

Regulatory Committee

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Dorset County Council



Date of Meeting	27 November 2014
Officer	Director for Environment and Economy
Subject of Report	To consider planning application 3/14/0486/CPO for proposed change of use from "part parking of vehicles, operating centre and portable office (Ref 3/89/0102) and part general industrial (EUC dated 30.04/75)" to "part parking of vehicles, operating centre and various ancillary buildings and part as a waste transfer station"; Provision of concrete pad with 2m walling to two sides on which to operate the proposed transfer station at 9E1 Middle Road, Bailie Gate Industrial Estate, Sturminster Marshall, Poole, Dorset BH21 4DB.
Executive Summary	This application was discussed by the Regulatory Committee on 05 September 2014 when the Committee resolved to defer determination of the application pending further discussion with the applicant on the feasibility of enclosing the proposed operation to reduce dust and the implications associated with this. The applicant considers that the total enclosure of the proposed operations would not be viable and is not necessary for effective dust management. However, additional screen walling has been proposed and further details have been provided regarding proposed dust management measures. It is again recommended that planning permission be granted subject to conditions controlling and regulating the proposed use.
Impact Assessment:	<p>Equalities Impact Assessment: The report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.</p>
	<p>Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations detailed in the report.</p>

	<p>Budget: Generally the determination of planning applications will not give rise to any budget implications for the Committee.</p> <p>Risk Assessment: As the subject matter of this report is the determination of a planning application the County Council's approved Risk Assessment methodology has not been applied.</p> <p>Other Implications: None</p>
<p>Recommendation</p>	<p>That planning permission is granted subject to the conditions set out in paragraph 4.1 of this Report.</p>
<p>Reason for Recommendation</p>	<p>The reasons for granting planning permission are summarised in paragraphs 6.25 to 6.29 of the report attached at Appendix 1.</p>
<p>Appendices</p>	<ol style="list-style-type: none"> 1. Agenda Item 9 of the Regulatory Committee of 05 September 2014: Report of Head of Planning. 2. Update Sheet to Planning Committee of 05 September 2014.
<p>Background Papers</p>	<p>PA File 3/14/0486/CPO</p> <p>NB: Copies of representations may be inspected in the Directorate for Environment and the Economy and will be available for inspection in the Committee Room prior to the meeting.</p>
<p>Report Originator and Contact</p>	<p>Name: Mr Huw Williams Tel: (01305) 228264 / 07887 557862 Email: H.R.williams@dorsetcc.gov.uk</p>

1. Background

- 1.1 On 05 September 2014 the Regulatory Committee resolved to defer consideration of this planning application pending further discussion with the applicant on the feasibility of enclosing the proposed operation to reduce dust and the implications associated with this. Members were particularly concerned about the potential for dust nuisance at Sturminster Marshall First School.
- 1.2 The previous report is attached at Appendix 1 of this report and provides details of the site and the proposed development. In brief, the proposal is for a concrete hardstanding (12.19 x 18.29 metres) on to which skip contents would be deposited for sorting and batching prior to dispatch from the site. Maximum annual throughput is proposed to be 6,500 tonnes equating to about 2,167 skips a year or about 42 per week. The facility would cater for construction, demolition, excavation and trade wastes only. No consignments including hazardous waste or refuse that includes foodstuffs would be accepted at the site and no processing of waste (e.g. crushing, mechanical screening, recycling or burning) would occur on site.
- 1.3 The proposed activity would require a Permit or Exemption under the Environmental Permitting Regulations 2012. The Environment Agency is required to consider all forms of pollution when issuing an Environmental Permit. If a permit is issued for this site, it will require the operator to take all appropriate measures to prevent pollution.

2. The Need for Enclosure

- 2.1 Policy 29 of the Waste Local Plan provides that proposals for waste transfer stations or extensions to existing transfer stations will only be permitted where the reception, handling and processing takes place in a fully enclosed building, unless there would be no proven benefit from such enclosure.
- 2.2 The application proposal does not provide for a building within which the reception and handling of waste would occur, but the Planning Statement submitted in support of the application contends that there is no justification or proven need for the proposed facility to be enclosed within a building and that the cost implications of so doing would be too great for the throughput proposed.
- 2.3 The concerns raised during the previous Committee meeting have been discussed with the applicant who maintains that the full enclosure of the proposed operation would not be viable or practicable and is unnecessary. A very substantial building would be required in order that the reception and handling of waste could be undertaken within a fully enclosed space and the associated costs would not be justified by the volume and value of the waste proposed to be transferred through the site.

3. Appraisal of Dust Implications

- 3.1 The two main issues associated with possible dust emissions from waste development sites are impact on amenity by reason of nuisance and impact on health.

