



## Strategic Planning Committee

**Date:** Wednesday, 15 December 2021  
**Time:** 10.00 am  
**Venue:** A link to the meeting can be found on the front page of the agenda.

**Membership: (Quorum 6 )**

Robin Cook (Chairman), John Worth (Vice-Chairman), Shane Bartlett, Dave Bolwell, Alex Brenton, Kelvin Clayton, Jean Dunseith, Mike Dyer, Sherry Jespersen, Mary Penfold, Belinda Ridout and David Tooke

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**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

**For more information about this agenda please telephone Elaine Tibble on 01305 224202 or email [elaine.tibble@dorsetcouncil.gov.uk](mailto:elaine.tibble@dorsetcouncil.gov.uk)**



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Members of the public are invited to access this meeting with the exception of any items listed in the exempt part of this agenda.

This meeting will be held remotely as an MS Teams Live Event Link Below.

[Link to meeting](#)

Members of the public are invited to make written representations provided that they are submitted to the Democratic Services Officer no later than **8.30am on Monday 13 December 2021.**

This must include your name, together with a summary of your comments and contain no more than 450 words.

If a councillor who is not on the Strategic Planning Committee wishes to address the committee, they will be allowed 3 minutes to do so and will be invited to speak before the applicant or their representative provided that they have notified the Democratic Services Officer by **8.30am on Monday 13 December 2021.**

**Please note** that if you submit a representation to be read out on your behalf at the committee meeting, your name and written submission will be published as part of the minutes of the meeting.

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[For information about public speaking, filming and how to get involved in committees, please see this page.](#) In particular [Guidance to Public Speaking at a Planning Committee](#) and specifically the "***Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings - effective from 20 July 2020***" included as part of this agenda (see agenda item 4 - Public Participation

### **Using social media at virtual meetings**

Anyone can use social media such as tweeting and blogging to report the meeting when it is open to the public.

# AGENDA

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## 1 APOLOGIES

To receive any apologies for absence.

## 2 DECLARATIONS OF INTEREST

To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

## 3 PUBLIC PARTICIPATION

5 - 6

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

Public speaking has been suspended for virtual committee meetings during the Covid-19 crisis and public participation will be dealt with through written submissions only.

Members of the public who live, work or represent an organisation within the Dorset Council area, may submit up to two questions or a statement up to a maximum of 450 words. All submissions must be sent electronically to [elaine.tibble@dorsetcouncil.gov.uk](mailto:elaine.tibble@dorsetcouncil.gov.uk) by the deadline set out below. When submitting a question please indicate who the question is for and include your name, address and contact details. Questions and statements received in line with the council's rules for public participation will be published as a supplement to the agenda.

Questions will be read out by an officer of the council and a response given by the appropriate officer at the meeting. All questions, statements and responses will be published in full within the minutes of the meeting. **The deadline for submission of the full text of a question or statement is 8.30am on Monday 13 December 2021.**

## 4 APPLICATION NO: 6/2020/0595 - LAND NORTH OF NORTH FOSSIL FARM, DORCHESTER ROAD, EAST KNIGHTON, DORCHESTER, DT2 8DB

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Installation of 40MW ground mounted photovoltaic (PV) solar development including a substation & new fencing with associated landscape mitigation & ecological/ecosystem service enhancements.

## **5 URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

## **6 EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

## Dorset Council

### **Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings – effective from 20 July 2020**

Due to the Covid-19 pandemic the council has had to put in place measures to enable the council's decision making processes to continue whilst keeping safe members of the public, councillors and council staff in accordance with the Government's guidance on social distancing by applying new regulations for holding committee meetings from remote locations.

The following procedures will apply to planning committee meetings until further notice, replacing where appropriate the relevant sections of the Guide to Public Speaking at Planning Committees:

1. While planning committee meetings are held remotely during the Coronavirus outbreak public participation will take the form of written statements (and not public speaking) to the committee.
2. If you wish to make a written statement it must be no more than 450 words with no attached documents and be sent to the Democratic Services Team by 8.30am two working days prior to the date of the committee – i.e. for a committee meeting on a Wednesday written statements must be received by 8.30am on the Monday. The deadline date and the email contact details of the relevant democratic services officer can be found on the front page of the committee agenda. The agendas for each meeting can be found on the Dorset Council website

#### [Dorset Council Committee List](#)

3. During this period the council can only accept written statements via email and you should continue to bear in mind the guidance in the public speaking guide when preparing your representation.
4. The first three statements received from members of the public for and against the application (maximum six in total) will be read out together with any statement from the town and parish council, by an officer (but not the case officer), after the case officer has presented their report and before the application is debated by members of the Committee. It may be that not all of your statement will be read out if the same point has been made by another statement and already read to the Committee. This is to align with the pre-Covid-19 protocol which limited public speaking to 15 minutes per item, although the Chairman of the Committee will retain discretion over this time period as she/he sees fit. All statements received will be circulated to the Committee members before the meeting.
5. This addendum applies to members of public (whether objecting or supporting an application, town and parish councils, planning agents and applicants.
6. Councillors who are not on the Planning Committee may also address the Committee for up to 3 minutes by speaking to the Committee (rather than submitting a written statement). They need to inform Democratic Services of their wish to speak at the meeting two working days before the meeting.

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# Agenda Item 4

Strategic Planning Committee 15<sup>th</sup> December 2021

<b>Application Number:</b>	6/2020/0595
<b>Webpage:</b>	<a href="https://dorsetcouncil.gov.uk/planning-application/6/2020/0595">Planning application: 6/2020/0595 - dorsetforyou.com (dorsetcouncil.gov.uk)</a>
<b>Site address:</b>	Land North of North Fossil Farm, Dorchester Road, East Knighton, Dorchester, DT2 8DB
<b>Proposal:</b>	Installation of 40MW ground mounted photovoltaic (PV) solar development including a substation & new fencing with associated landscape mitigation & ecological/ecosystem service enhancements
<b>Applicant name:</b>	Spring Dev 03 Ltd
<b>Case Officer:</b>	Peter Walters
<b>Ward Member(s):</b>	Cllr Miller and Cllr Wharf

**1.0** The application is being considered by the Planning Committee at the request of the Service Manager, due to the scale of the proposed development and the judgement required in considering whether the public benefits of the scheme outweigh the harm to the setting of heritage assets and the setting of the Dorset Area of Outstanding Natural Beauty (AONB).

**2.0 Summary of recommendation:**

**That the Committee would be minded to grant the application subject to the conditions set out in the report and the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) in a form to be agreed by the legal services manager to secure financial mitigation for two barrows on the heritage at risk register and for the AONB, and recommends that the Service Manager for Development Management and Enforcement determines the application accordingly.**

Or

**Refuse permission if the agreement is not completed by 15<sup>th</sup> June 2022 or such extended time as agreed by the Head of Planning.**

**3.0 Reason for the recommendation:** as set out in paragraph 16 at end of the report.

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Impact on the AONB	Acceptable subject to S106 obligation
Scale, design, impact on character and appearance	Acceptable
Impact on heritage assets	Acceptable subject to s106 obligation
Impact on archaeology	Acceptable
Impact on amenity	Acceptable
Impact upon designated sites and biodiversity	Acceptable
Highways	No harmful impact upon highway safety
Flooding and Drainage	Acceptable
Minerals and Waste	Acceptable
Impact on trees	Acceptable

#### 5.0 Description of Site

- 5.1 The site is comprised of eight adjacent fields presently in agricultural use, comprising a total area of 47.5 hectares. The site is situated approximately 375m to the north of the A352 Wareham to Dorchester road. The site is approximately 176m to the west of Gatmore Road and 155m to the south of the unnamed road connecting Blacknoll and Tadnoll. To the west is an unnamed road connecting Tadnoll to the A352. The fields are currently in agricultural use, there are no buildings on the site. Many of the fields are bounded by mature trees and established hedgerows. The topography of the site gently increases from north to south, rising by approximately 5m over a distance of approximately 500m resulting in a gradient of approximately 1:100. Vehicular access is gained from the A352, utilising an existing bridleway, SE27/17.
- 5.2 The surrounding area is rural. To the south of the site is North Fossil Farm, comprising of a farm complex including residential dwellings. Beyond is the A352. To the south of the A352 is the Dorset Area of Outstanding Natural Beauty.
- 5.3 To the west of the site beyond the road are residential properties and some commercial properties. To the north of the site is Nutley Farm, which also comprises holiday accommodation. Beyond Nutley Farm is Winfrith Heath SSSI, which is also Ramsar designated.

