

**Matter 5: Development Management**

**Bournemouth, Dorset and Poole Waste Plan  
Examination**

**STATEMENT BY DORSET COUNTY COUNCIL ON  
BEHALF OF BOURNEMOUTH BOROUGH COUNCIL  
AND THE BOROUGH OF POOLE (THE WASTE  
PLANNING AUTHORITIES)**

**June 2018**



Bournemouth, Dorset and Poole Waste Plan Examination Statement by  
Dorset County Council

**Background Documents**

- WPDCC-02 – Draft Waste Plan (2015)
- WPDCC-03 – Draft Waste Plan Update (2016)
- WPDCC-16 – Inset 6 – Old Radio Station, Dorchester (Site Assessment)
- WPDCC-25 – Background Paper 2: Waste Plan Site Selection
- WPDCC-30 – Blandford Landscape & Visual Sensitivity Study
- WPDCC-56 - Schedule of Proposed Main Modifications (Updated June 2018)
- WPDCC-57 - The need for a waste management centre in the Blandford area and review of existing site
- WPDCC-58 - HRA Screening Report for Draft Waste Plan (July 2015)
- WPDCC-59 - HRA Screening Report for Draft Waste Plan Update (May 2016)
- WPDCC-60 - HRA Screening Report – Waste Plan Site Options in Blandford & Purbeck (February 2017)
- WPDCC-68 - The Cranborne Chase AONB Management Plan
- WPDCC-69 - The Dorset AONB Management Plan
- WPDCC-70 - Aviation Safeguarding Report, WYG Eco Site, Parley

**Statements of Common Ground**

- SCG-01 - Statement of Common Ground between the Waste Planning Authority & Historic England

## Matter 5 Development Management

**Issue: Whether the Development Management policies strike an appropriate balance between seeking to provide sustainable development and protecting people and the environment.**

### General

**64 The Habitats Regulations Assessment recommends inclusion of a criterion in policies 3 to 6 concerning possible effects on European and Ramsar sites. Why is the criterion not included in policies 7 to 11?**

This criterion is included in policies 3 to 6 because the HRA concluded that the scale of impact or risk of Likely Significant Effects was greater for these policies than for policies 7-11. Therefore, it was deemed prudent to include a criterion in the policy wording for policies 3-6.

Policies 7 to 11 allow for applications for waste development to be brought forward and it is acknowledged that all applications would be subject to Policy 18: 'Biodiversity'. Likely Significant Effects were not identified by the HRA for these policies. For these policies the HRA recommended that it was sufficient to add reference to Policy 18 within the supporting text rather than specific wording within the policy.

### Policy 12 – Transport and access

**65 The last sentence of criterion (b) implies that transport improvements need not be delivered in a timely manner if they are not under the control of the developer. Any conditions or planning obligations would ensure that improvements are delivered so as to avoid harmful impact on highway safety or the transport network. Should the wording be changed?**

**66 Would the requirement for improvements to be delivered in a timely manner be sufficiently precise?**

It is agreed that, as worded, criterion (b) implies that such improvements need not be provided if not within the control of the developer. This is not the intention of the policy as its purpose is to ensure that highway improvements necessary to make a development acceptable are implemented in a timely manner. The following modification is proposed to address these issues (**MM12.9**):

'b. the development makes provision for any highway and transport network improvements necessary to mitigate or compensate for any significant adverse impacts on the safety, capacity and use of a highway, railway, cycle way or public right of way. ~~Where they are in the control of the developer,~~ Improvements will be delivered in a timely manner to the satisfaction of the Local Highway Authority;'

**67 Does the last sentence of the third paragraph duplicate criterion (b)?**

It is considered that there is no duplication within this policy. Criterion (b) requires specific pre-requisites for development necessary to mitigate/compensate for impacts such as road improvements. The last sentence of paragraph 3 relates to wider sustainable development criteria and locational requirements for facilities likely to generate significant levels of employment.

**Policy 13 – Amenity and quality of life**

**68 Would the terms ‘amenity’ and ‘sensitive receptors’ potentially apply to all users of buildings and land in the area?**

Paragraph 12.43 of the Plan explains what sensitive receptors comprise. The intention is to principally identify uses where occupants/users are most likely to be sensitive to impacts upon amenity. This is not exhaustive as it will need to be assessed on a case-by-case basis, depending on the waste use that is proposed, its proximity to ‘sensitive receptors’, and the degree of sensitivity involved. For example, a dwelling house will have particular amenity expectations that may overlap with, but will also differ from, those associated with an industrial use. Consequently, sensitive receptors would include multiple users and their amenity is safeguarded by Policy 13, allowing for appropriate and proportionate judgement depending upon specific circumstances.

**Policy 14 – Landscape and design quality**

**69 How does Policy 14 and the development considerations in the Insets accord with the statutory duty to have regard to the purposes of the AONB?**

Policy 14 accords with the duty to have regard to the purpose of conserving and enhancing the natural beauty of the AONB as it requires that proposals must not result in unacceptable adverse impacts on the special qualities that underpin the designation. The policy requires that proposals should conserve and/or enhance the character and quality of the landscape.

