Supplementary Papers for Western BCP Planning Committee

Date: Thursday, 12 September 2024

6.	**Schedule of Planning Applications** Please refer to the Planning Committee Addendum set out on the following pages for any further updates on the planning applications listed on the agenda.	3 - 10

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Western BCP Planning Committee – 12 September 2024

Addendum Sheet

6a) Canford Resource Park, Arena Way, Magna Road, Wimborne, BH21 3BW

APP/23/00822/F

Amendment

Location in report	Change
1.1.3	Amend the following bullet point to clarify the proposal, as follows: • Temporary Construction Compound 1 (TCC1) (NB TCC2 will not be utilised **or developed** within this proposal**, which would be secured by a recommended planning condition).**
1.1.6	Amend the following bullet points to clarify the proposal, as follows: • Achieve R1 status, thereby being categorised as partially renewable energy production (this will be c. 50 per cent of the energy output). **The R1 status confirms that it is a recovery operation, i.e. not a disposal operation such as landfill, less efficient EfW, or incineration without energy recovery.** • Have potential to export 5MWth of heat (~~inclusive within~~ **in addition to** the 28.5MW output) to Magna Business Park through a Combined Heat and Power (CHP) connection and Distribution Network Connection (DNC) Corridor connected off Magna Road. These elements are included in the proposal
1.1.10	Amend text as follows: The applicant, MVV ~~Energie AG~~ **Environment Ltd**, has advised that they intend to be the operators of the facility if it is constructed.
1.2.1	Amend text to reflect the correct classification of the proposal as a waste recovery (not disposal) facility as follows: The application is EIA development, exceeding the threshold in ~~Part 11(b)~~ **Part 3(a)** of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations (2017) for waste disposal installations and the threshold under Part 3(a) for the generation of electricity.
6.1.1	Amend Ecology Officer (BCP) with updated comments as follows (the requested conditions and planning obligations are unchanged): ~~Objection due to incorrect BNG figures and the use of TCC2.~~ **No objection on biodiversity grounds, providing a planning condition which precludes use of TCC2 is implemented. The visibility of the building**

	will however have a negative impact on users of the Canford Heath Nature Reserve.
7.1.3	Amend text to include updated representations as follows: At the date of this report being published, 240 responses have been received comprising 238 objections and 2 comments neither supporting or objecting to the application. Comments in full are available on the Council website. Following the publishing of the committee report, at the time of publishing this addendum to the committee report, 33 further representations have been received which are all objecting to the application. Comments in full are available on the Council website.
7.1.4	Add the following material planning considerations raised within objections: • **The results of assessments and details including traffic, heritage landscape, ecology and air quality, have not been made available to the public for scrutiny and the opportunity to ask questions prior to the application being considered. This is undemocratic and illegal. The application should be delayed to allow for the public to scrutinise these documents. In addition, the Council has tried to mislead the public by uploading assessments and backdating them.** • **A public consultation must be undertaken at a time when proposals are genuinely still at a formative stage.** • **A boundary revision is required to enable the Canford area to be transferred to Dorset County Council to safeguard the remaining natural spaces and residents. Recent history has demonstrated that BCP has little regard for the unique value of the remaining natural space, seeing it merely as building land for intensive development and dumping of waste.** • **Not enough weight has been given to objections in the report when making the balance between benefit and harm.** • **A 2m diameter balloon should be flown at the chimney location to allow members to see the impact of the height. This was done on a ski slope application made in 1993 (APP/663/25 and APP/663/26).** • **BCP council will extend the food waste recycling scheme to Poole residents in early 2026 and a soft plastics household recycling scheme will operate from 2027. Both schemes will reduce the amount of waste currently going to landfill.** • **No decision should be made until the national policy position on energy from waste applications until the new Government's position is clear. A May 2024 report from the National Infrastructure Commission (NIC), which provides the government with impartial, expert advice on major long term infrastructure challenges, urged the then government to *ban future energy from waste capacity that does not include carbon capture and storage, and instruct local authorities to not sign or renew long term energy from waste contracts without credible plans for this technology.*** • **The results of assessments and details including traffic, heritage landscape, ecology and air quality, have not been made available to the public for scrutiny and the opportunity to ask questions prior to the application being considered. This is undemocratic and illegal. The application should be delayed to allow for the public to scrutinise these documents. In addition, the Council has tried to mislead the public by uploading assessments and backdating them.** • **A public consultation must be undertaken at a time when proposals are genuinely still at a formative stage.** • **A boundary revision is required to enable the Canford area to be transferred to Dorset County Council to safeguard the remaining natural spaces and residents. Recent history has demonstrated that BCP has little regard for the unique value of the remaining natural space, seeing it merely as building land for intensive development and dumping of waste.** • **Not enough weight has been given to objections in the report when making the balance between benefit and harm.** • **A 2m diameter balloon should be flown at the chimney location to allow members to see the impact of the height. This was done on a ski slope application made in 1993 (APP/663/25 and APP/663/26).** • **BCP council will extend the food waste recycling scheme to Poole residents in early 2026 and a soft plastics household recycling scheme will operate from 2027. Both schemes will reduce the amount of waste currently going to landfill.** • **No decision should be made until the national policy position on energy from waste applications until the new Government's position is clear. A May 2024 report from the National Infrastructure Commission (NIC), which provides the government with impartial, expert advice on major long term infrastructure challenges, urged the then government to *ban future energy from waste capacity that does not include carbon capture and storage, and instruct local authorities to not sign or renew long term energy from waste contracts without credible plans for this technology.***