#### 6.0 Description of Development

- 6.1 The applicant is seeking planning permission for the erection of a solar photovoltaic farm capable of generating 40MW of electricity. To achieve this, 10 groups of solar array panels, across 9 fields. The arrays will be angled at 20° from the ground, rising to a maximum height of 3.5m from the ground level. The distance between the rear of one array and the front of the array behind will be 4.5m. Each array will be equipped with an electrical box measuring 0.7m by 0.25m.



- 6.2 The site will also require the construction of a substation which will be situated in the south eastern corner. At the highest point, the equipment in the substation (the disconnect/earth switch) will have a height of 6.5m. The substation includes a switchgear room which is 5m in height, 12.6m in length and 6.5m in width. The substation will be enclosed by a palisade fence with a height of 2.4m. The entire substation compound will have a length of 40m and a width of 20m, giving a total area of 800m<sup>2</sup>.
- 6.3 The solar arrays will be protected by a security fence that will be placed 5m away from the arrays. The fence will be 2.4m in height, with the width of each panel being approximately 2.9m. CCTV will also be installed on the site, with the CCTV poles raising to a height of 4m. The proposal also includes nine transformers distributed at different points on the site, the dimensions of which will be up to 6.5m in length, 3m in height and 2.5m in width. The proposed solar farm would be in situ for a period of 40 years.

## 7.0 Relevant Planning History

6/1987/0387 - O/A - Erect an agricultural dwelling.- refused

6/2010/0173 - Create new wildlife pond. – Approved

The proposed solar farm has been subject to an Environmental Impact Screening (application reference EA1/2019/0001). The proposal is considered to fall under Schedule 2 part 3(a) and exceeds the threshold set out. Accordingly, a Scoping Opinion (EA2/2020/0001) was sought by the applicant and an Environmental Statement has been submitted containing the following documents:

- Environmental Statement
- Biodiversity Assessment
- Cultural Heritage Assessment
- Landscape and Visual Impact Assessment
- Cumulative Effect Assessment

## 8.0 List of Constraints

Site of specific scientific interest - 400m buffer

Within 1km of the Dorset Area of Outstanding Natural Beauty (AONB): (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Adjacent to Winfrith Newburgh Conservation Area: (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Within a mineral safeguarding area

In proximity to Grade II listed building - West Fossil Farm Buildings Group (Grade II): (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

In proximity to Scheduled Ancient Monuments – Tumuli at Blacknoll Hill

Site crosses public Right of Way SE27/17

## **9.0 Consultations**

All consultee responses can be viewed in full on the website.

### **Consultees**

#### **1. Parish Council- Chaldon Herring**

- No comments received

#### **2. Parish Council – Winfrith Newburgh**

- No objections but requested that the work is not carried out between April and October when roads are busiest.

#### **3. Dorset Council – Ward Member**

- No comments received

#### **4. Natural England - Somerset and Dorset Team**

- Scheme provides substantial biodiversity net gains, however, objection unless AONB Management Team are satisfied with the proposal.
- Further comments received – need to consider whether the benefits outweigh the harm that will be caused to the setting of the AONB
- Need to consider whether the harm caused by the scheme is outweighed by the benefits.
- Should consider other proposals coming forward at the nearby Galton Farm and whether this offers the opportunity for a reduction in the scale of the scheme
- Consider the impact of the loss of use of soil, some of which is classified as “best and most versatile”

#### **5. Historic England**

- Less than substantial harm to the setting of the nearby bowl barrows which are scheduled ancient monuments. However, mitigation to bring the barrows off the heritage at risk register would provide a public benefit that would

outweigh the harm caused. This will be achieved by means of a S106 legal agreement.

- Auger surveys to be undertaken to establish whether peat deposits contain archaeology. If archaeological evidence is found, changes to the foundations will be required. This will be achieved via a planning condition.

**6. Environment Agency**

- No objections. Support the principle of renewable energy and the benefits associated with this proposal in terms of biodiversity and water quality benefits. Informative note advised in relation to preventing water pollution during the construction and decommissioning process.

**7. Crime Prevention and Design Advisor**

- No comments received

**8. Dorset AONB Team**

- Proposal causes harm to the setting of the AONB.
- Proposed mitigation and benefits of the provision of renewable energy outweigh the harm that is caused if it is established that the scale of the solar farm cannot be reduced without affecting the viability of the project to the extent that it cannot proceed.
- Financial contribution for off-site mitigation needs to be secured by means of a Section 106 legal agreement.

**9. Dorset Council - Rights of Way Officer**

- No objection so long as public right of way remains open and accessible for members of the public.

**10. Dorset Council – Landscape Officer**

- Although significant impacts on the landscape, the site is considered to be appropriate for the development
- Additional mitigation planting put forward during application process have a significant beneficial effect in screening of the proposed development in views in the north and east.
- Supportive of scheme, subject to planning conditions

**11. Dorset Council - Arboricultural Officer**

- Also concerns regarding whether the proposed planting will establish itself.

- Concerns regarding the scale of the development
- However, so long as planting to the south of the site and planning conditions (condition 7) relating to the replacement of diseased or dead trees are implemented, she has no objection.

**12. Dorset Council - Design and Conservation**

- Concerns that the scale of the development will have a harmful impact on the setting of the funerary landscape, comprising of a series of burials in the area.
- Also concerns regarding setting of the listed buildings being impacted.
- The proposal constitutes less than substantial harm.
- However, the public benefit of removing two barrow burials (which are designated as Scheduled Ancient Monuments) from the heritage at risk register and providing interpretation boards for the understanding of the historic landscape is considered to be a public benefit that outweighs the harm caused.
- Therefore, subject to this mitigation there is no objection from the Design and Conservation Officer.

**13. Dorset Council - Transport Development Management**

- No objection
- Conditions required (conditions 5 and 6)

**14. Dorset Council - Minerals and Waste**

- No objections as use is temporary

**15. Dorset Council - Lead Flood Authority**

- Initial objections overcome by change to layout.
- Conditions required (conditions 12 and 13)

**16. Dorset Council Planning Policy**

- No objection

**17. Dorset Council -Archaeology**

- No objection

**Representations received**

In addition to letters to neighbouring properties, a site notice was posted on the site on with an expiry date for consultation of 8th April 2021. An advert was also published in the local newspaper with an expiry date of 4<sup>th</sup> April 2021.

Total - Objections	Total - No Objections	Total - Comments
3	16	2

**Summary of Comments against:**

- Proximity to the AONB is a concern
- Concerns about the suitability of the access
- Concerns about impact upon neighbouring alpaca farm during the construction process
- Concerns about the impact on setting of the designated heritage assets in the area
- Dorset Campaign for the Protection of Rural England (CPRE) object due to the impact upon the landscape and the impact of the potential for the land to capture carbon. Also question the effectiveness of a solar farm on cloudy days.

**Summary of Comments for:**

- Will remove land from agricultural use and associated use of pesticides
- Provides renewable energy
- Site discreet within local views
- Likely to encourage more wildlife to the site
- Environmental enhancements should be monitored to ensure they come to fruition
- Reduces Dorset's reliance on Fossil Fuels
- No objection to use of bridleway subject to use being maintained.
- Making use of existing infrastructure at Winfrith supported

**Summary of other comments:**

- Dorset Area Ramblers comment stating that the bridleway must be maintained for public use. They suggest additional screening should be provided near to the proposed substation and along the eastern boundary.

