POWERFUEL

Portland energy recovery facility

Environmental statement
Technical appendices

A

Scoping

PORTLAND ENERGY RECOVERY FACILITY (ERF)

SCOPING RESPONSE REPORT

POWERFUEL PORTLAND LIMITED

AUGUST 2020

TERENCE O'ROURKE

1 Introduction

1.1 This report summarises the results of the scoping consultation undertaken by Terence O'Rourke Ltd on the proposed energy recovery facility (ERF) at Portland Port. A scoping report was submitted to Dorset Council and a number of other organisations (table 1) on 10 January 2020.

1.2 This scoping consultation response document presents the key issues raised by the consultees and provides responses to each of the comments. Where applicable, cross references are made to where the issues have been addressed in the environmental statement (ES). The scoping report is included in appendix 1 and copies of the consultees' responses are included in appendix 2.

Table 1: Organisations consulted as part of the scoping process

Organisation	Contact name	Position / department	Response received
Dorset Council	Emma Macdonald	Principal Planning Officer	24.02.20
	Annabel King	Senior Ecologist	13.02.20
	Gary Cleaver	Flood Risk Management	06.02.20
	Aaron Carpenter	Landscape Officer	03.02.20
	--	Rights of Way Officer	--
	Jen Nixon	Senior Conservation and Design Officer	13.02.20 & 25.02.20
	Steve Wallis	Senior Archaeologist	24.02.20
	Ben Jones	Environmental Health Officer	10.02.20
	--	Highways	--
Natural England	Jack Potter	Wessex Team	13.02.20
Environment Agency	Michael Holm	Planning Advisor, Sustainable Places	10.02.20
Historic England	--	--	23.01.20
Highways England	Gaynor Gallacher	Assistant Planning Manager (Highways Development Management)	14.01.20
Marine Management Organisation	--	--	15.01.20
Dorset Wildlife Trust	Leanne Butt	Conservation Officer	13.02.20
Public Health Dorset	Rupert Lloyd	Healthy Places Coordinator	11.02.20
Jurassic Coast Trust	Sam Scriven	Head of Heritage and Conservation	20.01.20
Dorset AONB Partnership	Sarah Barber	Dorset AONB Landscape Planning Officer	31.01.20

2 Scoping consultation responses

Dorset Council[1]

Comment	Response
Waste planning authority (WPA)	
The EIA Regulations state that an ES is a statement that includes at least: • A description of the proposed development comprising information on the site, design, size and other relevant features of the development • A description of the likely significant effects of the proposed development on the environment • A description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment • A description of the reasonable alternatives studied by the developer, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment • A non-technical summary of the information referred to in the sub-paragraphs above • Any additional information specified in schedule 4 relevant to the specific characteristics of the particular development or type of development and to the environmental features likely to be significantly affected The applicant is advised to refer to schedule 4 to the EIA Regulations 2017.	Chapter 1 of the ES includes details of where the required information listed in these bullet points and schedule 4 of the EIA Regulations can be found within the ES.
An ES must: • Where a scoping opinion or direction has been issued in accordance with regulation 15 or 16, be based on the most recent scoping opinion or direction issued (so far as the proposed development remains materially the same as the proposed development that was subject to that opinion or direction) • Include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment • Be prepared, taking into account the results of any relevant UK environmental assessment, which are reasonably available to the person preparing the ES, with a view to avoiding duplication of assessment	This scoping response report sets out how the ES has taken account of the scoping opinion. ES chapter 1 includes details of where the required information can be found within the ES.
In order to ensure the completeness and quality of the ES: • The developer must ensure that the ES is prepared by competent experts • The ES must be accompanied by a statement from the developer outlining the relevant expertise or	Details of the competent experts involved in the preparation of the ES are set out in technical appendix B.

[1] Note that where the council's scoping opinion repeats responses from other consultees, these are set out in the tables relating to each individual consultee and not repeated in this response table to avoid duplication.

Comment	Response
qualifications of such experts	
Before adopting a scoping opinion, a planning authority is required to take into account: • Any information provided by the applicant about the proposed development • The specific characteristics of the particular development • The specific characteristics of development of the type concerned • The environmental features likely to be significantly affected by the development	Noted. This information was provided in the scoping report appended to this document.
Dorset Council has carefully considered the applicant's scoping report and has additionally taken into account: • The EIA Regulations • The nature and scale of the development • The nature of the receiving environment • Current best practice in the preparation of ESs • Any comments received from statutory consultees and others	Noted.
It should be noted that representations have been received from members of the public during the consultation on the scope of the ES. Where representations have related to the scope of the ES, they have been considered during the preparation of this opinion. However, concerns have also been raised about the merits of the proposal itself. The WPA recommends that the applicant fully considers the comments made and ensures that the concerns raised are addressed within any planning application.	Noted. Public comments and the responses to them are set out in the statement of community involvement submitted in support of the planning application.
A thorough description of the proposed site is provided in the scoping report. Reference is made to the settlement of Fortuneswell; however, it is considered that reference should also be made to the settlement of Castletown, particularly given traffic accessing the proposed site would go through this area, passing residential properties.	Chapter 2 of the ES sets out the site description, including reference to Castletown.
The description explains the need for underground cables and pipelines for the grid connection and CHP network and that a separate application will be required for the grid connection to the existing substation off Lerret Road. The ES should include further details and a plan showing the location of the substation and the route of the cables and pipeline both within the currently proposed ERF redline site and beyond. If no decision has been made to routing, a series of realistic options should be presented so that the cumulative impacts can be assessed as confirmed in paragraph 17.3 of the scoping report. The same applies to the cable connection from the plant to the appropriate berth at the port.	Chapter 2 of the ES includes details of the proposed cable routes. As no heat customers have been confirmed, pipeline routes are not known at this stage. However, potential impacts associated with the provision of heat, such as on carbon emissions, have been assessed where appropriate.
As a general point, Public Health Dorset has noticed that the scoping document refers to an 'expected' and 'envisaged' throughput of 180,000 tonnes of waste per annum before stating in paragraph 15.9 that *"the proposed development will treat 180,000 tonnes of waste a year."* It is my understanding that 180,000 tonnes	Chapter 2 of the ES sets out the maximum capacity of the ERF and the EIA has been based on this figure.

Comment	Response
is the maximum annual capacity of the proposed development. However, this should be clarified within the description of development. If 180,000 tpa is not the maximum capacity, the ES should include an assessment of the likely significant effects of operation based on the maximum capacity of the proposed development.	
As required, the scoping report also includes a plan showing the location of the designations referred to within the description. It is recommended that photographs of the site and its immediate surroundings should also be included within the introductory section of the ES. Additional detail would then be expected to be included within topic sections of the ES.	Chapter 2 of the ES includes a plan showing the designations and photographs of the site and its immediate surroundings. Further details are provided within the topic chapters of the ES (chapters 4 to 13).
It is important that the proposed ES clearly identifies and describes any relevant likely future changes to the current environmental baseline that would take place in the absence of the proposed development, i.e. any relevant future baseline scenario(s). This should include the further implementation of development that has previously been granted planning permission on this site (e.g. changes to landscape character and views, traffic, noise, ecology, air quality etc).	The ES topic chapters (4 to 13) set out details of the future baseline in the absence of the proposed development. For the purposes of the assessments against the future baseline, this is considered to comprise the site continuing in its present use, rather than the development of the consented scheme. The consented scheme is discussed in the alternatives section of ES chapter 2.
A fairly detailed description of the proposed development is set out in the scoping report. As required, this includes details of the site design, size and other relevant features of the development. The ES should also include detailed plans, drawings, illustrations and sections at appropriate scales based on Ordnance Survey base mapping and OS level datum for ground levels and heights of buildings and other structures.	Chapter 2 of the ES sets out full details of the proposed development, including plans and sections.
The information on the proposed development in the ES should include the following: • Contour plans and cross sections showing the existing levels and topography of the site and the proposed buildings and other structures • Site layout plans for the existing site and proposed development • Proposed site landscaping and habitat creation proposed, including methodologies for their creation and management • Details of the amount of waste proposed to be managed and residue from the treatment process • Traffic generation • Details of emissions from the operation of the proposed facility, including noise, dust, emission to air from the facility, traffic and water and light pollution	Information on the proposed development, including measures to minimise emissions, is provided in ES chapter 2.

Comment	Response
The scoping report refers to alternatives at section 17. However, it is noted that the summary (section 18) of the scoping report sets out a list of what each chapter of the ES will contain, and this includes a description of the alternatives considered for each topic area as required.	Chapter 2 of the ES discusses the alternatives considered by the applicant. Where relevant, the ES topic chapters (4 to 13) include a summary of the effects of potential alternative scenarios (such as different methods of RDF transport).
The description of reasonable alternative should, as appropriate, consider development location, design, technology, size and scale. The ES will need to identify and describe in adequate detail the alternatives considered and the main reasons for the choice of the selected options, including a comparison of the environmental effects of the options.	Details of alternatives considered by Powerfuel Portland Limited, and the reasons for the choices made, are provided in ES chapter 2.
The ES should include: • A description of those aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, land, soil, water, air, climate, material assets, cultural heritage and landscape and the interrelationship between the above factors • A description of the likely significant effects of the development on the environment, which should cover direct impacts and any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects of the development, resulting from: - The construction and existence of the development - The use of natural resources, in particular land, soil, water and biodiversity - The emissions of pollutants (including noise, vibration, light and water pollutants), the creation of nuisances and the disposal and recovery of waste - Risk to human health, cultural heritage or the environment - The impact of the project on climate change and its vulnerability to climate change - The cumulation of effects with other existing and / or approved projects • A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment • A description of the mitigation measures envisaged to avoid, prevent or reduce likely significant effects on the environment	It should be noted that the first bullet point of this list is from the 2011 EIA Regulations, not the 2017 Regulations. Chapter 1 of the ES includes details of where the required information listed in the 2017 Regulations can be found within the ES.
Comment on each topic area identified in sections 5 to 16 of the scoping report is provided below. These comments are provided on the basis that Dorset Council accepts the proposed scope of the ES, as set out in the scoping report, subject to the amendments and additions referred to in these comments.	Noted.

Comment	Response
To ensure that the ES is readily readable and understood, a consistent approach and common format as suggested in section 18 is welcomed and should be adopted throughout the environmental topic chapters. Methodologies should be outlined for each area of the assessment and should, as a minimum, clearly define: • The study area • Potential impacts for assessment • The temporal scope of assessment • Sources of baseline information • Survey methodologies • Approaches and criteria for classifying potential environmental impacts • Any standards, legislation or guidance followed • Any gaps or limitations to the study	The ES topic chapters (4 to 13) provide a summary of the required information, with more detail provided where relevant in technical appendices D to M.
Data should be comprehensive, relevant and up to date. All assumptions used to inform the assessment should be fully explained and justified and, wherever practical, impact assessments should be undertaken having regard to relevant policy and / or regulatory frameworks.	The assessments in ES topic chapters 4 to 13 and technical appendices D to M were based on up to date data and were undertaken with regard to relevant policies and regulations.
Any proposed mitigation measures should be considered in the following order of preference: avoidance, reduction, compensation and remediation. Only mitigation measures that are a firm commitment or are likely to be secured should be taken into account as part of the assessment.	The mitigation measures set out in ES topic chapters 4 to 13 have regard to the mitigation hierarchy.
In general terms the WPA welcomes the consideration of air quality issues in relation to both traffic generated by the proposals and emissions from the stack within the ES.	Noted. The majority of this section of the scoping opinion comprises comments from various consultees, so responses to these comments are set out in the relevant tables below and not repeated here.
The traffic-related effects of the proposed development should also be assessed cumulatively with other schemes and we would expect the applicant to agree an appropriate list of schemes, including committed development in the area, with the WPA.	Potential cumulative effects on air quality are assessed in ES chapter 4. The list of projects to be included in the cumulative effects assessment was agreed with the council.
The process emissions air quality assessment is again welcomed. However, the scope of the assessment of air quality and sensitive receptors should be discussed and agreed with the council's environmental health officer. In particular, this should include staff and inmates at HMP The Verne, which forms a collection of buildings within 500 m of the site.	HMP The Verne was included in the air quality assessment (ES chapter 4 and technical appendix D).

Comment	Response
Paragraph 5.11 of the scoping report refers to localised effects on temperature and moisture content of air surrounding the stack, stating that *"these effects…normalise within a short distance."* As a result, this issue is scoped out. DWT is concerned that no evidence is provided to clarify what this distance might be. The ES should provide further evidence of why this topic has been scoped out, justify this, and cross reference to where the issue of effects on micro-climatic conditions will be addressed.	The results of plume modelling are summarised in ES chapter 9 and set out in more detail in technical appendix J.
It is noted that the issue of odour from the operation has been scoped out of the ES. It would be beneficial to understand if the unloading of the RDF would have the potential to be odorous, including a description of operating practices. Is there enough enclosed storage space built into the development if RDF were to be brought into the facility by ship? Storage of the incinerator bottom ash should also be considered in this regard. This could be dealt with outside the ES.	Details of proposed odour mitigation and storage arrangements are provided in chapter 2 of the ES.
In terms of the carbon balance assessment, the WPA welcomes the comparisons proposed regarding carbon emissions from the proposed ERF with potential alternative methods of managing the RDF. Specific reference should be made to a comparison regarding the carbon emissions of the proposal and the existing management of equivalent waste arising in Dorset. In addition to the alternatives proposed, the applicant should also consider the alternative of developing a site for the management of RDF within each site allocated for similar uses in the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019), i.e. insets 7 to 10. Additionally, as the source of the RDF is yet unknown, the impact from a range of geographical sources should be considered, including the need to import RDF from outside Dorset.	The carbon balance assessment in ES chapter 5 and technical appendix E includes consideration of the requested scenarios.
The carbon balance assessment includes the potential heat exported from the ERF. Unless a specific heat customer has been identified, the carbon balance assessment should also consider the impact of the proposal without the utilisation of the heat, as this may not be guaranteed.	The carbon balance assessment in ES chapter 5 and technical appendix E includes impacts with and without the use of heat.
Similarly, if the location for the management of the incinerator bottom ash is not yet known, consideration of a range of options should be included in the carbon balance assessment, including the landfilling of this material.	As set out in ES chapter 2, the incinerator bottom ash will be sent to a facility in either London or Avonmouth for recycling.
The construction environmental management plan (CEMP) proposes to address dust management. Dorset Council's environmental health officer has requested more information on measures proposed to minimise effects from dust. It is agreed that the issue of dust is unlikely to be significant in EIA terms, subject to proven best practice construction measures, and can be scoped out of the ES. The environmental health officer has also recommended that information regarding hours of operation and proposals to deal with unexpected contamination should also form part of the submission.	Noted. The CEMP in technical appendix C includes the requested information.
In general, the WPA agrees with the methodology identified for considering the impact of the proposals on the community and socio-economic effects.	Noted.

Comment	Response
Effects on health post-construction are to be included within the ES. The methodology for this assessment should be agreed with the planning authority in terms of relevant sensitive receptors, which is likely to include Portland, Wyke, Weymouth and Preston.	The human health risk assessment (HHRA)) includes receptors in both Portland and Weymouth. The findings of the assessments are summarised in ES chapter 6 and set out in full in technical appendix G.
The preparation of a health impact assessment (HIA) has also been specifically welcomed by Public Health Dorset. We would strongly encourage the applicant to share details of the scope and methodology of the HIA with Public Health Dorset, who will be able to provide feedback on the approach.	See table below for response to Public Health Dorset's comments.
It is noted that impacts on tourism are scoped out of the ES. However, it is considered that the potential for impact on tourism is wider than explained in paragraph 6.15. Impacts may not be limited to the facility's immediate environment; wider consideration should be given to Portland, the South West Coast Path, Osprey Quay, the World Heritage Site, the AONB, the Heritage Coast and the Portland Quarries Nature Park. The potential impacts of air quality and traffic, such as congestion, on tourism, should also be considered. It is agreed that this issue is not likely to be significant and can be dealt with outside the ES but within the planning application and cross-referenced to relevant sections of the ES. The assessment of impacts on tourism under this heading should also cross-reference other sections related to the assets.	The potential for effects on tourism is discussed in the planning statement submitted in support of the application.
The potential effects on setting of historic assets is scoped into the ES; this is agreed.	Noted. The majority of this section of the scoping opinion comprises comments from various consultees, so responses to these comments are set out in the relevant tables below and not repeated here.
It is recommended that the baseline should be agreed with Dorset Council's conservation officer. The acknowledgement that appropriate viewpoints should be agreed with Dorset Council's conservation officer is welcomed.	Further consultation has been undertaken with the council's conservation officer, as set out in chapter 7 of the ES.
The WPA agrees with the scope of the ES in respect of ground conditions and the assessment methodology proposed. However, the ES should make clear the distinction and / or links between effects to ground conditions and effects to hydrology and hydrogeology.	Noted. These effects are clearly delineated in ES chapter 8. The majority of this section of the scoping opinion comprises comments from various consultees, so responses to these comments are set out in the relevant tables below and not repeated here.
It is agreed that land use and land take is scoped out of the ES. Any impacts of the loss of allocated employment land (to waste management uses) should be considered within the planning application, outside the scope of the EIA.	Noted. The use of allocated employment land is discussed in the planning statement submitted in support of the application.

Comment	Response
The WPA generally agrees with the landscape and visual impact assessment methodology proposed.	Noted. The majority of this section of the scoping opinion comprises comments from various consultees, so responses to these comments are set out in the relevant tables below and not repeated here.
In undertaking the assessment, representative viewpoint locations and the methodology for photography and photomontages will need to be agreed with Dorset Council's landscape architect prior to the LVIA being undertaken – I understand that discussions have already begun, which is welcomed. In addition, it is advised that the AONB team be involved in these discussions to agree the most significant viewpoints from the AONB. The Jurassic Coast Trust should also be consulted in order to seek guidance on how to fully assess impacts on the World Heritage Site.	Both the council's landscape architect and the AONB team were consulted to agree viewpoints for assessment. The Jurassic Coast Trust was consulted on the assessment of the World Heritage Site.
It is agreed that major accidents / disasters are scoped out of the ES. However, the planning application should provide details of other regulatory regime permits or licences that are required to manage pollution and health and safety from the development of a waste facility. Cross-references to other sections of the ES may also be appropriate in this regard, such as flood risk.	Information on pollution management, health and safety and major accidents is provided in ES chapter 2.
It is noted that the natural heritage assessment will be undertaken in accordance with the CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine.* Dorset Wildlife Trust has provided a detailed list of information in its response to the scoping report that should be provided within the ecological impact assessment. The WPA agrees that the issues listed should be fully addressed.	Noted. The majority of this section of the scoping opinion comprises comments from various consultees, so responses to these comments are set out in the relevant tables below and not repeated here.
Natural England has been consulted on the scope of the ES. The WPA is in agreement with the recommendations included in Natural England's response.	See response to Natural England's comments in the table below.
Note that Dorset Wildlife Trust has requested that a lighting assessment should be undertaken to consider impacts both on terrestrial and marine designated sites and across all associated taxa. The WPA agrees that consideration to lighting is needed; however, it is not considered necessary for inclusion within the ES.	A lighting statement has been submitted as a stand alone report in support of the planning application. The findings of this have informed the natural heritage, cultural heritage and landscape, seascape and visual assessments in the ES.
Dorset Wildlife Trust has also recommended an assessment of the impacts on visitors to the local natural environment and the visitor economy as a result of the development. The WPA is of the opinion that the issue of tourism can be dealt with outside the ES.	The potential for effects on tourism is discussed in the planning statement submitted in support of the application.

Comment	Response
Based on the information detailed in the scoping report and a representation received from Dorset Council's environmental health officer, it is considered that noise and vibration exposure levels would not have a significant effect on any sensitive receptors in ES terms. Accordingly, this topic is scoped out of the ES.	Noted.
However, please note that a noise assessment will be required to support any planning application and this should conform to BS 4142:2014. The assessment should also assess vehicle noise. Agreement should be sought with the WPA, prior to submission of a planning application, regarding the sensitive receptors that will be considered as part of this assessment. The assessment should identify appropriate noise limits at the facility and traffic generated and assess whether the development is likely to be capable of operating within them. The Health and Safety Executive should be consulted on this also.	A noise assessment has been submitted as a stand alone report in support of the planning application covering the required issues.
The WPA agrees with the assessment methodology proposed, which will include the preparation of a transport assessment, the scope of which will be determined in consultation with Dorset Council.	Noted. See table below for response to Highways England's comments that are quoted in this section of the scoping opinion.
Paragraph 14.9 of the scoping report should be expanded to ensure consideration is given to Wyke Regis Infant School and Nursery and All Saints Church of England School, both of which are situated on the route to the site.	The traffic and transport assessment in ES chapter 11 and technical appendix L includes these receptors.
Public Health Dorset considers that details of the source of the RDF should be provided to allow a full assessment of the impacts of vehicle movements generated by waste transport on air quality and population health and wellbeing. If the source of the RDF is as yet unknown, the impact on the council's roads needs to be fully addressed on the basis of a worst-case scenario.	The traffic and transport assessment in ES chapter 11 and technical appendix L has been based on a worst-case assumption of 100% of the RDF being transported through Dorset by road.
In addition, details of the location of facilities for processing the incinerator bottom ash should be included and the impacts of vehicle movements associated included within the assessment. Again, if the location of management is unknown, a series of options should be considered, including an assessment of a worst-case scenario.	As set out in ES chapter 2, the incinerator bottom ash will be sent to a facility in London or Avonmouth for recycling.
The ES should include any necessary appropriate mitigation and how it will be provided in line with current guidance.	The traffic and transport assessment in ES chapter 11 includes proposed mitigation measures.
The scoping report includes details of increased traffic generation during and post-construction. It is considered that vehicle movements by employees associated with the facility should be included.	The traffic modelling in ES chapter 11 and technical appendix L includes employee trips.
It is noted that the issue of increased ship traffic into Portland Port post-construction has been scoped out. Given the location of the site and the potential that exists for material to be imported to the site via the sea, it is considered that possible impacts, post-construction, should be considered. Details should be provided on the possible level of movements of waste by ship or a range of alternative options. This should be compared with	Information on the estimated maximum number of ship movements associated with the proposed development, as well as 2019 data on ship calls at Portland Port, is

Comment	Response
the port's capacity and current average ship movements to establish the increase in movements. This issue of capacity and impact on Portland Port from increased ship traffic could be undertaken outside the scope of the ES. If there are any concerns regarding capacity for berthing at Portland Port, contingency options should be addressed. It should be noted that the ecological impacts of movement of waste via ships should be included in the ES.	provided in ES chapter 2, which confirms that the increase will be negligible. The potential ecological impacts associated with the movement of waste by ship are assessed in ES chapter 10.
The ES should clearly detail that impacts of increased ship traffic have been scoped out of the ES and the reasons for doing so. Cross-reference to the relevant section of the ES that deals with air quality impacts from traffic, both during and post-construction, would be helpful.	As set out above, the increase in ship traffic as a result of the proposed development will be negligible. Air quality impacts associated with both ship and road traffic are assessed in ES chapter 4 and technical appendix D.
Paragraph 15.5 of the scoping report should reflect the position set out in the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) in terms of the allocations for the provision of new facilities for the management of residual waste to meet the needs of the plan area.	The waste assessment in ES chapter 12 refers to the allocations for new facilities.
Note that proposals for waste facilities will be expected to make use of sustainable construction practices, including measures to reduce the use of primary materials, water and energy demands. This should be dealt with in the planning statement and / or the CEMP.	Sustainable construction measures are discussed in the planning statement and site waste management plan submitted in support of the planning application.
Reference should be made in the water environment assessment to the storage and handling of the residue from the treatment process (bottom ash). Although it is likely that this issue can be scoped out, consideration should be given to the potential for impacts and details of regulatory regimes that would manage pollution.	The water quality assessment in ES chapter 8 and technical appendix I2 includes potential effects associated with storage and handling of RDF, residues and process materials. The majority of this section of the scoping opinion comprises comments from various consultees, so responses to these comments are set out in the relevant tables below and not repeated here.
The full range of projects to be considered cumulatively with the proposed development should be agreed in advance with the WPA.	Further consultation was undertaken with the WPA to agree the list of projects to be considered in the cumulative effects assessment.
Paragraph 17.2 of the scoping report explains the scope of the cumulative effects assessment. To ensure that the assessment is proportionate, the scoping report proposes that only large scale developments should be included. The scoping report explains that these are developments of over 150 dwellings or more than 1 ha of	Developments raised by other consultees in their scoping responses were included in the

Comment	Response
non-residential development, in line with the thresholds in section 10(b) of schedule 2 of the EIA Regulations. However, there may be other developments locally that do not meet this threshold, but are likely to be important considerations, particularly in the context of the Isle of Portland. Where other developments are flagged up by consultees, these need to be built into the assessment.	list of projects agreed with the council. The full list is set out in ES chapter 3.
Natural England do not consider the thresholds suggested to be appropriate, given that there is only one way on and off Portland, which runs directly adjacent to international, national and local designated nature conservation sites. Consequently, it may be that small developments have a disproportionate cumulative effect. Given this, a methodology is needed that takes account of the traffic generation of all likely development, if necessary by the use of appropriate justified assumptions.	The traffic associated with smaller developments is included within the background traffic growth factors from Tempro that have been applied to the baseline traffic flows in ES chapter 11 and technical appendix L, so has inherently been taken into account in the traffic modelling.
Dorset Council's landscape architect, the Dorset AONB team and Dorset Wildlife Trust have highlighted a large scale warehousing development that is planned for a site to the immediate south east of the site (WP/19/00514/SCRE). There is also a proposal for 98 dwellings at Royal Manor Arts College, Weston Road to the south of the site (WP/19/00919/OUT). The cumulative effects of these developments should be considered.	These projects have been included in the cumulative effects assessments in ES chapters 4 to 13.
The ES need not necessarily include a specific topic on the assessment of cumulative impacts; rather, cumulative effects should be considered where relevant in each topic-specific chapter of the ES.	The ES topic chapters (4 to 13) include assessments of the potential for cumulative effects.
It is likely that alternatives will be considered for each topic area, rather than forming a separate chapter of the ES. As such, alternatives have also been referred to in this letter within the topic sections as necessary.	Details of alternatives considered by Powerfuel Portland Limited, and the reasons for the choices made, are provided in ES chapter 2. Where relevant, the ES topic chapters (4 to 13) include a summary of the effects of potential alternative scenarios (such as different methods of RDF transport).
The ES must be accompanied by a separate non-technical summary of its content. This should be drafted in plain English and present an accurate and balanced account of the key findings of the ES.	A separate non-technical summary has been produced.
Natural environment team	
The scoping report identifies many of the issues discussed during pre-app advice. Generally satisfied with the methodology outlined to assess impacts of emissions on sensitive ecological receptors.	Noted.
However, greater weight should be given to the impact of local climatic / wind conditions on the impact zone for deposition of pollutants around the stack area, to ensure that the impacts of nutrient deposition are fully	The emissions modelling summarised in ES chapter 4 and set out in full in technical

Comment	Response
understood. This is of particular importance, as the underlying SSSI unit (33-Verne Common) directly adjacent to the application area is in unfavourable declining condition due to scrub incursion and additional nutrient deposition has the potential to add to the existing problem.	appendix D, which informed the assessment of effects on the SSSI in ES chapter 10, included five years of local meteorological data.
The cumulative impact of the large warehouse application to the south of the ERF should also be considered in this assessment.	The potential for cumulative effects, including with other developments within the Port, is assessed in the ES topic chapters.
It is also recommended that the ES should include an assessment based on a field survey of the bryophyte and lichen interest of this unit and any others within the predicted impact zone, to inform the assessment of nutrification impacts and any possible mitigation. The open scrub-boulder scree areas on the undercliffs, especially on East Weare, have no equal anywhere on the south coast and are perhaps unique, with a combination of Oceanic, Southern Oceanic and Mediterranean-Atlantic bryophytes and lichens not known elsewhere in Britain. Great weight should be given to the importance of this habitat, a listed feature of the SAC, in the pollutant modelling in the ES.	The results of the air quality modelling, as set out in ES chapters 4 and 10, technical appendix D and the Shadow Appropriate Assessment submitted in support of the application confirm that there will be no significant effects on the designated sites and have been based on a precautionary approach that assumes the sensitive habitat is present and that deposition levels should not be at a level that would prevent this habitat re-establishing in the future. A field survey is therefore not considered to be required.
Table 5.2 in section 5.14 of the scoping report combines air quality impacts on the population and on the natural heritage / natural environment. This approach risks confusing impacts on the natural environment with impacts on human health. Recommend a clear division of the assessment of air quality impacts on the population and of impacts on the natural environment: therefore, the inclusion of air quality / emissions impacts on the natural environment in section 12 and table 12.2, rather than section 5, which seems mostly to deal with air quality impacts on human receptors. At the moment, air quality / emissions impacts on the natural environment appear to be split between section 5 and section 12, with the result that it will be difficult to assess the impacts of pollution (vehicles and stack emissions) on the habitat and species interest features of the SACs and underlying SSSIs.	The assessment of natural heritage effects in ES chapter 10 includes a full assessment of the potential for effects on designated habitats as a result of both emissions from the stack and increased road and sea traffic. This assessment is based on the findings of the air quality modelling that is summarised in ES chapter 4 and set out in full in technical appendix D.
The impact on population of road traffic emissions is identified in table 5.2, but the impact on SAC / SSSI sites (in particular Chesil and the Fleet SAC and SSSI and Chesil Beach and the Fleet SPA) is not identified here or in section 12 and should be scoped into the natural heritage section of the ES.	The assessment of the potential for effects on designated sites in ES chapter 10 includes effects as a result of increased road traffic emissions.

Comment	Response
Impacts of disturbance from increased traffic on little tern (a qualifying feature of Chesil Beach and the Fleet SPA) also need assessing as part of this application.	The natural heritage assessment in ES chapter 10 includes the potential for effects on bird species (including little tern) as a result of increased disturbance from traffic.
In-combination effects should also be included to ensure the impacts of this application can be fully understood.	The potential for cumulative effects is assessed in the ES topic chapters.
The application will need to comply with the mitigation hierarchy and the applicant should ensure that the ES provides enough information to assess impacts and provide mitigation / calculate compensation as required.	ES chapter 10 includes both a detailed natural heritage impact assessment and details of proposed mitigation measures.
The applicant should also be mindful that the proposals will require consideration under the Conservation of Habitats and Species Regulations, as informed by recent case law ECJ ruling Holohan and Others (C461/17), which may require assessment of how non-designated habitats surrounding the designated sites are functionally linked to the designated sites.	A Shadow Appropriate Assessment has been submitted as a stand alone report in support of the planning application.
Flood risk management	
Given the scale of the proposed development and construction of a new ERF within the Portland Port complex, we understand that the scheme is regarded as major and therefore requires our ongoing involvement as a technical consultee.	Noted.
By way of context, we confirm that this brownfield / previously developed site falls largely within flood zone 1 (low risk of fluvial / tidal flooding) in accordance with the Environment Agency's published modelling, although it is seen to adjoin coastal waters. Equally, it is seen to be unaffected by available mapping of theoretical surface water flood risk, other than some isolated ponding that is shown to develop during extreme rainfall events (1:1,000 year).	The risk of flooding from all sources is examined in the flood risk assessment (FRA) submitted in support of the planning application.
BGS data indicate that the site is underlain by a dominate bedrock of a sedimentary mudstone (Kimmeridge Clay Formation), with no recorded superficial overburden. Groundwater levels are anticipated to have close connectivity to adjacent tidal levels.	Details of the underlying geology and hydrogeology are provided in ES chapter 8 and technical appendix I.
Therefore, the potential incorporation of infiltration methodologies within the proposed (re)development scheme are unlikely to be viable at this location.	Noted. Infiltration drainage is not proposed at the site.
All (major) development proposals are to be supported by a site-specific drainage strategy in accordance with the recommendations of the revised NPPF, relevant technical guidance and best practice. Accordingly, the management of surface water runoff must demonstrate that the proposed development is not to be placed at risk and that no off-site worsening is to result.	The drainage strategy is summarised in chapter 2 of the ES and the full strategy is included in the FRA submitted in support of the planning application.

Comment	Response
Whilst we acknowledge that the current consultation is a request for a scoping opinion in respect of the required EIA and would not ordinarily include a detailed design, a proportionate conceptual drainage strategy should be provided in support of the proposed (re)development.	The drainage strategy is included in the FRA submitted in support of the planning application.
We note that section 16 (Water environment) of the scoping report acknowledges the requirement of a surface water management strategy and states the introduction of a new surface water drainage system will affect runoff rates from the site. It also confirms that the site is currently impermeable and the proposed surface water drainage system will discharge into the sea. However, sub-section 16.8 and tables 16.1 and 16.2 of the report clarify that a FRA will be submitted in support of the planning application to address flooding and drainage and not to be included within the EIA. We would contest this assumption and confirm that a conceptual strategy of surface water management is to be included within the necessary EIA document on grounds of flood risk and potential contamination.	The drainage strategy is summarised in chapter 2 of the ES and the full strategy is included in the FRA submitted in support of the planning application.
We must be confident that a viable and deliverable scheme of surface water management is to be incorporated within the proposed (re)development of this site and prior to recommending appropriate planning conditions in respect of detailed design and maintenance considerations. The necessary EIA document should include a viable and deliverable conceptual strategy for the management of surface water runoff generated by the proposed development, on grounds of flood risk and potential contamination.	The drainage strategy summarised in ES chapter 2 and set out in full in the FRA submitted in support of the planning application has informed the assessment of water quality effects in ES chapter 8 and technical appendix I.
It would not be appropriate for us to dispense with the need for a strategy of surface water management within the required EIA, pending a subsequent application for planning permission, in accordance with the Ministerial statement 'Sustainable Drainage System' 2014, the NPPF and the revised Planning Policy Guidance.	Noted – see above responses.
Landscape	
Section 10.1 of the scoping report refers to the Limestone Peninsula landscape character type as a reference to be included in the EIA. The EIA should also refer to the: • Weymouth & Portland District Landscape Character Assessment February 2013 – https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/west-dorset-and-weymouth-portland/other-planning-documents/pdfs/sg/landscape-character-assessment.pdf • Dorset Coast Landscape & Seascape Character Assessment 2010 – http://www.cscope.eu/_files/MSP_Dorset/Land_and_Seascape_Character_Assessment.pdf • The Dorset Area of Outstanding Natural Beauty Management Plan 2019-2024 – https://www.dorsetaonb.org.uk/wp-content/uploads/2019/04/DAONB_Managementplan.pdf	The landscape, seascape and visual impact assessment in chapter 9 of the ES makes reference to the requested documents.
Sections 10.4 and 10.11 of the scoping report refer to establishing viewpoint locations to be confirmed with Dorset Council's landscape department. I have been in contact with the landscape consultants working on the	Noted. Further consultation was undertaken with both parties.