The development considerations for Insets 2, 6 and 13 have been developed with input from the relevant AONB teams, having regard to the purpose of conserving and enhancing the natural beauty of the relevant AONBs. Proposals on the allocated sites would need to accord with Policy 14.

**70 To what extent are Policy 14 and the Insets based on management plans for the AONB?**

The supporting text for Policy 14 explicitly states that ‘..proposals will need to demonstrate how they take account of the relevant AONB Management Plan objectives and policies’ (paragraph 12.51). A modification is proposed to include this text within the final paragraph of Policy 14 itself, as follows:

‘Relevant proposals will need to demonstrate how they take account of the AONB Management Plan objectives and policies. Consideration will be given to the sustainability benefits of siting a development that meets a local need within an Area of Outstanding Natural Beauty.’

**Inset 2**

The Inset 2 development considerations were written in discussion with the AONB team, reflecting the Cranborne Chase AONB Management Plan (2014-2019)

Bournemouth, Dorset and Poole Waste Plan Examination Statement by  
Dorset County Council

(**WPDCC68**). For example, they include a requirement for a dark skies strategy to be provided. Additional wording is proposed to address further comments received from the AONB team in their representation to the Pre-Submission Draft. See **WPDCC56, MM AS2.2-2.6**.

Inset 6

The Inset 6 Site Assessment (**WPDCC16**) includes design guidelines drafted by DCC's landscape officer having regard to the Dorset AONB landscape character assessment and agreed by the Dorset AONB team. It is proposed to expand development consideration 1 of Inset 6 to reflect and incorporate these design guidelines into the Plan. See **WPDCC56, MM AS6.2**.

Inset 13

The Dorset AONB Management Plan (**WPDCC-69**) refers to waste water and sewage as a distinct waste group that requires a robust network of treatment facilities and transfer infrastructure. Development consideration 1 requires the provision of a comprehensive landscape masterplan scheme, as advised by the Dorset AONB team and based on the Management Plan. The Management plan also makes specific reference to the encouragement of underground infrastructure. This matter has been discussed with the AONB team but considered unlikely to be necessary on this site. As such, it is not considered appropriate for inclusion in the development considerations.

**71 Should Policy 14 also include a requirement to protect and enhance the distinctive landscape and character of the Heritage Coast?**

The following modification is proposed, as an additional paragraph at the end of Policy 14, to ensure an appropriate level of protection of the Heritage Coast is made without repeating the NPPF (**MM12.11, WPDCC56**):

'Proposals should also demonstrate that it will not have an unacceptable adverse impact upon the character of the undeveloped coast within the West Dorset Heritage Coast and the Purbeck Heritage Coast.'

**72 The last sentence of the policy allows for consideration of development that meets a local need within the AONB. Waste development is defined as 'major development' in the Town and Country Planning (Development Management Procedure) (England) Order 2015. With this in mind would a local facility as envisaged by policy 14 be likely to be a major development under paragraph 116 of the Framework and therefore require demonstration of exceptional circumstances?**

Yes, local waste management facilities are 'major developments' and therefore would require demonstration of exceptional circumstances. In accordance with paragraph 116 of the NPPF, sustainability benefits of a proposal may be considered when demonstrating the need for the waste development.

It is also relevant to note that, whilst waste development by definition is classed as major development, this is not to say that it cannot meet a local need. The Waste Plan identifies 'strategic' sites that are designed to handle waste across a significant geographical area. It also identifies a need for local facilities which require more

Bournemouth, Dorset and Poole Waste Plan Examination Statement by  
Dorset County Council

geographically specific locations. This does not negate the need to demonstrate exceptional circumstances.

**Inset 2 – Land south of Sunrise Business Park, Blandford**

**73 Have alternative sites outside the AONB been considered? If so, which ones?**

Yes. Draft Waste Plan 2015 (**WPDCC02**) - Site ND01 Holland Way and Site ND04 Blandford Brewery (depot only). The Blandford Landscape & Visual Sensitivity Study (**WPDCC30**) also included assessment of land outside the AONB (Area 2).

Alternative sites within the AONB have also been considered.

See also Matter 2, Question 21 for alternatives considered.

**74 Policy 14 requires demonstration of exceptional circumstances for major developments in the AONB in accordance with national policy. The text under Inset 2 states that because there are no alternative sites this is considered to present exceptional circumstances. Is Inset 2 consistent with Policy 14?**

Yes. It is considered that there are exceptional circumstances that justify the allocation of this site within the AONB, including that the development would be in the public interest and that there are no suitable alternative sites available.

It is considered that development of a waste management centre (WMC) would be in the public interest given the unsuitability of the existing site and need for a new facility, and the inability to provide a fit for purpose facility on the existing site.

