

MAGWATCH: AVIATION SAFEGUARDING

OBJECTION TO APP/23/00822/F

This objection traces the request made by BCP to the applicant in 2022 for an Instrument Flight Procedure assessment, following their Environmental Impact Assessment Scoping Report.

It includes in its appendix all the documentation associated with aviation safeguarding currently to be found on BCP's planning portal, sequentially laid out.

It concludes that there is no evidence that an IFP assessment has been carried out.

1. *Correspondence between BCP, Planning Prospects Ltd (on behalf of Bournemouth Airport) and Savills (on behalf of MVV) (September, October 2022)* (page 5)

Aviation safeguarding issues were drawn to the attention of Philip Saunders and Rob Asquith of Savills by BCP case officer Gareth Ball on 14th October 2022:

'While the airport safeguarding may not fall within the requirements of the ES, this issue has been drawn to our attention during the scoping process and is important to raise at an early stage. I understand you are in discussions with the airport so assume it is in hand.'

Mr Ball's email included enclosure of an email to Nick Perrins, BCP's Head of Planning and Building Control. This was from Planning Prospects Ltd (**PPL**), writing on behalf of their clients, Bournemouth International Airport Ltd. (**BIAL**), sent on 5th September 2022. It indicates that the scale of the proposed EfW and the (at that stage) proposed 90m chimney meant it was 'of immediate interest to the Airport from a safeguarding perspective.'

PPL point out that Aviation Safeguarding was not considered in the Scoping Report and take issue with the claim of the report's Major Accidents and Disasters section that

'There are no external sources of hazard identified that the Proposed Development will interact with, to give rise to vulnerability.'

PPL suggest that, in reality, it appeared that the development might well interact with the Airport from a safeguarding perspective.

At the heart of PPL's case lies the issue of whether an Instrument Flight Procedure (IFP) assessment was necessary. The applicant's safeguarding consultant had stated that because

'the proposed development would not penetrate any safeguarded surfaces, then there would be no requirement for an Instrument Flight Procedure (**IFP**) check to be undertaken.'

However, the Airport's own assessment

'identified a significant penetration of the Airport's 'Type A' surface. The 'Type A' surface describes parameters which enable an aircraft operator to comply with the relevant International Civil Aviation Organisation (ICAO) limitations' (which are intended to ensure that for each flight, accurate take-off performance calculations are made and, in the event of an engine failure, an aircraft can either abandon the take-off run and stop safely or become airborne and clear obstacles by the required margins).

‘The Applicant's consultant was therefore advised that an in-depth IFP assessment would be required to support an application.’

PPL point out that the Airport represents infrastructure of considerable economic importance to the BCP area and wider sub-region. They conclude by suggesting that **‘if Applicant's IFP assessment identifies any performance impacts in relation to current arrangements, ‘then this is very highly unlikely to be acceptable to the Airport and the airlines operating from it.’**

2. Planning Statement Appendix 3 Aviation Impact Assessment (July 2023) (page 10)

A year later, MVV published their Aviation Impact Assessment (pp 6-16).

There is not a single mention of the IFP in the assessment.

3. BIAL (August 2023) (page 22)

‘This proposal has been examined from an Aerodrome Safeguarding aspect and it does appear to conflict with safeguarding criteria.’

‘Accordingly, Bournemouth Airport object to the proposal on the grounds of aviation safety.’

4. From Applicant's Response to Consultees Pt 1 (February 2024) (page 23)

The section on Bournemouth Airport states that negotiations are under way and that agreement between the two parties is anticipated.

‘The Applicant draws attention to the following statement in Bournemouth Airport’s representation (February 2024):

‘Since August 2023, BIAL [Bournemouth International Airport Ltd] and the Applicant have been in discussions to examine the Aerodrome Safeguarding aspects of the proposal. Concerning Instrument Flight Procedures, the parties have reached an agreement in principle and anticipate BIAL’s holding objection will be removed in due course, although for the moment then it is necessary for it to remain.’

5. Second Submission of Bournemouth Airport, published on BCP planning portal on 5th September 2024 (page 24)

The second submission from BIAL was published on the planning portal on 5th September, the same day as the publication of the Case Officer’s report a week before the planning committee meeting which would decide the application.

It states that the holding objection should remain – presumably because issues with the Instrument Flight Procedures have not been resolved.

Metadata reveals that the submission had been written on 12th February (i.e. before *Applicant's Response to Consultees*, which quotes from it). The metadata also reveals, interestingly, that the document was created by Paul Carey, MD of the applicant, MVV, rather than by Ian Ashby, Airport Safety and Compliance Officer.