## 10.0 Relevant Policies

### Development Plan:

Purbeck Local Plan Part 1 (2012):

Policy CO: Countryside

Policy LHH: Landscape, Historic Environment and Heritage

Policy D: Design

Policy DH: Dorset Heathlands International Designations

Policy BIO: Biodiversity and Geodiversity

Policy FR: Flood Risk

Policy REN: Renewable Energy

Policy IAT: Improving Accessibility and Transport

### Emerging Purbeck Local Plan

Officers have considered the emerging Purbeck Local Plan when assessing this planning application. The plan was submitted for examination in January 2019. At the point of assessing this planning application the examination is ongoing following hearing sessions and consultation on proposed Main Modifications (carried out between November 2020 and January 2021). The council's website provides the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, council and other interested parties). Taking account of Paragraph 48 of the National Planning Policy Framework, the plans progress through the examination and the council's position following consultation on proposed Main Modifications, at this stage only very limited weight can be given to this emerging plan.

The following policies of the emerging Local Plan are considered relevant to the application but cannot be given any significant weight in the decision-making process:

- E1: Landscape
- E2: Historic Environment
- E3: Renewable Energy
- E12: Design

### National Planning Policy Framework (NPPF) revised June 2021

Chapter 4: Decision-making

Chapter 12: Achieving well-designed places

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

## Planning Policy Guidance

### **Other material considerations**

Landscape Sensitivity to Wind and Solar Energy Development in Purbeck District (April 2014)

Purbeck Design Guide (2011)

Purbeck Landscape Character Assessment

### **11.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

### **12.0 Public Sector Equalities Duty**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

- The application site is not currently and will not be accessed by members of the public

### 13.0 Financial benefits

What	Amount / value
Material Considerations	
Contribution towards removing tumuli from heritage at risk register and providing interpretation boards	£7,000
Contribution towards AONB mitigation	£382,956.80 over a 20 year period (annual instalments)

### 14.0 Climate Implications

14.1 The proposal is to provide renewable energy for a period of 40 years that will contribute towards reducing the reliance on fossil fuels to generate energy. The maximum export capacity of the solar arrays would be 40MW. This would allow the solar park to generate clean renewable energy for the equivalent of approximately 14,000 homes a year, displacing an anticipated 9000 tonnes of CO2 per annum.

### 15.0 Planning Assessment

#### Principle of Development

15.1 The site is situated within the open countryside and therefore Policy CO: Countryside of the adopted Purbeck Local Plan Part 1 is applicable. Policy CO states that development outside of the settlement boundary will be permitted where it does not have a significant adverse impact either individually, or cumulatively on the environment, visually, ecologically, or from traffic movements, where a countryside location is essential. Given the nature of the type of development, officers are satisfied that a countryside location is essential.

15.2 Policy REN: Renewable Energy is also applicable to the application. The policy states:

Policy REN: Renewable Energy
<p>The Council encourages the sustainable use and generation of energy where adverse social and environmental impacts have been minimised to an acceptable level.</p> <p>Proposals for renewable energy apparatus will only be permitted where:</p> <ul style="list-style-type: none"> <li>• The technology is suitable for the location and does not cause significant adverse harm to visual amenity from both within the landscape and views into it;</li> <li>• It would not have an adverse ecological impact upon the integrity of protected habitats unless there is no alternative solution and there are imperative reasons of overriding public interest;</li> <li>• It would not cause interference to radar or telecommunications, or highway safety;</li> <li>• It would not cause significant harm to neighbouring amenity by virtue of visual impact, noise, vibration, overshadowing, flicker (associated with turbines), or other nuisances and emissions;</li> <li>• It accords with Dorset County Council's Landscape Change Strategy and includes an agreed restoration scheme, any necessary mitigation measures, with measures to ensure the removal of the installations when operations cease; and</li> <li>• Safe access during construction and operation must be provided.</li> <li>• It avoids causing harm to the significance and setting of heritage assets.</li> </ul>



The proposal will be assessed against the criteria set out in the policy above during the report.

- 15.3 Subject to satisfactorily meeting the criteria of Policy REN and Policy CO, the proposal is considered to be acceptable in principle.

Impact on the setting of the AONB

- 15.4 The site is not situated within the Dorset Area of Outstanding Natural Beauty (AONB) however, it is within close proximity to the boundary of the AONB (approximately 400m away). There are views into the site from prominent points within the AONB. The applicant has stated that other sites have been considered prior to the submission of an application at this site, that would be able to use the connection point at Winfrith. Other sites in the area are constrained, particularly to the north and east, which forms part of Winfrith Heath SSSI and to the south, which is situated within the AONB itself. While there is some scope for development to the west, due to the topography, a solar farm on land to the west would be more visually prominent than the site that is the subject of the application. The National Planning Policy Framework (paragraph 176) states that:

*“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”*

- 15.5 The NPPF requires the Council to be mindful that development within the setting of the AONB must be designed to avoid or minimise adverse impacts on the Dorset AONB. The Dorset AONB Management Team have therefore been consulted on the proposals. They have stated concerns with regards to the scale of the proposed solar farm. The site will be particularly visible from areas identified in the Landscape Visual Impact Assessment, notably views from the public bridleway S34/10 and the public bridleway SE8/3 at Five Mary's within the AONB. The AONB Management Team consider that the scale results in harm to the setting of the AONB.
- 15.6 The applicant has advised that a reduction in the scale of the solar farm is not achievable. This is due to the infrastructure requirements. The solar farm will be connected to the electricity network at Winfrith Bulk Supply Point, however, the electricity voltage must be connected at either 11kV or 132kV in order to utilise the Bulk Supply Point. Connection at 11kV would significantly reduce the scale of the solar farm but due to the associated costs of development would make the scheme unviable. The applicant therefore intends to connect at the higher 132kV connection. In order to do, the proposed substation must be constructed to a specification that will be suitable for connection to the Bulk Supply Point. If the scale of the solar farm is reduced, the substation cannot be reduced accordingly. Therefore, the costs of constructing the substation will result in a smaller scheme becoming unviable.

Officers have conducted their own research to verify the connection capacity of the Bulk Supply Point and are satisfied that this is the case. The applicant has also submitted a viability appraisal to demonstrate the case for a solar farm of this scale. Officers are satisfied that the viability appraisal demonstrates that the scale of the farm cannot be reduced without the scheme becoming unviable.

15.7 The AONB Management Team are mindful of this. It is also noted that in May 2019, Dorset Council declared a climate emergency. This was updated to a Climate and Ecological Emergency in November 2019. This is considered to carry material weight in the consideration of the proposal. Paragraph 158 of the NPPF states that:

*“When determining planning applications for renewable and low carbon development, local planning authorities should:*

*(a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*

*(b) approve the application if its impacts are (or can be made) acceptable.”*

15.8 The applicant has proposed screening of the site, by means of a 30m wide woodland screen at the southern end of the site. They have also offered to provide a payment to facilitate off site works to take place in order to reduce the impact to the setting of the AONB. The money received would be placed into a Specific Landscape Enhancement Fund, administered by the AONB Management Team, and would be used to facilitate works to:

- Strengthen the character of the surrounding landscape by the creation, conservation, enhancement and management of heathland and acid grassland;
- Enhance biodiversity by the conservation, enhancement and management of boundary features (such as hedgerows, veteran trees and earthbanks), woodlands (such as rhododendron control) and rural lanes; and / or
- Improve rights of way and / or facilities to provide car-free access and conserve tranquillity.

It is expected that these works would take place within close proximity to the site (no more than 10km from the site) and a higher priority would be given to projects in close proximity to the site. The money will be paid in increments over a period of 20 years. This will be secured by means of a Section 106 legal agreement.

