

Regulatory Committee

Dorset County Council



Date of Meeting	16 March 2017
Officer	Service Director for Economy
Subject of Report	To consider planning application No. 6/2016/0587 under Schedule 1 of the Town and Country Planning Act 1990 for the proposed continued use of land and buildings for radioactive waste management and operational development, to include the modification to the B4 complex and associated infrastructure for waste storage/treatment, rain and foul water drainage and extension to building B48, at Tradebe Inutec B4 Complex, Monterey Avenue, Winfrith, Dorchester, DT2 8WQ.
Executive Summary	<p>The application seeks full planning permission for the continued use of a radioactive waste management facility located within an existing licensed nuclear site that is currently being decommissioning. The Tradebe Inutec waste management facility has been operational since the 1980s, but in 2013 the applicant was notified by Dorset County Council that the existing planning consents for the site and licensed nuclear facility did not permit the commercial management of radioactive waste, from off-site sources, at the scale that was being undertaken. The applicant (Inutec Limited) subsequently agreed to submit a planning application to regularise the continued use of the waste management facility, but also included in that application new operational development that would enable the waste management facility to manage radioactive waste independently of the wider licensed nuclear site.</p> <p>An Environmental Statement has been submitted with the application.</p> <p>The need for new operational development is linked to the continued use of the facility and is driven primarily by the</p>

	<p>decommissioning of the Magnox site at Winfrith. The application fully accords with national policy for radioactive waste management and with national and local planning policy. No objection to the proposed development has been received.</p> <p>The recommendation to grant planning permission takes account of the mitigation afforded by the use of planning conditions.</p>
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 relevant development plans, government policy, legislation and guidance, representations and all other material planning considerations as detailed in the main body of the report.</p>
	<p>Budget: Generally the determination of 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>
Recommendation	<p>That planning permission be GRANTED subject to the conditions set out in paragraph 8.2 of the report.</p>
Appendices	<ol style="list-style-type: none"> 1. Site Location Plan. 2. Existing Site Layout Plan. 3. Proposed Site Layout Plan. 4. Elevations. 5. List of Acronyms and Abbreviations.
Background Papers	<p>PA File 6/2016/0587 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.</p>

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1. Background

- 1.1 The application was submitted to Dorset County Council (DCC) by Inutec Limited (trading as Tradebe Inutec) on 6 September 2016 and is accompanied by an Environmental Statement (ES).
- 1.2 The ES reports the findings of an environmental impact assessment (EIA) of the proposed development. The requirement for an EIA arises from the development being of a type listed in Schedule 2 of the *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended)* (EIA Regulations) and deemed likely to have significant effects on the environment.
- 1.3 Tradebe Inutec is a specialist radioactive waste management company that is both a commercial tenant of and contractor to Magnox Limited (Magnox). Magnox is a nuclear management and operations contractor that holds the nuclear site licence for the former nuclear research and development (R&D) facility at Winfrith. Magnox is contracted by the Nuclear Decommissioning Authority (NDA) (the landowner) to undertake the decommissioning, restoration and closure of the remaining part of the former nuclear site. The applicant's waste management facility does not form part of the land subject to decommissioning.
- 1.4 Part of the applicant's lease arrangement is the use of a centralised active liquid effluent system (ALES) for the treatment and disposal of foul waste water and active foul waste water that has been contaminated with radiation. The ALES facility is owned by the NDA and is scheduled for decommissioning by Magnox in 2017.
- 1.5 The original 200 hectare (ha) Winfrith site was established in the 1950's by the United Kingdom Atomic Energy Authority (UKAEA), a Government research organisation responsible for the development of nuclear fission power. During its operational lifetime, nine research reactors of various types were completed and although primarily a nuclear research facility, it did generate and supply some electricity to the grid.
- 1.6 As a result of structural changes to the nuclear industry during the early 1990's, the nature and intensity of fission research at Winfrith changed and no operation generating energy from nuclear sources has been carried out since 1992. The last operational reactor closed down in 1995 and since that time the Winfrith nuclear site has been undergoing a programme of optimised decommissioning and restoration.
- 1.7 In 2005 the then newly formed NDA took over the decommissioning of the site from UKAEA. The eastern half of the original site, approximately 50ha, has been fully decommissioned and released from the conditions of any radioactive substance regulation (delicensed). This area has been developed as a strategic employment site (Dorset Green Technology Park) and is the location of the Dorset Enterprise Zone.
- 1.8 The western half of the original Winfrith site, approximately 84ha remains licensed as a nuclear facility and Magnox is working to achieve an '*interim end state*' by 2023 whereby all stored radioactive waste and nuclear liabilities would be removed from

site. The preferred 'end state' is currently restoration to a heathland landscape, with public access. Tradebe acquired the business from what was a commercial arm of the UKAEA in 2013 and now trade as a single brand company, 'Tradebe Inutec' providing radioactive waste management services to the United Kingdom (UK) nuclear industry.

Planning status

- 1.9 Officers reviewed the planning position at Winfrith in 2013 and advised Magnox's predecessor (RSRL) that planning permission for the ALES would be required if any part of the Winfrith nuclear site were to be used for commercial waste management purposes. The only extant planning permissions that could be found of relevance to the applicant's facility, since the original 1957 consent for nuclear R&D was granted, related to the construction of buildings B44, B45 and B48 (see Appendix 1). It also proved difficult to disentangle any primary waste management use from nuclear R&D, which by this time included wider decommissioning.
- 1.10 In order to formally establish the planning status of the nuclear site, a Planning Contravention Notice (PCN) was served on all those with an interest in the land, one of which was Inutec Limited (Inutec). Responses to the PCN were reported to Regulatory Committee on 15 February 2013 and a further update reported to Members on 22 March 2013.
- 1.11 The findings of the PCN concluded that all land and buildings then tenanted by Inutec (the facility) were primarily being used for radioactive waste management purposes and that this constituted an unauthorised material change of use. Responses to the PCN showed that the management of radioactive waste from other off-site producers was of a scale that exceeded what could be regarded as ancillary. Moreover, officers also concluded that the use for nuclear R&D was of such a reduced scale that it was highly unlikely that it could be reasoned as an equal partner to constitute a composite mixed use; a breach in planning control had therefore occurred.
- 1.12 In order to regularise the use of the facility, the Committee resolved to invite Inutec to submit either a retrospective planning application or to apply for a Certificate of Lawful Existing Use or Development (CLEUD) which would require sufficient evidence to confirm that a continuous ten-year use had occurred and, as such, the breach in planning control identified would therefore be regularised and immune from enforcement action.
- 1.13 In May 2013 draft details were provided by Inutec to support a Certificate of Existing Lawful Use or Development (CLEUD) application, but a formal submission was not received. By November 2013 Inutec had been acquired by Tradebe and the applicant entered into further discussions with DCC about the planning status and regularisation of the site. Over the course of 2014-16, both parties discussed the submission of a part retrospective planning application that would establish the current planning status of the site, but that would also allow the applicant the flexibility to modernise operations for future independence from decommissioning activities and possible expansion. The application has been submitted without prejudice to the applicant's contention that continuous ten-year lawful use rights remain for part of the site.

The location and extent of the site is illustrated in Appendix 1 of this report.

2. Site Description

- 2.1 The Winfrith site lies in the countryside to the north of the A352 Dorchester to Wareham Road, approximately 1.5 kilometres (km) west of the village of East Burton, beyond

which is the village of Wool (2 km). The village of East Knighton is located approximately 1.5 km to the south-west and beyond that the village of Winfrith Newburgh (2.5 km). The applicant's existing facility comprises 2.2 ha within the 4.9 application site and is located within the 200 ha Winfrith site.

- 2.2 The Winfrith site remains in its entirety fully enclosed (both the licensed site and Dorset Green) and physically separated from the surrounding countryside and settlements by a single 3m high chain-link security fence, with two secure access gates to the east and west.
- 2.3 The licensed site is characterised by a series of large buildings laid out in a gridiron pattern, around a series of interconnected roads. The applicant's facility comprises three industrial style buildings (B44, B45 and B48) that range between two and three storeys and up to a maximum of 14m in height. Buildings B45 and B48 are operated as the main waste management buildings, with B48 also used for waste storage. Building B44 is used as the main entrance and office for the business and is linked to building B45 by a corridor. Building B45 is divided into two halves, with one constructed to the highest elevation (14m) as it houses an industrial rig. Building B48 is divided into three equally sized units and also has two ventilation stacks 11.5 m in height.
- 2.4 The existing foul waste water drainage system currently discharges by gravity from the south of the facility to a pumping station located on the Magnox site which pumps this waste water to the 'active liquid effluent system' (ALES) managed by Magnox. The existing active foul waste water from radioactive waste processing currently discharges from buildings B45 and B48 to existing storage/delay tanks that are located in the north-east corner of the site. All existing foul and active waste water is pumped to the ALES. Pipelines for active foul waste water run underground from the site connecting the existing storage/delay tanks to the ALES. Following treatment to reduce the concentration of radiation in the foul waste water to permitted levels, the ALES discharges the residual waste water through a dual 12km underground pipeline, 2km of which runs under the sea from Arish Mell.
- 2.5 In addition to the main operational buildings, the built elements of the site also include forty-five car parking spaces, two large areas of hardstanding and external storage compounds. All built elements of the site are located in the northern and eastern parts of the site, the south west corner remains undeveloped and is characterised by amenity grassland and mature trees. Access to and from the facility is through the secure West Gate of the Magnox site, which is located east off Gatemoor Road. Vehicles are currently not permitted to drive between the Magnox site and Dorset Green.
- 2.6 The nearest residential property to the facility is located approximately 900m to the north-west along Gatemoor Road, but is separated from the Winfrith site by the railway line and an expanse of heathland. There are also residential properties located in proximity to the southern-most boundary of the Dorset Green and Magnox sites, but these properties are over 1 km from the facility.
- 2.7 Winfrith Heath Site of Special Scientific Interest (SSSI) is located in close proximity, about 200 m west to the site. Winfrith Heath SSSI is also designated as Special Area of Conservation (SAC) (Dorset Heaths), a Special Protection Area (SPA) and a Ramsar site (Dorset Heathlands). Approximately 0.5 km to the north of the facility is the River Frome SSSI.
- 2.8 Four Scheduled Monuments lie within 1 km of the site: three Bronze Age Bowl Barrows

to the north and south east and a deserted medieval village to the south east.

