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# **BDP WASTE LOCAL PLAN EXAMINATION FURTHER STATEMENT**

on behalf of

**WH WHITE LIMITED (1151897)**

in relation to

**MATTER 1**

**LEGAL COMPLIANCE**

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## 1. Introduction

- 1.1 I am a chartered town planner with 20 years' experience and knowledge accumulated in consultancy, the corporate sector and the public sector. I have previously worked in the planning policy team at Borough of Poole and led the planning policy team at neighbouring Purbeck District Council. I am therefore well versed in the key issues, challenges and opportunities presented in the emerging Waste Local Plan. I founded Chapman Lily Planning in 2015 and the company is engaged in a wide variety of planning projects and proposals, a number of which involve the ever-evolving interpretation of the Habitats Regulations. I am familiar with the main points of reference and the attributes and sensitivities of the Dorset Heaths.
- 1.2 I am also a chartered waste manager with around 12 years' experience of working within the waste and resources sector. I led the Planning, Property and Permitting Team at a national waste management company (New Earth Solutions Group) which provided an invaluable insight into the operational requirements of the business and the wider regulatory framework. I have secured planning permissions for an array of different waste treatment and disposal facilities including Material Recovery Facilities (MRF), Mechanical Biological Treatment (MBT) facilities, Anaerobic Digestion (AD) plants, Advanced Thermal Treatment (ATT) plants, open windrow composting facilities and inert landfill.
- 1.3 On behalf of my client, WH White Ltd ["WHW"], I have actively engaged in the emerging Waste Local Plan. WHW own the site control centre and neighbouring Whites Pit (in former residual landfill site) at Canford in Poole.
- 1.4 The Site Control Centre occupies a discreet parcel of land, measuring c.6.7ha. It is located on the edge of the Poole-Bournemouth-Christchurch conurbation and enjoys excellent access to the strategic transport network. The site hosts:
- A fully licenced Mechanical Biological Treatment ["MBT"] facility operated by New Earth Solutions, capable of treating up to 125,000tpa of residual waste.
  - A fully licenced Materials Recovery Facility ["Dirty MRF"] operated by CRL, capable of treating up to 175,000tpa of residual waste and recyclates, as well as a small proportion of hazardous wastes.
  - A fully licenced Low Carbon Energy facility employing Advanced Thermal Treatment ["ATT"] technology operated by Syn-gas Products, converting refused derived fuel into low carbon energy.
  - A bank of landfill gas engines operated by CRE which have continuously exported renewable energy to the local distribution grid for over 20 years.

- 1.5 The Site Control Centre presents the mainstay of Bournemouth Dorset and Poole's municipal residual waste treatment capacity, as well as handling significant quantities of C&I.
- 1.6 WHW operated Whites Pit landfill prior to its transfer to Biffa and has more recently overseen its closure and restoration. Whites Pit hosts an aggregates recovery plant capable of treating up to 250,000tpa of construction, demolition and excavation ["CD&E"] waste.
- 1.7 WHW has continued to invest in site infrastructure. WHW has also helped to pioneer new waste treatment technologies and considers the Site Control Centre to be capable of intensification and expansion.

## 2. Question 12

*Have alternatives to Inset sites 1, 7 and 10 been considered with respect to ecology?*

- 2.1 WHW has consistently questioned whether the Waste Planning Authority ["WPA"] had sufficient information to conclude that the development of residual waste treatment facilities at Eco Sustainable Solutions (inset 7) and Binnegar Environmental Park (inset 10) would not, either in isolation or in combination, have an adverse impact on the integrity of the designated Dorset Heathland SPA/SAC and the protected species therein.
- 2.2 For ease of reference, WHW's representation to the Pre-submission Plan dated 25<sup>th</sup> January 2018 forms appendix [A] of this further statement. Having regard to the modifications tabled by the WPA, WHW's concerns remain unresolved.
- 2.3 WHW has also previously highlighted the availability of latent residual waste treatment capacity at the site control centre at Canford – provided by the extant consent for an enlarged Dirty MRF. In the interest of brevity, I would draw particular attention to pages 9-10 of WHW's representation to the Pre-submission Plan dated 25<sup>th</sup> January 2018. I would stress that this capacity can be liberated without further recourse to the planning system and that there is intent on the part of both the landowner (WHW) and the current operator (CRL) as demonstrated by the letter forming appendix [B] of this further statement.
- 2.4 The photo below shows the progression of the first phase of the consented extension to the Dirty MRF, which once fully built out will see a series of high bay linked buildings to fully enclose waste processing activities.