- 3.2 Intermediate (10-30 microns) and larger (greater than 30 microns) dust particles (sometimes called nuisance dust) are not generally associated with adverse health effects in humans, but can be a source of complaint by reason of soiling, discolouration (usually temporary) and/or damage. Smaller particles of less than 10 microns (also known as Particulate Matter or PM₁₀) are associated with effects on human health.
- 3.3 Emission and dispersion of nuisance dust from waste sites can be difficult to predict due to the varying activities that can give rise to fugitive dust and the range of factors influencing settlement (e.g. weather conditions, surrounding topography, presence of vegetation, intervening structures, etc). The nature and scale of operations undertaken at a particular site are also important factors. If released, larger particles tend to make up the greatest proportion of dust emitted from waste sites and will mostly deposit within 100 metres of source. Intermediate particles may travel further (often up to 200-500 metres). Due to the potential for widespread impact on amenity dust management measures generally focus on release avoidance or suppression at source and there are a range of effective management measures available to avoid nuisance occurring. Such measures typically include maintenance of surfaces, damping down during dry periods, covering loads and piles. etc.
- 3.4 Once airborne, small particles may be deposited slowly and may travel 1000 metres or more from a source, although their concentration normally decreases rapidly on moving away from a source due to dispersion and dilution. Research indicates that the most significant contributions from waste management facilities to local PM₁₀ emissions are generally associated with additional vehicle movements on local roads and soiled wheels or spilling of loads associated with those vehicles. In this instance, as the application site is already actively used for skip storage and as an operating centre, it is not anticipated that the change in traffic movements to, from and within the site associated with the proposed transfer operation will have a material impact on local PM₁₀ concentrations.
- 3.5 In response to the concerns expressed at the previous meeting the applicant has noted that Sturminster Marshall First School lies to west-north-west of the application site and that prevailing winds would not blow dust towards the school. It has further been noted that winds necessary to blow dust towards the school are those that occur least frequently and rarely exceed 10 knots. Lower wind speeds tend not to generate fugitive dust.
- 3.6 Additional details have also been provided of the misting system that would be used to dampen down dust when necessary and the applicant has proposed extending the proposed screen walling along the complete length of two sides of the proposed concrete pad. This would provide additional screening for those occasions when winds blow towards the school. The applicant has also noted that under such conditions any dust would be blown towards and past the site office before reaching the school. The need for any additional control measures would therefore be readily apparent to management and such measures could be implemented before any likely deposition or nuisance at the school.
- 3.7 Normal housekeeping procedures would include the regular cleaning of the concrete hardstanding, maintenance of the existing gravel surface in the yard area which acts to reduce the raising of dust, use of a purpose designed

misting system to moisten the hardstanding area and use of a water bowser (or similar system) as necessary within the yard area.

3.8 The District Council's Public Health Officer is not objecting to the proposal and dust management will also be a requirement of the Environment Permit or Exemption issued by the Environment Agency.

3.9 Having regard to the above it is considered that the full enclosure of waste reception and handling is not necessary in this instance. For the reasons set out in the previous report, planning permission can and should be granted.

4. Recommendation

4.1 Grant planning permission subject to the conditions set out below.

SCHEDULE OF CONDITIONS

Time Limit - Commencement

1. The development hereby permitted shall be begun not later than the expiration of 3 years beginning from the date of this permission.

Reason

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

Development in Accordance with Approved Plans and Details

2. The development hereby permitted shall be carried out in complete accordance with the details provided on the application form, submitted plan showing the proposed concrete hardstanding (Drawing Scheme - 2) and supporting documents.

Reason

The decision that this proposal is acceptable in terms of its impact on the surrounding area has been made having regard to the application as submitted. If the nature of the proposed use changes then there is the potential for dis-amenity to occur that would be contrary to the intentions of Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Notification of Commencement

3. Written notification of the date of commencement of the development hereby permitted shall be sent to the Waste Planning Authority within seven days of such commencement.

Reason

To assist the Waste Planning Authority in monitoring the development and compliance with the terms of this permission.

Hours of Operation

4. No deliveries of material to or from the site and on no machinery shall be operated at the site outside the hours of 07:00 to 17:30 Mondays to Fridays and 07:00 to 12:30 on Saturdays. No operations shall take place on Sundays, Public Holidays or Bank Holidays.

Reason

In accordance with the application proposal and in the interests of the amenities of the area having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

No Processing of Waste

5. The waste handling use hereby permitted shall be limited to the sorting and transfer of waste only. No crushing, mechanical screening, recycling or burning of waste shall take place on the site.

Reason

To ensure that the proposed use does not result in the generation of smoke, dust or particulates and to protect the amenities of the area having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Limit on Waste Materials

6. No waste material other than construction, demolition and excavation waste and trade waste shall be accepted on to the site for sorting. No consignments that include hazardous waste or refuse that includes foodstuff shall be accepted on site.

Reason

In the interests of the amenities of the area having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Limitation on Where Waste Can Be Sorted

7. The emptying and sorting of waste shall take place only within the confines of the concrete handstanding hereby approved as shown on approved Drawing SCHEME_2 and not on any other part of the application site. Outside of any buildings, all waste materials shall be stored in skips or other appropriate containers.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Limit on Site Throughput

8. Waste throughput shall be limited to a maximum of 6,500 tonnes in any one calendar year and a maximum of 200 tonnes in any one week. The Operator shall maintain records of weekly throughput and shall make these available to the Waste Planning Authority upon request given 24 hours notice.

Reason

The evaluation of the potential impact of the use on the area and nearby properties has been made based on the specific proposals set out in the application and any changes to this specification may result in a greater and potentially unacceptable impact having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Trade Use Only

9. The site shall be used as a trade facility only and shall not be open to receive waste materials direct from the general public.

Reason

The evaluation of the potential impact of the use on the area and nearby properties has been made based on the specific proposals set out in the application and any changes to this specification may result in a greater and potentially unacceptable impact having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and

Dust Management Plan

10. Measures shall be undertaken throughout the life of this permission to avoid fugitive dust emissions. For the avoidance of doubt, such measures shall include the dampening down of waste materials. Within 28 days of a reasoned written request to the operator from the Waste Planning Authority following a justifiable dust nuisance complaint, the operator shall submit for approval an update Dust Management Plan. That Plan shall identify potential sources of fugitive dust emissions from the site and detail measures to be adopted to control dust and for the review and amendment of such measures. Once approved, the measures detailed in the approved Dust Management Plan shall be implemented and maintained throughout the life of this permission.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth Dorset & Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Netting and Sheeting of Skips

11. Any skip containing waste materials stored on the application site or entering or leaving the site shall be fully netted and/or sheeted.

Reason

To prevent dust or any item of waste from being blown out of the skip and to protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Noise Control

12. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers to prevent unnecessary noise. All equipment when not in use shall be switched off. Warning noise emitted by any vehicles, plant and machinery operated within the site must not be audible at any residential property.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Limit on External Lighting

13. No additional lighting shall be installed on the site outside any building without the prior written agreement of the Waste Planning Authority.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (General Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy LTDEV1 (External Lighting) of the East Dorset Local Plan.

No Access from Moor Lane

14. There shall be no vehicular or pedestrian access to the site from or to Moor Lane.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan.

