

Town and Country Planning Act 1990

Town and Country Planning Appeals

(Determination by Inspectors) (Inquiry procedure) (England) Rules 2000



Proposed development	Construction of a 260,000 tonnes per annum Energy from Waste facility
PINS reference	6002440
LPA reference	APP/23/00822/F
Site Address	Canford Resource Park, Wimborne, BH21 3BW
Local planning authority	BCP Council
Appellant	MVV
Date	5 May 2026
Author	Frank Ahern

MAGWATCH
RULE 6 PARTY PROOF OF EVIDENCE
GREEN BELT ISSUES
AND PLANNING BALANCE
SUMMARY



Introduction

1. Magwatch's proof of evidence considers the material Green Belt issues associated with the proposed development ("PD"):
 - i) The significant contribution to NPPF Green Belt purposes of the Green Belt land within and around the development site;
 - ii) Whether the proposal qualifies for exemption from 'inappropriate development within the Green Belt' under NPPF paragraph 154 (g);
 - iii) Whether it would fundamentally undermine the purposes, taken together, of the remaining Green Belt and whether it would meet an unmet need;
 - iv) Whether 'very special circumstances' can be applied under NPPF paragraph 154;
 - v) Whether the proposed development would
 - cause the harm to the openness of the Green Belt
 - have a negative impact on surrounding landscape and visual amenity
 - cause harm to the ecology of the adjacent heathland
 - cause harm to nearby heritage settings
 - have a negative impact the mental health of local residents;
 - vi) Whether any of the following claimed benefits carry significant weight in the planning balance:
 - Need
 - Carbon capture readiness
 - Heat export from the CHP facility
 - Green House Gas reduction;
 - vii) Whether the harms to the Green Belt and 'any other harms' conclusively outweigh 'the other considerations' of NPPF paragraph 153, with the consequence that 'very special circumstances' do not exist.

Green Belt Assessments

2. The Poole Local Plan (2018) was informed by the 2017 Green Belt Review, which scores parcels 0–3 against NPPF Green Belt purposes (max 9 or 12). The system assesses openness, permanence and contributions to preventing sprawl, settlement coalescence and countryside encroachment. Parcel 16 between Merley and Bearwood is highly open and permanent, scoring high for purposes (a) and (c) and medium for (b). Consistent with the



original intentions of the South East Dorset Green Belt to maintain gaps between settlements, the Review treats Merley as a town for coalescence assessment NPPF purpose 2). Adjacent parcels of land also score strongly under the 2017 Review. BCP and Dorset's 2020 Strategic Green Belt Assessment similarly confirms strong contribution to Green Belt purposes, including parcel OA31.

NPPF 154(g) – Inappropriate development within the Green Belt

3. Whilst part of the site is an existing energy facility, the south western section is a former attenuation lagoon (B4) for White's Pit Landfill, intended, under historic planning conditions, to be returned to agriculture; its history excludes it from NPPF's definition of PDL. It has been in-filled and covered with hardstanding without planning permission (but now is probably immune from enforcement).
4. The appeal site extends beyond the WP allocation into Green Belt: the overall development cannot fully meet the definition of PDL.
5. The PD cannot claim exemption from NPPF 154 because, even if all the site were PDL, the PD would cause harm to Green Belt openness due to its height, mass and volume – a 400% increase in volume over existing facilities. Strong spatial and visual impacts upon openness cannot be significantly screened by vegetation or topographical features.

NPPF 155 - Grey belt

6. Despite the Appellant's claim, the proposed development fails to meet any of the criteria of NPPF paragraph 155 to gain exemption from inappropriate development within the Green Belt:
 - i) The development site contributes strongly to Green Belt purposes (a) and (b) so cannot be deemed 'grey belt'; even if regarded as 'grey belt' land, the scale of the PD would undermine Green Belt purposes. NPPF 155 (a) is not fulfilled.
 - ii) There is no demonstrable unmet need for capacity as required by NPPF 155 (b).
 - iii) The Appellant's enlarged catchment area will result in a consequent increase in 'waste miles'. Further, the PD's location, adjacent to SSSI Canford Heath, brings NPPF paragraph 11 Footnote 7 into play. So NPPF 155 (c) does not apply.