- 2.5 WHW welcome the fact that the WPA is seeking to introduce modifications (page 4 of the WPA's 'Key Issues raised with Officer Response' published March 2018) to allow greater flexibility in the allotment of treatment capacity. However, this should not distract from the fact that this source of residual waste capacity has been overlooked and that its inclusion erodes the need to identify new sites elsewhere in the plan area.
- 2.6 WHW note that the WPA's proposed modifications infer that the release of additional capacity for residual waste treatment will be subject to the satisfaction of policy criteria. However, the extant permissions already allow for a broader range of wastes including residual, such that no further permissions would be required. I would also emphasise that there would be no adverse economic, social, environmental impacts as the proposal would be contiguous to the established base line.
- 2.7 On the basis of the above, it is evident that there are credible alternatives that have yet to be fully explored and taken into account in the Plan. WHW contend that such alternatives are not duly reflected in the Habitats Regulations Assessment accompanying the Submission Plan.

### **3. Question 13**

*Has any information from operators of potential energy from waste plants on Inset sites 7 and 10 regarding emissions and mitigation requirements been provided following the Habitats Regulation Assessment?*

- 3.1 This is clearly a matter for the WPA. However, on behalf of WHW, I would respectfully request the right to participate in this session and to review and comment upon any supplementary information relating to emissions and / or mitigation.

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Date: 5<sup>th</sup> January 2017

Dear Sir / Madam

### **Response to Waste Plan Pre-submission Draft**

On behalf of WH White Limited ["WHW"], I herein respond to the Waste Planning Authority's ["WPA"] consultation on the Waste Plan: Pre-submission Draft.

As you might be aware, WHW owns the Site Control Centre and neighbouring Whites Pit at Canford in north Poole. The Site Control Centre occupies a discreet parcel of land, measuring c.6.7ha. It is located on the edge of the Poole-Bournemouth-Christchurch conurbation and enjoys excellent access to the strategic transport network. The site hosts:

- A Mechanical Biological Treatment ["MBT"] facility operated by New Earth Solutions capable of treating up to 125,000tpa of residual waste.
- A Materials Recovery Facility ["Dirty MRF"] operated by CRL and capable of treating up to 175,000tpa of residual waste and recyclates, as well as a small proportion of hazardous wastes.
- A Low Carbon Energy facility employing Advanced Thermal Treatment ["ATT"] technology operated by Syn-gas Products converting refused derived fuel into low carbon energy.
- A bank of landfill gas engines operated by CRE which have continuously exported renewable energy to the local distribution grid for over 20 years.

The Site Control Centre presents the mainstay of Bournemouth Dorset and Poole's municipal residual waste treatment capacity, as well as handling significant quantities of C&I.

WHW operated Whites Pit landfill prior to its transfer to Biffa and has more recently overseen its closure and restoration. Whites Pit hosts an aggregates recovery plant capable of treating up to 250,000tpa of construction, demolition and excavation ["CD&E"] waste.

WHW has continued to invest in site infrastructure. WHW has also helped to pioneer new waste treatment technologies and considers the Site Control Centre to be capable of intensification and expansion.

WHW has extensive experience in the waste management sector and a good understanding of local waste arisings. WHW has proactively engaged in the plan-making process and believes that, as it stands, the pre-submission plan is unsound insofar as it would not be justified, nor effective, nor consistent with national planning policies owing to:

- Recent changes in circumstance – most notably the absence of a municipal Dry Mixed Recycling [“DMR”] contract;
- The mis-categorisation of the Dirty MRF as solely a recycling facility, overlooking its role as a recovery facility (leading to an overestimate of the shortfall in residual waste capacity); and
- Ongoing uncertainty about the deliverability of the two prospective residual waste allocations, namely Eco-Sustainable Solutions, Parley (inset 7) and Binnegar Environmental Park (inset 10) perpetuated by failings in the adequacy of the Habitats Regulation Assessment [“HRA”] accompanying the Pre-submission Plan.

This could be remedied with main modifications.

For ease of reference, all policy, paragraph and table numbers relate to those set out in the Pre-submission Plan unless otherwise stated.

### ***Context and guiding principles (Chapters 2 and 3)***

WHW welcomes the identification of established recovery and recycling facilities at the Site Control Centre, as shown in the map at figure 3 of existing waste management facilities in Dorset. WHW welcomes the definition of strategic facilities set out in paragraph 2.29, as well as the importance ascribed to the economic role of waste management infrastructure in paragraphs 2.30-2.33, which are too often overlooked. In a similar vein, WHW is pleased to see reference to the circular economy at paragraph 3.17.

WHW notes that the plan area is close to achieving net self-sufficiency and would venture that net exports are, in the main, associated with disposal (with Blue Haze landfill located just across the border in Hampshire); specialist treatment; and in providing contingency during planned and unplanned plant shut downs. The waste hierarchy and proximity principle remain cornerstones of national waste planning policy (as annexed to the Waste Management Plan for England) and are duly reflected in Policy 1 titled ‘Sustainable waste management’. WHW considers Policy 1 to be positively prepared, justified, effective and consistent with national policy.