Comment	Response
EIA scoping report and welcome this dialogue. I would also ask that the Dorset AONB Landscape Officer is part of this discussion.	
I agree with section 10.6 of the EIA scoping report and I am satisfied the report recognises the effects of the stack height to have a potential significant impact.	Noted.
Section 17 of the EIA scoping report refers to the cumulative effects and alternatives. I understand that a large warehouse is planned south east of the proposed ERF building inside the Portland Port Authority boundary. The cumulative effects of this building will need to be assessed.	The potential for cumulative effects, including with other developments within the Port, is assessed in the ES topic chapters.
The visual effects of the proposed louvres attached to the ERF building and the alternative solution of not using the louvres is something I would like to see explored in the visual study of the site.	The louvres no longer form part of the proposals. The rationale for this is explained in ES chapter 2.
Conservation	
The process is to identify likely significant environmental effects of proposed developments by comparing the existing situation, that which pertains before development is carried out (baseline) with the situation once the proposals are in place. The significance of effects during demolition and construction should also be considered.	No demolition is required as part of the proposed development. The cultural heritage assessment in ES chapter 7 examines potential effects both during and post-construction.
Historic environment: • Focus of theme • Designated and undesignated heritage sites and areas • Setting of cultural heritage assets • Archaeological assets • Immediate and wider views and impact	The cultural heritage assessment in ES chapter 7 includes both designated and undesignated heritage assets and considers the potential for effects on setting, both close to and more distant from the site. Below-ground archaeology was scoped out the assessment, but other archaeological assets were included (see above 'Waste planning authority' section).
Policy context – NPPF: • Protect and enhance valued landscapes, giving particular weight to those identified as being of national importance • Heritage assets should be recognised as an *"irreplaceable resource"* that should be conserved in a *"manner appropriate to their significance"*, taking account of *"the wider social, cultural, economic and environmental benefits"* of conservation, while also recognising the positive contribution new development can make to local character and distinctiveness	The cultural heritage assessment in ES chapter 7 has had regard to the requirements of the NPPF.

Comment	Response
• Set out a *"positive strategy"* for the *"conservation and enjoyment of the historic environment"*, including those heritage assets that are most at risk	
The government's *Statement on the Historic Environment for England* (2010) sets out its vision and calls for those who have the power to shape the historic environment to recognise its value and to manage it in an intelligent manner in light of the contribution that it can make to social, economic and cultural life.	Noted.
West Dorset, Weymouth and Portland Local Plan identifies a strategic objective to *"achieve high quality and sustainability in design, reflecting local character and distinctiveness of the area".* Policies include ENV1 (Landscape, Seascape and Sites of Geological Interest), ENV4 (Heritage Assets), ENV10 (The Landscape and Townscape Setting), ENV11 (The Pattern of Streets and Spaces) and ENV12 (The Design and Positioning of Buildings) to protect and enhance landscapes, townscapes and the historic environment (including their settings) in the West Dorset, Weymouth and Portland area.	The cultural heritage assessment in ES chapter 7 has had regard to relevant local plan policies.
Dorset Cultural Strategy, the Dorset Heritage Strategy has a vision that *"all the assets should be known, made accessible to a wide range of users, enjoyed in a responsible and sustainable manner and passed on intact to future generations. Dorset's heritage should inform, stimulate and enhance people's lives and be a catalyst to the regeneration of places and communities."* The plan identifies the following six objectives: Identifications, Conservation, Education and Interpretation, Management, Access, and Community Involvement.	Noted.
Dorset Area AONB Management Plan – the coastline of the AONB is a World Heritage Site (WHS) and retention of its natural undeveloped character is key.	The potential effects on the WHS are assessed in ES chapters 9 and 13 and effects on the AONB are assessed in chapter 9.
Conservation guidance: key heritage statute, policy and professional guidance will inform and guide the assessment works, notably including • The 1979 Ancient Monuments and Archaeological Areas Act 1979 • The Planning (Listed Buildings and Conservation Areas) Act 1990 • The NPPF • The National Planning Practice Guidance • *Conservation Principles* (English Heritage, 2008) • *The Setting of Heritage Assets*, Historic Environment Good Practice Advice in Planning: 3 (Historic England, 2015) • Chartered Institute for Archaeologists' professional guidelines • Historic England online National Heritage Register • Royal Commission for Historic Monuments in England • Dorset Council Historic Environment Record	The cultural heritage assessment in ES chapter 7 has been undertaken in accordance with relevant policy and guidance and includes a reference list.

Comment	Response
• Conservation area appraisals and management plans • Historic England Heritage Gateway website • British history online • Old maps online	
Summary of current historic environment baseline: 1. AONB 2. Scheduled ancient monuments 3. Sites of archaeological importance 4. Registered parks and gardens 5. Battlefields 6. UNESCO World Heritage Sites 7. Undesignated heritage monuments / features of local interest, i.e. quarries / industrial and farming activities, coastal history, historic routes and paths, boundaries and planforms, open spaces etc 8. Conservation areas 9. Listed buildings 10. Locally listed buildings and structures, i.e. townscape, landmarks, group value etc. Also analysis of: 11. Gateway locations, including coastal, key viewpoints, vistas and focal points, zone of theoretical visibility (ZTV), public rights of way (as regards viewpoints) 12. Local vernacular material palette and detailing 13. Sense of place Detrimental features: 1. Buildings at risk (Historic England HER and Dorset Council BAR registers) 2. Negative development and infrastructure 3. Derelict or abandoned areas of site or poor surface finishes and perimeters 4. Decommissioned modern features 5. Lighting / noise and smells / traffic / mains service routing and equipment	The baseline section of the cultural heritage assessment in ES chapter 7 includes consideration of all relevant elements from the list.
Analysis of potential harm, e.g. incremental harm, substantial harm, less than substantial harm. This includes: • The loss of landscape features and visual impact on setting and associated heritage • Impact on the fabric and setting of cultural heritage assets, e.g. through inappropriate design, layout, form, scale, finish Opportunities for mitigation, e.g.: • Through design / form / materials and detailing / landscaping / placement / scale and massing	The cultural heritage assessment in ES chapter 7 includes consideration of potential effects on setting and identifies mitigation measures.

Comment	Response
• Integration with setting • Relationship with historic past uses, character and events Enhancement potential, e.g.: • Better revealing assets' cultural heritage significance, educating both local residents and visitors • Clearance of decommissioned equipment • Better routing of services • Reduction in noise and vibration due to industry or traffic • Improved hard and soft landscaping and surfaces and boundaries • Repair of buildings at risk • Development or reinstatement of link routes between cultural elements / sites • Enhancement of distinctiveness to reinforce character and sense of place • Lighting	
Methodology for assessment: 1. Heritage desk-based assessment: • The objective of the assessment will be to identify the baseline information on heritage for the site and its vicinity, in order to inform an assessment of the potential for archaeological remains in the site • A copy of the heritage desk-based assessment to be provided to the council's archaeology service and agreement sought on the results and the level of information provided 2. Walkover survey. 3. Level 1 building survey of standing buildings and relevant structures, in line with the Historic England guidance *Understanding Historic Buildings* (2006). 4. The setting of heritage assets. Assessment through use of methodology contained within the Historic England guidance *The Setting of Heritage Assets* (2015): • This will include a review of those designated heritage assets that might be impacted by the proposed development • Assessment of whether, how and to what degree setting makes a contribution to the significance of these heritage assets • Key sightlines and viewpoints identified and annotated on associated plans and photomontages 5. Architectural imagery, to include independent photographic illustrations and wider photomontages to support the current and future baselines, e.g. for assessment of impacts on backdrop and building settings, as well as skyline.	The desk-based assessment is set out in ES chapter 7. A site walkover was undertaken. There are no buildings or structures on site, so point 3 is not applicable. The assessment of effects has been undertaken in accordance with relevant guidance. The assessment has been informed by the landscape, seascape and visual assessment in ES chapter 9, including associated viewpoints and photomontages. As the cultural heritage assessment forms part of the EIA, it was not appropriate to provide it in a stand alone report. The assessment in ES chapter 7 is supported by further material in technical appendix H.

Comment	Response
6. Reporting. A stand alone report detailing the results of both the heritage desk-based assessment, site inspection / survey and the settings assessment, fully illustrated, with appendices.	
The existing baseline section of the scoping report appears to follow the provided guidance checklist chart 7.1. However: • There is no reference to the AONB coastal marine and character area that exists to the east of Portland. This also needs to be taken in regarding assessment of significance and impact • There should also be an assessment of key protected wreck sites as a heritage asset within the chart and narrative (it being a coastal location), although it appears there are none in the immediate locality • Listed buildings (designated heritage assets) should be separated within both charts 7.1 and 7.2 from the undesignated heritage assets (other monuments and historic structures etc) • Being of differing historic status, the impact on significance is likely to be different. The undesignated heritage assets should take in key areas indicated on the Dorset Explorer, such as Royal Navy sites – seaplane base etc	As the AONB is a landscape designation, this was included in section 10 of the scoping report and the potential for effects on the AONB is assessed in chapter 9 of the ES. There are no protected wreck sites around Portland, so these have not been considered in the assessment. Tables 7.1 and 7.2 are standard tables used in all Terence O'Rourke Ltd's scoping reports. The cultural heritage assessment in ES chapter 7 includes both designated and undesignated heritage assets.
In relation to cultural heritage effects summary 7.2 chart, the following points are raised. Archaeological appears to have been assessed in terms of the immediate on-site finds potential, which has been described as compromised due to the previous site clearance and made up land works. This is questioned, as it appears to have omitted consideration for the following: coastal and marine archaeology, and the wider setting of archaeology in regards to potential earthworks, wartime evidence and above ground undesignated monument archaeology. It is considered that there is the potential for visual impact and whether this is the case needs to be demonstrated within any submitted document. It is also advised that impact on significance is not only aesthetic but also in regards to the assets' evidential, historical and communal values and this needs to be fully taken into account during assessment under the EIA (HE Conservation Principles), which is another reason why omission of assets and sites from future scoping documents at this stage is not supported.	Below ground archaeology has been scoped out of the EIA (see 'Waste planning authority' response above), but the cultural heritage assessment in ES chapter 7 includes undesignated above ground archaeological assets. The assessment has been undertaken in accordance with Historic England's guidance. There will be no offshore works, so there is no potential for effects on marine archaeology.
It is also recommended that the listed buildings (designated heritage assets) be separated from the undesignated heritage assets (other monuments and historic structures etc). Being of differing historic status, the impact on significance is likely to be different.	Designated and undesignated heritage assets are assessed separately in chapter 7 of the ES.
It is also considered that the impact on scheduled monuments and listed buildings should be considered to be high to medium, not medium to low, given that the setting of each is considered to be that from which it can be experienced and given the coastal location this is extensive, particularly with scheduled monuments that were often designed to have extensive settings and also of the highest national heritage status.	The consideration of magnitude in the scoping report was preliminary; the impact on these heritage assets is assessed in detail in ES chapter 7.
AONB to be added to the chart and included in the scoping document.	As the AONB is a landscape designation, this was included in section 10 of the scoping

Comment	Response
	report and the potential for effects on the AONB is assessed in chapter 9 of the ES.
It is noted that reference is made to the proposed analysis of viewpoints and cross-referencing will be made with landscape assessments etc. As well as to key main field heritage guidance and policy is to be used, which is good.	Noted.
There appears to be no outline of the intended methodology, in terms of process of assessment, and it is recommended that the former conservation guidance checklist is employed in terms of assessment, surveys and reporting. A comprehensive approach will be required for such a key development and prominent location.	A brief outline of the proposed methodology was provided in the scoping report; full details of the methodology used are set out in ES chapter 7, including guidance.
Any development should seek to offer opportunity for improvement and therefore potential for enhancement of existing e.g. at risk heritage, which should be assessed.	There are no at risk heritage assets within the site boundary.
As well, mitigation measures, in terms of development, so avoiding incremental erosion of heritage sites and assets should also be explored.	ES chapter 7 includes details of proposed mitigation measures.
Each designated and undesignated heritage asset and its setting, with any potential for impact on significance, should be clearly identified and assessed within the document.	ES chapter 7 clearly describes the various heritage assets and potential effects. A full gazetteer is provided in technical appendix H.
Archaeology	
Considering the previous use of the site, I am not particularly concerned about impact on below ground archaeology.	Below ground archaeology has been scoped out of the EIA.
I note that the impact on the setting of heritage assets, which will include the scheduled monuments of The Verne and East Weare Batteries, has been scoped into this exercise – this is correct in my opinion. It may be that the scoping report has underestimated the scale of effects in this regard, but so long as this matter is given appropriate consideration in the EIA, then an appropriate decision can be made thereafter.	The potential for effects on the scheduled monuments is assessed in ES chapter 7.
Environmental health	
The use of a 'worst case' scenario for increases in vehicle movements as a result of the proposed development (80 two-way vehicle movements per day) is noted, and that this is anticipated to be supplemented and thus reduced by use of Portland Port to bring RDF in by ships. The methodology proposed for the air quality assessment (*Land-Use Planning & Development Control: Planning for Air Quality* (2017)) is considered appropriate; however, Dorset Council has more up-to-date data than that given in the EIA scoping report. This will be gladly shared with the applicant for the purposes of this assessment.	The air quality assessment in chapter 4 of the ES and technical appendix D has been informed by up-to-date data from the council.
The scoping report refers only to consideration of the road network in the vicinity of the site and A354 Weymouth. Dorset Council would require a wider consideration for potential impacts on air quality. There are a number of other areas of concern within Dorset Council that may be adversely affected by the additional	The routing breakdown set out in the traffic and transport assessment in ES chapter 11 and technical appendix L confirms that the

Comment	Response
traffic movements, i.e. the air quality management area in Chideock (A35). The routes for waste movements may not be fully confirmed at this time; however, the 'worst case' scenario may be used in the wider considerations that need to be addressed. The source of the RDF is as yet unknown, so the impact on Dorset Council's roads needs to be addressed.	additional HGV movements on the wider Dorset road network will be below the levels that would trigger the requirement for an air quality assessment under the EPUK and IAQM's 2017 guidance, including on the A35 westbound.
The applicant has already acknowledged poor air quality within the Boot Hill area. They may therefore consider a traffic management plan for the area, and reduce their operations' impact on congestion.	The traffic and transport assessment in ES chapter 11 and technical appendix L confirms that there will be no significant effects on congestion in the Boot Hill area, so no management measures are required.
The proposed air quality assessment will address NO_2, PM_{10} and $PM_{2.5}$. As it is indicated that ships may be used to transport RDF to the site, it would be good practice to extend this assessment to ship movements and SO_2.	The air quality assessment in ES chapter 4 and technical appendix D includes the potential effects associated with emissions from shipping.
The Environment Agency may wish to have a further understanding with regards to the chimney stack height calculation as part of the permitted process applications.	Noted.
A CEMP is proposed. Dust management is mentioned within the ERF and further details should be provided. Information regarding hours of operation and proposals should unexpected contamination be discovered on site should form part of this submission.	The CEMP in technical appendix C includes the requested information. Details of operational dust management and working hours are provided in chapter 2 of the ES.
It is agreed that an odour assessment will not be required; however, it would be beneficial to understand if the unloading of the RDF would be odorous or not. This may include operating practices for unloading at the facility.	Details of proposed odour management measures and operating practices for unloading are provided in ES chapter 2.
The applicant has suggested to not include a noise assessment within the EIA, but will with any subsequent planning application to be made. This is agreeable; however, the assessment should conform to BS 4142:2014, and assess vehicle noise. The HSE should be consulted on this also.	The stand alone noise assessment submitted in support of the planning application includes assessments of vehicle and operational (BS 4142) noise.
The Environment Agency will be the regulatory body for the permitting process.	Noted.
It is noted that a site investigation was undertaken in 2009, and this is likely to still be relevant. An updated conceptual site model is proposed, which demonstrates good practice.	The potential for effects as a result of contamination is assessed in ES chapter 8 and technical appendix I.

Comment	Response
Particular regard should be given to the discharge of surface water to the sea due to contaminants identified within the 2009 site investigation. Details of the interceptor should be submitted (if known at this time).	The potential for effects on coastal water quality is assessed in ES chapter 8 and technical appendix I. The drainage strategy is summarised in ES chapter 2 and provided in full in the FRA submitted in support of the planning application.
The council's contaminated land consultant sight of the EIA with regards to any specific contaminated land conditions required in future.	Noted.
Potential for human health effects from contact with ground gases post-construction must be considered in the EIA due to potential chronic effects for employees.	The ground conditions assessment in ES chapter 8 and technical appendix I includes assessment of the potential for effects on employees post-construction from contact with ground gases.
Due to shellfish and aquaculture activities within the vicinity, it is advised that the Centre for Environment Fisheries and Aquaculture Science (CEFAS) and Southern Association of Inshore Fisheries and Conservation Authorities (IFCA) are consulted on the proposals.	Noted.
Due to bathing waters and leisure activities, the position of discharge should be carefully considered.	The potential for effects on coastal water quality is assessed in ES chapter 8 and technical appendix I. The drainage strategy is summarised in ES chapter 2 and provided in full in the FRA submitted in support of the planning application.
Proposals to reduce traffic are reliant on capacity for berthing at Portland Port. The capacity for additional vessels should be confirmed and contingencies provided.	Details of delivery arrangements by ship are provided in ES chapter 2.
The Environment Agency should be consulted on the waste management proposals.	Noted.

Natural England

Comment	Response
Natural England broadly agree with the scope of the report as submitted, with the following additional comments.	Noted.
It is acknowledged that the international, national and local sites will be assessed for the likely impacts. Your authority and the applicant should be made aware that, in accordance with ECJ ruling Holohan and Others (C 461/17), Natural England consider that the land surrounding the special area of conservation (SAC) adjacent to the access road and the red line boundary that is of high ecological quality or function is likely to be performing a role in maintaining favourable conservation status of the SAC. Impacts to these areas should be considered as if they are functionally linked land under the Habitats Regulations 2017. For example, sites designated as sites of nature conservation importance.	Early gentian does not have any specific insect pollinators and populations within the European site are not reliant on seed dispersal from populations outside for the SAC to maintain populations. Impacts related to changes in air quality on SNCIs that may support populations of this plant (the only potential pathway identified) are assessed in ES chapter 10, along with impacts on habitats, notably calcareous grassland within SNCIs. It is not considered that the calcareous grassland outside the European site provides a significant source of seeds critical to maintaining the interest features of the calcareous grassland within the European site. In line with the ECJ ruling, the implications (from changes in air quality) for habitat types and species found outside the boundaries of the SAC have been assessed, but those implications are considered not liable to affect the conservation objectives of the SAC and have been screened out of the appropriate assessment. It is not considered there is any realistic impact pathway, other than air quality, where off-site impacts may affect the conservation objectives of the European site.
It is widely known that Portland Port is a high quality marine environment, with species assemblages akin to those of the Fleet. Little terns, as a breeding feature of Chesil Beach and the Fleet Special Protection Area	The mean maximum foraging distance for little tern around breeding colonies is

Comment	Response
(SPA) regularly use Portland Port for foraging. For the purposes of the ES, Portland Port should be deemed as functionally linked land to Chesil and the Fleet SAC and Chesil Beach and the Fleet SPA.	generally accepted to be in the region of 4 km (along shore). This means that birds breeding at Chesil may forage across Portland Harbour, as well as West Bay and the Fleet. The site has minimal frontage with Portland Harbour. Little terns using the harbour for foraging will be habituated to a wide range of activities, such as boat movements, unloading and loading at the Port, refuelling activities and water sports. Given the site is over 3 km from the colony, this area of the Harbour is probably a peripheral foraging area and the activities associated with construction and operation are unlikely to significantly affect the distribution of foraging little tern in the Harbour. A number of factors will affect foraging behaviour of little tern, including the spatial and temporal distribution of prey, weather conditions, tidal state and stage of the breeding cycle. These factors significantly reduce the likelihood that the waters around the site are a key foraging area for breeding little tern. It is not considered there is a realistic impact pathway to assess relating to disturbance to foraging little tern from the proposals.
The internationally designated site adjacent to the red line boundary is, in part notified for its exceptionally rare and sensitive lower plants (terricolous and saxicolous lichens and bryophytes). Lower plants are highly vulnerable to air quality changes. The designated site directly adjacent to the application area is deemed as unfavourable declining due to lack of management and excessive scrub cover. For the purposes of a Habitats Regulations Assessment and appropriate assessment, should any of the air quality thresholds be exceeded for an adverse impact on the designated site, simply surveying the site and concluding that the designated site	The assessment in ES chapter 10 and the Shadow Appropriate Assessment submitted in support of the planning application have been based on a precautionary approach that assumes the sensitive habitat is present and that deposition levels should not be at a level

Comment	Response
communities are absent is unlikely to be a robust justification to conclude no adverse impact on integrity while the site is in an unfavourable condition. This is because the ability for the site once restored to support the designated feature in the future may be further reduced in such an instance. For this reason, Natural England advise that if any air quality critical loads are exceeded through the assessment process on the designated site for a given feature, consideration for the ability for the given area to support that feature (directly or indirectly) in the future following restoration should be considered as the baseline, rather than the presence / absence of the feature itself at the point of survey. This does not negate the need to survey the distribution of the features within the designated site, but is an additional consideration to be included in the ES.	that would prevent this habitat re-establishing in the future.
The importation of material exclusively by sea in a worst case scenario is likely to need consideration for the impact of ships on marine conservation sites. For example, the likelihood of ships anchoring in the marine designated sites while waiting to dock within designated sites should be considered in the ES.	The potential for effects on marine designated sites as a result of the import of material by sea, as well as the potential for effects on designated sites associated with emissions from shipping, is assessed in chapter 10 of the ES.
Within close proximity to the application red line boundary and the air quality receptors from transport along the causeway are a number of exceptionally rare and some endemic species of invertebrates. Many of these are not listed as notified features, but should be considered as features of local distinctiveness of the sites of special scientific interest (SSSI) and typical species of the international sites in this location. Knowledge of these species' distribution through a data search and survey for their likely distribution if appropriate within the zone of influence for air quality impacts is advised. Potential impacts to any of these species that are vulnerable to stochastic extinction is likely to be considered as 'significant' under paragraph 175 of the NPPF.	Invertebrate surveys have been undertaken at the site and the results are summarised in ES chapter 10 and set out in full in technical appendix K. A desk study was also undertaken that included requesting information from Dorset Environmental Records Centre.
Natural England note that there is a risk that ships and HGVs may have a risk that leachate will leak from the cargo areas into the marine environment or onto roads and there is a risk of leachate leaking from the facility storage area into the port. Natural England acknowledge that the water quality from facility drainage will be assessed in the ES; however, this should be extended to include the likelihood of leaks from transport to and from the site within the zone of influence.	The potential for effects on water quality from both the ERF itself and transport of materials is examined in the water quality assessment in ES chapter 8 and technical appendix I.
The in-combination impacts of the development should be assessed with other plans or projects whereby an appreciable effect could occur in-combination. It is unlikely to be appropriate to set a threshold for determination of what is included in such an assessment at 150 dwellings or 1 ha of commercial. It is thought that each dwelling on average may contribute seven additional movements of traffic per day. In an unconstrained environment this may dissipate a short distance from the development and such thresholds may be appropriate elsewhere. On Portland, however, there is only one way on and off the island by road, which runs directly adjacent to a number of international, national and local designated nature conservation sites.	The final list of projects to be included in the cumulative effects assessment was agreed with Dorset Council and includes a number of smaller-scale developments (see ES chapter 3). The traffic associated with other smaller-scale developments was included in the background traffic growth factors from

Comment	Response
Consequently, it may be found that small developments have a disproportionate cumulative effect in this highly constrained environment by designated sites. Natural England advise that these thresholds are not used in the ES.	Tempro that have been applied to the baseline flows, so was inherently taken into account in the traffic modelling.
Small amounts of notable and protected species are identified on site. Notwithstanding the impact of the development on designated sites with regards to the integrity of the features, the air quality impacts of the development as a whole are likely to degrade the habitats and species within the zone of influence, even if this may not be sufficient to impact feature integrity. The development is also at odds with the climate and ecological emergency status within Dorset and is likely to contribute to the problem, rather than improve.	The potential for effects on both on- and off-site ecology is assessed in ES chapter 10. A carbon balance assessment is provided in ES chapter 5 and technical appendix E.
Although Natural England may not insist on the inclusion of these matters in the ES, it is expected that as a minimum the development does not harm the environment and opportunities for biodiversity net gain are sought in line with national and local policy. In the absence of environmental gains, the application is unlikely to fall under sustainable development on policy grounds. Natural England expect that the development will provide a package of mitigation / compensation for the habitats and species lost / degraded on / off site within the surrounding landscape. With the consideration of the points above, in addition to the items to be fully assessed within the ES, the applicant may wish to resolve these wider climate and environmental policy compliance issues through a one-off financial contribution or yearly commitment to funds. The Portland Conservation Forum Community Interest Company may be able to assist in the delivery of these measures within Portland on the applicant's behalf.	ES chapter 10 includes details of proposed ecological mitigation measures and an assessment of biodiversity net gain, as well as details of proposed measures to achieve this.
It is up to the applicant to determine if these matters are best assessed under the framework of an EIA or if they are negotiated as a separate policy matter.	Noted – see above responses.

Environment Agency

Comment	Response
We have reviewed the scoping document submitted and are satisfied with the areas that they have identified for inclusion in the ES. We note that technical information for those areas scoped out may still be submitted to support the planning application in accordance with national planning policy (i.e. flood risk).	Noted. The FRA has been submitted as a stand alone report in support of the planning application.
The NPPF is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution. In regards to any planning application and proximity to designated sites, we would expect Natural England to lead on this.	Noted – see above responses to Natural England's comments.
If historic use of the site may have caused contamination, then the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at risk from, unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented. Further guidance on what should be contained in the assessment and issues associated with groundwater protection can be found at https://www.gov.uk/government/collections/groundwater-protection.	The potential for effects as a result of contamination and water pollution is assessed in chapter 8 of the ES and technical appendix I.
We note that site-specific flood risk has been scoped out of the ES. We have no objection to this, given the site is shown in the low risk zone. However, we note that the application will be supported by a site-specific FRA to demonstrate that the site is located outside of the current and future tidal flood zones. Further advice on the production of a FRA can be found on our website at: https://www.gov.uk/planning-applications-assessing-flood-risk and https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section.	Noted. The FRA has been prepared in accordance with relevant guidance and submitted as a stand alone report in support of the planning application.
The proposed development will require a bespoke permit under the Environmental Permitting (England & Wales) Regulations. We do not currently have enough information to know if the proposed development can meet our requirements to prevent, minimise and / or control pollution and therefore the applicant is recommended to submit all the necessary information, and to parallel tracking the planning and permitting. Parallel tracking planning and environmental permit applications offers the best option for ensuring that all issues can be identified and resolved, where possible, at the earliest possible stage. This will avoid the potential need for amendments to the planning application post-permission.	The planning and environmental permit applications have been parallel tracked.
The environmental permit will not consider the following, which are all considered as part of the planning permission: • Alternative locations and sizes for this proposed facility • Operational hours	Information on alternatives, operational hours, transport of waste and construction materials is provided in ES chapter 2. Traffic, access and road safety issues are addressed in ES

Comment	Response
• The transport of waste to and from the site • Traffic, access and road safety issues • Visual impacts, e.g. stack height • Construction materials used in building	chapter 11, while visual impacts are examined in ES chapter 9.
Planning also has a role to play in managing amenity issues such as noise, dust, odour, pest control issues etc. A permit cannot always prevent, eliminate or eradicate such issues.	Information on measures that will be incorporated in the proposed development to minimise amenity issues is provided in ES chapter 2.
Some issues need careful management and the use of best available techniques will ensure such issues are minimised. Under existing legislation, we can only enforce companies to work to the standards set out in the Industrial Emissions Directive. We can say 'x' amount of emissions are acceptable, but we cannot prevent them from creating any.	Effects associated with emissions from the proposed development are assessed in ES chapter 4.

Historic England

Comment	Response
We note that this site is located in proximity to a large number of designated heritage assets. These include (but are not limited to) the following: • The listed buildings recorded as 'The inner and outer breakwater, including the coaling shed, storehouse jetty, coaling jetty, inner breakwater fort and outer breakwater' (National Heritage List for England ref. 1205991); 'Dockyard Offices' (NHLE ref. 1203099); and 'Battery approximately 160 m north east of East Weare' (NHLE ref. 1447946) • The scheduled monuments recorded as 'Battery 200 yards (180 m) east of the naval cemetery' (NHLE ref. 1002412); and the 'Verne Citadel' (NHLE ref. 1002411) • The Underhill, Weymouth and Portland conservation area, which encompasses a number of listed buildings and Portland Castle, designated both as a scheduled monument and a grade I listed building Further afield, we note the presence of the 'Dorset and East Devon Coast' World Heritage Site (UNESCO ref. 1209).	The potential cultural heritage effects, including on the heritage assets listed here, are assessed in chapter 7 of the ES. The potential for effects on the world heritage site is assessed in ES chapter 13.
This project thus has the potential to impact on the significance of sensitive, designated heritage assets via a change in setting. The NPPF refers to the conservation and enhancement of the historic environment in section 16. Paragraph 190 refers to the conservation of heritage assets and notes that effects can arise from both a physical change and a change in setting. It is for the local authority to determine whether an EIA should be prepared for the proposed development. However, from the information given and a check of our records, Historic England has formed the view that the proposals have the potential to result in a loss of significance to a number of designated heritage assets.	Noted – see above response.
In line with the advice in the NPPF (paragraph 190), we would expect any ES to contain a thorough assessment of the likely effects that the proposed development might have upon the historic environment. In terms of detailed methodology, we would expect any assessment of settings to be undertaken in accordance with our published guidance (HE 2017 [rev] *Good Practice Advice in Planning, Note 3, The Setting of Heritage Assets*) and to be informed by an appropriate landscape and visual impact assessment.	The assessment of cultural heritage effects in ES chapter 7 has been carried out in accordance with relevant guidance, including that published by Historic England, and cross-refers to the landscape, seascape and visual assessment in ES chapter 9 as appropriate.
We also advise that your conservation and archaeology advisers are consulted on this matter. They are best placed to advise on local historic environment issues and priorities (including access to data held in the Historic Environment Record); how the proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.	Consultation was undertaken with Dorset Council's conservation officer – see above table.

Highways England

Comment	Response
We have set out below both the general and specific areas of concerns that Highways England would wish to see considered as part of any ES. The comments relate specifically to matters arising from our responsibilities to manage and maintain the strategic road network (SRN), in this case the A35 specifically. Comments relating to the local road network should be sought from the appropriate local highway authority.	Noted.
An assessment of transport-related impacts of the proposal should be carried out and reported as described in the current Ministry of Housing, Communities and Local Government (MHCLG) guidance on *Travel Plans, Transport Assessments and Statements.*	The transport assessment (TA) in technical appendix L was undertaken in accordance with relevant guidance.
Environmental impacts arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported, along with the environmental impact of the road network on the development itself.	The potential traffic and transport effects, both during and post-construction, are assessed in ES chapter 11 and technical appendix L.
Adverse changes to noise and air quality should be particularly considered, including in relation to compliance with the European air quality limit values and / or local authority designated air quality management areas and World Health Organization criteria.	Potential effects on air quality are assessed in ES chapter 4 and technical appendix D. Noise effects are assessed in a stand alone report submitted in support of the planning application.
The A35 / A354 Stadium Roundabout junction forms part of the SRN and experiences congestion, particularly at peak times. An assessment of traffic impacts should therefore consider the operation of the SRN in line with National Planning Practice Guidance and DfT Circular 02/2013 *The Strategic Road Network and the Delivery of Sustainable Development.* Where the proposals would result in a severe impact, mitigation will be required in line with current policy. Although there may be the potential for the development to be served by ship, it is stated in the scoping report that all traffic movements associated with the proposals will be considered as road-based within the transport assessment, which we agree would be a robust approach.	The traffic and transport assessment in ES chapter 11 and technical appendix L includes the potential for effects on the SRN.
The effects of the proposed development should be assessed cumulatively with other schemes and we would expect the applicants to agree an appropriate list of schemes, including committed development in the area, with the relevant local planning authority.	The list of schemes to be examined in the cumulative effects assessment was agreed with Dorset Council. The assessments of cumulative effects are set out in ES chapters 4 to 13.
These comments are only advisory, as the responsibility for determining the final scope and form of the EIA Report rests with the local planning authority, and they imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms.	Noted.

Marine Management Organisation

Comment	Response
Please be aware that any works within the marine area require a licence from the Marine Management Organisation (MMO). It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the mean high water springs mark.	No works are proposed within the marine area.
The MMO is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.	No response required.
Marine licensing activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.	No works are proposed below the mean high water springs mark.
You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between one and 100 MW in England and parts of Wales.	Not applicable to this development.
The MMO is also the authority responsible for processing and determining harbour orders in England, and for some ports in Wales, and for granting consent under various local Acts and orders regarding harbours.	Not applicable to this development.
A wildlife licence is also required for activities that would affect a UK or European protected marine species.	The potential ecological effects of the proposed development are examined in chapter 10 of the ES.
With respect to projects that require a marine licence, the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended). Before a marine licence can be granted for projects that require EIA, the MMO must ensure that applications for a marine licence are compliant with these regulations. In cases where a project requires both a marine licence and a terrestrial planning permission, both the Marine Works Regulations and the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) may be applicable. If this consultation request relates to a project capable of falling within either set of EIA Regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the Marine Works Regulations are considered adequately.	A marine works licence is not required for this development, because no works are proposed in the marine environment.
As the marine planning authority for England, the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans that generally extend to the	Noted.

Comment	Response
mean low water springs mark. Marine plans will inform and guide decision makers on development in marine and coastal areas.	
On 2 April 2014 the East Inshore and Offshore marine plans were published, becoming a material consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe. For further information on how to apply the East Inshore and Offshore Plans, please visit the MMO's Marine Information System.	The site is outside the area covered by these plans.
The MMO is currently in the process of developing marine plans for the South Inshore and Offshore Plan Areas and has a requirement to develop plans for the remaining seven marine plan areas by 2021.	Noted.
Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. For marine and coastal areas where a marine plan is not currently in place, we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coastline or tidal river. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to the MMO's online guidance and the Planning Advisory Service soundness self-assessment checklist.	Noted.
If you are consulting on a mineral / waste plan or local aggregate assessment, the MMO recommends reference to marine aggregates is included and reference to be made to the following documents: • The Marine Policy Statement, section 3.5, which highlights the importance of marine aggregates and its supply to England's (and the UK's) construction industry • The NPPF, which sets out policies for national (England) construction minerals supply • The Managed Aggregate Supply System (MASS), which includes specific references to the role of marine aggregates in the wider portfolio of supply • The national and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period, including marine supply The NPPF-informed MASS guidance requires local mineral planning authorities to prepare local aggregate assessments. These assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions, including marine. This means that even land-locked counties may have to consider the role that marine-sourced supplies (delivered by rail or river) play, particularly where land-based resources are becoming increasingly constrained.	Not applicable to this development.
If you require further guidance on the marine licensing process, please follow the link https:www.gov.uk/topic/planning-development/marine-licences.	Noted.