Planting

15. Prior to the first use of the concrete pad hereby approved, a scheme for supplementary planting on the bund forming the northern boundary to site shall be submitted to and approved in writing by the waste planning authority. The approved supplementary planting shall be carried out in the first available planting season. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Waste Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan.

Retention and Maintenance of Boundary

16. The bund and vegetation forming the northern boundary to the site shall be maintained to provide an effective visual screen from Moor Lane. Any plant or trees forming part of the boundary screen that are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species unless otherwise agreed in writing with the Waste Planning Authority.

4.2 ADDITIONAL INFORMATION FOR INCLUSION ON DECISION NOTICE

INFORMATIVES:

Environmental Permit

1. This activity will require a Permit or Exemption under the Environmental Permitting Regulations 2012. The Environment Agency is required to consider all forms of pollution when issuing an Environmental Permit. If a permit is issued for this site, it will require the operator to take all appropriate measures to prevent pollution.

Surface Water / Groundwater

2. This site is located in flood zone 1, low risk, however there are known issues with drainage in Sturminster Marshall. Therefore, you may wish to consult with Wessex Water and the Local Authority Drainage Engineers as the relevant Authorities for commenting on these matters.

Oil and Chemical Storage

3. Oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.
Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which can be found at: <http://www.environment-agency.gov.uk/business/topics/oil/>

Statement of Positive Engagement

4. In accordance with paragraphs 186 and 187 of the NPPF, the Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:
 - providing a pre-application advice service;
 - updating the applicant's agent of issues as they arose in the processing of the application;
 - discussing possible solutions to material concerns raised; and
 - providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given

Matthew Piles
Head of Economy
October 2014

Agenda Item:

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Regulatory Committee

Dorset County Council



Date of Meeting	5 September 2014
Officer	Head of Planning
Subject of Report	To consider planning application 3/14/0486/CPO for proposed change of use from "part parking of vehicles, operating centre and portable office (Ref 3/89/0102) and part general industrial (EUC dated 30.04/75)" to "part parking of vehicles, operating centre and various ancillary buildings and part as a waste transfer station"; Provision of concrete pad with 2m walling to two sides on which to operate the proposed transfer station at 9E1 Middle Road, Bailie Gate Industrial Estate, Sturminster Marshall, Poole, Dorset BH21 4DB.
Executive Summary	The proposal is for the provision of a concrete pad within an industrial compound/yard site that is used, in part, for skip storage. Some waste handling already occurs on the site, with sorting undertaken direct from one container to another. The concrete pad would be used for the emptying and sorting of skip contents, enabling the site operator to undertake additional sorting of waste and to batch materials in greater bulk prior to despatch.
Impact Assessment:	Equalities Impact Assessment: The report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.
	Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the main body of the report.

	Budget/Risk Assessment: No budget/risk assessment implications.
Recommendation	Grant planning permission subject to the conditions set out in Section 9.1 of the Report.
Reason for Recommendation	The reasons for granting planning permission are summarised in paragraphs 6.25 to 6.29 of this report.
Appendices	1. Site Location. 2. Proposed Layout.
Background Papers	PA File 3/14/0486/CPO NB: Copies of representations may be inspected in the Environmental Services Directorate and will be available for inspection in the Committee Room prior to the meeting.
Report Originator and Contact	Name: Mr Huw Williams Tel: (01305) 228264 Email: H.R.Williams@dorsetcc.gov.uk

1. Background

- 1.1 This planning application was received on 06 May 2014 following correspondence regarding the need for planning permission for the formation of a concrete pad with 2 metre high walling on two sides to facilitate the sorting and recycling of waste in conjunction with a waste transfer operation.
- 1.2 The site is currently occupied by AYS Skip Hire Limited (the applicant) and is used (in part) for the storage of domestic and commercial skips. It is understood that skips are delivered from the site to premises throughout south-east Dorset. Collected waste is then taken direct to recycling centres operating in the Borough of Poole. Some waste handling already occurs on the site, with sorting undertaken direct from one container to another i.e. the contents of skips are not tipped on the ground for sorting. The proposed facility would enable the site operator to undertake additional sorting of waste themselves and to batch materials in greater bulk prior to despatch.

2. Site Description

- 2.1 The application site is located on the northern edge of the Bailie Gate Industrial Estate within the village of Sturminster Marshall. The industrial estate is situated on the south-eastern edge of the village, bordering the valley of the River Stour and the open countryside of the Dorset Green Belt. The estate supports a variety of employment uses that includes light industry and offices (Class B1), general industry (Class B2) and warehousing/storage (Class B8).
- 2.2 Access to the estate is off a roundabout on Station Road (a Class C road) from which a gate controlled access road leads to a network of private streets. Station Road connects to the A350 approximately 300 metres from the roundabout.
- 2.3 The site itself is accessed from the end of Middle Road and comprises the western half of an industrial/storage compound/yard that is predominantly loose surfaced. It is broadly rectangular in shape with a maximum width of approximately 50 metres and a maximum depth of approximately 42 metres. The total area of the site amounts to approximately 0.18 of a hectare.
- 2.4 The location of the site is illustrated at Appendix 1 of this report.
- 2.5 There are a number of containers and portable buildings (all single storey) in the western end of the application site that are used as offices, a workshop and for storage. There is a gated internal compound in the north-western corner of the site that is used for the storage of scrap metal. The remainder of the site and wider compound comprise the '*operating centre*' that is used for the parking of vehicles the storage of skips and waste containers. Empty skips and containers are mostly stored along the northern, eastern and southern boundaries.
- 2.6 The northern boundary of the site is formed by a 3-metre high bund, beyond which is Moor Lane. The bund supports a range of vegetation that helps to screen views of the site from the north. Further screening vegetation lies between the bund and Moor Lane. There are some further pockets of

greenery around some parts of the site, but the boundaries are otherwise mostly formed by walls and fencing.