WHW welcomes the encouragement given to the co-location of waste management facilities in paragraphs 3.20-3.21, as it is WHW’s experience that this can help to foster collaboration and innovation, thereby helping waste ascend the hierarchy. WHW also welcomes the recognition given to end products and the opportunity to establish local distribution networks in paragraphs 3.22-3.23, which will undoubtedly help to deliver a circular low carbon economy. For these reasons, Policy 2

titled 'Integrated waste management facilities' is considered to be positively prepared, justified, effective and consistent with national policy.

***Vision and objectives (Chapter 4, page 25)***

The proposed Vision appropriately reflects both the opportunity and ambition of Bournemouth, Dorset and Poole and is fully supported. The six stated objectives are also fully supported and are considered in-keeping with national planning policy for waste. WHW fully supports the stated vision and looks forward to assisting in its realisation.

***Spatial strategy (Chapter 5, page 27)***

The spatial strategy is supported insofar as it relates to strategic and local recycling facilities; green waste composting; food waste treatment; bulky waste; landfill disposal; the management of special types of waste; and inert waste management. With respect to residual waste management, WHW would question the extent of the projected shortfall (as explained below).

***Allocated sites (Chapter 6, page 31)***

WHW welcomes the allocation of sites within the plan. Planning Practice Guidance states: '*Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the 'what, where, when and how' questions)*'. As such, the allocations should bestow a degree of certainty and provide the owners / operators with the necessary confidence to invest in site infrastructure.

Local waste management facilities for the transfer and recycling waste will invariably assist in ensuring efficient collection regimes, particularly in the more rural / peripheral parts of the plan area and are duly welcomed. The suggestion that a standardise recycles collection regime might be put forward as part of a 25-year plan to improve the UK's environmental standing might well have implications for the need for such facilities; thus, the flexibility offered by the plan would appear prudent. Land within or adjoining established employment areas would seem a natural starting point and WHW supports the strategy to deliver a network of local facilities designed to meet the modern day needs of both the customer and operator.

WHW readily acknowledges that the WPA has undertaken an exhaustive search for potential sites capable of accommodating strategic residual waste management facilities. The focus on South East Dorset is in-keeping with the proximity principle, as the houses and businesses making up the Poole-Bournemouth-Christchurch conurbation present the main source of waste arisings in the plan area. WHW notes that the WPA undertook an initial call for sites and has sought to test a wide range of options through public consultation. Notwithstanding this, physical constraints (with the sea on the southern side of the conurbation), together with environmental and ownership constraints have served to restrict credible options. The sites presented on inset plans 7-10 are all in established waste management use and purported to offer scope for intensification.

WHW supports the intent of Policy 3 titled 'Sites allocated for waste management development' insofar as it is designed to provide certainty on deliverability. Criteria (a)-(b) are duly noted and the inclusion of site insets 1-6, 8, 11-13 are supported. However, the extent to which the policy will prove effective, with such heavy caveats on the sites at Eco Sustainable Solutions (inset 7) and Binnegar Environmental Park (inset 10) remains to be seen – a point I return to below.

The established Site Control Centre has been identified as inset 8. Inset 8 is fully supported, albeit the scope for offering further capacity is potentially underplayed, with only 25,000tpa identified. This relates solely to latent capacity within the MBT facility operated by New Earth Solutions which is likely to be liberated over the plan period. WHW confirms that the intensification of the established waste management activities is readily deliverable. The extension land is readily available and deliverable, and would allow for the introduction of complementary activities to enhance the value of end products and potentially a modest increase in the overall capacity of the Site Control Centre.

The whole of the Site Control Centre lies within the SE Dorset Green Belt, but constitutes previously developed land. The identification of the site is entirely consistent with national policy which, as acknowledged at paragraph 12.104, allows for limited infilling, partial or complete redevelopment of previously developed sites. The HRA accompanying the Pre-submission Plan, concluded that the intensification and extension of the Site Control Centre would not give rise to any significant effects (and was screened out accordingly) but only after a site visit and detailed discussions (see pages 10 and para. 7.4.2 on page 14 of the HRA).

In contrast, there would appear to be significant uncertainty as to the deliverability of additional capacity at Eco Sustainable Solutions and / or Binnegar Environmental Park. I would make the following observations:

Eco Sustainable Solutions (inset 7):

WHW is concerned that the allocation would:

- Lead to the displacement of existing In-Vessel Composting ["IVC"], its cessation described under 'description of potential development' in the Site Assessment for inset 7 dated December 2017). The IVC offers capacity to treat green waste further up the hierarchy. It is unclear as to whether the Pre-submission Plan has taken the loss of such capacity into account. The inset would seemingly pave the way for a 160,000tpa EfW. Thus, in displacing an IVC facility, the allocation would also appear contrary to the aims of the Plan, i.e. to ensure that waste ascends the hierarchy. Thus, there would appear to be an inherent contradiction with Development Consideration 6 on inset 7.
- Result in a stack height (estimated to be a minimum of 100m high at para 3.2.3 of Eunomia's Site Identification report dated January 2016) which might conflict with the aerodrome safeguarding zone. This is highlighted within the Site Assessment, dated December 2017 and Sustainability Appraisal accompanying the Pre-submission Plan. This could prove an absolute

constraint, thereby prejudicing deliverability. WHW believes that it would have been possible to reach a definitive view on this prior to allocation. It is very difficult to see how consideration 9 could be satisfied, as the height of the fuel bunker, boiler and 100m+ high stack would go far beyond the existing and extant built envelope (particularly in terms of height).