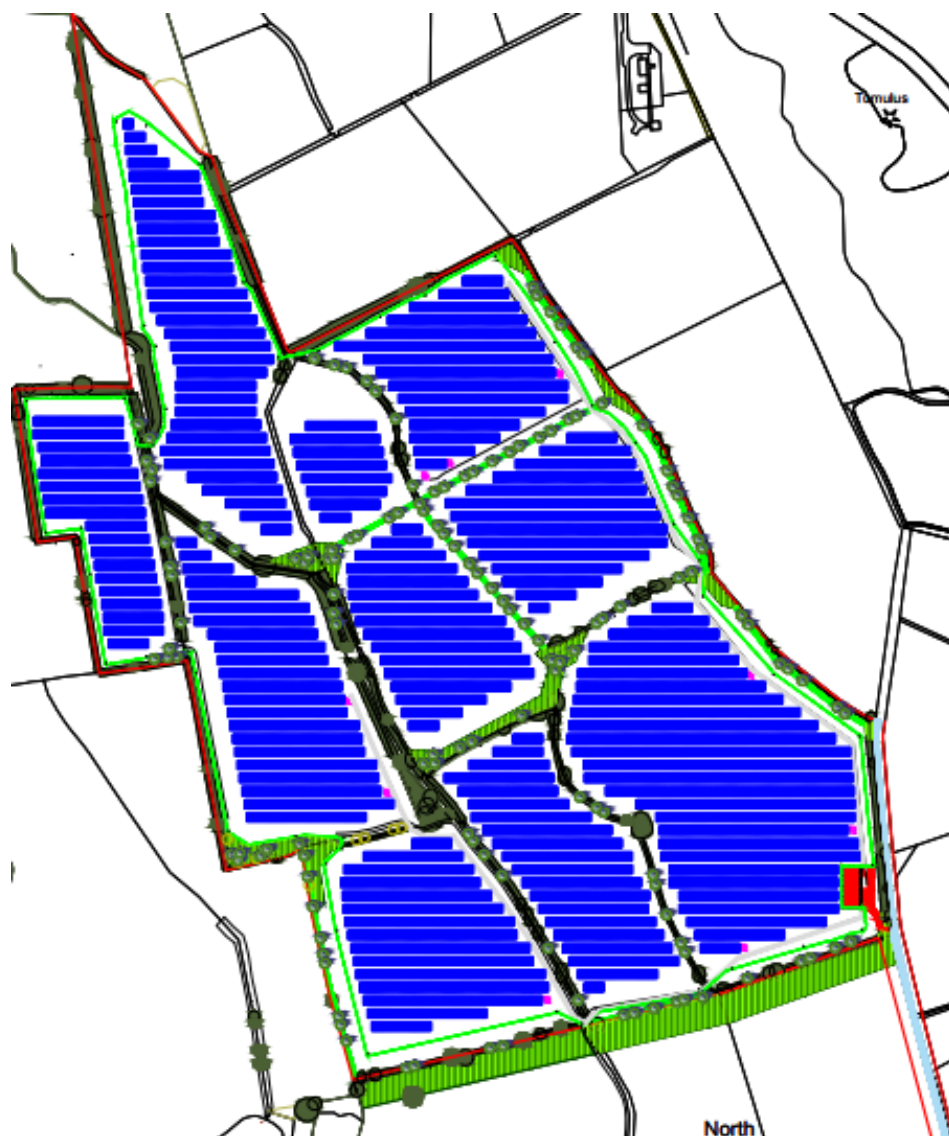
15.9 The AONB Management Team have considered the proposed mitigation and concluded that there is still considered to be harm to the setting of the AONB. However, the AONB Management Team have also concluded that the harm will be reduced by the mitigation and that the harm is outweighed by the benefit of bringing forward a renewable energy scheme that will make a significant contribution to the provision of renewable energy. On balance, they therefore have no objection to the proposed scheme.

- 15.10 Officers note Natural England's comments regarding the potential to extend an existing solar farm to the north west of the application site, known as Galton Farm. They consider that this should form part of the assessment of the impact upon the AONB. It is suggested that there could be scope for a reduction in scale of the application site as similar energy generation could be provided across the two sites, overcoming concerns regarding viability. However, at present, while an EIA Screening Opinion and Scoping Opinion have been provided, no planning application has been submitted.
- 15.11 The applicant has provided officers with a supporting statement that indicates that the development of a solar farm is in the early stages of preparation, with a number of matters that need to be resolved before an application can be brought forward for consideration. For this reason, officers consider that as the neighbouring site is not at a stage that it can be considered a deliverable or viable alternative at the time that this application is being considered.
- 15.12 Therefore, officers consider that this application must be considered on its own merits. Should a separate planning application for the neighbouring site be submitted, the cumulative visual impact of both schemes (if this scheme is approved) would need to be considered. Returning to Policy REN, the proposal is therefore considered to be compliant in respect of the visual impact of the development within wider views within the AONB.

#### Impact on the character and appearance of the area

- 15.13 The site is presently in agricultural use and undeveloped. The area is designated as "Lowland Farmland and Heath" in the Landscape Character Assessment and Management Guidance for Purbeck. The key characteristics of the area include flat pastoral farmed landscapes, with dense hedgerows and small copses. Blacknoll Hill to the east of the site is prominent in the landscape, as is the chalk ridge that runs to the south of the site. The landscape condition is considered to be good to moderate. Its overall integrity is maintained by the distinctive pattern of trees and hedgerows.
- 15.14 The solar farm will consist of 10 groups of solar array panels, across 9 fields. The arrays will be angled at 20° from the ground, rising to a maximum height of 3.5m from the ground level. The distance between the rear of one array and the front of the array behind will be 4.5m. Each array will be equipped with an electrical box measuring 0.7m by 0.25m.
- 15.15 The site will also require the construction of a substation which will be situated in the south eastern corner (shown in the plan below – in red). At the highest point, the equipment in the substation (the disconnect/earth switch) will have a height of 6.5m. The substation includes a switchgear room which is 5m in height, 12.6m in length and 6.5m in width. The substation will be enclosed by a palisade fence with a height of 2.4m. The entire substation compound will have a length of 40m and a width of 20m, giving a total area of 800m<sup>2</sup>. The compound will be painted Juniper Green – BS12B29, in order to make the compound less visually intrusive.

15.16 The solar arrays will be protected by a security fence that will be placed 5m from the arrays. The fence will be 2.4m in height, with the width of each panel being approximately 2.9m. CCTV will also be installed on the site, with the CCTV poles raising to a height of 4m. The proposal also includes nine transformers distributed at different points on the site, as shown in the site plan below (in pink), the dimensions of which will be up to 6.5m in length, 3m in height and 2.5m in width. Access to the solar farm will be along an existing bridleway SE27/17.



15.17 The proposed development, by its nature, will alter the character and appearance of the area. To mitigate the impact of this change, a landscaping scheme has been proposed. The existing hedgerows and copses that the landscape character assessment identifies as being important to the character of the area will be retained. The proposal also includes the reinstatement of hedgerows across historic field boundaries. The site is already well screened in local views, due to the well-established dense hedgerows and the copse at the north western end of the site. The additional hedgerows will serve to reduce the visual impact. In addition to the hedgerows, the applicant proposes to plant new woodland within the site, as well as

a more significant copse at the southern end of the site. The southern woodland will be 30m wide and will constitute a mix of native species.

15.18 The Council's Landscape Officer has been consulted on the proposals. She has acknowledged that the nature of the changes to the landscape will be significant. However, she considered that the site is on balance suitable for this development and considers that if implemented fully could represent an "exemplar scheme". She has advised that planning conditions are included with any planning permission to ensure that the location and colour of the substation are controlled and that the details of the CCTV cameras and poles are provided (condition 8). In addition, conditions are required the submission, approval and implementation of the detailed planting proposals, mitigation plan and restoration plan will be required (conditions 9 and 10). Subject to these conditions, the proposal is considered to be acceptable in terms of its impact upon the character of the area.

15.19 With respect to Policy REN of the Purbeck Local Plan Part 1, the proposal is therefore not considered to have a harmful visual impact within the landscape.