There is a need for an improved waste management centre for Blandford because the existing facility is at its limits in terms of capacity and is not fit for purpose (including due to traffic management, safety and efficiency). **WPDCC57** provides detail regarding the need for a waste management centre in the Blandford area and a review of the existing site, which is located in the town on Blandford Heights Industrial Estate. The footprint of the existing site is inadequate and the site and access road are constrained. This results in the need for site closures, causing congestion and adversely affecting the efficiency of the service.

Increased demand on the Blandford facility is occurring and is expected due to increased housing numbers. The development of a modern waste management centre is considered to be in the public interest, as it would provide a fit for purpose, safe and accessible facility to serve the growing population. The existing site is too small to accommodate either a modern waste management centre or a standalone, split-level HRC or waste transfer facility with fire suppression system.

Inset 2 is considered to be the best site to meet the need, having regard to the thorough search for sites and review of alternatives undertaken by the Waste Planning Authority (see **WPDCC25**) and having regard to the environmental and financial benefits of co-locating the HRC and waste transfer facility (see **WPDCC57** for further details).

The Waste Planning Authority has undertaken a thorough assessment of alternatives, see Matter 2, Q21 for details. The Waste Planning Authority considers that the location of Inset 2, close to the bypass and adjoining an existing business

## Bournemouth, Dorset and Poole Waste Plan Examination Statement by Dorset County Council

park, would have the least impact on the AONB, based on the landscape and visual sensitivity study undertaken (**WPDCC30**).

Any application for a facility within Inset 2 would need to comply with all relevant policies, including Policy 14 and national policy. It is considered that provision is made within the Plan to ensure that any impacts on the AONB are mitigated satisfactorily, through the detailed development considerations set out in Inset 2 and through policies in the Plan. The WPA has liaised with the Cranborne Chase and West Wiltshire Downs AONB team and developed the development considerations with their input.

The WPA is confident that a proposal within the allocation would be able to demonstrate the criteria set out in Policy 14.

A modification is proposed to delete the final sentence of the third paragraph of Inset 2 (**AS2.8, WPDCC56**). This statement is not considered necessary for the final adopted Plan - the applicant will be expected to demonstrate exceptional circumstances and how the proposal meets with paragraphs 115 and 116 of the NPPF in any case. See also Q75 below.

### **75 Is the policy requirement for Inset 2 clear?**

Policy 3 allocates Inset 2, and requires that the Development Considerations are addressed (criterion b). Inset 2 also sets out specifically what the site is allocated for (paragraph 2). It is proposed to include an additional development consideration within Inset 2 as follows (see **WPDCC56, MM AS2.6**):

'Demonstration that the tests set out in paragraph 115 and 116 of the National Planning Policy Framework are met.'

This is to clarify that the applicant will be required to specifically address these paragraphs of the NPPF.

### **Inset 6 – Old Radio Station, Dorchester**

#### **76 Have alternative sites outside the AONB been considered? If so, which ones?**

Yes. Land at Stinsford Hill (Site WD04 Draft Waste Plan 2015 & WP10 Draft Waste Plan Update 2016). Additionally, WD06 Charminster Depot (for vehicle depot only). Alternative sites within the AONB have also been considered.

See also Matter 2, Question 21 for alternatives considered.

#### **77 Is this Inset consistent with Policy 14 and national policy regarding the need to demonstrate exceptional circumstances?**

Yes. It is considered that there are exceptional circumstances that justify the allocation of this site within the AONB, including that the development would be in the public interest and that there are no suitable alternative sites available.

Any application for a facility within Inset 6 would need to comply with all relevant policies including Policy 14 and national policy.

## Bournemouth, Dorset and Poole Waste Plan Examination Statement by Dorset County Council

There is a need for a waste transfer facility in the Dorchester area for bulking up of recyclates, residual and organic waste. Currently individual refuse collection vehicles travel to Crookhills, (residual waste) and Lodmoor (green waste), both in Weymouth, before being transferred to the east of the county to treatment facilities, and to Crossways (recyclates), before being transferred out of the county. There is restricted capacity at Crookhills<sup>1</sup>. Food waste is currently taken directly to an AD plant at Piddlehinton (subject to contractual arrangements) from across the county. The above are costly and create unnecessary vehicle movements. The development of a transfer facility in the Dorchester area would enable all collected materials to be deposited in one place, including the provision of food waste transfer. This would therefore provide sustainability benefits and would be in the public interest.

The WPA has considered a series of options and considers there to be no suitable alternatives for meeting the need. The site is already developed and the Dorset AONB team has confirmed they do not object to the site and wish to see the baseline position, in terms of the scale of buildings, maintained. The WPA is confident that a proposal within the allocation would be able to demonstrate the criteria set out in Policy 14.

Development consideration 1 requires a landscape led masterplan approach, which is supported by the Dorset AONB team. It is considered that additional text could be included in the development considerations to provide further guidance on the design and landscape mitigation measures expected and to reflect the design guidelines included within the Site Assessment. See **WPDCC56, MM AS6.2**.

### **Inset 13 – Maiden Newton Sewage Treatment Works**

#### **78 Have alternative sites outside the AONB been considered? If so, which ones?**

There are very specific locational requirements for the expansion of this existing facility within the AONB. See Matter 2, Question 21 for details of alternatives.