- Have a potential adverse impact on the integrity of the designated Dorset Heathlands SPA/SAC and the protected species therein, particularly when considered in combination with other committed developments in and around Bournemouth Airport. One might typically expect elevated levels of nitrogen loading and deposition in and around an airport, perhaps more significantly from ground-based traffic than air traffic. WHW is concerned that whilst the proposal might displace the IVC and consented AD plant (albeit collectively of a lower capacity), this would not necessarily provide the sufficient headroom for an EfW. WHW acknowledges that emissions will be influenced by the specification of any future plant and any associated emission abatement plant.
- Fail the sequential test. Consideration 10 also implies that the sequential test would apply, thus alternative sites outside flood zones 2 and 3 would first have to be considered. In contrast, all of the alternative prospective residual waste allocations lie within flood zone 1.

The above has led to a long list of critical Development Considerations being imbedded within inset 7, creating uncertainty over both the site's sustainability (which is scored amber in the Site Assessment dated December 2017) and deliverability.

#### Binnegar Environmental Park (Inset 10):

WHW is concerned that the allocation would:

- Be located some distance to the west of the Bournemouth / Poole conurbation (the main source of waste arisings). Whilst it is conceivable that direct deliveries by RCV could take place, this would result in excessive turn-around times; increased emissions; and inefficient fleet management (relative to the envisaged spatial strategy). The capacity of the A351 between the Bakers Arms roundabout and Wareham is heavily constrained, particularly in the summer months. It is acknowledged that Purbeck District Council has a transportation strategy in place to address congestion, but this is likely to result in HGVs being routed via Bere Regis. RCVs collecting waste arising from households and businesses on the western fringe of the conurbation would endure a 50km+ roundtrip. As acknowledged in the WPA's Sustainability Appraisal, 'this site is in a poor location' for an area-wide facility. One might speculate that this contributed to poor performance of the materials recycling facility (in terms of throughput) and its eventual 'mothballing'. The text under WP19 implies that the consented facilities provide a fall-back position, at least in terms of capacity; albeit, despite having been granted in 2010, there is no evidence to suggest that the composting facility and inert recycling facility would be brought forward. Whilst the statement 'There would be no change in the maximum consented throughput...' is factually correct, the reality could be a

sizeable increase relative to the existing position. WHW concurs with the WPA's view that the poor location is likely to temper the scale of any future facility at Binnegar. Whilst it is recognised that the potential facility could be serviced from the immediate area and outlying waste transfer stations, in diverting tonnage, the WPA could inadvertently prejudice the business case for investing in new facilities within South East Dorset that are much better placed to take advantage of heat and power connections.

- Have a potential adverse impact on the integrity of the designated Dorset Heathlands SPA/SAC and the protected species therein. WHW is concerned that whilst the Pre-submission Plan purports to be technology neutral, assumptions have necessarily been made in the HRA are duly reflected in the Development Considerations.

The above has led to critical Development Considerations being imbedded within inset 10, creating uncertainty over the site's sustainability (which is scored amber in the Site Assessment dated December 2017).

The HRA identified that the development and operation of residual waste treatment facilities at Eco - Sustainable Solutions, Parley (inset 7) and Binnegar Environmental Park (inset 10) would potentially give rise to likely significant effects on the relevant sites (page 11 of the HRA). It goes on to explain that the likely effects comprise:

*'... sites where potential proximity effects are related to gaseous emissions from the allocated site affecting the European sites ...'*

and in the case of Binnegar Environmental Park:

*'... site where potential species effects are related to those on species typical of the European sites, due to habitat loss'.*

As explained on pg.13 of the HRA, the prospective operators were asked for further information about how energy emissions from any energy plant would be controlled but goes on to state: *'... at this time, the information is still being prepared and is not available for inclusion in this assessment'*. Whilst potential mitigation measures are mooted, WHW is all too aware that none are straight forward and that their feasibility and effectiveness cannot be assured without further technical evaluation. Similarly, no baseline data in respect of populations of protected species and potential impacts upon flight paths and or foraging areas has been assembled, and therefore not applied. This could prove an absolute constraint with details of the scope for mitigation sparse.