Dorset Wildlife Trust

Comment	Response
DWT's main concerns relate to the potential impacts of the development on terrestrial and marine biodiversity, on visitors appreciating the local natural environment, and on the ability of Dorset to address the climate emergency, as well as cumulative impacts in combination with other developments and the 'need' for the development.	Noted – see individual responses below.
DWT would like to see the following detailed information provided in the ES: • An ecological impact assessment outlining the potential impacts of all aspects of the development upon on- and off-site ecological receptors. This should include: - Application of the mitigation hierarchy to avoid, mitigate and compensate effects upon on-site ecological receptors, as well as demonstration of a net gain for biodiversity - Specific consideration of impacts upon off-site terrestrial and marine ecological receptors, particularly internationally, nationally and locally designated sites and their associated features. This should include: o Air quality impacts during and post-construction, including stack emissions and traffic (road and sea) emissions o Noise / disturbance impacts during and post-construction, including plant construction and operation and traffic (road and sea) o Water quality impacts during and post-construction, including coastal water pollution o Lighting impacts during and post-construction o Inclusion of sufficiently detailed information to inform a Habitats Regulations Assessment	The assessment of natural heritage effects in ES chapter 10 includes a full assessment of the potential for effects on both on-site and off-site ecology, including as a result of increased emissions (stack, road and sea traffic), noise, water pollution and lighting. Mitigation measures are also identified. A Shadow Appropriate Assessment has been submitted as a stand alone report in support of the planning application.
• An assessment of the impacts on visitors to the local natural environment and the visitor economy as a result of the development	The potential for effects on tourism is discussed in the planning statement submitted in support of the application.
• Consideration of a wider range of other developments in the cumulative impact assessment, as well as the full extent of impacts and their resultant effects	The potential for cumulative effects is assessed in the ES topic chapters.
• Further consideration and supporting evidence of the 'need' for the development in both the local and national context, including a sustainability assessment demonstrating consideration of the climate and ecological emergency policies of Dorset Council	It is not the role of an ES to examine the need for a development. This issue is addressed in the planning statement and the need assessment submitted in support of the planning application. Sustainability assessment is also a separate process from EIA, although a carbon balance assessment

Comment	Response
	is provided in ES chapter 5 and technical appendix E and ecological effects are assessed in ES chapter 10.
DWT is pleased to see that traffic-related impacts during and post-construction, as well as potential impacts on health as a result of emissions post-construction, have been scoped into the ES.	Noted. Potential traffic effects are assessed in ES chapter 11 and technical appendix L. Potential health effects are assessed in ES chapter 6 and technical appendix G.
While DWT accepts that the effects upon on-site ecological receptors as a result of the development may not be significant, application of the mitigation hierarchy to avoid, mitigate and compensate effects on these receptors, as well as demonstration of a net gain for biodiversity (likely to become mandatory shortly) is required, in accordance with national planning policy and best practice guidance: NPPF 2019 and British Standard BS 42020:2013 *Biodiversity – Code of practice for planning and development.*	The on-site natural heritage assessment in ES chapter 10 includes details of proposed mitigation and biodiversity net gain.
The scoping report appears inconsistent when considering impacts on off-site terrestrial and marine ecological receptors, with a general focus on human receptors. Effects on designated sites and their associated features as a result of air quality, noise / disturbance, water quality and lighting impacts should be given adequate weight in the ES and should encompass international, national and local designations, as stated in paragraph 12.17 of the scoping report. The ES should also include sufficiently detailed information to inform a Habitats Regulations Assessment.	The assessment of natural heritage effects in ES chapter 10 includes a full assessment of the potential for effects on internationally, nationally and locally designated sites, including as a result of increased emissions (stack, road and sea traffic), noise, water pollution and lighting. A Shadow Appropriate Assessment has been submitted as a stand alone report in support of the planning application.
DWT notes that the impacts of stack emissions on designated sites and their associated features will be considered in the ES, as stated in section 12 of the scoping report. However, pollution modelling should determine the likely scale and zone of influence of emissions, considering local climatic conditions and other factors that might affect the scale of the impact. Furthermore, paragraph 5.11 of the scoping report refers to lcoalised effects on temperature and moisture content of air surrounding the stack. It states that *"these effects…normalise within a short distance"* and are thus scoped out, but no evidence is provided to clarify such a distance. Further consideration of the potential for effects on microclimatic conditions should therefore also be given.	The emissions modelling summarised in ES chapter 4 and set out in full in technical appendix D, which informed the assessment of effects on designated sites in ES chapter 10, included five years of local meteorological data. The results of plume modelling are also summarised in ES chapter 9 and set out in more detail in technical appendix J.
Section 12 and table 12.2 of the scoping report fail to mention the impacts of traffic emissions on ecological receptors. Furthermore, table 5.2 also omits impacts on ecological receptors under *"Increased road traffic emissions…"* during and post-construction, highlighting only human receptors. DWT recommends that	The assessment of the potential for effects on designated sites in ES chapter 10 includes effects as a result of increased road traffic

Comment	Response
impacts of traffic (road and sea) during and post-construction on designated sites and their associated features are scoped in. The assessment should consider worst case scenarios of 100% import of waste material by road versus 100% via sea, as well as additional vehicle movements by employees.	and sea traffic emissions.
DWT recommends that the air quality assessment should consider impacts on both terrestrial and marine designated sites, and across all associated taxa. Particular consideration should be given to the zone of influence of increased nitrogen and acid deposition, to inform the potential effects and mitigation required in respect of the sensitive lichen and bryophyte communities (vulnerable to changes in air quality) associated with the Isle of Portland to Studland Cliffs SAC and underlying Isle of Portland SSSI. For clarity, DWT recommends air quality impacts on ecological receptors are separated from human receptors and included in technical appendix L (natural heritage) of the ES, rather than technical appendix E (air quality).	The assessment of natural heritage effects in ES chapter 10 includes a full assessment of the potential for effects on both terrestrial and marine designated sites. The emissions-related assessment is based on the findings of the air quality modelling that is summarised in ES chapter 4 and set out in full in technical appendix D.
DWT notes that noise impacts on human receptors have been scoped out of the ES in section 13, but is satisfied that 'disturbance' impacts on designated sites and their associated features will be considered in the ES, as stated in section 12 of the scoping report. Noise / disturbance impacts resulting from both plant construction and operation, as well as traffic (road and sea) during and post-construction should be included. DWT recommends that the noise / disturbance assessment should consider impacts on both terrestrial and marine designated sites, and across all associated taxa. Particular consideration should be given to the effects of both increased vehicle and ship movements on breeding little tern associated with Chesil Beach and the Fleet SPA, as well as on marine conservation zones.	ES chapter 10 includes an assessment of the potential for effects arising from increased noise on both terrestrial and marine designated sites.
DWT notes that water quality impacts, specifically pollution of coastal waters during and post-construction, will be considered in the ES, as stated in section 16 of the scoping report. However, the assessment should consider the potential effects on marine conservation zones, as well as the marine environment generally. Portland Harbour, while not statutorily designated, is a sensitive marine area and thus habitat of national significance; it is unique in England for its deep sheltered mud habitats supporting sea pens. Indirect effects should also be considered in the assessment; for example, breeding little terns (an associated feature of Chesil Beach and the Fleet SPA) are known to forage within Portland Harbour, and any potential pollution of this resource might indirectly affect the integrity of the SPA.	The potential for effects on marine designated sites and Portland Harbour as a result of water pollution is assessed in ES chapters 8 and 10.
DWT notes that no consideration of the impacts of lighting during and post-construction on off-site receptors has been included in the scoping report, and would therefore request that this is scoped in. DWT recommends that a lighting assessment should consider impacts on both terrestrial and marine designated sites and across all associated taxa.	The assessment of natural heritage effects in ES chapter 10 includes the potential for effects from increased lighting on both on- and off-site receptors, informed by the lighting statement submitted in support of the planning application.

Comment	Response
For clarity and to ensure impacts on ecological receptors are fully assessed, impacts should be included in technical appendix L of the ES and be separated into those arising from: • Air quality impacts, including stack emissions post-construction and traffic (road and sea) emissions during and post-construction • Noise / disturbance impacts, including plant construction and operation and traffic (road and sea) during and post-construction • Water quality impacts, including coastal water pollution during and post-construction • Lighting impacts during and post-construction	The assessment of natural heritage effects in ES chapter 10 includes a full assessment of the potential for effects on both on-site and off-site ecological receptors, including as a result of increased emissions (stack, road and sea traffic), noise, water pollution and lighting.
The visitor economy on the Isle of Portland is based on clean air and outdoor recreation (such as coastal walks served by several footpaths, visiting nature reserves for unique wildlife, sailing, cycling etc). DWT supports this nature-based economic offer, both for the sake of the environment and because access to nature is proven to have health benefits. DWT plays a key role in engagement of visitors to Portland; The Fine Foundation Chesil Beach Centre is operated by DWT and aims to educate visitors about Chesil Beach and the Fleet Lagoon. It is located on the South West Coast Path and has views across to Portland. Furthermore, DWT is a key partner in developing the Portland Quarries Nature Park (not mentioned in the scoping report), which has several functions, including developing Portland's tourist economy.	Noted.
DWT is concerned that impacts on tourism have been scoped out of the ES. Paragraph 6.15 of the scoping report considers only the potential impacts on tourism in relation to cruise passengers visiting via the port, concluding that there will be no significant effect as the development is in keeping with the industrial nature of the existing port area. However, it fails to assess the potential impacts on tourism generally, including those visitors arriving by car, bike or on foot.	The potential for effects on tourism is discussed in the planning statement submitted in support of the application.
The development location means the stack in particular (and the continuous plume) will be widely visible in the landscape and might in the future deter visitors to Portland due to a less natural visual offer, perceived reduction in air quality, and / or traffic-related impacts, such as increased congestion.	The results of the plume modelling summarised in ES chapter 9 and set out in technical appendix J show that the plume will not be continuous. The air quality and traffic assessments in ES chapters 4 and 11 show that there will be no significant effects on air quality or congestion as a result of the proposed development.
DWT recommends that an assessment of the impacts on tourism as a result of all aspects of the development is scoped in. The scoping report concludes that a landscape and visual assessment is required and DWT would also like to see the impacts on visitors and the visitor economy considered as part of this assessment.	The potential for effects on tourism is discussed in the planning statement submitted in support of the application.

Comment	Response
DWT notes an assessment of the cumulative impacts of the proposed development in combination with other developments on the Isle of Portland will be provided in the ES. Paragraph 17.2 of the scoping report outlines criteria for the selection of developments to be considered as part of this assessment. This includes 'large-scale' developments *"…over 150 dwellings or more than 1 ha of non-residential development"* in line with thresholds set out in section 10(b), schedule 2 of the EIA Regulations. However, the paragraph omits a third stated threshold in section 10(b) of the Regulations: the overall area of the development exceeds 5 ha.	These suggested thresholds are an attempt to keep the cumulative effects assessment proportionate by only including developments that at least have the possibility of requiring EIA themselves. The 5 ha threshold is omitted because this could result in the inclusion of smaller developments with large areas of open space on site, which do not have the same potential to generate significant effects.
While DWT accepts not all developments can be selected for assessment of cumulative impacts, the threshold of 150 dwellings in the context of the Isle of Portland seems overly large. Large housing developments in Dorset are generally accepted to be those over 50 dwellings and, in this case, DWT considers it reasonable to expect cumulative impacts to be considered for housing developments above 50 dwellings.	The final list of projects to be included in the cumulative effects assessment was agreed with Dorset Council and includes a number of smaller-scale developments (see ES chapter 3).
Developments to be considered as part of the cumulative impact assessment should include: • WP/19/00514/SCRE: Proposed warehouses at HMS Osprey Site, Upper Osprey, Incline Road, Portland Port – to the south east of the application site • WP/19/00919/OUT: Proposed 98 dwellings at Royal Manor Arts College, Weston Road, DT5 2DB – to the south of the application site	These developments have been included in the assessments of cumulative effects in the ES topic chapters.
The cumulative impact assessment should also consider the full extent of an impact; for example, consideration of traffic-related impacts as a result of both residential and industrial developments, and the resulting effects on the viability of existing infrastructure and emissions.	The cumulative effects assessments in the ES topic chapters consider the full extent of the potential effects.
DWT would like to see further consideration and supporting evidence provided in the ES on the 'need' for the development in both the local and national context. This should include consideration of the short and long term viability of the development (i.e. waste contracts, outsourcing of waste, infrastructure required for CHP usage), potential implications upon public waste and recycling habits, and a sustainability assessment demonstrating consideration of the climate and ecological policies of Dorset Council.	It is not the role of an ES to examine the need for a development. This issue is addressed in the planning statement and the need assessment submitted in support of the planning application. Sustainability assessment is also a separate process from EIA, although a carbon balance assessment is provided in ES chapter 5 and technical appendix E and ecological effects are assessed in ES chapter 10.

Public Health Dorset

Comment	Response
We welcome the applicant's intention to undertake a health impact assessment (HIA) as part of the EIA. We encourage the applicant to share details of the scope and methodology of the HIA with us and we will be happy to provide feedback on the proposed approach.	The findings of the HIA are summarised in ES chapter 6 and set out in full in technical appendix G.
Any HIA should include consideration of the potential impact of the proposed development on both physical and mental health. The World Health Organization (WHO) defines health as *"a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity"*, giving parity to both physical and mental wellbeing as components of health.	The HIA summarised in ES chapter 6 and set out in full in technical appendix G includes consideration of effects on both physical and mental health.
This should include consideration of the potential impact of the proposed development on health inequalities and on potentially vulnerable populations, e.g. the populations of HMP Verne and HMP Portland.	The HIA in ES chapter 6 and technical appendix G includes consideration of effects on health inequalities and vulnerable populations.
IEMA's *Health in Environmental Impact Assessment: A Primer for a Proportionate Approach* sets out five principles for coverage of population health in EIA that the applicant may wish to consider.	The HIA has been based on good practice guidance.
We support the inclusion in any future EIA of the points raised by Dorset Council's Environmental Protection team. In particular, we would emphasise and / or add the following points.	Noted. Please see response above to Dorset Council's Environmental Protection team's comments.
It is important that consideration is given to the wider potential impacts of the proposed development on air quality across Dorset's wider transportation network, beyond the vicinity of the site and the A354.	The routing breakdown set out in the traffic and transport assessment in ES chapter 11 and technical appendix L confirms that the additional HGV movements on the wider Dorset road network will be below the levels that would trigger the requirement for an air quality assessment under the EPUK and IAQM's 2017 guidance.
Details of the sources of the RDF should be provided to allow full assessment of the impacts of vehicle movements generated by waste transport on air quality and population health and wellbeing.	As the sources of the RDF are not known, the air quality assessment in ES chapter 4 and technical appendix D has been based on a worst-case assumption of 100% of the RDF being transported through Dorset by road.
The scoping report refers at various points to an 'expected' and 'envisaged' throughput of 180,000 tonnes of waste per annum before stating in paragraph 15.9 that *"the proposed development will treat 180,000 tonnes of*	The maximum capacity was not known for certain at the scoping stage, but is now

Comment	Response
waste a year." Is 180,000 tonnes the maximum annual capacity of the proposed development and, if not, should the EIA be based on the maximum capacity of the proposed development?	confirmed in ES chapter 2 and the ES has been based on this figure.

Jurassic Coast Trust

Comment	Response
We are mostly content with the proposed methodology for assessing impacts on the WHS and its setting described in chapters seven and ten of the scoping report. However, the following points should be considered.	Noted.
Firstly, and most importantly, the Jurassic Coast Trust has the delegated authority for the protection of the WHS and we strongly recommend that those undertaking the EIA for this development consult with us at the earliest opportunity once the process begins. This will be, by far, the most efficient way to seek guidance on how to assess impacts on the WHS.	Noted. Consultation was undertaken with the Jurassic Coast Trust during the preparation of the planning application.
The EIA process will need to refer to the relevant management framework for the Dorset and East Devon WHS. This is currently being revised, with the expectation that a new framework, called the Jurassic Coast Partnership Plan, will be available in May 2020. If it is intended that the EIA for this proposed development be undertaken before that time, then we recommend that the existing Management Plan (2014-2019) be used. The policies within that document remain valid until such time as the new Partnership Plan is published. The 2014-2019 Plan is available online at the following link: https://jurassiccoast.org/wp-content/uploads/2019/07/Jurassic-Coast-World-Heritage-Site-Management-Plan-2014-2019.pdf.	The assessments of potential effects on the WHS in ES chapter 9 and 13 have referred to the relevant management plan.
In the case of Portland (representing a significant portion of the WHS), the A354 is the only access route and includes impressive views of the eastern side of Chesil Beach. In this context, the conditions on that road will play a part in how people experience the WHS, which is relevant to its setting. We would ask if the assessment of traffic and transport impacts will pick up on this connection?	The assessment of potential effects on the setting of the WHS in chapter 13 of the ES includes the potential for effects as a result of increased traffic on the A354.
We are very pleased to see a scoping approach being adopted early by the applicant and would value an open dialogue throughout the EIA process.	Noted.

Dorset AONB Partnership

Comment	Response
Section 10 of the scoping report deals with landscape and visual effects. Table 10 within the report refers to 'initial landscape and visual effects scoping checklist'. With regards to the AONB, I am satisfied that the report recognises the potential for post-construction effects to landscape character, protected landscapes and sensitive views.	Noted. The potential for effects on landscape character, protected landscapes (including the AONB) and sensitive views is assessed in chapter 9 of the ES.
Paragraph 10.7 of the scoping report refers to changes to views from sensitive visual receptors into the site. In terms of distant views from the AONB, I would like to stress the importance of assessing the significance of the increased lighting on the site. We would also advocate the importance of assessing views from the seaward aspect (with reference to our Management Plan 2019-2024, policy C1.h, *"The landward and seaward setting of the AONB will be planned and managed in a manner that conserves and enhances the character and appearance of the AONB. Views into and out of the AONB and non-visual effects, such as noise and wider environmental impacts, will be appropriately assessed)."*	The landscape, seascape and visual impact assessment in ES chapter 9 includes consideration of the potential for changes to night-time views as a result of increased lighting.
Within paragraph 10.8, I am satisfied that *"Change to landscape character of the site and effects on surrounding landscape character areas"* and *"Change to sensitive views, including from designated landscapes"* are to be included within the EIA.	Noted. These effects are assessed in chapter 9 of the ES.
Proposed assessment methodology: this is described in paragraph 10.9 of the scoping report and would be acceptable. Reference should also be made to our Landscape Character Assessment and the Dorset Coast Landscape and Seascape Character Assessment September 2010.	Noted. The methodology used for the landscape, seascape and visual assessment is summarised in ES chapter 9 and set out in detail in technical appendix J. The assessment includes reference to the requested documents.
Paragraph 10.11 of the scoping report refers to *"representative viewpoints for the visual analysis"* – the AONB team would welcome a dialogue at this stage in order to agree the most significant viewpoints from the AONB. The methodology for photography and photomontages should be clarified and agreed. It may be advisable for a combination of panoramic and single frame images to be provided.	The representative viewpoints used in the assessment have been agreed with both Dorset Council and Dorset AONB Partnership. Full details of the methodology used for the photography and photomontages is set out in technical appendix J.
Section 17 of the scoping report deals with cumulative effects and alternatives. I am aware that large-scale warehousing development is planned for a site to the immediate south east of the ERF. The in-combination cumulative effects of both developments may need to be evaluated.	The potential for cumulative effects, including with other developments within the Port, is assessed in the ES topic chapters.

Appendix 1 – Scoping report

PORTLAND ENERGY RECOVERY FACILITY (ERF)

EIA SCOPING REPORT

POWERFUEL PORTLAND

JANUARY 2020

TERENCE O'ROURKE

PORTLAND ENERGY RECOVERY FACILITY (ERF)

EIA SCOPING REPORT

POWERFUEL PORTLAND

JANUARY 2020

Issue / revision	FINAL	Prepared by	Lauren Tinker
Reference	262701	Signature	[redacted]
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Comments		Date	10 January 2020
		Authorised by	Paul Rogers
		Signature	[redacted]
		Date	10 January 2020
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1 Introduction

Background

1.1 The former Weymouth and Portland Borough Council granted full planning permission in early 2010 to develop land within Portland Port (figure 1) for an energy plant (application reference: 09/00646/FULES). By condition the plant was to be fuelled by "vegetable oil" whilst the description in various application documents clarified this included "waste oils". In 2013, the conditions of the planning permission were varied through a section 73 application to enable waste rubber crumb from end-of-life tyres to be used as an alternative fuel source (application reference: 13/00262/VOC). The rubber crumb was to undergo thermal treatment similar to pyrolysis in an advanced conversion technology, rather than being directly combusted, producing oil, gas and carbon black. The oil and gas were intended to be combusted in generators for power generation. The originally consented development includes two 8.9 MWe engines and two 27 m high stacks, while the revised consent adds four smaller generators with a total capacity of 6 MW. The 2010 and 2013 permissions were not mutually exclusive and were not restricted so as to be phased.

1.2 The original full application was subject to environmental impact assessment (EIA) and accompanied by an environmental statement (ES), which was updated in 2013 to support the section 73 application.

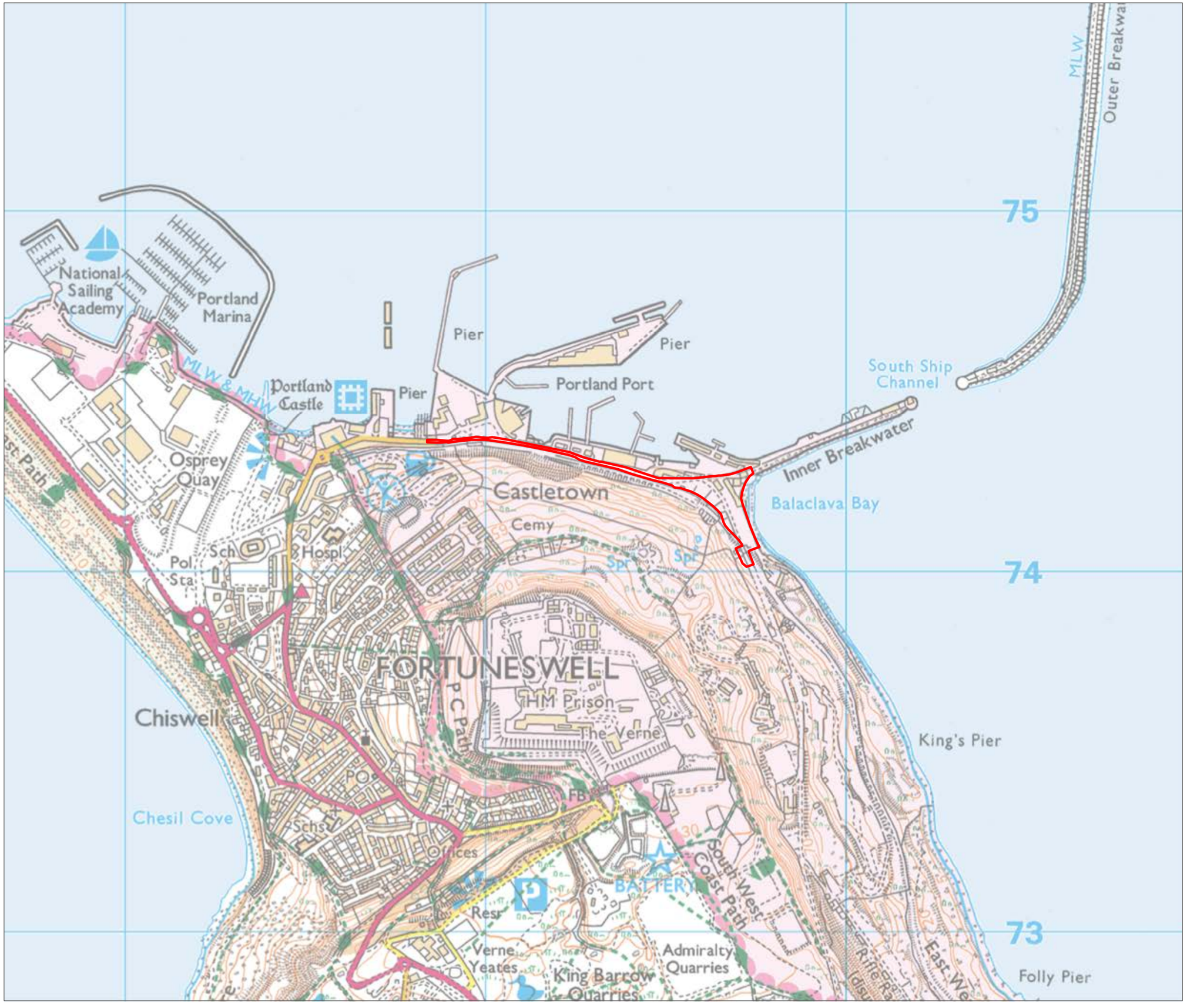
1.3 The original plans for an energy plant were never completed and the development company that led the plans (W4B Portland Limited) has since been dissolved under the UK Register of Companies. However, the development was lawfully commenced with, amongst other works, the demolition of a building and the planning permission remains extant. Dorset Council issued a lawful development certificate on 18 October 2019 confirming this position.

1.4 Powerfuel Portland has entered into an agreement for lease with Portland Port in relation to the site and is now proposing to develop the site for an energy recovery facility (ERF) fuelled by refuse-derived fuel (RDF), which is a more standard and robust technology for the recovery of energy from waste. Powerfuel Portland therefore intends to apply to Dorset Council for full planning permission for this development.

Purpose of the scoping report

1.5 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended; hereafter the EIA Regulations) have been introduced since the original EIA was undertaken in 2009. Given the time that has passed, and the fact that the new proposals differ in a number of respects from the consented development, it is appropriate to undertake a new scoping exercise. Powerfuel Portland therefore submits this report as a formal request to Dorset Council for an EIA scoping opinion under the EIA Regulations.

1.6 This report presents information to assist the council in the process of scoping the EIA and outlines Powerfuel Portland's view as to the potentially significant effects that the EIA would need to examine and the preliminary scope of information that would need to be provided in the ES.



Portland ERF
Powerfuel Ltd

0 250 m

N

Figure 1: Site location

Dwg no/262701/01	Revision
Status	05 November 2019
Scale: 1:10,000 @A3	Drawn by: JC / Checked by: LT

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Report structure

1.7 This report is broadly structured as follows:

- Site description (chapter 2)
- Proposed development (chapter 3)
- An overview of the scoping process (chapter 4)
- The results of Powerfuel Portland's scoping exercise (chapters 5 to 17)
- Conclusion with Powerfuel Portland's view as to the information to be provided in the ES and its proposed structure (chapter 18)

2 Site description

2.1 The 2.3 ha site is roughly triangular in shape and lies on the north eastern coast of the Isle of Portland, within Portland Port, approximately 600 m east of the village of Fortuneswell (figure 1), which is the nearest settlement to the site and beyond the existing steep embankment. The site is largely covered with hardstanding and has been vacant for several years, although there is a weighbridge towards the western point and vehicles are sometimes parked on parts of the land. It is relatively flat and approximately 5 m above Ordnance datum (AOD). As the site lies within the port, it is not publicly accessible. Vehicular access is from the west, through the main Portland harbour complex, via Castletown, Castle Road, Lerret Road and the A354.

2.2 The site is bordered to the south west by Incline Road, which is a private road within the port that is actively used by port traffic, and a former railway embankment. Cliffs supporting grassland, scrub and woodland habitats lie to the south west of the embankment and rise steeply to approximately 125 m AOD. Her Majesty's Prison The Verne is approximately 430 m to the south west of the site at the top of the steep slope. The eastern site boundary is formed by the shingle shoreline and overland fuel pipes from Portland Bunkers, which are fuel bunkers in the nearby cliffs used for marine bunker fuel supply. Beyond these lies Balaclava Bay. Existing operational port development lies to the north and north west of the site.

2.3 The original naval port at Portland was constructed between 1837 and 1890 to provide a Harbour of Refuge and coaling station for the steam navy. Portland and its harbour were designated as HM Naval Base Portland in 1923 and the base played prominent roles in both World Wars and the Cold War. From 1958, Portland was home to Flag Officer Sea Training. During this time, the site area was dominated by a weapons research establishment building in the south east, with other buildings dedicated to mechanical repair facilities for military vehicles. The naval base and two major weapons research establishments were closed in 1995/96 and Portland Port Ltd began the transformation of the harbour into a commercial port.

2.4 After privatisation, the buildings on site were progressively demolished to create cargo storage space when they were not used by tenants. The last vacated buildings, used by UMC, Portland Shellfish and Permavent, were demolished in 2014 and 2017. In 2016/17, the main road leading to Incline Hill was realigned along the base of the hill / scree, creating the open development area on site. The last of the demolition rubble was cleared from the site in 2018.

2.5 The site lies within a regionally important geological and geomorphological site (RIGGS), which covers the whole of the Isle of Portland. There are no national or international environmental designations within the site itself, but several in close proximity (figure 2). The cliffs to the immediate south west of the site form part of the Isle of Portland to Studland Cliffs Special Area of Conservation (SAC) and Isle of Portland Site of Special Scientific Interest (SSSI) and there are several other designated nature conservation sites within 2 km of the site. These include the Nicodemus Heights SSSI 590 m to the south, Chesil and The Fleet SAC and SSSI and Chesil Beach and Stennis Ledges Marine Conservation Zone (MCZ) 1.3 km to the west, and Studland to Portland SAC 1.5 km to the south west. There are also several locally designated sites of nature conservation interest (SNCI) to the south and south west of the site (figure 2).

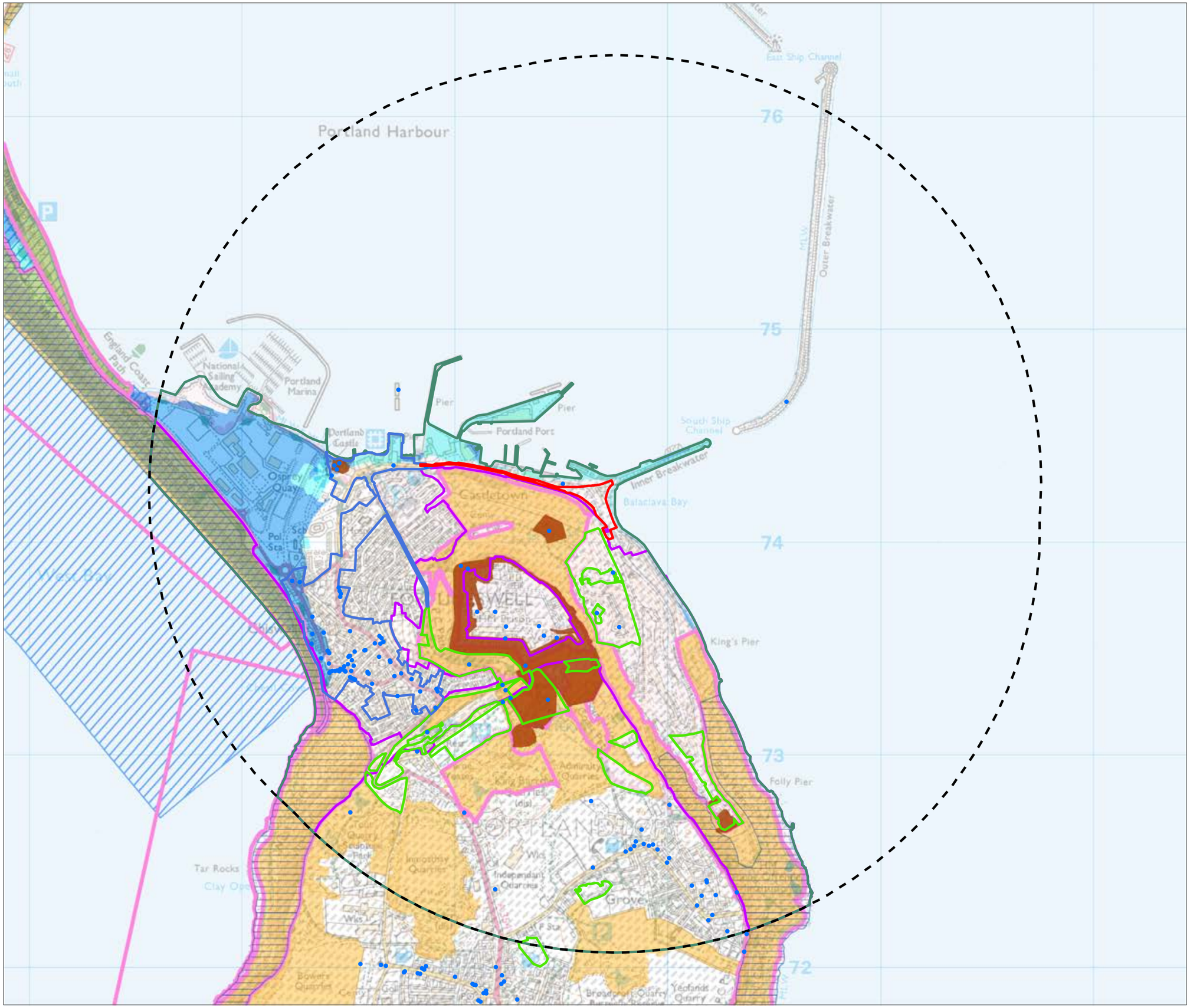
2.6 The Dorset and East Devon Coast World Heritage Site (WHS) wraps around most of the Dorset Coast and the Isle of Portland, but excludes the area of coast in the vicinity of the site (figure 2). It also includes the cliffs on the opposite side of the bay to the north. Chesil Beach to the north west of the island is also locally designated as heritage coast. There are several scheduled monuments in the vicinity of the site to the south west, including a battery 135 m away, The Verne Citadel 340 m away, RAF Portland Rotor early warning radar station 570 m away and a heavy anti-aircraft battery 930 m away. Portland Castle scheduled monument is approximately 990 m to the north west. The nearest listed buildings / structures to the site are the grade II listed breakwater to the north east (part of which lies within the application boundary), Dockyard Offices to the north west, East Weare batteries to the south west and other batteries to the south. There are several other listed buildings / structures in the vicinity, including a cluster at the prison. Underhill conservation area is approximately 600 m to the west of the site and contains a large number of grade II listed buildings.

2.7 The cliffs to the west and south of the site are designated as land of local landscape importance. The nearest nationally designated landscape is the Dorset Area of Outstanding Natural Beauty (AONB), 7.3 km to the north.

3 Proposed development

3.1 The proposed development is envisaged to comprise an ERF with a throughput of approximately 180,000 tonnes of waste in the form of RDF per year and the capacity to export 15.2 MWe of electricity to the grid. It will be a mass burn facility, using boiler and moving grate technology with a high efficiency steam boiler and high efficiency turbine. The maximum total installed capacity would be 17 MW. The ERF will be combined heat and power (CHP) ready as a minimum, but investigations are ongoing to identify potential CHP customers.

3.2 The RDF will be stored in a bunker, envisaged to be approximately 40 m long, 20 m wide and 8 m deep, which will provide around two days' worth of storage capacity. The proposed building will enclose the RDF bale storage area in the fuel hall and waste bunker, tipping hall, cranes, conveyors, feed hopper, furnace, boiler, condenser units and turbine / generator. The building height is likely to vary from approximately 16 m in the area containing the tipping hall and bunker to 45 m in the area containing the furnace and boiler. No works are proposed to the listed structure in the north east of the site.