6. From Case Officer's Report for Planning Committee (September 2024) (page 25)

The case officer’s report, which recommended approval of the application, had a brief section on Aviation Safeguarding.

The following assertion is made:

‘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.’

This is false. The latest submission from BIAL (12 February / published 5th September 2024) said the holding objection remained in place.

CONCLUSION

1. BCP planning department provided the applicant with a clearly argued requirement for an Instrument Flight Procedure assessment.
2. Whatever discussions have taken place between MVV and Bournemouth Airport about an IFP assessment, nothing has been published.
3. There was no mention in the Case Officer’s planning report of September 2024 of the need for an IFP and it was not specifically mentioned in any of the conditions.
4. If an IFP assessment exists, it has not been published on the planning portal.
5. Notwithstanding the previous case officer’s extraordinary recommendation of approval for the application, it seems inconceivable that the application can be approved in June this year without a full and proper IFP assessment.
6. On such a basic matter of aviation safeguarding, BCP owe it to their residents to insist that an IFP assessment is undertaken before the application can be put before the planning committee.

Frank Ahern

13th May 2025



on behalf of
Magwatch

APPENDIX

1. Correspondence between BCP, Planning Prospects Ltd (on behalf of Bournemouth Airport) and Savills (on behalf of MVV) (September, October 2022)
2. Planning Statement Appendix 3 Aviation Impact Assessment (July 2023)
3. BIAL SUBMISSION (August 2023)
4. From Applicant's Response to Consultees Pt 1 (February 2024)
5. Second Submission of Bournemouth Airport, published on BCP Planning Portal on 5th September 2024 though written, according to metadata, on 12 February.
6. From Case Officer's Report for Planning Committee (September 2024)

1. Introductory letter to BCP from Savills (on behalf of MVV) concerning Environmental Impact Assessment (September 2022)

5 April 2022
EIA Scoping. Covering Letter



Clare McCarthy
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By e-mail only

Dear Clare,

Canford Resource Park, Arena Way, Magna Road, Wimborne, BH21 3BW: EIA Scoping Request

Further to the submission of the pre-application request I am writing to request the formal EIA scoping opinion of BCP Council in accordance with Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for an Energy from Waste Combined Heat and Power (EfW CHP) Facility at Canford Resource Park.

As required by Regulation 15(2) the enclosed EIA Scoping Report provides:

- a plan sufficient to identify the land;
- a brief description of the nature and purpose of the development; and
- a brief description of the possible effects on the environment.

If you have any questions please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to be "Charlotte Self", written in a cursive style.

Charlotte Self
Senior Planner

1a. Correspondence between BCP, Planning Prospects Ltd (on behalf of Bournemouth Airport) and Savills (on behalf of MVV) (October 2022)

Gareth Ball

From: Gareth Ball
Sent: 14 October 2022 10:20
To: Philip Saunders; Rob Asquith
Cc: Nick Perrins
Subject: Canford Resource Park EfW - EIA Scoping Opinion PREA/22/00049
Attachments: Canford Resource Park EIA Scoping Opinion ref PREA2200049.pdf; Bournemouth International Airport Comments redacted.pdf

Morning both,

Please find the scoping opinion attached.

I have also attached comments on behalf of Bournemouth Airport. While the airport safeguarding may not fall within the requirements of the ES, this issue has been drawn to our attention during the scoping process and is important to raise at an early stage. I understand you are in discussions with the airport so assume it is in hand.

Apologies for taking so long to send the response across. I know we discussed meeting this week to work out the next stages this week. I am quite tied up today – is there a time early next week that would suit?

If there are any questions regarding the letter then please do let me know. I will send across the various consultee responses which fed into the letter, as many contain additional detail which should be taken into account and fed into the ES at submission stage.

Have a great weekend and thanks again for your patience.

Gareth

Nick Perrins
Head of Planning and Building Control
BCP Council
Civic Offices, Bridge Street
Christchurch
BH23 1AZ

05 September 2022

By email: nick.perrins@bcpcouncil.gov.uk
claire.mccarthy@bcpcouncil.gov.uk
planning.christchurch@bcpcouncil.gov.uk

Dear Nick

RE. PREA/22/00049

**ENVIRONMENTAL IMPACT ASSESSMENT SCOPING OPINION REQUEST FOR AN ENERGY FROM WASTE AND COMBINED HEAT AND POWER FACILITY AT CANFORD RESOURCE PARK
COMMENTS ON BEHALF OF BOURNEMOUTH AIRPORT**

My client (Bournemouth International Airport Ltd, "BIAL") has been made aware of the pre-application process initiated in relation to the above proposal and have drawn it to my attention. I have identified from the Council's website that a request for an EIA Scoping Opinion has also been submitted to the Council. In this context it is anticipated that a planning application accompanied by an Environmental Statement will soon be submitted to you.