The HRA purports that Policy 3, in combination with the development considerations on the inset plans and Policy 18, collectively serve to present suitable mitigation (page 14 of the HRA). However, the HRA screening appears to be heavily reliant on the fail-safe that development shall not take place without any respective planning application first being subject to HRA. WHW suggests that to merely defer the test to the application stage cannot constitute a mitigation measure. As such, the approach

is inconsistent with the DCLG guidance (noting the summary presented on page 4 of the HRA). WHW contests the statement within the Sustainability Appraisal Report (page 93 of the SA) that concludes: *'The detailed criteria contained within this policy along with the detailed development management policies and development considerations (referred to in the Policy) should mitigate all the issues raised and provide a network of sustainable waste management facilities'*.

WHW contends that the WPA has failed in its duty to apply the precautionary principle and take the plan forward only on the basis that there would be no adverse effect on the integrity of European Sites, without otherwise rendering the plan's 'enabling role' in delivering a network of sustainable waste management facilities impotent. As it stands, Policy 3 is considered ineffective and unjustified, particularly when the latent capacity within the Dirty MRF at the Site Control Centre at Canford is taken into account (see comments on Residual waste, Chapter 7, paragraphs 7.54-7.68, pages 50-52 below).

Concern is also expressed that the allocation of land at Mannings Heath (inset 9) could serve to displace established recycling capacity to the detriment of the waste hierarchy, but it is recognised that difficult choices will need to be made in arriving at a holistic solution to meeting the needs of the area.

For the reasons set out above, WHW respectfully suggests that Policy 3 is unsound, but that this could be remedied by means of a main modification to exclude reference to Eco Sustainable Solutions (inset 7) and Binnegar Environmental Park (inset 10).

In the interests of improving the plan, WHW would also encourage the allocation of a site for an organic waste treatment plant within Policy 3, specifically the allocation of land adjoining the Site Control Centre at Canford in Poole, as set out in appendix D and justified below under *Organic food waste (Chapter 7, paragraphs 7.44-7.53)*. WHW does, however, accept that its omission would not in itself compromise the soundness of the Pre-submission Plan.

Policy 4 titled 'Applications for waste management facilities not allocated in the Waste Plan' is considered to be positively prepared and consistent with national policy. It is evident that should Binnegar and Eco Sustainable Solutions be excluded from Policy 3, they could still be considered under Policy 4 so long as identified constraints (currently presented as Development Considerations) are capable of being overcome.

#### ***Forecasts and the need for new facilities (Chapter 7, page 37)***

The growth projections set out at paragraph 7.8 would, in WHW's opinion, appear reasonable. As highlighted in table 2, the projections suggest that an additional 170,000tpa of non-hazardous waste (municipal and C&I arisings) would be generated by 2033. It is noteworthy that the Government has recently consulted on *'Planning for the right homes in the right places'*, which included proposals for a standard housing methodology. The consultation was accompanied by an illustration of what the

proposals could mean for individual local planning authorities. Bournemouth Borough Council has suggested that this could translate to a doubling of its housing needs, whilst other local authorities would see a more marginal impact. Whilst the Government has yet to report back on the findings of the consultation, the fact that the debate is taking place serves to re-affirm the need for flexibility.

WHW is pleased to see reference to the consented extension (ref: APP/14/01648) to the Dirty MRF building at the Site Control Centre which could facilitate the receipt of a wider range of waste types (potentially including Dry Mixed Recyclates [“DMR”] for separation and onward dispatch to re-processors). Construction of the extension commenced in October 2017, but in the absence of a tangible DMR contract, it is likely that the facility will continue to be devoted to treating a broader range of non-hazardous waste streams. It is understood that the full 175,000tpa capacity has solely been apportioned to recycling (see paragraph 7.17 of the plan), but WHW considers that the mainstay would more appropriately be apportioned to residual waste recovery, a point to which I return below.



#### Organic food waste (Chapter 7, paragraphs 7.44-7.53, pages 48-49)

The shortfall in organic food waste treatment capacity, estimated to be c.57,000tpa by 2033, is duly noted. It is proposed that additional treatment capacity be brought forward by means of a criteria-based policy (Policy 6), rather than by means of allocation. WHW does not oppose this approach per se, but is concerned that the absence of an allocation is a true reflection of the difficulty in identifying a suitable site, casting doubt on the effectiveness of the Plan.

From a spatial perspective, there is evidently a lack of food waste treatment capacity in South East Dorset (the main source of food waste arisings). This is compounded by the fact that the operator of the waste facility at Parley has indicated that the consented Anaerobic Digestion [“AD”] plant will not be built out (as explained at paragraph 7.48).

WHW put forward a prospective site for an AD plant adjoining the Site Control Centre as part of its response to consultation on the Issues and Options Document (an extract forms appendix [C]). The WPA dismissed this option on the basis on impact upon the South East Dorset Green Belt. As acknowledged at paragraph 12.106, National Planning Policy for Waste affirms the importance of Green Belt but goes on to state *‘Local planning authorities should recognise the particular locational needs of some types of waste management facilities when preparing their Local Plan’*. No suitable sites have been identified outside of the Green Belt through the Local Plan process and it is evident that, even if they had been, they would be located some considerable distance from the main source of waste arisings in South East Dorset.