- 2.7 Moor Lane adjoins Station Road and has a metalled surface over the first part of its length and provides access to a number of houses and commercial premises. The lane also provides access to the Sturminster Marshall Golf Club (which lies to the north of Moor Lane) and to the Marshall Fisheries (which are approximately 250 metres south-east of the site). The lane functions as a footpath/bridleway link that connects to the Wareham Forest Way. However, it is a narrow route of single carriageway width, with no formal passing places and the route loses its metalled surface before it reaches the boundary of the site. There is currently no means of accessing the site from the lane and none is proposed.
- 2.8 Sturminster Marshall First School is accessed off High Street, but the school site extends along Moor Lane with the nearest part of the grounds being approximately 60 metres from the application site and the nearest building being approximately 70 metres.
- 2.9 The site compound formerly comprised part of a larger area that was used as an industrial dairy complex and for which an Established Use Certificate (EUC) was issued in 1975 in respect of general industry within the meaning of Class IV of the 1972 Use Classes Order. Planning permission was later granted on appeal in 1990 for the use of the western half of the compound as an operating centre for heavy goods vehicles and for the parking of vehicles and the use of a portable office (Ref: 3/98/0102). It is understood that the applicant has occupied the site for approximately 16 years.
- 2.10 To the west of the site and lying between it and the school is a property known as Braemar. This has a domestic character, but formed part of the certified general industrial site. It is currently vacant, but was last used as an MS Centre, although seemingly without planning permission.
- 2.11 Adjacent to the site to the northwest is the Thomas Patrick Dental Studio, a dental laboratory which some patients visit.
- 2.12 Both Braemar and the dental laboratory are accessed off Moor Lane and both are included within the employment allocation for the Bailie Gate Industrial Estate identified in the Christchurch and East Dorset Local Plan Core Strategy as adopted in April 2014 (Policy RA1, Map 12.1). Policy PC1 of the Core Strategy confirms that B1, B2 and B8 uses will be accommodated on the industrial estate, together with a more diverse range of non B class employment uses.
- 2.13 East Dorset District Council is considering an application for outline planning permission for the redevelopment of the Braemar site by the erection of four residential dwellings (Reference 1/14/0150/OUT). The grounds at Braemar contain a number of mature trees that provide for a robust boundary between the sites.
- 2.14 To the south are further industrial/compound sites and industrial/commercial units.

- 2.15 3.3 hectares of land to the east of the site compound and industrial estate is identified in the Christchurch and East Dorset Local Plan Core Strategy for removal from the Green Belt and employment development (B1, B2 and B8).

3. The Proposal

- 3.1 The proposed concrete hardstanding (12.19 x 18.29 metres) would be sited near to the site entrance and would drain into an interceptor with three chambers that would be pumped out when necessary. Collected silt and water would be removed from site by tanker. 1.8 metre high walls formed of railway sleepers would extend 6.1 metres along two sides of the hardstanding.
- 3.2 The proposed site layout is illustrated at Appendix 2 of this report.
- 3.3 Operating hours are proposed to be 07:00-17:30 Monday to Friday and 07:00-12:30 on Sundays. The maximum annual operational throughput is detailed as 6,500 tonnes. With the average skip weighing 3 tonnes, there would be about 2,167 skips loads brought to the site each year, or about 42 per week.

4. Consultations and Representations

4.1 Ward Member

No response

4.2 East Dorset District Council

Objects to the proposal on grounds of noise and makes the following comments:

- Site is in an area identified for employment use, and the proposal represents such a use. Core Strategy Policy KS5 is relevant.
- Proposal will generate noise. The Council's Public Health Officer has objected.
- Should approval be recommended, suggest condition to restrict hours of operation to those proposed to limit impact on adjacent property and users of Moor Lane. A planting condition may also be appropriate.
- Should the proposal generate additional vehicle trips, a contribution under the South East Dorset Transportation Contribution Scheme 2 may be appropriate.

4.3 Sturminster Marshall Parish Council

Concerns regarding water course. Not shown on application map, abutting proposed site. Seek environment agency comments.

4.4 Environment Agency

No Objection. Informatives recommended.

4.5 District Environmental Health Officer

Initially objected as Noise Statement (Barnhawk Acoustics Report No 314/1) did not consider implications on Braemar with D1 (non-residential institution) or residential use. Further noted need for short duration high impact noise to be considered.

Following submission of further information, recommends that the number of tipping events and hours of operation be limited to those specified in the report. An increase in activity is more likely to give rise to complaints. Feels that reported levels will not cause a statutory nuisance, but will impact on amenity of surrounding businesses. Advises that there is no good methodology of assessing short duration high impact noise and that this will still have an effect on the school and surrounding businesses.

4.6 **Wessex Water**

No response.

4.7 **Highway Liaison Engineer**

No objection to proposal for tonnage stated on the application form. A limit of 200 tonnes of waste throughput in any one week will be acceptable.

4.8 **Other Representations**

The application was advertised on site and in the local press. The owners/occupiers of 7 nearby properties were notified. No other representations have been received.

5. **Planning Policy Framework:**

- 5.1 Applications for planning permissions must be determined in accordance with the development plan unless material considerations indicate otherwise. The term 'other material considerations' is wide ranging, but includes national and emerging planning policy documents.

The Development Plan

- 5.2 The development plan includes the saved policies of the Bournemouth, Dorset and Poole Waste Local Plan originally adopted in June 2006, the Christchurch and East Dorset Local Plan: Part 1 – Core Strategy adopted in April 2014 and the saved policies of the East Dorset Local Plan originally adopted in January 2002. The most relevant development plan policies are:

Bournemouth, Dorset and Poole Waste Local Plan (June 2006)

- Policy 1: Guiding Principles.
- Policy 2: Integrated Waste Management Facilities.
- Policy 13: Water Resources.
- Policy 21: Transport Impact.
- Policy 24: The Major Road Network.
- Policy 29: Waste Transfer Stations or extensions to existing Waste Transfer Stations.