3. The Proposal

- 3.1 The applicant is seeking to regularise an existing waste management use that includes waste transfer, processing (inclusive of waste minimisation, reuse and recycling) and disposal of 15,000 tonnes each year of low level radioactive waste (LLW) and higher activity radioactive waste (HAW), which would also include 30 tonnes of non-radioactive hazardous waste asbestos. Planning permission is also sought for new operational development that would increase the area of the site used for waste management from 2.2 ha to 4.9 ha and would include an extension to an existing building, the construction of a new building and waste water management infrastructure that would enable the applicant to operate independently of the ALES and the wider licensed site. The principal elements of the proposed development are described below.

Site plans illustrating the existing and proposed development are produced at Appendices 2 and 3.

Continued use of land and buildings

- 3.2 The proposed development includes the continued use of land, buildings and the West Gate access road and gate at the existing site for radioactive waste management. The facility currently provides a range of specialist radioactive waste management transfer, processing, recovery and disposal processes for LLW and HAW.
- 3.3 The term 'radioactive waste' covers a wide variety of material, ranging from wastes that can be put safely into a dustbin, to items that need remote handling, heavy shielding and cooling to be managed safely. The facility does not manage any 'high-level' radioactive waste that generates significant heat requiring specialist storage and disposal facilities. The majority of the facility's throughput is LLW, which is principally lightly contaminated miscellaneous waste arising from maintenance, monitoring and decommissioning activities and which is suitable for disposal in near surface engineered waste sites. The facility also, on occasion, manages HAW and this includes intermediate level waste that is more contaminated than LLW but does not generate significant heat, as well as certain categories of LLW not suitable for disposal at existing LLW facilities.
- 3.4 The facility receives waste from customers within the UK nuclear industry, energy and defence sectors, in addition to the provision of supporting services to small volume users of radioactive material, such as hospitals and universities. Some waste from overseas is also received under international regulatory control, such as secondary waste from metal recovery operations in Europe.
- 3.5 A variety of specialist radioactive waste management processes take place in Buildings B45 and B48; the main operational buildings.
- 3.6 The precise nature of the waste management processes has to be flexible enough to respond to the different waste streams and intended secondary management or licensed disposal route. Waste management processes that are routinely carried out at the facility include pre-treatment waste segregation, chemical adjustment and decontamination, volume reduction, preparation for disposal and waste transfer. The facility also carries out waste sampling, analysis and characterisation, as well as waste

management assessments and the provision of consultancy advice.

- 3.7 The types of radioactive waste imported to the facility are varied in their physical, chemical, and radionuclide content. Typical examples of radioactive waste managed at the facility can range from metals; construction waste; soft mixed waste, such as protective clothing, gloves and wipes; mineral and organic sludges; and small radioactive components, such as redundant instruments from universities and hospitals. Given the variety of waste streams that require management at the facility and the need to provide specialist waste management services accordingly, the facility operates to an overall throughput limit as it is not possible to predict individual throughput for different waste streams.
- 3.8 With the exception of foul waste water management, as described below, the waste management processes and storage services offered by the applicant are not proposed to change from those currently being undertaken.

New operational development

Extension of building B48 and new areas of hardstanding

- 3.9 The proposed development includes an extension to the west of building B48 onto an area of disused amenity grassland to provide for an additional 476 (m²) of space for waste management and storage. The proposed extension would be constructed to the same height as the existing building (8.5m) and the appearance would replicate the construction and appearance of the existing building i.e. a metal clad industrial building with roller-shutter type doors. The design would also include a 3m high ventilation stack that when erected on the roof of the extension would be of comparable height to the existing stacks already operational at building B48.
- 3.10 Adjacent west and north to the B48 extension, a total area of 2,108 m² of hardstanding is also proposed. This would connect to and extend the existing hardstanding areas between the existing B48 and B45 buildings, providing increased space for vehicle manoeuvring, waste container unloading and storage.

Foul waste water drainage

- 3.11 The application proposes to construct a new foul waste water pumping station adjacent to the north of building B45 to collect only the foul waste water from building B44. From the pumping station sump, a new foul waste water drain would run underground north from the facility. The rising main from this pumping station would discharge to the Wessex Water Adopted foul sewer, which discharges to a Wessex Water pumping station 200m north-west outside of the site.

Clean surface water

- 3.12 The extension and hardstanding would be connected to the existing private surface water drainage system. Further, two additional surface water storage attenuation tanks at the north west and southern perimeter of the site would be constructed.

Active foul water drainage

- 3.13 Active foul waste water, i.e. water contaminated from waste processing activities in building B48, that otherwise would have used the ALES, would be pumped to a new active waste water pumping station located adjacent to the proposed new foul waste

water pumping station (described at para 3.11). Active foul waste water from building B45 would also discharge by gravity to this new pumping station. The new active waste water pumping station would discharge flows to a new storage/delay tank facility that would replace the existing tanks and be located to north-west of building B45.

- 3.14 The proposed new waste water storage/delay tank facility would consist of 4 double skinned vertical cylindrical tanks with a 35 cubic metre (m³) volume capacity and measuring 3 m in diameter and 5m in height. The tanks would be fully enclosed by a 0.5m high containment bund wall that would provide secondary containment capacity should one of the tanks fail. It is also proposed that the current hardstanding area to the east of the new storage/delay tanks would be covered by a roof and used as a waste water tanker loading facility. The hardstanding area would be raised by a ramp to allow for any fugitive leakages to be collected at the bottom edge by a sealed sump.
- 3.15 Adjacent and north of the proposed storage/delay storage tanks would be a single storey brick building measuring 3.2m in height that would enclose the liquid waste transfer station to control the filling of the storage/delay tanks with the effluent from the two pumping stations, as well as sample and monitor the waste water. A douser/washing station for staff would also be operational from this building. The tankers of active foul waste water would be transferred off-site by HGV for disposal by discharge to sea at Fawley in Hampshire.
- 3.16 Both the storage/delay tanks and the waste transfer station would be covered by a canopy roof measuring 6.7 m in height and with an area of 360 m². The roof canopy would ensure that clean rainwater would be kept out of the containment bund and HGV bay. Once the waste transfer station is constructed it would have an underground pipe connection directly from buildings B45 and B48, which would bypass the existing active waste water storage/delay tanks (B42), which would no longer be used after this time.
- 3.17 Adjacent to the west of the waste transfer station would be a further 121m² area of hardstanding that would provide additional space for heavy good vehicle (HGV) turning.

Elevations of the proposed extension and effluent transfer station are shown in Appendix 4.

The use of an alternative vehicular access route and increase in vehicle movements

- 3.18 The proposed operational development on site would not initially change the existing vehicular access arrangements, which would continue to use the West Gate through the Magnox site. The applicant is, however, currently in negotiation with the HCA to be able to change their vehicular access arrangements from the West Gate to the East Gate, through the Dorset Green site.
- 3.19 Current weekly operational vehicle movements consist of 8 (4 two-way) light goods vehicle (LGV) and 20 (10 two-way) HGV. The continued use of the facility and proposed operational development would result in a small increase in LGV movements: 12 (6 two-way) and HGV movements: 30 (15 two-way). As there would be no increase in staff numbers, domestic vehicle movements would remain as existing, between 110 (55 two way) – 120 (60 two-way) movements each day.

Other matters

Hours of operation

- 3.20 It is proposed that the site would continue to operate to the existing working hours of 07:00 to 19:00 to Sunday – Saturday (inclusive of bank and public holidays).

Employment

- 3.21 The application indicates that 60 full-time employees currently work at the facility and this number is not expected to change in the short-term.

Radioactive substance regulations

- 3.22 In addition to the requirement for planning permission, the management of radioactive waste at the facility is regulated by the pollution control and nuclear safety and security regimes. All radioactive waste management uses at the facility would be subject to control under the Environmental Permitting (England and Wales) Regulations 2012, administered by the Environment Agency (EA) in the form of an environmental permit and the Nuclear Installations Act 1965 (as amended), administered by the Office of Nuclear Regulation (ONR) in the form of a nuclear site licence.

Environmental permit

- 3.23 The applicant holds their own environmental permit, which defines the permitted activities to be undertaken on site, authorisation limits for aerial and liquid discharges, and transfers of waste for approved disposal routes, monitoring and record-keeping. The permit also sets a general requirement for the applicant to use best available techniques (BAT) to minimise the radioactivity of gaseous and liquid discharges to the environment, minimise radiological effects on the environment and members of the public, and segregate waste as far as possible for disposal by the optimal route.
- 3.24 The applicant is currently in the process of applying to the EA for a permit variation for the proposed changes to how foul waste water would be managed at its Winfrith and Fawley sites.