Given that Bournemouth's fleet of RCVs undertake co-collection rounds and therefore currently need to drop off municipal residual waste at the Site Control Centre, a co-located AD plant would offer scope to reduce transport miles. An AD plant in this location would also benefit from established infrastructure, not least the access roads, weighbridge and circulation space, as well as service connections and the ability to export electricity to the local distribution grid and / or inject gas directly into the main that runs through the Site Control Centre. There would also be scope to bring forward a reception point within the existing extent of the Site Control Centre, thus minimising the built footprint of the proposed AD plant. The sealed nature of the AD process limits scope for fugitive emissions and there would be sufficient space to bring forward substantive planting to provide enclosure and deliver biodiversity enhancement. Borough of Poole has also resolved to grant planning permission for a heat distribution network as part of a new 16,000sqm business park to the east of the Site Control Centre (see appendix B of this response). The construction of the AD plant would also provide an opportunity to connect into any future heat network.

Should the Inspector be minded to explore suitable opportunities for the identification and allocation of a facility to provide additional organic waste treatment capacity, we would respectfully request that land adjoining the Site Control Centre be considered as an omission site. WHW considers that its inclusion would be justified and improve the effectiveness of the Plan. WHW has revisited the proposal and has refined the area that would be required to accommodate such a plant – please see illustrative layout plan and supporting Sustainability Appraisal at appendix [D].

#### Residual waste (Chapter 7, paragraphs 7.54-7.68, pages 50-52)

WHW welcomes the reference to the MBT facility (at paragraph 7.56) and the Low Carbon Energy facility (at paragraph 7.59) that are co-located at the Site Control Centre. It is envisaged that latent capacity within the MBT plant will be liberated over the life of the plan, potentially yielding an additional 25,000tpa over and above the limit established in the consolidated IED Permit. WHW is confident that the Low Carbon Energy facility will be fully built out during the early part of the plan period, helping to reduce HGV movements.

Whilst the presence of the established Dirty MRF is noted, its existing role in treating residual waste is not explicitly acknowledged in either the supporting text or in the '*capacity (recovery and landfill) all facilities*' section in table 7. Rather, it currently appears to have been positioned solely as providing 'recycling' capacity (see paragraph 7.17 of the plan). The facility already receives residual waste streams and no increase in the overall throughput capacity is proposed, so the Pre-submission Plan arguably miscategorises the established facility. A copy of the relevant planning permission(s) forms appendix [A] of this consultation response and I would draw specific attention to the wording of condition 6 which allows for '*... recycling, sorting, separating and recovery of waste*'. For the avoidance of doubt, I can also confirm that the Environmental Permit allows for the receipt of residual waste. The distinction between the different types of material recovery facilities is aptly drawn in subsequent paragraph 8.15 stating:

*'Materials recovery falls under the Waste Framework Directive definition of 'recovery'. For the purposes of this Plan, materials recovery facilities that deal with recyclates only are covered by Policy 5 and proposals for such facilities should be considered against the criteria of this policy. Other types of materials recovery facilities that deal with mixed wastes, often known as 'Dirty MRFs' are covered by Policy 6 (Chapter 9).'*

The established MRF is benefitting from new investment, with new buildings being erected to provide greater enclosure and the installation of more advanced sorting and processing equipment.



Whilst it was originally intended that some of the latent capacity within the upgraded MRF be given over to the sorting and separation of municipal DMR, this is unlikely to be forthcoming in the absence of an underpinning contract (as perhaps recognised in the issues at paragraph 7.1 of the WPA's Background Paper 1). The WPA expresses confidence in the delivery of at least one of the consented MRFs, however this might prove to be misplaced. The renewed Dirty MRF at the Site Control Centre is and will continue to be capable of treating a variety of waste streams (aided by the increased enclosure). This could entail the processing of incoming residual municipal waste as well as C&I waste arisings, allowing for the segregation of readily recoverable recyclates and organic fraction. The remaining material would be processed to form a Refused Derived Fuel ["RDF"] for use in energy production. It is noteworthy that Syn-gas has also recently submitted a planning application to allow the Low Carbon Energy facility to received RDF from the Dirty MRF.

Given the opportunity presented by the established and upgraded Dirty MRF to treat residual waste, it is WHW's opinion that the reported shortfall in capacity may have been overestimated by as much

as 148,750tpa (equivalent to c.85% of the throughput capacity of the established / upgraded MRF). Table 7, page 51 and identified need 7, page 52 should be updated accordingly. Thus, whilst WHW recognise that the WPA has progressed the Plan with all good intention, changes in circumstance have led to spurious consideration of established capacity. Thus, the Pre-submission Plan is not consistent with the final bullet of the national planning policy for waste in that it fails to '*consider the extent to which the capacity of existing operational facilities would satisfy any identified need*'.