#### **79 Is this Inset consistent with Policy 14 and national policy regarding the need to demonstrate exceptional circumstances?**

Any application for an extension to Maiden Newton STW (Inset 13) would need to comply with all relevant policies including Policy 14 and national policy. The WPA has considered a series of options for the expansion of this facility and is confident that a proposal within the allocation would be able to demonstrate the criteria set out in Policy 14.

There are exceptional circumstances regarding development of this site. Expansion of this facility is required to meet planned catchment growth, new environmental standards and to meet the requirements for the area local plans. There is no known scope for developing elsewhere outside the AONB – see Matter 2, Question 21 for details of alternatives. The allocated site specifically builds in land for landscaping to mitigate impacts. The 'Development Considerations' require proposals to prepare a comprehensive landscape management plan and scheme of hedge and copse planting.

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<sup>1</sup> The transfer facility at Crookhills, Weymouth, is direct onto bulker. This is restricted to only one bulker at a time. The site can only deal with one material (residual waste).



**Policy 15 – Sustainable construction and operation of facilities**

- 80 **Should the first sentence require that the site design, layout and operation make provision for climate change mitigation and resilience?**

Agree, the following modification is proposed to address this issue:

‘Proposals for built waste management facilities will be expected to demonstrate that the site design, layout and operation make provision for take account of climate change mitigation and resilience through.’ (MM12.12, WPDCC56)

**Policy 16 – Natural resources**

- 81 **Should the word ‘proposals’ in criterion (d) be in the singular?**

Agree, the following modification is proposed to address this issue:

‘there would not be a loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) unless the environmental, social and/or economic benefits of the proposal outweigh this loss and it can be demonstrated that the proposals has avoided the highest grades of land.’ (MM12.13, WPDCC56)

**Policy 17 – Flood risk**

- 82 **Should Policy 17 include a requirement for the sequential test to be passed before considering criteria (a) to (e) in accordance with national policy in paragraph 100 of the Framework?**
- 83 **Should the policy include a requirement to take into account climate change?**

Reference to the sequential test is already made in the Waste Plan supporting text (para 12.70 to 12.72). Paragraph 2.17 also confirms that planning applications will be judged against the adopted Waste Plan along with national policy. This would include the NPPF. However, the WPA would not object to the inclusion of additional wording for the purposes of clarification.

It is agreed that the implications of climate change should be considered through a Flood Risk Assessment. The following modifications are proposed to address these issues.

‘Proposals for new waste management facilities should demonstrate that they have applied the Sequential Test in areas known to be at risk from flooding.’

Proposals for new waste management facilities within Flood Zones 2 and 3 and of one hectare or greater within Flood Zone 1 must be accompanied by a Flood Risk Assessment (FRA). This must take into account cumulative effects with other existing or proposed developments and climate change.’ (MM12.14, WPDCC57)

**Policy 18 – Biodiversity and geological interest**

- 84 **Do the Councils envisage that Regulation 64 of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) would be likely to be engaged in respect of any of the allocated sites?**

Bournemouth, Dorset and Poole Waste Plan Examination Statement by  
Dorset County Council

No. The WPA considers that there are not likely to be imperative reasons of overriding public interest that would make the development of waste facilities acceptable following a negative assessment of the implications for a European Site.

The Waste Plan allows for a range of waste management/treatment processes to come forward on allocated sites. Further work, undertaken at the application stage, may result in certain waste technologies being proven unsuitable on specific allocated sites, such as energy from waste. However, the WPA, in consultation with Natural England, is confident that other waste treatment technologies will be acceptable on allocated sites. Waste management methods such as advanced thermal treatment and/or the preparation of RDF/SRF will meet the needs identified in the Plan whilst ensuring no likely significant effects.

**85 Regulation 63 of the Habitats Regulations requires that there is no adverse effect on the integrity of a European site. This requirement also applies to Ramsar sites. Should criterion (ii) of the policy require that mitigation removes any adverse impact?**

Criteria i to iii are relevant to proposals that do not adversely affect European and Ramsar sites. Effects on European sites are discussed in paragraph 1 of Policy 18.

It is proposed to clarify this through adding sub-headings into Policy 18. See **MM 12.21 (WPDCC56)**.

**86 Should criterion (iii) only be applied in instances where the requirements of Regulation 64 of the Habitats Regulations are met?**

Criteria i to iii are relevant to proposals that do not adversely affect European and Ramsar sites. Effects on European sites are discussed in paragraph 1 of Policy 18.

It is proposed to clarify this through adding sub-headings into Policy 18. See **MM 12.21 (WPDCC56)**.

**87 Should the policy distinguish requirements applying to nationally designated sites from those applying to international sites?**

The first paragraph of Policy 18 applies to internationally designated sites. The second paragraph applies to other biodiversity/geodiversity interests. It is proposed to clarify this through adding sub-headings into Policy 18. See **MM 12.21 (WPDCC56)**.