- Site boundary
- 2km study area
- Listed buildings
- Scheduled monuments
- World Heritage site
- Special Area of Conservation
- Site of Special Scientific Interest
- Heritage coast
- Flood Zone 2
- Flood Zone 3
- Area of archaeological potential
- Land of local landscape importance
- Sites of county/local importance for nature conservation
- Regionally important geological and geomorphological sites
- Conservation areas

Portland ERF
Powerfuel Ltd

0 425 m

N

Figure 2: Designations

Dwg no/2627014/02	Revision
Status	05 November 2019
Scale: 1:17,000 @A3	Drawn by: JC / Checked by: LT

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3.3 A large proportion of the plant is dedicated to capturing emissions in the exhaust. Flue gases will be thoroughly treated before being released to the atmosphere via a stack. Preliminary modelling indicates that a 50 m high stack will be required. The treatment process produces air pollution control residues, which are classified as hazardous waste due to their alkalinity. Opportunities are being investigated to recycle these residues. Incinerator bottom ash will be collected to be taken off site for recycling into construction aggregate, either by ship or by road. Metals will be extracted from the bottom ash for separate recycling. Surface water runoff from the site will be discharged into the sea via pollution prevention treatment measures such as interceptors.

3.4 The ERF will operate 24 hours a day, seven days a week. Delivery times are to be confirmed, but are likely to be spread over seven days a week. The port location means that RDF for the facility can be delivered by ship in a baled format or by road lorry in a baled or loose format. This analysis will look at the 'worst case' impact on the road network and so assumes that all RDF will arrive by road. This is not realistically going to be the case, as the likelihood is that some fuel will come by ship and some by road. Road deliveries of RDF will be imported by road via the A354, Lerret Road, Castle Road and Castletown. Deliveries by sea will arrive by ship and be unloaded via an existing 50 tonne berth in the port, closest to the site, then brought up to the site from the berth by road vehicle. As the split between sea and road travel is not known at this stage, for the purposes of this scoping exercise the potential (albeit unlikely) worst case scenario of 100% road travel has been assumed. If all the waste were to be delivered to the plant and all the ash removed from the plant by road, approximately 40 HGV movements each way will be required per day (so approximately 80 two-way HGV movements in total).

3.5 The underground cables and pipelines for the grid connection and CHP network will be provided to the port access gate within the existing road network. A separate application will be required for the grid connection to the existing substation off Lerret Road, although the majority of the cable is again likely to be within highway land. Future pipeline requirements for the CHP are not currently known, as customers have not been confirmed at this stage. In addition, there is the potential for electricity to be provided to ships at berth in the port when their engines are switched off, which would require a cable connection to be provided from the plant.

4 Scoping the environmental impact assessment

Background

4.1 The EIA process examines the significant effects of an EIA development on its receiving environment. This is encapsulated in the advice given in paragraph 035 (reference ID 4-035-20170728) of the Ministry of Housing, Communities and Local Government's (MHCLG) web-based National Planning Practice Guidance: *Environmental Impact Assessment* (NPPG; updated 2019):

> *"Whilst every Environmental Statement should provide a full factual description of the development, the emphasis should be on the 'main' or 'significant' environmental effects to which a development is likely to give rise. The Environmental Statement should be proportionate and not be any longer than is necessary to assess properly those effects. Where, for example, only one*

environmental factor is likely to be significantly affected, the assessment should focus on that issue only. Impacts which have little or no significance for the particular development in question will need only very brief treatment to indicate that their possible relevance has been considered."

4.2 This approach is reinforced by case law from UK and European courts. Judgements have stated that, even in relation to the minimum requirements for an ES, not every possible effect has to be considered. The focus should be on the main effects and remedying the significant adverse effects. The Milne judgement (R v Rochdale MBC ex parte Milne) states that *"the environmental statement does not have to describe every environmental effect, however minor, but only the main effects or likely significant effects."* The Tew judgement (R v Rochdale MBC ex parte Tew) noted that the underlying objective of EIA is that decisions be taken *"in full knowledge"* of a project's likely significant effects and stated:

"that is not to suggest that full knowledge requires an environmental statement to contain every conceivable scrap of environmental information about a particular project. The directive and the Assessment Regulations require the likely significant effects to be assessed. It will be for the local planning authority to decide whether a particular effect is significant."

4.3 A comprehensive and focused scoping process, culminating in a constructive scoping opinion that identifies the likely significant effects and any EIA methodologies that Dorset Council wishes to see employed, will enable the production of an ES that provides a concise and objective analysis that deals with the significant areas of impact and highlights the key issues relevant to the decision-making process.

4.4 The aim is to 'scope in' only those aspects considered likely to have significant environmental effects. Where a particular environmental feature or component of it has not been included within the proposed scope of the EIA, this is not to suggest that there will be no associated effects; rather that these are not considered to be among the significant effects. In line with the guidance given in the NPPG, these effects will be given *"very brief treatment* [within the scoping report] *to indicate that their possible relevance has been considered"*, but no detailed assessment work is proposed for them.

The scoping process undertaken

4.5 Baseline data on the site and surrounding area have been gathered for each environmental topic. A checklist has then been used to identify which environmental issues have the potential to be subjected to effects arising from the proposed development, which has been presented as the first table in each topic section. The checklist is based on the features of the environment referred to in the EIA Regulations, the European Commission's (2017) *Environmental Impact Assessment of Projects: Guidance on Scoping* and the Institute of Environmental Management and Assessment's (IEMA; 2004) *Guidelines for environmental impact assessment.* Where no potential for a significant effect has been identified in the checklist, the issue has not been considered further in the scoping exercise.

4.6 To determine whether the identified potential effects are likely to be significant, the relative importance of the potential receptors (classified as high, medium, low or negligible) was combined with the magnitude of the envisaged changes (classified

as large, medium, small or negligible) to which they would be subjected, using the matrix in figure 3 below. The findings of this process form the second table in each topic section. The scoping exercise was informed by the findings of the 2009 EIA and 2013 ES addendum where appropriate.

		Importance / sensitivity of receptor			
		High	**Medium**	**Low**	**Negligible**
Predicted scale or magnitude of effect	**Large**				
	Medium				
	Small				
	Negligible				

Key
Likely to be significant – scope into EIA
Possibly significant – scope into EIA
Not significant – scope out of EIA

Figure 3: The scoping matrix

The extant consent

4.7 The main focus of the EIA will be on the effects of the proposed development. However, the extant consent represents a theoretical alternative development scenario with its own potential effects. The ES will therefore also summarise the potential effects of the consented scheme for comparative purposes. The 2009 ES and 2013 addendum provide an assessment of those effects, but the passage of time since those documents were produced means that there have been changes to the baseline environment that may alter the effects of the consented scheme. In order to provide a robust, up-to-date picture of the effects of the consented scheme, these will be reassessed using the current baseline and in accordance with current guidance and regulations, where required. The need for an updated assessment will vary between topics, depending on the level of change to the baseline environment.

5 Air quality and climate

Introduction

5.1 New development can affect air quality and climate by generating dust during site preparation and construction, increasing emissions to air from processes and traffic, and generating carbon dioxide (CO_2) emissions during and post-construction. ERF developments that generate power and heat can reduce CO_2 emissions by displacing other fuels, such as coal and gas, and diverting waste from landfill where other more potent greenhouse gases can be produced from the same waste. There is also the potential for new developments to be vulnerable to risks associated with climate change.

Currently known baseline

5.2 There are no air quality management areas (AQMA) in Portland, or in Weymouth to the north. The former Weymouth and Portland Borough Council undertook regular air quality monitoring at two locations on Portland: one roadside diffusion tube in Fortuneswell, approximately 1.4 km to the south west of the site, and one urban background diffusion tube in Weston, approximately 2.7 km to the south west. Recorded nitrogen dioxide (NO_2) concentrations at these monitoring points in 2018 were 31.2 $\mu g/m^3$ and 8.22 $\mu g/m^3$ respectively[1]. No exceedances of the annual mean NO_2 objective (40 $\mu g/m^3$) were recorded in either Portland or Weymouth, although concentrations in the Rodwell Road / Boot Hill (A354) area of Weymouth were approaching the objective at 39.6 $\mu g/m^3$.

5.3 Data from the National Atmospheric Emissions Inventory[2] show that 190,000 tonnes of CO_2 were emitted in the former borough of Weymouth and Portland in 2017, 26,000 of which were from industry and commercial electricity, 15,000 of which were from industry and commercial gas, 28,000 of which were from domestic electricity, 55,000 of which were from domestic gas and 51,000 of which were from road transport.

Potential significant effects

5.4 The initial identification of potential significant effects is set out in table 5.1.

[1] Weymouth and Portland Borough Council, 2019, *2019 Air Quality Annual Status Report.*
[2] https://naei.beis.gov.uk/laco2app/.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Local air quality (criteria pollutants)	Yes	Yes	Increased road traffic emissions during and post-construction and process emissions post-construction
Dust	Yes	Yes	Potential generation of dust during and post-construction
Odour	No	Yes	Potential generation of odour from waste handling operations post-construction
Local climatic effects	No	Yes	The proposed development may lead to localised effects on air temperature or the moisture content of the air around the stack
Transboundary air quality	No	No	The location and scale of the proposed development means that there is no potential for significant international transboundary effects
Global climate	No	No	The nature and scale of the proposed development mean that there is no potential for significant global climate effects
Climate adaptation and vulnerability to climate change	No	Yes	There is the potential for increased risk from flooding due to increased rainfall as a result of climate change
Carbon dioxide budget / emissions	Yes	Yes	Emissions from traffic during and post-construction and use of materials during construction. Reduction in emissions post-construction as a result of the displacement of more carbon-intensive fuel sources and diversion of waste from landfill where potent greenhouses gases can be emitted

Table 5.1: Initial air quality and climate scoping checklist

5.5 Subject to the nature of the ground conditions, site preparation and construction activities and meteorological conditions, construction sites have the potential to mobilise dust that can then be deposited on surrounding areas. The significance of dust deposition tends to decrease with increasing distance from the source and is only commonly significant within 100 m of the dust generation source. The nearest residential properties to the site are approximately 600 m away in Fortuneswell, although the adjacent designated habitats on the cliffs are also sensitive to dust deposition. However, standard and proven best practice construction measures are set out in guidance[3] to minimise temporary effects from dust generation. Details of the measures to be used for the proposed development will be set out in a framework construction environmental management plan (CEMP) that will form a technical appendix to the ES. As a result, no significant effects are predicted.

5.6 Dust management will be an integrated part of operations at the proposed ERF and equipment such as the waste feed hoppers will be designed to ensure emissions of dust are minimised. Dust suppression measures will be used and dust level checks will be undertaken in operational areas where high dust levels could occur. In addition, dust-generating activities will be fully enclosed within the proposed building. The site will be properly maintained and vehicles will be checked to ensure their loads are securely covered. Dust generation during the operational phase is therefore not considered likely to give rise to significant effects.

[3] Institute of Air Quality Management (IAQM), 2016, *Guidance on the assessment of dust from demolition and construction.*

5.7 The movement of materials and personnel to and from a construction site will have associated emissions. Guidance[4] suggests that an assessment is required if traffic flows will increase by more than 25 HGVs within or adjacent to an AQMA, or more than 100 HGVs elsewhere (annual average daily traffic). While an AQMA has not currently been declared in Weymouth or Portland, NO_2 concentrations adjacent to the A354 in the Rodwell area of Weymouth are approaching levels where an AQMA may be required. Based on experience of a similar sized facility in Plymouth, the construction of the proposed development is predicted to generate up to 75 two-way HGV movements per day during peak construction activity. This indicates that there is the potential for a significant effect.

5.8 Post-construction, the proposed development is forecast to generate approximately 40 HGV movements each way per day (so approximately 80 two-way HGV movements in total) to deliver waste and remove bottom ash under the worst-case scenario of 100% of deliveries by road. Given the above thresholds and sensitivities, it is considered that there is the potential for a significant effect on air quality as a result of increased traffic emissions under this scenario.

5.9 The operation of the proposed development will generate emissions that will be discharged to the atmosphere from the stack. The ERF will be designed to comply with the requirements of the Industrial Emissions Directive 2010/75/EU and emissions will be controlled and regulated by the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016 (as amended). However, public concern regarding the emissions from such facilities remains. In addition, there is the potential for effects on the sensitive habitats in the adjacent SAC / SSSI and other designated sites as a result of increased nitrogen deposition. These issues will therefore be examined in the ES.

5.10 The nature of the proposed development means there is the potential for odours to arise from the site. However, the fact that RDF is a refined, processed fuel that has been dried means it does not have the same potential to generate odour as unrefined residual waste. In addition, odour management will be an integrated part of the design of the scheme. Odour control will be achieved through negative air pressure within the waste tipping hall, which will draw air through the bunker and into the furnace, and the tipping hall and storage bunker will be fully enclosed. Periodic olfactory surveys will be carried out around the perimeter of the site to check for odours and the results will be recorded in an operations log book that will be available for inspection by the Environment Agency. Given this, and the distance of the nearest sensitive residential receptors from the site, no significant odour nuisance is expected to occur.

5.11 Emissions from the stack have the potential to lead to very localised effects on the temperature and moisture content of the air surrounding the stack. However, these effects are known from other facilities to normalise within a short distance, so no significant effects are considered likely to arise on the local climate.

5.12 The construction and operation of the proposed development will generate CO_2 emissions through the use of materials and increased traffic emissions. However, the operation of the proposed development is likely to lead to a reduction in carbon emissions as a result of the displacement of emissions produced by the combustion of fossil fuels, the reduction in emissions associated with the export of

[4] EPUK and IAQM, 2017, *Land-Use Planning & Development Control: Planning for Air Quality.*

RDF, and the reduction in methane (landfill gas) brought about by the diversion of waste from landfill. The scale of the proposed development means that this has the potential to be significant.

5.13 As discussed in section 16, the site is not at risk of flooding from rivers or the sea and most of the site is at very low risk of surface water flooding, although there is a small area in the north west that is at low risk. There is the potential for climate change to exacerbate these risks through increased rainfall levels and intensity. However, as set out in section 16, this issue will be addressed through the drainage strategy and flood risk assessment that will be submitted in support of the planning application and it is not considered appropriate to duplicate coverage here. The location of the site and the nature of the proposed development mean that it is not vulnerable to any other climate change risks.

Air quality and climate effects summary

5.14 The findings of the scoping process in relation to air quality and climate effects are summarised in table 5.2.

Potential effect	Receptor importance / sensitivity(1)	Magnitude or scale of effect(2)	Likely significant?	To be included in the EIA?
Generation of dust during construction	High (Adjacent SAC / SSSI)	Negligible Short term	X	No
Generation of dust post-construction	High (Adjacent SAC / SSSI)	Negligible Long term	X	No
Increased road traffic emissions during construction	High (Population along the local road network)	Small Short term	✓	Yes
Increased road traffic emissions post-construction	High (Population along the local road network)	Small Long term	✓	Yes
Generation of emissions from process plant post-construction	High (Local residents and adjacent SAC / SSSI)	Negligible to small Long term	✓	Yes
Generation of odour	High (Local residents)	Negligible Long term	X	No
Effect of stack emission on local climate	High (Existing local climate)	Negligible Long term	X	No
Effect on greenhouse gas emissions	High (Local greenhouse gas emissions)	Small Long term	✓	Yes
Vulnerability to climate change risks	High (Site users)	Negligible Long term	X	No

Table 5.2: Air quality and climate effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

5.15 The air quality baseline will be examined using historic empirical data, background pollution maps published by Defra, and current monitoring data from the council's

diffusion tube network. It is considered that this information will provide sufficient data, and no additional monitoring is proposed. The council's environmental health officer will be contacted regarding the provision of air quality monitoring data and assessment reports and to agree the approach and methodology to be used for the assessment.

5.16 The traffic-related air quality assessment will appraise the impact of construction and post-construction traffic movements. Detailed dispersion modelling will be undertaken using the ADMS-Roads model or similar. The focus of the modelling will be NO_2, PM_{10} and $PM_{2.5}$ and the potential for effects on specific sensitive receptors. The geographical extent of the assessment will comprise the road network in the vicinity of the site and along the A354 in sensitive areas of Weymouth. The assessment will be undertaken using the best practice methodology published by EPUK and the IAQM in *Land-Use Planning & Development Control: Planning for Air Quality* (2017).

5.17 The process emissions air quality assessment will appraise the impact of emissions from the stack. Detailed dispersion modelling will be undertaken using ADMS dispersion modelling software. This will take account of existing and proposed buildings and will use five years of sequential hourly meteorological data from a suitable observation station. The dispersion model will be used to predict the short term and long term process contributions from the proposed plant for all regulated emissions at the appropriate averaging periods and percentiles at the point of maximum impact and specific sensitive local receptors.

5.18 The carbon balance assessment will calculate the carbon emissions from the proposed ERF, including CO_2 released from the combustion of fossil-fuel derived carbon in the facility, releases of other greenhouse gases from the combustion of waste, combustion of gas in auxiliary burners, CO_2 emissions from the transport of waste and other residues, and the emissions offset from the export of electricity from the ERF and potentially heat exported from the ERF. These will be compared with the carbon emissions from sending the same waste to landfill, as well as with potential alternative management of the RDF, such as export overseas or to other facilities in the UK. The scenarios to be examined in the study will be agreed with Dorset Council.

6 Community, social and economic effects

Introduction

6.1 The potential community, social and economic effects of ERF developments are often among the key issues associated with such projects, particularly in relation to public concerns over effects on health, amenity and property prices. ERF developments can also lead to beneficial effects through job creation and the contribution to the local economy.

Currently known baseline

6.2 The site lies in Underhill ward, in the former borough of Weymouth and Portland. Unemployment in Underhill ward (10.3%) was well above both the borough (6.8%) and national (7.6%) averages at the time of the 2011 Census[5]. Adults in Underhill ward are also generally less well qualified than the borough and national averages, as 18.6% of adults in the ward have no qualifications compared to 14.5% in Weymouth and Portland and 15% in England and Wales.

6.3 Since the withdrawal of the Royal Navy and wider Ministry of Defence activity from the island in the 1990s, Portland's economy has struggled to rebalance and grow. The Portland Community Partnership's (2016) *Future Portland: Portland Economic Vision and Plan* notes that a high number of people travel off the island to work and the island is over-dependent on public sector jobs and low value employment. Tourism is an important economic sector for the island, with 38,000 overnight visitor trips and 343,000 day visits in 2013, leading to a direct visitor spend of £24 million. Portland Port hosted 44 cruises in 2019, accommodating over 62,000 passengers[6].

6.4 Portland Community Partnership's (2016) report also states that Weymouth and Portland was ranked 28th out of 36 areas in the South West for wages, with an average annual wage of £22,100. This is well below both the regional (£24,400) and national (£27,200) averages. Within the borough, the average home costs 11 times the average local wage. Despite this, the average residential property price in Weymouth and Portland in August 2019 (£225,440) was below both the regional and national averages (£260,901 and £251,233 respectively)[7].

6.5 Weymouth and Portland was ranked 197th out of 317 local authorities for deprivation in the 2019 indices of multiple deprivation (where 1 is the most deprived). The north of Portland tends to experience higher deprivation than the south, with the four northernmost lower super output areas (LSOAs) ranked within the most deprived 25% of LSOAs in the country. The most deprived LSOA in Portland is ranked within the most deprived 10% of LSOAs in the country for income, employment, education, skills and training, and health and disability[8].

Potential significant effects

6.6 The initial identification of potential significant effects is set out in table 6.1.

[5] www.nomisweb.co.uk.
[6] https://www.portland-port.co.uk/news/46/2019+cruise+season+to+bring+economic+boost+to+region.
[7] http://landregistry.data.gov.uk.
[8] dclgapps.communities.gov.uk/imd/iod_index.html#.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Population profile and demography	No	No	The proposed development will not change the local population profile or demography, as it will not introduce new residents
Housing supply	No	No	The proposed development will not affect the area's housing supply
Employment	Yes	Yes	The proposed development will generate jobs both during and post-construction
Economy	Yes	Yes	The proposed development will contribute to the local economy during and post-construction
Lifestyle / standard of living	Yes	Yes	The generation of employment and contribution to the local economy has the potential to affect quality of life in Portland
Health	Yes	Yes	Potential for health and wellbeing effects through emissions to air and generation of noise
Education, healthcare and local services	No	No	No education, healthcare or local services will be provided or affected by the proposed development
Public health and safety	Yes	Yes	Potential health and safety risk from nearby COMAH site during and post-construction
Local environmental amenity	Yes	Yes	Construction works may affect the amenity of local residents. Potential long term changes in amenity post-construction
Telecommunications	No	No	The proposed development will not affect telecommunications
Microclimate (e.g overshadowing, wind effects)	No	No	The nature and scale of the proposed development mean that there is no potential for microclimate effects
Tourism	No	Yes	The location of the site and nature of the proposed development means that there is the potential for effects on tourism post-construction

Table 6.1: Initial community, social and economic effects scoping checklist

6.7 The construction of the proposed development will lead to a short term increase in employment. It is estimated that approximately 350 people will be employed directly in the construction of the development, which will also lead to further indirect and induced job creation. Post-construction, it is estimated that around 30-35 jobs will be created at the ERF, with a further 40 sub-contractor jobs created indirectly through induced job creation in the area. Given the relatively high unemployment levels in Portland, the levels of out-commuting to work and relatively low wages, it is considered that these effects have the potential to be significant.

6.8 Portland's economy is potentially constrained by restrictions in electricity supply. The island is connected to the mainland bulk supply point via a single electricity supply cable with a capacity of 18 MW, meaning that the island can only ever draw 18 MW of power from the mainland. In addition to the contribution to the local economy provided by the job creation discussed above, there is also the potential for the additional electricity generated by the proposed development to facilitate local industrial and commercial developments that may have been restricted by the limited power availability on the island. The sensitivity of the island's economy means that this effect has the potential to be significant.

6.9 The creation of jobs as a result of the proposed development also has the potential to improve quality of life in the area. Given the relatively high deprivation levels experienced in parts of Portland, it is considered that this effect has the potential to be significant.

6.10 There is the potential for the proposed development to affect the health and wellbeing of local residents through the generation of noise and emissions to air during and post-construction. However, as set out in sections 5 and 13, the potential for effects during construction will be addressed by the implementation of good practice measures through the framework CEMP and no significant adverse effects are predicted.

6.11 Numerous studies on the operational health impacts of ERF plants have shown there to be no significant effects on health from modern facilities, and Public Health England's view is that health effects *"if they exist, are likely to be very small and not detectable."*[9] However, public concern on this issue remains, so a health risk assessment will be carried out that will use ratified scientific data to determine if there is any risk that emissions from the proposed ERF will give rise to physical health effects. In addition, a health impact assessment will be carried out to examine the potential for wider health and wellbeing effects. The findings of these assessments will be summarised in the ES to determine the overall potential for significant health effects.

6.12 The site is within 1 km of an identified Control of Major Accident Hazards (COMAH) site. However, as set out in section 11, the Portland Bunkers site is notified under the COMAH regime in relation to the risk of major accidents resulting from the release of liquids into the environment and the proposed development is not predicted to affect this risk. No significant adverse effects are therefore predicted on public safety.

6.13 There is the potential for construction works to lead to a reduction in local amenity. However, as discussed in sections 5 and 13, the nearest sensitive residential receptors are approximately 600 m from the site and construction dust and noise generation will be addressed through good practice construction methodologies that will be put in place through the framework CEMP. No significant adverse effects are therefore predicted on local amenity during construction.

6.14 As discussed in section 13, no significant post-construction noise effects are predicted, so there is no potential for significant effects on amenity as a result of increased noise. The potential for long term changes to amenity through changes to views will be examined in the landscape and visual assessment and it is not considered appropriate to duplicate coverage here.

6.15 The location of the proposed development means that it will be visible to cruise passengers using the port. However, its location within an active port environment means that it will be in keeping with other industrial buildings and will not alter the visitor experience to the island. As a result, no significant effects are predicted on tourism in the area.

Community, social and economic effects summary

6.16 The findings of the scoping process in relation to community, social and economic effects are summarised in table 6.2.

[9] Defra, 2014, *Energy from waste: A guide to the debate.*

Potential effect	Receptor importance / sensitivity[1]	Magnitude or scale of effect[2]	Likely significant?	To be included in the EIA?
Generation of employment during and post-construction	High (Local unemployment level)	Small to medium Short and long term	✓	Yes
Effects on the local economy during and post-construction	High (Local economy)	Small to medium Short and long term	✓	Yes
Reduced deprivation as a result of job creation during and post-construction	High (Local deprivation levels)	Small Short and long term	✓	Yes
Effects on health during construction	High (Local population)	Negligible Short term	X	No
Effects on health post-construction	High (Local population)	Negligible Long term	X	Yes – to be covered to address public concerns
Effects on public safety post-construction	High (Public safety)	Negligible Long term	X	No
Effects on local amenity during construction	Low (Local amenity)	Negligible Short term	X	No
Effects on local amenity from changes to views post-construction	Medium to high (Views into the site)	Small to medium Long term	✓	Yes – to be covered elsewhere in the ES
Effects on tourism in the area post-construction	High (Tourism on Portland)	Negligible Long term	X	No

Table 6.2: Community, social and economic effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

6.17 The existing community, social and economic baseline conditions will be established in detail through a desk-based study, which will obtain data from a range of sources, including Dorset Council and the Office for National Statistics. An economic assessment will be undertaken, in which gross impacts in terms of job creation and contribution to the local economy will be estimated and then converted to net impacts by taking account of deadweight (impacts that would have occurred anyway), leakage (the proportion of jobs that benefit individuals beyond the immediate area of impact), displacement (economic activity on site that will be diverted from other businesses in the area) and multipliers (indirect and induced effects arising from direct expenditure in the local economy). This will inform the assessment of effects on the local community.

6.18 The findings of the specialist health risk assessment and health impact assessment will be reviewed and summarised in the assessment to determine the overall potential for significant health effects. In addition, a general review of background information on the issues of public perception of ERFs and the nature of the general public's concerns will be provided to inform the assessment, based on a range of published research.

6.19 The significance of effects will be determined by combining the sensitivity of identified receptors with the predicted magnitude of change, using a matrix.

Potential effects will be considered at the ward, island and unitary authority level as appropriate.

7 Cultural heritage

Introduction

7.1 New development can affect cultural heritage assets, including buried archaeology, the historic landscape and built heritage features. These can include effects relating to damage to or loss of a heritage asset itself, as well as changes to an asset's setting. A development necessitating archaeological investigations can be beneficial by improving understanding of an area's history or providing a better understanding of the archaeological record.

Currently known baseline

7.2 The Dorset and East Devon Coast WHS wraps around most of the Dorset Coast and the Isle of Portland, but excludes the area of coast in the vicinity of the site. It also includes the cliffs on the opposite side of the bay to the north. The WHS is designated for its outstanding combination of globally significant geological and geomorphological features, which display approximately 185 million years of the Earth's history, and includes a number of internationally important fossil localities and a range of outstanding examples of coastal geomorphological features, landforms and processes. Chesil Beach to the north west of the island is also locally designated as heritage coast.

7.3 The site lies within an area of archaeological potential that covers the whole of Portland. Much of the north of the island, although not the site, is also designated as an area of archaeological importance. As discussed in section 2, there are several scheduled monuments in the vicinity of the site to the south west, associated with the past military use of the area, including a battery 135 m away, The Verne Citadel 340 m away, RAF Portland Rotor early warning radar station 570 m away and a heavy anti-aircraft battery 930 m away. Portland Castle scheduled monument is approximately 990 m to the north west.

7.4 The nearest listed buildings / structures to the site are the grade II listed breakwater[10] to the north east (part of which lies within the application site), Dockyard Offices to the north west, East Weare batteries to the south west and other batteries to the south. There are several other listed buildings / structures in the vicinity, including a cluster at the prison. Underhill conservation area is approximately 600 m to the west of the site and contains a large number of grade II listed buildings. There are no registered parks and gardens on or near Portland.

7.5 The site has been developed in the past and subsequently cleared back to vacant land, so its historic landscape character has been lost.

Potential significant effects

7.6 The initial identification of potential significant effects is set out in table 7.1.

[10] The listing comprises the inner and outer breakwater, including the coaling shed, storehouse jetty, coaling jetty, inner breakwater fort and outer breakwater fort.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Archaeology	Yes	No	Potential for disturbance of below ground archaeological remains
Scheduled monuments	Yes	Yes	Potential for changes to the settings of nearby scheduled monuments during and post-construction
Architecture / buildings / structures	Yes	Yes	Potential for changes to the settings of nearby listed buildings / structures during and post-construction
Conservation areas	Yes	Yes	Potential for changes to the setting of Underhill conservation area during and post-construction
Historic parks and gardens	No	No	There are no registered parks and gardens on or near Portland
Other historic interest	Yes	Yes	Potential for changes to the setting of the Dorset and East Devon Coast WHS and heritage coast during and post-construction

Table 7.1: Initial cultural heritage scoping checklist

7.7 The site is in an area of archaeological potential, but is previously developed and site investigations undertaken to inform the 2009 ES recorded made ground extending to between 5 m and 8 m below the site[11]. This means that any archaeological remains below the site are likely to have already been destroyed and no significant effects are predicted as a result of the proposed development.

7.8 The proposed development will lead to changes to views into the site and increases in traffic on the local road network. The scale of the proposed development and the proximity of the WHS and heritage coast, scheduled monuments, listed buildings / structures and Underhill conservation area to the site means that there is the potential for significant effects on their settings as a result of the site's development.

Cultural heritage effects summary

7.9 The findings of the scoping process in relation to cultural heritage effects are summarised in table 7.2.

[11] RPS, 2009, *Port of Portland Phase 2 Site Investigation Report.*

Potential effect	Receptor importance / sensitivity(1)	Magnitude or scale of effect(2)	Likely significant?	To be included in the EIA?
Impact on archaeological remains on site during construction	Negligible (Archaeological remains on site)	Negligible Long term	X	No
Change to settings of scheduled monuments in the vicinity of the site during and post-construction	High (Scheduled monuments in vicinity of site)	Small to medium Short and long term	✓	Yes
Change to settings of listed buildings / structures in the vicinity of the site during and post-construction	High (Listed buildings / structures in vicinity of site)	Small to medium Short and long term	✓	Yes
Change to setting of Underhill conservation area during and post-construction	Medium (Underhill conservation area)	Small Short and long term	✓	Yes
Change to setting of Dorset and East Devon Coast WHS and heritage coast during and post-construction	High (Dorset and East Devon Coast WHS and heritage coast)	Small Short and long term	✓	Yes

Table 7.2: Cultural heritage effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

7.10 An assessment of designated and undesignated heritage assets will be undertaken in accordance with paragraphs 184 to 202 of the National Planning Policy Framework (NPPF; 2019), the MHCLG's (2019) NPPG: *Historic environment,* Historic England's (2017) *Good Practice Advice in Planning Note 3: The Setting of Heritage Assets* and the IUCN's (2013) *World Heritage Advice Note: Environmental Assessment & World Heritage.* The assessment will be supported by an analysis of viewpoints to and from key historic locations, including the WHS, scheduled monuments, conservation area and selected listed buildings, which will be agreed with Dorset Council's conservation officer. The assessment will cross reference with the landscape and visual assessment as appropriate.

7.11 The significance of effects will be determined by combining the importance of identified receptors with the predicted magnitude of change, using a matrix.

8 Ground conditions

Introduction

8.1 The existing ground conditions of a site can be of concern due to the potential mobilisation of contaminants during construction or exposure of sensitive receptors such as construction workers, groundwater, surface waters and future site users to such material. The potential for the proposed development to alter the ground conditions of the site post-construction is limited.

Currently known baseline

8.2 The site has been used for a range of historic activities that have the potential to have led to contamination, including industrial uses, a timber yard, railway lines, a slaughterhouse, a hospital, military weapons research, and the manufacturing of electrical and electronic equipment. The area surrounding the site has also been used for potentially contaminating activities, including military activities, filter beds, a coal store, waste management, railway lines, tank storage, quarrying and fuel transfer[12].

8.3 Site investigations[13] undertaken to inform the 2009 ES recorded elevated levels of a number of metals in the soil, including arsenic, cadmium, chromium, mercury, copper, lead, nickel and zinc. Raised levels of total petroleum hydrocarbons and polycyclic aromatic hydrocarbons were also recorded. Elevated levels of volatile organic compounds and semi-volatile organic compounds were recorded in made ground in the north east of the site. Metals, hydrocarbons and sulphate were recorded in groundwater beneath the site.

8.4 The site investigations found made ground beneath the site to depths of between 5 m and 8 m, indicating that there is the potential for ground gases to be generated. Initial gas monitoring undertaken as part of the site investigations did not record any methane, carbon monoxide or hydrogen sulphide and suggested there is limited potential risk from ground gases underlying the site, although further monitoring was recommended.

8.5 The site lies within a RIGGS that covers the whole of the Isle of Portland. This designation reflects the importance of the island to scientific studies of geology. The majority of the island, including the site, is classified as a minerals safeguarding area for Portland stone in Dorset County Council's (2014) *Minerals Strategy*. However, the site does not lie within one of the areas of opportunity for mining identified in the strategy.

8.6 Online mapping indicates that the entire Isle of Portland is at high risk from unexploded ordnance and identifies a record of an unexploded ordnance find on site and several Luftwaffe targets in the vicinity[14]. However, the 2009 ES states that the Port Authority is understood to have conducted a thorough search and clearance of the area as part of the Ministry of Defence's 'duty of care', including the issue of 'certified free from explosive' certificates. This clearance included

[12] RPS, 2009, *Port of Portland, Castletown, Isle of Portland, Dorset, Phase 1 Environmental Site Assessment.*
[13] RPS, 2009, *Port of Portland Phase 2 Site Investigation Report.*
[14] https://zeticauxo.com/downloads-and-resources/risk-maps/.

documentary searches to identify any reports of unexploded bombs dropped during World War II and accidents / incidents recorded by the Royal Navy.

Potential significant effects

8.7 The initial identification of potential significant effects is set out in table 8.1.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Geology and geomorphology	Yes	No	The site lies within an area designated as a RIGGS
Ground contamination	Yes	Yes	Historic contaminative uses present on and adjacent to the site and contamination recorded in both soils and groundwater. Potential for ground gases to be present
Mineral resources	Yes	No	Potential sterilisation of any minerals resource on site
Unexploded ordnance	No	No	The port area is understood to have been certified free from explosives by the Ministry of Defence

Table 8.1: Initial ground conditions scoping checklist

8.8 While the site lies within a designated RIGGS, it is previously developed and past site investigations have revealed made ground to depths of between 5 m and 8 m beneath the site. As a result, the redevelopment of the site is not considered likely to lead to significant effects on the RIGGS.

8.9 The site and surrounding area have been subject to a range of potentially contaminating uses and previous site investigations have recorded elevated levels of several contaminants in both the soil and groundwater. The extent of works required on site, including the excavation of a bunker, and the proximity of the sea to the site mean that there is a potential risk to both construction workers and the water environment during construction. It is therefore considered that these issues should be scoped into the EIA.

8.10 Post-construction, there will be very little opportunity for any residual ground contamination present to come into contact with workers or be released into the water environment. The ERF will be housed within a purpose-built, enclosed facility and subject to continuous monitoring. It is therefore not considered that there is the potential for significant effects from contamination post-construction.

8.11 In the event of further monitoring determining that there is an elevated risk from ground gases, gas protection measures would be incorporated into the design of the building as necessary. This would ensure that there would be no significant risk to plant workers from ground gases.

