



Weymouth Town Council – Public submissions

Thursday 14 December 2023

Osprey School Site, Lerret Road, Portland, Dorset, DT5 1FN

Planning Appeal Reference APP/D1265/W/23/3327692

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Documents:

1. Cllr Harris speech
2. Cllr Wheller speech
3. Cllr Hamilton speech
4. List of references from "The Health effects of waste incinerators"
British Society for Ecological Medicine
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David Harris – Strategic policy view as the Leader – UNESCO, Local Plan, Waste Plan

Thank you for the opportunity to speak to you today. My name is Cllr David Harris, and I am the Leader of Weymouth Town Council. I will be speaking about some of the material planning considerations identified in national and local policies. First a word on the location in a national context.

Location

The proposed site is in a UNESCO World Heritage Site. This proposal is contrary to the UNESCO guidelines and will damage the heritage value of the wider area.

The site has been recognised by UNESCO and is considered by them to be of 'Outstanding Universal Value', and has been inscribed on the World Heritage List by the World Heritage Committee. UNESCO say that World Heritage status is a high accolade that brings with it responsibilities and international scrutiny, and part of that responsibility is protection from damage to the value of the area.

The proposed site is in an Area of Outstanding Natural Beauty, and a Heritage site. This will affect the value of the site in terms of local history and conservation. This will have a detrimental effect on the local tourist industry and the historical value of our area, effecting the local economy and the preservation of history for future generations. The revised plan for a footpath does not ameliorate the fundamental damage.

In the appellants Supplementary Statement of Case dated October 23, the appellant notes that their original stated fuel source will not be available in enough quantities and that they will need to seek a variation to the Environmental Permit (if granted by the Environment Agency) to increase the fuel types they are able to burn in order to ensure the plant can be fed – this clearly points to a lack of need.

Local Material Planning Considerations

The application does not comply with the Dorset **Waste Plan 2019** West Dorset

1. The plan does not demonstrate the need for this facility. A report published on 26th September 2023 by the UK Without Incineration Network (UKWIN) shows that if waste reduction targets are met English incineration capacity would exceed available feedstock by 2.6 million tonnes in 2027, with this overcapacity growing to 7.4 million tonnes by 2042, even if no additional incinerators are built. The study shows how expansion in England would increase incineration overcapacity at local, regional and national levels, harming current and future efforts to reduce, reuse and recycle. As mentioned earlier, the appellant accepts that recent shifts in waste production have already resulted in a lack of fuel for the proposed development.
2. Regarding collocation, the plan states that waste management facilities should be collocated with ash processing facility to reduce traffic. This condition has not been met and so traffic is not being proactively minimised. The transfer of ash from plant to vehicles also represents a risk to the environment as ash loss to the air would lead to a reduction in air quality and potentially water and land as well.
3. Regarding Proximity, the plan states that new facilities should be located close to where waste is created. This is clearly not the case and Dorset will not generate

sufficient feedstock for the capacity but there is no guarantee on the origin of additional feedstock to feed the incinerator if it were to be built, especially with falling quantities as mentioned above.

4. The Plan states that “waste management is well regulated. Consideration of impacts on health should therefore be in the context of whether the location is appropriate for the proposal.” The potential impacts on health are significant and have not been assessed in context with the poor design (including low chimney height), poor location due to poor transport networks, land shielding and sensitive environment, and little consideration of significant secondary impacts including traffic generation leading to congestion.

Local Planning policies

I believe that the application does not comply with 12 policies in the Weymouth and Portland Local Plan 2015 but you will be pleased to know that I am going to focus on just three of these. These are::

ENV 16 Amenity: Pollution Proposals for development should be designed to minimize their impact on both the existing residents and future residents within the development or close to it. Weymouth residents are close to this scheme especially with respect to the prevailing winds and the lorry traffic approaching it. Development proposals will only be permitted provided they do not have a significant adverse effect on the living conditions of occupiers of nearby residential properties through loss of health or serious increase in pollution. Do we know if the development will generate a level of activity or noise that will detract significantly from the character and amenity of the area or the quiet enjoyment of residential properties;

COM 7 Creating a Safe and Efficient Transport Network

This is the local plan policy that most has an impact on Weymouth residents and has three parts of which two are clearly relevant. Firstly development should be located where the volume of traffic likely to be generated can be accommodated on the local highway network without exacerbating community severance. Secondly development will not be permitted where the residual cumulative impacts on the efficiency of the transport network are likely to be severe.