#### Inert waste (paragraph 7.83)

WHW welcomes the identification of the existing inert recycling facility at Whites Pit in figure 6. WHW welcomes the statement at paragraph 7.83 cross referencing the Minerals Sites Plan.

#### **Recycling (Chapter 8)**

##### Materials Recovery Facilities (Chapter 8, paragraphs 8.14-8.19, pages 61-62)

WHW welcome the description MRFs outlined in paragraphs 8.14-8.19 which serve to aid interpretation.

#### **Recovery (Chapter 9)**

As previously indicated, identified need 7 is over-estimated.

##### Materials recovery and mechanical biological treatment (paragraphs 9.6-9.11, pages 67-68)

WHW welcomes the description of MRFs and MBTs outlined in paragraphs 9.6-9.11, which serve to aid interpretation.

##### Thermal Treatment (paragraphs 9.17-9.21, pages 69-70)

WHW welcomes the description of Thermal Treatment outlined in paragraphs 9.17-9.21 which serves to aid interpretation.

Policy 6 titled 'Recovery facilities' (page 72) requires proposals for the recovery of non-hazardous waste to comply with six criteria. WHW considers the criteria to be positively prepared, justified, effective and consistent with national policy.

#### **Disposal (Chapter 10, page 73)**

WHW considers Policy 7 titled 'Final disposal of non-hazardous waste' to be positively prepared, justified, effective and consistent with national policy.

WHW considers Policy 8 titled 'Inert waste recovery and disposal' to be positively prepared, justified, effective and consistent with national policy.

#### **Other wastes and facilities (Chapter 11, page 79)**

WHW considers the criteria set out in Policy 9 titled 'Special types of waste' to be pragmatic. Policy 9 is supported.

WHW notes the criteria set out in Policy 10 titled 'Decommissioning and restoration of Winfrith Nuclear Licensed Site' but proffers no further comment owing to the specialist nature of this licensed site.

WHW notes the criteria set out in Policy 11 titled 'Waste water and sewage treatment works' but proffers no further comment owing to the specialist nature of such works.

***Development Management (Chapter 12, page 93)***

The plan encourages promoters of prospective development to seek pre-application advice, undertake stakeholder and community engagement. This is very much in the spirit of the NPPF and fully supported by WHW.

The explanations of Environmental Impact Assessment ["EIA"], planning conditions and contributions help to ensure that the plan is accessibility to a wide audience.

WHW considers Policy 12 titled 'Transport and Access' to be positively prepared, justified, effective and consistent with national policy. The supporting text (paragraphs 12.20-12.37) is particularly welcome as it aptly summarises potential challenges and opportunities. It also goes some way to demystifying the operational requirements of the waste industry. The inclusion of figure 10 titled Dorset Advisory Lorry Route Map is supported as it provides clarity and removes any ambiguity.

In a similar vein, WHW considers Policy 13 titled 'Amenity and quality of life' to be positively prepared, justified, effective and consistent with national policy (notably appendix B of National Planning Policy for Waste).

WHW considers Policy 14 titled 'Landscape and design quality' to be positively prepared, justified, effective and consistent with national policy.

WHW considers Policy 15 titled 'Sustainable construction and operation of facilities' to be positively prepared, justified, effective and consistent with national policy. The policy could, however, be improved through an additional paragraph to the effect that *'alterations to existing facilities will be supported where they would enhance operational efficiency or are required to satisfy the requirements of other statutory regimes'*. The latter might, for instance, be dictated by changes in Environmental Permitting or Health and Safety and manifest itself in physical alterations.

WHW considers Policy 16 titled 'Natural resources' to be positively prepared, justified, effective and consistent with national policy.

WHW considers Policy 17 titled 'Flood Risk' to be positively prepared, justified, effective and consistent with national policy.

WHW acknowledges that the plan area is blessed with biodiversity assets. The plan rightly places high priority on safeguarding the integrity of habitats and flora and fauna therein. WHW considers Policy 18 titled 'Biodiversity and geological interest' to be positively prepared, justified, effective and consistent with national policy. WHW notes paragraph 12.82 and raises a concern as to whether '(f) Possible SACs', '(g) Potential SPAs' and / or the latter part of '(i) ... areas which would meet the criteria needed to justify designation as an SPA' are defined (both in terms of legislation and geography). Furthermore, it is currently unclear as to who defined them. Unless these terms are clearly defined and universally understood, then it would seem inappropriate to include them. Thus, I would respectfully suggest that these terms either be excluded or benefit from further explanation as a footnote.

WHW considers Policy 19 titled 'Historic environment' to be positively prepared, justified, effective and consistent with national policy.

WHW considers Policy 20 titled 'Airfield Safeguarding Areas' to be pragmatic. Beyond this, WHW proffers no further comment.

WHW considers Policy 21 titled 'South East Dorset Green Belt' to be pragmatic, and considers it to be positively prepared, justified, effective and consistent with national policy.