Nuclear site licence

- 3.25 The ONR is an independent body responsible for nuclear safety; conventional health and safety (at nuclear licensed sites); nuclear security; nuclear safeguards and the transport of radioactive materials, including waste. The nuclear site license defines specified activities and is supported by a site wide environmental safety case (SWESC).
- 3.26 The applicant currently operates as a tenant under Nuclear Site License No. 100 held by Magnox (formerly RSRL, formerly UKAEA). The applicant is currently in the process of applying to ONR for its own nuclear site license to operate the facility independently of Magnox and the remaining licensed site.
- 3.27 The radioactive inventory limits for the facility are at a level which ensures that even under the extremely unlikely event of a worst-case accident scenario, there would be a negligible detrimental impact beyond the licensed site boundary. The facility's SWESC last underwent a major periodic review in 2012. The validity of the new and

revised safety case was subsequently approved by ONR for a period of ten years from 1 January 2013.

4. Consultations and Representations

4.1 The application was advertised in the local press and by site notice. No public representations have been received.

4.2 County Council Ward Member

No comment made.

4.3 Purbeck District Council (including Pollution Control Officer)

No objection, subject to the applicant preparing a sustainable drainage system (for the management of surface water from the development) and further ground water works to investigate the potential risks arising from contamination.

4.4 Winfrith Newburgh Parish Council

No comment made.

4.5 Wool Parish Council

No comment made.

4.6 Environment Agency

No objection, subject to the imposition of planning conditions relating to groundwater and contaminated land, site drainage and sustainable construction. *All conditions requested by the Environment Agency (EA) have been imposed.* In addition, the EA also expressed:

“Tradebe-Inutec provides a nationally important role in managing radioactive waste. We support the provision made for an additional covered area for waste management and extended hard-standing for waste storage in anticipation of increasing throughput. In general, in our experience, the safety and effectiveness of waste management operations decrease if space becomes inadequate due to increasing waste volumes.”

4.7 Natural England

No objection, subject to provision of survey evidence to confirm or otherwise the presence of reptiles. *No rare reptiles were found and Natural England are fully supportive of the representation made by DCC's Natural Environment Team in relation to a negative screening for Habitats Regulation Assessment and the approved Biodiversity Mitigation Plan providing for bird boxes, invasive species management and the translocation of protected reptile species to an adjacent site.*

4.8 Historic England

No objection.

4.9 Dorset Partnership Area of Outstanding Natural Beauty Team

No objection.

4.10 DCC Flood Risk Management Team

No objection subject to the imposition of a planning condition relating to the provision of a surface water drainage strategy, to include further information on existing and future surface water discharge.

4.11 **DCC Natural Environment Team**

No objection, subject to the imposition of a planning condition relating to implementation of the approved Biodiversity Mitigation Plan providing for bird boxes, invasive species management and the translocation of protected reptile species to an adjacent site. No European Protected Species Licence would be required.

The proposed development was screened as required by the Habitats Regulations by DCC (as the Competent Authority under the Regulations). That screening concluded there would be no significant adverse effect on a designated European (and International) wildlife site. The only ecological impact from the proposed development would be on the common reptile population and this has been addressed (as above) through DCC's Biodiversity Protocol.

4.12 **DCC Archaeologist**

No comment made.

4.13 **DCC Rights of Way Officer**

No comment made.

4.14 **DCC Landscape Officer**

No comment made.

4.15 **DCC Highways Liaison**

No objection.

4.16 **Nuclear Decommissioning Authority**

No comment made.

4.17 **Office for Nuclear Regulation**

Commented that "...*ONR does not advise against this development.*"

4.18 **Wessex Water**

No objection but comments that the applicant will need to apply to Wessex Water for the proposed new foul water "...*rising main...*" connection to the Adopted foul sewer north of the site.

4.19 **NuLeAF**

No comment made.

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 development plan includes the saved policies of the Bournemouth, Dorset and Poole Waste Local Plan originally adopted in June 2006 (Waste Local Plan) and Purbeck Local Plan Part 1: Planning Purbeck's Future, 13th November 2012 (Purbeck Local Plan). The term '*material considerations*' is wide ranging, but includes national, emerging and other planning policy documents. Material to all applications is the National Planning Policy Framework issued in March 2012 (the NPPF), which sets out the Government's planning policies for England and how these are expected to be applied, and the associated online Planning Practice Guidance (PPG). The NPPF does not include specific planning policy for waste management and there are separate national policy frameworks that apply to radioactive waste management and non-radioactive hazardous waste management.

5.2 Development Plan Policy

Bournemouth, Dorset and Poole Waste Local Plan 2006 (saved policies)

- Saved Policy 1 – Guiding Principles.
- Saved Policy 2 – Integrated Waste Management Facilities.
- Saved Policy 4 – Landscape Character.
- Saved Policy 8 – Protection of Species.
- Saved Policy 9 – Archaeology.
- Saved Policy 13 – Water Resources.
- Saved Policy 20 – Safety and Capacity of the Highway Network.
- Saved Policy 21 – Transport Impact.
- Saved Policy 25 – Negotiated Improvements.
- Policy 47 – Facilities for Clinical, Special or Hazardous Waste.

Purbeck Local Plan Part 1: Planning Purbeck's Future (13th November 2012)

- Policy DH: Dorset Heaths International Designations.
- Policy FR: Flood Risk.
- Policy E Employment.
- Policy BIO: Biodiversity & Geodiversity.
- Policy GP: Groundwater Protection
- Policy D: Design.
- Policy LHH: Landscape, Historic Environment and Heritage.
- Policy ELS: Employment Land Supply.
- Policy IAT: Improving Accessibility & Transport.
- Policy ATS: Implementing an Appropriate Transport Strategy for Purbeck.
- Policy SD: Presumption in Favour of Sustainable Development.

Emerging policy

Draft Waste Plan for Bournemouth, Dorset and Poole (July 2015)

- Proposed Policy 8 – Special Types of Waste
- Proposed Policy 9 – Decommissioning and Restoration of Winfrith.

Relevant Material Considerations

- National Planning Policy Framework (2012)
- The Waste Management Plan for England (2013)
- National Waste Planning Policy (2014)
- Policy for the Long Term Management of Solid Low Level Radioactive Waste in the UK (March 2007)
- UK Strategy for the Management of Solid Low Level Radioactive Waste from the Nuclear Industry (February 2016).
- Strategy for the Management of Solid Low Level Radioactive Waste from the Non-Nuclear Industry: Part 1 (Anthropogenic Radionuclides) (March 2012).

6. Planning Assessment

- 6.1 Having regard to the provisions of the development plan, the information submitted in support of the application (including the EIA submitted in the ES) and the representations received, the main issues in the determination of this application relate to:
- (i) the acceptability in principle of the existing and proposed continued use, having regard to planning policy for waste management (including radioactive and hazardous waste management) and the new operational development, and
 - (ii) likely significant effects of the development and other planning matters.

Principle of Development

- 6.2 All existing operational development at the site is lawfully permitted for a nuclear R&D use. The change in use from nuclear R&D to radioactive waste management has happened gradually and is accepted as a logical progression that can be attributed to wider changes in the nuclear industry, further complicated by numerous changes in land ownership at the site.
- 6.3 The applicant maintains that it can evidence a continuous ten-year period of use for the majority of the existing use, therefore making it lawful for planning control purposes and immune from enforcement action. Based on the evidence submitted and in the absence of an application for a certificate of lawful development officers do not agree with the applicant and the Committee has previously supported this position.
- 6.4 Despite this disagreement the applicant has, without prejudice to its position submitted a planning application to regularise the existing use of the site and future operational development.

National policy context

- 6.5 The NPPF must be taken into account when determining planning applications for waste development. At the same time the NPPF also notes that '*The Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England*'.
- 6.6 The Waste Management Plan for England (WMPE) sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. However, the WMPE clarifies in its scope that it only refers to waste defined by the European Union (EU) Directive on Waste (WFD). Radioactive waste is not defined as waste by the WFD and is addressed under a separate regime through the EU Directive on Spent Fuel and Radioactive Waste Management. The National Planning Policy for Waste (NPPW) sets out waste planning policies to deliver the WMPE and although it does not contain specific mention of radioactive waste, the broad principles outlined in it are relevant to the nuclear industry.
- 6.7 This separate regulation of non-radioactive and radioactive waste has resulted in there being no specific national planning policy or guidance on the management of radioactive waste. Instead, the Government has produced a national policy document (The Policy for Long Term Management of Solid Low Level Radioactive Waste 2007 (National LLW Policy)) for the management of LLW and a series of separate strategies

for effecting this policy. The Government's position on the management of HAW in England is long-term geological disposal, with safe and secure interim storage.

- 6.8 The Bournemouth, Dorset and Poole Waste Local Plan 2006 (Waste Local Plan) does not contain any policies on the management of radioactive waste, but does significantly pre-date the more recent national planning policy guidance PPG: Waste (2014). The PPG also applies to planning applications for radioactive waste management.
- 6.9 Officers have sought to apply the relevant requirements of the NPPF and NPPW to both the management of radioactive and non-radioactive hazardous waste at the site. Relevant saved policies of the Waste Local Plan have also been applied. Policy 47 (Facilities for Clinical, Special or Hazardous Waste) refers specifically to the management of non-radioactive hazardous waste. This would apply to the management of non-radioactive hazardous asbestos but it should be noted that such waste would be of a low level (30 tonnes each year) compared to the proposed annual throughput of 14,970 tonnes of radioactive waste.
- 6.10 In its 2007 National LLW Policy the Government stated that: *'Government considers that a clear statement of Government policy is needed to support the planning process..... In practice, this will be provided by Ministers' assessment and agreement of the NDA's Strategy and Annual Plans'* (paragraph 31 of Annex 1). The National LLW Policy forms the principal policy document covering LLW management in the UK. This has been taken into consideration as part of the planning assessment of this proposal.