#### Impact on heritage assets

15.20 There are no heritage assets situated within the site. However, there are a number of designated heritage assets in proximity to the site. These include:

- Tadnoll and Winfrith Nature Reserves Barrow Group (Scheduled Monuments), comprising:
  - Bowl barrow on Whitcombe Hill, 580 m NE of Whitcombe Vale Farm;
  - Bowl barrow on Whitcombe Hill, 650 m NE of Whitcombe Vale Farm;
  - Bell barrow and two bowl barrows on Old Knowle, 835 m NNW of Whitcombe Vale Farm;
  - Tadnoll Barrow
- Blacknoll Hill Barrow Group (Scheduled Monuments), comprising:
  - Six bowl barrows on Blacknoll Hill;
  - Two bowl barrows on Drove Hill;
  - Bowl barrow 330 m SE of Nutley Farm;
  - Bowl barrow 520 m SE of Nutley Farm;
- The Ridge Barrow Group (Scheduled Monuments), comprising:
  - Five Marys round barrow cemetery;
  - Lord's Barrow, 550 m N of Northground Dairy;
  - Two outlying bowl barrows at Five Marys;
- West Fossil Farm Buildings Group (Grade II), comprising:
  - Farm House;

- o Granary;
- o Barn; and
- o Stable and Attached Open Shed.

15.21 The NPPF states that the Council should give “great weight” to Heritage Assets conservation (paragraph 199). The Council’s Design and Conservation Officer concludes that the proposed development, due to its scale and the physical change imposed on the landscape by means of the proposed development would cause harm to the setting of the Scheduled Ancient Monuments (SAMs). The Design and Conservation Officer (DCO) has concerns that the understanding of the funerary landscape dating to the Bronze Age would be impacted by the proposed development. They note the following in relation to the setting of the SAMs: *“The following elements of **setting** of the three barrow groups are considered to contribute to their significance:*

- *their spatial and functional relationships to each other, coupled with possible ritual significance of the wetland landscape of which the site forms part, though later agricultural practices have altered this earlier landscape to some extent;*
- *their mutual visual interrelationships and the views of the undeveloped landscape from them:*

- *on the Tadnoll & Winfrith Nature Reserves Group:  
‘They are best experienced from their respective hilltops, alongside views over the wider landscape and understanding of their likely ritual placement within it’ (DBA, 5.15, p. 35);  
‘As part of a wider funerary landscape, these barrows are best experienced from the high ground on which they occupy or other prominences within the same landscape, offering views between the nearby barrow monuments (DBA, 5.16, p. 36);*
- *On the Blacknoll Hill Group:  
[They] are best experienced from the top of Blacknoll Hill, where the physical form of the six barrows here and wider landscape can be appreciated...The wider landscape is also considered to contribute to the setting of these Scheduled Monuments, as a Bronze Age funerary landscape.’ (DBA, 5.24, p. 40);*
- *On the Ridge Group:  
‘The Five Marys cemetery and Lord’s Barrow are situated along the crest offering wide ranging views to the north and south, providing associations with both funerary landscapes’ (DBA, 5.37, p. 46);  
‘The rural character of views to the north, though largely altered from the dominant heathland of the Bronze Age, contributes to the experience of the Ridge barrows’ (DBA, 5.38, p. 46)”*

15.22 The DCO acknowledges that the landscape has changed from liminal waterlogged land in the Bronze Age to agricultural land. However, he considers the land has remained largely undeveloped. The Council’s Design and Conservation Officer concludes that the proposed development, due to its scale and the physical change imposed on the landscape by means of the proposed development would cause harm to the setting of the Scheduled Ancient Monuments (SAMs). They consider the harm to be less than substantial.

15.23 The DCO also notes the presence of two listed buildings as detailed above. The listed buildings are associated with the agricultural use of the surrounding area. This land use continues to the present day. The DCO considers that the change away from the agricultural landscape would result in less than substantial harm to the setting of the listed buildings.

15.24 Historic England have been consulted on the proposals. They concur that the proposals result in less than substantial harm to the setting of the SAMs. They have entered into discussions with the applicant and agreed that a financial contribution will be provided in order to facilitate the restoration and improved interpretation of the two bowl barrows currently on the "Heritage at Risk" register. The works to remove the barrows are considered to constitute a significant public benefit that outweighs the less than substantial harm caused.

15.25 As the DCO has indicated that less than substantial harm will be caused by the proposed development, paragraph 202 of the NPPF states that the Local Planning Authority must weigh the harm against public benefits, giving great weight to the preservation of the designated heritage asset. However, while the DCO considers that the proposal results in less than substantial harm, he accepts that the public benefit achieved by the removal of the two barrows from the heritage at risk register and interpretation board constitutes a significant public benefit that outweighs the harm that is caused. These public benefits are considered to outweigh the less than substantial harm that it caused to the setting of the listed buildings and the funerary landscape.

15.26 In addition to the benefits that are achieved through the scheme, it is noted that the solar farm will operate for a period of 40 years before being decommissioned and dismantled. Therefore, the impact on the setting of the heritage assets is not permanently altered. Officers are mindful of the comments from the Design and Conservation Officer however it is considered on this occasion for the reasons set out above, that the public benefits outweigh the less than substantial harm caused to the setting of the heritage assets. It is also noted that Paragraph 158 of the NPPF states that:

*"When determining planning applications for renewable and low carbon development, local planning authorities should:*

*(a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*

*(b) approve the application if its impacts are (or can be made) acceptable."*

15.27 In this instance, officers consider that the proposed mitigation and temporary nature of the development result in the impacts being acceptable on balance. The mitigation for the Drove Hill Barrows will be secured via a Section 106 legal agreement. Referring to Policy REN of the Purbeck Local Plan Part 1, while the proposal does

cause a degree of harm to the heritage assets, for the reasons set out above, those impacts are suitably mitigated.

#### Impact on archaeology

- 15.28 The site does not have known significant archaeological features. The applicant has submitted a geophysical survey. The results primarily reflect the agricultural activity within the site. The survey did not find any evidence of significant archaeological activity.
- 15.29 It is noted that there are peat deposits in the northern area of the development. It is considered that these peat deposits could have paleo environmental evidence which would not be picked up by geophysical surveys. Therefore, Historic England initially advised that development should not occur where there are peat deposits. Following discussions between the applicant and Historic England, it has been agreed that auger surveys of the area affected must be completed to establish whether there are archaeological remains. If archaeological remains are found in the peat deposits, non-intrusive foundations must be employed. A condition will be added to the application requiring details of the proposed surveys, their location and methodology will be provided and details of the foundations to be provided should the surveys find archaeological remains (condition 14).
- 15.30 The Council's Senior Archaeologist has been consulted on the proposals and he is in agreement with the approach identified by Historic England. Subject to the condition, the proposal is therefore not considered to have a harmful impact upon archaeology.
- 15.31 With respect to Policy REN of the Purbeck Local Plan Part 1, the proposal will not have a harmful impact upon any archaeology which would be considered to be a heritage impact, and therefore, in this respect, the proposal is considered to be compliant with Policy REN.

#### Impact upon amenity

- 15.32 The area is rural in nature and therefore there are few residential properties in the area. North Fossil Farm is approximately 200m to the south of the site. The property will be screened from the solar farm by the proposed 30m woodland screen at the southern end of the site. To the east are a number of residential properties on Gatemore Road. These properties are in excess of 330m from the site, the nearest property to the proposed substation is approximately 345m away. This distance is considered to be sufficient to ensure that there will not be an unduly harmful relationship with the residential properties and the electricity substation.
- 15.33 To the north is Nutley Farm, which comprises of the farmhouse and holiday accommodation. The nearest of the holiday accommodation is approximately 180m away from the site. At this distance the proposed development is not considered to have a harmful impact on the neighbouring residential properties. To the west is Tadnoll Cottages, which is approximately 265m from the site. These properties are



obscured from the site by the existing woodland and this, as well as the distance from the site ensures that the relationship is not unduly harmful.