Christchurch and East Dorset Local Plan: Part 1 – Core Strategy (April 2014)

- Policy KS1 – Presumption in Favour of Sustainable Development.
- Policy KS5 – Provision of Employment Land.
- Policy KS11 – Transport and Development.
- Policy RA1 – Bailie Gate Employment Allocation.
- Policy PC1 – Employment Land Hierarchy.
- Policy ME6 – Flood Management, Mitigation, and Defence.
- Policy ME7 – Protection of Groundwater.

East Dorset District Local Plan (originally adopted January 2002)

- Policy LTDEV1 - Proposals for Development that require external lighting).
- Policy DES2 - Noise, smell, safety, health, lighting, disturbance, traffic or other pollution).
- Policy DES6 - Landscaping schemes.

National Planning Policy

- 5.3 Issued in March 2012, the National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Post-dating all parts of the development plan, the framework is an important material consideration and can be accorded significant weight in decision making. Planning authorities are advised to approach decision-taking in a positive way, seeking solutions rather than problems, and should seek to approve applications for sustainable development where possible.
- 5.4 The framework does not set out specific policies on waste management which instead are detailed in Planning Policy Statement 10: Planning for Sustainable Waste Management, March 2011 (PPS10). PPS10 is therefore also material to the consideration of the subject proposal.

6. Planning Assessment

- 6.1 Having regard to the provisions of the development plan, the information submitted in support of the application and the representations received, the main considerations are:
- i. the acceptability in principle of the proposed development;
 - ii. impact on amenity;
 - iii. impact on the economy;
 - iv. traffic impact; and
 - v. flood risk and other environmental impacts.

Principle of Development of Amenity Implications

- 6.2 Policy 29 of the Waste Local Plan allows for the development of Waste Transfer Stations or extensions to existing Waste Transfer Stations within allocated or permitted employment land and within or adjacent to other waste management facilities.
- 6.3 Both in allocation and use the application site constitutes employment land and hence, in principle, it is an appropriate location for a waste transfer operation. The site currently operates under standard exemptions issued by the Environment Agency in respect of the storage of waste in secure containers (Exemption S1) and storage of waste in a secure place (Exemption S2) and so may also be regarded as existing waste management facility.

- 6.4 The proposed concrete pad would be located away from the site's boundaries with the dental laboratory and Braemar and existing activities would be maintained in the intervening area. The trees within Braemar provide a substantial screen to the west and the bund and associated vegetation form a strong boundary to Moor Lane. Reinforcement planting to gaps within the northern boundary vegetation can be required by condition.
- 6.5 Policy 29 of the Waste Local Plan further provides that proposals will only be permitted where the reception, handling and processing takes place in a fully enclosed building, unless there would be no proven benefit from such enclosure.
- 6.6 The proposed concrete pad would not be enclosed and the handling and sorting of waste would not be undertaken within a building.
- 6.7 The applicant contends that there is no justification or proven need for the proposed facility to be enclosed within a building and that the cost implications of so doing would be too great. It is noted that there is no question of keeping materials dry because the skips are open to the elements when filled and their condition on arrival at the site would reflect the nature of the weather. The skips would not be used for food or perishable waste, such that there should be no smell and dust would be settled by use of sprinklers. It is further noted that some of the materials would need to be moved with the assistance of a JCB or mobile grab and that the limited size of any building that this site could take would not be large enough to enable such equipment to be manoeuvred safely.
- 6.8 Consideration of the implications for amenity are set out below.

Amenity

- 6.9 In relation to the Bailie Gate Industrial Estate, paragraph 16.15 of the East Dorset Local Plan noted that:

"Its continued development will be supported although it will be important to ensure that the development provides for screen planting of forest trees on the northern, eastern and southern sides of the site where it adjoins the open level country of the Stour valley. On the north-west part of the site the existing trees in the grounds of 'Braemar' and the hedgerow trees along Moor Lane will need to be supplemented with additional landscaping. In these parts of the site, due to the proximity to the village, including the school, it will be important to ensure that disturbance and intrusion are minimised by restricted height of buildings, by their orientation and the positioning of doors and other openings, by the careful siting of external lighting, and through screening by walling, fencing, earth mounding and planting."

- 6.10 Policy DES2 of the East Dorset Local Plan provides that developments will not be permitted which will either impose or suffer unacceptable impacts on or from existing or likely future development or land uses in terms of noise, smell, safety, health, lighting, disturbance, traffic or other pollution.

- 6.11 The proposed development caters only for initial sorting and then the transfer of waste. Restrictions can be imposed by condition preventing crushing, mechanical screening, recycling and burning.
- 6.12 The applicant has provided a Noise Statement prepared by an acoustic consultant which indicates:

“... the noise level contributions at the dwelling closest to the development would comply with the appropriate BS 4142 noise criterion and that corresponding noise level as perceived inside the closest dwelling would readily comply with the “good” standard of BS 8283.

It has also been demonstrated that the corresponding noise level contributions as perceived inside the industrial/commercial properties at Thomas Patrick Dental Studio, inside the former MS Therapy Centre and inside Sturminster Marshall First School, generally would comply with the “good” standard of BS 8233 or, at worst, with the “reasonable” standard.

In view of the existing levels of the ambient and background noise at the closest dwellings in Moor Lane, and at the adjacent school and other premises, which have been habituated to the close proximity and noise environment of the established Industrial Estate for many years, it has been shown that the overall noise climate at the dwellings will not change significantly as a consequence of the proposed development. Consequently, it is concluded that there is no proven benefit to be gained from enclosure of the proposed new activity within a building, thus demonstrating compliance with Policy 29 of the adopted Waste Local Plan.”

- 6.13 East Dorset District Council’s Senior Public Health Officer has reviewed the submitted assessment and feels that the reported levels will not cause a statutory nuisance, but will impact on amenity of surrounding businesses. He advises that there is no good methodology of assessing short duration high impact noise and that such events will have an effect on the school and surrounding businesses. It is recommended that the number of tipping events and hours of operation be limited to those specified in the report as an increase in activity is more likely to give rise to complaints. These matters can be satisfactorily conditioned and on this basis, the noise implications of the proposal are considered to be acceptable.
- 6.14 With regard to dust, fugitive emissions could materially detract from amenity, but such impacts can be controlled. In particular, the proposal provides for the use of sprinklers for the dampening down of waste materials as necessary. Accordingly, the grant of planning permission would not be contrary to Policy DES2.

