirements of the BCP's Parking Standards SPD (2021) (or any subsequent replacement revision) and provide a minimum of nine parking spaces to be provided with electric vehicle charging points, with the remaining spaces being provided with 'passive' vehicle charging points.

The approved Electric Vehicle Charging Points and associated infrastructure shall be fully provided prior to the date of the first incineration of any waste, or storage of any waste intended for incineration, on the application site to which this permission relates and the Electric Vehicle Charging Points shall thereafter at all times be maintained in full working order.

Reason: In the interests of promoting sustainable development including sustainable forms of transport in accordance with Policy PP35 of the Poole Local Plan (2018).

33. Cycle Parking

Notwithstanding the submitted plans, prior to incineration of any waste on the application site, or storage of any waste intended for incineration, 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).

34. Operational Staff Travel Plan

Prior to whichever is the earlier of the first use or occupation 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 include but not be limited to:

(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).

35. 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 an acceptable document demonstrating that no nesting birds are present has 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).

36. 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 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 (2023).

37. Delivery Hours

No vehicles importing or exporting waste or waste byproducts 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 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).

38. Waste Catchment

From the date of the first incineration of any waste on the application site, or storage of any waste intended for incineration, to which this permission relates, on or prior to 31st March each calendar year, there must have been received by the Local Planning Authority a Waste Catchment Report for the preceding 12 month period running from 1st January to 31st December (inclusive) ("the operational year"). The Waste Catchment Report must identify:

(a) the waste throughput of the authorised development including the total tonnage of waste processed at the authorised development for the operational year;
(b) the catchment area from which 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 to inform future waste policy within Bournemouth Christchurch and Poole, in accordance with the Monitoring strategy set out in the Bournemouth Christchurch, Poole and Dorst Waste Plan (2019).

39. Emissions Limit

Ammonia emissions resulting from the development hereby approved shall not exceed a daily average concentration of 5mg/Nm³ (at reference conditions of 273K, 101.3 kPa, 11% O2 dry gas) from the chimney as measured by the continuous emissions monitoring system (CEMS).

Prior to 31st March each calendar year for the lifetime of the development, there must have been received by the Local Planning Authority the daily average concentration of 5mg/Nm³ for the preceding 12 month period running from 1st January to 31st 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.

40. 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 (2023).

41. Use of Temporary Construction Compounds

Notwithstanding any documents submitted as part of the development hereby permitted, planning permission in relation to the use of a Temporary Construction Compound is hereby granted only for the use of Temporary Construction Compound 1 (TCC1) as shown on the approved plan 'Proposed Development Components' (MVV_002_Rev_1). At no time shall Temporary

Construction Compound 2 (TCC2) as shown on the approved plan 'Proposed Development Components' (MVV_002_Rev_1) be used for any purpose associated with any part of the development hereby permitted.

Reason: To prevent disturbance to wildlife, in accordance with Policy PP33 of the Poole Local Plan (2018).

42. 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)

43. 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.

44. Pest Management Plan

Prior to incineration of any waste, or storage of any waste intended for incineration, on 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.

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

45. 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).