Given the nature and scale of the proposed development it is essential that the Airport are consulted promptly as soon as any application is submitted. This should of course be the case in any event and should be picked up in the usual way by your usual procedures. However, in this particular case, on the basis of our current understanding of the scheme, and the extent of its implications for the Airport, I have been asked by BIAL to contact you directly to make certain that the Airport are indeed consulted in due course, but also that I am alerted to any such consultation at the same time.

I would be grateful if the relevant arrangements could be made in this regard. By way of context, I set out some brief comments below in terms of the nature of the scheme and BIAL's concerns with it.

The Proposed Development

The site is located approximately 6.7km in almost a direct straight line from the western end of the runway at Bournemouth Airport. From the EIA Scoping Report, I note that the scheme is proposed to comprise an Energy from Waste Combined Heat and Power facility on 2.4ha of land in the southwest part of the existing Cranford Waste Management Park site. Importantly, from the Airport's perspective, it is understood that it would include a 90m high chimney. The main building proposed would also be large – up to 50m high, 161m long, and 63m wide.

This combination of factors – i.e. the location and proximity of the site relative to the runway, and the scale and height of development – mean that it is of immediate interest to the Airport from a safeguarding perspective. Safeguarding is not considered in the Scoping Report. This is not a criticism as such coverage

would not be expected in this document. It is noted however that “Major Accidents and Disasters” has been scoped out of the assessment for reasons including that, “There are no external sources of hazard identified that the Proposed Development will interact with, to give rise to vulnerability.” As discussed below it appears that the development might in fact interact with the Airport from a safeguarding perspective. This suggests that further consideration should be given to the exclusion of this topic.

Initial Safeguarding Discussions and Implications

The Scoping Report flags the intention of the Applicant alongside the formal scoping process to consult with a range of relevant statutory and technical consultees in preparing the ES and planning application. The Airport is not listed amongst these, but nonetheless some initial discussions have taken place.

The Applicant’s specialist safeguarding consultant contacted their counterpart at Bournemouth Airport and commented that if the proposed development would not penetrate any safeguarded surfaces, then there would be no requirement for an Instrument Flight Procedure (IFP) check to be undertaken. IFP design relates to route planning for aircraft and is a complicated, technical and highly regulated process.

The Airport’s representative carried out a brief initial assessment in this regard which indicated that there would be no effect on some relevant surface, approach and departure area considerations. However, it also identified a significant penetration of the Airport’s “Type A” surface. The “Type A” surface describes parameters which enable an aircraft operator to comply with the relevant International Civil Aviation Organisation (ICAO) limitations. The responsibilities of the ICAO include establishing the requirements that exist internationally for aviation safety.

These limitations are intended to ensure that for each flight, accurate take-off performance calculations are made and, in the event of an engine failure, an aircraft can either abandon the take-off run and stop safely or become airborne and clear obstacles by the required margins. Such assessments are not generic. Rather, they are unique to the aircraft type being used by the individual airline at the specific setting, so any one airline may have different assessments against the same obstacle environment.

The Applicant’s consultant was therefore advised that an in-depth IFP assessment would be required to support an application. This would be needed in addition to provision of other relevant details, including for example in relation to risk of bird strike.

If the Applicant’s IFP assessment identifies any performance impacts in relation to current arrangements, then this is very highly unlikely to be acceptable to the Airport and the airlines operating from it as it may (for example) demand reduced payloads or changes in the type of aircraft operating. Any changes to IFPs to accommodate the scheme would also be unacceptable. Even if an alternative could be identified it would have to be agreeable to the airlines and acceptable in terms of the altered impacts on local people from modified flight paths, and even then, go through a full redesign and approval process which would be expected to take a period of years.

In essence, any impact from the proposed development in this regard is unlikely to be acceptable. The Airport represents infrastructure of considerable economic importance to the BCP area and wider sub-region. It was impacted heavily by the pandemic and any threat to its recovery from that will be strongly opposed. In this context any planning application for a facility of the nature anticipated at Canford will be subject to very careful scrutiny.