Economic Implications

- 6.15 The National Planning Policy Framework (the NPPF) confirms the Government’s commitment to securing economic growth in order to create jobs and prosperity (paragraph 18) and to ensuring that the planning system does all it can to support sustainable economic growth (paragraph 19). It further notes that planning should operate to encourage and not act as an

impediment to economic growth and that significant weight should be placed on the need to support economic growth through the planning system.

- 6.16 Waste management is an important business sector in its own right, but is also important in supporting the wider economy.
- 6.17 Paragraph 12.2 of the Christchurch and East Dorset Local Plan Core Strategy notes that land is allocated for employment at the Bailie Gate Industrial Estate to meet the future needs of businesses throughout East Dorset, but particularly the rural areas of East and North Dorset. It is noted that the Industrial Estate is a long standing successful employment area which has seen a series of recent developments to improve its quality, that the owners wish to expand the Estate to meet demands and that the East Dorset Council agrees that it provides a valuable opportunity to deliver a choice of employment location and a place where rural companies are within easy access of where they conduct their business.
- 6.18 The proposed development would be to the benefit of an established business enterprise that is appropriately located on an allocated employment site, with employment on the site forecast to increase from 4 to 6 full-time equivalents. Accordingly, it is considered that the economic implication is beneficial and that economic considerations weigh in favour of granting planning permission.

Traffic Implications

- 6.19 The Council's Highway Liaison Officer has no objection to the proposed development. The site benefits from good access to the local highway network which facilitates ready access to the A350. It is anticipated that an average of 42 skip loads of waste will be brought to the site each week, but the site is already in active use and hence it is not apparent that such trips would be additional movements on the network. Accordingly, it is not considered that a contribution under the South East Dorset Transportation Contribution Scheme 2 is necessary.

Flood Risk & Other Environmental Implications

- 6.20 Policy 13 (*Water Resources*) of the Waste Local Plan provides that proposals for waste development will not be permitted where:
- i. there would be an unacceptable risk of pollution to surface, groundwater and coastal waters;
 - ii. it would affect the integrity or function of a floodplain; or
 - iii. there will be an unacceptable risk from flooding affecting the site or an unacceptable risk from flooding affecting the site or an unacceptable increase of the flood risk elsewhere.
- 6.21 The proposed drainage arrangements are intended to reduce/eliminate pollution risk to surface and groundwater and reflect Environment Agency design requirements.
- 6.22 The Environment Agency advises that the application site is located within flood zone 1 (low risk) as defined in the Technical Guidance to the NPPF, but

notes that there are known drainage issues in Sturminster Marshall. An informative is recommended regarding drainage arrangements.

- 6.23 The agency further notes that the proposed use will require a Permit or Exemption under the Environmental Permitting Regulations 2012. If issued, such a Permit will require the operator to take all appropriate measures to prevent pollution.
- 6.24 Flood risk, drainage arrangements and pollution prevention measures are therefore considered to be acceptable.

Conclusion

- 6.25 The proposal allows for the introduction of a limited waste transfer use to a site that currently operates as a skip hire depot with an element of waste handling. The site comprises existing and allocated employment land within the Bailie Gate Industrial Estate and as such is considered to be an appropriate location for such a use and in accordance with the locational requirements of Policy 29 of the Waste Local Plan.
- 6.26 Vehicular access to site is adequate and the proposal has been designed to meet Environment Agency design requirements for a waste transfer operation.
- 6.27 The concrete pad on to which waste would be tipped for sorting is located away from the site's boundaries with the neighbouring dental laboratory and the vacant premises at Braemar and existing activities would be maintained in the intervening area. The site is well screened by a 3-metre high bund and vegetation to the north and trees within Braemar provide a substantial screen to the west.
- 6.28 Policy 29 of the Waste Local Plan provides that waste transfer proposals will only be permitted where the reception, handling and processing takes place in a fully enclosed building, unless there would be no proven benefit from such enclosure. The proposed concrete pad would not be enclosed and the handling and sorting of waste would not be undertaken within a building. However, the applicant has submitted information indicating that there would be no proven benefit from enclosure.
- 6.29 The proposal is for a relatively small scale operation of up to 6,500 tonnes of waste a year, equating to approximately 42 skips a week. Having regard to the existing noise climate, the submitted noise statement indicates that noise levels at the adjacent commercial premises, the nearest dwelling and inside Sturminster Marshall First School would be acceptable. It is recognised that short duration high impact events will have an effect on the school and surrounding businesses, but there is no good methodology of assessing such impacts. Subject to restrictions preventing crushing, mechanical screening, recycling and burning and limiting hours of operation and the number of tipping events, East Dorset District Council's Senior Public Health Officer has raised no objection to the proposal. Appropriate restrictions can be imposed by condition. On this basis, the implications of the proposal for amenity are considered to be acceptable.

7. Human Rights Implications:

7.1 The provisions of the Human Rights Act and the principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:

- i. Article 8 - Right to respect for private and family life; and
- ii. The First Protocol, Article 1 - Protection of Property.

7.2 Having considered the impact of the development, as set out in the assessment above as well as the rights of the applicant and the general interest, the opinion is that any effect on human rights does not outweigh the granting of the permission in accordance with adopted and prescribed planning principles.

8. Statement of Positive Involvement

8.1 In accordance with paragraphs 186 and 187 of the NPPF, the Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:

- i. providing a pre-application advice service;
- ii. updating the applicant's agent of issues as they arose in the processing of the application;
- iii. discussing possible solutions to material concerns raised; and
- iv. providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

9. Recommendation

9.1 Grant planning permission subject to the conditions set out below.

SCHEDULE OF CONDITIONS

Time Limit - Commencement

1. The development hereby permitted shall be begun not later than the expiration of 3 years beginning from the date of this permission.