Existing need for the facility

- 6.11 The National LLW Policy covers all aspects of the generation, management and regulation of solid LLW, including LLW from both nuclear and non-nuclear sources. It advocates the need to ensure the most efficient use of the UK's only LLW disposal facility, the Low Level Waste Repository (LLWR). At the time of publication in 2007, the LLWR did not have the volumetric or radiological capacity to accept all of the LLW that was forecast to arise in the period covering the decommissioning of existing UK civil nuclear facilities (to 2130). The outcome of a recent review of this policy in 2016 by the NDA and Government concluded that the direction of travel for LLW management within the industry remains correct.
- 6.12 The opportunity to manage LLW with greater efficiency recognises the waste hierarchy as a central principle. The *'waste hierarchy'* gives top priority to preventing waste in the first place. When waste is created, it gives priority to re-use, then recycling, then recovery, and last of all disposal. The adoption of more flexible solutions, using the *'proximity principle'* to manage LLW ensures that the capacity of the LLWR is made available only for LLW that requires disposal to an engineered facility. The proximity principle aims to promote net self-sufficiency and advocates a need to treat and/or dispose of wastes in reasonable proximity to their point of generation. The application of this principle to the management of radioactive waste needs to reflect the limited number of appropriate installations, which often means that proximity can involve a significant transportation distance.
- 6.13 The National LLW Policy should be read in conjunction with the UK Strategy for the Management of Solid Low Level Radioactive Waste from the Nuclear Industry (National LLW Strategy) (revised version published in February 2016). The National LLW Strategy is based on the principles set out in the National LLW Policy and outlines the strategy for the management of LLW from the nuclear industry in the UK.

- 6.14 Also relevant to the application are two additional, but specialist LLW strategies: one addresses the management of LLW from non-nuclear industries¹, and the other deals with the management of Naturally Occurring Radioactive Material (NORM) waste².
- 6.15 A key aim of the National LLW Strategy is the continued development and maintenance of a robust, sustainable waste management infrastructure with the ongoing availability of existing facilities for waste processing and disposal facilities. The National LLW Strategy identifies the Magnox site as a major producer of LLW and the applicant's facility as an existing waste management asset.
- 6.16 The National LLW Policy and all subsequent strategies principally aim to protect people and the environment; providing a framework for '*continued capability and capacity*' for the safe, secure and environmentally responsible management and disposal of radioactive waste. Where disposal is not possible, radioactive waste is required to be placed in safe, secure and suitable storage. The strategies contain similar strategic themes in how to deliver this framework of action, which are centred on the application of the waste hierarchy; the need for new fit-or-purpose waste management routes and on making the best use of existing LLW management assets.
- 6.17 Located adjacent to the Magnox site, the facility is optimally placed to continue to support the decommissioning of the remaining nuclear legacy, ensuring that LLW and HAW from the Magnox site are managed in accordance with the proximity principle and waste hierarchy. The Magnox site is one of three sites chosen by the NDA as '*lead and learn*' sites, where the concept of optimised solutions to achieve full decommissioning and eventual delicensing (final-end-state) are applied. The decommissioning of the Magnox site will inform other decommissioning operations. The applicant's facility provides integral waste management services to help deliver early waste management solutions and has supported the decommissioning of the Magnox site for over twenty years. National LLW Policy contains a presumption in favour of applying solutions to the decommissioning of legacy nuclear sites and provision for waste management to achieve decommissioning.
- 6.18 The facility provides radioactive waste management services to a number of other nuclear decommissioning sites in the south of England, including Harwell, Hinkley, Oldbury, Berkley and Dungeness B, as well as other nuclear decommissioning projects throughout the UK. The strategic importance of the facility is recognised. The EA in its response to consultation on the scoping opinion that informed the content of the ES supporting this application stated:

"The facility at Winfrith operated by Tradebe-Inutec currently supplies a radioactive waste management service to the nuclear sector and to non-nuclear radioactive substance users, for example hospitals or research facilities that is not duplicated by another facility within the UK. Interruptions to activities at Tradebe-Inutec have the potential to disrupt operations at a number of locally and nationally important sites."

- 6.19 Licensed nuclear sites also generate non-radioactive hazardous waste as a result of

¹ Strategy for the management of solid low level radioactive waste for the non-nuclear industry in the United Kingdom (March 2012)

² Strategy for the Management of Naturally Occurring Radioactive Material (NORM) waste in the United Kingdom (July 2014)

both operational and decommissioning activities. It is not unusual given the age of legacy sites that asbestos-forming material would have been used in the construction of the original buildings; an integrated approach to waste management is therefore required. The regulatory principles for hazardous waste management are similar to that for radioactive waste. The non-radioactive waste management elements of the proposed development are minor, but are considered to accord with national policy for non-radioactive hazardous waste management and Policies 2 (Integrated Waste Management Facilities) and 47 (Facilities for Clinical, Special or Hazardous Wastes) of the Waste Local Plan. In this instance, a planning condition limiting the throughput of non-radioactive hazardous waste has been proposed to ensure that the best use is made of what National LLW Policy and Strategy identify as an important radioactive waste management asset.

- 6.20 The National LLW Strategy highlights that the ongoing availability of existing facilities depends, in part, on planning permission and environmental permitting. More generally, the NPPF provides that the purpose of the planning system is to contribute to the achievement of sustainable development and that to achieve this, economic, social and environmental gains should be sought. Planning authorities are advised to approach decision taking in a positive way to foster the delivery of sustainable development, looking for solutions rather than problems and to approve applications for sustainable development where possible. Policy 1 (General Principles) of the Waste Local Plan and Policy SD (Sustainable Development) of the Purbeck Local Plan accord with the principles of the NPPF this respect.
- 6.21 Officers are satisfied that the sustained capacity and commercial need for the facility to support the decommissioning of radioactive waste from legacy and existing nuclear sites has been demonstrated. The facility is in an optimal location to manage the waste arising from the decommissioning of the Magnox site and it is evident that the facility has strong historical links, which will continue to be important in helping Magnox to achieve final-end-state. Following the closure of Magnox's ALES, the facility is suitably placed to transfer the active fowl waste water to the applicant's hazardous waste management facility at Fawley for treatment and safe disposal at sea under relevant licensing regimes. National LLW Policy and Strategy support this multi-site approach and Government wishes to see continued availability of disposal routes provided by the public and private sectors, and the provision of additional disposal routes where these are necessary.
- 6.22 The emerging Bournemouth, Dorset and Poole Draft Waste Plan (Draft Waste Plan) has not yet been published, therefore it can only be afforded limited weight. Nevertheless, it does provide a useful indicator as to the future policy position of the waste planning authority. The Draft Waste Plan is being prepared in accordance with national policy and strategies for radioactive waste management. Proposed Policy 8 (Special Types of Waste) clearly states that the expectation for all new development for radioactive waste management is that it will comply with all relevant national policy and strategies. Proposed Policy 9 (Decommissioning and Restoration of Winfrith) clearly shows that the geographical boundary for decommissioning of the Magnox site excludes the applicant's facility. The supporting text to this policy indicates that the waste planning authority acknowledges the role that the facility has in managing radioactive waste from decommissioning operations and provides an intention of a continued positive working relationship with the applicant to ensure the retention of the facility in accordance with Proposed Policy 8.

Future need for the development beyond the decommissioning of the Magnox site

- 6.23 The National LLW Policy and Strategy advocate the management of LLW on a nuclear licensed site as part of a wider integrated framework for optimised waste management. The applicant has reported in the ES the consideration of alternative sites for the location of the facility. The applicant does not have another nuclear licensed site available to transfer the existing use to and has provided evidence to confirm that the ONR would be highly unlikely to issue a standalone, new nuclear site licence for a different un-licensed site.
- 6.24 The facility is physically adjacent to buildings and land that comprise Dorset Green, so that once the Magnox site has been fully decommissioned the shared use of the same access would be logical. The facility forms part of the existing employment base and provides for a highly skilled workforce, of up to 60 full-time employees that would continue to provide diversity for the rural economy of Purbeck. Officers are confident that the use of the site for radioactive waste management would not have any adverse impact that would detract potential inward investment as part of Dorset Green's Enterprise Zone status. The proposed development would therefore accord with Policies E (Employment), ELS (Employment Land Supply), SW (South West Purbeck) and SD (Sustainable Development) of the Purbeck Local Plan.
- 6.25 The existing facility provides strategic infrastructure for the management of radioactive waste from both nuclear and non-nuclear sources, which is in accordance with National Policy for LLW and all related National LLW strategies. In addition to nuclear licensed sites, the facility also provides strategic waste management services to the Naval Dockyards in Plymouth and other Ministry of Defence facilities throughout the UK and also provides waste management services to a large range of small volume users of radioactive materials such as hospitals, schools, manufacturers and universities. These small volume waste producers rely on the use of a strategic facility as they do not generate waste in volumes that would sustain dedicated and possibly more proximate, individual waste management facilities.
- 6.26 The National LLW Strategy accepts that some HAW (including ILW) are best dealt with at LLW management facilities. The current HAW Strategy is to achieve passive safety as soon as is reasonably practicable for interim storage and eventual disposal in a geological disposal facility. The National LLW Strategy states that the application of the waste hierarchy means that where waste cannot be prevented, it should be minimised in terms of volume and level of radioactivity. The Waste Local Plan encourages the co-location of different types of complementary waste management practices on a single site as a sustainable strategy for delivering significant environmental benefits (Policy 2 General Principles; 2 Integrated Waste Management Facilities and Policy 47 Facilities for Clinical, Special or Hazardous Wastes).
- 6.27 The facility offers a range of integrated waste pre-treatment, conditioning and decay storage processes that reduce the hazardous activity and volume of LLW and HAW in accordance with the principles of the waste hierarchy. Methods used by the facility also isolate non-radioactive wastes so that these materials can be transferred to other waste management facilities for recovering and recycling. The National LLW Strategy explains that whilst volume reduction is not formally a step in the waste hierarchy, it has an important role to play in the provision of optimised waste disposal. Reducing the volume of the waste that requires disposal is an effective way of achieving this and ensuring the continued capacity of the LLWR.
- 6.28 Aside from waste minimisation and waste disposal, which occupy opposite ends of the

waste hierarchy, there remains limited opportunities for options to re-use, recover or recycle LLW and even less so for HAW. The National LLW Strategy specifies that metal reuse and recycling provide for a notable exception and that there is significant potential to manage this waste stream more efficiently. The facility provides pre-treatment and conditioning that enables metals that are classified as non-radioactive to be transferred on to other local waste management facilities for recycling and those metals that are contaminated with radioactivity to be reduced in levels of activity for onward transfer to the nearest strategic specialist smelting facility, which is in Germany.