15.34 Once the solar farm is constructed, it will generate little in the way of noise impact (with the exception of the substation) however, there will be noise associated with the construction process. The applicant has submitted a construction traffic management plan. A condition will be applied to ensure that the details of this management plan are implemented.

15.35 Returning to Policy REN of the Purbeck Local Plan Part 1, the proposal is considered not to have a harmful impact on the amenity of the neighbouring residents and is therefore considered to be compliant with the policy. In addition, Policy D: Design, of the Purbeck Local Plan Part 1 states that:

*“The Council will expect the proposals for all development and other works to:*

- Avoid and mitigate effects from overshadowing, overlooking and other adverse impacts including light pollution from artificial light on local amenity”*

The proposal is therefore also considered to be compliant with Policy D of the Purbeck Local Plan Part 1.

#### Impact upon designated sites and biodiversity

15.36 The site is situated at the closest point approximately 180m from Winfrith Heath. The land is designated as a Ramsar heathland site, a Site of Special Scientific Interest (SSSI), a Special Protection Area (SPA) and a Special Area of Conservation (SAC). Although the site is in close proximity to the designated site, it does not encroach onto the site. The proposed use will not result in increased recreational pressure on the heathland.

15.37 The site, given its scale, the variety of land use and the fauna present require a survey to be undertaken in order to establish whether any protected species will be affected by the proposals. A phase 1 biodiversity survey has been carried out in order to establish this. The survey concluded that while the majority of the site which is used for arable farming has negligible value in providing a habitat, there are habitats around the field boundaries that do have value. The existing hedgerows are particularly significant in providing value in the local area as a habitat. The solar arrays would be set back from the hedgerows in order to protect the habitats that the hedgerows provide and also to provide nature corridors.

15.38 Surveys of the site indicated that none of the three existing ponds on site currently contain amphibians. There are no records of Great Crested Newts on the site and the survey concluded that although they inhabit Winfrith Heath SSSI to the east, it is unlikely that they would travel to the site. The survey noted that there are occasional signs of badgers, but no setts within the site.

15.39 The trees within the hedgerows and scattered areas of woodland may provide the opportunity for roosting bats. The site boundaries are considered to provide good potential for foraging and commuting bats, with woodland habitat within and adjacent

to the site providing good potential. There is potential for nesting birds to establish nests in the same areas. The same habitat may also have the potential to host dormice and for foraging slow worm, common lizard and grass snake.

15.40 The site is not considered to have potential for a number of species including hedgehogs, otters, water voles and invertebrates. It is noted that the RSPB deem the area to have medium sensitivity in relation to the potential impacts from solar developments on biodiversity. This is due to the relationship of the site with Winfrith Heath SSSI due to the presence of Dartford Warblers, Nightjars and Hobbys and also Dorset Heath SPA due to the presence of Dartford Warblers, Nightjars, Hen Harriers, Merlins and Woodlarks.

15.41 However, Dartford Warbler, Nightjar and Woodlark are heathland specialist and would not be active in the area of the proposed solar farm. Hen Harrier and Merlin are also largely associated with open heathland but can be found foraging within farmland. However, they would not breed within the site and could still forage here once the solar PV array is complete. Furthermore, the study advises that the cessation of modern agricultural practices associated with the operation solar PV development are likely to increase numbers of small mammals and birds in the area which will provide a benefit to both Merlin and Hen Harrier.

15.42 The survey concludes that the protection of the hedgerow and land adjacent to hedgerows should ensure that habitats for protected species are not harmfully impacted. This has been incorporated into the layout of the solar arrays.

15.43 The proposal has the potential to provide significant biodiversity net gain. This is achieved by a number of measures including:

- Replacing intensively farmed arable land with semi-improved grassland
- The formation of four ephemeral water bodies, approximately 0.32 hectares in size, with the retention of other wet areas and enhanced drainage flows to ensure that the existing wet habitats remain so.
- Wetland areas will also be increased by scalloping non-historic ditches on the site, and leaky dams will be introduced with woodland debris. The process will improve the physical structure of the ditches and reduce sediment and nutrient run off into the ditches.
- All existing hedgerows will be retained. Existing boundary hedgerows will be gap planted to improve their ecological value and connectivity.
- 640m of new linear hedgerow will provide ecological linkages to Winfrith Heath from the site and in a north – south direction across the site.
- 2 hectares of woodland will be planted in land within the applicant's ownership but outside of the site.
- Existing woodland within the site will be enhanced through new tree planting with a diverse native species mix.
- Approximately 0.95ha of woodland is to be planted within the site.

- New marginal planting on retained banks of ponds to increase habitat diversity
- Improvements to the commuting and foraging habitat for a number of species including bats, breeding birds, hedgehogs and reptiles.

The proposals result in an increase of 194% in habitat units (using the DEFRA biodiversity metric) which accords with the guidance set out in the NPPF. Condition 4 requires the implementation of these measures.

15.44 The Dorset Council Natural Environment Team (NET) have been consulted on the proposed mitigation and net gain. They have confirmed that the details provided are acceptable. The proposal is therefore considered to be acceptable in terms of biodiversity.

15.45 Natural England have been consulted on the proposal. They have welcomed the proposed measures which would provide a net gain and note that this would bring substantial benefits. No concerns have been raised in relation to the impact upon Winfrith Heath. It is noted that the site predominantly comprises Grade 3a agricultural land, which is classified as “best most versatile agricultural land” (BMVA). The applicant notes that the land will still be used for agricultural purposes, albeit grazing as opposed to crop production. It is also noted that the proposal is temporary for a period of 40 years, after which the land will be returned fully to agricultural use. Officers are therefore satisfied that the temporary loss of BMVA land is acceptable.

15.46 However, Natural England note the concerns raised by the Dorset AONB Management Team and consider that the concerns raised by the Management Team need to be addressed before the application proceeds. On this basis, a holding objection was applied to the proposal unless these matters can be resolved. As noted above, the concerns raised by the AONB Management Team have now been addressed. Policy BIO: Biodiversity and Geodiversity of the Purbeck Local Plan Part 1 states that:

### **New Development**

New development:

- Will need to ensure that there are no adverse effects upon the integrity of European protected sites (SPA, SAC, Ramsar, possible SAC, potential SPA).
- Within the vicinity of areas that support nationally significant numbers of Annex 1 bird species (nightjar and woodlark), undertake a risk based approach to ensure that there is no significant adverse effect upon these species and their habitats.
- Will need to ensure that there are no adverse impacts upon SSSI, for example an indirect effect of disturbance from increased public access.
- Will need to demonstrate that it avoids significant adverse impacts upon Sites of Nature Conservation Interest (SNCI), National Nature Reserves (NNR), Local Nature Reserves (LNR), Ancient Woodland, aged or veteran trees, wetland interests (for example, watercourses, ponds, reedbeds), and Habitats of Principal Importance. Any significant adverse impacts on these sites and features which cannot be avoided through location on an alternative site, must be adequately mitigated, or, as a last resort, compensated.
- Should incorporate any opportunities for biodiversity in and around the development

In considering the acceptability of proposals, the Council will assess their direct, indirect and cumulative impacts relative to the significance of the nature conservation value, and balance them against other sustainable development objectives.

15.47 Taking into account the points above, it is considered that the proposal is compliant with Policy BIO. Policy DH: Dorset Heaths International Designations also states that development will not be permitted unless it can be ascertained that it will not have an adverse effect on the integrity of the heaths. It is considered that this has been demonstrated.

15.48 Referring to Policy REN of the Purbeck Local Plan Part 1 it is considered that proposal will not have an ecological impact on protected habitats and is therefore compliant with this policy.

### Highways

15.49 Access to the site will be from the existing bridleway (SE27/17) which will be upgraded to provide improved visibility. The public right of way will remain open during the construction process and banksmen will be employed to ensure the safety of users. The Council's Public Rights of Way Officer has been consulted and has raised no objection. The access will be surfaced with a suitable aggregate.