8.12 As the site lies within a minerals safeguarding area, it is possible that the proposed development would lead to the sterilisation of a commercial minerals resource. However, the site is previously developed and, as discussed above, there is a considerable thickness of made ground on site. As a result, no significant effects are envisaged on the area's mineral resources from the site's redevelopment.

Ground conditions effects summary

8.13 The findings of the scoping process in relation to ground conditions effects are summarised in table 8.2.

Potential effect	Receptor importance / sensitivity[1]	Magnitude or scale of effect[2]	Likely significant?	To be included in the EIA?
Effect on the geology of the RIGGS	Medium (RIGGS on site)	Negligible Long term	X	No
Potential for human health effects from contact with contaminants during construction	High (Construction workers)	Small to medium Short term	✓	Yes
Potential for human health effects from contact with contaminants post-construction	High (Plant workers)	Negligible Long term	X	No
Potential for mobilisation of existing contaminants into the water environment during construction	Medium to high (Groundwater beneath site and coastal waters)	Small to medium Short term	✓	Yes
Potential for human health effects from contact with ground gases post-construction	High (Plant workers)	Negligible Long term	X	No
Sterilisation of minerals resources by the proposed development	Low (Minerals resource on site)	Negligible Long term	X	No

Table 8.2: Ground conditions effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

8.14 An updated desk-top phase 1 study, which will consider geology, information from a Landmark Envirocheck report and existing and past land uses, and will review the findings of the past site investigations, will be undertaken to identify previous potential for contamination, pathways and receptors. This study will be used to inform the requirement for any further intrusive site investigations.

8.15 The potential for activities associated with the construction of the development to result in the migration of historic contaminants will be assessed. An updated conceptual model will be used to identify if there is the potential for any link between a source of contamination and a sensitive receptor to result in a significant adverse effect. A suitable mitigation / remediation strategy will be devised if required, setting out proposed measures to remediate contamination, minimise off site disposal of contaminated spoil and facilitate retention of inert material on site.

8.16 Statutory regulators, including Dorset Council and the Environment Agency, will be consulted on all contamination matters.

9 Land use and land take

Introduction

9.1 Proposed developments can have an effect on the local area through the introduction of a new land use, which can complement, co-exist or conflict with the existing land uses, and through the loss of existing uses on a site.

Currently known baseline

9.2 The site is an area of vacant, previously developed industrial land within the port that is covered by hardstanding. There are no public rights of way on site. As discussed in the 'ground conditions and contamination' section above, the site lies within a minerals safeguarding area for Portland stone that covers most of the island.

Potential significant effects

9.3 The initial identification of potential significant effects is set out in table 9.1.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Agricultural land and soils	No	No	No agricultural land use on site, which is underlain by made ground
Horticulture	No	No	No horticulture on site or proposed
Forestry	No	No	No forestry on site or proposed
Recreation / open space / rights of way	No	No	No public open space or rights of way on site or proposed
Mineral extraction	Yes	No	Potential sterilisation of any minerals resource on site
Industrial / commercial / retail	Yes	No	The site is currently vacant industrial land
Residential	No	No	No residential land use on site or proposed
Health / social / education	No	No	No health, social or education land uses on site or proposed
Waste disposal	No	Yes	Provision of new waste management use on site
Other (specify)	No	No	No other land uses on site or proposed

Table 9.1: Initial land use and land take scoping checklist

9.4 The proposed development will lead to the replacement of the existing vacant industrial land with a new waste management land use. Given that the site is currently vacant, and that waste management is similar to the site's previous industrial use, this effect is not considered to be significant in land use terms.

9.5 As discussed in section 8, the previously developed nature of the site means that prior extraction of minerals resources is not likely to be required. No significant land use effects are therefore predicted.

9.6 It is therefore proposed that land use and land take are not scoped into the EIA and will not be considered in the ES.

Land use and land take effects summary

9.7 The findings of the scoping process in relation to land use and land take effects are summarised in table 9.2, which confirms that there will not be a specific land use and land take chapter within the ES.

Potential effect	Receptor importance / sensitivity[1]	Magnitude or scale of effect[2]	Likely significant?	To be included in the EIA?
Replacement of vacant industrial site with new waste management use	Negligible to low (Land use on site)	Small Long term	X	No
Sterilisation of potential minerals resource on site	Low (Land use on site)	Negligible Short term	X	No

Table 9.2: Land use and land take effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

10 Landscape and visual effects

Introduction

10.1 Effects on the landscape can arise from a development giving rise to direct changes to physical elements of the receiving landscape, which may affect its features, character and quality; or from indirect effects on the character and quality of the surrounding landscape. Visual effects can result if the development changes the character and quality of people's views. Landscape and visual effects are linked, but have different attributes, so are considered as two elements.

Currently known baseline

10.2 The whole of the Isle of Portland is classified as the Limestone Peninsula landscape character type in Dorset Council's online landscape character assessment[15]. Key characteristics of this area include an exposed, windswept and rocky landscape, the influence of quarrying and military activity, little tree cover, an open skyline dominated by manmade structures and features, and dominance of the natural and built landscape by pale grey Portland limestone.

10.3 The site is not covered by any landscape designations, but the cliffs to the west and south are designated as land of local landscape importance. The Dorset AONB lies across the bay, 7.3 km to the north of the site. The Dorset and East Devon Coast WHS wraps around most of the Dorset Coast and the Isle of Portland, but excludes the area of coast in the vicinity of the site. It also includes the cliffs on the opposite side of the bay to the north. Chesil Beach to the north west of the island is also locally designated as heritage coast. Underhill conservation area is approximately 600 m to the west of the site.

10.4 Close views of the site are largely restricted to non-publicly accessible locations within the port, although the site is also visible from vessels at sea. The site may also be visible from two public footpaths that cross the cliffs and from the South West Coast Path, particularly where it runs from Weymouth to Portland. Views of the site from Fortuneswell to the west are screened by the cliffs, but the site is likely to be visible from some parts of Weymouth to the north and open areas along the coast.

Potential significant effects

10.5 The initial identification of potential significant effects is set out in table 10.1.

[15] https://www.dorsetcouncil.gov.uk/countryside-coast-parks/the-dorset-landscape/landscape-character-types.aspx.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Landform / topography	No	No	No significant re-profiling of the land is proposed during construction
Land cover	Yes	Yes	Change in land cover from open hardstanding to industrial buildings
Landscape character	Yes	Yes	Character will change from open to built-up
Protected landscapes / townscapes	Yes	Yes	Potential for changes to views from a number of designated areas, including the Dorset AONB, Dorset and East Devon Coast WHS, Underhill conservation area and the adjacent locally designated cliffs
Sensitive views	Yes	Yes	Potential for changes to views from residential properties, public rights of way, vessels at sea and the wider countryside and coast, including at night

Table 10.1: Initial landscape and visual effects scoping checklist

10.6 The proposed development will change the land cover on the site from vacant, open hardstanding to an industrial building. However, as the site previously contained buildings and is within a wider developed area, this change is not considered to be a significant effect. The landscape character of the site will change from an open, derelict area to built-up, which also has the potential to affect surrounding landscape character areas from which the site is visible. The scale of the proposed building and the height of the stack mean that these effects have the potential to be significant.

10.7 The proposed development will also lead to changes to views from sensitive visual receptors into the site, including residential properties, public rights of way, vessels at sea and the wider countryside and coast, including a number of designated landscapes. There is also the potential for changes to night time views as a result of increased lighting on the site. Given the scale of the proposed development and the sensitivity of the receptors, these changes have the potential to be significant.

Landscape and visual effects summary

10.8 The findings of the scoping process in relation to landscape and visual effects are summarised in table 10.2.

Potential effect	Receptor importance / sensitivity(1)	Magnitude or scale of effect(2)	Likely significant?	To be included in the EIA?
Change to land cover of the site	Negligible (Site's land cover)	Small Long term	X	No
Change to landscape character of the site and effects on surrounding landscape character areas	Low to high (Character of site and surrounding areas)	Small to medium Long term	✓	Yes
Change to sensitive views, including from designated landscapes	Medium to high (Visual receptors in the vicinity of the site)	Small to medium Long term	✓	Yes

Table 10.2: Landscape and visual effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

10.9 Natural England and Defra's (2014) *Landscape and seascape character assessments* and the *Guidelines for Landscape and Visual Impact Assessment 3rd Edition* (2013) produced by the Landscape Institute and the Institute of Environmental Management and Assessment will be used to guide the assessment of the site and surrounding area. Reference will also be made to Dorset Council's landscape character assessment and the IUCN's (2013) *IUCN World Heritage Advice Note: Environmental Assessment & World Heritage*.

10.10 The landscape and visual assessment will include determination of the landscape character of the site and surrounding area, the site's topography, the quality of the landscape and the existing land cover on site. This will be undertaken through a desk study and site visits. A detailed study of the visual setting of the site and the potential visual receptors that may be affected by the development proposals will be undertaken. This will include mapping of the zone of theoretical visibility (ZTV), which will inform the extent of the study area. In defining the ZTV, the screening effects of the topography, existing buildings and woodland will be considered.

10.11 Representative viewpoints will be established and confirmed with Dorset Council's landscape department. Photographs will be taken at each viewpoint and used to create a panorama of the view. The precise locations (Ordnance Survey grid reference), date, time of day and weather conditions will be described for each viewpoint taken.

10.12 The significance of the effects on landscape and visual receptors will be determined by combining the sensitivity of identified receptors with the predicted magnitude of change, using a matrix.

11 Major accidents / disasters

Introduction

11.1 A new development can increase the risk from major accidents / disasters if it introduces new receptors to a location close to a major hazard site, such as a fuel terminal. Alternatively, new development itself can introduce a new source of major accident risk.

Currently known baseline

11.2 There is one COMAH site within 1 km of the site. Portland Bunkers UK Ltd is a fuel storage terminal that supplies marine gas oil, intermediate fuel oil and ultra-low sulphur fuel oil to vessels, either by bunker barge at the outer and inner harbour anchorages, or alongside the Inner Breakwater. The establishment is notified as a COMAH site because it handles substances that are hazardous to the aquatic environment and poses a risk of major accidents resulting from the release of liquids that could lead to damage to people and the environment, environmental pollution and contamination of drinking water supplies[16].

11.3 The site is in flood zone 1 and is at low and very low risk of surface water flooding. It is not in an area at risk from other forms of natural disaster.

Potential significant effects

11.4 The initial identification of potential significant effects is set out in table 11.1.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Major accidents	Yes	Yes	The site is within 1 km of an identified COMAH site. The scale and nature of the proposed development mean that it does not in itself have the potential to lead to a major accident
Disasters	No	No	The risk from flooding is addressed in section 16. The location and nature of the proposed development means that it is not at risk from any other forms of disaster

Table 11.1: Initial major accidents / disasters scoping checklist

11.5 As the risk of major accidents associated with the Portland Bunkers COMAH site relates to the release of liquids, there is no potential for the proposed development to increase the risk of an accident at the COMAH site or to increase the risk to human health or the water environment from such an accident. There is therefore no potential for significant effects associated with major accidents.

11.6 The proposals will therefore not lead to any significant major accidents / disasters effects and major accidents / disasters are scoped out of the EIA.

[16] https://notifications.hse.gov.uk/COMAH2015/Search.aspx.

Major accidents / disasters effects summary

11.7 The findings of the scoping process in relation to major accidents / disasters effects are summarised in table 11.2, which confirms that there will not be a specific major accidents / disasters chapter in the ES.

Potential effect	Receptor importance / sensitivity(1)	Magnitude or scale of effect(2)	Likely significant?	To be included in the EIA?
Effect of the proposed development on major accident risk at the Portland Bunkers COMAH site	High (Human health and the water environment)	Negligible Long term	X	No

Table 11.2: Major accidents / disasters effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

12 Natural heritage

Introduction

12.1 Potential natural heritage effects that could arise from a development such as that proposed include habitat loss and fragmentation, disturbance of animals during and post-construction, loss of or modification to breeding and foraging habitat, and effects on designated nature conservation sites.

Currently known baseline

12.2 The cliffs to the immediate south west of the site form part of the Isle of Portland to Studland Cliffs SAC and Isle of Portland SSSI. There are several other internationally and nationally designated nature conservation sites within 15 km of the site, including Nicodemus Heights SSSI 590 m to the south, Chesil and The Fleet SAC and SSSI and Chesil Beach and Stennis Ledges MCZ 1.3 km to the west, Studland to Portland SAC 1.5 km to the south west, Crookhill Brick Pit SAC and SSSI 7.3 km to the north west, Chesil Beach and The Fleet Special Protection Area (SPA), Ramsar site and SSSI 2.8 km to the north west, Chalbury Hill and Quarry SSSI 9.2 km to the north, Lodmoor SSSI 6.6 km to the north, Lorton SSSI 7.9 km to the north west, Portland Harbour Shore SSSI 2.0 km to the north west, Radipole Lake SSSI 5.2 km to the north west, South Dorset Coast SSSI 7.3 km to the north, White Horse Hill SSSI 9.9 km to the north, South of Portland MCZ 6.6 km to the south west, and Purbeck Coast MCZ 6.7 km to the east.

12.3 There are several locally designated nature conservation sites within 2 km of the site, including East Weare Camp SNCI, East Weare Rifle Range SNCI, Verne to Grove SNCI, Grove Quarry SNCI, and Broadcroft Quarry Butterfly Conservation Reserve to the south, and Portland Heights SNCI, Verne Yeates SNCI and Local Nature Reserve (LNR), and Portland Quarries Dorset Wildlife Trust Reserve to the south west.

12.4 A phase 1 habitat survey[17] was carried out on site in April 2019. This found that the site comprises hardstanding with patchy ruderal species, herbs, grassy fringes, some scrub margins and a rock face with tunnels. There are no trees or shrubs on site. The habitats have formed naturally and are of low ecological value. The species present are typical pioneers of waste ground and consist of mainly annual herb species, such as vipers bugloss and red valerian.

12.5 In addition, a botanical survey of the site was undertaken in October 2019[18]. This confirmed that the majority of the species on site are indicative of recently disturbed ground in urban and post-industrial sites. Limited localised records of locally notable / rare plants were made at the site's eastern edge along the pipeline, where small numbers of plants including golden samphire, greater sea-spurrey and Portland spurge were recorded, and along the old wall of the Inner Breakwater in the north of the site, where rock sea-spurrey, sea spleenwort and one maidenhair fern were recorded. All the plants recorded from the site are present elsewhere on the island, including the maritime notables and maidenhair

[17] CGO Ecology, 2019, *Preliminary Ecological Appraisal of land at Peat Bay, Incline Road, Portland, Dorset.*
[18] Dorset Environmental Records Centre, 2019, *A Botanical Assessment of Land at Peat Bay, Portland Port.*

fern, which are much more frequent within the SAC / SSSI further south along the eastern undercliffs.

12.6 The habitats on site were assessed as being of low value to foraging and commuting bats, due to a lack of vegetation and the exposed coastal nature of the site[17]. Habitats adjacent to the site are more densely vegetated and likely to provide a foraging resource to local bat populations. The tunnels adjacent to the site are used for storage and secured, which is likely to prevent bats from entering. No evidence of roosting bats was found in the tunnels during a potential roost assessment in August 2019. No further bat surveys are required on site.

12.7 Breeding bird surveys were undertaken on site in June and July 2019[19]. There is limited suitable habitat for breeding birds on site and the levels of disturbance and high availability of suitable nesting habitat nearby currently make the site a less viable option than other neighbouring areas. No evidence of breeding birds was recorded within the site boundary. Nine species were recorded either flying over the site or singing in adjacent habitat.

12.8 During initial wintering bird surveys, a total of nine black redstarts were recorded throughout the site and adjacent areas. These are likely to be migrants passing through, although one or two may remain on and around the site. Portland is one of the main migration routes for the species and on that day 145 sightings of black redstarts were reported across the island, relating to 49 individual birds[20]. Two little egrets were recorded along the shoreline adjacent to the site and, in other autumn surveys, three wader species (common sandpiper, purple sandpiper and turnstone) were recorded on the beach adjacent to the site's northern boundary.

12.9 A reptile survey was undertaken on site in September 2019[21], which recorded very low numbers of slow worms (a peak count of two individuals) at the south western edge of the site. These have colonised the edges of the site from the vegetated slopes above. No reptiles were recorded in the main body of the site.

Potential significant effects

12.10 The initial identification of potential significant effects is set out in table 12.1.

[19] CGO Ecology, 2019, *Breeding Bird Surveys of land at Peat Bay, Incline Road, Portland, Dorset.*
[20] www.birdguides.com/.
[21] CGO Ecology, 2019, *Reptile survey of land at Peat Bay, Incline Road, Portland, Dorset.*

Component	Potential construction effect?	Potential post-construction effect?	Comments
Habitat types	Yes	Yes	Loss of on-site habitats and limited potential for creation of new habitats
Protected species	Yes	Yes	Potential for effects from habitat loss and increased disturbance
Ecosystem integrity	No	No	The nature of the existing habitats on site suggests that the area's overall ecosystem integrity will not be affected
Wildlife conservation	Yes	Yes	Potential for effects on designated nature conservation sites from pollution and increased disturbance
Resource management	No	No	The management of natural resources (such as woodlands, lakes etc) will not be affected
Natural processes	No	No	No changes are predicted to natural processes (such as hydrodynamics, sedimentation etc)

Table 12.1: Initial natural heritage scoping checklist

12.11 The proposed development will lead to the loss of the low value post-industrial habitats on site, but will not affect the more ecologically valuable species around the site edges. The size of the site and its coastal location means that there is little potential for the creation of new habitats through landscaping post-construction. Given the low value of the existing post-industrial habitats on site and the small area of habitat affected, their loss is not considered to be a significant effect.

12.12 The site was confirmed as being unsuitable for bats and no evidence of breeding birds was recorded during surveys, so no significant effects are predicted. Very low numbers of slow worms were recorded at the southern end of the site, but standard mitigation in the form of supervised devegetation of the occupied area, with a licensed ecologist present to move any reptiles encountered, will ensure that there will be no significant adverse effects on this species.

12.13 While initial wintering bird surveys indicate that the site is used by migrating black redstarts, a small number of which may over-winter in the area, the numbers recorded suggest that the site is of no more than local importance for this species. The proposed development will lead to the loss of habitat on much of the site that could be used by black redstarts, but the site margins will be retained and considerable areas of suitable habitat will remain in the surrounding area and across Portland that are already well-used. No significant effects are therefore predicted on black redstarts as a result of the proposed development.

12.14 It is therefore considered that there are not likely to be significant effects on on-site ecology, and it is proposed that on-site ecology is scoped out of the ES. However, an ecological appraisal and associated survey reports will be submitted in support of the planning application to address on-site ecology, in accordance with national requirements.

12.15 The proposed development has the potential to lead to effects on designated sites as a result of emissions to air from the stack leading to increased nitrogen and acid deposition. The Isle of Portland to Studland Cliffs SAC and Isle of Portland SSSI adjacent to the site contain lichen and bryophyte communities that are particularly sensitive to nitrogen deposition. In addition, there is the potential for noise and activity during and post-construction to disturb bird populations in nearby designated sites. Three species of waders and little egret were recorded

on the adjacent beach. Chesil Beach and The Fleet Ramsar site supports nationally important numbers of wintering little egret. Given the proximity of a number of designated sites to the proposed development, it is considered that these effects have the potential to be significant.

Natural heritage effects summary

12.16 The findings of the scoping process in relation to natural heritage effects are summarised in table 12.2.

Potential effect	Receptor importance / sensitivity(1)	Magnitude or scale of effect(2)	Likely significant?	To be included in the EIA?
Loss of existing habitats and creation of new habitats on site	Low (On-site habitats)	Small Long term	X	No
Effects on protected and priority species from habitat loss and disturbance during and post-construction	Medium to high (Species on and near the site)	Negligible Short and long term	X	No
Effects on internationally, nationally and locally designated sites from pollution and disturbance during and post-construction	Medium to high (Nearby designated sites)	Small Short and long term	✓	Yes

Table 12.2: Natural heritage effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

12.17 The natural heritage assessment in the ES will focus on the potential for significant effects on designated sites as a result of the proposed development. A desk study will be undertaken to collate existing data on the locally designated sites within 2 km of the site, and nationally and internationally designated sites within 10 km of the site. The assessment of potential effects will be informed by the air quality modelling to determine the effects of emissions on the relevant critical levels and loads at the designated sites. In addition, the potential for other effects on the nearest designated sites, such as from increased disturbance during construction, will also be examined.

12.18 The assessment will be undertaken in accordance with the Chartered Institute of Ecology and Environmental Management's (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine.* In order to facilitate consistency of assessment methodology throughout the ES, the method will be adapted to include consideration of the significance of effects by combining the importance of the identified receptors with the predicted magnitude of change, using a matrix.

12.19 It is recognised that the proposed development will also require a screening assessment under The Conservation of Habitats and Species Regulations 2017 (as amended) as a result of the potential for significant effects on internationally designated nature conservation sites. Sufficient information will be provided as a supporting technical report to enable a Habitats Regulations Assessment to be undertaken should the screening assessment conclude that this is required.

13 Noise and vibration

Introduction

13.1 The proposed development has the potential to generate noise and vibration during site preparation, construction and operation. Additional road traffic has the potential to increase noise levels both during and post-construction.

Currently known baseline

13.2 The main existing noise source in the vicinity of the site is the port, with operational noise from sources such as ship engines, announcements, cranes and vehicles. The sea itself is also a source of noise, particularly during bad weather.

Potential significant effects

13.3 The initial identification of potential significant effects is set out in table 13.1.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Construction noise	Yes	No	Generation of noise during site preparation and construction
Road traffic noise	Yes	Yes	Increased traffic noise during and post-construction
Operational noise	No	Yes	Generation of noise from plant and operational activities
Vibration	Yes	No	Potential for generation of vibration during construction

Table 13.1: Initial noise and vibration scoping checklist

13.4 Site preparation and construction works will generate noise and vibration. However, the nearest sensitive residential receptors are approximately 600 m to the west of the site. In addition, standard and proven best practice construction measures are set out in BS 5228:2009+A1:2014 *Code of practice for noise and vibration control on construction and open sites* to minimise temporary effects from construction noise and vibration. Details of the measures to be used for the proposed development will be set out in the framework CEMP that will form a technical appendix to the ES. As a result, no significant effects are predicted.

13.5 The majority of HGV construction traffic will travel to the site from the mainland via the A354 and will access the port via Castletown, Castle Road and Lerret Road. Broadly speaking, a perceptible increase of 3 dB in noise associated with road traffic would require a doubling of traffic flows on a given link[22]. As discussed in section 5, the construction of the proposed development is predicted to generate up to 75 two-way HGV movements per day during periods of peak activity, which is not likely to lead to a doubling of traffic flows on local roads. No significant effects are therefore predicted.

13.6 Post-construction, the proposed development is forecast to generate approximately 40 HGV movements each way per day (so approximately 80 two-way HGV movements in total) to deliver waste and remove bottom ash under the worst-case scenario of 100% of deliveries being by road. As for construction traffic, this is not likely to lead to a doubling of traffic flows on the local road

[22] Institute of Environmental Assessment, 1993, *Guidelines for the Environmental Assessment of Road Traffic.*

network and no significant effects are predicted as a result of increased traffic noise post-construction.

13.7 The operation of the proposed plant and day-to-day activities on site will generate noise post-construction. However, the operations will be fully enclosed and the building will be designed to ensure that plant noise is within acceptable levels. Given this, and the distance of the nearest sensitive residential receptors from the site, no significant adverse effects are predicted from operational noise.

13.8 It is therefore proposed that noise and vibration are not scoped into the EIA and will not be considered in the ES. However, a noise assessment will be submitted in support of the planning application as a stand alone document, in accordance with local requirements.

Summary of noise and vibration effects

13.9 The findings of the scoping process in relation to noise and vibration effects are summarised in table 13.2, which confirms that there will not be a specific noise and vibration chapter in the ES.

Potential effect	Receptor importance / sensitivity(1)	Magnitude or scale of effect(2)	Likely significant?	To be included in the EIA?
Generation of noise during site preparation and construction	Medium to high (Local sensitive receptors)	Negligible Short term	X	No
Increased traffic noise during construction	Medium to high (Receptors adjacent to the local road network)	Negligible Short term	X	No
Increased traffic noise post-construction	Medium to high (Receptors adjacent to the local road network)	Negligible Long term	X	No
Generation of plant and activity noise post-construction	Medium to high (Local sensitive receptors)	Negligible Long term	X	No
Generation of vibration during site preparation and construction	Medium to high (Local sensitive receptors)	Negligible Short term	X	No

Table 13.2: Noise and vibration effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

14 Traffic and transport

Introduction

14.1 The proposed development will lead to increased traffic on the local road network during and post-construction, which has the potential to lead to associated effects on pedestrian severance, driver and pedestrian delay and pedestrian amenity.

Currently known baseline

14.2 Access to Portland Port is restricted to authorised personnel by a barrier and security lodge across Main Road at the port's western boundary. Main Road runs eastwards to the north western corner of the site, where it becomes Incline Road and continues southwards along the site's western edge. There is a weighbridge at the site's north western corner.

14.3 The port is linked to the A354 by Castletown, Castle Road and Lerret Road. The A354 connects the Isle of Portland to Weymouth and then runs north to join the A35 at Dorchester. Annual average daily flows of 17,468 vehicles were recorded on the stretch of the A354 that links Portland to the mainland in 2017, 508 of which were HGVs[23].

14.4 The Harbour Revision Order governing the port's operations imposes road traffic capacity limits during the peak hours of 08:00-09:00 and 17:00-18:00. There are no restrictions outside these times. Portland Port Ltd has confirmed that the port currently uses less than 25% of the allowed movements during the peak hours, including anticipated movements for planned developments that have yet to commence. This leaves the port with capacity for over 300 movements during the peak hours. A Deed of Covenant entered into with Dorset Council in 2009 requires a financial contribution towards a proposed transport corridor improvement programme if and when certain thresholds of traffic generation under the Harbour Revision Order are reached.

14.5 The closest railway station to the site is in Weymouth, approximately 4.5 km to the north, which provides services to London Waterloo, Bournemouth, Southampton, Dorchester, Bristol Parkway and Gloucester. The nearest bus stops to the site are at Portland Castle and Portland Hospital, approximately 1 km to the west. There are no public rights of way on the site, which is not currently publicly accessible.

14.6 Portland Port is one of the largest man-made harbours in the world and has over 2,000 linear metres of operational berthing. It is used by cargo vessels, fishing vessels and cruise ships, as well as for a variety of water-based leisure activities.

Potential significant effects

14.7 The initial identification of potential significant effects is set out in table 14.1.

[23] https://roadtraffic.dft.gov.uk/manualcountpoints/26998.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Traffic flows and associated effects	Yes	Yes	Increased traffic during and post-construction
Road infrastructure	No	No	No new or upgraded road infrastructure is proposed
Pedestrians and cyclist links / facilities	No	No	There is no potential for effects on pedestrian and cyclist links or facilities
Public transport	No	No	There is no potential for effects on public transport
Air traffic	No	No	There is no potential for effects on air traffic
Water traffic	No	Yes	There is the potential for waste to be delivered to the plant by ship

Table 14.1: Initial traffic and transport scoping checklist

14.8 There will be an increase in traffic flows on the local road network during construction, including a temporary increase in HGV movements, with an associated potential for effects on pedestrian severance, driver and pedestrian delay, and pedestrian amenity. The majority of the HGV traffic will travel from the mainland via the A354 and will access the port via Castletown, Castle Road and Lerret Road.

14.9 The Institute of Environmental Assessment's (1993) *Guidelines for the Environmental Assessment of Road Traffic* state that traffic (or HGV) flows need to change by 10% to have the potential for significant effects in areas with specifically sensitive receptors (such as schools, hospitals, churches and historical buildings) and 30% in other areas. The route to the port from the A354 runs through Underhill conservation area and also passes the Atlantic Academy Portland school.

14.10 As discussed in section 5, the construction of the proposed development is predicted to generate up to 75 two-way HGV movements per day during periods of peak construction activity. While no data are available for traffic flows on the roads leading from the port to the A354, 508 HGV movements were recorded on the stretch of the A354 that links Portland to the mainland in 2017. This indicates that the construction traffic associated with the proposed development has the potential to lead to an increase in HGV movements above the 10% threshold, meaning that there is the potential for significant effects.

14.11 Post-construction, the proposed development is forecast to generate approximately 40 HGV movements each way per day (so approximately 80 two-way HGV movements in total) to deliver waste and remove bottom ash under the worst-case scenario of 100% of deliveries being by road. As for construction traffic, this exceeds the 10% threshold and indicates that there is the potential for significant effects under this scenario.

14.12 There is the potential for waste to be delivered to the plant by ship, via the existing 50 tonne crane berth on the Inner Breakwater, which would increase ship movements in the area. However, the increase will be negligible in the context of existing ship traffic in the port and the port has sufficient capacity to accommodate these additional movements. No significant effects are therefore predicted.

Summary of traffic and transport effects

14.13 The findings of the scoping process in relation to traffic and transport effects are summarised in table 14.2.

Potential effect	Receptor importance / sensitivity(1)	Magnitude or scale of effect(2)	Likely significant?	To be included in the EIA?
Increased traffic generation during construction	Medium to high (Local road network and users)	Small Short term	✓	Yes
Increased traffic generation post-construction	Medium to high (Local road network and users)	Small Long term	✓	Yes
Increased ship traffic in Portland Port post-construction	Low to medium (Users of Portland Port)	Negligible Long term	X	No

Table 14.2: Traffic and transport effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

14.14 A transport assessment (TA), which will assess the impact of the proposed development on the capacity of highway infrastructure, will be scoped with Dorset Council and will be submitted in support of the planning application. The EIA will summarise the findings of this, but will focus on environmental issues associated with potential increases in traffic flow and any consequent effects on the local community, such as severance, increased driver and pedestrian delay and changes to pedestrian fear / intimidation and amenity.

14.15 The assessment will take account of paragraphs 108 to 111 of the NPPF, the MHCLG's (2014) NPPG: *Travel plans, transport assessments and statements* and the Institute of Environmental Assessment's (1993) *Guidelines for the Environmental Assessment of Road Traffic*. Close consultation will be undertaken with key stakeholders, such as Dorset Council.

14.16 A desk study and site visits will be undertaken to identify key features of the existing road network in the vicinity of the site and obtain data on existing accident rates. Predicted traffic flows and junction capacities will be modelled using appropriate software. The significance of traffic and transport effects on sensitive receptors will be determined by combining the sensitivity of identified receptors with the predicted magnitude of change, using a matrix.

15 Waste and natural resources

Introduction

15.1 The proposed development comprises an ERF that will provide new waste management capacity. Once operational, the proposed development is expected to process approximately 180,000 tonnes of non-hazardous residual waste in the form of RDF per year. The operation of the ERF will generate waste in the form of bottom ash, metals and air pollution control residues. The construction of the proposed development will also generate waste. During construction, wastes should be correctly segregated to maximise re-use and recycling. Where any contaminated or hazardous arisings cannot be treated on site during remediation works, suitable disposal options should be identified as part of the environmental assessment process.

15.2 Natural resources are used in both construction of developments and by the users of the developments post-construction. The EIA Regulations require particular consideration to be given to the use of water, land, soil and biodiversity.

Currently known baseline

15.3 As the site is vacant, no natural resources are used and no waste is currently generated on site.

15.4 Bournemouth, Dorset and Poole (hereafter grouped together as Dorset) produced around 1.6 million tonnes of waste in 2015, 691,000 tonnes of which was construction, demolition and excavation waste, 447,000 tonnes of which was commercial and industrial waste, 387,000 tonnes of which was local authority collected waste and 64,000 tonnes of which was hazardous waste. Waste management facilities in Dorset treated 2.17 million tonnes of waste in 2015, over 85% of which was from with the county. The remainder was imported from areas including Hampshire, Devon, Somerset and Wiltshire. Dorset is a net importer of waste, but 322,000 tonnes of waste were exported for management elsewhere, almost half of which was sent to Hampshire[24].

15.5 Total non-hazardous waste arisings in Dorset are forecast to grow from 834,000 tonnes in 2015 to over one million tonnes at the end of the waste plan period in 2033. Dorset's waste plan identifies shortfalls in capacity for a number of types of waste management facilities across the plan period to 2033, including a 232,000 tonnes shortfall in residual waste management capacity. There is currently only one non-hazardous residual waste treatment facility in Dorset: a mechanical biological treatment plant at Canford Magna. A low carbon energy facility has also been permitted at Canford Magna, with the capacity to treat up to 100,000 tonnes of residual waste per year, which has been partly implemented. There are no operational landfill sites in Dorset, and the remaining residual waste is currently exported for treatment and disposal to Hampshire and Somerset.

[24] Dorset County Council, Bournemouth Borough Council and Borough of Poole, 2017, *Bournemouth, Dorset and Poole Waste Plan Pre-Submission Draft.*

Potential significant effects

15.6 The initial identification of potential significant effects is set out in table 15.1.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Demolition waste	No	No	No demolition is required
Waste management	Yes	Yes	Generation of waste during construction that will require management. Increase in the area's waste management capacity post-construction. The proposed development will also generate operational waste, including bottom ash and air pollution control residues
Natural resources	Yes	Yes	Natural resources will be used both in the construction of the proposed development and for the operation of the plant. The ERF will also preserve natural resources by producing power that might otherwise be generated from coal or gas

Table 15.1: Initial waste and natural resources scoping checklist

15.7 Waste arising from site preparation and construction processes will require management. However, this will be managed in accordance with good practice to encourage waste minimisation, re-use and recycling where possible, and the quantities involved are likely to be negligible in relation to existing waste generation and management in Dorset. No significant effects are therefore predicted on the area's waste management infrastructure. The requirement to manage construction waste in accordance with good practice will be included in the framework CEMP that will form a technical appendix to the ES.

15.8 As discussed in section 8, the historic uses on site mean that it is likely that contamination will be present, meaning that there is the potential for contaminated spoil to require disposal off site. However, the remediation strategy for the site will aim to minimise off site disposal. It is therefore considered that off site disposal of contaminated waste is unlikely to be significant and it is proposed that this issue be examined in the ground conditions assessment if required.

15.9 Post-construction, the proposed development will treat 180,000 tonnes of waste a year in the form of RDF. Given that a shortfall 232,000 tonnes has been identified in Dorset's non-hazardous residual waste management capacity, this increase in local capacity is considered likely to be significant. The proposed development will also generate waste post-construction, in the form of incinerator bottom ash, metals and air pollution control residues. However, it is envisaged that these will be recycled and no significant effects are predicted as a result of post-construction waste generation.

15.10 The construction and operation of the proposed development will use natural resources, although the previously developed nature of the site means that there will be no new land take or loss of soil resources. No potentially significant effects as a result of habitat loss are identified in section 12 and section 16 confirms that the increased demand for potable water is not considered likely to be significant.

Summary of waste and natural resources effects

15.11 The findings of the scoping process in relation to waste and natural resources effects are summarised in table 15.2.