- 6.29 The proposed retention of the facility beyond the decommissioning of the Magnox site and the continued use of the site for radioactive waste management accords with the higher principle of 're-use' within the waste hierarchy underpinning national policy. The National LLW Strategy advocates the re-use benefits of 'materials', which is inclusive of '*...plant, equipment and buildings which have reached the end of their original intended purposes, but may continue to have value elsewhere...*'). Waste producers are encouraged to seek to exploit opportunities, where practicable, for all redundant nuclear materials to be re-used. Waste prevention is therefore the highest priority for all national radioactive management policy and planning policy.
- 6.30 Officers are satisfied that the commercial and capacity need for the facility, beyond the decommissioning of the Magnox site, is justified and that the facility provides strategic and specialist waste management services to support the UK nuclear and non-nuclear industry that cannot be provided at an alternative site. The need for the proposed new operational development is intrinsically linked to the proposed continued use of the facility and is being driven primarily by the decommissioning of the Magnox site. The applicant has carefully considered resource efficiency and how best to optimise the current and future capacity of the site, so that they can operate fully independently and have the flexibility to respond to market demand. Overall, the proposed new operational development would just over double the size of the existing site area from 2.2 ha to 4.9 ha, but this is considered reasonable given that the site area includes the existing and a potential new access route. Furthermore, this increase in area would be minor in scale within the context of the surrounding Magnox and Dorset Green sites. Accordingly, subject to the environmental impacts of the proposed development not leading to any likely adverse significant effects, national radioactive waste management policy and more generally national and local planning policy, provide significant '*in principle*' support.

Likely significant effects of the development and other planning matters

Ground conditions, water resources and flood risk

- 6.31 The NPPF provides that, when determining planning applications, planning authorities should ensure flood risk is not increased elsewhere. Development should also have no unacceptable adverse impact on the flow and quantity of surface and groundwater, and migration of contamination from a site. NPPF states that the planning system should prevent new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels of water pollution. It further requires that a site is suitable for its new use taking account of ground conditions, including pollution arising from previous uses and that this should be evidenced by adequate site investigations. All national policy and strategies for both radioactive and hazardous waste management are similarly underpinned by the key principles of a risk-based approach to development.

- 6.32 Policy 13 (Water Resources) of the Waste Local Plan prohibits development where there would be an unacceptable risk of pollution to surface and groundwater or where there would be an unacceptable risk of flooding on or off-site. Policies FR (Flood Risk) and GP (Groundwater Protection) of the Purbeck Local Plan echo these sentiments.
- 6.33 Whilst the site is not designated as radioactive contaminated land, officers consulted the EA and District Council's Public Health Officer. Given the history it is possible that asbestos containing material may be present within the built fabric and land across the site. It was concluded that there were potential likely significant effects from the impact of historic ground contamination to surface and groundwater that would require further investigation. The EA stated in their representation that it was important that the proposed new drainage infrastructure did not provide a pathway for the migration of any potential identified contaminants in the subsurface.
- 6.34 No ground investigations have yet been undertaken on the site itself, but in using groundwater monitoring data from the two boreholes managed by Magnox on the site, it was evidenced that levels of radiation did not exceed accepted levels. The applicant has acknowledged that due to the former and neighbouring use of the site for nuclear R&D that it was probable that there would be some residual contamination to the land beneath the site and that the proposed operational development could potentially risk providing a pathway for contamination of water resources. The applicant's ground contamination assessment in its ES acknowledged the need for further and secondary investigations, and that preventative strategies would be required. The EA and District Council concur with the applicant on this position. These matters are dealt with by proposed conditions (in particular conditions 6-10).
- 6.35 The application is also supported by a hydrological and flood risk assessment that has considered potential surface water flood risk. An indicative sustainable drainage strategy and design have also been provided.
- 6.36 The site lies within Flood Zone 1 as indicated by the EA indicative flood maps. Flood Zone 1 comprises land assessed as having a 'low' probability (<0.1%) to fluvial and coastal (sea) flooding). All uses of land are considered to be appropriate in this zone. Surrounding buildings and land that form part of the Winfrith site do, however, lie within Flood Zone 2 and have a 'medium' risk of fluvial flooding. DCC's Flood Risk Management Team have historical flood records confirming fluvial flooding immediately to the south and north of the railway line. The existing hardstanding areas within the site, around Building B48 and to the road south of the building, are also identified as having indicative 'high' risk of pluvial flooding. No development should be permitted that might exacerbate these identified risks.
- 6.37 DCC's Flood Risk Management Team (FRM) have confirmed that the risks of fluvial flooding identified by the EA's flood maps are indicative only and do not take into account any mitigation offered by existing drainage infrastructure, which collects and discharges surface water. In making representation they also explain that historical records of fluvial flooding in close proximity to the site only occur during extreme weather events (between 1 in 100 and 1 in 1000 years). Given the existence of a comprehensive drainage infrastructure that services both the facility and wider Winfrith site, comprising a network of private sewers that discharge to three separate surface water catchments of the River Win to the south-east and ultimately to the River Frome in the north east, in addition to the rarity of such extreme weather that flow has been recorded at areas in proximity to the site, the overall risk of pluvial flooding is considered by DCC's FRM Team to be 'low'.

- 6.38 Surface water run off would continue to discharge using the existing drainage infrastructure to local watercourses. The proposed development includes increasing the impermeable area of the site with built infrastructure and would therefore increase the volume and rate of surface water runoff. The impact of this would be to potentially have an adverse effect on the risk of pluvial flooding, predominately on the actual site itself but also increase the risk of fluvial flooding to off- site receptors downstream of the site.
- 6.39 To accommodate this increase in impermeable area, two additional surface water storage attenuation tanks would be constructed underground at the site. These attenuation tanks would ensure that run off is discharged at a controlled rate and therefore would not increase the volume or rate of surface water discharged to the existing drainage network. The decommissioning of the Winfrith site will also steadily increase the area of permeable land as the buildings and hardstanding areas are demolished and restored to heathland. This would provide further relief to the surrounding land as surface water infiltration rates increase.
- 6.40 Under the conditions of the facility's environmental permit and Magnox's nuclear site licence, no discharge of active foul waste water to any drainage network (including soil) or watercourse is permitted. The proposed development includes the construction of two new waste water pumping stations and a waste transfer station to replace the use by the applicant of the ALES to manage applicant's foul and active foul waste water. The proposed new pumping station for active foul waste water and waste transfer station would ensure that all contaminated effluent would be pumped to new delay/storage tanks for removal (by road) off-site and disposed of at a suitably licensed facility. The proposed waste transfer station would benefit from being enclosed by a secondary containment bund with a sealed sump to provide additional security from potential fugitive liquid emissions. A second pumping station is also proposed and this would manage all other foul waste water. A 'rising main' pipe system from this pumping station would discharge to a Wessex Water Adopted foul sewer off site, which subsequently discharges to an existing Wessex Water pumping station.
- 6.41 The EA, District Council and DCC's FRM Team have considered the information submitted in the ES and have raised no objection to the proposed development, subject to the imposition of planning conditions relating to site drainage infrastructure and the submission of a Construction Environmental Management Plan (CEMP). This will enable the applicant to ensure that the construction of the proposed new drainage infrastructure does not provide a pathway for the migration of potential historic contaminants in the surrounding soils that could pose a risk to controlled waters or that if additional temporary drainage infrastructure or storage methods are required for the construction period that they would be installed at the earliest opportunity to mitigate for any increase in surface water run-off and pollution to watercourses. Ground investigations would also include a survey for asbestos-containing materials. DCC's FRM Team have also requested the submission of a finalised surface water management scheme, which should seek to clarify current discharge rates; the capacity of the existing off-site drainage system, and the duration of storm events (with climate change) allowed for in the drainage design calculations used. The scheme will also provide further information about maintenance and management arrangements.
- 6.42 Having regard to the above, the proposed development would not have any significant adverse effect on ground conditions, hydrology and water resources in isolation or cumulatively that could not be mitigated for by planning condition, and is therefore considered to be in accordance with the development plan and national policy.