There are two main roads that traffic can use to reach the beach road to Portland and both already have serious pollution problems. Unfortunately DC has not mended the air quality monitoring system on the worst but the last readings showed it was close to the maximum reading allowed and traffic has only got heavier. Neither of these two roads can afford the increase of traffic generated by this proposed development as both are residential and have many facilities along them that generate pedestrian traffic, particularly for children. In the summer especially these roads already suffer severe delays and congestion. An additional factor that should be taken into account is the increasing frequency of the need to close the causeway to the island. Where are the lorries going to park when there is the six hour road closure due to storm closure or accidents, both on Portland or in Weymouth?

ENV 13 Achieving High Levels of Environmental Performance

New buildings are expected to achieve high standards of environmental performance. This policy might be interpreted that it is referring to the need for the

building itself to conform to certain environmental standards and this is clearly true. The way that it is written, however, also suggests that the performance could be that of its impact on the surrounding environment as it is the words “high standards of environmental performance” that are the key.

In summary

There are three major reasons why this appeal should be rejected in terms of national and local policies and reports:

- Its location is totally unacceptable as it is so close to a designated UNESCO site, and ANOB.
- The proposal contravenes 12 policies in the Local Plan including pollution, traffic generation, and environmental performance
- There is not enough local waste to justify its existence in this location and this amount of waste will be reducing because of the measures society is taking to limit waste

I respectfully ask the Inspector to reject this appeal on behalf of the people of Weymouth.

Cllr Kate Wheller – Wider environmental impacts – pollution risk (not health), effect on habitats and SSSI, economic development impacts and tourism.

Introduction:

Thank you for the opportunity to speak to you today. My name is Cllr Kate Wheller and I am the Mayor of Weymouth, I will be speaking about the material planning considerations surrounding the environmental and economic impacts of this proposal.

Nature conservation

In terms of nature conservation, Policy ENV2 in the Weymouth and Portland Local Plan states that nationally designated wildlife sites will be safeguarded from development that could adversely affect them, unless there are reasons of overriding public interest, no alternative acceptable solution, and the benefits clearly outweigh the impacts. None of these three requirements are met by this proposal. The public have clearly indicated that they do not want this development as you can see from the responses to the initial planning application.

This proposal does not offer a unique solution to a problem that has been demonstrated to exist – the applicant admits that there is not enough of the proposed RDF fuel stock available to meet the need of this proposed incinerator and so have applied to change the source of fuel. The draft Weymouth Neighbourhood Plan demonstrates a commitment to renewable power, and trends in waste production are showing a clear reduction in volume due to increased recycling and reuse.

There has been no evidence that demonstrates that the benefits of this proposal outweigh the impacts. 3,341 local people, organisations and groups have spoken up against this proposal due to the negative impacts. Local people will not see any tangible benefits from it. The Appellant stated at the opening of this hearing that they wanted to look at connection to the local grid, but that this could not happen until at least 2037 due to current grid capacity restrictions. After that date the appellants said they would determine if it was “technically and economically viable to do so.” An empty promise such as this cannot be a basis for determining if the risks outweigh the benefits – so I urge the Inspector to take account only the actual, tangible, realistic benefits – not those that are promised and serve only to attempt to balance the scales away from the significant risk and adverse impacts on the local community.

The Local Plan further states in ENV2 that where proposals would result in the deterioration of irreplaceable habitats, such as the SSSI of The Fleet, the application will be refused unless the need for and public benefits of the development clearly outweigh the loss. We do not believe a need has been demonstrated that shows public benefits of an order that clearly outweigh the deterioration of this nationally significant habitat.

Section 6 of ENV2 states that the development of major sites should take opportunities to help connect and improve the wider ecological networks. There is nothing in the proposal that meets this requirement.

ENV2 states that development that is likely to have an adverse effect on internationally and nationally protected species will not be permitted unless there are reasons of overriding public interest, no alternative acceptable solution, or retention or relocation of species has been planned for. The application does not reflect any of this.

Policy ENV13 in the Local Plan states that new buildings are expected to achieve high standards of environmental performance. Whilst the applicant has included many abatement technologies, there are no mitigation measures for the pollution from land or sea transport of waste, or for removing the risk of ash spill and dispersal to local nature reserves and tourist attractions when contaminated ash is removed from the site. This brings in a significant risk of air, water, and ground contamination from hazardous materials.

Policy ENV15 states that development should optimise the potential of the site and make efficient use of land, subject to the limitations inherent in the site and impact on local character. As already stated, this proposal will have a significant impact on the local character in terms of visual appearance and traffic congestion.