Reason

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

Development in Accordance with Approved Plans and Details

2. The development hereby permitted shall be carried out in complete accordance with the details provided on the application form, submitted plan showing the proposed concrete hardstanding (Drawing Scheme - 2) and supporting documents.

Reason

The decision that this proposal is acceptable in terms of its impact on the surrounding area has been made having regard to the application as submitted. If the nature of the proposed use changes then there is the potential for dis-amenity to occur that would be contrary to the intentions of Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Notification of Commencement

3. Written notification of the date of commencement of the development hereby permitted shall be sent to the Waste Planning Authority within seven days of such commencement.

Reason

To assist the Waste Planning Authority in monitoring the development and compliance with the terms of this permission.

Hours of Operation

4. No deliveries of material to or from the site and on no machinery shall be operated at the site outside the hours of 07:00 to 17:30 Mondays to Fridays and 07:00 to 12:30 on Saturdays. No operations shall take place on Sundays, Public Holidays or Bank Holidays.

Reason

In accordance with the application proposal and in the interests of the amenities of the area having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

No Processing of Waste

5. The waste handling use hereby permitted shall be limited to the sorting and transfer of waste only. No crushing, mechanical screening, recycling or burning of waste shall take place on the site.

Reason

To ensure that the proposed use does not result in the generation of smoke, dust or particulates and to protect the amenities of the area having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Limit on Waste Materials

6. No waste material other than construction, demolition and excavation waste and trade waste shall be accepted on to the site for sorting. No consignments that include hazardous waste or refuse that includes foodstuff shall be accepted on site.

Reason

In the interests of the amenities of the area having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Limitation on Where Waste Can Be Sorted

7. The emptying and sorting of waste shall take place only within the confines of the concrete handstanding hereby approved as shown on

approved Drawing SCHEME_2 and not on any other part of the application site. Outside of any buildings, all waste materials shall be stored in skips or other appropriate containers.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Limit on Site Throughput

8. Waste throughput shall be limited to a maximum of 6,500 tonnes in any one calendar year and a maximum of 200 tonnes in any one week. The Operator shall maintain records of weekly throughput and shall make these available to the Waste Planning Authority upon request given 24 hours notice.

Reason

The evaluation of the potential impact of the use on the area and nearby properties has been made based on the specific proposals set out in the application and any changes to this specification may result in a greater and potentially unacceptable impact having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Trade Use Only

9. The site shall be used as a trade facility only and shall not be open to receive waste materials direct from the general public.

Reason

The evaluation of the potential impact of the use on the area and nearby properties has been made based on the specific proposals set out in the application and any changes to this specification may result in a greater and potentially unacceptable impact having regard to Policy 1 of the Bournemouth, Dorset and Poole Waste Local Plan and

Dust Management Plan

10. Measures shall be undertaken throughout the life of this permission to avoid fugitive dust emissions. For the avoidance of doubt, such measures shall include the dampening down of waste materials. Within 28 days of a reasoned written request to the operator from the Waste Planning Authority following a justifiable dust nuisance complaint, the operator shall submit for approval a Dust Management Plan. That Plan shall identify potential sources of fugitive dust emissions from the site and detail measures to be adopted to control dust and for the review and amendment of such measures. Once approved, the measures detailed in the approved Dust Management Plan shall be implemented throughout the life of this permission.

Reason

To protect the character of the surrounding area having particular regard to Policy DM2 (Managing Impacts on Amenity) of the adopted Bournemouth, Dorset and Poole Minerals Strategy.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth Dorset & Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Netting and Sheeting of Skips

11. Any skip containing waste materials stored on the application site or entering or leaving the site shall be fully netted and/or sheeted.

Reason

To prevent dust or any item of waste from being blown out of the skip and to protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Noise Control

12. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers to prevent unnecessary noise. All equipment when not in use shall be switched off. Warning noise emitted by any vehicles, plant and machinery operated within the site must not be audible at any residential property.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy DES2 of the East Dorset Local Plan.

Limit on External Lighting

13. No additional lighting shall be installed on the site outside any building without the prior written agreement of the Waste Planning Authority.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (General Principles) of the Bournemouth, Dorset and Poole Waste Local Plan and Policy LTDEV1 (External Lighting) of the East Dorset Local Plan.

No Access from Moor Lane

14. There shall be no vehicular or pedestrian access to the site from or to Moor Lane.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan.

Planting

15. Prior to the first use of the concrete pad hereby approved, a scheme for supplementary planting on the bund forming the northern boundary to site shall be submitted to and approved in writing by the waste planning authority. The approved supplementary planting shall be carried out in the first available planting season. Any trees or plants

that, within a period of five years after planting, are removed, die or become, in the opinion of the Waste Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

Reason

To protect the amenities of the surrounding area having regard to Policy 1 (Guiding Principles) of the Bournemouth, Dorset and Poole Waste Local Plan.

Retention and Maintenance of Boundary

16. The bund and vegetation forming the northern boundary to the site shall be maintained to provide an effective visual screen from Moor Lane. Any plant or trees forming part of the boundary screen that are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species unless otherwise agreed in writing with the Waste Planning Authority.

9.2 INFORMATIVES

Environmental Permit

1. This activity will require a Permit or Exemption under the Environmental Permitting Regulations 2012. The Environment Agency is required to consider all forms of pollution when issuing an Environmental Permit. If a permit is issued for this site, it will require the operator to take all appropriate measures to prevent pollution.

Surface Water / Groundwater

2. This site is located in flood zone 1, low risk, however there are known issues with drainage in Sturminster Marshall. Therefore, you may wish to consult with Wessex Water and the Local Authority Drainage Engineers as the relevant Authorities for commenting on these matters.

Oil and Chemical Storage

3. Oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.
Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which can be found at: <http://www.environment-agency.gov.uk/business/topics/oil/>

9.3 ADDITIONAL INFORMATION FOR INCLUSION IN DECISION NOTICE

- I. A statement explaining how the Council worked with the applicant in a positive and proactive way as set out in paragraph 8.1 above.