Ecology and biodiversity

- 6.43 In determining planning applications, planning authorities should where possible seek to conserve and enhance local biodiversity, establishing coherent ecological networks resilient to current and future pressures. NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to or being put at an acceptable risk from, or being adversely affected by unacceptable levels of air pollution. All national policy and strategies for both radioactive and hazardous waste management are similarly underpinned by the key principles of a risk-based approach to development.
- 6.44 Policy BIO (Biodiversity and Geodiversity) of the Purbeck Local Plan aims to protect, maintain and enhance the condition of all types of nature conservation sites, habitats and species within their ecological networks and sets out criteria that should be addressed when development is proposed. Policy DH (Dorset Heaths International Designation) sets out the particular controls that will apply to protected European and international sites.
- 6.45 Saved Policies 6 (Local Designations), 7 (Wildlife Corridors and Stepping Stones) and 8 (Protected Species) of the Waste Local Plan similarly afford protection to sites of regional or local significance and prohibit development that would harm protected species or their habitat, unless the development clearly outweighs the harm, and require the replacement of wildlife habitat lost as a result of the development.
- 6.46 The application is supported by an ecological assessment in the ES. Survey work has established that the site does not have any habitats or species of significant ecological value and that the proposed development would not involve the significant loss of valuable habitat. In consultation with Natural England and DCC's Natural Environment Team a protected reptiles survey was undertaken, which found only a very small population of 'common' protected reptile species (slow worms, grass snakes and common lizards) in one area of grassland on site, part of which would be lost to the proposed development.
- 6.47 Natural England and DCC's Natural Environment Team have considered the information submitted in the ES and have raised no objection to the proposed development, subject to the imposition of a planning condition to mitigate for the loss of reptile habitat. The applicant has agreed a biodiversity mitigation plan, supported by a reptile mitigation strategy for translocating the reptiles onto an adjacent plot of land in Magnox's ownership, which is being restored to heathland. The mitigation plan also includes the management of reptile habitat and the provision of bird boxes. Invasive cotoneaster identified on the site would be managed. Clearance of vegetation (the scrub or climbing ivy) would be undertaken outside the bird nesting season or under supervision of a qualified ecologist, with any nests found left undisturbed until the chicks have fledged. The existing mature Oak trees on the site would be retained and would not be affected by the new operational development proposed. As part of its ongoing grounds maintenance, the applicant has indicated that they would continue to maintain and where opportunities arose, would seek to improve the setting of the Oak trees. The implementation of the biodiversity mitigation plan has been made subject to the requirements of a planning condition.
- 6.48 Despite the land on which the existing facility is located being of low ecological value, the proposed development is located within close proximity to significant nature conservation interests that are particularly sensitive to airborne acid and nitrogen

deposition. Winfrith Heath SSSI is located approximately 200 m west of the site and is also designated as SAC (Dorset Heaths), a SPA and a Ramsar site (Dorset Heathlands). The application has used data from Purbeck District Council's Air Quality Updating and Screening Assessment 2015 to evidence that local air quality standards were recorded as 'good' and levels of nitrogen dioxide at all monitoring locations were significantly below agreed objectives. The District Council has not disputed this. Polluting emissions to air, from a total of six release points on site, are robustly regulated by the EA in order to protect local air quality. There would be no notable changes to emission levels as a result of the proposed development, which includes traffic emissions. Screening by DCC under the Habitats Regulations concluded that there would be no significant adverse effect on any designated European (and International) wildlife site. It was concluded that the only ecological impact from the proposed development would be on the common reptile population and this had been addressed through DCC's Biodiversity Protocol.

- 6.49 Having regard to the above, the proposed development would not have any significant adverse effect on ecology and biodiversity in isolation or cumulatively that could not be mitigated for by planning condition, and is therefore considered to be in accordance with the development plan and national policy.

Decommissioning and site restoration

- 6.50 National policy and strategy for radioactive waste management advocates 'early solutions' for the decommissioning of former nuclear sites as central to achieving sustainable development. A condition of all nuclear site licenses is that licensees shall make and implement adequate arrangements for decommissioning to an agreed end-state and within a justifiable timescales. Decommissioning plans should ensure nuclear safety is secured and associated risks reduced, so far as is reasonably practicable. This accords with the more general requirements of national planning and waste planning policy for the reclamation of waste sites.
- 6.51 If the applicant ceases to operate, the decommissioning and restoration of the site remains the responsibility of the landowner (currently the NDA) - despite the site no longer being included in the current decommissioning plan for the Magnox site. So, if the applicant acquires the site from the NDA and is granted an independent nuclear site licence by the ONR, it will become responsible for the decommissioning and restoration of the site.
- 6.52 The applicant is seeking full planning permission for the continued use of the site for radioactive waste management therefore, a date for decommissioning and restoring the site has not been provided. The application is, nevertheless, supported by a decommissioning procedure that has been produced as part of the applicant's ongoing nuclear site licence application and is reported in the ES.
- 6.53 Before granting a nuclear site licence, the ONR has to be satisfied that the applicant has developed an adequate strategy, programme and plan for the decommissioning of all on-site buildings and infrastructure, which includes the disposal of all waste. As part of the licence application, the applicant as a licensee (even if they are not the landowner) will have to demonstrate to the ONR that it has secure financial arrangements to ensure adequate provisions would be available to cover any eventual decommissioning of the facility, sudden or otherwise, should they cease to operate.
- 6.54 The decommissioning and restoration of any site subject to the requirements of a nuclear licence is jointly regulated by the EA and ONR. Prior to release from

radioactive substances regulation, a site must be assessed by both regulatory bodies as being safe and suitable for other non-nuclear uses. A condition has been proposed requiring the reclamation of the site to an amenity (nature conservation) after use should operations at the site cease. The intended reclamation reflects the proximity of the site to European and nationally significant heathland habitat, but also accords with the NDA's agreed final-end-state (heathland landscape with public access and continued employment) for the Winfrith site.

- 6.55 Having regard to the above, the proposed development would not have any adverse effect on the reclamation of the site, should it become necessary, or the decommissioning of the Magnox site that in isolation or cumulatively could not be mitigated for by planning condition, and is therefore considered to be in accordance with the development plan and national policy.

Other planning matters

- 6.56 Consideration has also been given to the following planning issues, but these are not significant for the purposes of EIA.

Transport and Traffic

- 6.57 Saved Policy 20 (Safety and Capacity of the Highway Network) of the Waste Local Plan requires that planning applications for waste management will, where appropriate, need to be accompanied by a Transport Assessment to ensure, amongst other matters, that:

- (i) development does not have an unacceptable adverse impact on public and highway safety;
- (ii) the traffic generated by development can be satisfactorily accommodated into the highway network without causing unacceptable adverse impacts on people or the environment; and
- (iii) that adverse impacts caused by the proposed development can be mitigated to the satisfaction of the waste planning authority and that such mitigation may be secured by a legal agreement and/or planning conditions.

- 6.58 Saved Policy 21 (Transport Impact) provides that proposals for waste management facilities will not be permitted where the associated traffic movements would have an unacceptable effect on residential or other environmentally sensitive areas in terms of noise, disturbance, vibration or safety. Saved Policy 15 (Rights of Way) states that planning permission will not be granted for any waste management facility that would adversely affect the amenity, convenience and recreational value of a public right of way unless the adverse impact could be satisfactorily mitigated. These sentiments are echoed by Policy IAT (Improving Accessibility and Transport) of the Purbeck Local Plan.

- 6.59 Policy ATS (Implementing an Appropriate Transport Strategy for Purbeck) of the Purbeck Local Plan requires that development proposals that are likely to adversely affect the implementation of transport infrastructure required to achieve the aims of the Purbeck Transportation Strategy will not be permitted. The cumulative impact of additional road trips from new development will be mitigated through financial contributions towards the implementation of the Purbeck Transportation Strategy, formalised as part of the Community Infrastructure Levy (CIL).

- 6.60 The Purbeck Transport Strategy shows that traffic levels on the surrounding roads have been in the past and are currently relatively light with no significant impacts from vehicle movements. The application is supported by a transport statement which concludes that 'worst case' vehicle movements associated with the continued use and proposed development (inclusive of both access routes) are low in number and would have a negligible impact on the local and strategic road network. No further assessment or mitigation is therefore required, but as a matter of good practice the applicant has included a workplace travel plan, which sets out measures to build upon the current level of non-car modal share for the facility's staff and the good accessibility of site by sustainable movement networks. DCC's Highways Team have raised no objection to the application and the District Council has not requested a CIL contribution.
- 6.61 Whilst the proposed development would generate only 30 (15 two-way) HGV vehicle and 12 (6 two-way) vehicle movements a week, national policy for radioactive waste management does recognise community concern in relation to the transportation of radioactive waste by road. Waste is currently imported to and exported from the site in specialist International Standards Organisation (ISO) approved engineered steel drums or containers. National policy considers that the current regulations for the road transport of radioactive waste provide a safe environment and that the risk to road users and the local community from this mode of transport is 'low'. No objection has been raised to the proposed development by local residents or the parish councils.
- 6.62 The proposed operational development on site would not initially change the existing vehicular access arrangements, which would continue to use the West Gate through the Magnox site. The applicant is, however, currently in negotiation with the HCA to be able to change their vehicular access arrangements from the West Gate to the East Gate, through the Dorset Green site. The use of the proposed alternative access route would be a shorter distance for vehicles to travel and would secure greater use of the A352 reducing the impact of decommissioning traffic on Gatemore Road.
- 6.63 It is evident that the historic and continued operation of the facility is favourably located to support the decommissioning of the Winfrith site, in addition to the Magnox nuclear facility at Harwell in Oxfordshire.
- 6.64 The proposed development would not have any adverse effect on transport, traffic or the convenience of any public rights of way in isolation or cumulatively that could not be mitigated for by planning condition, and is therefore considered to be in accordance with the development plan and national policy.

Landscape and visual impact

- 6.65 National policy requires that waste management facilities should be well-designed so that they contribute positively to the character and quality of the area in which they are located and that good design is a key aspect of sustainable development. Purbeck Local Plan Policy D (*Design*) accords with these objectives.
- 6.66 Saved Policy 4 (Landscape Character) of the Waste Local Plan requires waste management facilities to be of a scale in keeping with the local landscape character and that any adverse impact on features that make up the local landscape character be satisfactorily mitigated. Policy LHH (Landscape, Historic Environment and Heritage) includes the conservation of all heritage assets within the local landscape protection. Saved Policy 15 (Rights of Way) requires development to maintain the amenity, convenience and recreational value of all public rights of way.