Impact on countryside

In terms of impact on the countryside and visual appearance, Policy ENV1 in the West Dorset and Weymouth and Portland Local Plan states that the area's exceptional landscapes and seascapes will be protected and development which would harm the character, special qualities, or natural beauty of the Dorset Area of Outstanding Beauty or Heritage Coast, including uninterrupted panoramic views, will not be permitted.

This proposal would be highly visible and highly intrusive. The revised proposal regarding cladding and design does not reduce the impact of the development to a scale where Weymouth Town Council feels it can withdraw this objection. The development will be highly visible from the Weymouth coastline, affecting views, tourist value and historical value.

Dorset Council determined that the proposed development, as a result of its scale, massing and height, in the proposed location, would have a significant adverse effect on the quality of the landscape and views of the iconic landform shape of the Isle of Portland particularly when viewed from the Southwest Coast Path and across Portland Harbour. As such, the proposal is contrary to Policy 14 of the Waste Plan, Policy ENV1 of the Local Plan, Policies Port/EN7 and Port/BE2 of the Portland Neighbourhood Plan, and paragraph 174 of the NPPF.

The appellant described the proposed facility as being "subservient to the existing landform" to attempt to portray a facility that will not impact on the views and value of this area of Portland. However, this suggested subservience to the landforms shows that wind dispersal will be an issue, and the effect on nearby housing that is close to and above the stack will be a very real problem for local residents who will suffer from the concentration of pollutants.

It is well known that pollution such as Co2, nitrous gases, and sulphuric gases can damage limestone, and historic buildings across the country have suffered from this. There is insufficient research in to the effect of incinerator pollutants on limestone cliffs from such a direct source as the incinerator stack will be. The cliffs are not only of significant geological value, (the appellant spoke about the geological value of the area) being the only Unesco Natural World Heritage site in England but also a foundation for areas of housing, businesses and detention facilities, many of which are made from Portland Stone and could be at risk of calcite depletion resulting in a loss of not only historic value, but structural integrity.

Tourism, amenity value, and economic impact

The tourist industry will be significantly impacted by increased congestion and damage to the reputation of the area in terms of historic, recreation, and environmental quality and safety.

Weymouth and Portland rely heavily on the tourism industry for economic viability and income. The area contains some of the most deprived areas in the south (according to the Index of Multiple Deprivation) and many rely on the seasonal work that tourism brings to support their families. Portland Harbour and Weymouth Bay are highly regarded international sporting venues, and this proposal will damage the reputation of that amenity value which will impact on usage.

Policy ENV16 in the Local Plan states that proposals should be designed to minimize their impact on the amenity and quiet enjoyment of the area close to the proposed development, and as such, development proposals will only be permitted provided they do not generate a level of activity or noise that will detract significantly from the character and amenity of the area or the quiet enjoyment of residential properties; and they do not generate unacceptable pollution, vibration or detrimental emissions unless it can be demonstrated that the effects on amenity and living conditions, health and the natural environment can be mitigated to the appropriate standard. Weymouth Town Council do not believe that the proposal fully quantifies the risks of congestion, traffic generation and hazardous waste transportation, nor does it propose mitigation factors of a suitable level to reassure residents that the risk of noise, pollution and vibration will be ameliorated.

Policy ECON5 on Tourism Attractions and Facilities states that proposals for new, or extensions to, tourism attractions and facilities, such as Portland Port and associated activities, will be encouraged and supported, IF they enhance an existing attraction or facility; or provide wider environmental benefits, such as helping maintain an historic building; or provide wider community benefits; or increase the quality and diversity of the tourism offer in the local area and benefit the local economy. This proposed incinerator not only does not meet these criteria, but actively detracts and damages the existing offer. Those who visit us from across the world to sail, windsurf, kitesurf, scuba dive or walk our wonderful coastal path will think twice with the threat of air and water pollution, increased congestion, and loss of aesthetics.

Dorset Council have stated that the proposed development would cause 'less than substantial' harm to a range of heritage assets. Public benefits of the scheme are not considered sufficient by Dorset Council to outweigh the cumulative harm that would occur to the individual heritage assets. As a result, the proposal is contrary to Policy 19 of the Waste Plan, Policy ENV4 of the Local Plan, Policy Port/EN4 of the Portland Neighbourhood Plan and Paragraph 197 and Paragraph 202 of the NPPF.

Thank you for your time, and I hope I have outlined Weymouth Town Council's key concerns in the area of environmental and economic impacts of this proposal.