Potential effect	Receptor importance / sensitivity[1]	Magnitude or scale of effect[2]	Likely significant?	To be included in the EIA?
Generation of construction waste that requires management / disposal	High (Local inert waste management capacity)	Negligible Short term	X	No
Generation of contaminated waste that requires disposal	Low to medium (Nearest hazardous waste landfill capacity)	Negligible Short term	X	No
Increase in Dorset's non-hazardous residual waste management capacity	High (Local non-hazardous residual waste management capacity)	Medium Long term	✓	Yes
Generation of waste post-construction that requires management / disposal	High (Local residual waste management capacity)	Negligible Long term	X	No
Use of natural resources	Negligible to low (Natural resources on site)	Negligible to small Long term	X	No

Table 15.2: Waste and natural resources effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

15.12 A review of the local non-hazardous residual waste management infrastructure and Dorset Council's municipal and commercial and industrial waste requirements will be undertaken. The assessment will examine the quantities of waste that will be managed by the proposed development in the context of existing and future capacity in the area.

16 Water environment

Introduction

16.1 Effects on the water environment relate to the potential for changes in runoff associated with the proposed drainage regime and any associated effects on flood risk, groundwater recharge and surface water and groundwater quality. There is also the potential for limited increases in demand for wastewater treatment and potable water supply post-construction.

Currently known baseline

16.2 There are no watercourses on or near the site, although Balaclava Bay lies to the east, and the site is in fluvial and coastal flood zone 1. Most of the site is at very low risk of surface water flooding, although there is a small area of low risk in the north west[25].

16.3 The site is not within a groundwater source protection zone or drinking water protected / safeguard area. It is underlain by bedrock that is classified as unproductive strata. The superficial deposits beneath the site are also largely classified as unproductive, although a small area in the south of the site is underlain by secondary undifferentiated strata of high groundwater vulnerability[26]. Site investigations undertaken to inform the 2009 ES concluded that groundwater beneath the site forms a natural gradient towards the coast and discharges into the sea. Sea water intrudes into the groundwater, forming a saline wedge below the fresh groundwater. The boundary between the two is in a state of dynamic equilibrium, moving with seasonal variations of the water table and daily tidal fluctuation[27].

16.4 Wessex Water is the area's wastewater treatment and potable water supplier. Portland is served by Weymouth Water Recycling Centre, which is currently within capacity. However, the Weymouth and Portland area is at a high risk of sewer incapacity[28]. The company's potable water management plan forecasts that it has access to sufficient water supplies to meet its supply area's needs for the next 25 years[29].

Potential significant effects

16.5 The initial identification of potential significant effects is set out in table 16.1.

[25] https://flood-map-for-planning.service.gov.uk.
[26] https://magic.defra.gov.uk.
[27] RPS, 2009, *Port of Portland Phase 2 Site Investigation Report.*
[28] https://www.wessexwater.co.uk/environment/drainage-and-wastewater-management-plan/dorset.
[29] https://www.wessexwater.co.uk/environment/managing-our-impact/management-plan.

Component	Potential construction effect?	Potential post-construction effect?	Comments
Surface water quality	No	No	There are no watercourses on or near the site that could be affected by the proposed development
Surface water hydrology	No	Yes	The introduction of a new surface water drainage system will affect runoff rates from the site
Surface water temperature	No	No	No processes are proposed that could change surface water temperature
Groundwater quality	Yes	Yes	Pollution during construction, including creation of pathways for pollution to reach groundwater as a result of foundation and bunker construction. Runoff from the site post-construction may affect groundwater quality
Groundwater hydrology / recharge	No	No	The existing hardstanding and impermeable nature of most of the underlying geology mean that groundwater hydrology is not likely to be affected
Groundwater temperature	No	No	No processes are proposed that could change groundwater temperature
Coastal water quality	Yes	Yes	Pollution during construction and runoff from site post-construction may affect coastal water quality
Coastal water temperature	No	No	No processes are proposed that could change coastal water temperature
Coastal processes / hydrodynamics	No	No	No works are proposed in the marine environment that could affect coastal processes
Flood risk	No	Yes	The introduction of a new surface water drainage system will affect runoff rates and flood risk
Availability of utility services	No	Yes	Increased demand for wastewater treatment and potable water supply from staff post-construction

Table 16.1: Initial water environment scoping checklist

16.6 There is the potential for effects on groundwater and coastal water quality as a result of leaks / spills and sedimentation during construction, including as a result of excavation and foundation construction creating new pathways for pollution to enter groundwater. Given the proximity of the coastal waterbody, and the link between the underlying groundwater and the coastal waters, it is considered that these effects have the potential to be significant.

16.7 There is also the potential for the pollution of coastal waters by leaks and spills from plant and equipment and contaminated runoff from the site post-construction. As discussed in section 3, it is proposed to discharge surface water runoff from the site into the sea via treatment measures such as interceptors. As full details of these and their maintenance arrangements are not known at this early stage, it is considered that these effects have the potential to be significant. No significant effects are predicted on groundwater as a result of pollution post-construction, as the site will be covered with hardstanding and no infiltration drainage is proposed.

16.8 The site is currently impermeable and the proposed surface water drainage system will discharge runoff into the sea. There will therefore be no increase in surface water runoff or off site flood risk as a result of the proposed development. In addition, the site is in flood zone 1 and generally at very low risk of surface water flooding. No significant effects on surface water hydrology or flood risk are therefore predicted. A flood risk assessment will be submitted in support of the planning application to address flooding and drainage, in accordance with national requirements.

16.9 The proposed development will increase demand for wastewater treatment and potable water supply through the use of staff welfare facilities. However, the employment of 35 people on site is not considered likely to lead to significant effects on the local networks, particularly given that Wessex Water has not identified capacity issues at the local water recycling centre or in relation to potable water demand.

Summary of water environment effects

16.10 The findings of the scoping process in relation to the water environment are summarised in table 16.2.

Potential effect	Receptor importance / sensitivity[1]	Magnitude or scale of effect[2]	Likely significant?	To be included in the EIA?
Pollution of coastal waters and groundwater during construction	Low and high (Groundwater and coastal waters)	Small Short term	✓	Yes
Pollution of coastal waters post-construction	High (Coastal waters)	Small Long term	✓	Yes
Pollution of groundwater post-construction	Low (Groundwater)	Negligible Long term	X	No
Increased surface water runoff post-construction and associated increase in flood risk	Low (Area's surface water hydrology)	Negligible Long term	X	No
Increased demand for wastewater treatment and potable water supply	Low to medium (Area's wastewater treatment and potable water supply networks)	Negligible Long term	X	No

Table 16.2: Water environment effects summary
Notes:
(1) Categories = high, medium, low, negligible (takes into account geographical level of importance)
(2) Categories = large, medium, small, negligible (takes into account whether effect is short or long term)

Proposed assessment methodology

16.11 A desk study will be undertaken to determine the existing water environment on and in the vicinity of the site and identify potential sensitive receptors, which will be informed by the results of the intrusive investigations undertaken on site as appropriate. The significance of effects on water quality during and post-construction will be determined by combining the sensitivity of the identified receptors with the predicted magnitude of change, using a matrix.

17 Cumulative effects and alternatives

Cumulative effects

17.1 The EIA Regulations require the consideration of the potential for cumulative effects with other existing and / or approved projects. Cumulative effects will be considered on an issue-by-issue basis and the scope of the EIA will be expanded, if necessary, to include any cumulative issues that arise in the future. In particular, developments for which planning permission are currently being sought and that may be approved prior to determination of the application for the Portland ERF will be included in the assessment.

17.2 Consultees are requested to suggest projects that should be covered in the cumulative effects assessment. To ensure that the assessment is proportionate, it is proposed that only large scale developments should be included. These are considered to be developments of over 150 dwellings or more than 1 ha of non-residential development, in line with the thresholds in section 10(b) of schedule 2 of the EIA Regulations. It should be noted that the TA will be scoped separately with Dorset Council and may include additional committed developments, in line with relevant guidance.

17.3 At this stage, it is envisaged that the following projects will be included in the cumulative effects assessment:

- Installation of underground electricity cable within the highway connecting from the entrance to the port to the substation off Lerret Road, and provision of a cable connection from the plant to enable electricity to be provided to ships at berth in the port
- Ocean Views, Hardy Complex, Castle Road, Portland (phase 2): redevelopment of former naval accommodation block into 157 apartments, together with the development of 191 new build homes, with associated car parking (application reference: 02/00703/FUL, as amended)
- Remaining development (and associated planning permissions) permitted under the 1997 Portland Harbour Revision Order and the 2010 Portland Harbour Revision Order

17.4 The potential for cumulative effects to arise through the interaction of two or more impacts on the same receptor will also be examined where applicable.

Alternatives

17.5 The ES will include details of alternatives considered by Powerfuel Portland and will set out the reasons for the selection of the proposed options.

18 Summary

18.1 From this scoping exercise, it has been possible to reach a preliminary view on the environmental features that are likely to be significantly affected by the proposed development and that should be included within the EIA. All the potential effects that are likely to be significant are listed in table 18.1.

Feature	Potential effects that are likely to be significant
Air quality and climate	Increased road traffic emissions during construction
	Increased road traffic emissions post-construction
	Generation of emissions from process plant post-construction
	Effect on greenhouse gas emissions
Community, social and economic effects	Generation of employment during and post-construction
	Effects on the local economy during and post-construction
	Reduced deprivation as a result of job creation during and post-construction
	Effects on health post-construction
Cultural heritage	Change to settings of scheduled monuments in the vicinity of the site during and post-construction
	Change to settings of listed buildings / structures in the vicinity of the site during and post-construction
	Change to setting of Underhill conservation area during and post-construction
	Change to setting of Dorset and East Devon Coast WHS and heritage coast during and post construction
Ground conditions	Potential for human health effects from contact with contaminants during construction
	Potential for mobilisation of existing contaminants into the water environment during construction
Landscape and visual effects	Change to landscape character of the site and effects on surrounding landscape character areas
	Change to sensitive views, including from designated landscapes
Natural heritage	Effects on internationally, nationally and locally designated sites from pollution and disturbance during and post-construction
Traffic and transport	Increased traffic generation during construction
	Increased traffic generation post-construction
Waste and natural resources	Increase in Dorset's non-hazardous residual waste management capacity
Water environment	Pollution of coastal waters and groundwater during construction
	Pollution of coastal waters post-construction

Table 18.1: Effects that are likely to be significant

18.2 Although the environmental features are described here under separate headings, the EIA will pay close attention to the interrelationships of the various factors in order to assemble a holistic picture of the likely significant effects and mitigation measures. It should also be noted that EIA is an iterative process, enabling matters not recognised at a preliminary stage to be addressed subsequently.

18.3 Based on the preliminary scope determined within this report, the provisional ES chapters are envisaged to be as follows (cumulative effects will be addressed in each of the specialist topic chapters):

Non-technical summary

1. Introduction (including a statement outlining the relevant expertise and competence of the experts who contributed to the EIA)

2. Site description and development proposals (including alternatives considered)
3. Environmental issues and methodology
4. Air quality and climate
5. Community, social and economic effects
6. Cultural heritage
7. Ground conditions and water quality
8. Landscape and visual effects
9. Natural heritage
10. Traffic and transport
11. Waste
12. Summary tables
13. Glossary

18.4 Each ES topic chapter will follow a similar format, including sections on guidance and legislation, methodologies, reporting the baseline conditions, discussion of the future baseline, impact assessment during and post-construction, mitigation and monitoring, and residual effects. A short summary of the updated assessment of the effects of the extant consented scheme will also be provided, for information purposes. The ES will include appropriate visual presentation materials (maps, diagrams and photographs) and will be supported by technical documents that will be supplied as appendices. At this stage, it is envisaged that the technical appendices will comprise the following:

A. Scoping
B. Competent experts involved in the preparation of the ES
C. Framework construction environmental management plan
D. Extant consent: scheme details and revised assessment assumptions
E. Air quality
F. Carbon balance
G. Economic effects
H. Health risk assessment and health impact assessment
I. Cultural heritage
J. Ground conditions and water quality
K. Landscape and visual effects
L. Natural heritage
M. Traffic and transport

18.5 As discussed in the topic sections above, the application will also be accompanied by the following stand alone environmental supporting information, in accordance with national and local requirements:

- Ecological appraisal and associated survey reports
- Flood risk assessment and drainage strategy
- Noise assessment

18.6 The consideration of the potential significant effects in this scoping report is preliminary. Dorset Council and consultees are invited to comment on the intended scope of the EIA and to highlight any likely significant issues they consider should be addressed in the EIA.

Appendix 2 – Scoping consultation responses

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Ms Lauren Tinker
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Bournemouth
Everdene House
Deansieigh Road
Bournemouth
BH7 7DU

Date: 24 February 2020
Ref: SCO/2020/0699
Officer: Emma Macdonald
[redacted]
[redacted]

Dear Lauren

Scoping Opinion of Dorset Council to determine the scope of an Environmental Statement to accompany a planning application for an energy recovery facility at Portland Port.

Pursuant to Regulation 15 of the Town and County Planning (Environmental Impact Assessment) Regulations 2017.

On 10 January 2020, Dorset Council received an EIA scoping request submitted on behalf of Powerfuel Portland Limited (the applicants) pursuant to Regulation 15 of the Town and Country Planning (Enviromental Impacts Assessments) Regulations 2017, hereafter referred to as '*the EIA regulations'*.

An EIA Scoping Report entitled: Portland Energy Recovery Facility (ERF) EIA Scoping Report Powerfuel Portland dated January 2020 was received with the request (hereafter referred to as 'the Scoping Report'.

The applicant intends to seek planning permission for an Energy Recovery Facility (ERF) on a site situated within Portland Port.

Regulation 15 enables a person who is minded to make an EIA application to ask the relevant planning authority to state in writing their opinion as to the information to be provided in the required Environmental Statement (ES).

This letter provides Dorset Council's scoping opinion. It should not be construed as implying that the planning authority agrees with all the information or comments provided by the applicant in the Scoping Report and is issued without prejudice to the determinisation of the proposed application.

Background

The EIA Regulations states that an 'environmental statement' is a statement which includes at least:

(a) a description of the proposed development comprising information on the site, design, size and other relevant features of the development;

(b) a description of the likely significant effects of the proposed development on the environment;

(c) a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;
(d) a description of the reasonable alternatives studied by the developer, which are relevant to the proposed development and its specific characteristics, and an indication of the main for the option chosen, taking into account the effects of the development on the environment;

(e) a non-technical summary of the information referred to in sub-paragraphs (a) to (d); and

(f) any additional information specified in Schedule 4 relevant to the specific characteristics of the particular development or type of development and to the environmental features likely to be significantly affected.

The Applicant is advised to refer to Schedule 4 to the EIA Regulations 2017.

An environmental statement must –

(a) where a scoping opinion or direction has been issued in accordance with regulation 15 or 16, be based on the most recent scoping opinion or direction issued (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion or direction);

(b) include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment; and

(c) be prepared, taking into account the results of any relevant UK environmental assessment, which are reasonably available to the person preparing the environmental statement, with a view to avoiding duplication of assessment.

In order to ensure the completeness and quality of the environmental statement –

(a) the developer must ensure that the environmental statement is prepared by competent experts; and

(b) the environmental statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.

Scoping Opinion of Dorset Council

Before adopting a scoping opinion, a planning authority is required to take into account:

i. any information provided by the applicant about the proposed development;

ii. the specific characteristics of the particular development;

iii. the specific characteristics of development of the type concerned; and

iv. the environmental features likely to be significantly affected by the development.

Dorset Council has carefully considered the applicant's Scoping Report and has additionally taken into account:

i. the EIA Regulations;

ii. the nature and scale of the development;

iii. the nature of the receiving environment;

iv. current best practice in the preparation of environmental statements; and

v. any comments received from statutory consultees and others*.

*It should be noted that representations have been received from members of the public during the consultation on the scope of the ES. Where representations have related to the scope of the ES they have been considered during the preparation of this opinion. However, concerns have also been raised about the merits of the proposal itself. The WPA recommends that the applicant fully considers the comments made and ensures that the concerns raised are addressed within any planning application.

The Site

The site comprises previously developed land (brownfield land). The land has previously been occupied by Port related buildings, all of which have now been demolished, with only residual concrete hardstanding remaining in-situ.

Flood Zone 2 lies adjacent to the site to the north and east. To the southwest of the site lies the Isle of Portland SSSI and Isle of Portland to Studland Cliffs SAC. Approximately 200m southwest of the site lies Battery Scheduled Monument and situated within this is East Weare Batteries a discussed gun emplacement Grade II Listed Building. The Dockyard Offices Grade II Listed Building is situated to the west of the site. Further from the site, along 'Main Road' the sites access road are other Grade II listed buildings and Underhill Conservation Area. Public footpath S3/72 lies approximately 330m from the site to the southwest.

The closest residential properties are at the Verne and Fortuneswell approximately 500m from the site. In addition, residential properties are situated approximately 750m from the site in Castletown. Vehicles accessing the facility would pass by these properties when accessing the site.

Other nearby environmentally designated sites include the Dorset Areas of Outstanding Natural Beauty and the Dorset and East Devon World Heritage Site.

Scope of the Environmental Statement

Comment on each required element of the proposed environmental statement described in the Scoping Report is set out below. Where considered necessary this includes identification of further information which should be included in the proposed environmental statement. Additionally, where considered necessary, other potentially significant effects of the development are identified together with information required about them in the proposed environmental statement.

Site Description (Section 2)

A thorough description of the proposed site is provided in the Scoping Report. Reference is made to the settlement of Fortuneswell, however it is considered that reference should also be made to the settlement of Castletown particularly given traffic accessing the proposed site would go through this area passing residential properties.

The description explains the need for underground cables and pipelines for the grid connection and CHP network and that a separate application will be required for the grid connection to the existing substation off Lerret Road. The ES should include further details and a plan showing the location of the substation

and the route of the cables and pipeline both within the currently proposed ERF redline site and beyond. If no decision has been made to routing, a series of realistic options should be presented so that the cumulative impacts can be assessed as confirmed in paragraph 17.3 of the scoping report. The same applies to the cable connection from the plant to the appropriate berth at the port.

As a general point, Public Health Dorset have noticed that the scoping document refers at to an 'expected' and 'envisaged' throughput of 180,00 tonnes of waste per annum before stating in paragraph 15.9 that 'the proposed development will treat 180,000 tonnes of waste a year.' It is my understanding that 180, 000 tonnes is the maximum annual capacity of the proposed development. However, this should be clarified within the description of development. If 180,000tpa is not the maximum capacity the ES should include an assessment of the likely significant effects of operation based on the maximum capacity of the proposed development.

As required, the Scoping Report also includes a plan showing the location of the designations referred to within the description. It is recommended that photographs of the site and its immediate surroundings should also be included within introductory section of the ES. Additional detail would then be expected to be included within topic sections of the ES.

It is important that the proposed ES clearly identifies and describes any relevant likely future changes to the current environmental baseline that would take place in the absence of the proposed development i.e. any relevant future baseline scenario(s). This should include the further implementation of development that have previously been granted planning permission on this site (e.g. changes to landscape character and views, traffic, noise, ecology, air quality etc).

The Proposed Development (Section 3)

A fairly detailed description of the proposed development is set out in the Scoping Report. As required, this includes details of the site design, size and other relevant features of the development. The ES should also include detailed plans, drawings, illustrations and sections at appropriate scales based on Ordinance Survey base mapping and OS level datum for ground levels and heights of buildings and other structures.

The information on the proposed development in the ES should include the following:

a. contour plans and cross sections showing the existing levels and topography of the site and the proposed buildings and other structures;
b. site layout plans for the existing site and proposed development;
c. proposed site landscaping and habitat creation proposed including methodologies for their creation and management;
d. details of the amount of waste proposed to be managed and residue from the treatment process;
e. Traffic generation
f. Details of emissions from the operation of the proposed facility including noise, dust, emission to air from the facility, traffic and water and light pollution.

Description of Reasonable Alternatives Studied by the Developer

The Scoping Report refers to alternatives at Section 17. However, it is noted that the summary (Section 18) of the Scoping Report sets out a list of what each chapter of the ES will contain, and this includes a description of the alternatives considered for each topic area as required.

The description of reasonable alternatives should, as appropriate, consider development location, design, technology, size and scale. The ES will need to identify and describe in adequate detail the

alternatives considered and the main reasons for the choice of the selected options, including a comparison of the environmental effects of the options.

Data required to identify and assess Significant Effects on the Environment

The ES should include:

i. A description of those aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, land, soil, water, air, climate, material assets, cultural heritage and landscape and the interrelationship between the above factors; and

ii. A description of the likely significant effects of the development on the environment, which should cover direct impacts and any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects of the development, resulting from –

    - the construction and exitance of the development;
    - the use of natural resources, in particular land, soil, water and biodiversity;
    - the emissions of pollutants (including noise, vibration, light and water pollutants), the creation of nuisances and the disposal and recovery of waste;
    - risk to human health, cultural heritage or the environment;
    - the impact of the project on climate and its vulnerability to climate change;
    - the cumulation of effects with other existing and/or approved projects.

iii. A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, and

iv. A description of the 'mitigation' measures envisaged to avoid, prevent or reduce likely significant effects on the environment.

Topic Specific Sections of the Environmental Statement

Comment on each topic area identified in sections 5 to 16 of the Scoping Report is provided below. These comments are provided on the basis that Dorset Council accepts the proposed scope of the ES, as set out in the Scoping Report, subject to the amendments and additions referred to in these comments.

To ensure that the ES is readily readable and understood, a consistent approach and common format as suggested in section 18 is welcomed and should be adopted throughout the environmental topic chapters. Methodologies should be outlined for each area of the assessment and should, as a minimum, clearly define;

- The study area;
- Potential impacts for assessment;
- The temporal scope of assessment;
- Sources of baseline information;
- Survey methodologies;
- Approaches and criteria for classifying potential environmental impacts;
- And standards, legislation or guidance followed; and
- Any gaps or limitations to the study.

Data should be comprehensive, relevant and up to date. All assumptions used to inform the assessment should be fully explained and justified and, wherever practical, impact assessments should be undertaken having regard to relevant policy and/or regulatory frameworks.

Any proposed mitigation measures should be considered in the following order of preference: avoidance, reduction, compensation and remediation. Only mitigation measures which are a firm commitment or are likely to be secured should be taken into account as part of the assessment.

Air quality and climate (Section 5)

In general terms the Waste Planning Authority (WPA) welcomes the consideration of air quality issues in relation to both traffic generated by the proposals and emissions from the stack within the Environmental Statement. The methodology proposed for the air quality assessment – *Land-Use Planning & Development Control: Planning for Air Quality (2017)* – is considered appropriate, however Dorset Council has more up-to-date data than that given in the EIA scoping report. This can be obtained by contacting Dorset Council's Environmental Heath Department.

Table 5.2 combines air quality impacts on the population and on the natural heritage/natural environment. This approach risks confusing impacts on the natural environment with impacts on human health as such it will be difficult to assess impacts of pollution (vehicle and stack emissions) on the habitat and species interest features of the SACs and underlying SSSIs. A clear division should be made to the assessment of air quality impacts on the population and of impacts on the natural environment. Air quality/emissions impacts on the natural environment would be better included within Section 12 and table 12.2 rather than Section 5, which seems mostly to deal with air quality impacts on human receptors.

In terms of the geographical scope of the traffic related air-quality assessment, this should be expanded to ensure a wider consideration of potential impacts on air quality across Dorset's wider transport network. For example, there are a number of other areas of concern that might be adversely affected by the additional movements i.e. AQMA within Chideock on the A35 and the A35/A354 Stadium Roundabout in Dorchester. It is recommended that the 'worst case' scenario should be used in the wider considerations.

The scoping report acknowledges poor air quality within the Boot Hill area of Weymouth. Consideration should be given to a traffic management plan for this area to reduce the proposals impact on congestion.

As recommended by Highways England, an assessment of traffic impacts should consider the operation of the Strategic Road Network (SRN) in line with NPPG and DfT Circular 02/2013 *The Strategic Road Network and the Delivery of Sustainable Development*. Where the proposals would result in a severe impact, mitigation should be provided in line with current policy.

The scope of the transport impacts focuses on a worst-case scenario of all waste being delivered by road. However, as waste may arrive at the site by sea consideration of impacts should be extended to include ship movements and associated Sulphur Dioxide ($SO_{2)}$. Consideration should be given to an appropriate level of movements of waste by ship or ideally a range of alternative options.

The traffic related effects of the proposed development should also be assessed cumulatively with other schemes and we would expect the applicant to agree an appropriate list of schemes including committed development in the area, with the WPA.

The process emissions air quality assessment is again welcomed. However, the scope of the assessment of air quality and sensitive receptors should be discussed and agreed with the council's Environmental Health Officer (EHO). In particular, this should include staff and inmates at H M Prison, The Verne which forms a collection of buildings within 500m of the site.

Paragraph 5.11 of the scoping opinion refers to localised effects on temperature and moisture content of air surrounding the stack stating that '…*these effects… normalise within a short distance'*. As a result, this issue is scoped out. DWT is concerned that no evidence is provided to clarify what this distance might be. The ES should provide further evidence of why this topic has been scoped out, justify this, and cross reference to where the issue of effects on micro-climatic conditions will be addressed.

It is noted that the issue of odour from the operation has been scoped out of the ES. It would be beneficial to understand if the unloading of the RDF would have the potential to be odorous including a description of operating practices. Is there enough enclosed storage space built into the development if RDF were to be brought into the facility by ship? Storage of the incinerator bottom ash should also be considered in this regard. This could be dealt with outside the ES.

In terms of the carbon balance assessment, the WPA welcomes the comparisons proposed regarding carbon emissions from the proposed ERF with potential alternative methods of manging the RDF. Specific reference should be made to a comparison regarding the carbon emissions of the proposal and the existing management of equivalent waste arising in Dorset. In addition to the alternatives proposed, the applicant should also consider the alternative of developing a site for the management of RDF within each site allocated for similar uses in the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) i.e. Insets 7 to 10. Additionally, as the source of the RDF is yet unknown, the impact from a range of geographical sources should be considered including the need to import RDF from outside Dorset.

The carbon balance assessment includes the potential heat exported from the ERF. Unless a specific heat customer has been identified, the carbon balance assessment should also consider the impact of the proposal without the utilisation of the heat as this may not be guaranteed.

Similarly, if the location for the management of the incinerator bottom ash is not yet known, consideration of a range of options should be included in the carbon balance assessment including the landfilling of this material.

The Construction Environmental Management Plan proposes to address dust management. Dorset Council's EHO has requested more information on measures proposed to minimise effects from dust. It is agreed that the issue of dust is unlikely to be significant in EIA terms, subject to proven best practice construction measures, and can be scoped out of the ES. The EHO has also recommended that information regarding hours of operation and proposals to deal with unexpected contamination should also form part of the submission.

The Environment Agency have provided a general response to the scoping report regarding environmental permitting in their letter dated 10th February 2020. The WPA recommend the applicant reviews this advice, which can be found on our website.

Community, social and economic effects (Section 6)

In general, the WPA agrees with the methodology identified for considering the impact of the proposals on the community and socio-economic effects.

Effects on health post construction are to be included within the ES. The methodology for this assessment should be agreed with the planning authority in terms of relevant sensitive receptors, which is likely to include Portland, Wyke, Weymouth and Preston.

The preparation of a Health Impact Assessment (HIA) is also been specifically welcomed by Public Health Dorset. We would strongly encourage the applicant to share details of the scope and methodology of the HIA with Public Health Dorset who will be able to provide feedback on the approach. Public Health Dorset would expect any HIA to include consideration of the potential impact of the proposed development on both physical and mental health.The World Health Organisation (WHO) defines health as 'a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity' giving parity to both physical and mental wellbeing as components of health. The HIA should also include consideration of the potential impact of the proposed development on health inequalities and on potentially vulnerable populations e.g. the populations of HMP Verne and HMP Portland. The Institute of Environmental Management's 'Health in Environmental Impact Assessment: A Primer for a Proportionate Approach' sets out five principles for coverage of population health in EIA which the applicant is encouraged to consider.

It is noted that impacts on tourism are scoped out of the ES. However, it is considered that the potential for impact on tourism is wider than explained in paragraph 6.15. Impacts may not be limited to the facility's immediate environment, wider consideration should be given to Portland, the South West Coast Path, Osprey Quay, the World Heritage Site, the AONB, the Heritage Coast and the Portland Quarries Nature Park. The potential impacts of air quality and traffic, such as congestion on tourism should also be considered. It is agreed that this issue is not likely to be significant and can be dealt with outside the ES but within the planning application and cross referenced to relevant sections of the ES. The assessment of impacts on tourism under this heading should also cross reference other sections related to the assets.

Cultural heritage (Section 7)

The potential effects on setting of historic assets is scoped into the ES, this is agreed.

In terms of the baseline, Dorset Council's Conservation officer requires reference to be made to the AONB Costal Marine and Character Area to the east of Portland. This also needs to be considered when assessing significance and impact. It is also recommended that there should also be an assessment of key protected wreck sites as heritage assets given the sites coastal location – although it appears that there are none in the immediate locality.

Listed buildings (designated heritage assets) should be separated from the undesignated heritage assets (other monuments and historic structures). Being of different historic status, impact on significance is likely to be different. The undesignated heritage assets should take in key areas indicated on the Dorset Explorer such as Royal Naval Sites – seaplane base etc. It its recommended that the baseline should be agreed with Dorset Council's Conservation officer.

The acknowledgement that appropriate viewpoints should be agreed with Dorset Council's conservation officer is welcomed. In terms of process of assessment, the Council's Conservation Officer has recommended that the conservation guidance checklist is employed in terms of assessment, surveys and reporting. See full response for further advice and recommendations regarding mitigation and avoidance of heritage sites and assets.

The Jurassic coast trust should also be consulted in order to seek guidance on how to fully assess impacts on the World Heritage Site.

The ES should refer to the relevant management framework for the Dorset and East Devon World Heritage Site. This is currently being revised, with a new framework, called the Jurassic Coast Partnership Plan, available in May 2020. If the EIA is undertaken before this time, the existing Management Plan (2014-19) should be used. The policies within that document remain valid until such time as the new Partnership Plan is published.

The A354 is the only access route and includes impressive views of the eastern side of Chesil Beach. In this context the conditions on that road will play a part in how people experience the WHS, which is relevant to its setting. The assessment of traffic and transport impacts should pick up on this connection and cross references should be provided within the Cultural Heritage section.

Historic England has raised the potential that the proposal has to impact on the significance of sensitive designated heritage assets via a change in setting. The assessment of setting should be undertaken in accordance with Historic England's published guidance (HE 2017 [rev] *Good Practice Advice in Planning, Note 3, The Setting of Heritage Assets*) and be informed by an appropriate Landscape and Visual Impacts Assessment.

Impact on archaeological remains has been scoped out of this topic area. Dorset Council's Conservation Officer is concerned that the scope has omitted the wider setting of archaeology in regard to potential earthworks, wartime evidence and above ground undesignated monument archaeology. Given that the setting of heritage assets has been scoped into the ES, it is considered that these issues can be addressed within this section of the ES and impact on archaeology can be scoped out as proposed. Advice from Dorset Council's Senior Archaeologist agrees that this approach will ensure impacts on setting is fully considered. Impact on significance should also be considered in regard to the assets' evidential, historic and communal values.

Table 7.2 of the Scoping Report provides details of the magnitude of scale of effect. Dorset Council's Conservation Officer considers that the impacts of scheduled monuments and listed buildings to be underestimated, particularly given the sites costal location. So long as this matter is given appropriate consideration in the Environmental Statement, then an appropriate decision can be made thereafter.

Dorset Council's Conservation Officer has provided a further response setting out the relevant policy context, baseline and methodology for assessment this should be referred to before undertaking the assessment of cultural heritage. This response can be found on Dorset Council's website.

Ground conditions (Section 8)

The WPA agrees with the proposed scope of the ES in respect of Ground Conditions and the assessment methodology proposed. However, the ES should make clear the distinction and/or links between effects to ground conditions and effects to hydrology and hydrogeology.

It is noted that a site investigation was undertaken in 2009, and this is likely to still be relevant. An updated conceptual site model is proposed which demonstrates good practice. Dorset Council's EHO has recommended that particular regard should be given to the discharge of surface water to the sea due to contaminants identified within the 2009 site investigation. Details of the interceptor should be submitted (if known at this time).

The potential for human health effects from contact with ground gasses post-construction has been scoped out of the ES. Advice from the EHO is that this issue must be considered in the EIA due to potential chronic effects for employees. It may be helpful to discuss this issue with the EHO directly to ensure the matter is adequately addressed. Table 8.2 should be amended to reflect this change to the effects to be included within the scope of the ES.

The Environment Agency have provided the following response regarding contaminated land:

> *'If historic use of the site may have caused contamination then National Planning Policy Framework (NPPF) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at risk from unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented.*
>
> *Further guidance on what should be contained in the assessment and issues associated with groundwater protection can be found in our Groundwater Protection which can be found at: https://www.gov.uk/government/collections/groundwater-protection'*

Land use and land take (Section 9)

It is agreed that this topic is scoped out of the ES.

Any impacts of loss of allocated employment land (to waste management uses) should be considered within the planning application, outside the scope of the EIA.

Landscape and visual effects (Section 10)

The WPA generally agrees with the assessment methodology proposed.

Reference in the scoping report baseline to the Limestone Peninsula landscape character type is welcomed. The EIA should also consider and refer to the following:

- Weymouth & Portland District Landscape Character Assessment February 2013 https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/west-dorset-and-weymouth-portland/other-planning-documents/pdfs/sg/landscape-character-assessment.pdf
- Dorset Coast Landscape & Seascape Character Assessment 2010 http://www.cscope.eu/_files/MSP_Dorset/Land-and_Seascape_Character_Assessment.pdf
- The Dorset Area of Outstanding Natural Beauty Management Plan 2019-2024 https://www.dorsetaonb.org.uk/wp-content/uploads/2019/04/DAONB_Managmentplan.pdf

Formal Landscape and Visual Impact Assessment (LVIA) of the proposed development will be required in line with the *3rd Generation for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and Institute of Enviromental Management & Assessment to consider the special qualities of the Dorset AONB (as set out in the AONB Management Plan) and assess any effects from the proposed development.

In undertaking the assessment, representative viewpoint locations and the methodology for photography and photomontages will need to be agreed with Dorset Council's landscape architect prior to LVIA being undertaken – I understand that discussions have already begun which is welcomed. In addition, it is advised that the AONB Team be involved in these discussions to agree the most significant viewpoints from the AONB. The Jurassic Coast Trust should also be consulted in order to seek guidance on how to fully assess impacts on the World Heritage Site.

The AONB team have advised that a combination of panoramic and single frame images should be provided within the ES, the detail of which should be discussed and agreed with the Council's Landscape architect and AONB Team as appropriate.

In terms of distant views, advice from the AONB team has highlighted the importance of assessing the significance of any 'increased lighting' from the site. In addition, an assessment of views from the seaward aspect (with reference the AONB Management Plan 2019-2024 Policy C1.h) should be undertaken.

The ES should consider the Dorset AONB Landscape Character Assessment, the Dorset Coast Landscape and Seascape Character Assessment September 2010 and the relevant management framework for the Dorset and East Devon World Heritage Site. This is currently being revised, with a new framework, called the Jurassic Coast Partnership Plan, available in May 2020. If the EIA is undertaken before this time, the existing Management Plan (2014-19) should be used. The policies within that document retain valid until such time as the new Partnership Plan is published.