Don Gobbett
Head of Planning

14 August 2014



Appendix 1: Site Location

Application No: 3/14/0486/CPO

AYS Skip Hire Limited

9E1 Middle Road, Bailie Gate Industrial Estate
 Sturminster Marshall, Poole, Dorset BH21 4DB.



Dorset County Council

**ENVIRONMENT
 DIRECTORATE**
 Don Gobbett
 Head of Planning



Appendix 2: Proposed Layout

Application No: 3/14/0486/CPO – AYS Skip Hire Limited

9E1 Middle Road, Bailie Gate Industrial Estate, Sturminster Marshall, Poole, Dorset BH21 4DB.

Provision of concrete pad with 2m walling to two sides on which to operate the proposed transfer station.



Dorset County Council

**ENVIRONMENT
DIRECTORATE**

Don Gobbett
Head of Planning

Regulatory

Update Sheet

Dorset County Council



Meeting Date: 05 September 2014

Item 6

Navitus Bay Wind Park Local Impact Report

Update Local Impact Report Section 7 Draft Development Consent Order

Since preparing Section 7 of the draft Local Impact Report, Officers have met and discussed their concerns with Navitus Bay Development Limited. As a result, a number of Officers' concerns have been taken on board by NBDL and accordingly Officers recommend replacing paragraphs 7.1.2-7.1.6 (inclusive) as set out below.

In summary, NBDL are preparing a revised version of the DCO. This will incorporate a number of concerns raised by Officers. The Local Impact Report will set out the outstanding issues of concern save for issues which might be considered best practice do not affect the Council's position.

Corrections/Amendments to main body of Report:

None.

Corrections/Amendments to Appendices:

Below.

- 7.1.2 Article 7 allows the transfer of the Order benefit to a third party with the Secretary of State's approval but does provide that the duties, obligations and requirements contained in the DCO attach to any such transferee. The Council considers that such duties, obligations and requirements should also transfer and NBDL has stated that this will be covered in version 2 of the draft DCO.
- 7.1.3 The compulsory purchase and temporary use powers should be slightly amended so that the notice period in Article 32(3) should be 28 days rather than 14 days. That is consistent with the decision on the Rampion scheme.
- 7.1.4 There are a number of important trees in Dorset which are not protected by a TPO. That is because they are not in urban areas and have not previously been threatened. Therefore Article 38 should be amended to allow for the protection of these important trees. For example a Requirement should be added to allow for any trees not subject to a TPO but which are nevertheless important to be identified before works are carried out and for those trees to

be protected. For example at Broadleaved Copse and Old Hedge Bank, directional drilling for the cables should be used to retain these trees which are key and important landscape features.

- 7.1.5 NBDL has confirmed that directional drilling of the important bog system immediately to the east of the A338 crossing will be included in the trenchless crossings plan. This should be safeguarded by a Requirement or otherwise.

Requirements

- 7.1.6 The County Council has a number of amendments which it considers should be made to the Requirements.
1. Requirement 12: Public Rights or Way temporary diversion and closure - where any new route is proposed the scheme should include details of the width and surfacing of any alternative route.
 2. Requirement 18: Ecological Management Plan–
 - a) This should include specific provision requiring directional drilling where necessary.
 - b) This should set out how public access, including car parking, to Hurn Forest will be maintained. There is a real risk that even temporary closure of car parks and existing access without alternative provision will permanently displace people onto the nearby heathland which has SPA, SAC and Ramsar designations.
 - c) This should also provide specific protection for the bog system immediately east of the A338 crossing which is a SNCI unless it can otherwise be safeguarded.
 3. Requirement 26: Construction Hours - The terms "start-up" and "shut-down" need definition. For example, it should exclude start-up of machinery as this could well be intrusive.
 4. NBDL has confirmed that a Flood Risk Scheme will be required by amending Requirement 13. This should be secured.

Change to Recommendation:

That, subject to any amendments it wishes to make, the Regulatory Committee recommends to the Cabinet that the Local Impact Report on the Navitus Bay Wind Park Development Application as set out in Appendix 4 of this Report and amended by the update sheet, for submission to the Examining Authority.

Item 8

Continued quarrying of building stone, retention of associated buildings, provision of additional structures for storage and working of building stone and ancillary uses together with sale from site of rough stone, worked stone

and arisings and restoration of site to wildlife area at Redlands Quarry, Red Lane, Todber, Sturminster Newton, Dorset DT10 1HT.

Summary of late comments: None.

Corrections/amendments to main body of report: None.

Corrections/amendments to planning conditions:

Condition 15: Operating Hours. Delete '08:30 and 13:00 Saturdays' and insert 'Saturdays' before 'Sundays, Bank Holidays or Public Holidays.'

Corrections/amendments to Appendices: None.

No change to recommendation.

Item 9

Proposed change of use from "part parking of vehicles, operating centre and portable office (Ref 3/89/0102) and part general industrial (EUC dated 30.04/75)" to "part parking of vehicles, operating centre and various ancillary buildings and part as a waste transfer station"; Provision of concrete pad with 2m walling to two sides on which to operate the proposed transfer station at 9E1 Middle Road, Bailie Gate Industrial Estate, Sturminster Marshall, Poole, Dorset BH21 4DB.

Summary of late comments:

East Dorset District Council has confirmed that their Public Health Officer is not objecting on noise grounds. Revised comments recommending the number of tipping events and hours of operation be limited by suitable condition was intended to reduce impact on the amenity of neighbours.

Corrections/amendments to main body of report:

Planning application 3/14/0150/OUT for outline planning permission for the redevelopment of the Braemar site by the erection of four residential dwellings mentioned in paragraph 2.13 of the report has been refused by East Dorset District Council.

Corrections/amendments to planning conditions: None.

Corrections/amendments to Appendices: None.

No change to recommendation.

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Date: 04 September 2014