**Inset 1 – Woolsbridge Industrial Estate, Three Legged Cross**

**88 Should the Development Considerations state that the applicant must provide sufficient information to enable the Waste Planning Authority to**

**carry out an Appropriate Assessment and set out the information that would be required?**

Yes, it is agreed that it would be appropriate to expand Development Consideration 1 for clarity. A modification is proposed as follows:

'The applicant must provide sufficient information to enable the Waste Planning Authority to carry out Appropriate Assessment at the planning application stage in accordance with the Conservation of Habitats and Species Regulations 2017. This should include, as a minimum, Phase 2 Surveys for Annex 1 birds to inform an assessment of the effects of development on the populations on site and in surrounding areas.' (MM AS1.3, WPDCC56)

**89 Were alternative sites considered in terms of potential biodiversity effects?**

Yes. An extensive site selection exercise was undertaken (WPDCC-25). Fourteen site options for the management of bulky waste and/or local recycling facilities were shortlisted in the 2015 Draft Waste Plan. Given the nature of Dorset's environment, many of these sites were also situated near biodiversity assets. Chapter 4 of the SA Report (WPSD-03) contains an assessment of the alternatives.

Inset 1 is allocated Employment Land and the WPA does not consider that the activities proposed would have any additional impacts on biodiversity than proposals for any other B1, B2 or B8 use that might come forward within the allocated employment site.

**90 Is the requirement for a buffer specifically in respect of the SNCI or should a buffer also be provided to protect the Dorset Heaths SAC, SPA and Ramsar?**

It is agreed that it would be helpful to refer within the development considerations to an appropriate buffer from the Dorset Heaths SAC, SPA and Ramsar and SSSI as well as the SNCI. The following modification is proposed to address this issue:

'3. Consideration of an appropriate buffer and mitigation to protect the Dorset Heaths SAC, SPA and Ramsar, SSSI and SNCI.' (MM AS1.4, WPDCC56)

**91 Should the possible mitigation measures described in the Habitats Regulations Assessment be set out in the Development Considerations?**

Yes, it is agreed that further detail would provide clarification. The following modification is proposed to address this issue:

'Depending on the precise location of development within the area of search and nature of the development the following mitigation may be necessary to reduce effects on European Sites to levels acceptable under the Habitats Regulations, 2017:

- Habitat enhancement works on land adjacent to the allocated site (including Woolsbridge Farm Carr SNCI)
- A managed habitat buffer between the development and the European sites' (MM AS1.5, WPDCC56)

**Inset 7 – Eco Sustainable Solutions, Parley**

- 92 Should the Development Considerations state that the applicant must provide sufficient information to enable the Waste Planning Authority to carry out an Appropriate Assessment and set out the information that would be required?**

Yes, it is agreed that it would be appropriate to expand Development Consideration 1 for clarity. A modification is proposed as follows:

**'The applicant must provide sufficient information to enable the Waste Planning Authority to carry out Appropriate Assessment at the planning application stage in accordance with the Conservation of Habitats and Species Regulations 2017.'** (MM AS7.5, WPDCC56)

It is not possible to set out within the Plan the specific information that would be required to support an application until details of the proposal are known at the application stage. This site is allocated for 'Opportunities for intensification of the site including the management of non-hazardous waste' to allow a range of waste treatment technologies to be considered. Proposals will be considered against all relevant policies of the Plan (including Policy 18 and the 'Development Considerations') which ensure that no unacceptable impacts would arise from development.

- 93 Is there sufficient certainty that effects on the European and Ramsar sites could be adequately mitigated?**

Inset 7 is allocated for the intensification of the site including the management of non-hazardous waste. This flexible allocation allows for proposals to come forward for a range of waste management facilities including Energy from Waste, Advanced Thermal Treatment technologies, preparation of RDF/SRF or the management of recyclates. Further work, undertaken at the application stage, may result in certain waste technologies being proven unsuitable in this location. However, the WPA, in consultation with Natural England, are confident that other waste treatment technologies will be acceptable on allocated sites with no likely significant effects on European and Ramsar sites, meeting the needs of the Plan area.

The Waste Plan contains sufficient safeguards to ensure that applications that would lead to Likely Significant Effect on European and Ramsar Sites will not be permitted.

- 94 Were alternative sites considered in terms of potential biodiversity effects?**

Yes. An extensive, site selection exercise was undertaken (WPDCC-25). Nine site options for the management of residual waste were shortlisted in the 2015 Draft Waste Plan. Given the nature of Dorset's environment, many of these sites were also situated near biodiversity assets. Five sites were shortlisted in the 2016 Draft Waste Plan for further consultation. An additional site emerged and was subject to consultation in 2017.

Chapter 4 of the SA Report (WPSD-03) contains the assessment of alternatives.