15.50 Once operational, the site will not generate significant volumes of traffic, with traffic movements being primarily in relation to maintenance. During the construction phase there will be a larger number of traffic movements to and from the site, although this is still considered to be relatively low (estimated to be 18 car journeys per day). The applicant has submitted a construction traffic management plan to address this. This includes the following mitigation measures:

*(i) signs to direct construction vehicles associated with the development will be installed along the route. Delivery drivers, contractors and visitors will be provided with a route plan in advance of delivering to Site to ensure that vehicles follow the identified route;*

- (ii) advisory signs informing contractors and visitors that parking is not permitted on street in the vicinity of the Site or on the Site access road;*
- (iii) all signage on the designated route will be inspected twice daily by the Site Manager (once in the morning and once at lunchtime), to ensure they are kept in a well maintained condition and located in safe and appropriate locations;*
- (iv) a compound area for contractors will be set up on-site including appropriate parking spaces. Contractors and visitors will be advised that parking facilities will be provided on-Site in advance of visiting the Site and that they should not park on-street;*
- (v) a wheel wash facility will be provided ahead of the Site egress onto Wareham Road which will allow vehicles to be hosed down so that no construction vehicles exiting the Site will transport mud or debris onto the local highway network;*
- (vi) a road sweeper will be provided for surrounding local roads along the designated route to alleviate any residual debris generated during the construction phase, as required;*
- (vii) the Site will be secured at all times with Heras fencing;*
- (viii) a requirement for engines to be switched off on-Site when not in use;*
- (ix) spraying of areas with water supplied as and when conditions dictate to prevent the spread of dust;*
- (x) vehicles carrying waste material off-site to be sheeted;*
- (xi) banksmen will be provided at the Site access and egress to indicate to construction traffic when it is safe for them to enter and exit the Site; and*
- (xii) all residents in the vicinity of the Site along the designated route (notably those on Wareham Road) will be provided with contact details of the Site Manager, which will also be provided on a Site-board at the Site access junction.*

15.51 The Council's Highways Team have been consulted on the proposals and raised no objections subject to the implementation of the traffic management plan. A condition will also be implemented requiring further details of the first 50m of the access road to be provided to ensure that loose materials do not spill onto the highway (condition 6). It is noted that the Parish Council have requested that construction works are restricted to taking place outside of the holiday season (November – March). The Highways Team have not raised any concerns regarding construction traffic. It is noted that the Construction Management Plan requires banksmen to assist with the access and egress of vehicles from the site which will ensure highway safety is maintained during times of increased traffic. Taking account of the above, the proposal is considered to provide safe access, in accordance with Policy REN of the Purbeck Local Plan Part 1.

#### Flooding and drainage

15.52 The site is not within flood risk zones but parts of the site are known to be at risk from surface water flooding and the site shows flow paths for surface water run off. In addition, there are local ordinary watercourses within the site. This is acknowledged in the Flood Risk Assessment (FRA) that has been produced by the applicant. The Lead Local Flood Authority has been consulted on the proposal and they have noted that solar park development is unique in that while the panels are impermeable, they are raised and tilted towards the undeveloped ground. As a result, infiltration to the ground is not generally reduced and run-off velocity is unlikely to be impacted. However, in line with the NPPF an FRA is still required.

15.53 The applicant has provided an FRA. The Lead Local Flood Authority are generally supportive of the details within the FRA. However, the Lead Local Flood Authority suggest that the layout does not take account of the flow paths of the surface water. They therefore raised an objection to the proposal. The applicant has revised the layout of the solar arrays to accommodate this. Subsequently, the objection has been removed subject to a condition requiring a detailed surface water maintenance and management scheme (conditions 12 and 13).

#### Minerals and Waste

15.54 The site is identified as being in a mineral safeguarding area. The Council's Minerals and Waste team have been consulted on the proposals. Despite being in a safeguarding area, they are satisfied that as the proposal is temporary (for a period of 40 years), the land will revert to agricultural use and therefore be available for mineral extraction in the future. They therefore raise no objections.

#### Impact on trees

15.55 There are a number of trees on the site. None are protected, however, they have amenity and ecological value. No trees are proposed to be felled as part of the proposal. The proposal indicates that protective fencing will be installed during the construction phase to protect the trees and hedgerow during the construction process. The Council's Tree Officer has been consulted and agrees with the principle of doing so, however advises that an arboricultural method statement will be required to complement the tree survey that has been submitted as part of the planning application. This can be achieved by means of a planning condition (condition 11).

15.56 The Tree Officer has noted that the proposed woodland planting to the south of the solar farm sits outside of the site boundary. She is concerned about the implementation of the woodland screening. However, the land is within the same ownership as the application site, therefore a planning condition can be applied to secure the woodland area (condition 7).

15.57 The Tree Officer also notes that the applicant suggests that the land is not well suited to planting and raises concerns that this may result in the proposed landscaping not providing the level of screening that would be required to mitigate the visual impact. Officers consider that a planning condition requiring any planting that dies within the first five years of the installation of the solar farm should be replaced. This should ensure that the planting has the required time to establish itself within the site.

15.58 The Tree Officer also comments that at the time of the decommissioning of the site the established planting should be retained. This again, will be resolved by means of a planning condition. Following discussions with the Tree Officer she is satisfied with this approach. She recommends that conditions should be applied requiring a full arboricultural method statement to be submitted (condition 11), including details of construction access tracks. She also advises conditions requiring a full Arboricultural Method Statement are to be submitted prior to the decommissioning of the site to

protect the trees during that process (condition 3). In addition, conditions requiring the retention of the trees and hedges planted, along with a detailed landscaping plan and maintenance scheme for the proposal should be provided (conditions 9 and 10). She also recommends that the tree screening to the southern end of the site be moved to within the site. For the reasons outlined above, officers are satisfied that the screening can be provided without the need to move the woodland to within the site. Officers therefore consider that the concerns raised by the Council's Tree Officer are satisfactorily resolved, subject to the planning conditions that she has advised would be required if officers are minded to recommend that the application is approved.

## **16.0 Conclusion**

16.1 Taking account of the details above, officers consider that the proposal is compliant with Policy REN: Renewable Energy, of the Purbeck Local Plan Part 1 and therefore officers are recommending approval.

## **17.0 Recommendation**

**That the Committee would be minded to grant the application subject to the conditions set out in the report and the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) in a form to be agreed by the legal services manager to secure financial mitigation for two barrows on the heritage at risk register and for the AONB, and recommends that the Service Manager for Development Management and Enforcement determines the application accordingly.**

**Or**

**Refuse permission if the agreement is not completed by 15<sup>th</sup> June 2022 or such extended time as agreed by the Head of Planning.**

### **Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: J00739-004 scale 1:7500, SP-IN-D03-PL R03, SP-SCD3-PL R04, SP-ELD3-PL R04, SP-SS-D03-PL 1/2 R04, SP-SS-D03-PL 2/2 R04, J00739-005 scale 1:5000 and SP-SF-D03-PL R03

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Within 40 years following completion of construction of development, or within six months of the cessation of electricity generation by the solar PV facility, or within six months following a permanent cessation of construction works prior to the solar pv facility coming into operational use, whichever is sooner, the solar pv panels, frames, foundations, inverter modules and all associated structures and fencing approved shall be dismantled and removed from the site. The developer shall notify the Local Planning Authority in writing no later than five working days following cessation of power production or permanent cessation of construction works prior to the facility coming into operational use. The site shall subsequently be decommissioned and restored in accordance with a scheme, the details of which shall be submitted to and approved in writing by the Local Planning Authority no later than three months following the cessation of power production or the permanent cessation of construction works prior to the facility coming into operational use.

Reason: To ensure an acceptable restoration of the site and to protect the setting of the Heritage Assets.

4. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 20<sup>th</sup> October 2021 must be implemented in accordance with the timetable detailed in the approved biodiversity plan and completed in full prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the local planning authority, the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

5. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan prepared by Transport Planning Associates, dated September 2020 reference 2003-065/CTMP/01.

Reason: In the interests of road safety.

6. Before the commencement of construction of the development, or delivery of materials associated with the development the first 50 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to



a specification submitted to and approved in writing by the Local Planning Authority including the proposals set out in Drawing SK01-A (Appendix C).

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard. This needs to occur prior to construction of the development due to the traffic movements associated with its development.

7. The woodland screening to the south of the site, shown on drawing reference SP-SL1-D03-PL R03 shall be planted prior to the installation of the solar arrays, transformers or the substation. Any tree that becomes diseased or dies within the first five years from the date of planting shall be replaced.

Reason: In the interests of the amenities of the area

8. Prior to the commencement of any development hereby approved, above damp course level, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include where appropriate : proposed finished levels or contours, the exact location of the substation within the site, hard surfacing materials for the substation including the colour, details of the CCTV cameras and the poles on which they are situated including the height of the pole, materials and colour. The development shall be carried out in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

9. Prior to the commencement of any development hereby approved, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement of any of the trees and shrubs that become diseased or die within a period of not less than 5 years.

Reason: In the interest of visual amenity.

10. Prior to the commencement of any development hereby approved, a landscape management plan shall, by reference to site layout drawings of an appropriate scale, be submitted to and approved in writing by the Local Planning Authority and shall include long term design objectives, management

responsibilities and maintenance schedules for all landscape areas. The landscaping shall be managed in accordance with the approved plan for the lifetime of the development.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by the landscape features of nature conservation or historical significance

11. Prior to the commencement of any development hereby approved, an Arboricultural Method Statement (AMS) prepared by a qualified tree specialist providing comprehensive details of construction works in relation to trees that have the potential to be affected by the development must be submitted to, and approved in writing by the Council. All works must be carried out in accordance with the approved details. In particular, the method statement must provide the following: a) a specification for protective fencing to trees and hedges during construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing; b) a schedule of tree work conforming to BS3998; c) details of the area for storage of materials, concrete mixing and any bonfires; d) plans and particulars showing proposed cables, pipes and ducts above and below ground f) details of any no-dig specification for all works within the root protection area for retained trees: g) details of the supervision to be carried out by the developers tree specialist.

Reason: This information is required to be submitted and agreed before any work starts on site to ensure that the trees and hedges deemed worthy of retention on-site will not be damaged prior to, or during the construction works.

12. Prior to the commencement of development a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction shall be submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding and to protect water quality.

13. Prior to the commencement of development details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or

statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

14. Prior to the commencement of any development hereby approved, including any excavation, a scheme that details a programme of investigative archaeological work to establish whether there is archaeology within the peat deposits shall be submitted to, and agreed in writing by the Local Planning Authority. This shall include the proposed location of the works and methodology. The development shall thereafter accord with the approved scheme, taking account of any findings and making adjustments to foundation structures below ground as necessary.

Reason: To safeguard and/or record the archaeological interest on and around the site. As the foundations are below ground, a revised planning application is not required to make required adjustments to the foundations used.

**Informative Notes:**

1. Informative: The applicant is advised that the granting of planning permission does not override the need for existing rights of way affected by the development to be kept open and unobstructed unless the statutory procedures authorising closure or diversion have been completed. Developments, in so far as it affects a right of way should not be started until the necessary order for the diversion has come into effect.
2. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to mitigation for the Heritage at Risk register monuments and to mitigating the impact of the proposal on the AONB.
3. Informative: The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at [dorsetdirect@dorsetcc.gov.uk](mailto:dorsetdirect@dorsetcc.gov.uk), or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway
4. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

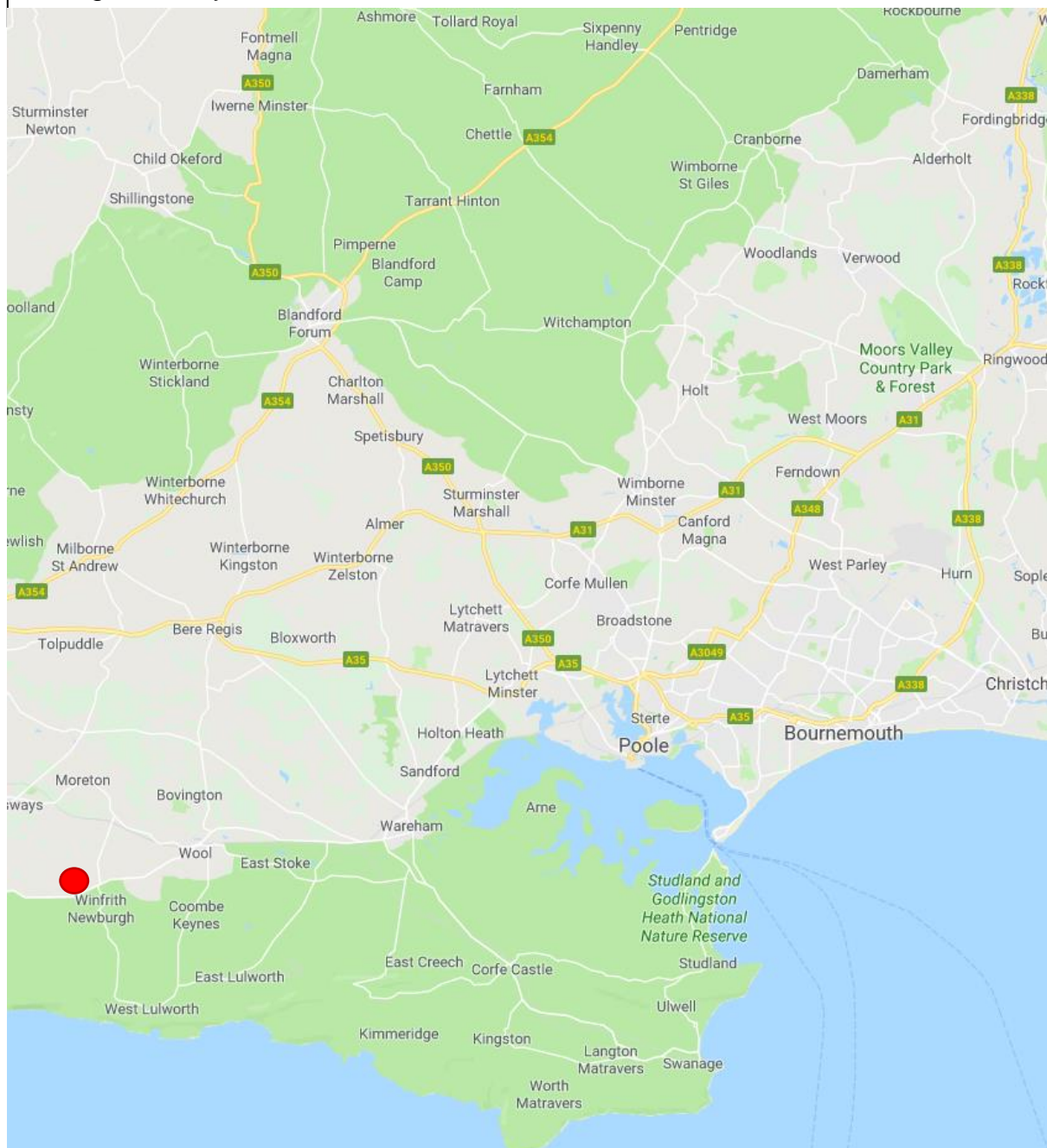
- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

● Approximate Site Location

Application reference: 6/2020/0595

Site address: Land North of North Fossil Farm, Dorchester Road, East Knighton

Proposal: Installation of 40MW ground mounted photovoltaic (PV) solar development including a substation & new fencing with associated landscape mitigation & ecological/ecosystem service enhancements



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