WHW considers the criteria within Policy 22 titled 'Waste from new developments' to be pragmatic, albeit WHW would respectfully suggest that financial contributions towards off-site waste management infrastructure should be encompassed within CIL, or otherwise be identified as a part of site specific obligations in policies allocating strategic scale development.

WHW considers Policy 23 titled 'Restoration, aftercare and after use' to be pragmatic, and considers it to be positively prepared, justified, effective and consistent with national policy.

I trust that the above comments will assist the WPA in putting forward a sound plan.

Should you have any queries or clarifications, please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Brett Spiller'.

**Brett Spiller MRTPI MCIWM BTP BA (Hons)**  
**Director**



## APPENDIX [A]

### MRF planning history and current planning permission for operational purposes (in yellow)

MRF:				
LPA Reference	Decision Date	Description of Development	Status	Notes
08/31392/019	17/10/2008	Continued use of building B and associated land for recycling and recovery of inert waste. Erect extension to reception building. Retrospective application for baling and storage building, aggregate washing plant and workshop. Form new wheel wash and erect storage bays for recycled materials. Access from existing Magna Road access road.	Granted subject to conditions.	Geographic extent: CRL site.
12/01653	23/02/2012	Install 3 gas production units (pyrolysis units), to feed existing gas turbines, to be installed at inert recycling compound, with enclosures and pipelines.	Granted subject to conditions.	Geographic extent: CRL workshop building. Not implemented and superseded.
13/00342/F	14/06/2013	Removal of Condition no.2 of planning permission 08/31392/019/F.	Granted subject to conditions.	Geographic extent: CRL site. Implemented – note (i) temporary to 2035; (ii) SUPERSEDED (initially by 13/00856).
13/00242/F	20/06/2013	Erect extensions to existing Materials Recovery Facility with ancillary infrastructure, accessed via existing Service Road	Granted subject to conditions.	Geographic extent: CRL site. Not implemented – note (i) temporary to 2035; (ii) SUPERSEDED (initially by 13/00855).
13/00856/F	15/11/2013	Removal of Condition No.1 of planning permission 13/00342/F.	Granted subject to conditions.	Geographic extent: CRL site. Implemented – note (i) afforded permanency; (ii) SUPERSEDED (initially by 13/00855).

13/00855/F	02/12/2013	Removal of Condition No.2 of planning permission 13/00242/F.	Granted subject to conditions.	Geographic extent: CRL site. Implemented – note (i) afforded permanency; (ii) SUPERSEDED (initially by 14/00733).
14/00688/F	-	Variation of conditions 6 and 7 of planning application 13/00855/F to remove reference to inert waste and to amend restriction on time of vehicle movements.	Withdrawn	
14/00733	26/08/2014	Variation of conditions 2, 6 and 7 of planning application 13/00855/F to amend the approved plans and drawings, remove reference to inert waste and to amend restriction on time of vehicle movements.	Granted subject to conditions.	Geographic extent: CRL site. Implemented through construction of perimeter road– note (i) SUPERSEDED (by 01648)
14/01648	13/02/2015	Variation of Condition 7 of permission 14/00733/F to amend restriction on time of vehicle movement (original app.13/00855/F)	Granted subject to conditions.	Geographic extent: CRL site. Implemented through construction of perimeter road– note (i) for operational purposes this is the current consent.
15/00874	28/10/2015	Erect commercial and industrial waste materials recovery facility with new weighbridge, office and welfare facilities	Granted subject to conditions.	Geographic extent: Northern part of CRL site. Implementation TBC (i) for operational purposes this is the current consent.

## **APPENDIX [B]**

### **Committee Report for Magna Business Park**

## **APPENDIX [C]**

**Extract from consultation response putting  
forward site for AD plant**

## **APPENDIX [D]**

### **Illustrative site layout plan and shadow sustainability appraisal**



Canford Recycling Centre, Arena Way,  
Wimborne, Dorset BH21 3BW

**Sales and Order Office**  
Telephone: 01202 331560  
Fax: 01202 577499

**Admin and Credit Control**  
Telephone: 01202 331560  
Fax: 01202 577499

W H White Ltd.,  
Site Control Centre  
Magna Road  
Wimborne  
Dorset  
BH21 3AP

6th June 2018

Dear Sirs,

RE: Commercial Recycling (Southern) Ltd

Further to your recent request regarding our position on waste inputs and the processing of these materials at our Canford Recycling Centre.

We currently import waste that is destined for the production of RDF (Refuse-Derived Fuel) and we are actively sourcing further waste residues for this type of treatment.

We have available capacity at our site which is in line with our current EA Waste Management Permit and planning permissions.

New plant and machinery are budgeted to cope with the expected increase in residues waste tonnages.

Hope this helps to clarify our long term ambitions for the site.

Yours faithfully,

Ian Mariner  
Director  
Commercial recycling (Southern) Ltd.,