	• **The land would be better used by providing much needed facilities for leisure use.** • **The site in question should be in the process of being returned to the green belt, except its use was extended through appealing conditions until 2035. This application would increase the use until 2064 and extend further into the Green Belt, and SSI.** • **I am not against waste to energy in principle, but the technology is not yet proven to be safe, and this site is simply not suitable.** • **Carbon capture is not yet proven or efficient, based on reports from Europe, and even if it was, it should be fitted before the facility comes into operation. No doubt any agreed conditions would be appealed in any event.** • **To get to the site Longham Bridge weight issues have been in dispute for years with no resolution so again not an accessible route onto Magna Road.** • **The Local Waste Plan does not allow for the use & excludes incineration**
7.1.7	Amend text as follows (N.B. these comments were received and considered prior to the committee report being published): Objections have been received from local and national groups. The issues raised have been included within the above list. • Mag Watch on **26/03/2024 and** 24/08/2023 • Dorset ~~Council~~ **Campaign** for the Protection of Rural England (CPRE) on 12/10/2023 and 19/01/2024
8.1.2	Add the following text at the end of the Paragraph: **A set of proposed reforms to the NPPF were published in July 2024 for consultation. At present, no specific changes have been established and reforms are accompanied by a set of questions to aid consultation. Given the early stage of consultation of the reforms, officers have not afforded any weight to the potential changes to the NPPF.**
8.6.1	Amend text to provide updated status as follows: The proposal would be subject to a requirement for an environmental permit, which falls outside of the planning system. The permits are issued by the Environment Agency (EA) and considers many of the onsite impacts of the development. **The applicant has advised that their Environmental Permit application for the proposal has been submitted to the Environment Agency, who have confirmed receipt.**
9.3.1	Amend text as follows: The proposal comprises an ~~Electricity~~ **Energy** from Waste plant (EfW) with Combined Heat and Power (CHP). The facility would have an annual