Conclusion

Following submission of the application I will be tasked with reviewing it from a general planning perspective and will liaise with my client in terms of any comments they might wish to make in that regard. My client will review the scheme from a safeguarding perspective. I would of course anticipate that an application submission is accompanied by material to address the concerns raised above and all other associated technical matters around safeguarding, but if it is not, I expect the Airport's position would be one of immediate objection. I also expect that a submission identifying any detriment from an IFP perspective would be opposed strongly by the Airport.

Again, as above, if arrangements could be put in place to ensure the Airport are consulted directly once a planning application has been submitted and also to draw this to my attention, I would be most grateful.

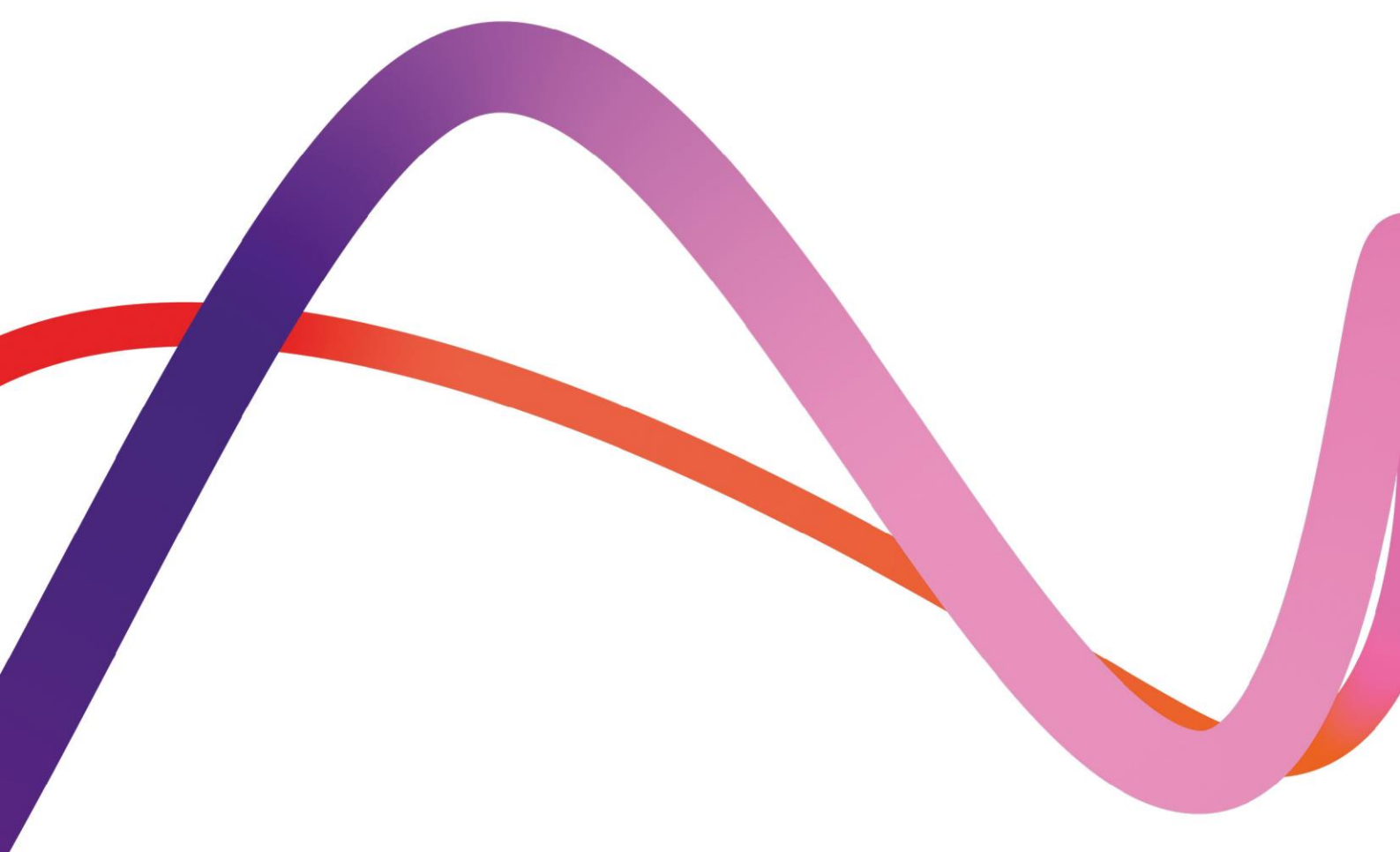
Yours sincerely

A black rectangular redaction box covering the signature of the sender.