- 6.67 The application is supported by a landscape and visual impact appraisal (LVIA) that has considered the potential impacts of the proposed development on the landscape (including heritage assets) and visual amenity, due to any changes in views from the new operational development. The historical and current landscape context of the site includes large industrial buildings within a more open heathland landscape with coniferous woodland to the west, and in the immediate area a more industrial landscape containing a greater density of industrial type buildings with maintained grassland areas plus groups of trees to the east. The wider landscape is characterised by lowland farmland and heath. The landscape character is expected to be largely maintained in future, albeit with a clearer distinction between the heathland on the Magnox site and the industrial buildings of Dorset Green.
- 6.68 The LVIA concludes that the construction of the extension to building B48 and the foul waste water treatment facility would represent a modest addition to an existing industrial landscape, containing a number of considerably larger buildings and occupying a considerably larger area. Due to the close proximity of the site to the industrial landscape of Dorset Green, even after the Magnox site has been fully decommissioned and restored to heathland habitat, the retention of the existing facility and proposed additional development are considered to have a neutral impact with no significant effect on landscape character. A similar conclusion has been reached for the impact of the proposed development on views into the site, which included from the bridleway that runs along the northern boundary of the Magnox and Dorset Green site (Public Right of Way 24) and from the Dorset Area of Outstanding Natural Beauty (AONB) approximately 1.5 km to the south east. The LVIA states that changes in views would be barely discernible and that the site benefits from mature landscape screening; the site was only partially visible from two of the ten key viewpoints assessed. DCC's Countryside Officer, Dorset's AONB Partnership and the District Council have raised no objection to the application.
- 6.69 The LVIA also gave consideration to the potential impacts of the development on the setting of local heritage assets located within 1 km of the site. The heritage assets identified comprise the remains of four groups of Bronze Age bowl barrows (funerary monuments) and the remains of West Burton, a deserted medieval village; there is no evidence that the site contains below-ground archaeological remains. The barrows and the village are Scheduled Monuments of national importance and considered to be of 'highest' significance, to which setting makes an important contribution. The LVIA concludes that the proposed development would have a negligible impact on the setting and therefore no effect. Heritage England and DCC's archaeologist have raised no objection to the proposed development.
- 6.70 Having regard to the above, the proposed development would not have any adverse effect on landscape character or visual impact in isolation or cumulatively that could not be mitigated for by planning condition, and is therefore considered to be in accordance with the development plan and national policy.

Noise and Vibration, Dust and Odour

- 6.71 NPPF states that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Saved Policy 1 (*General Principles*) of the Waste Local Plan requires development to demonstrate no adverse environmental impact saved

Policy 25 (*Negotiated Improvements*) requires a good standard of amenity for all existing and future occupants or land and buildings through the minimisation of environmental impacts from waste management facilities. All national policy and strategies for both radioactive and hazardous waste management are similarly underpinned by the key principles of a risk-based approach to development.

- 6.72 The impact of operational and traffic emissions have been previously discussed in this report. No new or changed operational emissions to air would be generated as a result of the continued operation or additional proposed built development and the facility would remain regulated by the EA, therefore radiological emissions to air would not have a likely significant effect on air quality. The facility does not manage odorous waste or involve any dust or odour generating management processes.
- 6.73 The development is not located in a noise sensitive area. The continued and proposed operational activities carried out at the facility are not of a nature considered to give rise to significant noise and vibration effects that would detract from the amenity or character of the area. There is no history of noise complaints associated with operation of the existing facility and there are no sensitive receptors within proximity to the site. The immediate surrounding area is occupied by a mixture of industrial and business uses, and the closest residential dwellings are 900 m to the northwest along Gatemore Road and over 1 km to the south at along Blacknoll Lane. The operational development proposed is not of a major scale, with a maximum of eight weeks for construction, therefore no significant noise or vibration impacts or traffic generation impacts from construction are expected. The District Council's Public Health Officer and EA have raised no objection to the proposed development.
- 6.74 Having regard to the above, the proposed development would not have any adverse effect on air quality or amenity from noise, vibration, dust or odour in isolation or cumulatively that could not be mitigated for by planning condition, and is therefore considered to be in accordance with the development plan and national policy.

Conclusion

- 6.75 The applicant is seeking full planning permission to regularise an existing waste management use. Planning permission is also sought for new operational development that would increase the area of the site used for waste management from 2.2 ha to 4.9 ha and would include an extension to an existing building, the construction of a new building and foul waste water infrastructure that would enable the applicant to deal with foul waste water independently from the ALES system that forms part of the Magnox decommissioning programme.
- 6.76 The facility is recognised by National Policy for LLW management and by the strategies that implement this policy as being of strategic importance. Underpinned by the principles of the waste hierarchy, the facility offers a range of waste pre-treatment, conditioning and decay storage processes that reduce the hazardous activity and volume of LLW and HAW. The facility offers improved ways of analysing waste streams to ensure the most appropriate reuse and disposal in accordance with national and local waste planning policy. It is accepted that the application of the proximity principle to the management of radioactive waste needs to reflect the limited number of destinations that waste can be transferred to, which often means that proximity can involve a significant transportation distance.

- 6.77 National policy for radioactive waste identifies the facility as forming part of the strategic infrastructure required to facilitate the decommissioning of legacy liabilities, including the Magnox site on which the facility is located. The sustained development and maintenance of existing waste management assets is a key priority of the National LLW Strategy. The continued use of the facility is in an optimal location to manage the waste arisings from ongoing decommissioning and it is evident that the facility has strong historical links with the Magnox sites at Winfrith and Harwell, which will continue to be important in helping Magnox to achieve final-end-state.
- 6.78 Officers are satisfied that the commercial and capacity need for the facility, beyond the decommissioning of the Magnox site, has been robustly justified and that the facility provides strategic and specialist waste management services to support the UK nuclear and non-nuclear industry that cannot be provided at an alternative site. The need for the proposed new operational development is intrinsically linked to the proposed continued use of facility and is being driven primarily by the decommissioning of the Magnox site. However, it is also evident that the applicant has carefully considered how best to optimise the current and future capacity of the site, so that they can operate fully independently and have the flexibility to respond to market demand. The continued use of the facility and the proposed operational development are consistent with the overarching principles of sustainable development.
- 6.79 The proposed development would not give rise to any significant adverse impacts that would have likely significant hazardous, polluting or nuisance effects to the receiving environment or human health that could not be avoided or mitigated to a satisfactory level by planning condition.
- 6.80 Having taken into consideration the environmental information, consultation responses and representations made and having regard also to the positive economic impact that the retention of a locally based and highly skilled workforce would have to the local economy, it is considered that the proposed development would be in accordance with the Development Plan, national radioactive waste management policy and planning policy. There are no other material considerations that indicate that a decision should be made otherwise.

7. Human Rights Implications

- 7.1 The provisions of the Human Rights Act and 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. Recommendation

8.1 That planning permission be granted subject to the conditions set out in paragraph 8.2 below.

8.2 SCHEDULE OF CONDITIONS

1 Time limit - commencement of development

The prospective development, defined as the construction including any preparatory demolition and groundworks of all new operational development permitted by this consent, shall commence before the expiration of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the waste planning authority within 7 days of such commencement.

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

2 Development to be in accordance with approved plans

Unless otherwise approved in writing by the waste planning authority, the development hereby permitted shall be carried out in strict accordance with the details shown on the following plans and drawings submitted as part of the application:

- DRG No: 80122-18E dated 06/07/2016 and titled '*Location and Planning Application Boundary*';
- DRG No: 80122-10G dated 17/06/2016 and titled '*Existing Site Layout Plan*';
- DRG No: 80122-12H dated 17/06/2016 and titled '*Proposed Site Layout Plan*';
- DRG No: 80122-16G dated 17/06/2016 '*Elevations*';
- DRG No: 80122-11G dated 17/06/2016 '*Existing Drainage*';
- DRG No: 80122-14H dated 17/06/2016 '*Proposed Drainage*'
- DRG No: 80122-17G dated 17/06/2016 '*Proposed Foul Water Connection to A422*'

Reason: For the avoidance of doubt and to control the form of the development in the interests of amenity and the environment having regard to: Saved Policies: 1 (Guiding Principles), 2 (Integrated Waste Management Facilities), 4 (Landscape Character), 6 (Local Designations), 7 (Wildlife Corridors and Stepping Stones), 8 (Protected Species), 13 (Water Resources), 15 (Public Rights of Way), 20 (Safety and Capacity of the Highway Network), 21 (Transport Impact), 25 (Negotiated Improvements) and 47 (Facilities for Clinical, Special or Hazardous Waste) of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD (Presumption in Favour of Sustainable Development) BIO (Biodiversity and Geodiversity), DH (Dorset Heaths International Designation), FR (Flood Risk), D (Design), Policy E (Employment); ELS (Employment Land Supply), SW (South-West Purbeck); LHH (Landscape, Historic Environment and Heritage), IAT (*Improving Accessibility and Transport*) and ATS (*Implementing an Appropriate Transport Strategy for Purbeck*) of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

3 Operation in accordance with application documents

Unless otherwise required by conditions of this permission or any scheme, plan, programme, timetable or other details submitted to and approved in writing by the waste planning authority, operation of the waste management facility hereby approved

and comprising all development within the redline edging shown on approved drawing: DRG No. 80122-12H dated 17/06/2016 and titled '*Proposed Site Layout Plan*' shall be in accordance with the proposed arrangements detailed in the Planning Application Supporting Statement dated 28 July 2016 and Environmental Statement Volumes (1) – (4) dated 27 July 2016, Biodiversity Mitigation Plan dated 13/12/2016 and Reptile Mitigation Strategy dated December 2016 (all documents submitted in support of the planning application).