## Bournemouth, Dorset and Poole Waste Plan Examination Statement by Dorset County Council

The Conservation Regulations Assessment Screening Report also included screening of all site options (**WPDCC58, 59 and 60**) to determine whether any of the options being considered were likely to have a significant effect on any SAC, SPA or Ramsar site

The decision was made to take forward a range of sites to address the shortfall in non-hazardous waste. The chosen strategy provides a flexible approach to meeting the needs of the Plan area.

### **95 What is the requirement of developers in respect of long-term restoration of surrounding heathland?**

In general terms, the requirement of developers to contribute to long-term restoration of heathland depends on the nature of the development and whether restoration could contribute to mitigating the effects of the development. This would depend on the exact nature of the development brought forward through a planning application but previous planning applications at Inset 7 have resulted in the developer contributing to the long-term restoration of surrounding heathland areas.

The existing permitted facility does not have any habitats or species of significant ecological value within the site. However, the site is located within close proximity to significant nature conservation interests and the last planning permission for the reconfiguration and extension of the site (Ref: 8/14/0515) did result in a modest (520m<sup>2</sup>) direct land take from Hurn Common SSSI and Dorset Heaths SAC, to facilitate highway improvements.

The Appropriate Assessment undertaken concluded that there would be no significant adverse effect, individually or in combination, on either the qualifying habitats or the typical species of the European sites, as a result of the direct loss of the area for road widening and that there would be no adverse effect on integrity.

Nevertheless, enhancement for the better management of land (by lease arrangements with Dorset County Council) outside of the SAC, to bring it into condition so that it functions as an important link for the Dorset Heaths SAC and Dorset Heathlands SPA, between Hurn Common SSSI and East Parley Commons SSSI was secured by planning obligation – for the lifetime of the development.

### **96 Is any of the heathland within the allocated area?**

No designated heathland is contained within the boundary of the allocated site. However, Eco Sustainable Solutions have control over some areas of heathland adjacent to the allocated site.

### **97 If developers would be required to carry out or contribute to restoration of heathland, how would any contribution be justified in terms of the national policy tests for conditions and planning obligations?**

If restoration is necessary the WPA can seek to achieve this through a planning obligation, which could be tested as part of the Environmental Impact Assessment

Bournemouth, Dorset and Poole Waste Plan Examination Statement by  
Dorset County Council

Screening. Alternatively, the WPA could seek to attach planning conditions to planning permission which will equally enable the development to be made acceptable.

Contributions would be justified in accordance with paragraph 5, 203 and 204 of the NPPF and Article 13 (c) of EU Directive 2008//98/EC. The directive ensures that waste management is carried out without harming the environment including 'without adversely affecting the countryside or places of special interest'.

**98 Should the Development Considerations include a requirement to create a buffer zone in the south-east section of the site and carefully designed surface water drainage system as recommended in the Habitats Regulations Assessment?**

Yes, it is agreed that further detail would provide clarification. The following modification is proposed to address this issue:

Additional 'Development Consideration'

'Consideration should be given to the creation of a buffer zone in the south-east section of the site and a carefully designed surface water drainage system to help ensure no hydrological effects on the European Sites.' (MM AS7.6, WPDCC56)

**Inset 10 Binnegar Environmental Park, East Stoke**

**99 Should the Development Considerations state that the applicant must provide sufficient information to enable the Waste Planning Authority to carry out an Appropriate Assessment and set out the information that would be required?**

Yes, it is agreed that it would be appropriate to expand Development Consideration 1 for clarity. A modification is proposed as follows:

'The applicant must provide sufficient information to enable the Waste Planning Authority to carry out Appropriate Assessment at the planning application stage in accordance with the Conservation of Habitats and Species Regulations 2017.' (MM AS10.2, WPDCC56)

It is not possible to set out within the Plan the specific information that would be required to support an application until details of the proposal are known at the application stage. This site is allocated for 'Opportunities for intensification of the site including the management of non-hazardous waste' to allow a range of waste treatment technologies to be considered. Proposals will be considered against all relevant policies of the Plan (including Policy 18 and the 'Development Considerations') which ensure that no unacceptable impacts would arise from development.

**100 Were alternative sites considered in terms of potential biodiversity effects?**

An extensive, site selection exercise was undertaken (WPDCC-24). Nine site options for the management of residual waste were shortlisted in the 2015 Draft Waste Plan.

## Bournemouth, Dorset and Poole Waste Plan Examination Statement by Dorset County Council

Given the nature of Dorset's environment, many of these sites were also situated near biodiversity assets. Five sites were shortlisted in the 2016 Draft Waste Plan for further consultation. Inset 10, Binnegar Environmental Park, was an additional site that emerged and was subject to consultation in 2017.

Chapter 4 of the SA Report (**WPSD-03**) contains an assessment of alternatives.

The Conservation Regulations Assessment Screening Report also included screening of all site options (**WPDCC58, 59 and 60**) to determine whether any of the options being considered were likely to have a significant effect on any SAC, SPA or Ramsar site

The decision was made to take forward a range of sites to address the shortfall in non-hazardous waste. The chosen strategy provides a flexible approach to meeting the needs of the Plan area.