For and on behalf of Planning Prospects Ltd

cc Clare McCarthy, Senior Planning Officer

Canford Energy from Waste
Combined Heat and Power Facility



Planning Statement Appendix 3

Aviation Impact Assessment

July 2023

**We inspire
with energy.**



Glossary

Term	Description
AMSL	Above Mean Sea Level
ATC	Air Traffic Control
BCPDWP	Bournemouth, Christchurch and Poole and Dorset Waste Plan
CHP	Combined Heat and Power
CRP	Canford Resource Park
EfW	Energy from Waste
[the] EfW CHP Facility	The facility to which residual waste is delivered to be treated by means of controlled incineration to produce energy.
OHS	Outer Horizontal Surface
OLS	Obstacle Limitation Surfaces



Executive summary

Purpose of this report

This report has been produced for the purpose of providing an aviation impact assessment as required by Policy 20 of Bournemouth, Christchurch and Poole (BCP) and Dorset Waste Plan (Waste Plan). This report is **Appendix 3** to the **Planning Statement**.



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1. Introduction

1.1 Background

- 1.1.1 MVV Environment Limited (the Applicant) has submitted a full planning application for a Carbon Capture Retrofit Ready (CCRR) Energy from Waste Combined Heat and Power (EfW CHP) Facility at Canford Resource Park (CRP), off Magna Road, in the northern part of Poole. Together with associated CHP Connection, Distribution Network Connection (DNC) and Temporary Construction Compounds (TCC), these works are the Proposed Development.
- 1.1.2 The primary purpose of the Proposed Development is 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.
- 1.1.3 The Proposed Development would recover useful energy in the form of electricity and hot water from up to 260,000 tonnes of non-recyclable (residual), non-hazardous LACH and C&I waste each year. The Proposed Development has a generating capacity of approximately 31 megawatts (MW), exporting around 28.5MW of electricity to the grid. Subject to commercial contracts, the Proposed Development will have the capability to export heat (hot water) and electricity to nearby occupiers, including those at of the Magna Business Park and wider areas via a connection at Magna Road.

1.2 The Applicant

- 1.2.1 The Applicant is part of the MVV Energie AG group of companies. MVV Energie AG is one of Germany's leading energy companies, employing approx. 6,500 people with assets of around €5 billion and annual sales of around €4.1 billion. The Proposed Development represents an investment of approximately £290m.
- 1.2.2 The company has over 50-years' experience in constructing, operating, and maintaining EfW CHP facilities in Germany and the UK. MVV Energie's portfolio includes a 700,000 tonnes per annum residual EfW CHP facility in Mannheim, Germany.
- 1.2.3 MVV Energie has a growth strategy to be carbon neutral by 2040 and thereafter carbon negative, i.e., climate positive. Specifically, MVV Energie intends to:
- reduce its direct carbon dioxide (CO₂) emissions by over 80% by 2030 compared to 2018;
 - reduce its indirect CO₂ emissions by 82% compared to 2018;
 - be climate neutral by 2040; and
 - be climate positive from 2040.
- 1.2.4 MVV's largest operational project in the UK is the Devonport EfW CHP Facility in Plymouth. Since 2015, this modern and efficient facility has been using up to 265,000 tonnes of municipal, commercial and industrial residual waste per year to generate electricity and heat, notably for Her Majesty's Naval Base Devonport in Plymouth, and export electricity to the grid.



- 1.2.5 In Dundee, MVV has taken over the existing Baldovie EfW Facility and has developed a new, modern facility alongside the existing facility. Operating from 2021, it uses up to 220,000 tonnes of municipal, commercial and industrial waste each year as fuel for the generation of usable energy.
- 1.2.6 Biomass is another key focus of MVV's activities in the UK market. The biomass power plant at Ridham Dock, Kent, uses up to 195,000 tonnes of waste and non-recyclable wood per year to generate green electricity and is capable of exporting heat.

1.3 Purpose of this report

- 1.3.1 This report has been produced for the purpose of providing an aviation impact assessment as required by Policy 20 of Bournemouth, Christchurch and Poole (BCP) and Dorset Waste Plan (BCPDWP). This report is an appendix to the Planning Statement.

1.4 Structure of this report

- Section 2 – Aviation Impact Assessment
- Section 3 – Conclusion

2. Aviation Impact Assessment

2.1 Waste Plan Policy 20

- 2.1.1 The Proposed Development is within the Airfield Safeguarding Area for Bournemouth Airport. It is located 7.1km from the western end of the runway, which is oriented 080°/260°, that is broadly WSW to ENE when approached from the west. The EfW CHP Facility Site is to the north of the extended centreline of the runway. The following illustration is from the Osprey Consulting Services Ltd Report referred to later in this Appendix.