The A354 is the only access route and includes impressive views of the eastern side of Chesil Beach. In this context the conditions on that road will play a part of how people experience the WHS, which is relevant to its setting. The assessment of traffic and transport impacts should pick up on this connection and cross references should be provided within the Landscape and Visual effects section.

In addition, we would expect the visual effects of the proposed louvres attached to the ERF building and the alternative solution of not using the louvres to be explored in the visual study of the site.

Major accidents / disasters (Section 11)

It is agreed that this topic is scoped out of the ES. However, the planning application should provide details of other regulatory regime permits or licences that are required to manage pollution and health and safety from the development of a waste management facility. Cross references to other sections of the ES may also be appropriate in this regard, such as flood risk.

Natural heritage (Section 12)

Dorset Council's Natural Environment Team have been consulted on the scope of the EIA and are generally satisfied with the methodology outlined to assess the impacts of emissions on sensitive ecological receptors.

However, it is considered that greater weight should be given to the impact of local climatic/wind conditions on the impact zone for deposition of pollutants around the stack area, to ensure that the impacts of nutrient deposition are fully understood. This is of particular importance as the underlying SSSI unit (33-Verne Common) directly adjacent to the application area is in unfavourable declining condition due to scrub incursion and additional nutrient deposition has the potential to add to the existing problem. The cumulative impact with the large warehouse application to the south of the ERF should also be considered in this assessment (see Section 17 for details).

The ES should also include an assessment, based on field survey, of the bryophyte and lichen interest of this unit and any others within the predicted impact zone, to inform the assessment of nutrification impacts and any possible mitigation. Dorset Council's ecologist has explained that *'The open scrub-boulder scree areas on the undercliffs especially on East Weare have no equal anywhere on the South Coast and are perhaps unique with a combination of Oceanic, Southern Oceanic and Mediterranean-Atlantic bryophytes and lichens not known elsewhere in Britain.'* Great weight should be given to the importance of this habitat, a listed feature of the SAC, in the pollutant modelling in the ES.

The impact on human population of road traffic emissions during and post construction are identified in table 5.2, but the impact on SAC/SSSI sites (in particular Chesil and the Fleet SAC and SSSI and Chesil Beach and the Fleet SPA) from road traffic emissions are not identified here or in section 5. This issue should be scoped into the natural heritage section of the ES. The assessment should consider worst case scenarios of all imports of waste materials and exports of residue via road versus a realistic proportion of movements via the sea, as well as additional vehicle movements by employees. Impacts of disturbance from increased traffic on Little Tern (a qualifying feature of Chesil Beach and the Fleet SPA) also need assessing as part of this ES. In-combination effects should also be included to ensure the impacts of this application can be fully understood.

It is noted that the natural heritage assessment will be undertaken in accordance with the Chartered Institute of Ecology and Environmental Management (2018) *Guidelines for Ecology Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Costal and Marine*. Dorset Wildlife Trust (DWT) in their response to the scoping report have provided a detailed list of information that should be provided within the Ecological Impact Assessment. The WPA agrees that the issues listed should be fully addressed.

The proposal will need to comply with the mitigation hierarchy and the applicant should ensure that the Environmental Statement provides enough information to assess impacts and provide mitigation/calculate compensation as required.

The applicant should also be mindful that the proposals will require consideration under the Conservation of Habitats and Species Regulations, as informed by recent case law ECJ ruling Holohan and Others (C 461/17), which may require assessment of how non-designated habitats surrounding the designated sites are functionally linked to the designated sites. Sufficient information must be provided to enable the authority to carry out screening and if necessary appropriate assessment.

Natural England has been consulted on the scope of the ES. The following issues have been raised and the waste planning authority are in agreement with the recommendations included. The applicant is advised to review the full response that can be found on our website which also includes some general advice:

- *In accordance with ECJ ruling Holohan and Others (C 461/17), the land surrounding the Special Area of Conservation (SAC) adjacent to the access road and the red line boundary that is of high ecological quality or function is likely to be performing a role in maintaining favourable conservation status of the SAC. Impacts to these areas should be considered as if they are functionally linked land under the Habitat Regulations 2017. For example, sites designated as Sites of Nature Conservation Importance.*
- *Portland Port is a high-quality marine environment with species assemblages akin to those of the Fleet. Little Terns are a breeding feature of Chesil Beach and the Fleet Special Protection Area (SPA) regularly use Portland Port for foraging. For the purposes of the ES, Portland Port should be deemed as Functionally Linked Land to Chesil and the Fleet SAC and Chesil Beach and the Fleet SPA.*
- *The internationally designated site adjacent to the redline boundary, in part notified for its exceptionally rare and sensitive lower plants (terricolous and saxicolous lichens and bryophytes). Lower Plants are highly vulnerable to air quality changes. The designated site directly adjacent to the application area is deemed as unfavourable declining due to lack of management and excessive scrub cover. For the purposes of a Habitat Regulations Assessment and Appropriate Assessment, should any of the air quality thresholds be exceeded for an adverse impact on the designated site, simply surveying the site and concluding that the designated site communities*

are absent is unlikely to be a robust justification to conclude no adverse impact on integrity while the site is in unfavourable condition. This is because the ability for the site once restored to support the designated feature in the future may be further reduced in such an instance. If any air quality critical loads are exceeded through the assessment process on the designated site for a given feature, consideration for the ability for the given area to support that feature (directly or indirectly) in the future following restoration should be considered as the baseline rather than the presence/absence of the feature itself at the point of survey. This does not negate the need to survey the distribution of the features within the designated site but is an additional consideration to be included in the ES.

- *The importation of material exclusively by sea in a worst-case scenario is likely to need consideration for the impact of ships on marine nature conservation sites. For example, the likelihood of ships anchoring in the marine designated sites while waiting to dock within designated sites should be considered in the ES.*
- *Within close proximity to the application redline boundary and the air quality receptors from transport along the causeway are a number of exceptionally rare and some endemic species of invertebrates. Many of these are not listed as notified features but should be considered as features of local distinctiveness of the Sites of Special Scientific Interest and typical species of the international sites in this location. Knowledge of these species distribution through a data search and survey for their likely distribution if appropriate within the zone of influence for air quality impacts is advised. Potential impacts to any of these species which are vulnerable to stochastic extinction is likely to be considered as 'significant' under paragraph 175 of the National Planning Policy Framework.*
- *There is a risk that ships and HGV's may leak from the cargo areas into the marine environment or onto roads and there is a risk of leachate leaking from the facility storage area into the port. Although water quality from facility drainage will be assessed in the ES this should be extended to include the likelihood of leaks from transport to and from the site within the zone of influence.*
- *The in-combination impacts of the development should be assessed with other plans or projects whereby an appreciable effect could occur in-combination. It is unlikely to be appropriate to set a threshold for determination of what is included in such an assessment at 150 dwellings or 1ha of commercial. It is thought that each dwelling on average may contribute 7 additional movements of traffic per day. In an unconstrained environment this may dissipate a short distance from the development and such thresholds may be appropriate elsewhere. On Portland however there is only one way on and off the island by road which runs directly adjacent to a number of international, national and local designated nature conservation sites. Consequently, it may be found that small developments have a disproportionate cumulative effect in this highly constrained environment by designated sites. Natural England advise that these thresholds are not used in the Environmental Statement.*

Paragraph 12.17 of the scoping report sets out the proposed methodology for assessing impacts on designated sites as a result of the proposed development. DWT have recommended that the scope of this should include effects upon designated sites and their associated features (international, national and local designations) as a result of air quality, noise/disturbance, water quality and lighting impacts.

Note that DWT has requested that a lighting assessment should be undertaken to consider impacts both on terrestrial and marine designated sites and across all associated taxa. The Waste Planning Authorities agrees that consideration to lighting is needed, however it is not considered necessary for inclusion within the ES.

DWT have also recommended that an assessment of the impacts upon visitors to the local natural environment and the visitor economy as a result of the development. The WPA is of the opinion that the issue of tourism can be dealt with outside the ES (see section 6).

Noise and vibration (Section 13)

Based on the information detailed in the scoping report and a representation received from Dorset Council's Environmental Health Officer, it is considered that noise and vibration exposure levels would not have a significant effect on any sensitive receptors in ES terms. Accordingly, this topic is scoped out of the ES.

However, please note that a noise assessment will be required to support any planning application, and this should conform to BS4142:2014. The assessment should also assess vehicle noise. Agreement should be sought with the WPA, prior to submission of a planning application, regarding the sensitive receptors that will be considered as part of this assessment. The assessment should identify appropriate noise limits at the facility and traffic generated and assess whether the development is likely to be capable of operating within them. The Health and Safety Executive should be consulted on this also.

Traffic and transport (Section 14)

The WPA agrees with the assessment methodology proposed which will include the preparation of a Transport Assessment the scope of which will be determined in consultation with Dorset Council.

Highways England (HE) have set out a series of general aspects that should be considered as part of the Environmental Statement in their response dated 14th January 2020. In addition, HE has provided the following specific considerations regarding the proposals at Portland Port. DC agree that these aspects should be included within the assessment:

- *The A35/A354 Stadium Roundabout junction forms part of the SRN and experiences congestion particularly at park times. As assessment of traffic impacts should therefore consider the operation of the SRN in line with NPPG and DfT Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development. Where the proposals would result in a severe impact, mitigation will be required in line with current policy.*
- *The effects of the proposed development should be assessed cumulatively with other schemes and we would expect the applicants to agree an appropriate list of schemes including committed development in the area, with the relevant local planning authority.*

In addition, paragraph 14.9 should be expanded to ensure consideration is given to Wyke Regis Infant School and Nursery and All Saints Church of England School both of which are situated on the route to the site.

Public Heath Dorset consider that details of the source of the RDF should be provided to allow a full assessment of the impacts of vehicle movements generated by waste transport on air quality and population health and wellbeing. If the source of the RDF is as yet unknown, the impact on the Council's roads needs to be fully addressed on the basis of worst-case scenario.

In addition, details of the location of facilities for processing the incinerator bottom ash should be included and the impacts of vehicle movements associated included within the assessment. Again, if the location of management is unknown, a series of options should be considered including an assessment of worst-case scenario.

The ES should identify any necessary appropriate mitigation and how it will be provided in line with current guidance.

The scoping report includes details of increased traffic generation during and post-construction. It is considered that vehicle movements by employees associated with the facility should be included.

It is noted that the issue of increased ship traffic into Portland Port post construction has been scoped out. Given the location of the site and the potential that exists for material to be imported to the site via the sea it is considered that possible impacts, post construction, should be considered. Details should be provided on the possible level of movements of waste by ship or a range of alternative options. This should be compared with the port's capacity and current average ship movements to establish the increase in movements. This issue of capacity and impact on Portland Port from increased ship traffic could be undertaken outside the scope of the ES. If there are any concerns regarding capacity for berthing at Portland Port, contingency options should be addressed. It should be noted that the ecological impacts of movement of waste via ships should be included in the ES (see section 5).

The ES should clearly detail that impacts of increased ship traffic has been scoped out of the ES and the reasons for doing so. Cross reference to the relevant section of the ES that deal with air quality impacts from traffic, both during construction and post construction, would also be helpful.

Waste and natural resources (Section 15)

Paragraph 15.5 of the Scoping Report should reflect the position set out in the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) in terms of the allocations for the provision of new facilities for the management of residual waste to meet the needs of the Plan area.

Note that proposals for waste facilities will be expected to make use of sustainable construction practises including measures to reduce the use of primary materials, water and energy demands. This should be dealt with within the planning statement and/or the Construction, Environmental Management Plan.

Water environment (Section 16)

DC's Flood Risk Management Team (FRM) have been consulted on the scope of the EIA. FRM note the scoping report acknowledges the requirement for a surface water management strategy and states that *the introduction of a new surface water drainage system will affect runoff rates from the site*. It also confirms that the site is currently impermeable and *the proposed surface water drainage system will discharge into the sea.* However, sub-section 16.8 of the report clarify that a *flood risk assessment will be submitted in support of the planning application to address flooding and drainage and not be included within the EIA*.

It is considered that a conceptual strategy of surface water management will need to be included within the planning application to address flood risk and potential contamination. FRM will need to be assured that a viable and deliverable scheme of surface water management is to be incorporated within the proposed development prior to recommending appropriate planning conditions in respect of detailed design & maintenance considerations. It is agreed that this issue can be dealt with outside the ES but within planning application.

Dorset Council's EHO has also advised that the position of discharge into the sea should be carefully considered due to bathing waters and leisure activities within the vicinity of the site.

The Environmental Agency have provided the following response with regards to flood risk:

'We note that site specific flood risk has been scoped out of the Environment Statement. We have no objection to this given the site is shown in the low risk zone. However, we note that the application will be supported by a site specific flood risk assessment to demonstrate that the site is located outside of the current and future tidal flood zones.'

Further advice on the production of a FRA can be found on our website at: https://www.gov.uk/planning-applications-assessing-flood-risk and https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section

The pollution of the water environment during and post construction has been included within the scope of the EIA. This is agreed with and should include potential effects on Marine Conservation Zones, as well as the marine environment generally. DWT considers that the indirect effects of the proposal should also be included within the scope of the EIA as follows:

'Portland Harbour, whilst not statutorily designated, is a Sensitive Marine Area and thus habitat of national significance; it is unique in England for its deep sheltered mud habitats supporting sea pens. Indirect effects should also be considered in the assessment; for example, breeding little terns (an associated feature of Chesil Beach and the Fleet SPA) are known to forage within Portland Harbour, and any potential pollution of this resource might indirectly affect the integrity of the SPA.'

Reference should also be made to the storage and handling of the residue from the treatment process (bottom ash). Although it is likely that this issue can be scoped out, consideration should be given to the potential for impacts and details of regulatory regimes that would manage pollution.

Cumulative effects and alternatives (Section 17)

Cumulative effects - The full range of projects to be considered cumulatively with the proposed development should be agreed in advance with the WPA.

Paragraph 17.2 of the scoping report explains the scope of the cumulative effect's assessment. To ensure that the assessment is proportionate the scoping report proposes that only large-scale developments should be included. The scoping report explains that these are developments of over 150 dwellings or more than 1ha of non-residential development, in line with the thresholds in section 10(b) of Schedule 2 of the EIA Regulations. This is considered to be an appropriate starting point for consideration of cumulative impacts. However, there may be other developments locally that do not meet this threshold but are likely to be important considerations, particularly in the context of the Isle of Portland. Where other developments are flagged up by consultees, these need to be built into the assessment.

Natural England do not consider the thresholds suggested to be appropriate given that there is only one way on and off Portland which runs directly adjacent to international, national and local designated nature conservation sites. Consequently, it may be that small developments have a disproportionate cumulative effect. Given this, a methodology that takes account the traffic generation of all likely development, if necessary, by the use of appropriate, justified assumptions.

Dorset Councils Landscape Architect, the Dorset AONB Team and DWT have highlighted a large-scale warehousing development that is planned for a site to the immediate south-east of the site (WP/19/00514/SCRE). There is also a proposal for 98 dwellings at Royal Manor Arts College, Weston

Road to the south of the site (WP/19/00919/OUT). The cumulative effects of these development should be considered.

The ES need not necessarily include a specific topic on the assessment of cumulative impacts, rather, cumulative effects should be considered where relevant in each topic specific chapters of the ES.

Alternatives – it is likely that alternatives will be considered for each topic area rather than forming a separate chapter of the ES. As such, alternatives have also been referred to in this letter within the topic sections as necessary.

Non-technical Summary

The Environmental Statement must be accompanied by a separate Non-technical Summary of its content. This should be drafted in plain English and present an accurate and balanced account of the key findings of the ES

Final Notes

This letter provides Dorset Council's Opinion as to the information to be provided within the ES. This letter also includes recommendations for engagement on scope with other relevant bodies.

Professional judgement and experience has been used in order to come to this Opinion. However, it should be noted that when considering the ES, this Authority will not be precluded from requiring additional information from the applicant required to consider the application.

Yours sincerely

Emma Macdonald
Minerals and Waste Planning

Natural Environment Team (NET)	13/02/2020	Many thanks for the pre-application request for a scoping opinion on the proposed ERF at Portland Port. The Scoping Report identifies many of the issues discussed during pre-app advice. I am generally satisfied with the methodology outlined to assess impacts of emissions on sensitive ecological receptors. However, greater weight should be given to the impact of local climatic/wind conditions on the impact zone for deposition of pollutants around the stack area, to ensure that the impacts of nutrient deposition are fully understood. This is of particular importance as the underlying SSSI unit (33-Verne Common) directly adjacent to the application area is in unfavourable declining condition due to scrub incursion and additional nutrient deposition has the potential to add to the existing problem. The cumulative impact of the large warehouse application to the south of the ERF should also be considered in this assessment. I also recommend that the ES should include an assessment based on field survey of the bryophyte and lichen interest of this unit and any others within the predicted impact zone, to inform the assessment of nutrification impacts and any possible mitigation. The open scrub-boulder scree areas on the undercliffs especially on East Weare have no equal anywhere on the South Coast and are perhaps unique with a combination of Oceanic, Southern Oceanic and Mediterranean-Atlantic bryophytes and lichens not known elsewhere in Britain. Great weight should be given to the importance of this habitat, a listed feature of the SAC, in the pollutant modelling in the ES. Table 5.2 in Section 5.14 combines air quality impacts on the population and on the natural heritage/natural environment. This approach risks confusing impacts on the natural environment with impacts on human health. I recommend a clear division of the assessment of air quality impacts on the population and of impacts on the natural environment: therefore the inclusion of air quality/emissions impacts on the natural environment in Section 12 and table 12.2 rather than Section 5, which seems mostly to deal with air quality impacts on human receptors. At the moment air quality/emissions impacts on the natural environment appear to be split between Section 5 and Section 12 with the result that it will be difficult to assess impacts of pollution (vehicle and stack emissions) on the habitat and species interest features of the SACs and underlying SSSIs. The impact on population of road traffic emissions during and post construction are identified in table 5.2, but the impact on SAC/SSSI sites (in particular Chesil and the Fleet SAC and SSSI and Chesil Beach and the Fleet SPA) are not identified here or in Section 12 and should be scoped in to the natural heritage section of the ES. Impacts of disturbance from increased traffic on Little Tern (a qualifying feature of Chesil Beach and the Fleet SPA) also need assessing as part of this application. In-combination effects should also be included to ensure the impacts of this application can be fully understood. The application will need to comply with the mitigation hierarchy and the applicant should ensure that the Environmental Statement provides enough information to assess impacts and provide mitigation/calculate compensation as required. The applicant should also be mindful that the proposals will require consideration under the Conservation of Habitats and Species Regs, as informed by recent case law ECJ ruling Holohan and Others (C 461/17), which may require assessment of how non-designated habitats surrounding the designated sites are functionally linked to the designated sites. With all best wishes Dr Annabel King Senior Ecologist Natural Environment Team Coast and Greenspace Dorset Council

Consultee Type	Comment Date	Comment
Flood Risk Management	06/02/2020	We write in response to your consultation / scoping opinion request of 13/01/2020 to Dorset Council's (DC) Flood Risk Management (FRM) team, as relevant Lead Local Flood Authority (LLFA) and statutory consultee for surface water management associated with major development, in accordance with the Town & Country Planning, Development Management Procedure, England Order 2015. Given the scale of the proposed development and construction of a new Energy Recovery Facility (ERF) within the Portland Port complex, we understand that the scheme is regarded as major and therefore requires our ongoing involvement as a technical consultee. By way of context we confirm that this Brownfield / previously developed site falls largely within Flood Zone 1 (low risk of fluvial / tidal flooding) in accordance with the Environment Agency's (EA) published modelling, although it is seen to adjoin coastal waters. Equally, it is seen to be unaffected by available mapping of theoretical surface water flood risk, other than some isolated ponding which is shown to develop during extreme rainfall events (1:1000yr). BGS data indicates that the site is underlain by a dominate bedrock of a Sedimentary Mudstone (Kimmeridge Clay Formation) with no recorded superficial overburden. Ground water levels are anticipated to have close connectivity to adjacent tidal levels. Therefore, the potential incorporation of infiltration methodologies within the proposed (re)development scheme are unlikely to be viable at this location. All (major) development proposals are to be supported by a site-specific drainage strategy in accordance with the recommendations of the revised National Planning Policy Framework (July 2018 -NPPF), relevant technical guidance and best practice. Accordingly, the management of surface water runoff must demonstrate that the proposed development is not to be placed at risk and that no off-site worsening is to result. Whilst we acknowledge that the current consultation is a request for a scoping opinion in respect of the required Environmental Impact Assessment (EIA) and would not ordinarily include a detailed design, a proportionate conceptual drainage strategy should be provided in support of the proposed (re)development. We note that section 16 (Water Environment) of the supporting EIA Scoping Report (ref: Terence O'Rourke – 262701 Portland Energy Recovery Facility, dated Jan 2019) acknowledges the requirement of a surface water management strategy and states the introduction of a new surface water drainage system will affect runoff rates from the site. It also confirms that the site is currently impermeable and the proposed surface water drainage system will discharge into the sea. However, sub-section 16.8 and tables 16.1/2 of the report clarify that a flood risk assessment will be submitted in support of the planning application to address flooding and drainage and not to be included within the EIA. We (DC/FRM) would contest this assumption and confirm that a conceptual strategy of surface water management is to be included within the necessary EIA document, on grounds of flood risk and potential contamination. We must be confident that a viable and deliverable scheme of surface water management is to be incorporated within the proposed (re)development of this site and prior to recommending appropriate planning conditions in respect of detailed design & maintenance considerations. The necessary EIA document should include a viable & deliverable conceptual strategy for the management of surface water runoff generated by the proposed development, on grounds of flood risk and potential contamination. It would not be appropriate for us (DC/FRM) to dispense with the need for a strategy of surface water management within the required EIA, pending a subsequent application for planning permission, in accordance with the Ministerial statement 'Sustainable Drainage System' 2014, the NPPF (July 2018) and the revised Planning Policy Guidance. Should you require further clarification of our position or indeed the scope of the conceptual drainage strategy that has been requested, please do not hesitate to contact me. Yours Sincerely, Gary Cleaver Flood Risk Engineer.

Landscape Response 03/02/2020

SCO/2020/0699

Location: Land at Portland Port, Castletown, Portland, Dorset, DT5 1PP

Application: Request for Scoping Opinion for the Proposed Energy Recovery Facility (ERF), Portland Port, Portland.

By email

03th February 2020

Dear Emma,

Thank you for sending me the request for scoping Opinion for the proposed Energy Recovery Facility (ERF) in Portland Port.

- Section 10.1 refers to the Limestone Peninsula landscape character type as a refence to be included in the EIA. The EIA should also refer to the:
    1. Weymouth & Portland District Landscape Character Assessment February 2013 - https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/west-dorset-and-weymouth-portland/other-planning-documents/pdfs/sg/landscape-character-assessment.pdf
    2. Dorset Coast Landscape & Seascape Character Assessment 2010 http://www.cscope.eu/_files/MSP_Dorset/Land-and_Seascape_Character_Assessment.pdf
    3. The Dorset Area of Outstranding Natural Beauty Management Plan 2019-2024 https://www.dorsetaonb.org.uk/wp-content/uploads/2019/04/DAONB_Managmentplan.pdf

- Section 10.4 and 10.11 refer to establishing viewpoint locations to be confirmed with Dorset Council's landscape department. I have been in contact with the landscape consultants working on the EIA scoping report and welcome this dialogue. I would also ask that the Dorset AONB Landscape Officer is part of this discussion.
- I agree with section 10.6 of the EIA scoping report and I am satisfied the reports recognises the effects of the stack height to have potential significant impact.
- Section 17 of the EIA scoping report refers to the cumulative effects and alternatives.
    1. I understand a large warehouse is planned south east of the proposed ERF building inside the Portland Port Authority Boundary. The cumulative effects of this building will need to be assessed.
    2. The visual effects of the proposed louvres attached to the ERF building and the alternative solution of not using the louvres is something I would like to see explored in the visual study of the site.

Kind regards,

Aaron Carpenter BA (Hons) MA

Landscape Officer

APPLICATION REF: SCO/2020/0699
LOCATION: Land at Portland Port, Castletown, Portland, Dorset, DT5 1PP
PROPOSAL: Request for Scoping Opinion for the Proposed Energy Recovery Facility (ERF), Portland Port, Portland.

CASE OFFICER: Emma MacDonald

CONSERVATION OFFICER CONSULTATION COMMENTS

A request has been made to provide comment as to the scope and level of detail of the information to be provided in the environmental statement (a "scoping opinion") by the applicant.

CONSERVATION COMMENTS:
The process is to identify likely 'significant' environmental effects of proposed developments, by comparing the existing situation, that which pertains before development is carried out (baseline) with the situation once the proposals are in place. The significance of effects during demolition and construction should also be considered.

Historic Environment:

- Focus of Theme
- Designated and undesignated heritage sites and areas
- Setting of cultural heritage assets
- Archaeological Assets
- Immediate and wider views and impact

Policy Context

National Planning Policy Framework (NPPF):

- Protect and enhance valued landscapes, giving particular weight to those identified as being of national importance.
- Heritage assets should be recognised as an '*irreplaceable resource*' that should be conserved in a '*manner appropriate to their significance*', taking account of '*the wider social, cultural, economic and environmental benefits*' of conservation, whilst also recognising the positive contribution new development can make to local character and distinctiveness.
- Set out a '*positive strategy*' for the '*conservation and enjoyment of the historic environment*', including those heritage assets that are most at risk.

The Government's Statement on the Historic Environment for England (2010) sets out its vision:

- It calls for those who have the power to shape the historic to recognise its value and to manage it in an intelligent manner in light of the contribution that it can make to social, economic and cultural life.

West Dorset, Weymouth and Portland Local Plan
identifies a strategic objective to:

'*achieve high quality and sustainability in design, reflecting local character and distinctiveness of the area*'.

Policies

- ENV1 (Landscape, Seascape and Sites of Geological Interest),
- ENV4 (Heritage Assets),
- ENV10 (The Landscape and Townscape Setting)

- ENV11 (The Pattern of Streets and Spaces)
- ENV12 (The Design and Positioning of Buildings) to protect and enhance landscapes, townscapes and the historic environment (including their settings) in the West Dorset, Weymouth and Portland area.

Dorset Cultural Strategy, the Dorset Heritage Strategy
has a vision that:

> '*all the assets should be known, made accessible to a wide range of users, enjoyed in a responsible and sustainable manner and passed on intact to future generations. Dorset's heritage should inform, stimulate and enhance people's lives and be a catalyst to the regeneration of places and communities*'.

The Plan identifies the following six objectives:
Identifications, Conservation, Education & Interpretation, Management, Access, Community Involvement.

Dorset Area AONB Management Plan
Coastline of AONB is a World Heritage Site, and retention of its natural undeveloped character is key.

Conservation Guidance: Key heritage statute, policy and professional guidance will inform and guide the assessment works, notably including:

- The 1979 Ancient Monuments and Archaeological Areas Act 1979
- The Planning (Listed buildings and Conservation Areas) Act 199;
- The National Planning Policy Framework
- The National Planning Practice Guide
- 'Conservation Principles' (English Heritage 2008)
- Historic England 2015 'The Setting of Heritage Assets' (Historic Environment Good Practice Advice in Planning: 3)
- Chartered Institute for Archaeologists professional guidelines.
- Historic England online "National Heritage Register"
- RCHME: Royal Commission for Historic Monuments in England
- Dorset Council Historic Environment Record.
- Conservation Area Appraisals and Management Plans.
- Historic England Heritage Gateway website
- British History online.
- Old Maps online.

Baseline Summary

Summary of current baseline

Historic Environment baseline

1. AONB
2. Scheduled Ancient Monuments
3. Sites of Archaeological importance.
4. Registered Parks and Gardens
5. Battlefields
6. UNESCO World Heritage Sites
7. Undesignated heritage monuments/ features of local interest ie: quarries/ industrial and farming activities, coastal history, historic routes and paths, boundaries and planforms, open spaces, etc.

8. Conservation Areas
9. Listed Buildings (Grades)
10. Locally listed buildings and structures ie: townscape, landmarks, group value etc.

Also analysis of:

11. Gateway locations including coastal, key viewpoints, vistas and focal points, zone of theoretical visibility (ZTV), public RofW (as regards viewpoints)
12. Local vernacular material palette and detailing.
13. Sense of place

Detrimental features:

1. Buildings At Risk (Historic England HER and Dorset Council BAR Registers)
2. Negative development and infrastructure.
3. Derelict or abandoned areas of site or poor surface finishes and perimeters.
4. Decommissioned modern features.
5. Lighting/noise and smells/traffic/mains service routing and equipment.

Summary of Future Baseline

- Analysis of Potential Harm:
  EG: Incremental harm, substantial harm, less than substantial harm.

This includes:

- The loss of landscape features and visual impact on setting and associated heritage.
- Impact on the fabric and setting of cultural heritage assets
  EG. through inappropriate design, layout, form, scale, finish.

- Opportunities for Mitigation:
  EG.
- Through design/form/materials and detailing/ landscaping/ placement/ scale and massing.
- Integration with setting.
- Relationship with historic past uses, character and events.

- Enhancement Potential:
  EG.
  - Better revealing assets' cultural heritage significance, educating both local residents and visitors.
  - Clearance of decommissioned equipment.
  - Better routing of services.
  - Reduction in noise and vibration due to industry or traffic.
  - Improved hard and soft landscaping and surfaces and boundaries.
  - Repair of Buildings At Risk.
  - Development or reinstatement of link routes between cultural elements/sites.
  - Enhancement of distinctiveness to reinforce character and sense of place.
  - Lighting

Methodology for Assessment

1. Heritage desk-based assessment.
    - The objective of the assessment will be to identify the baseline information on heritage for the site and its vicinity, in order to inform an assessment of the potential for archaeological remains in the site.
    - A copy of the heritage desk-based assessment to be provided to the Council's Archaeology Service and agreement sought on the results and the level of information provided.
2. Walkover Survey.
3. Level 1 Building Survey of standing buildings and relevant structures, in line with the Historic England guidance *Understanding Historic Buildings* (2006).
4. The Setting of Heritage Assets
   Assessment through use of methodology contained within the Historic England guidance "The Setting of Heritage Assets" (2015).
    - This will include a review of those designated heritage assets which might be impacted by the proposed development.
    - Assessment of whether, how, and to what degree setting makes a contribution to the significance of these heritage assets.
    - Key sightlines and viewpoints identified and annotated on associated plans and photo-montages.
5. Architectural Imagery
    - To include independent photographic illustrations and wider photo-montages to support the current and future baselines.
      EG. For assessment of impact on backdrop and building settings as well as skyline.
6. Reporting
   A stand-alone report detailing the results of both the heritage desk-based assessment, site inspection/survey and the settings assessment, fully illustrated, with appendices.

OFFICER: Jen Nixon
TITLE: Senior Conservation & Design Officer
DATE: 13.2.20

Emma Macdonald

From: Emma Macdonald
Sent: 25 February 2020 13:04
To: Emma Macdonald
Subject: FW: Scoping response SCO/2020/0699 -Portland Powerfuel

Importance: High

From: Jen Nixon <[redacted]
Sent: 19 February 2020 11:25
To: Emma Macdonald <[redacted]
Subject: RE: Scoping response SCO/2020/0699 -Portland Powerfuel
Importance: High

Hi Emma
In response to the submitted Cultural heritage Section of the EIA Scoping Report submitted by the applicants and in line with the conservation team's provided guidance on scoping reports for heritage assets and setting, provided earlier, the additional comments are provided;

Existing Baseline Section
This appears to generally follow the provided guidance checklist Chart 7.1
However:

- There is no reference to the AONB Coastal Marine and Character Area that exists to the East of Portland. – this also needs to be taken in regarding assessment of significance and impact.
- There should also be an assessment of key protected wreck sites as a heritage asset within the chart and narrative (it being a coastal location) – although it appears there are none in the immediate locality.
- Listed Buildings (designated heritage assets) should be separated within both charts 7.1. and 7.2 from the undesignated heritage assets (other monuments and historic structures etc)
- Being of differing historic status, impact on significance is likely to be different.
  The undesignated heritage assets should take in key areas indicated on the Dorset Explorer such as Royal Naval sites – seaplane base etc.

:Future Baseline Section – referred to here as Cultural Effects Heritage Summary 7.2 chart, the following points are raised:

- Archaeological appears to being assessed in terms of the immediate on-site finds potential, which has been described as compromised due to the previous site clearance and made up land works. As such, not to be including in the future EIA scoping document.

This is questioned, as it appears to have omitted consideration for the following -

a) Coastal and marine archaeology
b) The wider setting of archaeology in regards to potential earthworks, wartime evidence and above ground undesignated monument archaeology

It is considered that there is potential for visual impact and whether this is the case needs to be demonstrated within any submitted document. It is also advised that impact ion significance is not only aesthetic but also in regards to the assets' evidential, historical and communal values and this needs to be fully taken into account during assessment under the EIA (HE Conservation Principles) which is another reason why omission of assets and sites from future scoping documents at this stage is not supported.

- It is also recommended that the Listed Buildings (designated heritage assets) be separated within from the undesignated heritage assets (other monuments and historic structures etc) Being of differing historic status, impact on significance is likely to be different.
- It is also considered that impact on SAMs and LBs should be considered to be high-medium, not med to low, given that the setting of each is considered to be that from which it can be experienced, and given the coastal location, this is extensive, particularly with SAMs which were often designed to have extensive settings and also of the highest national heritage status.

- AONB to be added to the chart and included in scoping document

General

It is noted that reference is made to the proposed analysis of viewpoints and cross-referencing will be made with landscape assessments etc. As well as to key main field heritage guidance and policy is to be used which is good.

However:

- There appears to be no outline of the intended Methodology, in terms of process of assessment and it is recommended that the former conservation guidance checklist is employed in terms of; assessment, surveys and reporting. A comprehensive approach will be required for such a key development and prominent location.

- Any development should seek to offer opportunity for improvement and therefore potential for enhancement of existing eg: At Risk Heritage for example, which should be assessed.

- As well, mitigation measures, in terms of development, so avoiding incremental erosion of heritage sites and assets should also be explored.
- Each designated and undesignated heritage asset and its setting, with any potential for impact on significance should be clearly identified and assessed within the document.