### **101 Is there sufficient certainty that effects on the European and Ramsar sites could be adequately mitigated?**

Inset 10 is allocated for the intensification of the site including the management of non-hazardous waste. This flexible allocation allows for proposals to come forward for a range of waste management facilities including energy from waste, advanced thermal treatment technologies, preparation of RDF/SRF or the management of recyclates. Further work, undertaken at the application stage, may result in certain waste technologies being proven unsuitable in this location. However, the WPA, in consultation with Natural England, are confident that waste treatment technologies will be acceptable on allocated sites with no significant effects on European and Ramsar sites, meeting the needs of the Plan area.

The Waste Plan contains sufficient safeguards to ensure that applications that will have a significant effect on European and Ramsar Sites will not be permitted.

### **Policy 19 – Historic environment**

#### **102 The Framework (paragraph 134) allows for less than substantial harm to a designated heritage asset to be weighed against public benefits. How does the last sentence of the first paragraph of Policy 19 accord with this requirement?**

The WPA has had discussions with Historic England regarding this matter and it is proposed to amend the policy as follows, to ensure consistency with the NPPF:

'Proposals for waste management facilities will be permitted where it is demonstrated that heritage assets and their settings will be conserved in a manner appropriate to their significance. ~~Adverse impacts on heritage assets should be avoided or mitigated to an acceptable level. Where a proposal would result in significant harm to a heritage asset, it will only be permitted if it is demonstrated that there are exceptional circumstances.~~

Great weight will be given to the conservation (protection and enhancement) of Bournemouth, Dorset & Poole's designated heritage assets and their settings including listed buildings, conservation areas, historic parks and gardens, scheduled monuments and non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments.

Bournemouth, Dorset and Poole Waste Plan Examination Statement by  
Dorset County Council

Proposals resulting in harm to the significance of a designated heritage asset will only be permitted if this is justified, having regard to the public benefits of the proposal and whether it has been demonstrated that all reasonable efforts have been made to mitigate the extent of the harm to the significance of the asset.

Where a proposal directly or indirectly affects non-designated heritage assets, the Waste Planning Authority will have regard to the scale of any harm or loss and the significance of the heritage asset.

Where harm can be fully justified, archaeological excavation and/or historic building recording as appropriate will be required, followed by analysis and publication of the results.

~~Proposals that may affect archaeological remains should be accompanied by an appropriate archaeological assessment and, where necessary, a field evaluation.~~

~~Where the presence of historic assets of national significance is proven, either through designation or a process of assessment, their preservation in situ will be required. Any other historic assets should be preserved in situ if possible, or otherwise by record.' (MM12.17, WPDCC56)~~

See Statement of Common Ground 01 (SCG-01).

**103 Should the wording of Policy 19 be changed to reflect national policy?**

See Q102 above.

**104 The first paragraph of the policy does not distinguish between designated and non-designated heritage assets. Would the requirements be the same?**

The policy refers to conserving heritage assets in a manner appropriate to their significance. The proposed modification agreed with Historic England (see Question 102 above) clarifies the varying requirements for designated and non-designated heritage assets.

**105 If so, would the requirement for 'exceptional circumstances' to be demonstrated accord with paragraph 135 of the Framework?**

It is proposed to remove this requirement, see Question 102 above.

**Policy 20 – Airfield Safeguarding Areas and Inset 7 - Eco Sustainable Solutions, Parley**

**106 Has any detailed investigation been undertaken with respect to the likely stack height required on the Inset 7 site and has any view been expressed by the Civil Aviation Authority?**

The issue of aerodrome safeguarding in relation to Inset 7 has been raised by the airport authorities Manchester Airport Group (MAG) and more recently Regional and City Airports. Issues relate to stack height as well as bird strike, obstacle limitation surfaces, air traffic control and air traffic engineering.



Bournemouth, Dorset and Poole Waste Plan Examination Statement by  
Dorset County Council

The site promoters have prepared an Aviation Safeguarding Report (**WPDCC-70**) to consider these issues however, to date, this information has not enabled the airport authorities to remove their objection to the proposals on this site.

In consultation with Regional and City Airports, the WPA has proposed a modification to Policy 20 and the supporting text to ensure that an aviation impact assessment is prepared for relevant proposals – See **MM12.6 and 12.7, WPDCC56**. The WPA considers that this will ensure the Waste Plan contains appropriate safeguards. Any proposal that will have an adverse impact on aerodrome safeguarding will not be permitted.

Inset 7 is intended to be a flexible site allocation to enable appropriate proposals to come forward to manage non-hazardous waste through a variety of processes the acceptability of which will be tested through a Planning Application.

See also response to Matter 1, Question 7.

**Policy 21 – South East Dorset Green Belt**

**107 National policy in paragraph 88 of the Framework requires that potential harm to the Green Belt by reason of inappropriate development and any other harm are weighed against other considerations to determine whether or not ‘very special circumstances’ exist. With this in mind would Policy 21 be consistent with national policy?**

The WPA proposes the following modification to Policy 21 to provide clarification and ensure that the Policy is fully consistent with national policy.