Figure 2-1: Location of Proposed Development in relation to Bournemouth Airport Runway



- 2.1.2 Waste Plan Policy 20 therefore applies to the consideration of this proposal. It states:
- “Proposals for waste management facilities partly or completely within the Airfield Safeguarding Areas of Bournemouth Airport and Yeovilton Aerodrome, as shown on the Policies Map, may be the subject of consultation with the aerodrome operator.*
- Proposals will only be permitted where the applicant can demonstrate through an aviation impact assessment that the proposed development and, where relevant, restoration and afteruse of the site, will not give rise to new or increased hazards to aviation.”*
- 2.1.3 The Applicant has consulted with Bournemouth Airport in the preparation of the planning application.
- 2.1.4 Paragraph 12.102 of the Waste Plan set outs requirements for the aviation impact assessment, that it should cover:
- Wildlife Strike Risk;
 - Air Traffic Control;
 - Air Traffic Engineering; and,
 - Obstacle Limitation Surfaces.
- 2.1.5 These considerations are taken in turn below with the text of paragraph 12.102 first set out.

Wildlife Strike Risk

2.1.6 *“The storage of waste has the potential to create habitats that will encourage hazardous species of wildlife which may have a direct impact on Aerodrome Safeguarding. As a result, a wildlife strike risk assessment and mitigation plan will be required for relevant proposals. It may be necessary for proposals to prepare bird management plans and monitoring programmes to ensure on-site housekeeping is strictly managed and no waste is stored outdoors that would attract birds.”*

2.1.7 The EfW CHP Facility will be entirely contained within buildings. Storage of waste will be limited to that within the waste bunker building. All vehicles will be within the tipping hall and unloading will be through apertures in a floor to ceiling concrete wall, directly into the waste bunker. **Graphic 2-1** are photographs of MVV’s Devonport tipping hall (door open) and bunker aperture arrangement.

Graphic 2-1: MVV’s Devonport tipping hall including tipping bunker apertures (right)



2.1.8 This is a standard arrangement and is successfully utilised by MVV at its operational facilities in the UK and Germany. MVV’s experience is that birds are not attracted into the enclosed tipping hall or bunker. These are extremely hostile environments for birds which would in any event only be able to get in (and out) via the vehicle access doors that will be closed when a vehicle is not coming in or out.

2.1.9 From this point of the EfW CHP Facility onwards, the waste will be destroyed by combustion such that any organic material which may interest a bird is burned to ash. The ash itself will be contained and loaded onto enclosed lorries within the building.

2.1.10 There is very little scope for litter from vehicles accessing the plant as these will have contained bodies or will be sheeted. Nevertheless, litter picking will be undertaken at the EfW CHP Facility Site principally for visual reasons but also to deter vermin and birds.

2.1.11 The risk of wildlife strike associated with the Proposed Development is extremely low as to be practically non-existent and certainly much lower than for many of the existing activities at CRP, of which there is no record of any adverse effect on aviation safety.

2.1.12 Bird management and monitoring plans are therefore unnecessary.



Air Traffic Control (ATC):

- 2.1.13 *“Details of all lightning proposed should be made available and an assessment undertaken to ensure that there is no impact on sightlines from ATC or aircraft operating from or in the vicinity of the waste development.”*
- 2.1.14 **ES Appendix 3.1** presents the lighting strategy for the Proposed Development. The EfW CHP Facility, where the vast majority of activities will take place, is an enclosed building and except for the administration building, does not include windows. Therefore, internal light spill will be extremely low. Beyond low level controlled lighting to allow for safe working by a 2 person shift team, external areas will not be lit at night.
- 2.1.15 External lighting will be of the vehicle and personnel circulation areas within the EfW CHP Facility Site. Outside the hours of waste delivery (07:00 to 20:00) limited vehicle or pedestrian movements are expected and lighting will be minimal. When necessary, within the period of waste delivery there will be external lighting but it will be designed to contain light spillage outside the site, including upwards.
- 2.1.16 There will be an aviation safety light marking the top of the chimney.
- 2.1.17 **ES Chapter 12: Landscape and Visual** and **ES Appendix 3.1 (Construction Environmental Management Plan)** consider the effects of lighting in the operational and construction phases. Lighting design will include measures to minimise light spillage. The distance from the airport and topography of the Site and surroundings are such that they will have no impact on sightlines from ATC or aircraft.
- 2.1.18 The current CRP activities (Mechanical Biological Treatment, Materials Recycling, Inert Waste Management, waste baling and loading) have lighting associated with them and have been present at the CRP and on the adjacent landfill for many years without concern to aviation.