Archaeology	24/02/2020	Hi Emma Thanks for asking me about this. As I recall saying before, considering the previous uses of the site, I am not particularly concerned about impact on below-ground archaeology. I note that the impact on the setting of heritage assets, which will include the Scheduled Monuments of The Verne and East Weare Batteries, has been scoped into this exercise – this is correct in my opinion. It may be that the Scoping Report has underestimated the scale of effects in this regard, but so long as this matter is given appropriate consideration in the Environmental Impact Assessment, then an appropriate decision can be made thereafter. Best wishes Steve

EHO, Weymouth & Portland Borough Council	10/02/2020	Environmental Protection at Dorset Council have reviewed the EIA scoping report dated January 2020 provided by the applicant. We would raise the following points for inclusion in any EIA associated with this proposed development: • Air Quality – The use of a 'worst case' scenario for increase in vehicle movements as a result of the proposed development (80 two-way vehicle movements per day) is noted, and that this is anticipated to be supplemented and thus reduced by use of Portland Port to bring RDF in by ships. The following matters should be considered: o The methodology proposed for the air quality assessment – Land-Use Planning & Development Control: Planning for Air Quality (2017) – is considered appropriate, however Dorset Council has more up-to-date data than that given in the EIA scoping report. This will be gladly shared with the applicant for the purposes of this assessment. o The scoping report refers only to consideration of the road network in the vicinity of the site and A354 Weymouth. Dorset Council would require a wider consideration for potential impacts on air quality. There are a number of other areas of concern within Dorset Council that may be adversely affected by the additional traffic movements, i.e. AQMA within Chideock (A35). The routes for waste movements may not be fully confirmed at this time, however the 'worst-case' scenario may be used in the wider considerations which need to be addressed. The source of the RDF is as yet unknown, so the impact on Dorset Council's roads needs to be addressed. o The applicant has already acknowledged poor air quality within the Boot Hill area. They may therefore consider a traffic management plant for the area, and reduce their operations' impact on congestion. o The proposed air quality assessment will address NO2, PM10 and PM2.5. As it is indicated that ships may be used to transport RDF to site, it would be good practice to extend this assessment to ship movements and SO2. o The Environment Agency may wish to have a further understanding with regards to the chimney stack height calculation as part of permitted process applications. o A Construction Environmental Management Plan (CEMP) is proposed. Dust management is mentioned within the ERF and further details should be provided. Information regarding hours of operation and proposals should unexpected contamination be discovered on site should form part of this submission. o It is agreed that an odour assessment will not be required, however it would be beneficial to understand if the unloading of the RDF would be odorous or not. This may include operating practices for unloading at the facility. • Noise assessment – the applicant has suggested to not include a noise assessment within the EIA, but will with any subsequent planning application to be made. This is agreeable, however the assessment should conform to BS4142:2014, and assess vehicle noise. The HSE should be consulted on this also. • Permitted processes – the Environment Agency will be the regulatory body for this activity. • Contaminated land – it is noted that a site investigation was undertaken in 2009, and this is likely to still be relevant. An updated conceptual site model is proposed which demonstrates good practice. o Particular regard should be given to the discharge of surface water to the sea due to contaminants identified within the 2009 site investigation. Details of the interceptor should be submitted (if known at this time). o The council's contaminated land consultant sight of the EIA with regards to any specific contaminated land conditions required in future. o Potential for human health effects from contact with ground gases post-construction must be considered in the EIA due to potential chronic effects for employees. • Other considerations – these are suggestions based on wider considerations by environmental health: o Due to shellfish and aquaculture activities within the vicinity, it is advised that Centre for Environment Fisheries and Aquaculture Science (CEFAS), and Southern Association of Inshore Fisheries and Conservation Authorities (IFCA) are consulted on the proposals. o Due to bathing waters and leisure activities the position of discharge should be carefully considered. o Proposals to reduce traffic are reliant on capacity for berthing at Portland Port. The capacity for additional vessel should be confirmed and contingencies provided. o The Environment Agency should be consulted on the waste management proposals. Should you have any further questions or matters that you would like us to review, please do not hesitate to ask. Yours sincerely Ben Jones Technical Officer

Date: 13 February 2020
Our ref: 305818
Your ref: SCO/2020/0699

Click here to enter address
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Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

[redacted]

Dear Sir/Madam

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the EIA Regulations 2017): Request for Scoping Opinion for the Proposed Energy Recovery Facility (ERF) Portland Port, Portland
Location: Land at Portland Port, Castletown, Portland, Dorset, DT5 1PP

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 13 January 2014 which we received on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law[1] and guidance[2] has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Jack Potter on [redacted]. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

[redacted]

Jack Potter
Wessex Team

[1] Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)
[2] *Note on Environmental Impact Assessment Directive for Local Planning* Authorities Office of the Deputy Prime Minister (April 2004) available from http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/noteenvironmental/

Annex A – Advice related to EIA Scoping Requirements

Natural England Broadly Agree with the scope of the report as submitted with the following additional comments;

1. It is acknowledged that the International, National and Local Sites will be assessed for the likely impacts. Your authority and the applicant should be made aware that in accordance with ECJ ruling Holohan and Others (C 461/17), Natural England consider that the land surrounding the Special Area of Conservation (SAC) adjacent to the access road and the red line boundary that is of high ecological quality or function is likely to be performing a role in maintaining favourable conservation status of the SAC. Impacts to these areas should be considered as if they are functionally linked land under the Habitat Regulations 2017. For example sites designated as Sites of Nature Conservation Importance.

2. It is widely known that Portland Port is a high quality marine environment with species assemblages akin to those of the Fleet. Little Terns as a breeding feature of Chesil Beach and the Fleet Special Protection Area (SPA) regularly use Portland Port for foraging. For the purposes of the Environmental Statement, Portland Port should be deemed as Functionally Linked Land to Chesil and the Fleet SAC and Chesil Beach and the Fleet SPA.

3. The internationally designated site adjacent to the redline boundary, in part notified for its exceptionally rare and sensitive lower plants (terricolous and saxicolous lichens and bryophytes). Lower Plants are highly vulnerable to air quality changes. The designated site directly adjacent to the application area is deemed as unfavourable declining due to lack of management and excessive scrub cover. For the purposes of a Habitat Regulations Assessment and Appropriate Assessment, should any of the air quality thresholds be exceeded for an adverse impact on the designated site, simply surveying the site and concluding that the designated site communities are absent is unlikely to be a robust justification to conclude no adverse impact on integrity while the site is in unfavourable condition. This is because the ability for the site once restored to support the designated feature in the future may be further reduced in such an instance. For this reason Natural England advise that if any air quality critical loads are exceeded through the assessment process on the designated site for a given feature, consideration for the ability for the given area to support that feature (directly or indirectly) in the future following restoration should be considered as the baseline rather than the presence/absence of the feature itself at the point of survey. This does not negate the need to survey the distribution of the features within the designated site but is an additional consideration to be included in the Environmental Statement.

4. The importation of material exclusively by sea in a worst case scenario is likely to need consideration for the impact of ships on marine nature conservation sites. For example, the likelihood of ships anchoring in the marine designated sites while waiting to dock within designated sites should be considered in the Environmental Statement.

5. Within close proximity to the application redline boundary and the air quality receptors from transport along the causeway are a number of exceptionally rare and some endemic species of invertebrates. Many of these are not listed as notified features but should be considered as features of local distinctiveness of the Sites of Special Scientific Interest and typical species of the international sites in this location. Knowledge of these species distribution through a data search and survey for their likely distribution if appropriate within the zone of influence for air quality impacts is advised. Potential impacts to any of these species which are vulnerable to stochastic extinction is likely to be considered as ‘significant’ under paragraph 175 of the National Planning Policy Framework.

6. Natural England note that there is a risk that ships and HGV’s may have a risk that leachate will leak from the cargo areas into the marine environment or onto roads and there is a risk of leachate leaking from the facility storage area into the port. Natural England acknowledge

that the water quality from facility drainage will be assessed in the Environmental Statement however this should be extended to include the likelihood of leaks from transport to and from the site within the zone of influence.

7. The in-combination impacts of the development should be assessed with other plans or projects whereby an appreciable effect could occur in-combination. It is unlikely to be appropriate to set a threshold for determination of what is included in such an assessment at 150 dwellings or 1ha of commercial. It is thought that each dwelling on average may contribute 7 additional movements of traffic per day. In an unconstrained environment this may dissipate a short distance from the development and such thresholds may be appropriate elsewhere. On Portland however there is only one way on and off the island by road which runs directly adjacent to a number of international, national and local designated nature conservation sites. Consequently it may be found that small developments have a disproportionate cumulative effect in this highly constrained environment by designated sites. Natural England advise that these thresholds are not used in the Environmental Statement.

8. Small amounts of notable and protected species are identified on site. Notwithstanding the impact of the development on designated sites with regards to the integrity of the features, the air quality impacts of the development as a whole is likely to degrade the habitats and species within the zone of influence even if this may not be sufficient to impact feature integrity. The development is also at odds with the climate and ecological emergency status within Dorset and is likely to contribute to the problem rather than improve.

   Although Natural England may not insist on the inclusion of these matters in the Environmental Statement, it is expected that as a minimum the development does not harm the environment and opportunities for biodiversity net gain are sought in line with national and local policy. In the absence of environmental gains the application is unlikely to fall under sustainable development on policy grounds. Natural England expect that the development will provide a package of mitigation/compensation for the habitats and species lost/degraded on/offsite within the surrounding landscape. With the consideration of the points above in addition to the items to be fully assessed within the Environmental Statement, the applicant may wish to resolve these wider climate and environmental policy compliance issues through a one off financial contribution or yearly commitment to funds. The Portland Conservation Forum Community Interest Company may be able to assist in the delivery of these measures within Portland on the applicants behalf.

   It is up to the applicant to determine if these matters are best assessed under the framework of an EIA or if they are negotiated as a separate policy matter.

Environment Agency	10/02/2020	Thank you for consulting the Environment Agency on the above scoping opinion. We have reviewed the scoping document submitted and are satisfied with the areas that they have identified for inclusion in the Environmental Statement. We note that technical information for those areas scoped out may still be submitted to support the planning application in accordance with National Planning Policy (i.e. flood risk). NOTES TO LPA / APPLICANT Biodiversity The National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution.. In regards to any planning application and proximity to designated sites then we would expect Natural England to lead on this. Contaminated Land If historic use of the site may have caused contamination then National Planning Policy Framework (NPPF) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at risk from unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented. Further guidance on what should be contained in the assessment and issues associated with groundwater protection can be found in our Groundwater Protection which can be found at: https://www.gov.uk/government/collections/groundwater-protection Flood Risk We note that site specific flood risk has been scoped out of the Environment Statement. We have no objection to this given the site is shown in the low risk zone. However, we note that the application will be supported by a site specific flood risk assessment to demonstrate that the site is located outside of the current and future tidal flood zones. Further advice on the production of a FRA can be found on our website at: https://www.gov.uk/planning-applications-assessing-flood-risk and https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section Environmental Permitting The proposed development will require a bespoke permit under the Environmental Permitting (England & Wales) Regulations. We do not currently have enough information to know if the proposed development can meet our requirements to prevent, minimise and/or control pollution and therefore the applicant is recommended to submit all the necessary information, and to parallel tracking the planning and permitting. Parallel tracking planning and environmental permit applications offers the best option for ensuring that all issues can be identified and resolved, where possible, at the earliest possible stages. This will avoid the potential need for amendments to the planning application post-permission. The environmental permit will not consider the following, which are all considered as part of the planning permission ; - Alternative locations and sizes for this proposed facility - Operational hours - The transport of waste to and from the site - Traffic, access and road safety issues - Visual impacts e.g. stack height - Construction materials used in building Planning also has a role to play in managing amenity issues such as noise, dust, odour, pest control issues etc. A permit cannot always prevent, eliminate or eradicate such issues. Some issues need careful management and the use of Best Available Techniques (BAT) will ensure such issues are minimised. Under existing legislation we can only enforce companies to work to the standards set out in the Industrial Emissions Directive (IED). We can say ‘x’ amount of emissions are acceptable, but we cannot prevent them from creating any. Please contact us if you have any queries. Yours sincerely MICHAEL HOLM Planning Advisor - Sustainable Places

Historic England (English Heritage)	23/01/2020	Request for Scoping Opinion for the Proposed Energy Recovery Facility (ERF), Portland Port, Portland; ref. SCO/2020/0699 Thank you for your letter of the 13th of January 2020. We note that this site is located in proximity to a large number of designated heritage assets. These include (but are not limited to) the following: • The Listed Buildings recorded as 'The inner and outer breakwater, including the coaling shed, storehouse jetty, coaling jetty, inner breakwater fort and outer breakwater' (National Heritage List for England ref. 1205991); 'Dockyard Offices' (NHLE ref. 1203099); and 'Battery approximately 160m NE of East Weare' (NHLE ref. 1447946). • The Scheduled Monuments recorded as 'Battery 200yds (180m) E of the Naval cemetery' (NHLE ref. 1002412); the 'Verne Citadel' (NHLE ref. 1002411); and • The Underhill, Weymouth and Portland Conservation Area, which encompasses a number of listed buildings and Portland Castle, designated both as a Scheduled Monument and a grade I listed building. Further afield, we note the presence of the 'Dorset and East Devon Coast' World Heritage Site (UNESCO ref. 1209). This project thus has the potential to impact on the significance of sensitive, designated heritage assets via a change in setting. The National Planning Policy Framework (NPPF) refers to the conservation and enhancement of the historic environment in section 16. Paragraph 190 refers to the conservation of heritage assets and notes that effects can arise from both a physical change and a change in setting. It is for the local authority to determine whether an EIA should be prepared for the proposed development. However, from the information given and a check of our records Historic England has formed the view that the proposals have the potential to result in a loss if significance to a number of designated heritage assets. In line with the advice in the National Planning Policy Framework (paragraph 190), we would expect any Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon the historic environment. In terms of detailed assessment methodology, we would expect any assessment of settings to be undertaken in accordance with our published guidance (HE 2017 [rev] Good Practice Advice in Planning, Note 3, The Setting of Heritage Assets) and to be informed by an appropriate Landscape and Visual Impact Assessment. We also advise that your conservation and archaeology advisers are consulted on this matter. They are best placed to advise on: local historic environment issues and priorities (including access to data held in the Historic Environment Record); how the proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Our ref: as yours
Your ref: SCO/2020/0699

Gaynor Gallacher
Assistant Planning Manager (Highways Development Management)
L1 Ash House
Falcon Road
Sowton Industrial Estate
Exeter EX2 7LB

Direct Line: [redacted]

Emma MacDonald
Planning & Community Services
Dorset Council

Via email: planningteama@dorsetcounci.gov.uk

14 January 2020

Dear Ms MacDonald

Highways England and Environmental Impact Assessment Reports

A35: Request for an EIA scoping opinion for a proposed energy recovery facility (ERF) – land at Portland Port, Castletown, Portland, Dorset

Highways England ("we") are a Statutory Consultee on Planning Applications under the Town and Country Planning (Development Management Procedure) Order 2015. In discharging this responsibility we act as a proactive partner and therefore welcome pre-application discussion, including the opportunity to provide advice on the scope of any Environmental Statement pursuant to the procedures set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, which also identified the Highways Agency (now Highways England) as a statutory party.

In your email dated 13 January you have invited Highways England to provide comments on the scope of an EIA Report in respect of a proposed energy recovery facility on a 2.3 ha site on the north-east coast of the Isle of Portland, within Portland Port. It is understood that the brownfield site benefits from previous consents for energy from waste uses dating from 2010 and 2013 although neither have been implemented in full and the site is currently vacant. The proposals involve the importation of approximately 180,000 tonnes of refuse derived fuel per annum and the exportation of incinerator bottom ash, which in combination have the potential to result in around 80 two-way HGV trips a day, with similar numbers of trips likely during the construction phase. Vehicular access will be via the A354 which connects to the A35 at the Stadium Roundabout, south of Dorchester.

We have set out below both the general and specific areas of concerns that Highways England would wish to see considered as part of any Environmental Statement. The comments relate specifically to matters arising from our responsibilities to manage and maintain the SRN, in this case the A35 specifically.

Comments relating to the local road network should be sought from the appropriate Local Highway Authority.

General aspects to be addressed in all cases

- An assessment of transport related impacts of the proposal should be carried out and reported as described in the current Ministry for Housing, Communities and Local

Government (MHCLG) guidance on *'Travel Plans, Transport Assessments and Statements in decision-taking'.*

- Environmental impacts arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported, along with the environmental impact of the road network upon the development itself.

- Adverse changes to noise and air quality should be particularly considered, including in relation to compliance with the European air quality Limit Values and/or Local Authority designated Air Quality Management Areas (AQMAs) and World Health Organisation (WHO) criteria.

Location specific considerations

- The A35/A354 Stadium Roundabout junction forms part of the SRN and experiences congestion particularly at peak times. An assessment of traffic impacts should therefore consider the operation of the SRN in line with National Planning Practice Guidance and DfT Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development. Where the proposals would result in a severe impact, mitigation will be required in line with current policy. Although there may be the potential for the development to be served by ship, it is stated that all traffic movements associated with the proposals will be considered as road-based within the transport assessment, which we agree would be a robust approach.

- The effects of the proposed development should be assessed cumulatively with other schemes and we would expect the applicants to agree an appropriate list of schemes, including committed development in the area, with the relevant local planning authority.

These comments are only advisory, as the responsibility for determining the final scope and form of the EIA Report rests with the local planning authority, and they imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms.

We look forward to further opportunities to comment on the proposals as they progress through the planning process and would obviously be happy to discuss if that would be helpful.

Yours sincerely

[redacted]

Gaynor Gallacher
South West Operations Directorate – Planning and Development
Email: [redacted]

Consultee Type	Comment Date	Comment
Marine Management	15/01/2020	Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark. Response to your consultation The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants. Marine Licensing Activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence. You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in England and parts of Wales. The MMO is also the authority responsible for processing and determining harbour orders in England, and for some ports in Wales, and for granting consent under various local Acts and orders regarding harbours. A wildlife licence is also required for activities that that would affect a UK or European protected marine species. Environmental Impact Assessment With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with these regulations. In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations http://www.legislation.gov.uk/uksi/2017/571/contents/made may be applicable. If this consultation request relates to a project capable of falling within either set of EIA regulations then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately. Marine Planning As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. Marine plans will inform and guide decision makers on development in marine and coastal areas. On 2 April 2014 the East Inshore and Offshore marine plans were published, becoming a material consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe. For further information on how to apply the East Inshore and Offshore Plans please visit our Marine Information System. The MMO is currently in the process of developing marine plans for the South Inshore and Offshore Plan Areas and has a requirement to develop plans for the remaining 7 marine plan areas by 2021. Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. For marine and coastal areas where a marine plan is not currently in place, we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coastline or tidal river. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. Minerals and waste plans and local aggregate assessments If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below: • The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry. • The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply. • The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply. • The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply. The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained. If you require further guidance on the Marine Licencing process please follow the link https://www.gov.uk/topic/planning-development/marine-licences

By email to: planningteama@dorsetcouncil.gov.uk

FAO: Emma Macdonald
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Dorset, DT2 7AA

[redacted]

www.dorsetwildlifetrust.org.uk

13th February 2020

Dear Ms Macdonald,

Application No: SCO/2020/0699
Location: Land at Portland Port, Castletown, Portland, Dorset DT5 1PP
Proposal: Request for Scoping Opinion for the Proposed Energy Recovery Facility (ERF), Portland Port, Portland.

Thank you for consulting Dorset Wildlife Trust (DWT) regarding this pre-application request for a Scoping Opinion. DWT's main concerns relate to the potential impacts of the development upon terrestrial and marine biodiversity, upon visitors appreciating the local natural environment, and upon the ability of Dorset to address the climate emergency, as well as cumulative impacts in combination with other developments and the 'need' for the development.

DWT would like to see the following detailed information provided in the Environmental Statement (ES): -

- An Ecological Impact Assessment outlining the potential impacts of all aspects of the development upon on- and off-site ecological receptors. This should include: -
    - Application of the mitigation hierarchy to avoid, mitigate and compensate effects upon on-site ecological receptors, as well as demonstration of a net gain for biodiversity.
    - Specific consideration of impacts upon off-site terrestrial and marine ecological receptors, particularly internationally, nationally and locally designated sites and their associated features. This should include: -
        - Air quality impacts during construction and post-construction, including stack emissions and traffic (road and sea) emissions;
        - Noise/disturbance impacts during construction and post-construction, including plant construction and operation, and traffic (road and sea);
        - Water quality impacts during construction and post-construction, including coastal water pollution;
        - Lighting impacts during construction and post-construction; and
        - Inclusion of sufficiently detailed information to inform a Habitat Regulations Assessment.
- An assessment of the impacts upon visitors to the local natural environment and the visitor economy as a result of the development.
- Consideration of a wider range of other developments in the cumulative impact assessment, as well as the full extent of impacts and their resultant effects.
- Further consideration and supporting evidence of the 'need' for the development in both the local and

national context, including a sustainability assessment demonstrating consideration of the climate and ecological emergency policies of Dorset Council.

DWT are pleased to see that traffic-related impacts during construction and post-construction, as well as potential impacts upon health as a result of emissions post-construction, have been scoped into the ES.

Natural environment (terrestrial and marine)

On-site ecological receptors

Whilst DWT accept that the effects upon on-site ecological receptors as a result of the development may not be significant, application of the mitigation hierarchy to avoid, mitigate and compensate effects upon these receptors, as well as demonstration of a net gain for biodiversity (likely to become mandatory shortly) is required, in accordance with national planning policy and best-practice guidance: National Planning Policy Framework 2019 and *British Standard: 42020 Biodiversity - Code of practice for planning and development* (The British Standards Institution 2013).

Off-site ecological receptors

The Scoping Report appears inconsistent when considering impacts upon off-site terrestrial and marine ecological receptors, with a general focus on human receptors. Effects upon designated sites and their associated features as a result of air quality, noise/disturbance, water quality and lighting impacts should be given adequate weight in the ES, and should encompass international, national and local designations as stated in paragraph 12.17 of the Scoping Report. The ES should also include sufficiently detailed information to inform a Habitat Regulations Assessment.

Air quality impacts

DWT note that the impacts of stack emissions upon designated sites and their associated features will be considered in the ES, as stated in section 12 of the Scoping Report. However, pollution modelling should determine the likely scale and zone of influence of emissions, considering local climatic conditions and other factors which might affect the scale of the impact. Furthermore, paragraph 5.11 of the Scoping Report refers to localised effects on temperature and moisture content of air surrounding the stack. It states that *"…these effects…normalise within a short distance"*, and are thus scoped-out, but no evidence is provided to clarify such a distance. Further consideration of the potential for effects upon micro-climatic conditions should therefore also be given.

Section 12 and Table 12.2 of the Scoping Report fail to mention the impacts of traffic emissions upon ecological receptors. Furthermore, Table 5.2 also omits impacts upon ecological receptors under *"Increased road traffic emissions…"* during construction and post-construction, highlighting only human receptors. DWT recommend that impacts of traffic (road and sea) emissions during construction and post-construction upon designated sites and their associated features are scoped in. The assessment should consider worst case scenarios of 100% import of waste material via road versus 100% via sea, as well as additional vehicle movements by employees.

DWT recommend that the air quality assessment should consider impacts upon both terrestrial and marine designated sites, and across all associated taxa. Particular consideration should be given to the zone of influence of increased nitrogen and acid deposition, to inform the potential effects and mitigation required in respect of the sensitive lichen and bryophyte communities (vulnerable to changes in air quality) associated with the Isle of Portland to Studland Cliffs Special Area of Conservation (SAC) and underlying Isle of Portland Site of Special Scientific Interest (SSSI). For clarity, DWT recommend air quality impacts upon ecological receptors are separated from human receptors and included in Appendix L (Natural Heritage) of the ES, rather than Appendix E (Air quality).

Noise impacts

DWT note that noise impacts upon human receptors have been scoped-out of the ES in section 13, but are

satisfied that 'disturbance' impacts upon designated sites and their associated features will be considered in the ES, as stated in section 12 of the Scoping Report. Noise/disturbance impacts resulting from both plant construction and operation as well as traffic (road and sea) during construction and post-construction should be included. DWT recommend that the noise/disturbance assessment should consider impacts upon both terrestrial and marine designated sites, and across all associated taxa. Particular consideration should be given to the effects of both increased vehicle and ship movements upon breeding little tern associated with the Chesil Beach and the Fleet Special Protection Area (SPA), as well as upon Marine Conservation Zones (MCZs).

Water quality impacts

DWT note that water environment impacts, specifically pollution of coastal waters during construction and post-construction will be considered in the ES, as stated in section 16 of the Scoping Report. However, the assessment should consider the potential effects upon MCZs, as well as the marine environment generally. Portland Harbour, whilst not statutorily designated, is a Sensitive Marine Area and thus habitat of national significance; it is unique in England for its deep sheltered mud habitats supporting sea pens. Indirect effects should also be considered in the assessment; for example, breeding little terns (an associated feature of Chesil Beach and the Fleet SPA) are known to forage within Portland Harbour, and any potential pollution of this resource might indirectly affect the integrity of the SPA.

Lighting impacts

DWT note that no consideration of the impacts of lighting during construction and post-construction upon off-site ecological receptors has been included within the Scoping Report, and would therefore request that this is scoped in. DWT recommend that the lighting assessment should consider impacts upon both terrestrial and marine designated sites, and across all associated taxa.

For clarity and to ensure impacts upon ecological receptors are fully assessed, impacts should be included within Appendix L of the ES and be separated into those arising from: -

- Air quality impacts, including: -
    - Stack emissions post-construction; and
    - Traffic (road and sea) emissions during construction and post-construction.
- Noise/disturbance impacts, including: -
    - Plant construction and operation post-construction; and
    - Traffic (road and sea) during construction and post-construction.
- Water quality impacts, including coastal water pollution during construction and post-construction.
- Lighting impacts during construction and post-construction.

Access and appreciation of the local natural environment

The visitor economy on the Isle of Portland is based on clean air and outdoor recreation (such as coastal walks served by several footpaths, visiting nature reserves for unique wildlife, sailing, cycling etc.). DWT supports this nature-based economic offer, both for the sake of the environment and because access to nature is proven to have health benefits. DWT plays a key role in engagement of visitors to Portland; The Fine Foundation Chesil Beach Centre is operated by DWT and aims to educate visitors about Chesil Beach and the Fleet Lagoon. It is located on the South West Coast Path and has views across to Portland. Furthermore, DWT is a key partner in developing the Portland Quarries Nature Park (not mentioned in the Scoping Report) which has several key functions, including developing Portland's tourist economy.

DWT are concerned that impacts upon tourism have been scoped-out of the ES. Paragraph 6.15 of the Scoping Report considers only the potential impacts upon tourism in relation to cruise passengers visiting via the port, concluding there will be no significant effect as the development is in keeping with the industrial nature of the existing port area. It however fails to assess the potential impacts upon tourism generally, including those visitors arriving by car, bike or on foot.

The development location means the stack in particular (and the continuous plume), will be widely visible in the landscape, and might in the future deter visitors to Portland due to a less natural visual offer, perceived reduction in air quality and/or traffic-related impacts, such as increased congestion.

DWT recommend that an assessment of the impacts upon tourism as a result of all aspects of the development is scoped in. The Scoping Report concludes that a landscape and visual assessment is required, and DWT would also like to see the impacts upon visitors and the visitor economy considered as part of this assessment.

Cumulative impacts

DWT note an assessment of the cumulative impacts of the proposed development in combination with other developments on the Isle of Portland will be provided in the ES. Paragraph 17.2 of the Scoping Report outlines criteria for the selection of developments to be considered as part of this assessment. This includes 'large-scale' developments; *"...over 150 dwellings or more than 1 ha of non-residential development"* in line with thresholds set out in Section 10(b), Schedule 2 of the EIA Regulations. However, the paragraph omits a third stated threshold in Section 10(b) of the Regulations: *the overall area of the development exceeds 5 hectares*.

Whilst DWT accept not all developments can be selected for assessment of cumulative impacts, the threshold of 150 dwellings in the context of the Isle of Portland seems overly large. Large housing developments in Dorset are generally accepted to be those over 50 dwellings, and in this case, DWT consider it reasonable to expect cumulative impacts to be considered for housing developments above 50 dwellings.

Developments to be considered as part of a cumulative impact assessment should include: -

- WP/19/00514/SCRE: Proposed warehouses at HMS Osprey Site, Upper Osprey, Incline Road, Portland Port – to the south-east of the application site; and
- WP/19/00919/OUT: Proposed 98 dwellings at Royal Manor Arts College, Weston Road DT5 2DB – to the south of the application site.

The cumulative impact assessment should also consider the full extent of an impact; for example, consideration of traffic-related impacts as a result of both residential and industrial developments, and the resulting effects upon the viability of existing infrastructure and emissions.

The 'need' for the development

DWT would like to see further consideration and supporting evidence provided in the ES on the 'need' for the development in both the local and national context. This should include consideration of the short- and long-term viability of the development (i.e. waste contracts, outsourcing of waste, infrastructure required for CHP usage), potential implications upon public waste and recycling habits, and a sustainability assessment demonstrating consideration of the climate and ecological policies of Dorset Council.

I hope these comments are useful; please contact me should you have any queries about our response.

Yours Sincerely,

Leanne Butt
Conservation Officer
Conservation Policy & Advocacy
Dorset Wildlife Trust
[redacted]

Emma Macdonald

From: Rupert T Lloyd
Sent: 11 February 2020 12:25
To: Emma Macdonald
Subject: SCO/2020/0699 - Land at Portland Port

Hi Emma,

I've set out some comments below on behalf of Public Health Dorset.

Please let me know if you have any questions, or if you would like me to submit these online.

Best wishes,

Rupert

We have reviewed the request for an EIA scoping opinion and would like to submit the following points for consideration in your response to the applicant.

We will be grateful if you would notify Public Health Dorset of any future applications relating to the proposed development at phplanning@dorsetcc.gov.uk.

We also recommend consulting Dorset Clinical Commissioning Group (CCG) and Dorset Healthcare University NHS Foundation Trust (DHUFT) on any future application relating to the proposed development because of the presence of healthcare facilities within the vicinity of the site.

Health Impact Assessment (HIA)

- We welcome the applicant's intention to undertake an HIA as part of the EIA. We encourage the applicant to share details of the scope and methodology of the HIA with us and we will be happy to provide feedback on the proposed approach.
- Any Health Impact Assessment should include consideration of the potential impact of the proposed development on both physical and mental health.The World Health Organisation (WHO) defines health as 'a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity' giving parity to both physical and mental wellbeing as components of health.
- This should include consideration of the potential impact of the proposed development on health inequalities and on potentially vulnerable populations e.g. the populations of HMP Verne and HMP Portland.
- The IEMA's 'Health in Environmental Impact Assessment: A Primer for a Proportionate Approach' sets out five principles for coverage of population health in EIA which the applicant may wish to consider.

Air Quality

We support the inclusion in any future EIA of the points raised by Dorset Council's Environmental Protection team in their letter to you dated 21/01/20. In particular, we would emphasis and/or add the following:

- It is important that consideration is given to the wider potential impacts of the proposed development on air quality across Dorset's wider transportation network beyond the vicinity of the site and the A354.
- Details of the sources of the RDF should be provided to allow full assessment of the impacts of vehicle movements generated by waste transport on air quality and population health and wellbeing.
- The scoping document refers at various points to an 'expected' and 'envisaged' throughput of 180,00 tonnes of waste per annum before stating in paragraph 15.9 that 'the proposed development will treat 180,000

tonnes of waste a year.' Is 180, 000 tonnes the maximum annual capacity of the proposed development and, if not, should the EIA be based on the maximum capacity of the proposed development?

Best wishes,

Rupert Lloyd

Sam Scriven
Head of Heritage and Conservation
Jurassic Coast Trust
Mountfield
DT6 3JP

20th January 2020

F.A.O Emma Macdonald

Re: SCO/2020/0699, Request for Scoping Opinion for the Proposed Energy Recovery Facility (ERF), Portland Port, Portland.

Thank you for consulting the Jurassic Coast Trust. We would like to make the following recommendations in regards to the scope of the EIA for this proposal.

We are mostly content with the proposed methodology for assessing impacts on the WHS and its setting described in chapters seven and ten of the scoping report. However, the following points should be considered.

- Firstly, and most importantly, The Jurassic Coast Trust have the delegated authority for the protection of the WHS and we strongly recommend that those undertaking he EIA for this development consult with us at the earliest opportunity once the process begins. This will be, by far, the most efficient way to seek guidance on how to asses impacts on the WHS.

- The EIA process will need to refer to the relevant management framework for the Dorset and East Devon World Heritage Site (WHS). This is currently being revised, with the expectation that a new framework, called the Jurassic Coast Partnership Plan, will be available in May 2020. If it is intended that the EIA for this proposed development be undertaken before that time, then we recommend that the existing Management Plan (2014 – 2019) be used. The policies within that document remain valid until such time as the new Partnership Plan is published. The 2014-2019 Plan is available online and the following link:

  https://jurassiccoast.org/wp-content/uploads/2019/07/Jurassic-Coast-World-Heritage-Site-Management-Plan-2014-2019.pdf

- In the case of Portland (representing a significant portion of the WHS), the A354 is the only access route and includes impressive views of the eastern side of Chesil Beach. In this context, the conditions on that road will play a part of how people experience the WHS, which is relevant to its setting. We would ask if the assessment of traffic and transport impacts will pick up on this connection?

We are very pleased to see a scoping approach being adopted early by the applicant and would value an open dialogue throughout the EIA process.

Kind regards

Sam Scriven
Head of Heritage and Conservation
The Jurassic Coast Trust

Dorset AONB Partnership
c/o Environment & Wellbeing,
Dorset Council, Colliton Park
Dorchester, Dorset DT1 1XJ
[redacted]

www.dorsetaonb.org.uk

By email

31st January 2020

To: Emma MacDonald

APPLICATION NUMBER: SCO/2020/0699
LOCATION: Land at Portland Port, Castletown, Portland, Dorset, DT5 1PP
PROPOSAL: Request for Scoping Opinion for the proposed Energy Recovery Facility (ERF), Portland Port.

Thank you for consulting the AONB Team on the above Application. I have reviewed the application documents (EIA Scoping Report January 2020) and would like to make the following observations:

- Section 10 deals with Landscape and Visual Effects. Table 10 within the Report refers to '*Initial landscape and visual effects scoping checklist*'. With regards the AONB – I am satisfied that the Report recognises the potential for post-construction effects to 'landscape character', 'protected landscapes' and 'sensitive views'.

- 10.7 – Refers to '*changes to views from sensitive visual receptors into the site'*. In terms of distant views from the AONB I would like to stress the importance of assessing the significance of the 'increased lighting' on the site. We would also advocate the importance of assessing views from the seaward aspect (with reference our Management Plan 2019-2024 Policy C1.h *The landward and seaward setting of the AONB will be planned and managed in a manner that conserves and enhances the character and appearance of the AONB. Views into and out of the AONB and non-visual effects, such as noise and wider environmental impacts, will be appropriately assessed)*.

- Within 10.8 I am satisfied that '*Change to landscape character of the site and effects on surrounding landscape character areas'* and '*Change to sensitive views, including from designated landscapes*' are to be included within the EIA.

- Proposed assessment methodology: This is described in 10.9 and would be acceptable. Reference should also be made to our Landscape Character Assessment and the Dorset Coast Landscape and Seascape Character Assessment September 2010.

- 10.11 refers to '*representative viewpoints' for the visual analysis'* – The AONB Team would welcome a dialogue at this stage in order to agree the most significant viewpoints from the AONB. The methodology for photography and photomontages should be clarified and agreed. It may be advisable for a combination of panoramic and single frame images to be provided.

- Section 17 of the Report deals with Cumulative Effects and Alternatives. I am aware that large-scale warehousing development is planned for a site to the immediate south-east of the ERF. The in-combination cumulative effects of both developments may need to be evaluated.

Kind regards

[redacted]

Sarah Barber CMLI,
Dorset AONB Landscape Planning Officer