~~‘a. they would serve to support an established waste facility and deliver operational and/or amenity improvements; and~~

b. there is a clear need for the development to an extent that would be deemed by the Waste Planning Authority to demonstrate very special circumstances and any harm is outweighed by other considerations, and that need cannot be met by alternative suitable non-Green Belt sites; and’ (**MM12.20, WPDCC56**)

**108 In what circumstances is it envisaged that a waste management development may not be inappropriate development in the Green Belt?**

Some redevelopment of existing developed or brownfield sites, including waste management sites (Insets 7 and 8), situated within the Green Belt, may not necessarily constitute inappropriate development. Where existing buildings are of permanent and substantial construction their re-use and/or alteration could be considered appropriate and suitable for other uses.

In addition, some additional waste plant and buildings may also be regarded as ‘limited infilling’ having no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

**Inset 1 – Woolsbridge Industrial Estate, Three Legged Cross**

**109 Please clarify whether any part of the Inset 1 site is within the Green Belt.**

Bournemouth, Dorset and Poole Waste Plan Examination Statement by  
Dorset County Council

No, Inset 1 is allocated employment land and does not form part of the South East Dorset Green Belt.

**110 If any part is within the Green Belt have any alternative sites been considered and if so, which ones?**

No part of this site is situated within the Green Belt.

**Inset 7 Eco Sustainable Solutions, Parley**

**111 Have alternative sites which are outside the Green Belt been considered and if so, which ones?**

See Matter 2, Question 21

**112 Would the increase in built form and the stack which would be necessary to minimise the impact of emissions on the European site be likely to cause further harm to the openness of the Green Belt?**

Inset 7 is allocated to allow the intensification of the site including the management of non-hazardous waste. The Waste Plan does not include specific proposals for energy from waste. The strategy intends to be flexible to allow for a range of proposals to come forward in accordance with the policies and Development Considerations set out in the Waste Plan, during the Plan period.

Planning permission has already been granted for additional processes including the construction of additional buildings on this site that have not yet been developed. Therefore, the precedent of further development has already been established.

It is likely that the development of a major EfW facility and associated stack would cause further harm to the openness of the Green Belt. To date, no case has been made to demonstrate that very special circumstances exist and that the potential harm to the Green Belt is outweighed by other circumstances. However, given the limited availability of other viable, deliverable sites and the need for residual waste management capacity in Dorset a case may be able to be made through a planning application, during the Plan period.

Alternatively, the proposed uses for Inset 7 allow for the development of smaller scale facilities for managing waste including the preparation of RDF/SRF which may not be inappropriate development, particularly given this type of process does not require a stack.

**Inset 8 – Canford Magna**

**113 The Inset 8 allocation is outside the Major Developed Site in the Green Belt which is identified on page 88 and in Policy SSA26 of the Poole Site Specific Allocations and Development Management Policies (2012). That policy was based on the former PPG2. The Framework does not allow for development on major developed sites to form exceptions to inappropriate development. With these factors in mind should the**

**Development Considerations make clear that applications will be considered against national policy and Policy 21?**

The text contained in Inset 8 has been updated to exclude reference to 'Major Developed Sites' See **MM AS8.1, WPDCC56**

If considered helpful, the WPA has proposed the following additional development consideration:

'4. Given the site's location within the South East Dorset Green Belt, applications will be considered against National Policy and Waste Plan Policy 21.' (**MM AS8.4, WPDCC56**)

**114 Have alternative sites which are outside the Green Belt been considered and if so, which ones?**

See Matter 2, Question 1

**Policy 22 - Waste from new developments**

**115 Should the policy refer to the tests in Regulation 122 of the CIL Regulations and the pooling restrictions in Regulation 123?**

The WPA proposes the following modification to Policy 22 to specifically refer to this:

'Financial contributions towards the off-site provision of adequate waste management infrastructure to accommodate a non-waste development may be required where the Waste Planning Authority considers this necessary, in accordance with the Community Infrastructure Regulations 2010 (as amended), unless it is demonstrated that existing waste management infrastructure serving the development is adequate.'  
(**MM12.18, WPDCC56**)

**Policy 23 – Restoration, aftercare and afteruse**

**116 Is further explanation needed in respect of the types of waste management development that would be considered as temporary?**

It is agreed that it would be helpful to explain that this section relates predominantly to landfill sites. The following modification is proposed:

' Although the Waste Plan has a strong commitment to reducing the amount of waste which is landfilled in accordance with the waste hierarchy, the Waste Plan acknowledges the continuing role of landfill for both pre-treated waste and inert waste albeit to a limited extent. In addition, there are a number of existing sites in Dorset that are likely to close during the Plan period. As a result, it is essential to ensure that landfill sites, together with any other temporary waste management facilities such as aggregates recycling facilities at quarries, are subject to appropriate restoration and aftercare regimes. Waste may be managed in a range of different types of facility, most of which will be permanent but some of which may be temporary.' (**MM 12.19, WPDCC56**)