Reason: To accord with the application proposal and to regulate the impact of the development in the interests of protecting amenity and the environment having regard to: saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

4 Waste Type and Throughput

The annual throughput of all waste imported into the waste management facility hereby approved and comprising all development within the redline edging detailed on approved drawing: DRG No. 80122-12H dated 17/06/2016 and titled '*Proposed Site Layout Plan*' shall not exceed 15,000 tonnes of radioactive waste. The annual throughput of non-radioactive hazardous waste asbestos shall not exceed 30 tonnes. The site operator shall maintain records of the throughput of all waste streams imported to the facility and shall provide these to the waste planning authority within 7 days of receiving any written request.

Reason: To protect amenity and the receiving environment having regard to: saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

5 Hours of Operation

Unless otherwise agreed in writing by the waste planning authority, the waste management facility hereby approved shall only operate between the hours of 0700 to 1900.

Reason: In accordance with the application proposal and to safeguard amenity having particular regard to: saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

6 Contaminated land (pre commencement)

Prior to the commencement of any prospective development, defined as the construction including any preparatory demolition and groundworks of all new operational development permitted by this consent, a scheme that includes the following components to assess and if necessary remediate the risks associated with the potential contamination of the site shall be submitted to and approved, in writing, by the waste planning authority:

Part 1. Preliminary risk assessment

A site specific preliminary risk assessment to assess the nature and extent of any contamination on the application site and whether or not it originates from the application site. The investigation and risk assessment must be undertaken by

competent persons and a written report of the findings must be produced. The report of the findings must identify and include:

- (i) all previous and current uses insofar as known;
- (ii) potential contaminants associated with all previous and current uses;
- (iii) survey and conceptual model of the site indicating sources, pathways and receptors; and
- (iv) potentially unacceptable risks associated with the contamination of the site.

Part 2. Site investigation scheme

A site investigation scheme, based on (*Part 1. Preliminary risk assessment*) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. Any site investigation must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR 11.

Part 3. Options appraisal and remediation strategy

If after completing (*Part 1. Preliminary risk assessment and Part 2. Site investigation scheme*) it is concluded that remediation is necessary to deal with contamination at the application site, an options appraisal and detailed remediation strategy, giving full details of the remediation measures required and how they are to be undertaken including a timetable of works and site management procedures, shall be produced.

All proposed remediation measures shall bring the site to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property, and the natural and historic environment. Any proposed remediation scheme must ensure that the site would not qualify as contaminated land under Part A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Any remediation strategy required must be submitted to and approved, in writing, by the waste planning authority, prior to the commencement of any prospective development. The recommendations of the agreed remediation strategy must then be implemented in full.

Part 4. Verification plan

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in any approved remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall be carried out in accordance with the approved scheme.

Reason: These details are required to be submitted and agreed before the commencement of any prospective development in order to ensure that any contamination of the land is identified and appropriately remediated to protect human health and the environment in accordance with: saved Policies 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

7 Unexpected contamination (pre-commencement)

In the event that contamination that was not previously identified is found when carrying out the prospective development, defined as the construction including any preparatory demolition and groundworks of all new operational development permitted by this consent, if the contamination is from an existing risk assessed source and containing comparable risk assessed substances and affecting an already risk assessed pathway or receptor, that could be addressed by simple extension of the measures approved under condition two to a larger area, the waste planning authority shall be notified in writing within 14 days. The details to be provided in the notification shall include confirmation of the areas affected, the approved investigation, remediation and validation measures to be applied, and the anticipated completion timescale.

If the contamination is from a different source or contains a new contaminative substance or affects a new pathway or receptor, then unless otherwise agreed in writing by the waste planning authority, no further development, except any urgent remediation works necessary to secure the area and control pollution risks, shall be carried out until the following has been undertaken:

- (i) A risk assessment and site investigation, undertaken in accordance with the requirements in condition one (*Contaminated land*) of *Part 1. Preliminary risk assessment and Part 2. Site investigation scheme*) and where remediation is necessary;
- (ii) A remediation scheme prepared, submitted for approval and implemented in accordance with the requirements in condition one (*Contaminated land*) of *Part 3. Options appraisal and remediation strategy and Part 4. Verification plan and reporting of unexpected contamination*).

Reason: To ensure that any contamination of the land is identified and appropriately remediated to protect human health and the environment in accordance with: Saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

8 Groundwater protection (pre-commencement)

Prior to the commencement of the installation of any drainage infrastructure, a site specific risk assessment is required to be undertaken, submitted to and approved in writing by the waste planning authority, to demonstrate that no part of the development poses a risk to controlled waters due to the mobilisation of any historic contamination present in the surrounding soils.

Reason: These details are required to be submitted and agreed before the commencement of any prospective development in order to ensure that any contamination of the land is identified and appropriately remediated to protect human health and the environment in accordance with: Saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

9 Flood risk (pre-commencement)

Prior to the commencement of any prospective development, defined as the construction including any preparatory demolition and groundworks of all new operational development permitted by this consent, a scheme for managing surface

water drainage from the development shall be submitted to and approved in writing by the waste planning authority. The scheme should be based upon the hydrological and hydrogeological context and include details of the on-going management and maintenance of the scheme. The design standard for the drainage system must be the 1 in 100 year event, plus an allowance for the predicted increase in rainfall due to climate change. The scheme shall be implemented in full prior to operation of the prospective development, and the development thereafter maintained and managed in full accordance with approved details.

Reason: These details are required to be agreed before any groundworks start in order to ensure that consideration is given to installing an appropriate drainage scheme to alleviate the possible risk of flooding to this site and adjoining catchment land, and to protect human health and the environment in accordance with: Saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

10 Construction Environment Management Plan (pre-commencement)

Prior to the commencement of any prospective development, defined as the construction including any preparatory demolition and groundworks of all new operational development permitted by this consent, a construction and environment management plan, incorporating pollution prevention measures, shall be submitted and approved in writing by the waste planning authority. The plan shall:

- (i) identify any demolition and describe the method of demolition;
- (ii) describe the method of construction, including details of all site excavation and foundation works;
- (iii) include a risk assessment relating to groundwater and surface water resources that may be affected by the operations;
- (iv) detail pollution prevention measures including proposed arrangements to be implemented for controlling and discharging groundwater during construction and to avoid pollution of surface water and groundwater;
- (v) detail landscape protection measures to be implemented during the operations including measures for the safeguarding of all existing trees, shrubs and other natural features not scheduled for removal in accordance with British Standard 5837: 2005 '*Trees in relation to construction*';
- (vi) include a site waste management plan;
- (vii) provide a programme planned of works.

Unless otherwise agreed in writing by the waste planning authority, all prospective development shall be undertaken in accordance with the approved plan.

Reason: To ensure that satisfactory measures are implemented that regulate the avoidance, minimisation and mitigation of any impacts from the construction of the development on amenity and the receiving environment having regard to: Saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

11 Removal of Permitted Development Rights

Notwithstanding the provisions of Parts 2, 3, and 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order with or without modification, and excluding any allowance made under other conditions of this permission, no change of use nor any other permitted development including but not limited to the erection, extension, installation or replacement of any fixed plant or machinery, building, structures, erections, private ways or hardstandings shall be undertaken within the site as defined by the redline edging shown on approved drawing: DRG No. 80122-12H dated 17/06/2016 and titled '*Proposed Site Layout Plan*' without the prior written approval of the waste planning authority.

Reason: In the interest of the amenity, landscape quality and ensuring good quality design having regard to: Saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

12 Nature conservation

Unless otherwise agreed in writing by the waste planning authority, the biodiversity mitigation measures as detailed in the approved Biodiversity Mitigation Plan and Reptile Mitigation Strategy dated 13/12/2016 shall be implemented in full and in accordance with any specified timetable prior to the construction of the extension (including any hardstanding) to building B48 as shown on approved drawing: DRG No. 80122-12H dated 17/06/2016 and titled '*Proposed Site Layout Plan*'. All mitigation measures shall be maintained and retained for the lifetime of the development.

Reason: To maintain and enhance the ecological diversity of the application site and surrounding area in accordance with: Saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

13 Premature Cessation of Use and Restoration of Site

Within 12 months of the date of this planning permission the applicant shall submit an indicative scheme for the restoration of the site to an amenity (nature conservation) after use which sets out the key principles and timeframe for reclamation. A detailed reclamation scheme shall be submitted within 6 months of the cessation of use. Both the indicative and detailed schemes shall be submitted to and agreed in writing by the waste planning authority. Such restoration shall be maintained for a period of five years after cessation of the use for the purposes detailed on approved drawing: DRG No. 80122-12H dated 17/06/2016 and titled '*Proposed Site Layout Plan*', and shall include the replacement of any plants or trees that die. At least once in any calendar year during the aftercare period there shall be a formal review meeting to consider the aftercare which has taken place and to agree a programme of aftercare management for the coming year. All approved schemes and timetables shall be implemented and complied with in full.

Reason: Having regard to the proximity of the site to Winfrith Heath Site of Special Scientific Interest, Dorset Heaths Special Area of Conservation and Dorset Heathlands Special Protection Area and Ramsar, and the Nuclear Decommissioning Authority's agreed interim and final end state (heathland with public access) for Winfrith in

accordance with: Saved Policies: 1, 2, 4, 6, 7, 8, 13, 15, 20, 21, 25 and 47 of the Bournemouth, Dorset and Poole Waste Local Plan and Policies: SD, BIO, DH, FR, D, E, ELS, SW, LHH and IAT of the Purbeck Local Plan Part 1: Planning Purbeck's Future.

Statement of Positive Involvement

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Dorset County 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 of concern with a view to facilitating a recommendation to grant permission.

Further Information

2. Further details including application documents and the Planning Officer's report can be viewed by entering the application reference given above in to the relevant search field at the following url: www.dorsetforyou.com/ePlanning/searchPageLoad.do.

Matthew Piles
Service Director for Economy