The PD remains inappropriate development.

NPPF 153 – 'Very Special Circumstances'

7. Harms to landscape, heritage, and openness are substantial and cumulative. Additionally, 'any other harms' include impacts on local ecology, and mental health. The Applicant's 'non exhaustive list 'of claimed benefits – proximity to waste sources, site classification as PDL,



production of low carbon energy, low carbon energy, carbon capture retrofit readiness and potential heat export – are either weak or unproven or simply wrong.

The fact that need can be met by consented capacity, including a non-Green Belt option, results ‘very special circumstances’ (“VSC”) not applying.

The Portland Facility

- 8 Waste Plan Waste Policy 4 permits non allocated sites for residual waste disposal and Policy 21 permits Green Belt development only if no suitable non-Green Belt sites meet ‘need’. The approved non-Green Belt alternative Portland ERF can meet the need. The Portland Planning Inquiry found that the Canford proposal would cause a high degree of harm and would be inappropriate development in the Green Belt, a conclusion with which the SoS agreed. Therefore the Canford proposal fails the VSC test.

LANDSCAPE THAT VISUAL AMENITY

9. Waste Plan Policy 13 requires waste facilities to safeguard amenity and ensure acceptable visual impact, whilst WP14 requires compatibility with their setting through sympathetic design and scale. The Poole Local Plan similarly requires development to reflect local character in height, scale, bulk, and visual impact, and to avoid harm to residential amenity. National policy in the NPPF underpins this, requiring developments to be sympathetic to landscape setting, protect valued landscapes, and to enhance natural environments.
10. Landscape character and visual effects are intrinsically linked, since landscape experience is largely visual; landscape change includes physical, visual, cultural, and experiential attributes. The development site is surrounded by sensitive landscapes, including Canford Heath, Corfe Hills Heath, Canford Conservation Area (including Grade I-listed Canford School), the Canford Park SANG, and the Stour Valley Park. Canford Heath is a rare and valued cultural landscape with significant ecological importance and historic character, which includes the presence of bowl barrows. The PD would introduce an urbanising and intrusive presence that would undermine the open, undeveloped character essential to the landscape’s significance.
11. Public access areas such as the heath, SANG, and Stour Valley Park are highly sensitive to visual change. The proposed 110m chimney and large industrial structure would be incompatible with the natural qualities these landscapes are intended to provide.
12. Analysis of the compositional techniques illustrate how the Applicant’s LVIA photomontages tend to understate visual impacts by reducing the perceived prominence of vertical structures. Photomontages from alternative viewpoints suggest the development would appear prominent, even at distances of several kilometres.



13. Submissions of BCP's own consultants and officers agree that mitigation possibilities are limited and cannot meaningfully reduce the impact of a structure of this scale. Therefore, the scale and form of the PD would result in significant and largely unmitigable harm to landscape character and public visual experience.

OTHER HARMS

Habitats and Biodiversity

14. The Applicant's SHA and BCP's Appropriate Assessment suggest that the PD's emissions (NO_x, SO₂, HCl, HF, ammonia) might cause habitat fragmentation and nitrogen deposition, risking significant effects on protected species. Mitigation is limited: a taller 110m chimney, reduces but does not eliminate harm; the fact of an S106 agreement implicitly acknowledges impact. These ecological harms outweigh benefits, breaching NPPF 193 requirements.

Heritage

15. NPPF 208 requires great weight to be given to designated heritage assets and NPPF 215 requires that even any less-than-substantial harm should be balanced against the public benefits of the proposal. The grounds of Grade I listed Canford School, currently screened from any visual urban influence, lie within 1.2 km of the proposed development. It is acknowledged the PD will introduce visible and alien change to their Canford's setting. Whilst the Applicant assesses effects as 'negligible', Historic England, landscape consultants, and the BCP's senior conservation officer consider the chimney a prominent and incongruous feature that harms the setting of Canford School and nearby heritage assets.