	throughput of up to 260,000tpa (tones per annum) of non-hazardous residual waste, which would be incinerated on-site.
9.6.3	Amend text as follows: The NPPW (National Planning Policy for Waste) should be read alongside**, and with equal weight as,** the NPPF (National Planning Policy Framework).
9.6.4	Amend text as follows: The PLP (Poole Local Plan) and BCPDWP (Bournemouth, Christchurch, Poole and Dorset Waste Plan) underwent examination and were found to be sound plans relatively recently, in ~~2017~~ **2018** and 2019 respectively.
9.8.5	Add the following text to the end of Paragraph 9.8.5: **Given that the facility is not operational, the Parley allocated waste site (Inset 7) currently falls 160,000tpa below its allocated capacity.**
9.6.4	Amend the following bullet point: • The **relevant policies of the** draft BCP Local Plan currently ~~has~~ **have very** limited weight due to its stage in the adoption process and t**he number of objections received -** there are therefore no draft policies o~~f material weight~~ which would impact on the determination of this proposal.
9.9.12	Add the following text as an additional bullet point: • **The Outline Statement on Waste Need was introduced at appeal and was not produced at the time of Dorset Council's refusal and did not form any part of the refusal.**
9.9.13	Amend the first and second bullet points to improve legibility as follows: • ~~The approved waste throughput on the Site is c. 113,000tpa at the Mechanical Biological Treatment MBT facility (the output of which would likely be redirected to the proposal if built.~~ The site has permission for 100,000tpa at the existing EfW facility (albeit unbuilt) – the BCPDWP states that "it is expected that this facility can be developed during the Plan period". The site allocation also notes the potential 150,000tpa approved for recycling could be developed for residual waste management. The existing and acknowledged potential throughput of waste at the Site therefore does not need the 25,000tpa intensification to justify the 260,000tpa capacity of the proposal. • The existing waste management capacity in the BCPDWP has been misrepresented through counting the 125,000tpa of Mechanical Biological Treatment MBT throughput as residual waste management rather than a mid-point of treatment. **C. 113,000tpa of waste currently leaves this facility, and the CRP site, to be processed at EfW facilities or landfill elsewhere. This would likely be redirected to the proposed facility should it be constructed.**

10.2.4	Remove the text following Paragraph 10.2.4 which is an error: ~~I'm not sure c12 to 15m high building sand a 35m high chimney should be called low height. Also the CRP contains large footprint buildings. So maybe refer to medium height buildings and a chimney~~
11.4.1	Amend first sentence of text as follows: The proposed chimney stack would emit gasses, which can result in a visible ~~smoke~~ plume **of water vapour**.
11.5.1	Amend the final sentence of text as follows: The impact is further alleviated given that they will ~~be used in~~ **only be visible at** night time, when they will be observed by far fewer people.
11.6.3	Delete Paragraph 11.6.3 as the chimney height is specifically in relation to ecological impacts: ~~The 110m chimney height is required to release emissions at a height which does not have an unacceptable impact on protected ecology and human health.~~
13.6.2	Amend text as follows: Waste will be held internally within the proposed main EfW building, contained within the **tipping bunker (directly tipped in from incoming delivery vehicles)** building itself rather than being stored externally like the existing MBT facility, prior to ~~its incineration~~ **being transported off site for treatment elsewhere in the country or abroad.**
13.9.1	Amend text as follows: The facility is not open to the public and is operated as a closed commercial facility within the close Canford Resource Park (CRP) site, which is not open to the public. Waste would not be stored externally, meaning there would be little chance of windblown waste. **All transport of waste, or outgoing materials, will be in enclosed body vehicles or sheeted vehicles.** Officers do not consider there to be a significant risk of littering from staff, given the commercial operation of the site (including the requirements of the EA Environmental Permit) and the closed nature of the operational parts of the Site. Officers conclude that there is no significant risk of littering and do not consider a planning condition necessary in this regard.
13.10.3	Add the following text at the end of the paragraph: **It should also be noted that the Site is located within 400m of the heathland, so new residential development in the immediate vicinity is strictly prohibited by the current development plan and unlikely in the future.**
17.1.3	Add the following text at the end of the paragraph:

	The applicant has advised that the DNC connection will be constructed beneath the Knighton Stream using horizontal direct drilling, thereby not impacting on the bridge, the stream or its bed.
20.1.2	Amend typo as follows: ~~HAS~~ **HSA**
26.3.2	Amend the following bullet point: *Environmental* • The proposal would generate a source of reliable, low carbon energy (~~including~~ **in addition to** the **5MWth** CHP energy connection to Magna Business Park and the Arena Way CHP route subject to uptake) of up to 28.5Mwe. This would be approximate to the amount of energy powering 60,000 homes, roughly equivalent to the number of households in Poole.
26.4.7	Add the following text at the end of the paragraph: **An assessment on alternative sites has been provided and officers have assessed this later in this committee report. This assessment reflects on Green Belt considerations. The need for the development has been clearly demonstrated and officers' assessment concludes that the development could not be provided on any alternative suitable non-Green Belt sites, as required by BCPDWP Policy 21(b).**
26.5.7	Amend the text as follows: 26.5.7 The application has considered alternative sites and officers are satisfied that the application Site, which has an existing (although smaller) facility, is the most suitable location for the proposal, including the other relevant allocated waste sites. The appellant of the Portland appeal has agreed (in a representation on this application) that the Parley, Mannings Heath and Binnegar Quarry sites would not be acceptable alternative sites; however, states that the Portland site should be considered. The application on the Portland site has substantial issues and does not benefit from a planning permission, **nor is it an allocated waste site within the BCPDWP**. **Dorset Council's reasons for refusal included significant adverse harm to the landscape and views within the setting of the Jurassic Coast World Heritage Site and AONB (note: AONBs have subsequently been renamed nationally as "National Landscapes"), and considerable harm to heritage assets. The Portland application is not on an allocated site in the BCPDWP and is not well located – it would not reap the crucial benefits of the Canford allocated site in terms of proximity principle, co-location and would have lesser benefits in comparison.** Officers have detailed in this report that ~~an assessment~~ **the Portland site is not an alternative suitable site. Officers also** note that there is no existing operational facility on the Portland site. **Officers are satisfied that the proposal Site is the better location for the development. Dorset**

	Council comments, while questioning the waste need, reflect this. Officers also note Paragraph 14.167 of the Portland refusal (ref WP/20/00692/DCC) which acknowledges the benefits of the Canford site stating: ***"The proposal shortly to be considered at BCP would be located within an allocated site in the Waste Plan, and it would comply with waste policy in that it would be co-located with other adjacent waste management uses. Further there would be scope in that scheme to convey the IBA to a company on land adjacent to the site, where the ash could be processed in a secondary aggregate business."***
26.6.4	Inset text as follows: The development would create many public benefits, including the benefits of meeting a local waste disposal need, but also moving waste up the waste hierarchy, reducing the export of local waste and the number of associated vehicle trips **(and the resulting emissions)**, and providing a reliable source of substantial low-carbon energy to help address climate change.
26.6.9	Insert new paragraph '26.6.9b' after Paragraph 26.6.9 as follows: **Officers' reasons recommending that planning permission be granted have been set out in this committee report. In reaching this conclusion, officers have had regard to and examined the submitted environmental information within the submitted Environmental Statement (including the additional information submitted under the Regulation 25 re-consultation) and covering all Environmental Impact Assessment matters scoped into the Environmental Statement) and made a reasoned up-to-date conclusion, taking into account all of the proposal's significant environmental impacts. The reasoned conclusion includes the imposition of appropriate monitoring measures recommended in this report, including the relevant planning conditions (and monitoring measures therein) and the features of the proposed development and how these offset likely significant adverse impacts on the environment. As such, officers are satisfied that they have complied with the relevant statutory duties under Regulations 26 and 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. No other environmental information is required in order to address officers' considerations or the submitted objections.**
26.6.10	Amend the text as follows to reflect the correct version of the legislation that applies: 26.6.10 Officers therefore recommend that, subject to the application being referred to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction ~~2024~~ **(2021)** and the Secretary of State deciding not to call in the application for her own determination, members:

Recommendation:

As per the published agenda report.

6b) The Saltwater Sauna, Sandbanks Promenade, Poole, BH13 7PP

APP/24/00236/F

Amend Condition 5 as below;

5. The lighting as shown on the approved plans must be in use between the hours of sunset and sunrise (as set by the Met Office). The lighting must be retained and maintained to ensure the lighting remains in line with manufacturers specifications and in working order.

   Reason: In the interests of pedestrian safety and in accordance with Policy PP35 of the Poole Local Plan (November 2018).

Recommendation:

As per the published agenda report with condition 5 amended.

6c) 60 Vicarage Road, Poole, BH15 3BB

APP/24/00631/F

No updates

Recommendation:

As per the published agenda report.