Air Traffic Engineering:

- 2.1.19 *“Waste developments using radio communications for site wide coordination will need to provide the airport authorities with details to ensure there is no interference with critical equipment or communication frequencies.”*
- 2.1.20 There will be no high-powered communication equipment nor any using frequencies that might interfere with ATC communications or equipment.
- 2.1.21 In common with all sites in which personnel may be working at distances that make voice communication not possible, the EfW CHP Facility workforce will use low power handheld VHF radios. Radios of this type are already in use at the site. However, as the majority of the workforce will be in the building, and as the building will have an internal telephony system, radio communication will be relied on much less than for other types of waste management installation such as those that have existed for many years at the CRP and adjacent landfill site.

Obstacle Limitation Surfaces:

- 2.1.22 *“Within 15 km of an airport, there are a series of protected surfaces that should be kept clear of any upstanding non-frangible obstacles to ensure the safe operation of aircraft. This not only includes permanent structures but also temporary structures and tall plant such as cranes and stacks. Details of equipment and structures of this types should be included within proposals.”*
- 2.1.23 The Applicant commissioned Osprey Consulting Services Ltd to produce a report on aviation matters associated with the EfW CHP Facility, which was received in June 2022.

A3.9

Aviation Impact Assessment



- 2.1.24 Osprey is one of six companies licensed by the CAA as an Approved Procedure Design Organisation and hence is expert in airspace and aerodrome safeguarding.
- 2.1.25 It identified that, with regard to Obstacle Limitation Surfaces (OLS), the EfW CHP Facility Site lies within the Outer Horizontal Surface (OHS) for both runways (that is the single runway, in both directions) and the Approach Surface for Runway 08 (that is the single runway when approached from the west, the runway direction being 080 degrees).
- 2.1.26 The altitude above mean sea level (AMSL) of the runway is 9.45 m. The OHS and Approach Surface in the location of the EfW CHP Site are 150 m above the runway height.
- 2.1.27 This means that the OLS set the maximum height that a new structure could be. This is 159.45 m AMSL.
- 2.1.28 The Finished Floor Level (FFL) of the EfW CHP Facility, which will be the level of the base of the chimney, is 44.65 m AMSL. The chimney, the highest part of the EfW CHP Facility, will be 110 m high above this level.
- 2.1.29 The top of the chimney will therefore be 154.65 m AMSL, that is below the level of the OHS. It will not penetrate the OLS.
- 2.1.30 The OLS level is understood by the Applicant and will be respected in the use of cranes to erect the chimney. It is likely that a very short period of time, at most a few hours over a few days, will be needed for a crane to be above the OLS height. This will be agreed with Bournemouth Airport in advance.
- 2.1.31 Below is **Figure 2-2** from Osprey Consulting Services Ltd's report, showing the extent of the OHS with the location of the airport runway shown and the EfW CHP Facility Site marked by a red dot.

Figure 2-2: Extent of the Outer Horizontal Surface





3. Conclusion

- 3.1.1 The Proposed Development is within the Airfield Safeguarding Area for Bournemouth Airport. On examining the policy requirements stated at paragraph 12.102 (Waste Plan) and subject to the implementation of a suitably worded planning condition, these are met by the Proposed Development. **Annex A** presents the proposed planning condition.
- 3.1.2 The Applicant will continue to liaise with Bournemouth Airport to ensure the Proposed Development will not comprise aviation safeguarding.



Annex A: Proposed Aviation Safeguarding Planning Condition

No part of the authorised development may commence until the information specified in sub-paragraph (1) has been submitted to the Local Planning Authority.

- 1) The information submitted to and approved under sub-paragraph (1) must include:
 - a. The British National Grid Coordinate reference for the centre of the EfW CHP Facility
 - i. building; and
 - ii. chimney;
 - b. date of 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. construction equipment notification procedure to include maximum heights and duration of any temporary cranes that penetrate the Bournemouth Airport Outer Horizontal Surface of 159.45m AMSL.
 - f. details of aviation warning red lighting to be fitted at the highest practicable point of the chimney.
- 2) The aviation warning lighting details submitted under sub-paragraph (2f) must be implemented in full before the construction of the chimney is complete unless otherwise agreed by the Local planning Authority.
- 3) At the earliest opportunity prior to the date of completion of the construction of the chimney, the anticipated date of construction completion must be submitted to the Local Planning Authority and provided to Bournemouth Airport.
- 4) All details submitted to and approved under this condition must be implemented as approved and maintained throughout (to the extent relevant) the construction and operation of the approved development unless otherwise agreed by the Local Planning Authority in consultation with the Bournemouth Airport.