Mental Health

16. The Bearwood and Merley communities already exhibit elevated vulnerability. Evidence shows suicide rates are 46% above the national average, self-harm admissions 43% higher, and long-term mental illness 23.5% above average, indicating medium-high sensitivity under IEMA guidance. The Appellant's Environmental Statement is therefore flawed for classifying the area as low sensitivity: it relies on averaged data that masks deprivation pockets. Further, mental health risks were not assessed in the UKHSA studies relied upon by the Appellant, and NHS public health bodies were not consulted.

17. 4/7 industrial operations, traffic, noise, odour, lighting and a large chimney stack would exacerbate psychological stress over a 40-year lifespan. A comparative risk assessment projects that the PD could lead to additional suicides and self-harm cases. Therefore the PD conflicts with Chapter 4 of the Waste Plan and with IEMA guidance, and engages Article 8 of the Human Rights Act.

CLAIMED BENEFITS

18. The Appellant's claimed benefits carry little weight:



- i) **Need:** The Waste Plan's need is already met by existing consented EfW facilities within the area. The Canford proposal conflicts with Policies 1, 3 and Policy 6b of the Waste Plan. It exceeds allocated capacity, is unsupported by DEFRA and updated NPS guidance, so should carry no weight in the planning balance.
- ii) **Carbon Capture Readiness:** Feasibility is an important consideration if carbon capture readiness ("**CCR**") is claimed to be a benefit. However, the Appellant provides only speculative, unsupported claims. Policy frameworks, including updated national guidance, set a high bar requiring clear evidence of technical, spatial, and economic feasibility. The site lacks sufficient space for carbon capture infrastructure, with only around 1,100 m² allocated compared to several thousand typically required. No detailed technology, cost, or delivery plan is provided, and key infrastructure – such as CO₂ transport and storage – relies on the now-abandoned Solent Cluster proposal. Similar shortcomings to the dismissed Arcbers Fields appeal – vague, inconsistent and unproven CCR evidence – significantly reduce the weight in the planning balance.
- iii) **Heat export:** Policies EN-1 and EN-3 require proven viability and heat network connection within three years. Evidence shows limited local demand (4.4MWth within 1.5km); further, according to SSEN, no viable wider network will be available until December 2036. The project's own cost-benefit analysis indicates it would yield insufficient returns. No major heat user is identified, and plans rely on a speculative connection to Churchill Business Park. Overall, the CHP proposal fails to demonstrate economic or practical viability, so its claimed benefit carries minimal weight.
- iv) **GHG:** The Appellant's enlarged catchment area is unlikely to reduce transport emissions. According to government policy outlined in Clean Power 2030 Action Plan, EfW is not low carbon. The Appellant's Environmental Statement acknowledges that the long-term impact of GHG emissions from operating the Proposed Development without Carbon Capture, Utilization, and Storage is judged to cause a moderate adverse effect that is significant. Therefore the Appellant's claims to produce low carbon energy should be weighted neutral or negative in planning.

Planning Balance

19 The PD site lies within highly rated Green Belt land and beside protection-designated heathland. The proposed development's excessive scale would amount to inappropriate development in the Green Belt. As in the many ways similar Madingley appeal, substantial weight should therefore be given to the resulting Green Belt harm, while the scheme's claimed benefits should attract only limited weight overall. None of the exemptions in NPPF paragraphs 154 and 155 apply, so the proposal remains inappropriate development.



20. Under NPPF paragraph 153, “inappropriate development is by definition harmful and should not be approved except in very special circumstances”. Harm arising from inappropriateness and other harms are not outweighed by other considerations. Consequently therefore, ‘Very Special Circumstances’ do not exist.