Thank you for the opportunity to speak to you today. My name is **Cllr Lucy Hamilton**. I am one of four councillors nominated to speak for Weymouth Town Council. I represent Wyke Regis ward. I will talk about material planning considerations from the local community point of view.

I chaired Weymouth Town Council Planning and Licensing Committee in 2020.¹ We heard directly from Powerfuel and from local residents, community groups and businesses, including Portland Port.

Weymouth Town Council objects. We share residents' concerns on location, scale and setting, proximity to housing, risk of air and sea pollution, traffic generation, risk to health, impact on tourism and fishing economy. These objections are supported in local and national planning and waste policy.

The mitigation outlined by Powerfuel is welcome, but it doesn't alter the balance. The disadvantages outweigh the advantages.

I will focus on land use, traffic generation, and waste management.

On land use:

NPPF requires balance in three areas: economic, social and environmental. NPPF says that land of the right type has to be in the right place.² This isn't it. EN-3 states most renewable energy resources can only be developed where the resource exists and where economically feasible. EN-3 does not give priority to brownfield sites for renewable technology such as ERF.³

On traffic:

EN-3 refers to increase in traffic volumes and any change in air quality.⁴ The road link to the island is a fragile one. There are regular traffic jams to and from Portland to Foords Corner in Wyke. Tailbacks stretch over Lanehouse Rocks Road and Buxton Road.

Accidents often block or close Portland Beach road. Extra wide loads from Sunseeker stop the traffic and cause delay. Storms can overtop Chesil Beach. Rising sea-levels threaten this single route to and from the island.

Where will the lorries wait at those times when the road is closed?

Where is the commitment to bring in waste by sea, as set out in EN-3?⁵ There is only a proposal for more heavy goods vehicles.

In Wyke and Rodwell we have multiple schools on the very route that lorries will take: Holy Trinity Primary School and Nursery, Chipmunks Day Nursery, All Saints Academy, Wyke Regis Infants and Nursery, Wyke Regis Junior. On or near the route are Budmouth in Chickerell and Rodwell Preschool and Nursery.

All of our schools encourage active travel. Our children walk and cycle the same routes those lorries will take.

¹ Weymouth Town Council

² NPPF para 8a

³ EN-3 para 2.3.9

⁴ EN3 para 2.7.82

⁵ EN-3 para 2.7.9

On waste management:

EN-1 is clear. The primary function of energy from waste plants is to treat waste: any planning decision must be made based on the demand for waste infrastructure.⁶

Both EN-1 and EN-3 require applicants to demonstrate that energy from waste plants is in line with Defra policy on the management of waste.⁷ The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of residual waste treatment at a national or local level.⁸

Energy from waste is the second to lowest rung on the waste hierarchy. We need to move up the hierarchy.

What is the future of waste management?

In the Environment Improvement Plan 2023, the government pledges to work with businesses, so that from 2024 polluters pay to recycle packaging.⁹ This is an incentive to prevent waste.

The DEFRA consultation closed in October 2023. Draft regulations will be made in spring 2024: Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024.¹⁰

Businesses are already acting: New Look, with headquarters in Weymouth, has been recognised in the British Retail Consortium awards for re-engineering packaging and for its closed loop recycling system.¹¹

In summary, it's better to reduce than to reuse. The government encourages this.¹² Any planning decision must be made based on the demand for waste infrastructure. The government wants to involve the local community in planning decisions. A genuinely local, plan-led system delivers positive outcomes for places and communities.

Please refuse this appeal.

⁶ EN-1 paras 3.2.3 and 3.2.4

⁷ EN-1 para 5.15.6, EN-3 para 2.7.6

⁸ EN-1 para 5.15.7, EN-3 para 2.7.7

⁹ EIP p12 para 1

¹⁰ Consultation on the draft Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024 - Defra - Citizen Space

¹¹ Reducing waste 2023 (hrc.org.uk)

¹² EIP Goal 5, p142

The Health Effects of Waste Incinerators

4th Report of the British Society for Ecological Medicine

Second Edition
June 2008

Moderators: Dr Jeremy Thompson and Dr Honor Anthony

Preface to Second Edition

Since the publication of this report, important new data has been published strengthening the evidence that fine particulate pollution plays an important role in both cardiovascular and cerebrovascular mortality (see section 3.1) and demonstrating that the danger is greater than previously realised. More data has also been released on the dangers to health of ultrafine particulates and about the risks of other pollutants released from incinerators (see section 3.4). With each publication the hazards of incineration are becoming more obvious and more difficult to ignore.

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Section 3. Health effects of Pollutants

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