Dear Sir / Madam,

Holding Objection.

Whilst BIAL formally objects to the Planning Application. It is in discussions with MVVUK and hopes to find a satisfactory solution for both parties. Once this is agreed, we will remove our objection.

Our Ref: 49-23

Your Ref: APP/23/00822/F

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.

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

We acknowledge receipt of the above planning application for the proposed development at the above location.

This proposal has been examined from an Aerodrome Safeguarding aspect and it does appear to conflict with safeguarding criteria.

In brief Aerodrome Safeguarding is a process of checking proposed developments to:

1. Protect Instrument Flight Procedures (IFPs)
2. Protect blocks or air through which aircraft fly, by preventing penetration of surfaces created to identify their lower limits (OLS)
3. Protect the integrity of radar and other electronic aid to air navigation, by preventing reflections and diffraction of the radio signals involved.
4. Protect visual aids, such as Approach and Runway lighting, by preventing them from being obscured, or preventing the installation of other lights which could be confused for them. In brief lighting for the site should be designed in such a way that it is not confusing or dazzling to pilots or air traffic control. Generally, all lights should be directed away from approaching aircraft and the air traffic control tower with no light spill above the horizontal.
5. Avoid any increase in the risk to aircraft of a birdstrike by preventing an increase in hazardous bird species in the vicinity of the aerodrome and, whenever the opportunity arises, to reduce the level of risk.

Accordingly, Bournemouth Airport object to the proposal on the grounds of aviation safety.

Ian Ashby
Airfield Safety & Compliance Officer

4. From Applicant's Response to Consultees Pt 1 (February 2024)

Summary of local representations and the Applicant's response



Air safety (Bournemouth Airport)

Bournemouth Airport have objected on aerodrome safety grounds.

3.7.8 **Appendix 3 (Aviation Impact Assessment)** of the **Planning Statement**, confirms the Proposed Development complies with policy 20 of the Waste Plan (2019).

3.7.9 Negotiations are under way with Bournemouth Airport such that an acceptable and regulatory compliant means can be agreed to modify operational procedures to avoid impact on aviation activities and that any theoretical risk to aviation can be reduced to within regulatory acceptable levels. In reality this means extremely low levels of risk as aviation safety is a highly regulated matter. The Applicant is confident these discussions will be concluded soon, enabling the airport to remove its holding objection to the planning application.

3.7.10 The Applicant draws attention to the following statement in Bournemouth Airport's representation (February 2024):

"Since August 2023, BIAL [Bournemouth International Airport Ltd] and the Applicant have been in discussions to examine the Aerodrome Safeguarding aspects of the proposal. Concerning Instrument Flight Procedures, the parties have reached an agreement in principle and anticipate BIAL's holding objection will be removed in due course, although for the moment then it is necessary for it to remain.

The Applicant's proposed Aviation Safeguarding Planning Condition (Annex A of the Aviation Impact Assessment, attached) takes account of mutually progressive discussions that has helped us get to this position."

3.7.11 It is worth noting the proximity of similar plants to airports elsewhere of which the best example is the Lakeside EfW facility that is around 1.2km from the western end of the northern runway at Heathrow. Canford EfW CHP Facility is proposed over 7km from the western end of Bournemouth Airport's runway.

To BCP Council
FAO Gareth Ball, by email: gareth.ball@bcpcouncil.gov.uk

Dear Sir

Update to BIAL’s representation registered on your portal on 16th August 2023.

BIAL anticipates an agreement in principle will lead to a satisfactory position, which should enable BIAL to remove the holding objection in due course.

Our Ref: 49-23

Your Ref: APP/23/00822/F

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.

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

Since August 2023, BIAL and the Applicant have been in discussions to examine the Aerodrome Safeguarding aspects of the proposal. Concerning Instrument Flight Procedures, the parties have reached an agreement in principle and anticipate BIAL’s holding objection will be removed in due course, although for the moment then it is necessary for it to remain.

The Applicant’s proposed Aviation Safeguarding Planning Condition (Annex A of the Aviation Impact Assessment, attached) takes account of mutually progressive discussions that has helped us get to this position.

Yours sincerely.

Ian Ashby
Airfield Safety & Compliance Officer.

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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.

Bournemouth Airport

No objection, subject to:

Conditions

- Aviation safeguarding details for chimney height and lighting.

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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.

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